



ORDINARY MEETING

MINUTES

3 JULY 2018

The resolutions contained within these minutes were confirmed at Council Meeting
on 17 July 2018.

TABLE OF CONTENTS

ITEM	SUBJECT	PAGE NO
1	OPENING.....	1
2	PRESENT	1
3	LEAVE OF ABSENCE / APOLOGIES	2
	NIL	2
4	PUBLIC FORUMS/DEPUTATIONS	3
	NIL	3
5	MAYORAL MINUTE	4
5.1	MAYORAL MINUTE - SUPPORT FOR REGIONAL EXPORT DISTRIBUTION CENTRE PILOT FUNDING - JOBS AND REGIONAL GROWTH FUND	4
5.2	MAYORAL MINUTE - COOEE BAY POOL REFURBISHMENT AND UPGRADE - THE RANKING OF COOEE BAY POOL A HIGH PRIORITY COMMUNITY INFRASTRUCTURE PROJECT FOR STATE AND/OR FEDERAL FUNDING APPLICATIONS.	5
5.3	MAYORAL MINUTE - SUBMISSION OF AN APPLICATION TO THE MATURING OUR INFRASTRUCTURE PIPELINE PROGRAMME TO EVALUATE AND ADVANCE PLANS FOR ESTABLISHMENT OF NEW YEPPON SHOWGROUNDS AND EQUESTRIAN CENTRE	6
5.4	MAYORAL MINUTE - MICROFACTORY OPPORTUNITIES FOR THE ESTABLISHMENT OF INNOVATIVE RESOURCE RECOVERY AND WASTE MANGEMENT PROJECTS.....	7
6	CONFIRMATION OF MINUTES OF PREVIOUS MEETING.....	8
7	DECLARATIONS OF INTEREST IN MATTERS ON THE AGENDA	9
8	BUSINESS ARISING OR OUTSTANDING FROM PREVIOUS MEETINGS	10
8.1	BUSINESS OUTSTANDING TABLE FOR ORDINARY COUNCIL MEETING	10
9	PRESENTATION OF PETITIONS.....	11
	NIL	11
10	AUDIT, RISK AND BUSINESS IMPROVEMENT COMMITTEE REPORTS.....	12
	NIL	12
11	COUNCILLOR/DELEGATE REPORTS	13
	NIL	13
12	REPORTS.....	14

12.1	LIFTING MATTERS LYING ON THE TABLE.....	14
12.2	TROPICAL BLOOM FESTIVAL - APPLICATION FOR TEMPORARY ENTERTAINMENT EVENT ON PRIVATE LAND.....	15
12.3	PARKING (AMENDMENT) SUBORDINATE LOCAL LAW (NO. 5) 2018	17
12.4	VERSION 1 ASSET MANAGEMENT POLICY.....	18
12.5	WASTE MANAGEMENT LOCAL LAW	19
12.6	REVENUE POLICY	20
12.7	AUDIT, RISK AND BUSINESS IMPROVEMENT COMMITTEE MEETING - 14 MAY 2018.....	21
12.8	DECISION ASSESSMENT FOR FIVE DEVELOPMENT APPLICATIONS FOR DEVELOPMENT PERMITS FOR RECONFIGURING A LOT RESULTING IN THE CREATION OF 199 LOTS + BALANCE LAND AND A DEVELOPMENT PERMITS FOR A MATERIAL CHANGE OF USE FOR 199 DWELLING HOUSES (SEA HAVEN ESTATE STAGES 4B, 4C, 5, 6, 7, 8 AND 9).....	24
13	QUESTIONS/STATEMENT/MOTIONS ON NOTICE FROM COUNCILLORS	88
13.1	NOTICE OF MOTION - COUNCILLOR GLENDA MATHER - YEPPOON SHOWGROUNDS.....	88
13.2	NOTICE OF MOTION - COUNCILLOR ADAM BELOT - LEASING LSC INFRASTRUCTURE/BUILDINGS.....	89
14	CLOSED SESSION	90
15.1	CONSIDERATION OF THE FUTURE OF THE YEPPOON TOWN CLOCK	
15.2	REGISTRATION INFRINGEMENT PROCESS	
15.3	REQUEST FOR DEFERRAL OF OUTSTANDING INFRASTRUCTURE CHARGES FOR A DEVELOPMENT FOR MULTIPLE DWELLING UNITS AT 17 ROCKHAMPTON ROAD, YEPPOON	
15.4	RESPONSE TO QUESTIONS ON NOTICE - TARANGANBA SCHOOL BUS DROP OFF ZONE	
15.1	CONSIDERATION OF THE FUTURE OF THE YEPPOON TOWN CLOCK	
15	CONFIDENTIAL REPORTS.....	92
15.1	CONSIDERATION OF THE FUTURE OF THE YEPPOON TOWN CLOCK.....	92
15.2	REGISTRATION INFRINGEMENT PROCESS.....	93
15.3	REQUEST FOR DEFERRAL OF OUTSTANDING INFRASTRUCTURE CHARGES FOR A DEVELOPMENT FOR MULTIPLE DWELLING UNITS AT 17 ROCKHAMPTON ROAD, YEPPOON.....	95
15.4	RESPONSE TO QUESTIONS ON NOTICE - TARANGANBA SCHOOL BUS DROP OFF ZONE	96
16	URGENT BUSINESS\QUESTIONS	97
17	CLOSURE OF MEETING.....	98

MINUTES OF THE ORDINARY MEETING HELD AT COUNCIL CHAMBERS, 4 LAGOON PLACE, YEPPON ON TUESDAY, 3 JULY 2018 COMMENCING AT 9:22AM

1 OPENING

2 PRESENT

Members Present:

Mayor, Councillor Bill Ludwig (Chairperson)
Deputy Mayor, Councillor Nigel Hutton
Councillor Adam Belot
Councillor Pat Eastwood
Councillor Jan Kelly
Councillor Glenda Mather
Councillor Tom Wyatt

In Attendance:

Mrs Chris Murdoch – Chief Executive Officer
Mr Brett Bacon – Executive Director Liveability and Wellbeing
Mr Dan Toon – Executive Director Infrastructure
Mrs Andrea Ellis – Chief Financial Officer
Mr Matthew Willcocks - Chief Technology Officer
Mr Shane Weir - Acting Chief Human Resources Officer
Miss Sue Schluter – Executive Assistant to Mayor
Miss Justine Schofield – Executive Support

3 LEAVE OF ABSENCE / APOLOGIES

Nil

4 PUBLIC FORUMS/DEPUTATIONS

Nil

5 MAYORAL MINUTE

5.1 MAYORAL MINUTE - SUPPORT FOR REGIONAL EXPORT DISTRIBUTION CENTRE PILOT FUNDING - JOBS AND REGIONAL GROWTH FUND

File No: ED8.5.19
Attachments: Nil
Responsible Officer: Bill Ludwig - Mayor

SUMMARY

The Mayor will present a Mayoral Minute in relation to Support for Regional Export Distribution Centre Pilot Funding

COUNCIL RESOLUTION

MOTION

THAT Council formally endorses and provides in principal support for both Central Highlands Regional Council and Rockhampton Regional Council in relation to their respective bids to the Regional Export Distribution Centre Pilot funding under the Jobs and Regional Growth Fund.

Moved by: Mayor Ludwig
Seconded by: Deputy Mayor, Councillor Hutton

MOTION CARRIED UNANIMOUSLY

5.2 MAYORAL MINUTE - COOEE BAY POOL REFURBISHMENT AND UPGRADE - THE RANKING OF COOEE BAY POOL A HIGH PRIORITY COMMUNITY INFRASTRUCTURE PROJECT FOR STATE AND/OR FEDERAL FUNDING APPLICATIONS.

File No: GS15.2.3
Attachments: 1. Cooee Bay Sports Complex Master Plan Report - 2017 [⇒](#)
Responsible Officer: Bill Ludwig - Mayor

SUMMARY

The Mayor will present a Mayoral Minute in relation to the refurbishment and upgrade of the Cooee Bay pool.

COUNCIL RESOLUTION

MOTION

THAT upgrade works to the Cooee Bay Pool be recognised as a priority community infrastructure project and as such be prioritised during consideration of available external funding opportunities provided by State and / or Federal Government.

Moved by: Mayor Ludwig
Seconded by: Councillor Wyatt

MOTION CARRIED UNANIMOUSLY

5.3 MAYORAL MINUTE - SUBMISSION OF AN APPLICATION TO THE MATURING OUR INFRASTRUCTURE PIPELINE PROGRAMME TO EVALUATE AND ADVANCE PLANS FOR ESTABLISHMENT OF NEW YEPPON SHOWGROUNDS AND EQUESTRIAN CENTRE

File No: CP5.9.1
Attachments: 1. Context map of possible relocation site for showgrounds ⇄
Responsible Officer: Bill Ludwig - Mayor

SUMMARY

The Mayor will present a Mayoral Minute in relation to the submission of an application to the Maturing our Infrastructure Pipeline Programme to evaluate and advance plans for establishment of new Yeppoon Showgrounds and Equestrian Centre

COUNCIL RESOLUTION**MOTION**

THAT an application be submitted for the next round of the Maturing our Infrastructure Pipeline Programme to evaluate relocation of the Yeppoon showgrounds from the current location to Council-owned property at Lot 11 RP848831 in Barmaryee, and facilitate the establishment of a dedicated regional Equestrian Sports Precinct

Moved by: Mayor Ludwig
Seconded by: Councillor Eastwood

MOTION CARRIED UNANIMOUSLY

5.4 MAYORAL MINUTE - MICROFACTORY OPPORTUNITIES FOR THE ESTABLISHMENT OF INNOVATIVE RESOURCE RECOVERY AND WASTE MANGEMENT PROJECTS.

File No: GV13.4.1
Attachments: 1. [Microfactory Opportunities](#) ⇨
Responsible Officer: Bill Ludwig - Mayor

SUMMARY

The Mayor will present a Mayoral Minute in relation to the proactive identification and development of microfactory opportunities that align with and take advantage of State Government funding programs to advance feasibility studies for the establishment of innovative resource recovery and waste management projects as one of Council's and our community's highest priorities.

COUNCIL RESOLUTION**MOTION**

1. That Council prepare a report to identify and develop a preliminary business case for microfactory opportunities that could be established at the Gateway Business & Industry Park and/or at the landfill that would be eligible for state and/or federal funding programs
2. That Council apply for funding under the announced State Govt programs to advance feasibility studies for innovative resource recovery and waste management projects.

Moved by: Mayor Ludwig
Seconded by: Councillor Belot
MOTION CARRIED UNANIMOUSLY

6 CONFIRMATION OF MINUTES OF PREVIOUS MEETING

COUNCIL RESOLUTION

THAT the minutes of the Ordinary Meeting held on 19 June 2018 be taken as read and adopted as a correct record.

Moved by: Councillor Kelly
Seconded by: Deputy Mayor, Councillor Hutton

MOTION CARRIED

**7 DECLARATIONS OF INTEREST IN MATTERS ON THE
 AGENDA**

8 BUSINESS ARISING OR OUTSTANDING FROM PREVIOUS MEETINGS

8.1 BUSINESS OUTSTANDING TABLE FOR ORDINARY COUNCIL MEETING

File No: GV13.4.1

Attachments: 1. [Business Outstanding Table - 3 July 2018](#)⇒

Responsible Officer: Chris Murdoch - Chief Executive Officer

SUMMARY

The Business Outstanding table is used as a tool to monitor outstanding items resolved at previous Council or Committee Meetings. The current Business Outstanding table for the Ordinary Council Meeting is presented for Councillors' information.

COUNCIL RESOLUTION

THAT the Business Outstanding table for the Ordinary Council Meeting be received.

Moved by: Councillor Kelly

Seconded by: Councillor Mather

MOTION CARRIED

9 PRESENTATION OF PETITIONS

Nil

**10 AUDIT, RISK AND BUSINESS IMPROVEMENT COMMITTEE
 REPORTS**

Nil

11 COUNCILLOR/DELEGATE REPORTS

Nil

12 REPORTS

12.1 LIFTING MATTERS LYING ON THE TABLE

File No: GV13.4.1
Attachments: Nil
Responsible Officer: Chris Murdoch - Chief Executive Officer
Author: Linda Benson - Coordinator Executive Support

SUMMARY

The Business Outstanding Table is used as a tool to identify when reports are due back to the table. Items lying on the table require a report to be lifted from the table before being dealt with. This report is designed to lift all necessary reports from the table to be dealt with at the current meeting on 19 June 2018.

COUNCIL RESOLUTION

THAT the following matters, 'lying on the table' in the Business Outstanding Table due to return to Council Meeting, be lifted from the table and be dealt with accordingly.

- Notice of Motion – Councillor Adam Belot – That LSC review and refine the policy, which assess what entity (individual, business, not for profit etc) is successful in leasing LSC infrastructure/buildings, to reflect that all Councillors will be responsible for making the final decision based on relevant information.

Moved by: Councillor Belot
Seconded by: Councillor Mather

MOTION CARRIED

12.2 TROPICAL BLOOM FESTIVAL - APPLICATION FOR TEMPORARY ENTERTAINMENT EVENT ON PRIVATE LAND

File No:	LE19.4.10
Attachments:	<ol style="list-style-type: none"> Application Temporary Event - Tropical Bloom Festival ⇒ Petition by Lake Mary Residents ⇒
Responsible Officer:	David Battese - Manager Strategy & Development Brett Bacon - Executive Director Liveability and Wellbeing
Author:	Craig Newsome - Coordinator Public Environments

SUMMARY

This report pertains to an application for a temporary event, pursuant to Council's Local Law No.1 (Administration) 2011, for the Tropical Bloom Festival; an art and culture event focusing on sustainability and indigenous culture.

The operation of the Tropical Bloom Festival as a temporary event is considered a prescribed activity requiring approval in accordance with the subordinate local law.

COUNCIL RESOLUTION

THAT in relation to the application for a Temporary Event Permit for the Tropical Bloom Festival, made by L Honek, on Lot 3 on SP119699, and located at Lot 3 Lake Mary Road, Lake Mary, Council resolves to Approve the application subject to the following conditions:

1.0 ADMINISTRATION

- 1.1 The Applicant is responsible for ensuring compliance with this approval and the Conditions of the approval by an employee, agent, contractor or invitee of the Applicant.
 - 1.2 Where these Conditions refer to 'Council' in relation to requiring Council to approve or to be satisfied as to any matter, or conferring on the Council a function, power or discretion, that role of the Council may be fulfilled in whole or in part by a delegate appointed for that purpose by the Council.
 - 1.3 All conditions of this approval must be undertaken and completed to the satisfaction of Council, at no cost to Council.
 - 1.4 All conditions, works, or requirements of this approval must be undertaken and completed prior to the commencement of use, unless otherwise stated.
 - 1.5 The following further Permits must be obtained prior to the opening of the event:
 - i) Food Licences (for any activity involving the preparation and/or handling of food for which a licence is required).
 - 1.6 This permit is not transferrable and is only valid for the period specified above.
- #### 2.0 APPROVED PLANS AND DOCUMENTS
- 2.1 The event must be operated in accordance with the plans and supporting information provided with the application.

<u>Plan/Document Name</u>	<u>Plan/Document Reference</u>	<u>Dated</u>
Application Form	Unreferenced	14 May 2018

Support Letter	Unreferenced	Undated
Tropical Bloom 2017 Site Plan	Unreferenced	Undated

3.0 ROADWORKS

- 3.1 For the entire period of the event, including during set-up and removal of the temporary structures, the applicant must arrange for water trucks to apply water to Lake Mary Road to mitigate the impacts of dust on properties adjacent to this road. (Please contact Council's Infrastructure Services for technical advice).

The application of water to Lake Mary Road must occur along Lake Mary Road from the 1.5 kilometre mark to the seven (7) kilometre mark, measured from the Old Byfield Rod intersection.

- 3.2 Promotional material associated with the event must identify that access to the site can be obtained from Greenlake Road.

4.0 OPERATIONAL

- 4.1 The applicant must give seven (7) days written notice to adjoining neighbours and any other persons advised by Council, who may be affected by noise emissions, light spillage, and/or offensive odours generated by the event.
- 4.2 The event must not generate significant noise or light pollution, or otherwise adversely impact upon the surrounding area.
- 4.3 The event must not operate outside the trading hours specified within the approved documentation.
- 4.4 The venue must only be used for the purpose as specified in the application.
- 4.5 The design and construction of any infrastructure must be safe and appropriate for the nature of the entertainment proposed and the number of people expected to attend the event.
- 4.6 The event and its operation must not unreasonably detract from the amenity of the area in which the venue is located.
- 4.7 There must be adequate provision of toilets and sanitary facilities for the use of people attending the event.
- 4.8 There must be adequate provision for the collection and disposal of refuse generated by the event.
- 4.9 All car parking associated with the event must be contained within the boundaries of the subject property.
- 4.10 The applicant is required to hold a current public liability policy, with insurance for a minimum of \$10,000,000 for Council owned land or \$20,000,000 for State owned land, indemnifying the Local Government against any or all claims of damage relating to the event.
- 4.11 That Serpentine Road remain open unless road closure permits are sought and approved.

Moved by: Deputy Mayor, Councillor Hutton

Seconded by: Councillor Kelly

MOTION CARRIED UNANIMOUSLY

12.3 PARKING (AMENDMENT) SUBORDINATE LOCAL LAW (NO. 5) 2018**File No:** TT30.13.1

- Attachments:**
1. **(Consolidated) Subordinate Local law (Parking) 2018** [⇒](#)
 2. **Resolution 20 March 2018 - Amendment to subordinate Local Law No.5 Parking** [⇒](#)
 3. **Public Notice - Parking (Amendment) Subordinate Local Law No.5** [⇒](#)
 4. **Submission - Public Notice 25 April 2018** [⇒](#)
 5. **Local Law Making Process Resolution** [⇒](#)

Responsible Officer: Brett Bacon - Executive Director Liveability and Wellbeing**Author:** Craig Newsome - Coordinator Public Environments

SUMMARY

This report provides a recommendation to receive proposed amendments and resolve to adopt a consolidated version of *Subordinate Local Law (Parking) 2011* to be titled *Subordinate Local Law No. 5 (Parking) 2018*.

COUNCIL RESOLUTION

That Council resolves to:

- 1) note the submission received entities about the proposed amendments to *Subordinate Local Law No.5 (Parking) 2011* pursuant to section 29A(3) of the *Local Government Act 2009*; and
- 2) make *Parking (Amendment) Subordinate Local Law No.5 2018* as amended; and
- 3) pursuant to section 32 of the *Local Government Act 2009*, adopt a consolidated version of *Subordinate Local Law No.5 (Parking) 2011* as attached to this report and include the definitions of penalty units

Moved by: Councillor Belot**Seconded by:** Councillor Kelly**MOTION CARRIED UNANIMOUSLY**

12.4 VERSION 1 ASSET MANAGEMENT POLICY

File No: 4.7.12
Attachments: 1. [Draft Policy \(v1\)](#) ⇨
Responsible Officer: Dan Toon - Executive Director Infrastructure
Author: Carrie Burnett - Policy & Planning Officer

SUMMARY

This report seeks Council's adoption of version 1 of the Asset Management Policy.

COUNCIL RESOLUTION

THAT Council adopt the Asset Management Policy (v1).

Moved by: Deputy Mayor, Councillor Hutton
Seconded by: Councillor Kelly

MOTION CARRIED

12.5 WASTE MANAGEMENT LOCAL LAW

File No: 19.5.1

Attachments:

1. [Public Interest Test Report](#)
2. [Proposed Local Law No. 8 \(Waste Management\) 2018](#)
3. [Public Notice](#)

Responsible Officer: Dan Toon - Executive Director Infrastructure

Author: Carrie Burnett - Policy & Planning Officer

SUMMARY

The purpose of this report is for Council to resolve to implement the recommendations of a public interest test report about proposed Local Law No. 8 (Waste Management) 2018 ('the proposed local law') and complete the local law making process by resolving to make the proposed local law as advertised.

COUNCIL RESOLUTION

THAT Council resolves:

- (a) to implement the recommendations of the Public Interest Test Report about Local Law No. 8 (Waste Management) 2018; and
- (b) to make Local Law No. 8 (Waste Management) 2018 as advertised; and
- (c) to note that Local Law No. 8 (Waste Management) 2018 contains anti-competitive provisions.

Moved by: Councillor Belot

Seconded by: Councillor Wyatt

MOTION CARRIED

12.6 REVENUE POLICY**File No:** CM4.7.12**Attachments:** 1. Revenue Policy [↔](#)**Responsible Officer:** Andrea Ellis - Chief Financial Officer**Author:** Priscilla Graham - Coordinator Revenue

SUMMARY

Councils 2018/19 Revenue Policy has been reviewed and is now present to Council for adoption.

COUNCIL RESOLUTION

THAT Pursuant to Section 193(3) of the *Local Government Regulation 2012*, Council adopt the 2018/2019 Revenue Policy as contained in Attachment 1.

Moved by: Deputy Mayor, Councillor Hutton**Seconded by:** Councillor Kelly**MOTION CARRIED**

12.7 AUDIT, RISK AND BUSINESS IMPROVEMENT COMMITTEE MEETING - 14 MAY 2018

File No: GV13.4.2
Attachments: 1. **ARaBIC Minutes Unconfirmed - 14 May 2018** [⇒](#)
Responsible Officer: Andrea Ellis - Chief Financial Officer
Author: Tanya Callaghan - Support Services Officer

SUMMARY

The Audit, Risk and Business Improvement Committee met on 14 May 2018 and this report provides the recommendations from the Committee for consideration and adoption by Council. The reports from the meeting are available for viewing by Councillors on the Councillor Portal.

COUNCIL RESOLUTION

THAT the unconfirmed minutes of the Audit, Risk and Business Improvement Committee meeting held on 14 May, 2018 be received and the following recommendations contained within those minutes be adopted.

1 CONFIRMATION OF MINUTES OF PREVIOUS MEETING

THAT the minutes of the Audit, Risk and Business Improvement Committee held on 14 May 2018 be taken as read and adopted as a correct record.

6.1 BUSINESS ARISING OR OUTSTANDING FROM PREVIOUS MEETINGS

THAT the Business Outstanding Table for the Audit, Risk and Business Improvement Committee meeting be received.

7.1 COMMITTEE WORK PROGRAM STATUS

THAT the Committee receives the status of the Annual Work Program.

7.2 EXECUTIVE LEADERSHIP TEAM UPDATE TO THE COMMITTEE

THAT the Committee receives the verbal updates provided by the Leadership team on key activities or issues.

7.3 APPROACH TO COMMITTEE SELF-ASSESSMENT

THAT ARaBIC note the status of actions, proposed approach and timetable for its annual self-assessment process.

7.4 CFO UPDATE

THAT the Audit Risk and Business Improvement Committee receive the Chief Financial Officer's update.

7.5 POLICY REVIEW – ASSET CAPITALISATION POLICY

That Committee consider the Policy and provide feedback on the proposed Livingstone Shire Council Policy document titled Asset Capitalisation Policy.

7.6 UPDATE ON 2017-18 NON CURRENT ASSET REVALUATIONS

THAT the Audit, Risk and Business Improvement Committee receive this report as an update on the progress of non-current asset revaluations.

7.7 SHELL GENERAL PURPOSE FINANCIAL STATEMENTS FOR YEAR ENDING 30 JUNE 2018

THAT the Audit, Risk and Business Improvement Committee;

- 1 Receive the draft shell financial statements for 2017-18; and
- 2 Note that any further recommended changes to the draft shell financial statements for 2017-18 be reflected in the draft financial statements that will be submitted to the Audit, Risk and Business Improvement Committee meeting on 3 September 2018.

7.8 EXTERNAL AUDITOR'S UPDATE

THAT the Committee receive the External Auditor's Update from the external auditors.

7.9 SUMMARY OF QUEENSLAND AUDIT OFFICE REPORT ON AUDITS OF LOCAL GOVERNMENT ENTITIES

THAT ARaBIC note this summary of the Queensland Audit Office Report "Local Government Entities: 2016-17 Results of Financial Audits".

7.10 SUMMARY OF QAO REPORT "CONFIDENTIALITY AND DISCLOSURE OF GOVERNMENT CONTRACTS"

THAT the Committee receive this report on the QAO report's implications for Council's contract disclosure.

7.11 SUMMARY OF QAO REPORT – FRAUD RISK MANAGEMENT

THAT the Committee receive this report on the implications for Council from the QAO report on Fraud Risk Management.

7.12 DRAFT INTERNAL AUDIT PLAN FOR 2018 TO 2022

THAT the Committee receive the Draft Internal Audit Plan.

7.15 INTERNAL AUDIT UPDATE

THAT the Committee Receive the report on internal Audit.

7.16 OVERVIEW OF INFRASTRUCTURE QUALITY MANAGEMENT SYSTEM

THAT the Committee receive the overview of the Quality Management System report.

7.17 FRAUD RISK MANAGEMENT UPDATE

THAT the Committee receive this report on Fraud Risk Management.

7.18 BUSINESS TRANSFORMATION UPDATES

THAT the Committee receive the Business Transformation activity update report.

11.1 RISK MANAGEMENT

THAT the Committee receive the Risk Management Report for information.

11.3 CONFIRM WHETHER MEMBERS' BRIEFING SESSION IS REQUIRED

THAT it is confirmed that a Member's briefing session involving only the Committee members will occur following the meeting.

Moved by: Deputy Mayor, Councillor Hutton

Seconded by: Councillor Kelly

MOTION CARRIED

Meeting adjourned for morning tea 10.38am.

Meeting returned at 11.14am

12.8 DECISION ASSESSMENT FOR FIVE DEVELOPMENT APPLICATIONS FOR DEVELOPMENT PERMITS FOR RECONFIGURING A LOT RESULTING IN THE CREATION OF 199 LOTS + BALANCE LAND AND A DEVELOPMENT PERMITS FOR A MATERIAL CHANGE OF USE FOR 199 DWELLING HOUSES (SEA HAVEN ESTATE STAGES 4B, 4C, 5, 6, 7, 8 AND 9)

File No: D-180-2017, D-182-2017, D-183-2017, D-185-2017 & D-186-2017

Attachments:

1. [Taroomball Locality](#)
2. **Overall Sea Haven estate concept plan and Proposal Plans for Stages 4B, 4C - 5, 6, 7, 8 & 9.**

Responsible Officer: Erin McCabe - Co-ordinator Development Assessment
David Battese - Manager Strategy & Development

Author: Madelaine Ward - Senior Planning Officer

SUMMARY

Applicant: Keppel Developments Pty Ltd
 Consultant: Capricorn Survey Group (CQ) Pty Ltd
 Consulting engineering: NG Gardener
 Real Property Address: Lot 5006 on SP296906
 Common Property Address: Lot 5006 Havenwood Drive, Taroomball
 Area of Site: 27,640 hectares
 Planning Scheme: *Livingstone Shire Planning Scheme 2005*
 Planning Scheme Zoning: Rural Zone
 Draft planning scheme zoning: Emerging community zone
 Planning Scheme Overlays: Drainage problem and Steep land (OM2A)
 Waterways and Wetlands (OM3B)
 Good quality agricultural land (OM4A)
 Storm tide hazard (OM5A)
 Bushfire hazard (OM5B)
 Acid sulphate soils (OM8A)
 Capricorn Coast Landscape Special Management Area – Precinct A and B (OM9)
 Existing Development: Vacant land (Sea Haven Estate balance land)
 Level of Assessment: Code Assessment
 Referral Agencies: Ergon Energy – Electricity easement
 Adopted Infrastructure Charges Area: Charge Area One

APPLICATION PROGRESS:

Applications lodged:	19 – 21 September 2017
Development Control Unit Meeting:	27 September 2017
Action notice issued:	3 October 2017 – 5 October 2017

Application properly made:	5 October 2017
Confirmation notice issued:	5 October 2017
Request for Further Information sent:	17 October 2017
Ergon advice agency response received:	12 October - 24 October 2017
Request for Further Information responded to:	8 January 2018 – 23 January 2018
Applicant agreement to extension to the decision stage until 12 March 2018:	16 February 2018
Workshop date:	5 March 2018
Applicant agreement to extension to the decision stage until 9 April 2018:	12 March 2018
Applicant agreement to extension to the decision stage until 15 May:	29 March 2018
Applicant agreement to extension to the decision stage until 19 June 2018	15 May 2018
Applicant agreement to extension to the decision stage until 3 July 2018	12 June 2018
Council meeting date:	3 July 2018

COUNCIL RESOLUTION

RECOMMENDATION A

THAT in relation to the applications for a Development Permit D-180-2018, D-182-2017, D-183-2017, D-185-2017 and D-186-2017 for Reconfiguring a Lot, made by Keppel Developments Pty Ltd, on Lot 5006 on SP296906 and located at Lot 5006 Havenwood Drive, Taroomball, Council resolves to Approve the applications pursuant to Section 60(2)(b) of the *Planning Act 2016*, there are considered to be circumstances that favour Council exercising its discretion to approve the development despite the conflict with the Rural zone code. The circumstances are:

- (i) The subject site is forms a key urban development link, which will lead to future connectivity between the localities of Taranganba, Taroomball and Lammermoor; providing the site with the opportunity for urban development, as identified within the new planning scheme. In this regard the proposal is simply bringing forward the timing of the development as per the Urban and New Urban provisions in the new planning scheme.
- (ii) The subject site represents a logical extension to existing urban development, considering the subject site is located on the immediate periphery of residential development, and is within proximity to schools, other key services and infrastructure and is consistent with the settlement pattern in the immediate area.

RECOMMENDATION B1 – D-180-2017 STAGES 4B, 4C AND 5A, 5B AND 5C

That in relation to the application for a Development Permit D-180-2018 Reconfiguring a Lot (one lot into forty-five lots + balance) and a Development Permit for a Material change of use for forty-five (45) Dwelling houses (Sea Haven Estate Stages 4B, 5A, 5B & 5C), made by Keppel Developments Pty Ltd, on Lot 5006 on SP296906 and located at Lot 5006 Havenwood Drive, Taroomball, Council resolves to Approve the application subject to the

following conditions:

**PART A – RECONFIGURING A LOT (ONE LOT INTO FORTY-FIVE LOTS + BALANCE)
STAGES 4B, 4C AND 5A, 5B AND 5C**

1.0 ADMINISTRATION

- 1.1 The Developer is responsible for ensuring compliance with this approval and the Conditions of the approval by an employee, agent, contractor or invitee of the Developer.
- 1.2 Where these Conditions refer to “Council” in relation to requiring Council to approve or to be satisfied as to any matter, or conferring on the Council a function, power or discretion, that role of the Council may be fulfilled in whole or in part by a delegate appointed for that purpose by the Council.
- 1.3 All conditions of this approval must be undertaken and completed to the satisfaction of Council, at no cost to Council.
- 1.4 All conditions, works, or requirements of this approval must be undertaken and completed prior to the approval of a plan of subdivision (survey plan endorsement), unless otherwise stated.
- 1.5 Where applicable, infrastructure requirements of this approval must be contributed to the relevant authorities, at no cost to Council prior, to the approval of a plan of subdivision (survey plan endorsement), unless otherwise stated.
- 1.6 The following further Development Permits must be obtained prior to the commencement of any works associated with its purposes:
- 1.6.1 Operational Works:
- (i) Road Works;
 - (ii) Access Works;
 - (iii) Sewerage Works;
 - (iv) Water Works;
 - (v) Stormwater Works;
 - (vi) Inter-allotment Drainage Works;
 - (vii) Site Works; and
 - (viii) Landscaping and Park Facility Works.
- 1.7 Unless otherwise stated, all works must be designed, constructed and maintained in accordance with the relevant Council policies, guidelines and standards.
- 1.8 All engineering drawings/specifications, design and construction works must comply with the requirements of the relevant Australian Standards and must be approved, supervised and certified by a Registered Professional Engineer of Queensland.
- 1.9 The proposed “Public Use Land” on the eastern side of Havenwood Drive which contains the children’s playground, landscaped areas and pedestrian network must be dedicated to Council as fee simple on trust. All areas of Public Use Land must be dedicated to Council for all purposes as part of the application for approval of a plan of subdivision.
- 2.0 APPROVED PLANS AND DOCUMENTS**
- 2.1 The approved development must be completed and maintained generally in accordance with the approved plans and documents, except where amended by the conditions of this permit:

<u>Plan/Document Name</u>	<u>Plan/Document Reference</u>	<u>Dated</u>
---------------------------	--------------------------------	--------------

Plan of Development Stages 4B, 4C and 5A-5C	6616-01-ROL Rev D Sheets 1 and 2	13 March 2018
Preliminary Storm water Management Strategy – Quality	1102-ROL7 (Rev 2)	3 January 2018

- 2.2 Where there is any conflict between the conditions of this approval and the details shown on the approved plans and documents, the conditions of approval must prevail.
- 2.3 Where conditions require the above plans or documents to be amended, the revised document(s) must be submitted for approval by Council prior to the submission of a Development Application for Operational Works.
- 3.0 STAGED DEVELOPMENT
- 3.1 This approval is for a development to be undertaken in five (5) discrete stages, namely:
- 3.1.1 Stage 4B: Six lots (Lot 87 to Lot 92);
- 3.1.2 Stage 4C: One Lot (Public Use Land)
- 3.1.3 Stage 5A: Seventeen Lots (Lot 93 to Lot 109);
- 3.1.4 Stage 5B: Eleven Lots (Lot 110 to Lot 120); and
- 3.1.5 Stage 5C: Eleven Lots (Lot 121 to Lot 131).
- in accordance with the approved plans (refer to condition 2.1).
- 3.2 Multiple development stages may be undertaken concurrently, provided all allotments can be connected to the full range of urban infrastructure including access availability from a constructed road frontage.
- 3.3 Infrastructure (including but not limited to road, pedestrian access, water, sewer, stormwater infrastructure) must be provided by the developer in a co-ordinated and a planned manner having regard to the overall catchment and staging of the development in a logical and orderly sequence to facilitate ease of extension of infrastructure during future stages.
- 3.4 Unless otherwise expressly stated, the conditions must be read as being applicable to all stages.
- 4.0 ROAD WORKS
- 4.1 A Development Permit for Operational Works (road works) must be obtained prior to the commencement of any road works on the site.
- 4.2 All works must be designed and constructed in accordance with the approved plans (refer to condition 2.1), *Capricorn Municipal Development Guidelines*, relevant *Australian Standards* and the provisions of a Development Permit for Operational Works (road works).
- 4.3 Any application for a Development Permit for Operational Works (road works) must demonstrate that all new roads and road reserves included in the application connect with existing constructed road(s) within and road reserve(s) at the time of making the application.
- 4.4 Eucalyptus Avenue must be designed and constructed as a Minor Urban Collector road classification standard except for the section in front of proposed lots 98 to 104 which must be a ten (10) metre wide pavement to allow the option of bus route continuity from the east to Havenwood Drive and to assist with the existing restricted vertical geometry of the section of Eucalyptus Avenue abutting the Sea Haven Estate. The existing section of Eucalyptus Avenue abutting the Sea Haven Estate

- has a 40k/h design speed vertical curve.
- 4.5 All new *cul-de-sac* roads must comply with all requirements for a road classification of “*Access Place*” in accordance with the requirements of the *Capricorn Municipal Development Guidelines*.
- 4.6 The design and construction of all terminating roads must include a temporary turning area which complies with the relevant performance and technical criteria, and facilitates suitable turning movements for a Council refuse collection vehicle.
- 4.7 The area taken up by temporary turning areas at the ends of roads must be covered by road reserve.
- 4.8 All pathways within road reserves (including access ramps) must:
- 4.8.1 Incorporate kerb ramps at all road crossing points; and
- 4.8.2 Be provided with public space lighting in accordance with *Australian Standard AS1158 Lighting for Roads and Public Spaces*.
- 4.9 Traffic signs and pavement markings including any alterations must be provided in accordance with the *Transport Operations (Road Use Management) Act 1995* and the *Manual of Uniform Traffic Control Devices (Queensland)*.
- 4.10 Any application for a Development Permit for Operational Works (road works) must include details, including signage, of the Council approved road names for all new roads.
- 4.11 Retaining walls must be wholly contained within private allotments and not be constructed within road reserves as Council-owned infrastructure, unless specifically approved as part of a Development Permit for Operational Works (road works).
- 4.12 Any retaining structures above one metre in height must be separately approved for structural adequacy by a Registered Professional Engineer of Queensland at design submission and certified on completion of construction for compliance with the design.
- A detailed inspection and ‘as constructed’ record must be provided to Council by a Registered Professional Engineer of Queensland, prior to acceptance of the works, including certification that the wall’s foundation ground conditions nominated in the design were inspected and achieved during construction. The approved design and/or construction of the retaining walls must not be modified without Council’s prior written approval.
- 5.0 ACCESS WORKS
- 5.1 A Development Permit for Operational Works (access works) must be obtained prior to the commencement of any access works on the site.
- 5.2 All works must be designed and constructed in accordance with the approved plans (refer to condition 2.1), the *Capricorn Municipal Development Guidelines*, and the provisions of a Development Permit for Operational Works (access works).
- 5.3 A compliant access driveway, including an internal access way, must be designed and constructed for proposed Lot 104.
- 6.0 SEWERAGE WORKS
- 6.1 A Development Permit for Operational Works (sewerage works) must be obtained prior to the commencement of any sewerage works on the site.
- 6.2 All works must be designed and constructed in accordance with the approved plans (refer to condition 2.1), *Capricorn Municipal Development Guidelines*, *Water Supply (Safety and Reliability) Act*, *Plumbing and Drainage Act* and the provisions of a Development Permit for Operational Works (sewerage works).
- 6.3 All lots within the development must be connected to Council’s reticulated sewerage

network via gravity connection. Each of the lots must be provided with its own separate sewer connection point, located wholly within its respective property boundaries.

- 6.4 Easements must be provided over all sewerage infrastructure located within private property. The easement location(s) and width(s) must be in accordance with the requirements of the *Capricorn Municipal Development Guidelines*.
- 6.5 Sewerage infrastructure must be provided (if necessary) to each development stage boundaries for connectivity.
- 7.0 WATER WORKS
- 7.1 A Development Permit for Operational Works (water works) must be obtained prior to the commencement of any water works on the site.
- 7.2 All works must be designed and constructed in accordance with the approved plans (refer to condition 2.1), *Capricorn Municipal Development Guidelines*, *Water Supply (Safety and Reliability) Act*, *Plumbing and Drainage Act* and the provisions of a Development Permit for Operational Works (water works).
- 7.3 All lots within the development must be connected to Council's reticulated water network. Each of the lots must be provided with its own separate water connection point, located wholly within its respective property boundaries.
- 7.4 Water infrastructure must be provided (if necessary) to each development stage boundaries for connectivity.
- 8.0 STORMWATER WORKS
- 8.1 A Development Permit for Operational Works (stormwater works) must be obtained prior to the commencement of any stormwater works on the site.
- 8.2 All stormwater management works must be designed and constructed in accordance with the approved plans (refer to condition 2.1), *Queensland Urban Drainage Manual*, *Capricorn Municipal Development Guidelines*, *Urban Stormwater Quality Planning Guidelines*, *State Planning Policy*, sound engineering practice, and the provisions of a Development Permit for Operational Works (stormwater works).
- 8.3 All stormwater must achieve demonstrated lawful discharge and must not adversely affect the upstream or downstream land when compared to pre-development condition by way of blocking, altering or diverting existing stormwater runoff patterns or cause an actionable nuisance or damage infrastructure.
- 8.4 Any application for Operational works (stormwater works) must identify all areas of the proposed development, which needs to be dedicated to, or encumbered in favour of Council or another statutory authority, in order to maintain the lawful discharge for the proposed development. The areas identified must satisfy the requirements of the *Queensland Urban Drainage Manual*.
- 8.5 Drainage easement(s) must be dedicated in favour of Council over all major overland flow paths (land inundated by the Defined Flood Event) and major drainage systems to provide drainage corridors suitable for the conveyance of peak stormwater flows through the subject land during the Defined Flood Event.
- 8.6 Any application for Operational Works (stormwater works) for any lot created in Stage 5 A, B or C must be accompanied by a detailed stormwater management strategy certified by a suitably qualified Registered Professional Engineer of Queensland. The strategy must include the following (but not limited to);
- 8.6.1 A detailed assessment of the major and minor rainfall event peak discharges for the pre-development and post-development scenarios and clearly identifies discharge point(s) and demonstrate lawful discharge;
- 8.6.2 Detention systems. The volume of any detention must be sufficient to attenuate the peak discharge from the site to ensure non-worsening of the

- flow regime immediately downstream of the development for a selected range of Annual Exceedance Probability events, up to the Defined Flood Event (inclusive) for a range of storm durations, including critical storm duration;
- 8.6.3 Layouts showing the extent of the one (1) per cent Annual Exceedance Probability event inundation areas (pre and post) and the details of the available freeboard to the finished ground/floor levels;
- 8.6.4 Pre and post one (1) year average recurrence interval (ARI) event peak flow and velocity details at discharge points within the Ross Creek to demonstrate compliance with waterway stability requirements;
- 8.6.5 Designs of outlet systems for the proposed drainage systems. Considerations must be given to critical scour velocity, discharge frequency /duration at the discharge location(s) and relevant management measures;
- 8.6.6 Full calculations, including (where necessary) electronic modelling files from industry standard modelling software, (inclusive of both electronic model files and results files) and all details of the modelling assumptions to support the proposed stormwater management strategy;
- 8.6.7 Detailed engineering plans with details of any new drainage systems, or the amendment and upgrading of exiting drainage systems to implement the proposed drainage strategy; and
- 8.6.8 Details of ongoing maintenance and management actions required with regard to any proposed detention basin / retention systems.
- 8.7 The proposed *Preliminary storm water quality management strategy – quality* Drawing 1102-ROL7 (Rev 2) is approved for Stage 4B and 4C only.
- 8.8 As part of the Operational Works application (stormwater works) for any lot created in Stage 5 (A, B or C) an overall Sea Haven stormwater quality management strategy is required addressing the collection and capture of gross pollutants.
- 8.9 Any culvert/cross drainage structures associated with the development must be designed and constructed to ensure;
- (i) Safe trafficability during the relevant Defined Flood Event;
 - (ii) Limiting the impacts to adjacent properties and infrastructure with twenty (20) per cent blockage factor; and
 - (iii) The maximum flow depth over any cross drainage structure must be limited to 200 millimetres, demonstrating allowable velocity/depth product(s).
- 9.0 INTER-ALLOTMENT DRAINAGE
- 9.1 A Development Permit for Operational Works (inter-allotment drainage works) must be obtained prior to the commencement of any inter-allotment drainage works on the site.
- 9.2 Inter-allotment drainage, must be designed and constructed in accordance with the *Capricorn Municipal Development Guidelines* and *Queensland Urban Drainage Manual* for Level II and must be provided to any lot where it cannot be satisfactorily demonstrated that roofwater drainage associated with building construction on that lot, could not reasonably be directed to the frontage kerb and channel or alternative lawful point of discharge.
- 9.3 Easements must be provided over all inter-allotment drainage infrastructure located within private property. The easement location(s) and width(s) must be in accordance with the requirements of the *Capricorn Municipal Development Guidelines*.
- 10.0 SITE WORKS
- 10.1 A Development Permit for Operational Works (site works) must be obtained prior to

- the commencement of any site works.
- 10.2 Any application for a Development Permit for Operational Works (site works) must be accompanied by an earthworks' plan which clearly identifies the following:
- 10.2.1 the location of cut and/or fill;
 - 10.2.2 the type of fill to be used and the manner in which it is to be compacted;
 - 10.2.3 the quantum of fill to be deposited or removed and finished cut and/or fill levels;
 - 10.2.4 details of any proposed access routes to the site which are intended to be used to transport fill to or from the site; and
 - 10.2.5 the maintenance of access roads to and from the site so that they are free of all cut and/or fill material and cleaned as necessary.
- 10.3 All earthworks must be undertaken in accordance with *Australian Standard AS3798 "Guidelines on Earthworks for Commercial and Residential Developments"*.
- 10.4 Site works must be constructed such that they do not, at any time, in any way restrict, impair or change the natural flow of runoff water, or cause a nuisance to adjoining properties or infrastructure.
- 10.5 All site works must be undertaken to ensure that no actionable nuisance results from an increase in:
- 10.5.1 peak discharge immediately downstream of the development for a selected range of storm durations, and a selected range of Annual Exceedance Probability (AEP) events up to Defined Flood Event (inclusive); or
 - 10.5.2 downstream or upstream flood inundation levels; or
 - 10.5.3 velocity profiles.
- 11.0 LANDSCAPING AND PARK FACILITY WORKS
- 11.1 A Development Permit for Operational Works (landscaping and park facility works) must be obtained for the street scaping, the existing park facility works and prior to the commencement of any further proposed Stage 5 park landscaping and park facility works.
- 11.2 Any application for a Development Permit for Operational Works (landscaping works) must be generally in accordance with the approved plans (refer to condition 2.1) and must include, but is not limited to, the following:
- 11.2.1 A plan documenting the "Extent of Works" and supporting documentation which includes:
 - (i) location and name of existing trees, including those to be retained (the location of the trees shall be overlaid or be easily compared with the proposed development design);
 - (ii) the extent of soft and hard landscape, existing and proposed;
 - (iii) important spot levels and/or contours. The levels of the trees to be retained shall be provided in relation to the finished levels of the proposed buildings and works;
 - (iv) underground and overhead services;
 - (v) details of landscape structures including areas of deep planting; and
 - (vi) specification notes on mulching and soil preparation.
 - 11.2.2 A "Planting Plan" and supporting documentation which includes:
 - (i) trees, shrubs and groundcovers to all areas to be landscaped;

- (ii) position and canopy spread of all trees and shrubs;
 - (iii) the extent and type of works (inclusive but not limited to paving, fences and garden bed edging); and
 - (iv) a plant schedule with the botanic and common names, total plant numbers and pot sizes at the time of planting;
- 11.2.3 Any plant species or locations not supported by Council may be requested to be altered or removed with the changes reflected on updated landscaping plans prior issue of any Development Permit for Operational Works.
- 11.3 Large trees must not be planted within one (1) metre of the centreline of any sewerage infrastructure. Small shrubs and groundcover are acceptable.
- 11.4 Landscaping, or any part thereof, upon reaching full maturity, must not:
- (i) obstruct sight visibility zones as defined in the *Austroads 'Guide to Traffic Engineering Practice'* series of publications;
 - (ii) adversely affect any road lighting or public space lighting; or
 - (iii) adversely affect any Council infrastructure, or public utility plant.
- 11.5 The landscaped areas must be subject to an ongoing maintenance and replanting programme (if necessary) until such time as these areas are accepted off-defects by Council. All costs associated with the continued maintenance (including irrigation) during the on-defects period will be the responsibility of the Developer.
- 11.6 A Certificate of Compliance, signed by a certified playground safety inspector, must be submitted to Council verifying the date of completed construction and that the playground equipment complies with the Australian playground standards (*Australian Standard AS4685.0:2017*) prior Council accepting handover of the asset.
- 11.7 Engineering Certification from a *Registered Professional Engineer of Queensland*, must be submitted to Council for the shade structures prior to Council accepting handover of the asset.
- 11.8 Routine, operational and comprehensive inspections must be undertaken for the equipment in accordance with *Australian Standard AS4685.0:2017*. Permanent records are required to demonstrate that operational and comprehensive inspections, maintenance, incidents and corrective actions, equipment alterations/removal, playground defects or hazards are recorded. Provide evidence that these inspections have been undertaken by a certified playground safety inspector from the commencement of installation of the playground and that a program of all inspections has been developed and maintained.
- 12.0 **ELECTRICITY AND TELECOMMUNICATIONS**
- 12.1 Underground electricity and telecommunication connections must be provided to the proposed development to the standards of the relevant authorities.
- 12.2 Any existing overhead electricity infrastructure traversing the relevant stage to be developed must be removed and the associated easement extinguished.
- 12.3 Evidence must be provided of a certificate of supply with the relevant service providers to provide each lot with live electricity and telecommunication connections, in accordance with the requirements of the relevant authorities.
- 13.0 **ASSET MANAGEMENT**
- 13.1 Any alteration necessary to electricity, telephone, water mains, sewerage mains, and/or public utility installations resulting from the development or in connection with the development, must be at full cost to the Developer.
- 13.2 Any damage to existing kerb and channel, pathway or roadway (including removal of concrete slurry from public land, pathway, roads, kerb and channel and stormwater

gullies and drainage lines) which may occur during any works carried out in association with the approved development must be repaired. This must include the reinstatement of the existing traffic signs and pavement markings which may have been removed.

- 13.3 'As constructed' information pertaining to assets to be handed over to Council and those which may have an impact on Council's existing and future assets must be provided prior to the issue of the approval of a plan of subdivision (survey plan endorsement). This information must be provided in accordance with the Manual for Submission of Digital As Constructed Information.

14.0 ENVIRONMENTAL

- 14.1 Any application for a Development Permit for Operational Works must be accompanied by an Erosion and Sediment Control Plan which addresses, but is not limited to, the following:

- (i) site location / topography / soil type;
- (ii) objectives;
- (iii) concept;
- (iv) design details;
- (v) implementation procedures for construction and post construction phases of work.
- (vi) vegetation;
- (vii) interim drainage plan during construction;
- (viii) dust suppression;
- (ix) top soil management;
- (x) acid sulphate soils; and
- (xi) erosion susceptibility and risk

- 14.2 The approved Erosion Control and Stormwater Control Management Plan must be implemented and maintained on-site for the duration of the works, and until all exposed soil areas are permanently stabilised (for example, turfed, hydromulched, concreted, landscaped).

15.0 OPERATING PROCEDURES

- 15.1 All construction materials, waste and waste skips must be located and stored on-site. All construction materials and waste must be secured and not allowed to be washed or blown by the wind off-site. At all times machinery and contractor's vehicles must be parked so as to not unreasonably obstruct the road pavement, road verges/footpaths or any neighbouring property accesses.

PART B - MATERIAL CHANGE OF USE FOR FORTY- FIVE (45) DWELLING HOUSES (STAGES 4B, 4C AND 5A, 5B AND 5C)

16.0 ADMINISTRATION

- 16.1 The Developer is responsible for ensuring compliance with this approval and the Conditions of the approval by an employee, agent, contractor or invitee of the Developer.
- 16.2 Where these Conditions refer to "Council" in relation to requiring Council to approve or to be satisfied as to any matter, or conferring on the Council a function, power or discretion, that role of the Council may be fulfilled in whole or in part by a delegate appointed for that purpose by the Council.
- 16.3 All conditions of this approval must be undertaken and completed to the satisfaction of Council, at no cost to Council.

- 16.4 All conditions, works, or requirements of this approval must be undertaken and completed prior to the commencement of use, unless otherwise stated.
- 16.5 Where applicable, infrastructure requirements of this approval must be contributed to the relevant authorities, at no cost to Council prior to the commencement of use, unless otherwise stated.
- 16.6 The following further Development Permits must be obtained prior to the commencement of any works associated with its purposes:
- 16.6.1 Operational Works:
- (i) Access Works;
- 16.6.2 Plumbing and Drainage Works; and
- 16.6.3 Building Works.
- 16.7 All Development Permits for Operational Works (for any vehicle access that is non-compliant with the *Capricorn Municipal Development Guidelines*) and Plumbing and Drainage Works must be obtained prior to the issue of a Development Permit for Building Works.
- 16.8 Unless otherwise stated, all works must be designed, constructed and maintained in accordance with the relevant Council policies, guidelines and standards.
- 16.9 The Survey Plan creating the relevant lots the subject of Part A of this permit, cancelling Lot 5006 on SP296906, must be registered prior to the commencement of the use on the land for a Dwelling house.
- 16.10 This approval is for the construction of a Dwelling house and outbuildings necessary for purposes ancillary to the occupation of a Dwelling house on the forty-five (45) proposed allotments shown on the approved plans (refer to condition 17.1). Any development other than a Dwelling house consistent with the approved plans and the conditions of this permit may trigger assessment against the Planning Scheme in force at the time the development occurs.
- 17.0 APPROVED PLANS AND DOCUMENTS
- 17.1 The approved development must be completed and maintained generally in accordance with the approved plans and documents, except where amended by the conditions of this permit:
- | <u>Plan/Document Name</u> | <u>Plan/Document Reference</u> | <u>Dated</u> |
|---|--------------------------------|---------------|
| Plan of Development Stages 4B, 4C and 5A-5C | 6616-01-ROL Rev D
Sheet 2 | 13 March 2018 |
- 17.2 Where there is any conflict between the conditions of this approval and the details shown on the approved plans and documents, the conditions of approval must prevail.
- 17.3 Where conditions require the above plans or documents to be amended, the revised document(s) must be submitted for approval by Council prior to the submission of a Development Application for Operational Works.
- 18.0 ACCESS WORKS
- 18.1 A Development Permit for Operational Works (access works) must be obtained prior to the commencement of any works on the site.
- 18.2 All works must be designed and constructed in accordance with the approved plans (refer to condition 17.1), *Capricorn Municipal Development Guidelines*, *Australian Standard AS2890 "Parking Facilities"* and the provisions of a Development Permit for Operational Works (access works).

- 18.3 A *Capricorn Municipal Development Guidelines* compliant vehicle access must be designed and constructed for each Dwelling house. Any non-compliant vehicle access will require a Development Permit for Operational Works (access works) prior to commencement of any vehicle access works associated with that lot.
- 18.4 A minimum of two (2) off-street car parking spaces must be provided for each Dwelling house in accordance with the *Queensland Development Code - Mandatory Part 1.2*, one (1) of which must be covered.
- 19.0 PLUMBING AND DRAINAGE WORKS
- 19.1 A Development Permit for Plumbing and Drainage Works must be obtained prior to the commencement of any plumbing and drainage works on the site.
- 19.2 All works must be designed and constructed in accordance with the approved plans (refer to condition 17.1), *Capricorn Municipal Development Guidelines*, *Water Supply (Safety and Reliability) Act*, *Plumbing and Drainage Act*, Council's Plumbing and Drainage Policies and the provisions of a Development Permit for Plumbing and Drainage Works.
- 19.3 The development must be connected to Council's reticulated sewerage and water networks.
- 19.4 Sewer connections and water meter boxes located within trafficable areas must be raised or lowered to suit the finished surface levels and must be provided with trafficable lids.
- 20.0 ROOF AND ALLOTMENT DRAINAGE WORKS
- 20.1 All roof and allotment drainage must be discharged lawfully in accordance with the requirements of the *Queensland Urban Drainage Manual* and the *Capricorn Municipal Development Guidelines*.
- 20.2 All roof and allotment drainage must be discharged such that it does not restrict, impair or change the natural flow of runoff water or cause a nuisance to adjoining properties or damage infrastructure.
- 21.0 SITE WORKS
- 21.1 All earthworks must be undertaken in accordance with *Australian Standard AS3798 "Guidelines on Earthworks for Commercial and Residential Developments"*.
- 21.2 Site works must be constructed such that they do not, at any time, in any way restrict, impair or change the natural flow of runoff water, or cause a nuisance or worsening to adjoining properties or infrastructure.
- 22.0 BUILDING WORKS
- 22.1 A Development Permit for Building Works must be obtained prior to the commencement of any building works on the site.
- 22.2 All buildings and structures must be designed and sited in accordance with the 'development standards' specified on the approved plans (refer to condition 17.1).
- 22.3 All buildings and structures must comply with the provisions of the *Queensland Development Code - Mandatory Part 1.4*.
- 22.4 The finished floor level of all habitable areas must be a minimum 300 millimetres above the Defined Flood Event (DFE) level.
- 23.0 ELECTRICITY AND TELECOMMUNICATIONS
- 23.1 Underground electricity and telecommunication connections must be provided to each Dwelling house to the requirements of the relevant authority.
- 24.0 ASSET MANAGEMENT
- 24.1 Any alteration necessary to electricity, telephone, water mains, sewerage mains,

and/or public utility installations resulting from the development or in connection with the development, must be at full cost to the developer.

- 24.2 Any damage to existing roadway (including removal of concrete slurry from public land, pathway, roads, kerb and channel and stormwater gullies and drainage lines) which may occur during any works carried out in association with the approved development must be repaired. This must include the reinstatement of the existing traffic signs and pavement markings which may have been removed.

25.0 ENVIRONMENTAL

- 25.1 An Erosion and Sediment Control Management Plan must be implemented and maintained on-site for the duration of the works, and until all exposed soil areas are permanently stabilised (for example, turfed, hydromulched, concreted, landscaped). The prepared Erosion and Sediment Control Management Plan must be available on-site for inspection by Council Officers during those works.

26.0 OPERATING PROCEDURES

- 26.1 All construction materials, waste and waste skips must be located and stored on-site. All construction materials and waste must be secured and not allowed to be washed or blown by the wind off-site. At all times machinery and contractor's vehicles must be parked so as to not unreasonably obstruct the road pavement, road verges/footpaths or any neighbouring property accesses.

ADVISORY NOTES – PART A and PART B

NOTE 1. Aboriginal Cultural Heritage

It is advised that under Section 23 of the *Aboriginal Cultural Heritage Act 2003*, a person who carries out an activity must take all reasonable and practicable measures to ensure the activity does not harm Aboriginal Cultural Heritage (the "cultural heritage duty of care"). Maximum penalties for breaching the duty of care are listed in the Aboriginal Cultural Heritage legislation. The information on Aboriginal Cultural Heritage is available on the Department of Aboriginal and Torres Strait Islander and Multicultural Affairs website www.datsima.qld.gov.au

NOTE 2. General Environmental Duty

General environmental duty under the *Environmental Protection Act* prohibits unlawful environmental nuisance caused by noise, aerosols, particles dust, ash, fumes, light, odour or smoke beyond the boundaries of the property during all stages of the development including earthworks, construction and operation.

NOTE 3. General Safety Of Public During Construction

The *Workplace Health and Safety Act* and *Manual of Uniform Traffic Control Devices* must be complied with in carrying out any construction works, and to ensure safe traffic control and safe public access in respect of works being constructed on a road.

NOTE 4. Vegetation Management

a. The balance lot has been initially identified as containing significant local environmental value and as such further investigation through the production of a detailed ecological report will be required to be submitted to Council as the development of the overall lot progresses, particularly beyond the current proposed link road. Bushfire Hazard risk will also be required to be further investigated at this point as well through the development of a Bushfire Hazard Assessment and Bushfire Management Plan.

b. The land subject to the above development application must be free of declared pest plants and animals; as declared at the date of development application in *Local Law No. 3 (Community & Environmental Management) 2011* and Schedule 1 of *Subordinate Local Law 3 (Community &*

Environmental Management) 2011 and in the *Land Protection (Pest and Stock Route Management) Act 2002* or as amended; to the satisfaction of Council's Pest Management Officer, prior to the commencement of any site works. Council will supply a free inspection and advice service on the request of the land owner.

- c. Part of the subject site is mapped by the Department of Environment and Heritage Protection as containing Regulated Vegetation. The *Vegetation Management Act 1999* has requirements with regard to the clearing of vegetation. Information on Vegetation Management is available at: <https://www.qld.gov.au/environment/land/vegetation/management/>
- d. The subject site is mapped under the Livingstone Planning Scheme as 'Locally Significant Vegetation' (PSM10a and 10b). Clearing of this vegetation should not be undertaken without the advice of Council's Natural Resource Management Unit.

NOTE 5. Infrastructure Charges Notice

This application is subject to infrastructure charges in accordance with the *Adopted Infrastructure Charges Resolution (No.2) 2015*. The charges are presented on an Infrastructure Charges Notice which has been supplied with this decision notice.

NOTE 6. Property Note –Material Change of Use

A 'blanket' material change of use applies to this lot. Part B of this development permit (D-180-2017) allows for one (1) Dwelling house to be constructed on each of the approved lots created pursuant to Part A of this permit. Each Dwelling house and associated outbuildings necessary for purposes ancillary to the occupation of the Dwelling house must meet the Development Standards detailed on the approved plans. Any development other than a Dwelling house consistent with the approved plans and the conditions of this permit will trigger assessment against the Planning Scheme in force at the time the development occurs.

NOTE 7. Trunk Stormwater infrastructure

Future stormwater trunk infrastructure D-8 (Ross Creek drainage system management) and D-29 (Ross Creek drainage feature system – Tanby Road) are identified within the subject Lot 5006 SP296906. Stormwater trunk infrastructure D-83 (Ross Creek drainage feature system) and D-84 (Ross Creek District Treatment Facility) are also identified within the subject lot under *Adopted Infrastructure Charges Resolution (No. 3) 2018*. The floodplain areas of Ross Creek within the subject lot can be transferred to Council as "Fee simple" or as "Fee simple as trustee" at no cost to Council.

NOTE 8. Stormwater management strategy

Total catchment modelling must be undertaken to determine preferred location and operational requirements of any stormwater detention / retention system. Target flow regime boundary conditions at discharge locations along the trunk system must be agreed in consultation with Council. No increases in flows for the Q20 event to fit current culvert design at Taranganba Road.

Council requires the applicant to investigate and provide sufficient details taking into account all associated catchments for pre and post development scenarios. The investigation should include selected range of events including major and minor events up to the Defined Flood Event (inclusive) for a range of storm durations, including critical storm duration with relevant hydrographs.

Flow regime includes discharge quantity / volume, flood level, velocity, frequency and duration. As part of the detailed design it is important to check the overall

impact in terms of flow regime changes at discharge points within Ross Creek. For further clarity cross sections at few intermediate points within the study area including discharge locations needs to be included.

NOTE 9. Stormwater quality

Relevant rainfall intensities (if necessary) may be obtained from Council for MUSIC modeling.

NOTE 10. Water works

A water network analysis / new water supply strategy is required if any building pad level of proposed allotments exceeds thirty-five (35) metres Australian Height Datum to maintain the standard water supply services in accordance with *Water Supply (Safety and Reliability) Act*.

RECOMMENDATION B2 - D-180-2017 STAGES 4B, 4C AND 5A, 5B AND 5C

That in relation to the application for a Development Permit D-180-2017 for Reconfiguring a Lot (one lot into forty-five lots + balance) and a Development Permit for a Material change of use for forty-five (45) Dwelling houses (Sea Haven Estate Stages 4B, 4C and 5A, 5B & 5C), made by Keppel Developments Pty Ltd, on Lot 5006 on SP296906 and located at Lot 5006 Havenwood Drive, Taroomball, Council resolves to issue an Infrastructure Charges Notice for the amount of **\$945,000.00** with the following sub-staging;

4B:	\$126,000.00
4C	Nil
5A:	\$357,000.00
5B:	\$231,000.00
5C:	\$231,000.00

RECOMMENDATION C1 – D-182-2017 STAGES 6A, 6B, 6C AND 6D

That in relation to the application for a Development Permit D-182-2017 for Reconfiguring a Lot (one lot into forty-seven lots + balance) and a Development Permit for a Material change of use for forty-seven (47) Dwelling houses (Sea Haven Estate Stages 6A, 6B, 6C and 6D), made by Keppel Developments Pty Ltd, on Lot 5006 on SP296906 and located at Lot 5006 Havenwood Drive, Taroomball, Council resolves to Approve the application subject to the following conditions:

PART A – RECONFIGURING A LOT (ONE LOT INTO FORTY-SEVEN LOTS + BALANCE) STAGES 6A, 6B, 6C AND 6D

1.0 ADMINISTRATION

- 1.1 The Developer is responsible for ensuring compliance with this approval and the Conditions of the approval by an employee, agent, contractor or invitee of the Developer.
- 1.2 Where these Conditions refer to “Council” in relation to requiring Council to approve or to be satisfied as to any matter, or conferring on the Council a function, power or discretion, that role of the Council may be fulfilled in whole or in part by a delegate appointed for that purpose by the Council.
- 1.3 All conditions of this approval must be undertaken and completed to the satisfaction of Council, at no cost to Council.

- 1.4 All conditions, works, or requirements of this approval must be undertaken and completed prior to the approval of a plan of subdivision (survey plan endorsement), unless otherwise stated.
- 1.5 Where applicable, infrastructure requirements of this approval must be contributed to the relevant authorities, at no cost to Council prior, to the approval of a plan of subdivision (survey plan endorsement), unless otherwise stated.
- 1.6 The following further Development Permits must be obtained prior to the commencement of any works associated with its purposes:
- 1.6.1 Operational Works:
- (i) Road Works;
 - (ii) Sewerage Works;
 - (iii) Water Works;
 - (iv) Stormwater Works;
 - (v) Inter-allotment Drainage Works;
 - (vi) Site Works; and
 - (vii) Landscaping Works.

- 1.7 Unless otherwise stated, all works must be designed, constructed and maintained in accordance with the relevant Council policies, guidelines and standards.
- 1.8 All engineering drawings/specifications, design and construction works must comply with the requirements of the relevant Australian Standards and must be approved, supervised and certified by a Registered Professional Engineer of Queensland.

2.0 APPROVED PLANS AND DOCUMENTS

- 2.1 The approved development must be completed and maintained generally in accordance with the approved plans and documents, except where amended by the conditions of this permit:

<u>Plan/Document Name</u>	<u>Plan/Document Reference</u>	<u>Dated</u>
Plan of Development Stages 6A-6D	6616-02-ROL Rev C Sheets 1 and 2	14 September 2017

- 2.2 Where there is any conflict between the conditions of this approval and the details shown on the approved plans and documents, the conditions of approval must prevail.
- 2.3 Where conditions require the above plans or documents to be amended, the revised document(s) must be submitted for approval by Council prior to the submission of a Development Application for Operational Works.

3.0 STAGED DEVELOPMENT

- 3.1 This approval is for a development to be undertaken in four (4) discrete stages, namely:
- 3.1.1 Stage 6A: (Ten lots) Lot 132 to Lot 141;
- 3.1.2 Stage 6B: (Thirteen lots) Lot 142 to Lot 154;
- 3.1.3 Stage 6C: (Thirteen Lots) Lot 155 to Lot 167;

- 3.1.4 Stage 6D: (Eleven Lots) Lot 168 to Lot 178.
in accordance with the approved plans (refer to condition 2.1).
- 3.2 Multiple development stages may be undertaken concurrently, provided all allotments can be connected to the full range of urban infrastructure including access availability from a constructed road frontage.
- 3.3 Infrastructure (including but not limited to road, pedestrian access, water, sewer, stormwater infrastructure) must be provided by the developer in a co-ordinated and a planned manner having regard to the overall catchment and staging of the development in a logical and orderly sequence to facilitate ease of extension of infrastructure during future stages.
- 3.4 Unless otherwise expressly stated, the conditions must be read as being applicable to all stages.
- 4.0 ROAD WORKS
- 4.1 A Development Permit for Operational Works (road works) must be obtained prior to the commencement of any road works on the site.
- 4.2 All works must be designed and constructed in accordance with the approved plans (refer to condition 2.1), *Capricorn Municipal Development Guidelines*, relevant *Australian Standards* and the provisions of a Development Permit for Operational Works (road works).
- 4.3 Any application for a Development Permit for Operational Works (road works) must demonstrate that all new roads and road reserves included in the application connect with existing constructed road(s) within and road reserve(s) at the time of making the application.
- 4.4 Eucalyptus Avenue must be designed and constructed as a Minor Urban Collector road classification standard.
- 4.5 The design and construction of all terminating roads must include a temporary turning area which complies with the relevant performance and technical criteria, and facilitates suitable turning movements for a Council refuse collection vehicle.
- 4.6 The area taken up by temporary turning areas at the ends of roads must be covered by road reserve.
- 4.7 All pathways within road reserves (including access ramps) must:
- 4.7.1 Incorporate kerb ramps at all road crossing points; and
- 4.7.2 Be provided with public space lighting in accordance with *Australian Standard AS1158 Lighting for Roads and Public Spaces*.
- 4.8 Traffic signs and pavement markings including any alterations must be provided in accordance with the *Transport Operations (Road Use Management) Act 1995* and the *Manual of Uniform Traffic Control Devices (Queensland)*.
- 4.9 Any application for a Development Permit for Operational Works (road works) must include details, including signage, of the Council approved road names for all new roads.
- 4.10 Retaining walls must be wholly contained within private allotments and not be constructed within road reserves as Council-owned infrastructure, unless specifically approved as part of a Development Permit for Operational Works (road works).
- 4.11 Any retaining structures above one metre in height must be separately approved for structural adequacy by a Registered Professional Engineer of Queensland at design submission and certified on completion of construction for compliance with the design.
- A detailed inspection and 'as constructed' record must be provided to Council by a

Registered Professional Engineer of Queensland, prior to acceptance of the works, including certification that the wall's foundation ground conditions nominated in the design were inspected and achieved during construction. The approved design and/or construction of the retaining walls must not be modified without Council's prior written approval.

5.0 SEWERAGE WORKS

- 5.1 A Development Permit for Operational Works (sewerage works) must be obtained prior to the commencement of any sewerage works on the site.
- 5.2 All works must be designed and constructed in accordance with the approved plans (refer to condition 2.1), *Capricorn Municipal Development Guidelines, Water Supply (Safety and Reliability) Act, Plumbing and Drainage Act* and the provisions of a Development Permit for Operational Works (sewerage works).
- 5.3 All lots within the development must be connected to Council's reticulated sewerage network via gravity connection. Each of the lots must be provided with its own separate sewer connection point, located wholly within its respective property boundaries.
- 5.4 Easements must be provided over all sewerage infrastructure located within private property. The easement location(s) and width(s) must be in accordance with the requirements of the *Capricorn Municipal Development Guidelines*.
- 5.5 Sewerage infrastructure must be provided (if necessary) to each development stage boundaries for connectivity.

6.0 WATER WORKS

- 6.1 A Development Permit for Operational Works (water works) must be obtained prior to the commencement of any water works on the site.
- 6.2 All works must be designed and constructed in accordance with the approved plans (refer to condition 2.1), *Capricorn Municipal Development Guidelines, Water Supply (Safety and Reliability) Act, Plumbing and Drainage Act* and the provisions of a Development Permit for Operational Works (water works).
- 6.3 All lots within the development must be connected to Council's reticulated water network. Each of the lots must be provided with its own separate water connection point, located wholly within its respective property boundaries.
- 6.4 Water infrastructure must be provided (if necessary) to each development stage boundaries for connectivity.

7.0 STORMWATER WORKS

- 7.1 A Development Permit for Operational Works (stormwater works) must be obtained prior to the commencement of any stormwater works on the site.
- 7.2 All stormwater management works must be designed and constructed in accordance with the approved plans (refer to condition 2.1), *Queensland Urban Drainage Manual, Capricorn Municipal Development Guidelines, Urban Stormwater Quality Planning Guidelines, State Planning Policy*, sound engineering practice, and the provisions of a Development Permit for Operational Works (stormwater works).
- 7.3 All stormwater must achieve demonstrated lawful discharge and must not adversely affect the upstream or downstream land when compared to pre-development condition by way of blocking, altering or diverting existing stormwater runoff patterns or cause an actionable nuisance or damage infrastructure.
- 7.4 Any application for Operational works (stormwater works) must identify all areas of the proposed development, which needs to be dedicated to, or encumbered in favour of Council or another statutory authority, in order to maintain the lawful discharge for the proposed development. The areas identified must satisfy the requirements of the *Queensland Urban Drainage Manual*.

- 7.5 Drainage easement(s) must be dedicated in favour of Council over all major overland flow paths (land inundated by the Defined Flood Event) and major drainage systems to provide drainage corridors suitable for the conveyance of peak stormwater flows through the subject land during the Defined Flood Event.
- 7.6 Any application for Operational Works (stormwater works) must be accompanied by a detailed stormwater management strategy certified by a suitably qualified Registered Professional Engineer of Queensland. The strategy must include the following (but not limited to);
- 7.6.1 A detailed assessment of the major and minor rainfall event peak discharges for the pre-development and post-development scenarios and clearly identifies discharge point(s) and demonstrate lawful discharge;
- 7.6.2 Detention systems. The volume of any detention must be sufficient to attenuate the peak discharge from the site to ensure non-worsening of the flow regime immediately downstream of the development for a selected range of Annual Exceedance Probability events, up to the Defined Flood Event (inclusive) for a range of storm durations, including critical storm duration;
- 7.6.3 Layouts showing the extent of the one (1) per cent Annual Exceedance Probability event inundation areas (pre and post) and the details of the available freeboard to the finished ground/floor levels;
- 7.6.4 Pre and post one (1) year average recurrence interval (ARI) event peak flow and velocity details at discharge points within the Ross Creek to demonstrate compliance with waterway stability requirements;
- 7.6.5 Designs of outlet systems for the proposed drainage systems. Considerations must be given to critical scour velocity, discharge frequency /duration at the discharge location(s) and relevant management measures;
- 7.6.6 Full calculations, including (where necessary) electronic modelling files from industry standard modelling software, (inclusive of both electronic model files and results files) and all details of the modelling assumptions to support the proposed stormwater management strategy;
- 7.6.7 Detailed engineering plans with details of any new drainage systems, or the amendment and upgrading of exiting drainage systems to implement the proposed drainage strategy; and
- 7.6.8 Details of ongoing maintenance and management actions required with regard to any proposed detention basin / retention systems.
- 7.7 As part of the Operational Works application (stormwater works) an overall Sea Haven stormwater quality management strategy is required addressing the collection and capture of gross pollutants.
- 7.8 Any culvert/cross drainage structures associated with the development must be designed and constructed to ensure;
- (i) Safe trafficability during the relevant Defined Flood Event;
- (ii) Limiting the impacts to adjacent properties and infrastructure with twenty (20) per cent blockage factor; and
- (iii) The maximum flow depth over any cross drainage structure must be limited to 200 millimetres, demonstrating allowable velocity/depth product(s).
- 8.0 INTER-ALLOTMENT DRAINAGE
- 8.1 A Development Permit for Operational Works (inter-allotment drainage works) must be obtained prior to the commencement of any inter-allotment drainage works on the

site.

8.2 Inter-allotment drainage, must be designed and constructed in accordance with the *Capricorn Municipal Development Guidelines* and *Queensland Urban Drainage Manual* for Level II and must be provided to any lot where it cannot be satisfactorily demonstrated that roofwater drainage associated with building construction on that lot, could not reasonably be directed to the frontage kerb and channel or alternative lawful point of discharge.

8.3 Easements must be provided over all inter-allotment drainage infrastructure located within private property. The easement location(s) and width(s) must be in accordance with the requirements of the *Capricorn Municipal Development Guidelines*.

9.0 SITE WORKS

9.1 A Development Permit for Operational Works (site works) must be obtained prior to the commencement of any site works.

9.2 Any application for a Development Permit for Operational Works (site works) must be accompanied by an earthworks' plan which clearly identifies the following:

9.2.1 the location of cut and/or fill;

9.2.2 the type of fill to be used and the manner in which it is to be compacted;

9.2.3 the quantum of fill to be deposited or removed and finished cut and/or fill levels;

9.2.4 details of any proposed access routes to the site which are intended to be used to transport fill to or from the site; and

9.2.5 the maintenance of access roads to and from the site so that they are free of all cut and/or fill material and cleaned as necessary.

9.3 All earthworks must be undertaken in accordance with *Australian Standard AS3798 "Guidelines on Earthworks for Commercial and Residential Developments"*.

9.4 Site works must be constructed such that they do not, at any time, in any way restrict, impair or change the natural flow of runoff water, or cause a nuisance to adjoining properties or infrastructure.

9.5 All site works must be undertaken to ensure that no actionable nuisance results from an increase in:

9.5.1 peak discharge immediately downstream of the development for a selected range of storm durations, and a selected range of Annual Exceedance Probability (AEP) events up to Defined Flood Event (inclusive); or

9.5.2 downstream or upstream flood inundation levels; or

9.5.3 velocity profiles.

10.0 LANDSCAPING WORKS

10.1 A Development Permit for Operational Works (landscaping works) must be obtained prior to the commencement of any landscaping works.

10.2 Any application for a Development Permit for Operational Works (landscaping works) must be generally in accordance with the approved plans (refer to condition 2.1) and must include, but is not limited to, the following:

10.2.1 A plan documenting the "Extent of Works" and supporting documentation which includes:

(i) location and name of existing trees, including those to be retained (the location of the trees shall be overlaid or be easily compared with the proposed development design);

(ii) the extent of soft and hard landscape, existing and proposed;

- (iii) important spot levels and/or contours. The levels of the trees to be retained shall be provided in relation to the finished levels of the proposed buildings and works;
 - (iv) underground and overhead services;
 - (v) details of landscape structures including areas of deep planting; and
 - (vi) specification notes on mulching and soil preparation.
- 10.2.2 A "Planting Plan" and supporting documentation which includes:
- (i) trees, shrubs and groundcovers to all areas to be landscaped;
 - (ii) position and canopy spread of all trees and shrubs;
 - (iii) the extent and type of works (inclusive but not limited to paving, fences and garden bed edging); and
 - (iv) a plant schedule with the botanic and common names, total plant numbers and pot sizes at the time of planting;
- 10.2.3 Any plant species or locations not supported by Council may be requested to be altered or removed with the changes reflected on updated landscaping plans prior issue of any Development Permit for Operational Works.
- 10.3 Large trees must not be planted within one (1) metre of the centreline of any sewerage infrastructure. Small shrubs and groundcover are acceptable.
- 10.4 Landscaping, or any part thereof, upon reaching full maturity, must not:
- (i) obstruct sight visibility zones as defined in the *Austrroads 'Guide to Traffic Engineering Practice'* series of publications;
 - (ii) adversely affect any road lighting or public space lighting; or
 - (iii) adversely affect any Council infrastructure, or public utility plant.
- 10.5 The landscaped areas must be subject to an ongoing maintenance and replanting programme (if necessary) until such time as these areas are accepted off-defects by Council. All costs associated with the continued maintenance (including irrigation) during the on-defects period will be the responsibility of the Developer.
- 11.0 ELECTRICITY AND TELECOMMUNICATIONS
- 11.1 Underground electricity and telecommunication connections must be provided to the proposed development to the standards of the relevant authorities.
- 11.2 Any existing overhead electricity infrastructure traversing the relevant stage to be developed must be removed and the associated easement extinguished.
- 11.3 Evidence must be provided of a certificate of supply with the relevant service providers to provide each lot with live electricity and telecommunication connections, in accordance with the requirements of the relevant authorities.
- 12.0 ASSET MANAGEMENT
- 12.1 Any alteration necessary to electricity, telephone, water mains, sewerage mains, and/or public utility installations resulting from the development or in connection with the development, must be at full cost to the Developer.
- 12.2 Any damage to existing kerb and channel, pathway or roadway (including removal of concrete slurry from public land, pathway, roads, kerb and channel and stormwater gullies and drainage lines) which may occur during any works carried out in association with the approved development must be repaired. This must include the reinstatement of the existing traffic signs and pavement markings which may have been removed.
- 12.3 'As constructed' information pertaining to assets to be handed over to Council and

those which may have an impact on Council's existing and future assets must be provided prior to the issue of the approval of a plan of subdivision (survey plan endorsement). This information must be provided in accordance with the Manual for Submission of Digital As Constructed Information.

13.0 ENVIRONMENTAL

13.1 Any application for a Development Permit for Operational Works must be accompanied by an Erosion and Sediment Control Plan which addresses, but is not limited to, the following:

- (i) site location / topography / soil type;
- (ii) objectives;
- (iii) concept;
- (iv) design details;
- (v) implementation procedures for construction and post construction phases of work.
- (vi) vegetation;
- (vii) interim drainage plan during construction;
- (viii) dust suppression;
- (ix) top soil management;
- (x) acid sulphate soils; and
- (xi) erosion susceptibility and risk

13.2 The approved Erosion Control and Stormwater Control Management Plan must be implemented and maintained on-site for the duration of the works, and until all exposed soil areas are permanently stabilised (for example, turfed, hydromulched, concreted, landscaped).

14.0 OPERATING PROCEDURES

14.1 All construction materials, waste and waste skips must be located and stored on-site. All construction materials and waste must be secured and not allowed to be washed or blown by the wind off-site. At all times machinery and contractor's vehicles must be parked so as to not unreasonably obstruct the road pavement, road verges/footpaths or any neighbouring property accesses.

PART B - MATERIAL CHANGE OF USE FOR FORTY- SEVEN (47) DWELLING HOUSES (6A, 6B, 6C AND 6D)

15.0 ADMINISTRATION

15.1 The Developer is responsible for ensuring compliance with this approval and the Conditions of the approval by an employee, agent, contractor or invitee of the Developer.

15.2 Where these Conditions refer to "Council" in relation to requiring Council to approve or to be satisfied as to any matter, or conferring on the Council a function, power or discretion, that role of the Council may be fulfilled in whole or in part by a delegate appointed for that purpose by the Council.

15.3 All conditions of this approval must be undertaken and completed to the satisfaction of Council, at no cost to Council.

- 15.4 All conditions, works, or requirements of this approval must be undertaken and completed prior to the commencement of use, unless otherwise stated.
- 15.5 Where applicable, infrastructure requirements of this approval must be contributed to the relevant authorities, at no cost to Council prior to the commencement of use, unless otherwise stated.
- 15.6 The following further Development Permits must be obtained prior to the commencement of any works associated with its purposes:
- 15.6.1 Operational Works:
- (ii) Access Works;
- 15.6.2 Plumbing and Drainage Works; and
- 15.6.3 Building Works.
- 15.7 All Development Permits for Operational Works (for any vehicle access that is non-compliant with the *Capricorn Municipal Development Guidelines*) and Plumbing and Drainage Works must be obtained prior to the issue of a Development Permit for Building Works.
- 15.8 Unless otherwise stated, all works must be designed, constructed and maintained in accordance with the relevant Council policies, guidelines and standards.
- 15.9 The Survey Plan creating the relevant lots the subject of Part A of this permit, cancelling Lot 5006 on SP296906, must be registered prior to the commencement of the use on the land for a Dwelling house.
- 15.10 This approval is for the construction of a Dwelling house and outbuildings necessary for purposes ancillary to the occupation of a Dwelling house on the forty-seven (47) proposed allotments shown on the approved plans (refer to condition 16.1). Any development other than a Dwelling house consistent with the approved plans and the conditions of this permit may trigger assessment against the Planning Scheme in force at the time the development occurs.
- 16.0 APPROVED PLANS AND DOCUMENTS
- 16.1 The approved development must be completed and maintained generally in accordance with the approved plans and documents, except where amended by the conditions of this permit:
- | <u>Plan/Document Name</u> | <u>Plan/Document Reference</u> | <u>Dated</u> |
|-------------------------------------|--------------------------------|-------------------|
| Plan of Development Stages
6A-6D | 6616-02-ROL Rev C
Sheets 2 | 14 September 2017 |
- 16.2 Where there is any conflict between the conditions of this approval and the details shown on the approved plans and documents, the conditions of approval must prevail.
- 16.3 Where conditions require the above plans or documents to be amended, the revised document(s) must be submitted for approval by Council prior to the submission of a Development Application for Operational Works.
- 17.0 ACCESS WORKS
- 17.1 A Development Permit for Operational Works (access works) must be obtained prior to the commencement of any works on the site.
- 17.2 All works must be designed and constructed in accordance with the approved plans (refer to condition 16.1), *Capricorn Municipal Development Guidelines*, *Australian Standard AS2890 "Parking Facilities"* and the provisions of a Development Permit for Operational Works (access works).

- 17.3 A *Capricorn Municipal Development Guidelines* compliant vehicle access must be designed and constructed for each Dwelling house. Any non-compliant vehicle access will require a Development Permit for Operational Works (access works) prior to commencement of any vehicle access works associated with that lot.
- 17.4 A minimum of two (2) off-street car parking spaces must be provided for each Dwelling house in accordance with the *Queensland Development Code - Mandatory Part 1.2*, one (1) of which must be covered.
- 18.0 PLUMBING AND DRAINAGE WORKS
- 18.1 A Development Permit for Plumbing and Drainage Works must be obtained prior to the commencement of any plumbing and drainage works on the site.
- 18.2 All works must be designed and constructed in accordance with the approved plans (refer to condition 16.1), *Capricorn Municipal Development Guidelines*, *Water Supply (Safety and Reliability) Act*, *Plumbing and Drainage Act*, Council's Plumbing and Drainage Policies and the provisions of a Development Permit for Plumbing and Drainage Works.
- 18.3 The development must be connected to Council's reticulated sewerage and water networks.
- 18.4 Sewer connections and water meter boxes located within trafficable areas must be raised or lowered to suit the finished surface levels and must be provided with trafficable lids.
- 19.0 ROOF AND ALLOTMENT DRAINAGE WORKS
- 19.1 All roof and allotment drainage must be discharged lawfully in accordance with the requirements of the *Queensland Urban Drainage Manual* and the *Capricorn Municipal Development Guidelines*.
- 19.2 All roof and allotment drainage must be discharged such that it does not restrict, impair or change the natural flow of runoff water or cause a nuisance to adjoining properties or damage infrastructure.
- 20.0 SITE WORKS
- 20.1 All earthworks must be undertaken in accordance with *Australian Standard AS3798 "Guidelines on Earthworks for Commercial and Residential Developments"*.
- 20.2 Site works must be constructed such that they do not, at any time, in any way restrict, impair or change the natural flow of runoff water, or cause a nuisance or worsening to adjoining properties or infrastructure.
- 21.0 BUILDING WORKS
- 21.1 A Development Permit for Building Works must be obtained prior to the commencement of any building works on the site.
- 21.2 All buildings and structures must be designed and sited in accordance with the 'development standards' specified on the approved plans (refer to condition 16.1).
- 21.3 All buildings and structures must comply with the provisions of the *Queensland Development Code - Mandatory Part 1.4*.
- 21.4 The finished floor level of all habitable areas must be a minimum 300 millimetres above the Defined Flood Event (DFE) level.
- 22.0 ELECTRICITY AND TELECOMMUNICATIONS
- 22.1 Underground electricity and telecommunication connections must be provided to each Dwelling house to the requirements of the relevant authority.
- 23.0 ASSET MANAGEMENT
- 23.1 Any alteration necessary to electricity, telephone, water mains, sewerage mains,

and/or public utility installations resulting from the development or in connection with the development, must be at full cost to the developer.

23.2 Any damage to existing roadway (including removal of concrete slurry from public land, pathway, roads, kerb and channel and stormwater gullies and drainage lines) which may occur during any works carried out in association with the approved development must be repaired. This must include the reinstatement of the existing traffic signs and pavement markings which may have been removed.

23.3 'As constructed' information pertaining to assets to be handed over to Council and those which may have an impact on Council's existing and future assets must be provided prior to commencement of the use. This information must be provided in accordance with the Manual for Submission of Digital As Constructed Information.

24.0 ENVIRONMENTAL

24.1 An Erosion and Sediment Control Management Plan must be implemented and maintained on-site for the duration of the works, and until all exposed soil areas are permanently stabilised (for example, turfed, hydromulched, concreted, landscaped). The prepared Erosion and Sediment Control Management Plan must be available on-site for inspection by Council Officers during those works.

25.0 OPERATING PROCEDURES

25.1 All construction materials, waste and waste skips must be located and stored on-site. All construction materials and waste must be secured and not allowed to be washed or blown by the wind off-site. At all times machinery and contractor's vehicles must be parked so as to not unreasonably obstruct the road pavement, road verges/footpaths or any neighbouring property accesses.

ADVISORY NOTES – PART A and PART B

NOTE 1. Aboriginal Cultural Heritage

It is advised that under Section 23 of the *Aboriginal Cultural Heritage Act 2003*, a person who carries out an activity must take all reasonable and practicable measures to ensure the activity does not harm Aboriginal Cultural Heritage (the "cultural heritage duty of care"). Maximum penalties for breaching the duty of care are listed in the Aboriginal Cultural Heritage legislation. The information on Aboriginal Cultural Heritage is available on the Department of Aboriginal and Torres Strait Islander and Multicultural Affairs website www.datsima.qld.gov.au

NOTE 2. General Environmental Duty

General environmental duty under the *Environmental Protection Act* prohibits unlawful environmental nuisance caused by noise, aerosols, particles dust, ash, fumes, light, odour or smoke beyond the boundaries of the property during all stages of the development including earthworks, construction and operation.

NOTE 3. General Safety Of Public During Construction

The *Workplace Health and Safety Act* and *Manual of Uniform Traffic Control Devices* must be complied with in carrying out any construction works, and to ensure safe traffic control and safe public access in respect of works being constructed on a road.

NOTE 4. Vegetation Management

a. The balance lot has been initially identified as containing significant local environmental value and as such further investigation through the production of a detailed ecological report will be required to be submitted to Council as the development of the overall lot progresses, particularly beyond the current proposed link road. Bushfire Hazard risk will also be required to be further investigated at this point as well through the development of a Bushfire Hazard Assessment and Bushfire Management Plan.

- b. The land subject to the above development application must be free of declared pest plants and animals; as declared at the date of development application in *Local Law No. 3 (Community & Environmental Management) 2011* and Schedule 1 of *Subordinate Local Law 3 (Community & Environmental Management) 2011* and in the *Land Protection (Pest and Stock Route Management) Act 2002* or as amended; to the satisfaction of Council's Pest Management Officer, prior to the commencement of any site works. Council will supply a free inspection and advice service on the request of the land owner.
- c. Part of the subject site is mapped by the Department of Environment and Heritage Protection as containing Regulated Vegetation. The *Vegetation Management Act 1999* has requirements with regard to the clearing of vegetation. Information on Vegetation Management is available at: <https://www.qld.gov.au/environment/land/vegetation/management/>
- d. The subject site is mapped under the Livingstone Planning Scheme as 'Locally Significant Vegetation' (PSM10a and 10b). Clearing of this vegetation should not be undertaken without the advice of Council's Natural Resource Management Unit.

NOTE 5. Infrastructure Charges Notice

This application is subject to infrastructure charges in accordance with the *Adopted Infrastructure Charges Resolution (No.2) 2015*. The charges are presented on an Infrastructure Charges Notice which has been supplied with this decision notice.

NOTE 6. Property Note –Material Change of Use

A 'blanket' material change of use applies to this lot. Part B of this development permit (D-182-2017) allows for one (1) Dwelling house to be constructed on each of the approved lots created pursuant to Part A of this permit. Each Dwelling house and associated outbuildings necessary for purposes ancillary to the occupation of the Dwelling house must meet the Development Standards detailed on the approved plans. Any development other than a Dwelling house consistent with the approved plans and the conditions of this permit will trigger assessment against the Planning Scheme in force at the time the development occurs.

NOTE 7. Trunk Stormwater infrastructure

Future stormwater trunk infrastructure D-8 (Ross Creek drainage system management) and D-29 (Ross Creek drainage feature system – Tanby Road) are identified within the subject Lot 5006 SP296906. Stormwater trunk infrastructure D-83 (Ross Creek drainage feature system) and D-84 (Ross Creek District Treatment Facility) are also identified within the subject lot under *Adopted Infrastructure Charges Resolution (No. 3) 2018*. The floodplain areas of Ross Creek within the subject lot can be transferred to Council as "Fee simple" or as "Fee simple as trustee" at no cost to Council.

NOTE 8. Stormwater management strategy

Total catchment modelling must be undertaken to determine preferred location and operational requirements of any stormwater detention / retention system. Target flow regime boundary conditions at discharge locations along the trunk system must be agreed in consultation with Council. No increases in flows for the Q20 event to fit current culvert design at Taranganba Road.

Council requires the applicant to investigate and provide sufficient details taking into account all associated catchments for pre and post development scenarios. The investigation should include selected range of events including major and minor events up to the Defined Flood Event (inclusive) for a range of storm

durations, including critical storm duration with relevant hydrographs.

Flow regime includes discharge quantity / volume, flood level, velocity, frequency and duration. As part of the detailed design it is important to check the overall impact in terms of flow regime changes at discharge points within Ross Creek. For further clarity cross sections at few intermediate points within the study area including discharge locations needs to be included.

NOTE 9. Stormwater quality

Relevant rainfall intensities (if necessary) may be obtained from Council for MUSIC modeling.

NOTE 10. Water works

A water network analysis / new water supply strategy is required if any building pad level of proposed allotments exceeds thirty-five (35) metres Australian Height Datum to maintain the standard water supply services in accordance with *Water Supply (Safety and Reliability) Act*.

RECOMMENDATION C2 – D-182-2017 STAGES 6A, 6B, 6C AND 6D

That in relation to the application for a Development Permit D-182-2017 for Reconfiguring a Lot (one lot into forty-seven lots + balance) and a Development Permit for a Material change of use for forty-seven (47) Dwelling houses (Sea Haven Estate Stages 6A, 6B, 6C and 6D), made by Keppel Developments Pty Ltd, on Lot 5006 on SP296906 and located at Lot 5006 Havenwood Drive, Taroomball, Council resolves to issue and Infrastructure Charges Notice for the amount of **\$987,000.00** with the following sub-staging;

6A	\$210,000.00
6B	\$273,000.00
6C	\$273,000.00
6D	\$231,000.00

RECOMMENDATION D1 - D-183-2017 STAGES 7A, 7B, 7C AND 7D

That in relation to the application for a Development Permit D-183-2017 for Reconfiguring a Lot (one lot into forty lots + balance) and a Development Permit for a Material change of use for forty (40) Dwelling houses (Sea Haven Estate Stages 7A, 7B, 7C and 7D), made by Keppel Developments Pty Ltd, on Lot 5006 on SP296906 and located at Lot 5006 Havenwood Drive, Taroomball, Council resolves to Approve the application subject to the following conditions:

PART A – RECONFIGURING A LOT (ONE LOT INTO FORTY LOTS + BALANCE) STAGES 7A, 7B, 7C AND 7D

1.0 ADMINISTRATION

- 1.1 The Developer is responsible for ensuring compliance with this approval and the Conditions of the approval by an employee, agent, contractor or invitee of the Developer.
- 1.2 Where these Conditions refer to “Council” in relation to requiring Council to approve or to be satisfied as to any matter, or conferring on the Council a function, power or discretion, that role of the Council may be fulfilled in whole or in part by a delegate appointed for that purpose by the Council.

- 1.3 All conditions of this approval must be undertaken and completed to the satisfaction of Council, at no cost to Council.
- 1.4 All conditions, works, or requirements of this approval must be undertaken and completed prior to the approval of a plan of subdivision (survey plan endorsement), unless otherwise stated.
- 1.5 Where applicable, infrastructure requirements of this approval must be contributed to the relevant authorities, at no cost to Council prior, to the approval of a plan of subdivision (survey plan endorsement), unless otherwise stated.
- 1.6 The following further Development Permits must be obtained prior to the commencement of any works associated with its purposes:

1.6.1 Operational Works:

- (i) Road Works;
- (ii) Access Works;
- (iii) Sewerage Works;
- (iv) Water Works;
- (v) Stormwater Works;
- (vi) Inter-allotment Drainage Works;
- (vii) Site Works; and
- (viii) Landscaping Works.

- 1.7 Unless otherwise stated, all works must be designed, constructed and maintained in accordance with the relevant Council policies, guidelines and standards.
- 1.8 All engineering drawings/specifications, design and construction works must comply with the requirements of the relevant Australian Standards and must be approved, supervised and certified by a Registered Professional Engineer of Queensland.

2.0 APPROVED PLANS AND DOCUMENTS

- 2.1 The approved development must be completed and maintained generally in accordance with the approved plans and documents, except where amended by the conditions of this permit:

<u>Plan/Document Name</u>	<u>Plan/Document Reference</u>	<u>Dated</u>
Plan of Development Stages 7A-7D	6616-03-ROL Rev C Sheet 1 and Sheet 2	14 September 2017

- 2.2 Where there is any conflict between the conditions of this approval and the details shown on the approved plans and documents, the conditions of approval must prevail.
- 2.3 Where conditions require the above plans or documents to be amended, the revised document(s) must be submitted for approval by Council prior to the submission of a Development Application for Operational Works.

3.0 STAGED DEVELOPMENT

- 3.1 This approval is for a development to be undertaken in four (4) discrete stages, namely:

- 3.1.1 Stage 7A: (Eleven lots) Lot 208 to Lot 218;
 - 3.1.2 Stage 7B: (Nine lots) Lot 183, Lot 184, Lot 191 and Lot 202 to Lot 207;
 - 3.1.3 Stage 7C: (Ten Lots) Lot 192 to Lot 201; and
 - 3.1.4 Stage 7D: (Ten Lots) Lot 179 to Lot 182 and Lot 185 to Lot 190
- in accordance with the approved plans (refer to condition 2.1).
- 3.2 Multiple development stages may be undertaken concurrently, provided all allotments can be connected to the full range of urban infrastructure including access availability from a constructed road frontage.
 - 3.3 Infrastructure (including but not limited to road, pedestrian access, water, sewer, stormwater infrastructure) must be provided by the developer in a co-ordinated and a planned manner having regard to the overall catchment and staging of the development in a logical and orderly sequence to facilitate ease of extension of infrastructure during future stages.
 - 3.4 Unless otherwise expressly stated, the conditions must be read as being applicable to all stages.
- #### 4.0 ROAD WORKS
- 4.1 A Development Permit for Operational Works (road works) must be obtained prior to the commencement of any road works on the site.
 - 4.2 All works must be designed and constructed in accordance with the approved plans (refer to condition 2.1), *Capricorn Municipal Development Guidelines*, relevant *Australian Standards* and the provisions of a Development Permit for Operational Works (road works).
 - 4.3 Any application for a Development Permit for Operational Works (road works) must demonstrate that all new roads and road reserves included in the application connect with existing constructed road(s) within and road reserve(s) at the time of making the application.
 - 4.4 Eucalyptus Avenue must be designed and constructed as a Minor Urban Collector road classification standard.
 - 4.5 A suitable area of land must be dedicated as road reserve for the extension of Carige Boulevard including any proposed service road and the intersection between Carige Boulevard and the internal road with the creation of the first lot within Stage 7A.
 - 4.6 The Carige Boulevard (full width) section located within the development must be designed and constructed, including all necessary infrastructure, including street lighting to comply with the road classification requirements of a Major Urban Collector.
 - 4.7 Carige Boulevard and the internal road intersection (non-trunk) must be designed and constructed, including all necessary infrastructure including street lighting. The subject intersection type must be supported by an intersection analysis (for example a SIDRA intersection analysis) and agreed in consultation with Council as part of an application for a Development Permit for Operational Works (road works).
 - 4.8 Direct vehicle access to any Major Collector roads from private allotments is not permitted. Direct vehicle access to a service road within the Major Collector road reserve is permitted.
 - 4.9 The design and construction of all terminating roads must include a temporary turning area which complies with the relevant performance and technical criteria, and facilitates suitable turning movements for a Council refuse collection vehicle.
 - 4.10 The area taken up by temporary turning areas at the ends of roads must be covered by road reserve.

- 4.11 All pathways within road reserves (including access ramps) must:
- 4.11.1 Incorporate kerb ramps at all road crossing points; and
 - 4.11.2 Be provided with public space lighting in accordance with *Australian Standard AS1158 Lighting for Roads and Public Spaces*.
- 4.12 Traffic signs and pavement markings including any alterations must be provided in accordance with the *Transport Operations (Road Use Management) Act 1995* and the *Manual of Uniform Traffic Control Devices (Queensland)*.
- 4.13 Any application for a Development Permit for Operational Works (road works) must include details, including signage, of the Council approved road names for all new roads.
- 4.14 Retaining walls must be wholly contained within private allotments and not be constructed within road reserves as Council-owned infrastructure, unless specifically approved as part of a Development Permit for Operational Works (road works).
- 4.15 Any retaining structures above one metre in height must be separately approved for structural adequacy by a Registered Professional Engineer of Queensland at design submission and certified on completion of construction for compliance with the design.
- A detailed inspection and 'as constructed' record must be provided to Council by a Registered Professional Engineer of Queensland, prior to acceptance of the works, including certification that the wall's foundation ground conditions nominated in the design were inspected and achieved during construction. The approved design and/or construction of the retaining walls must not be modified without Council's prior written approval.
- 5.0 ACCESS WORKS
- 5.1 A Development Permit for Operational Works (access works) must be obtained prior to the commencement of any access works on the site.
- 5.2 All works must be designed and constructed in accordance with the approved plans (refer to condition 2.1), the *Capricorn Municipal Development Guidelines*, and the provisions of a Development Permit for Operational Works (access works).
- 5.3 A compliant access driveway must be designed and constructed for proposed lots 195, 196 and 197.
- 6.0 SEWERAGE WORKS
- 6.1 A Development Permit for Operational Works (sewerage works) must be obtained prior to the commencement of any sewerage works on the site.
- 6.2 All works must be designed and constructed in accordance with the approved plans (refer to condition 2.1), *Capricorn Municipal Development Guidelines*, *Water Supply (Safety and Reliability) Act*, *Plumbing and Drainage Act* and the provisions of a Development Permit for Operational Works (sewerage works).
- 6.3 All lots within the development must be connected to Council's reticulated sewerage network via gravity connection. Each of the lots must be provided with its own separate sewer connection point, located wholly within its respective property boundaries.
- 6.4 The trunk sewer main (SEW -121) located within the Carige Boulevard road reserve must be extended up to the southern end of the stage 7A boundary.
- 6.5 Easements must be provided over all sewerage infrastructure located within private property. The easement location(s) and width(s) must be in accordance with the requirements of the *Capricorn Municipal Development Guidelines*.
- 6.6 Sewerage infrastructure must be provided (if necessary) to each development stage boundaries for connectivity.

7.0 WATER WORKS

- 7.1 A Development Permit for Operational Works (water works) must be obtained prior to the commencement of any water works on the site.
- 7.2 All works must be designed and constructed in accordance with the approved plans (refer to condition 2.1), *Capricorn Municipal Development Guidelines, Water Supply (Safety and Reliability) Act, Plumbing and Drainage Act* and the provisions of a Development Permit for Operational Works (water works).
- 7.3 All lots within the development must be connected to Council's reticulated water network. Each of the lots must be provided with its own separate water connection point, located wholly within its respective property boundaries.
- 7.4 The trunk water main (WAT-9) located within the Carige Boulevard road reserve must be extended up to the southern end of the stage 7A boundary.
- 7.5 Water infrastructure must be provided (if necessary) to each development stage boundaries for connectivity.

8.0 STORMWATER WORKS

- 8.1 A Development Permit for Operational Works (stormwater works) must be obtained prior to the commencement of any stormwater works on the site.
- 8.2 All stormwater management works must be designed and constructed in accordance with the approved plans (refer to condition 2.1), *Queensland Urban Drainage Manual, Capricorn Municipal Development Guidelines, Urban Stormwater Quality Planning Guidelines, State Planning Policy*, sound engineering practice, and the provisions of a Development Permit for Operational Works (stormwater works).
- 8.3 All stormwater must achieve demonstrated lawful discharge and must not adversely affect the upstream or downstream land when compared to pre-development condition by way of blocking, altering or diverting existing stormwater runoff patterns or cause an actionable nuisance or damage infrastructure.
- 8.4 Any application for Operational works (stormwater works) must identify all areas of the proposed development, which needs to be dedicated to, or encumbered in favour of Council or another statutory authority, in order to maintain the lawful discharge for the proposed development. The areas identified must satisfy the requirements of the *Queensland Urban Drainage Manual*.
- 8.5 Drainage easement(s) must be dedicated in favour of Council over all major overland flow paths (land inundated by the Defined Flood Event) and major drainage systems to provide drainage corridors suitable for the conveyance of peak stormwater flows through the subject land during the Defined Flood Event.
- 8.6 Any application for Operational Works (stormwater works) must be accompanied by a detailed stormwater management strategy certified by a suitably qualified Registered Professional Engineer of Queensland. The strategy must include the following (but not limited to);
- 8.6.1 A detailed assessment of the major and minor rainfall event peak discharges for the pre-development and post-development scenarios and clearly identifies discharge point(s) and demonstrate lawful discharge;
- 8.6.2 Detention systems. The volume of any detention must be sufficient to attenuate the peak discharge from the site to ensure non-worsening of the flow regime immediately downstream of the development for a selected range of Annual Exceedance Probability events, up to the Defined Flood Event (inclusive) for a range of storm durations, including critical storm duration;
- 8.6.3 Layouts showing the extent of the one (1) per cent Annual Exceedance Probability event inundation areas (pre and post) and the details of the

- available freeboard to the finished ground/floor levels;
- 8.6.4 Pre and post one (1) year average recurrence interval (ARI) event peak flow and velocity details at discharge points within the Ross Creek to demonstrate compliance with waterway stability requirements;
- 8.6.5 Designs of outlet systems for the proposed drainage systems. Considerations must be given to critical scour velocity, discharge frequency /duration at the discharge location(s) and relevant management measures;
- 8.6.6 Full calculations, including (where necessary) electronic modelling files from industry standard modelling software, (inclusive of both electronic model files and results files) and all details of the modelling assumptions to support the proposed stormwater management strategy;
- 8.6.7 Detailed engineering plans with details of any new drainage systems, or the amendment and upgrading of exiting drainage systems to implement the proposed drainage strategy; and
- 8.6.8 Details of ongoing maintenance and management actions required with regard to any proposed detention basin / retention systems.
- 8.7 As part of the Operational Works application (stormwater works) an overall Sea Haven stormwater quality management strategy is required addressing the collection and capture of gross pollutants.
- 8.8 Any culvert/cross drainage structures associated with the development must be designed and constructed to ensure;
- (i) Safe trafficability during the relevant Defined Flood Event;
 - (ii) Limiting the impacts to adjacent properties and infrastructure with twenty (20) per cent blockage factor; and
 - (iii) The maximum flow depth over any cross drainage structure must be limited to 200 millimetres, demonstrating allowable velocity/depth product(s).
- 9.0 INTER-ALLOTMENT DRAINAGE
- 9.1 A Development Permit for Operational Works (inter-allotment drainage works) must be obtained prior to the commencement of any inter-allotment drainage works on the site.
- 9.2 Inter-allotment drainage, must be designed and constructed in accordance with the *Capricorn Municipal Development Guidelines* and *Queensland Urban Drainage Manual* for Level II and must be provided to any lot where it cannot be satisfactorily demonstrated that roofwater drainage associated with building construction on that lot, could not reasonably be directed to the frontage kerb and channel or alternative lawful point of discharge.
- 9.3 Easements must be provided over all inter-allotment drainage infrastructure located within private property. The easement location(s) and width(s) must be in accordance with the requirements of the *Capricorn Municipal Development Guidelines*.
- 10.0 SITE WORKS
- 10.1 A Development Permit for Operational Works (site works) must be obtained prior to the commencement of any site works.
- 10.2 Any application for a Development Permit for Operational Works (site works) must be accompanied by an earthworks' plan which clearly identifies the following:
- 10.2.1 the location of cut and/or fill;
 - 10.2.2 the type of fill to be used and the manner in which it is to be compacted;
 - 10.2.3 the quantum of fill to be deposited or removed and finished cut and/or fill levels;

- 10.2.4 details of any proposed access routes to the site which are intended to be used to transport fill to or from the site; and
- 10.2.5 the maintenance of access roads to and from the site so that they are free of all cut and/or fill material and cleaned as necessary.
- 10.3 All earthworks must be undertaken in accordance with *Australian Standard AS3798 "Guidelines on Earthworks for Commercial and Residential Developments"*.
- 10.4 Site works must be constructed such that they do not, at any time, in any way restrict, impair or change the natural flow of runoff water, or cause a nuisance to adjoining properties or infrastructure.
- 10.5 All site works must be undertaken to ensure that no actionable nuisance results from an increase in:
- 10.5.1 peak discharge immediately downstream of the development for a selected range of storm durations, and a selected range of Annual Exceedance Probability (AEP) events up to Defined Flood Event (inclusive); or
- 10.5.2 downstream or upstream flood inundation levels; or
- 10.5.3 velocity profiles.
- 11.0 LANDSCAPING WORKS
- 11.1 A Development Permit for Operational Works (landscaping works) must be obtained prior to the commencement of any landscaping works.
- 11.2 Any application for a Development Permit for Operational Works (landscaping works) must be generally in accordance with the approved plans (refer to condition 2.1) and must include, but is not limited to, the following:
- 11.2.1 A plan documenting the "Extent of Works" and supporting documentation which includes:
- (i) location and name of existing trees, including those to be retained (the location of the trees shall be overlaid or be easily compared with the proposed development design);
 - (ii) the extent of soft and hard landscape, existing and proposed;
 - (iii) important spot levels and/or contours. The levels of the trees to be retained shall be provided in relation to the finished levels of the proposed buildings and works;
 - (iv) underground and overhead services;
 - (v) details of landscape structures including areas of deep planting; and
 - (vi) specification notes on mulching and soil preparation.
- 11.2.2 A "Planting Plan" and supporting documentation which includes:
- (i) trees, shrubs and groundcovers to all areas to be landscaped;
 - (ii) position and canopy spread of all trees and shrubs;
 - (iii) the extent and type of works (inclusive but not limited to paving, fences and garden bed edging); and
 - (iv) a plant schedule with the botanic and common names, total plant numbers and pot sizes at the time of planting;
- 11.2.3 Any plant species or locations not supported by Council may be requested to be altered or removed with the changes reflected on updated landscaping plans prior issue of any Development Permit for Operational Works.
- 11.3 Large trees must not be planted within one (1) metre of the centreline of any

sewerage infrastructure. Small shrubs and groundcover are acceptable.

11.4 Landscaping, or any part thereof, upon reaching full maturity, must not:

- (i) obstruct sight visibility zones as defined in the *Austrroads 'Guide to Traffic Engineering Practice'* series of publications;
- (ii) adversely affect any road lighting or public space lighting; or
- (iii) adversely affect any Council infrastructure, or public utility plant.

11.5 The landscaped areas must be subject to an ongoing maintenance and replanting programme (if necessary) until such time as these areas are accepted off-defects by Council. All costs associated with the continued maintenance (including irrigation) during the on-defects period will be the responsibility of the Developer.

12.0 ELECTRICITY AND TELECOMMUNICATIONS

12.1 Underground electricity and telecommunication connections must be provided to the proposed development to the standards of the relevant authorities.

12.2 Any existing overhead electricity infrastructure traversing the relevant stage to be developed must be removed and the associated easement extinguished.

12.3 Evidence must be provided of a certificate of supply with the relevant service providers to provide each lot with live electricity and telecommunication connections, in accordance with the requirements of the relevant authorities.

13.0 ASSET MANAGEMENT

13.1 Any alteration necessary to electricity, telephone, water mains, sewerage mains, and/or public utility installations resulting from the development or in connection with the development, must be at full cost to the Developer.

13.2 Any damage to existing kerb and channel, pathway or roadway (including removal of concrete slurry from public land, pathway, roads, kerb and channel and stormwater gullies and drainage lines) which may occur during any works carried out in association with the approved development must be repaired. This must include the reinstatement of the existing traffic signs and pavement markings which may have been removed.

13.3 'As constructed' information pertaining to assets to be handed over to Council and those which may have an impact on Council's existing and future assets must be provided prior to the issue of the approval of a plan of subdivision (survey plan endorsement). This information must be provided in accordance with the Manual for Submission of Digital As Constructed Information.

14.0 ENVIRONMENTAL

14.1 Any application for a Development Permit for Operational Works must be accompanied by an Erosion and Sediment Control Plan which addresses, but is not limited to, the following:

- (i) site location / topography / soil type;
- (ii) objectives;
- (iii) concept;
- (iv) design details;
- (v) implementation procedures for construction and post construction phases of work.
- (vi) vegetation;

- (vii) interim drainage plan during construction;
- (viii) dust suppression;
- (ix) top soil management;
- (x) acid sulphate soils; and
- (xi) erosion susceptibility and risk

14.2 The approved Erosion Control and Stormwater Control Management Plan must be implemented and maintained on-site for the duration of the works, and until all exposed soil areas are permanently stabilised (for example, turfed, hydromulched, concreted, landscaped).

15.0 OPERATING PROCEDURES

15.1 All construction materials, waste and waste skips must be located and stored on-site. All construction materials and waste must be secured and not allowed to be washed or blown by the wind off-site. At all times machinery and contractor's vehicles must be parked so as to not unreasonably obstruct the road pavement, road verges/footpaths or any neighbouring property accesses.

PART B – MATERIAL CHANGE OF USE FOR FORTY (40) DWELLING HOUSES STAGES 7A, 7B, 7C AND 7D

16.0 ADMINISTRATION

- 16.1 The Developer is responsible for ensuring compliance with this approval and the Conditions of the approval by an employee, agent, contractor or invitee of the Developer.
- 16.2 Where these Conditions refer to "Council" in relation to requiring Council to approve or to be satisfied as to any matter, or conferring on the Council a function, power or discretion, that role of the Council may be fulfilled in whole or in part by a delegate appointed for that purpose by the Council.
- 16.3 All conditions of this approval must be undertaken and completed to the satisfaction of Council, at no cost to Council.
- 16.4 All conditions, works, or requirements of this approval must be undertaken and completed prior to the commencement of use, unless otherwise stated.
- 16.5 Where applicable, infrastructure requirements of this approval must be contributed to the relevant authorities, at no cost to Council prior to the commencement of use, unless otherwise stated.
- 16.6 The following further Development Permits must be obtained prior to the commencement of any works associated with its purposes:
- 16.6.1 Operational Works:
 - (i) Access Works;
 - 16.6.2 Plumbing and Drainage Works; and
 - 16.6.3 Building Works.
- 16.7 All Development Permits for Operational Works (for any vehicle access that is non-compliant with the *Capricorn Municipal Development Guidelines*) and Plumbing and Drainage Works must be obtained prior to the issue of a Development Permit for Building Works.
- 16.8 Unless otherwise stated, all works must be designed, constructed and maintained in accordance with the relevant Council policies, guidelines and standards.

- 16.9 The Survey Plan creating the relevant lots the subject of Part A of this permit, cancelling Lot 5006 on SP296906, must be registered prior to the commencement of the use on the land for a Dwelling house.
- 16.10 This approval is for the construction of a Dwelling house and outbuildings necessary for purposes ancillary to the occupation of a Dwelling house on the forty (40) proposed allotments shown on the approved plans (refer to condition 17.1). Any development other than a Dwelling house consistent with the approved plans and the conditions of this permit may trigger assessment against the Planning Scheme in force at the time the development occurs.

17.0 APPROVED PLANS AND DOCUMENTS

- 17.1 The approved development must be completed and maintained generally in accordance with the approved plans and documents, except where amended by the conditions of this permit:

<u>Plan/Document Name</u>	<u>Plan/Document Reference</u>	<u>Dated</u>
Plan of Development Stages 7A-7D	6616-03-ROL Rev C Sheet 2	14 September 2017

- 17.2 Where there is any conflict between the conditions of this approval and the details shown on the approved plans and documents, the conditions of approval must prevail.
- 17.3 Where conditions require the above plans or documents to be amended, the revised document(s) must be submitted for approval by Council prior to the submission of a Development Application for Operational Works.
- 18.0 ACCESS WORKS
- 18.1 A Development Permit for Operational Works (access works) must be obtained prior to the commencement of any works on the site.
- 18.2 All works must be designed and constructed in accordance with the approved plans (refer to condition 17.1), *Capricorn Municipal Development Guidelines*, *Australian Standard AS2890 "Parking Facilities"* and the provisions of a Development Permit for Operational Works (access works).
- 18.3 A *Capricorn Municipal Development Guidelines* compliant vehicle access must be designed and constructed for each Dwelling house. Any non-compliant vehicle access will require a Development Permit for Operational Works (access works) prior to commencement of any vehicle access works associated with that lot.
- 18.4 Direct vehicle access to any Major Collector roads from private allotments is not permitted. Direct vehicle access to a service road within the Major Collector road reserve is permitted.
- 18.5 A minimum of two (2) off-street car parking spaces must be provided for each Dwelling house in accordance with the *Queensland Development Code - Mandatory Part 1.2*, one (1) of which must be covered.

19.0 PLUMBING AND DRAINAGE WORKS

- 19.1 A Development Permit for Plumbing and Drainage Works must be obtained prior to the commencement of any plumbing and drainage works on the site.
- 19.2 All works must be designed and constructed in accordance with the approved plans (refer to condition 17.1), *Capricorn Municipal Development Guidelines*, *Water Supply (Safety and Reliability) Act*, *Plumbing and Drainage Act*, Council's Plumbing and Drainage Policies and the provisions of a Development Permit for Plumbing and Drainage Works.

- 19.3 The development must be connected to Council's reticulated sewerage and water networks.
- 19.4 Sewer connections and water meter boxes located within trafficable areas must be raised or lowered to suit the finished surface levels and must be provided with trafficable lids.
- 20.0 ROOF AND ALLOTMENT DRAINAGE WORKS
- 20.1 All roof and allotment drainage must be discharged lawfully in accordance with the requirements of the *Queensland Urban Drainage Manual* and the *Capricorn Municipal Development Guidelines*.
- 20.2 All roof and allotment drainage must be discharged such that it does not restrict, impair or change the natural flow of runoff water or cause a nuisance to adjoining properties or damage infrastructure.
- 21.0 SITE WORKS
- 21.1 All earthworks must be undertaken in accordance with *Australian Standard AS3798 "Guidelines on Earthworks for Commercial and Residential Developments"*.
- 21.2 Site works must be constructed such that they do not, at any time, in any way restrict, impair or change the natural flow of runoff water, or cause a nuisance or worsening to adjoining properties or infrastructure.
- 22.0 BUILDING WORKS
- 22.1 A Development Permit for Building Works must be obtained prior to the commencement of any building works on the site.
- 22.2 All buildings and structures must be designed and sited in accordance with the 'development standards' specified on the approved plans (refer to condition 17.1).
- 22.3 All buildings and structures must comply with the provisions of the *Queensland Development Code - Mandatory Part 1.4*.
- 22.4 The finished floor level of all habitable areas must be a minimum 300 millimetres above the Defined Flood Event (DFE) level.
- 23.0 ELECTRICITY AND TELECOMMUNICATIONS
- 23.1 Underground electricity and telecommunication connections must be provided to each Dwelling house to the requirements of the relevant authority.
- 24.0 ASSET MANAGEMENT
- 24.1 Any alteration necessary to electricity, telephone, water mains, sewerage mains, and/or public utility installations resulting from the development or in connection with the development, must be at full cost to the developer.
- 24.2 Any damage to existing roadway (including removal of concrete slurry from public land, pathway, roads, kerb and channel and stormwater gullies and drainage lines) which may occur during any works carried out in association with the approved development must be repaired. This must include the reinstatement of the existing traffic signs and pavement markings which may have been removed.
- 24.3 'As constructed' information pertaining to assets to be handed over to Council and those which may have an impact on Council's existing and future assets must be provided prior to commencement of the use. This information must be provided in accordance with the Manual for Submission of Digital As Constructed Information.
- 25.0 ENVIRONMENTAL
- 25.1 An Erosion and Sediment Control Management Plan must be implemented and maintained on-site for the duration of the works, and until all exposed soil areas are permanently stabilised (for example, turfed, hydromulched, concreted, landscaped). The prepared Erosion and Sediment Control Management Plan must be available

on-site for inspection by Council Officers during those works.

26.0 OPERATING PROCEDURES

- 26.1 All construction materials, waste and waste skips must be located and stored on-site. All construction materials and waste must be secured and not allowed to be washed or blown by the wind off-site. At all times machinery and contractor's vehicles must be parked so as to not unreasonably obstruct the road pavement, road verges/footpaths or any neighbouring property accesses.

ADVISORY NOTES – PART A and PART B

NOTE 1. Aboriginal Cultural Heritage

It is advised that under Section 23 of the *Aboriginal Cultural Heritage Act 2003*, a person who carries out an activity must take all reasonable and practicable measures to ensure the activity does not harm Aboriginal Cultural Heritage (the "cultural heritage duty of care"). Maximum penalties for breaching the duty of care are listed in the Aboriginal Cultural Heritage legislation. The information on Aboriginal Cultural Heritage is available on the Department of Aboriginal and Torres Strait Islander and Multicultural Affairs website www.datsima.qld.gov.au

NOTE 2. General Environmental Duty

General environmental duty under the *Environmental Protection Act* prohibits unlawful environmental nuisance caused by noise, aerosols, particles dust, ash, fumes, light, odour or smoke beyond the boundaries of the property during all stages of the development including earthworks, construction and operation.

NOTE 3. General Safety Of Public During Construction

The *Workplace Health and Safety Act* and *Manual of Uniform Traffic Control Devices* must be complied with in carrying out any construction works, and to ensure safe traffic control and safe public access in respect of works being constructed on a road.

NOTE 4. Vegetation Management

- a. The balance lot has been initially identified as containing significant local environmental value and as such further investigation through the production of a detailed ecological report will be required to be submitted to Council as the development of the overall lot progresses, particularly beyond the current proposed link road. Bushfire Hazard risk will also be required to be further investigated at this point as well through the development of a Bushfire Hazard Assessment and Bushfire Management Plan.
- b. The land subject to the above development application must be free of declared pest plants and animals; as declared at the date of development application in *Local Law No. 3 (Community & Environmental Management) 2011* and Schedule 1 of *Subordinate Local Law 3 (Community & Environmental Management) 2011* and in the *Land Protection (Pest and Stock Route Management) Act 2002* or as amended; to the satisfaction of Council's Pest Management Officer, prior to the commencement of any site works. Council will supply a free inspection and advice service on the request of the land owner.
- c. Part of the subject site is mapped by the Department of Environment and Heritage Protection as containing Regulated Vegetation. The *Vegetation Management Act 1999* has requirements with regard to the clearing of vegetation. Information on Vegetation Management is available at: <https://www.qld.gov.au/environment/land/vegetation/management/>

e. The subject site is mapped under the Livingstone Planning Scheme as 'Locally Significant Vegetation' (PSM10a and 10b). Clearing of this vegetation should not be undertaken without the advice of Council's Natural Resource Management Unit.

NOTE 5. Infrastructure Charges Notice

This application is subject to infrastructure charges in accordance with the *Adopted Infrastructure Charges Resolution (No.2) 2015*. The charges are presented on an Infrastructure Charges Notice which has been supplied with this decision notice.

NOTE 6. Property Note –Material Change of Use

A 'blanket' material change of use applies to this lot. Part B of this development permit (D-183-2017) allows for one (1) Dwelling house to be constructed on each of the approved lots created pursuant to Part A of this permit. Each Dwelling house and associated outbuildings necessary for purposes ancillary to the occupation of the Dwelling house must meet the Development Standards detailed on the approved plans. Any development other than a Dwelling house consistent with the approved plans and the conditions of this permit will trigger assessment against the Planning Scheme in force at the time the development occurs.

NOTE 7. Trunk Stormwater infrastructure

Future stormwater trunk infrastructure D-8 (Ross Creek drainage system management) and D-29 (Ross Creek drainage feature system – Tanby Road) are identified within the subject Lot 5006 SP296906. Stormwater trunk infrastructure D-83 (Ross Creek drainage feature system) and D-84 (Ross Creek District Treatment Facility) are also identified within the subject lot under *Adopted Infrastructure Charges Resolution (No. 3) 2018*. The floodplain areas of Ross Creek within the subject lot can be transferred to Council as "Fee simple" or as "Fee simple as trustee" at no cost to Council.

NOTE 8. Stormwater management strategy

Total catchment modelling must be undertaken to determine preferred location and operational requirements of any stormwater detention / retention system. Target flow regime boundary conditions at discharge locations along the trunk system must be agreed in consultation with Council. No increases in flows for the Q20 event to fit current culvert design at Taranganba Road.

Council requires the applicant to investigate and provide sufficient details taking into account all associated catchments for pre and post development scenarios. The investigation should include selected range of events including major and minor events up to the Defined Flood Event (inclusive) for a range of storm durations, including critical storm duration with relevant hydrographs.

Flow regime includes discharge quantity / volume, flood level, velocity, frequency and duration. As part of the detailed design it is important to check the overall impact in terms of flow regime changes at discharge points within Ross Creek. For further clarity cross sections at few intermediate points within the study area including discharge locations needs to be included.

NOTE 9. Stormwater quality

Relevant rainfall intensities (if necessary) may be obtained from Council for MUSIC modeling.

NOTE 10. Water works

A water network analysis / new water supply strategy is required if any building

pad level of proposed allotments exceeds thirty-five (35) metres Australian Height Datum to maintain the standard water supply services in accordance with *Water Supply (Safety and Reliability) Act*.

RECOMMENDATION D2 – D-183-2017 STAGES 7A, 7B, 7C and 7D

That in relation to the application for a Development Permit D-183-2017 for Reconfiguring a Lot (one lot into forty lots + balance) and a Development Permit for a Material change of use for forty (40) Dwelling houses (Sea Haven Estate Stages 7A, 7B, 7C and 7D), made by Keppel Developments Pty Ltd, on Lot 5006 on SP296906 and located at Lot 5006 Havenwood Drive, Taroomball, Council resolves to issue and Infrastructure Charges Notice for the amount of **\$840,000.00** with the following sub-staging;

7A:	\$231,000.00
7B:	\$189,000.00
7C:	\$210,000.00
7D:	\$210,000.00

RECOMMENDATION E1 – D-185-2017 STAGES 8A, 8B AND 8C

That in relation to the application for a Development Permit D-185-2017 for Reconfiguring a Lot (one lot into forty-four lots + balance) and a Development Permit for a Material change of use for forty-four (44) Dwelling houses (Sea Haven Estate Stages 8A, 8B and 8C), made by Keppel Developments Pty Ltd, on Lot 5006 on SP296906 and located at Lot 5006 Havenwood Drive, Taroomball, Council resolves to Approve the application subject to the following conditions:

PART A – RECONFIGURING A LOT (ONE LOT INTO FORTY-FOUR LOTS + BALANCE) STAGES 8A, 8B AND 8C

1.0 ADMINISTRATION

- 1.1 The Developer is responsible for ensuring compliance with this approval and the Conditions of the approval by an employee, agent, contractor or invitee of the Developer.
- 1.2 Where these Conditions refer to “Council” in relation to requiring Council to approve or to be satisfied as to any matter, or conferring on the Council a function, power or discretion, that role of the Council may be fulfilled in whole or in part by a delegate appointed for that purpose by the Council.
- 1.3 All conditions of this approval must be undertaken and completed to the satisfaction of Council, at no cost to Council.
- 1.4 All conditions, works, or requirements of this approval must be undertaken and completed prior to the approval of a plan of subdivision (survey plan endorsement), unless otherwise stated.
- 1.5 Where applicable, infrastructure requirements of this approval must be contributed to the relevant authorities, at no cost to Council prior, to the approval of a plan of subdivision (survey plan endorsement), unless otherwise stated.
- 1.6 The following further Development Permits must be obtained prior to the commencement of any works associated with its purposes:
 - 1.6.1 Operational Works:

- (i) Road Works;
- (ii) Access Works;
- (iii) Sewerage Works;
- (iv) Water Works;
- (v) Stormwater Works;
- (vi) Inter-allotment Drainage Works;
- (vii) Site Works; and
- (viii) Landscaping Works.

1.7 Unless otherwise stated, all works must be designed, constructed and maintained in accordance with the relevant Council policies, guidelines and standards.

1.8 All engineering drawings/specifications, design and construction works must comply with the requirements of the relevant Australian Standards and must be approved, supervised and certified by a Registered Professional Engineer of Queensland.

2.0 APPROVED PLANS AND DOCUMENTS

2.1 The approved development must be completed and maintained generally in accordance with the approved plans and documents, except where amended by the conditions of this permit:

<u>Plan/Document Name</u>	<u>Plan/Document Reference</u>	<u>Dated</u>
Plan of Development Stages 8A-8C	6616-04-ROL Rev C Sheet 1 and Sheet 2	14 September 2017

2.2 Where there is any conflict between the conditions of this approval and the details shown on the approved plans and documents, the conditions of approval must prevail.

2.3 Where conditions require the above plans or documents to be amended, the revised document(s) must be submitted for approval by Council prior to the submission of a Development Application for Operational Works.

3.0 STAGED DEVELOPMENT

3.1 This approval is for a development to be undertaken in three (3) discrete stages, namely:

3.1.1 Stage 8A: (Twelve lots) Lot 219, Lot 238 to Lot 241 and Lot 256 to Lot 262;

3.1.2 Stage 8B: (Eighteen lots) Lot 220 to Lot 237; and

3.1.3 Stage 8C: (Fourteen Lots) Lot 242 to Lot 255

in accordance with the approved plans (refer to condition 2.1).

3.2 Multiple development stages may be undertaken concurrently, provided all allotments can be connected to the full range of urban infrastructure including access availability from a constructed road frontage.

3.3 Infrastructure (including but not limited to road, pedestrian access, water, sewer, stormwater infrastructure) must be provided by the developer in a co-ordinated and a planned manner having regard to the overall catchment and staging of the development in a logical and orderly sequence to facilitate ease of extension of

infrastructure during future stages.

- 3.4 Unless otherwise expressly stated, the conditions must be read as being applicable to all stages.

4.0 ROAD WORKS

- 4.1 A Development Permit for Operational Works (road works) must be obtained prior to the commencement of any road works on the site.

- 4.2 All works must be designed and constructed in accordance with the approved plans (refer to condition 2.1), *Capricorn Municipal Development Guidelines*, relevant *Australian Standards* and the provisions of a Development Permit for Operational Works (road works).

- 4.3 Any application for a Development Permit for Operational Works (road works) must demonstrate that all new roads and road reserves included in the application connect with existing constructed road(s) within and road reserve(s) at the time of making the application.

- 4.4 All new *cul-de-sac* roads must comply with all requirements for a road classification of "Access Place" in accordance with the requirements of the *Capricorn Municipal Development Guidelines*.

- 4.5 The design and construction of all terminating roads must include a temporary turning area which complies with the relevant performance and technical criteria, and facilitates suitable turning movements for a Council refuse collection vehicle.

- 4.6 The area taken up by temporary turning areas at the ends of roads must be covered by road reserve.

- 4.7 All pathways within road reserves (including access ramps) must:

4.7.1 Incorporate kerb ramps at all road crossing points; and

4.7.2 Be provided with public space lighting in accordance with *Australian Standard AS1158 Lighting for Roads and Public Spaces*.

- 4.8 Traffic signs and pavement markings including any alterations must be provided in accordance with the *Transport Operations (Road Use Management) Act 1995* and the *Manual of Uniform Traffic Control Devices (Queensland)*.

- 4.9 Any application for a Development Permit for Operational Works (road works) must include details, including signage, of the Council approved road names for all new roads.

- 4.10 Retaining walls must be wholly contained within private allotments and not be constructed within road reserves as Council-owned infrastructure, unless specifically approved as part of a Development Permit for Operational Works (road works).

- 4.11 Any retaining structures above one metre in height must be separately approved for structural adequacy by a Registered Professional Engineer of Queensland at design submission and certified on completion of construction for compliance with the design.

A detailed inspection and 'as constructed' record must be provided to Council by a Registered Professional Engineer of Queensland, prior to acceptance of the works, including certification that the wall's foundation ground conditions nominated in the design were inspected and achieved during construction. The approved design and/or construction of the retaining walls must not be modified without Council's prior written approval.

5.0 ACCESS WORKS

- 5.1 A Development Permit for Operational Works (access works) must be obtained prior to the commencement of any access works on the site.

- 5.2 All works must be designed and constructed in accordance with the approved plans (refer to condition 2.1), the *Capricorn Municipal Development Guidelines*, and the provisions of a Development Permit for Operational Works (access works).
- 5.3 A compliant access driveway must be designed and constructed for proposed lots 225, 226 and 227.
- 6.0 SEWERAGE WORKS
- 6.1 A Development Permit for Operational Works (sewerage works) must be obtained prior to the commencement of any sewerage works on the site.
- 6.2 All works must be designed and constructed in accordance with the approved plans (refer to condition 2.1), *Capricorn Municipal Development Guidelines*, *Water Supply (Safety and Reliability) Act*, *Plumbing and Drainage Act* and the provisions of a Development Permit for Operational Works (sewerage works).
- 6.3 All lots within the development must be connected to Council's reticulated sewerage network via gravity connection. Each of the lots must be provided with its own separate sewer connection point, located wholly within its respective property boundaries.
- 6.4 Easements must be provided over all sewerage infrastructure located within private property. The easement location(s) and width(s) must be in accordance with the requirements of the *Capricorn Municipal Development Guidelines*.
- 6.5 Sewerage infrastructure must be provided (if necessary) to each development stage boundaries for connectivity.
- 7.0 WATER WORKS
- 7.1 A Development Permit for Operational Works (water works) must be obtained prior to the commencement of any water works on the site.
- 7.2 All works must be designed and constructed in accordance with the approved plans (refer to condition 2.1), *Capricorn Municipal Development Guidelines*, *Water Supply (Safety and Reliability) Act*, *Plumbing and Drainage Act* and the provisions of a Development Permit for Operational Works (water works).
- 7.3 All lots within the development must be connected to Council's reticulated water network. Each of the lots must be provided with its own separate water connection point, located wholly within its respective property boundaries.
- 7.4 Water infrastructure must be provided (if necessary) to each development stage boundaries for connectivity.
- 8.0 STORMWATER WORKS
- 8.1 A Development Permit for Operational Works (stormwater works) must be obtained prior to the commencement of any stormwater works on the site.
- 8.2 All stormwater management works must be designed and constructed in accordance with the approved plans (refer to condition 2.1), *Queensland Urban Drainage Manual*, *Capricorn Municipal Development Guidelines*, *Urban Stormwater Quality Planning Guidelines*, *State Planning Policy*, sound engineering practice, and the provisions of a Development Permit for Operational Works (stormwater works).
- 8.3 All stormwater must achieve demonstrated lawful discharge and must not adversely affect the upstream or downstream land when compared to pre-development condition by way of blocking, altering or diverting existing stormwater runoff patterns or cause an actionable nuisance or damage infrastructure.
- 8.4 Any application for Operational works (stormwater works) must identify all areas of the proposed development, which needs to be dedicated to, or encumbered in favour of Council or another statutory authority, in order to maintain the lawful discharge for the proposed development. The areas identified must satisfy the requirements of the

Queensland Urban Drainage Manual.

- 8.5 Drainage easement(s) must be dedicated in favour of Council over all major overland flow paths (land inundated by the Defined Flood Event) and major drainage systems to provide drainage corridors suitable for the conveyance of peak stormwater flows through the subject land during the Defined Flood Event.
- 8.6 Any application for Operational Works (stormwater works) must be accompanied by a detailed stormwater management strategy certified by a suitably qualified Registered Professional Engineer of Queensland. The strategy must include the following (but not limited to);
- 8.6.1 A detailed assessment of the major and minor rainfall event peak discharges for the pre-development and post-development scenarios and clearly identifies discharge point(s) and demonstrate lawful discharge;
- 8.6.2 Detention systems. The volume of any detention must be sufficient to attenuate the peak discharge from the site to ensure non-worsening of the flow regime immediately downstream of the development for a selected range of Annual Exceedance Probability events, up to the Defined Flood Event (inclusive) for a range of storm durations, including critical storm duration;
- 8.6.3 Layouts showing the extent of the one (1) per cent Annual Exceedance Probability event inundation areas (pre and post) and the details of the available freeboard to the finished ground/floor levels;
- 8.6.4 Pre and post one (1) year average recurrence interval (ARI) event peak flow and velocity details at discharge points within the Ross Creek to demonstrate compliance with waterway stability requirements;
- 8.6.5 Designs of outlet systems for the proposed drainage systems. Considerations must be given to critical scour velocity, discharge frequency /duration at the discharge location(s) and relevant management measures;
- 8.6.6 Full calculations, including (where necessary) electronic modelling files from industry standard modelling software, (inclusive of both electronic model files and results files) and all details of the modelling assumptions to support the proposed stormwater management strategy;
- 8.6.7 Detailed engineering plans with details of any new drainage systems, or the amendment and upgrading of exiting drainage systems to implement the proposed drainage strategy; and
- 8.6.8 Details of ongoing maintenance and management actions required with regard to any proposed detention basin / retention systems.
- 8.7 As part of the Operational Works application (stormwater works) an overall Sea Haven stormwater quality management strategy is required addressing the collection and capture of gross pollutants.
- 8.8 Any culvert/cross drainage structures associated with the development must be designed and constructed to ensure;
- (i) Safe trafficability during the relevant Defined Flood Event;
- (ii) Limiting the impacts to adjacent properties and infrastructure with twenty (20) per cent blockage factor; and
- (iii) The maximum flow depth over any cross drainage structure must be limited to 200 millimetres, demonstrating allowable velocity/depth product(s).
- 9.0 INTER-ALLOTMENT DRAINAGE
- 9.1 A Development Permit for Operational Works (inter-allotment drainage works) must be obtained prior to the commencement of any inter-allotment drainage works on the

site.

9.2 Inter-allotment drainage, must be designed and constructed in accordance with the *Capricorn Municipal Development Guidelines* and *Queensland Urban Drainage Manual* for Level II and must be provided to any lot where it cannot be satisfactorily demonstrated that roofwater drainage associated with building construction on that lot, could not reasonably be directed to the frontage kerb and channel or alternative lawful point of discharge.

9.3 Easements must be provided over all inter-allotment drainage infrastructure located within private property. The easement location(s) and width(s) must be in accordance with the requirements of the *Capricorn Municipal Development Guidelines*.

10.0 SITE WORKS

10.1 A Development Permit for Operational Works (site works) must be obtained prior to the commencement of any site works.

10.2 Any application for a Development Permit for Operational Works (site works) must be accompanied by an earthworks' plan which clearly identifies the following:

10.2.1 the location of cut and/or fill;

10.2.2 the type of fill to be used and the manner in which it is to be compacted;

10.2.3 the quantum of fill to be deposited or removed and finished cut and/or fill levels;

10.2.4 details of any proposed access routes to the site which are intended to be used to transport fill to or from the site; and

10.2.5 the maintenance of access roads to and from the site so that they are free of all cut and/or fill material and cleaned as necessary.

10.3 All earthworks must be undertaken in accordance with *Australian Standard AS3798 "Guidelines on Earthworks for Commercial and Residential Developments"*.

10.4 Site works must be constructed such that they do not, at any time, in any way restrict, impair or change the natural flow of runoff water, or cause a nuisance to adjoining properties or infrastructure.

10.5 All site works must be undertaken to ensure that no actionable nuisance results from an increase in:

10.5.1 peak discharge immediately downstream of the development for a selected range of storm durations, and a selected range of Annual Exceedance Probability (AEP) events up to Defined Flood Event (inclusive); or

10.5.2 downstream or upstream flood inundation levels; or

10.5.3 velocity profiles.

11.0 LANDSCAPING WORKS

11.1 A Development Permit for Operational Works (landscaping works) must be obtained prior to the commencement of any landscaping works.

11.2 Any application for a Development Permit for Operational Works (landscaping works) must be generally in accordance with the approved plans (refer to condition 2.1) and must include, but is not limited to, the following:

11.2.1 A plan documenting the "Extent of Works" and supporting documentation which includes:

(i) location and name of existing trees, including those to be retained (the location of the trees shall be overlaid or be easily compared with the proposed development design);

(ii) the extent of soft and hard landscape, existing and proposed;

- (iii) important spot levels and/or contours. The levels of the trees to be retained shall be provided in relation to the finished levels of the proposed buildings and works;
 - (iv) underground and overhead services;
 - (v) details of landscape structures including areas of deep planting; and
 - (vi) specification notes on mulching and soil preparation.
- 11.2.2 A "Planting Plan" and supporting documentation which includes:
- (i) trees, shrubs and groundcovers to all areas to be landscaped;
 - (ii) position and canopy spread of all trees and shrubs;
 - (iii) the extent and type of works (inclusive but not limited to paving, fences and garden bed edging); and
 - (iv) a plant schedule with the botanic and common names, total plant numbers and pot sizes at the time of planting;
- 11.2.3 Any plant species or locations not supported by Council may be requested to be altered or removed with the changes reflected on updated landscaping plans prior issue of any Development Permit for Operational Works.
- 11.3 Large trees must not be planted within one (1) metre of the centreline of any sewerage infrastructure. Small shrubs and groundcover are acceptable.
- 11.4 Landscaping, or any part thereof, upon reaching full maturity, must not:
- (i) obstruct sight visibility zones as defined in the *Austroads 'Guide to Traffic Engineering Practice'* series of publications;
 - (ii) adversely affect any road lighting or public space lighting; or
 - (iii) adversely affect any Council infrastructure, or public utility plant.
- 11.5 The landscaped areas must be subject to an ongoing maintenance and replanting programme (if necessary) until such time as these areas are accepted off-defects by Council. All costs associated with the continued maintenance (including irrigation) during the on-defects period will be the responsibility of the Developer.
- 12.0 ELECTRICITY AND TELECOMMUNICATIONS
- 12.1 Underground electricity and telecommunication connections must be provided to the proposed development to the standards of the relevant authorities.
- 12.2 Any existing overhead electricity infrastructure traversing the relevant stage to be developed must be removed and the associated easement extinguished.
- 12.3 Evidence must be provided of a certificate of supply with the relevant service providers to provide each lot with live electricity and telecommunication connections, in accordance with the requirements of the relevant authorities.
- 13.0 ASSET MANAGEMENT
- 13.1 Any alteration necessary to electricity, telephone, water mains, sewerage mains, and/or public utility installations resulting from the development or in connection with the development, must be at full cost to the Developer.
- 13.2 Any damage to existing kerb and channel, pathway or roadway (including removal of concrete slurry from public land, pathway, roads, kerb and channel and stormwater gullies and drainage lines) which may occur during any works carried out in association with the approved development must be repaired. This must include the reinstatement of the existing traffic signs and pavement markings which may have been removed.

- 13.3 'As constructed' information pertaining to assets to be handed over to Council and those which may have an impact on Council's existing and future assets must be provided prior to the issue of the approval of a plan of subdivision (survey plan endorsement). This information must be provided in accordance with the Manual for Submission of Digital As Constructed Information.
- 14.0 ENVIRONMENTAL
- 14.1 Any application for a Development Permit for Operational Works must be accompanied by an Erosion and Sediment Control Plan which addresses, but is not limited to, the following:
- (i) site location / topography / soil type;
 - (ii) objectives;
 - (iii) concept;
 - (iv) design details;
 - (v) implementation procedures for construction and post construction phases of work.
 - (vi) vegetation;
 - (vii) interim drainage plan during construction;
 - (viii) dust suppression;
 - (ix) top soil management;
 - (x) acid sulphate soils; and
 - (xi) erosion susceptibility and risk
- 14.2 The approved Erosion Control and Stormwater Control Management Plan must be implemented and maintained on-site for the duration of the works, and until all exposed soil areas are permanently stabilised (for example, turfed, hydromulched, concreted, landscaped).
- 15.0 OPERATING PROCEDURES
- 15.1 All construction materials, waste and waste skips must be located and stored on-site. All construction materials and waste must be secured and not allowed to be washed or blown by the wind off-site. At all times machinery and contractor's vehicles must be parked so as to not unreasonably obstruct the road pavement, road verges/footpaths or any neighbouring property accesses.

PART B – MATERIAL CHANGE OF USE FOR FORTY-FOUR (44) DWELLING HOUSES – STAGES 8A, 8B AND 8C

16.0 ADMINISTRATION

- 16.1 The Developer is responsible for ensuring compliance with this approval and the Conditions of the approval by an employee, agent, contractor or invitee of the Developer.
- 16.2 Where these Conditions refer to "Council" in relation to requiring Council to approve or to be satisfied as to any matter, or conferring on the Council a function, power or discretion, that role of the Council may be fulfilled in whole or in part by a delegate appointed for that purpose by the Council.

- 16.3 All conditions of this approval must be undertaken and completed to the satisfaction of Council, at no cost to Council.
- 16.4 All conditions, works, or requirements of this approval must be undertaken and completed prior to the commencement of use, unless otherwise stated.
- 16.5 Where applicable, infrastructure requirements of this approval must be contributed to the relevant authorities, at no cost to Council prior to the commencement of use, unless otherwise stated.
- 16.6 The following further Development Permits must be obtained prior to the commencement of any works associated with its purposes:
- 16.6.1 Operational Works:
- (i) Access Works;
- 16.6.2 Plumbing and Drainage Works; and
- 16.6.3 Building Works.
- 16.7 All Development Permits for Operational Works (for any vehicle access that is non-compliant with the *Capricorn Municipal Development Guidelines*) and Plumbing and Drainage Works must be obtained prior to the issue of a Development Permit for Building Works.
- 16.8 Unless otherwise stated, all works must be designed, constructed and maintained in accordance with the relevant Council policies, guidelines and standards.
- 16.9 The Survey Plan creating the relevant lots the subject of Part A of this permit, cancelling Lot 5006 on SP296906, must be registered prior to the commencement of the use on the land for a Dwelling house.
- 16.10 This approval is for the construction of a Dwelling house and outbuildings necessary for purposes ancillary to the occupation of a Dwelling house on the forty-four (44) proposed allotments shown on the approved plans (refer to condition 17.1). Any development other than a Dwelling house consistent with the approved plans and the conditions of this permit may trigger assessment against the Planning Scheme in force at the time the development occurs.
- 17.0 APPROVED PLANS AND DOCUMENTS
- 17.1 The approved development must be completed and maintained generally in accordance with the approved plans and documents, except where amended by the conditions of this permit:
- | <u>Plan/Document Name</u> | <u>Plan/Document Reference</u> | <u>Dated</u> |
|-------------------------------------|--------------------------------|-------------------|
| Plan of Development Stages
8A-8C | 6616-04-ROL Rev C
Sheet 2 | 14 September 2017 |
- 17.2 Where there is any conflict between the conditions of this approval and the details shown on the approved plans and documents, the conditions of approval must prevail.
- 17.3 Where conditions require the above plans or documents to be amended, the revised document(s) must be submitted for approval by Council prior to the submission of a Development Application for Operational Works.
- 18.0 ACCESS WORKS
- 18.1 A Development Permit for Operational Works (access works) must be obtained prior to the commencement of any works on the site.
- 18.2 All works must be designed and constructed in accordance with the approved plans (refer to condition 17.1), *Capricorn Municipal Development Guidelines*, *Australian*

Standard AS2890 "Parking Facilities" and the provisions of a Development Permit for Operational Works (access works).

- 18.3 A *Capricorn Municipal Development Guidelines* compliant vehicle access must be designed and constructed for each Dwelling house. Any non-compliant vehicle access will require a Development Permit for Operational Works (access works) prior to commencement of any vehicle access works associated with that lot.
- 18.4 A minimum of two (2) off-street car parking spaces must be provided for each Dwelling house in accordance with the *Queensland Development Code - Mandatory Part 1.2*, one (1) of which must be covered.

19.0 PLUMBING AND DRAINAGE WORKS

- 19.1 A Development Permit for Plumbing and Drainage Works must be obtained prior to the commencement of any plumbing and drainage works on the site.
- 19.2 All works must be designed and constructed in accordance with the approved plans (refer to condition 17.1), *Capricorn Municipal Development Guidelines*, *Water Supply (Safety and Reliability) Act*, *Plumbing and Drainage Act*, Council's Plumbing and Drainage Policies and the provisions of a Development Permit for Plumbing and Drainage Works.
- 19.3 The development must be connected to Council's reticulated sewerage and water networks.
- 19.4 Sewer connections and water meter boxes located within trafficable areas must be raised or lowered to suit the finished surface levels and must be provided with trafficable lids.

20.0 ROOF AND ALLOTMENT DRAINAGE WORKS

- 20.1 All roof and allotment drainage must be discharged lawfully in accordance with the requirements of the *Queensland Urban Drainage Manual* and the *Capricorn Municipal Development Guidelines*.
- 20.2 All roof and allotment drainage must be discharged such that it does not restrict, impair or change the natural flow of runoff water or cause a nuisance to adjoining properties or damage infrastructure.

21.0 SITE WORKS

- 21.1 All earthworks must be undertaken in accordance with *Australian Standard AS3798 "Guidelines on Earthworks for Commercial and Residential Developments"*.
- 21.2 Site works must be constructed such that they do not, at any time, in any way restrict, impair or change the natural flow of runoff water, or cause a nuisance or worsening to adjoining properties or infrastructure.

22.0 BUILDING WORKS

- 22.1 A Development Permit for Building Works must be obtained prior to the commencement of any building works on the site.
- 22.2 All buildings and structures must be designed and sited in accordance with the 'development standards' specified on the approved plans (refer to condition 17.1).
- 22.3 All buildings and structures must comply with the provisions of the *Queensland Development Code - Mandatory Part 1.4*.
- 22.4 The finished floor level of all habitable areas must be a minimum 300 millimetres above the Defined Flood Event (DFE) level.

23.0 ELECTRICITY AND TELECOMMUNICATIONS

- 23.1 Underground electricity and telecommunication connections must be provided to each Dwelling house to the requirements of the relevant authority.

24.0 ASSET MANAGEMENT

- 24.1 Any alteration necessary to electricity, telephone, water mains, sewerage mains, and/or public utility installations resulting from the development or in connection with the development, must be at full cost to the developer.
- 24.2 Any damage to existing roadway (including removal of concrete slurry from public land, pathway, roads, kerb and channel and stormwater gullies and drainage lines) which may occur during any works carried out in association with the approved development must be repaired. This must include the reinstatement of the existing traffic signs and pavement markings which may have been removed.
- 24.3 'As constructed' information pertaining to assets to be handed over to Council and those which may have an impact on Council's existing and future assets must be provided prior to commencement of the use. This information must be provided in accordance with the Manual for Submission of Digital As Constructed Information.

25.0 ENVIRONMENTAL

- 25.1 An Erosion and Sediment Control Management Plan must be implemented and maintained on-site for the duration of the works, and until all exposed soil areas are permanently stabilised (for example, turfed, hydromulched, concreted, landscaped). The prepared Erosion and Sediment Control Management Plan must be available on-site for inspection by Council Officers during those works.

26.0 OPERATING PROCEDURES

- 26.1 All construction materials, waste and waste skips must be located and stored on-site. All construction materials and waste must be secured and not allowed to be washed or blown by the wind off-site. At all times machinery and contractor's vehicles must be parked so as to not unreasonably obstruct the road pavement, road verges/footpaths or any neighbouring property accesses.

ADVISORY NOTES – PART A and PART B

NOTE 1. Aboriginal Cultural Heritage

It is advised that under Section 23 of the *Aboriginal Cultural Heritage Act 2003*, a person who carries out an activity must take all reasonable and practicable measures to ensure the activity does not harm Aboriginal Cultural Heritage (the "cultural heritage duty of care"). Maximum penalties for breaching the duty of care are listed in the Aboriginal Cultural Heritage legislation. The information on Aboriginal Cultural Heritage is available on the Department of Aboriginal and Torres Strait Islander and Multicultural Affairs website www.datsima.qld.gov.au

NOTE 2. General Environmental Duty

General environmental duty under the *Environmental Protection Act* prohibits unlawful environmental nuisance caused by noise, aerosols, particles dust, ash, fumes, light, odour or smoke beyond the boundaries of the property during all stages of the development including earthworks, construction and operation.

NOTE 3. General Safety Of Public During Construction

The *Workplace Health and Safety Act* and *Manual of Uniform Traffic Control Devices* must be complied with in carrying out any construction works, and to ensure safe traffic control and safe public access in respect of works being constructed on a road.

NOTE 4. Vegetation Management

- a. The balance lot has been initially identified as containing significant local environmental value and as such further investigation through the production of a detailed ecological report will be required to be submitted to Council as

the development of the overall lot progresses, particularly beyond the current proposed link road. Bushfire Hazard risk will also be required to be further investigated at this point as well through the development of a Bushfire Hazard Assessment and Bushfire Management Plan.

- b. The land subject to the above development application must be free of declared pest plants and animals; as declared at the date of development application in *Local Law No. 3 (Community & Environmental Management) 2011* and Schedule 1 of *Subordinate Local Law 3 (Community & Environmental Management) 2011* and in the *Land Protection (Pest and Stock Route Management) Act 2002* or as amended; to the satisfaction of Council's Pest Management Officer, prior to the commencement of any site works. Council will supply a free inspection and advice service on the request of the land owner.
- c. Part of the subject site is mapped by the Department of Environment and Heritage Protection as containing Regulated Vegetation. The *Vegetation Management Act 1999* has requirements with regard to the clearing of vegetation. Information on Vegetation Management is available at: <https://www.qld.gov.au/environment/land/vegetation/management/>
- d. The subject site is mapped under the Livingstone Planning Scheme as 'Locally Significant Vegetation' (PSM10a and 10b). Clearing of this vegetation should not be undertaken without the advice of Council's Natural Resource Management Unit.

NOTE 5. Infrastructure Charges Notice

This application is subject to infrastructure charges in accordance with the *Adopted Infrastructure Charges Resolution (No.2) 2015*. The charges are presented on an Infrastructure Charges Notice which has been supplied with this decision notice.

NOTE 6. Property Note –Material Change of Use

A 'blanket' material change of use applies to this lot. Part B of this development permit (D-185-2017) allows for one (1) Dwelling house to be constructed on each of the approved lots created pursuant to Part A of this permit. Each Dwelling house and associated outbuildings necessary for purposes ancillary to the occupation of the Dwelling house must meet the Development Standards detailed on the approved plans. Any development other than a Dwelling house consistent with the approved plans and the conditions of this permit will trigger assessment against the Planning Scheme in force at the time the development occurs.

NOTE 7. Trunk Stormwater infrastructure

Future stormwater trunk infrastructure D-8 (Ross Creek drainage system management) and D-29 (Ross Creek drainage feature system – Tanby Road) are identified within the subject Lot 5006 SP296906. Stormwater trunk infrastructure D-83 (Ross Creek drainage feature system) and D-84 (Ross Creek District Treatment Facility) are also identified within the subject lot under *Adopted Infrastructure Charges Resolution (No. 3) 2018*. The floodplain areas of Ross Creek within the subject lot can be transferred to Council as "Fee simple" or as "Fee simple as trustee" at no cost to Council.

NOTE 8. Stormwater management strategy

Total catchment modelling must be undertaken to determine preferred location and operational requirements of any stormwater detention / retention system. Target flow regime boundary conditions at discharge locations along the trunk

system must be agreed in consultation with Council. No increases in flows for the Q20 event to fit current culvert design at Taranganba Road.

Council requires the applicant to investigate and provide sufficient details taking into account all associated catchments for pre and post development scenarios. The investigation should include selected range of events including major and minor events up to the Defined Flood Event (inclusive) for a range of storm durations, including critical storm duration with relevant hydrographs.

Flow regime includes discharge quantity / volume, flood level, velocity, frequency and duration. As part of the detailed design it is important to check the overall impact in terms of flow regime changes at discharge points within Ross Creek. For further clarity cross sections at few intermediate points within the study area including discharge locations needs to be included.

NOTE 9. Stormwater quality

Relevant rainfall intensities (if necessary) may be obtained from Council for MUSIC modeling.

NOTE 10. Water works

A water network analysis / new water supply strategy is required if any building pad level of proposed allotments exceeds thirty-five (35) metres Australian Height Datum to maintain the standard water supply services in accordance with *Water Supply (Safety and Reliability) Act*.

RECOMMENDATION E2 – D-185-2017 STAGES 8A, 8B AND 8C

That in relation to the application for a Development Permit D-185-2017 for Reconfiguring a Lot (one lot into forty-four lots + balance) and a Development Permit for a Material change of use for forty-four (44) Dwelling houses (Sea Haven Estate Stages 8A, 8B and 8C), made by Keppel Developments Pty Ltd, on Lot 5006 on SP296906 and located at Lot 5006 Havenwood Drive, Taroomball, Council resolves to issue and Infrastructure Charges Notice for the amount of **\$924,000.00** with the following sub-staging;

8A	\$252,000.00
8B	\$378,000.00
8C	\$294,000.00

RECOMMENDATION F1 – D-186-2017 STAGES 9A AND 9B

That in relation to the application for a Development Permit D-186-2017 for Reconfiguring a Lot (one lot into twenty-three lots + balance) and a Development Permit for a Material change of use for twenty-three (23) Dwelling houses (Sea Haven Estate Stages 9A and 9B), made by Keppel Developments Pty Ltd, on Lot 5006 on SP296906 and located at Lot 5006 Havenwood Drive, Taroomball, Council resolves to Approve the application subject to the following conditions:

PART A – RECONFIGURING A LOT (ONE LOT INTO TWENTY-THREE LOTS + BALANCE) STAGES 9A AND 9B

1.0 ADMINISTRATION

- 1.1 The Developer is responsible for ensuring compliance with this approval and the Conditions of the approval by an employee, agent, contractor or invitee of the Developer.

- 1.2 Where these Conditions refer to “Council” in relation to requiring Council to approve or to be satisfied as to any matter, or conferring on the Council a function, power or discretion, that role of the Council may be fulfilled in whole or in part by a delegate appointed for that purpose by the Council.
- 1.3 All conditions of this approval must be undertaken and completed to the satisfaction of Council, at no cost to Council.
- 1.4 All conditions, works, or requirements of this approval must be undertaken and completed prior to the approval of a plan of subdivision (survey plan endorsement), unless otherwise stated.
- 1.5 Where applicable, infrastructure requirements of this approval must be contributed to the relevant authorities, at no cost to Council prior, to the approval of a plan of subdivision (survey plan endorsement), unless otherwise stated.
- 1.6 The following further Development Permits must be obtained prior to the commencement of any works associated with its purposes:
- 1.6.1 Operational Works:
- (i) Road Works;
 - (ii) Sewerage Works;
 - (iii) Water Works;
 - (iv) Stormwater Works;
 - (v) Inter-allotment Drainage Works;
 - (vi) Site Works; and
 - (vii) Landscaping Works.
- 1.7 Unless otherwise stated, all works must be designed, constructed and maintained in accordance with the relevant Council policies, guidelines and standards.
- 1.8 All engineering drawings/specifications, design and construction works must comply with the requirements of the relevant Australian Standards and must be approved, supervised and certified by a Registered Professional Engineer of Queensland.
- 2.0 **APPROVED PLANS AND DOCUMENTS**
- 2.1 The approved development must be completed and maintained generally in accordance with the approved plans and documents, except where amended by the conditions of this permit:
- | <u>Plan/Document Name</u> | <u>Plan/Document Reference</u> | <u>Dated</u> |
|---------------------------------------|--|-------------------|
| Plan of Development Stages
9A & 9B | 6616-05-ROL Rev C
Sheet 1 and Sheet 2 | 14 September 2017 |
- 2.2 Where there is any conflict between the conditions of this approval and the details shown on the approved plans and documents, the conditions of approval must prevail.
- 2.3 Where conditions require the above plans or documents to be amended, the revised document(s) must be submitted for approval by Council prior to the submission of a Development Application for Operational Works.
- 3.0 **STAGED DEVELOPMENT**

- 3.1 This approval is for a development to be undertaken in two (2) discrete stages, namely:
- 3.1.1 Stage 9A: (Eleven lots) Lot 269 to Lot 279; and
- 3.1.2 Stage 9B: (Twelve lots) Lot 263 to Lot 268 and Lot 280 to Lot 285.
- in accordance with the approved plans (refer to condition 2.1).
- 3.2 Multiple development stages may be undertaken concurrently, provided all allotments can be connected to the full range of urban infrastructure including access availability from a constructed road frontage.
- 3.3 Infrastructure (including but not limited to road, pedestrian access, water, sewer, stormwater infrastructure) must be provided by the developer in a co-ordinated and a planned manner having regard to the overall catchment and staging of the development in a logical and orderly sequence to facilitate ease of extension of infrastructure during future stages.
- 3.4 Unless otherwise expressly stated, the conditions must be read as being applicable to all stages.
- 4.0 ROAD WORKS
- 4.1 A Development Permit for Operational Works (road works) must be obtained prior to the commencement of any road works on the site.
- 4.2 All works must be designed and constructed in accordance with the approved plans (refer to condition 2.1), *Capricorn Municipal Development Guidelines*, relevant *Australian Standards* and the provisions of a Development Permit for Operational Works (road works).
- 4.3 Any application for a Development Permit for Operational Works (road works) must demonstrate that all new roads and road reserves included in the application connect with existing constructed road(s) within and road reserve(s) at the time of making the application.
- 4.4 All new *cul-de-sac* roads must comply with all requirements for a road classification of "Access Place" in accordance with the requirements of the *Capricorn Municipal Development Guidelines*.
- 4.5 The design and construction of all terminating roads must include a temporary turning area which complies with the relevant performance and technical criteria, and facilitates suitable turning movements for a Council refuse collection vehicle.
- 4.6 The area taken up by temporary turning areas at the ends of roads must be covered by road reserve.
- 4.7 All pathways within road reserves (including access ramps) must:
- 4.7.1 Incorporate kerb ramps at all road crossing points; and
- 4.7.2 Be provided with public space lighting in accordance with *Australian Standard AS1158 Lighting for Roads and Public Spaces*.
- 4.8 Traffic signs and pavement markings including any alterations must be provided in accordance with the *Transport Operations (Road Use Management) Act 1995* and the *Manual of Uniform Traffic Control Devices (Queensland)*.
- 4.9 Any application for a Development Permit for Operational Works (road works) must include details, including signage, of the Council approved road names for all new roads.
- 4.10 Retaining walls must be wholly contained within private allotments and not be constructed within road reserves as Council-owned infrastructure, unless specifically approved as part of a Development Permit for Operational Works (road works).
- 4.11 Any retaining structures above one metre in height must be separately approved for

structural adequacy by a Registered Professional Engineer of Queensland at design submission and certified on completion of construction for compliance with the design.

A detailed inspection and 'as constructed' record must be provided to Council by a Registered Professional Engineer of Queensland, prior to acceptance of the works, including certification that the wall's foundation ground conditions nominated in the design were inspected and achieved during construction. The approved design and/or construction of the retaining walls must not be modified without Council's prior written approval.

5.0 SEWERAGE WORKS

5.1 A Development Permit for Operational Works (sewerage works) must be obtained prior to the commencement of any sewerage works on the site.

5.2 All works must be designed and constructed in accordance with the approved plans (refer to condition 2.1), *Capricorn Municipal Development Guidelines, Water Supply (Safety and Reliability) Act, Plumbing and Drainage Act* and the provisions of a Development Permit for Operational Works (sewerage works).

5.3 All lots within the development must be connected to Council's reticulated sewerage network via gravity connection. Each of the lots must be provided with its own separate sewer connection point, located wholly within its respective property boundaries.

5.4 Easements must be provided over all sewerage infrastructure located within private property. The easement location(s) and width(s) must be in accordance with the requirements of the *Capricorn Municipal Development Guidelines*.

5.5 Sewerage infrastructure must be provided (if necessary) to each development stage boundaries for connectivity.

6.0 WATER WORKS

6.1 A Development Permit for Operational Works (water works) must be obtained prior to the commencement of any water works on the site.

6.2 All works must be designed and constructed in accordance with the approved plans (refer to condition 2.1), *Capricorn Municipal Development Guidelines, Water Supply (Safety and Reliability) Act, Plumbing and Drainage Act* and the provisions of a Development Permit for Operational Works (water works).

6.3 All lots within the development must be connected to Council's reticulated water network. Each of the lots must be provided with its own separate water connection point, located wholly within its respective property boundaries.

6.4 Water infrastructure must be provided (if necessary) to each development stage boundaries for connectivity.

7.0 STORMWATER WORKS

7.1 A Development Permit for Operational Works (stormwater works) must be obtained prior to the commencement of any stormwater works on the site.

7.2 All stormwater management works must be designed and constructed in accordance with the approved plans (refer to condition 2.1), *Queensland Urban Drainage Manual, Capricorn Municipal Development Guidelines, Urban Stormwater Quality Planning Guidelines, State Planning Policy*, sound engineering practice, and the provisions of a Development Permit for Operational Works (stormwater works).

7.3 All stormwater must achieve demonstrated lawful discharge and must not adversely affect the upstream or downstream land when compared to pre-development condition by way of blocking, altering or diverting existing stormwater runoff patterns or cause an actionable nuisance or damage infrastructure.

- 7.4 Any application for Operational works (stormwater works) must identify all areas of the proposed development, which needs to be dedicated to, or encumbered in favour of Council or another statutory authority, in order to maintain the lawful discharge for the proposed development. The areas identified must satisfy the requirements of the *Queensland Urban Drainage Manual*.
- 7.5 Drainage easement(s) must be dedicated in favour of Council over all major overland flow paths (land inundated by the Defined Flood Event) and major drainage systems to provide drainage corridors suitable for the conveyance of peak stormwater flows through the subject land during the Defined Flood Event.
- 7.6 Any application for Operational Works (stormwater works) must be accompanied by a detailed stormwater management strategy certified by a suitably qualified Registered Professional Engineer of Queensland. The strategy must include the following (but not limited to);
- 7.6.1 A detailed assessment of the major and minor rainfall event peak discharges for the pre-development and post-development scenarios and clearly identifies discharge point(s) and demonstrate lawful discharge;
- 7.6.2 Detention systems. The volume of any detention must be sufficient to attenuate the peak discharge from the site to ensure non-worsening of the flow regime immediately downstream of the development for a selected range of Annual Exceedance Probability events, up to the Defined Flood Event (inclusive) for a range of storm durations, including critical storm duration;
- 7.6.3 Layouts showing the extent of the one (1) per cent Annual Exceedance Probability event inundation areas (pre and post) and the details of the available freeboard to the finished ground/floor levels;
- 7.6.4 Pre and post one (1) year average recurrence interval (ARI) event peak flow and velocity details at discharge points within the Ross Creek to demonstrate compliance with waterway stability requirements;
- 7.6.5 Designs of outlet systems for the proposed drainage systems. Considerations must be given to critical scour velocity, discharge frequency /duration at the discharge location(s) and relevant management measures;
- 7.6.6 Full calculations, including (where necessary) electronic modelling files from industry standard modelling software, (inclusive of both electronic model files and results files) and all details of the modelling assumptions to support the proposed stormwater management strategy;
- 7.6.7 Detailed engineering plans with details of any new drainage systems, or the amendment and upgrading of exiting drainage systems to implement the proposed drainage strategy; and
- 7.6.8 Details of ongoing maintenance and management actions required with regard to any proposed detention basin / retention systems.
- 7.7 As part of the Operational Works application (stormwater works) an overall Sea Haven stormwater quality management strategy is required addressing the collection and capture of gross pollutants.
- 7.8 Any culvert/cross drainage structures associated with the development must be designed and constructed to ensure;
- (i) Safe trafficability during the relevant Defined Flood Event;
- (ii) Limiting the impacts to adjacent properties and infrastructure with twenty (20) per cent blockage factor; and

- (iii) The maximum flow depth over any cross drainage structure must be limited to 200 millimetres, demonstrating allowable velocity/depth product(s).

8.0 INTER-ALLOTMENT DRAINAGE

- 8.1 A Development Permit for Operational Works (inter-allotment drainage works) must be obtained prior to the commencement of any inter-allotment drainage works on the site.
- 8.2 Inter-allotment drainage, must be designed and constructed in accordance with the *Capricorn Municipal Development Guidelines* and *Queensland Urban Drainage Manual* for Level II and must be provided to any lot where it cannot be satisfactorily demonstrated that roofwater drainage associated with building construction on that lot, could not reasonably be directed to the frontage kerb and channel or alternative lawful point of discharge.
- 8.3 Easements must be provided over all inter-allotment drainage infrastructure located within private property. The easement location(s) and width(s) must be in accordance with the requirements of the *Capricorn Municipal Development Guidelines*.

9.0 SITE WORKS

- 9.1 A Development Permit for Operational Works (site works) must be obtained prior to the commencement of any site works.
- 9.2 Any application for a Development Permit for Operational Works (site works) must be accompanied by an earthworks' plan which clearly identifies the following:
- 9.2.1 the location of cut and/or fill;
 - 9.2.2 the type of fill to be used and the manner in which it is to be compacted;
 - 9.2.3 the quantum of fill to be deposited or removed and finished cut and/or fill levels;
 - 9.2.4 details of any proposed access routes to the site which are intended to be used to transport fill to or from the site; and
 - 9.2.5 the maintenance of access roads to and from the site so that they are free of all cut and/or fill material and cleaned as necessary.
- 9.3 All earthworks must be undertaken in accordance with *Australian Standard AS3798 "Guidelines on Earthworks for Commercial and Residential Developments"*.
- 9.4 Site works must be constructed such that they do not, at any time, in any way restrict, impair or change the natural flow of runoff water, or cause a nuisance to adjoining properties or infrastructure.
- 9.5 All site works must be undertaken to ensure that no actionable nuisance results from an increase in:
- 9.5.1 peak discharge immediately downstream of the development for a selected range of storm durations, and a selected range of Annual Exceedance Probability (AEP) events up to Defined Flood Event (inclusive); or
 - 9.5.2 downstream or upstream flood inundation levels; or
 - 9.5.3 velocity profiles.
- #### 10.0 LANDSCAPING WORKS
- 10.1 A Development Permit for Operational Works (landscaping works) must be obtained prior to the commencement of any landscaping works.
- 10.2 Any application for a Development Permit for Operational Works (landscaping works) must be generally in accordance with the approved plans (refer to condition 2.1) and must include, but is not limited to, the following:
- 10.2.1 A plan documenting the "Extent of Works" and supporting documentation

which includes:

- (i) location and name of existing trees, including those to be retained (the location of the trees shall be overlaid or be easily compared with the proposed development design);
- (ii) the extent of soft and hard landscape, existing and proposed;
- (iii) important spot levels and/or contours. The levels of the trees to be retained shall be provided in relation to the finished levels of the proposed buildings and works;
- (iv) underground and overhead services;
- (v) details of landscape structures including areas of deep planting; and
- (vi) specification notes on mulching and soil preparation.

10.2.2 A "Planting Plan" and supporting documentation which includes:

- (i) trees, shrubs and groundcovers to all areas to be landscaped;
- (ii) position and canopy spread of all trees and shrubs;
- (iii) the extent and type of works (inclusive but not limited to paving, fences and garden bed edging); and
- (iv) a plant schedule with the botanic and common names, total plant numbers and pot sizes at the time of planting;

10.2.3 Any plant species or locations not supported by Council may be requested to be altered or removed with the changes reflected on updated landscaping plans prior issue of any Development Permit for Operational Works.

10.3 Large trees must not be planted within one (1) metre of the centreline of any sewerage infrastructure. Small shrubs and groundcover are acceptable.

10.4 Landscaping, or any part thereof, upon reaching full maturity, must not:

- (i) obstruct sight visibility zones as defined in the *Austroads 'Guide to Traffic Engineering Practice'* series of publications;
- (ii) adversely affect any road lighting or public space lighting; or
- (iii) adversely affect any Council infrastructure, or public utility plant.

10.5 The landscaped areas must be subject to an ongoing maintenance and replanting programme (if necessary) until such time as these areas are accepted off-defects by Council. All costs associated with the continued maintenance (including irrigation) during the on-defects period will be the responsibility of the Developer.

11.0 ELECTRICITY AND TELECOMMUNICATIONS

11.1 Underground electricity and telecommunication connections must be provided to the proposed development to the standards of the relevant authorities.

11.2 Any existing overhead electricity infrastructure traversing the relevant stage to be developed must be removed and the associated easement extinguished.

11.3 Evidence must be provided of a certificate of supply with the relevant service providers to provide each lot with live electricity and telecommunication connections, in accordance with the requirements of the relevant authorities.

12.0 ASSET MANAGEMENT

12.1 Any alteration necessary to electricity, telephone, water mains, sewerage mains, and/or public utility installations resulting from the development or in connection with the development, must be at full cost to the Developer.

- 12.2 Any damage to existing kerb and channel, pathway or roadway (including removal of concrete slurry from public land, pathway, roads, kerb and channel and stormwater gullies and drainage lines) which may occur during any works carried out in association with the approved development must be repaired. This must include the reinstatement of the existing traffic signs and pavement markings which may have been removed.
- 12.3 'As constructed' information pertaining to assets to be handed over to Council and those which may have an impact on Council's existing and future assets must be provided prior to the issue of the approval of a plan of subdivision (survey plan endorsement). This information must be provided in accordance with the Manual for Submission of Digital As Constructed Information.
- 13.0 ENVIRONMENTAL
- 13.1 Any application for a Development Permit for Operational Works must be accompanied by an Erosion and Sediment Control Plan which addresses, but is not limited to, the following:
- (i) site location / topography / soil type;
 - (ii) objectives;
 - (iii) concept;
 - (iv) design details;
 - (v) implementation procedures for construction and post construction phases of work.
 - (vi) vegetation;
 - (vii) interim drainage plan during construction;
 - (viii) dust suppression;
 - (ix) top soil management;
 - (x) acid sulphate soils; and
 - (xi) erosion susceptibility and risk
- 13.2 The approved Erosion Control and Stormwater Control Management Plan must be implemented and maintained on-site for the duration of the works, and until all exposed soil areas are permanently stabilised (for example, turfed, hydromulched, concreted, landscaped).
- 14.0 OPERATING PROCEDURES
- 14.1 All construction materials, waste and waste skips must be located and stored on-site. All construction materials and waste must be secured and not allowed to be washed or blown by the wind off-site. At all times machinery and contractor's vehicles must be parked so as to not unreasonably obstruct the road pavement, road verges/footpaths or any neighbouring property accesses.

PART B – MATERIAL CHANGE OF USE FOR TWENTY-THREE (23) DWELLING HOUSES - STAGES 9A AND 9B

15.0 ADMINISTRATION

- 15.1 The Developer is responsible for ensuring compliance with this approval and the

- Conditions of the approval by an employee, agent, contractor or invitee of the Developer.
- 15.2 Where these Conditions refer to “Council” in relation to requiring Council to approve or to be satisfied as to any matter, or conferring on the Council a function, power or discretion, that role of the Council may be fulfilled in whole or in part by a delegate appointed for that purpose by the Council.
- 15.3 All conditions of this approval must be undertaken and completed to the satisfaction of Council, at no cost to Council.
- 15.4 All conditions, works, or requirements of this approval must be undertaken and completed prior to the commencement of use, unless otherwise stated.
- 15.5 Where applicable, infrastructure requirements of this approval must be contributed to the relevant authorities, at no cost to Council prior to the commencement of use, unless otherwise stated.
- 15.6 The following further Development Permits must be obtained prior to the commencement of any works associated with its purposes:
- 15.6.1 Operational Works:
- (i) Access Works;
- 15.6.2 Plumbing and Drainage Works; and
- 15.6.3 Building Works.
- 15.7 All Development Permits for Operational Works (for any vehicle access that is non-compliant with the *Capricorn Municipal Development Guidelines*) and Plumbing and Drainage Works must be obtained prior to the issue of a Development Permit for Building Works.
- 15.8 Unless otherwise stated, all works must be designed, constructed and maintained in accordance with the relevant Council policies, guidelines and standards.
- 15.9 The Survey Plan creating the relevant lots the subject of Part A of this permit, cancelling Lot 5006 on SP296906, must be registered prior to the commencement of the use on the land for a Dwelling house.
- 15.10 This approval is for the construction of a Dwelling house and outbuildings necessary for purposes ancillary to the occupation of a Dwelling house on the forty-four (44) proposed allotments shown on the approved plans (refer to condition 17.1). Any development other than a Dwelling house consistent with the approved plans and the conditions of this permit may trigger assessment against the Planning Scheme in force at the time the development occurs.
- 16.0 APPROVED PLANS AND DOCUMENTS
- 16.1 The approved development must be completed and maintained generally in accordance with the approved plans and documents, except where amended by the conditions of this permit:
- | <u>Plan/Document Name</u> | <u>Plan/Document Reference</u> | <u>Dated</u> |
|------------------------------------|--------------------------------|-------------------|
| Plan of Development Stages 9A & 9B | 6616-05-ROL Rev C
Sheet 2 | 14 September 2017 |
- 16.2 Where there is any conflict between the conditions of this approval and the details shown on the approved plans and documents, the conditions of approval must prevail.
- 16.3 Where conditions require the above plans or documents to be amended, the revised document(s) must be submitted for approval by Council prior to the submission of a

Development Application for Operational Works.

17.0 ACCESS WORKS

- 17.1 A Development Permit for Operational Works (access works) must be obtained prior to the commencement of any works on the site.
- 17.2 All works must be designed and constructed in accordance with the approved plans (refer to condition 16.1), *Capricorn Municipal Development Guidelines*, *Australian Standard AS2890 "Parking Facilities"* and the provisions of a Development Permit for Operational Works (access works).
- 17.3 A *Capricorn Municipal Development Guidelines* compliant vehicle access must be designed and constructed for each Dwelling house. Any non-compliant vehicle access will require a Development Permit for Operational Works (access works) prior to commencement of any vehicle access works associated with that lot.
- 17.4 A minimum of two (2) off-street car parking spaces must be provided for each Dwelling house in accordance with the *Queensland Development Code - Mandatory Part 1.2*, one (1) of which must be covered.

18.0 PLUMBING AND DRAINAGE WORKS

- 18.1 A Development Permit for Plumbing and Drainage Works must be obtained prior to the commencement of any plumbing and drainage works on the site.
- 18.2 All works must be designed and constructed in accordance with the approved plans (refer to condition 16.1), *Capricorn Municipal Development Guidelines*, *Water Supply (Safety and Reliability) Act*, *Plumbing and Drainage Act*, Council's Plumbing and Drainage Policies and the provisions of a Development Permit for Plumbing and Drainage Works.
- 18.3 The development must be connected to Council's reticulated sewerage and water networks.
- 18.4 Sewer connections and water meter boxes located within trafficable areas must be raised or lowered to suit the finished surface levels and must be provided with trafficable lids.

19.0 ROOF AND ALLOTMENT DRAINAGE WORKS

- 19.1 All roof and allotment drainage must be discharged lawfully in accordance with the requirements of the *Queensland Urban Drainage Manual* and the *Capricorn Municipal Development Guidelines*.
- 19.2 All roof and allotment drainage must be discharged such that it does not restrict, impair or change the natural flow of runoff water or cause a nuisance to adjoining properties or damage infrastructure.

20.0 SITE WORKS

- 20.1 All earthworks must be undertaken in accordance with *Australian Standard AS3798 "Guidelines on Earthworks for Commercial and Residential Developments"*.
- 20.2 Site works must be constructed such that they do not, at any time, in any way restrict, impair or change the natural flow of runoff water, or cause a nuisance or worsening to adjoining properties or infrastructure.

21.0 BUILDING WORKS

- 21.1 A Development Permit for Building Works must be obtained prior to the commencement of any building works on the site.
- 21.2 All buildings and structures must be designed and sited in accordance with the 'development standards' specified on the approved plans (refer to condition 16.1).
- 21.3 All buildings and structures must comply with the provisions of the *Queensland Development Code - Mandatory Part 1.4*.

- 21.4 The finished floor level of all habitable areas must be a minimum 300 millimetres above the Defined Flood Event (DFE) level.
- 22.0 ELECTRICITY AND TELECOMMUNICATIONS
- 22.1 Underground electricity and telecommunication connections must be provided to each Dwelling house to the requirements of the relevant authority.
- 23.0 ASSET MANAGEMENT
- 23.1 Any alteration necessary to electricity, telephone, water mains, sewerage mains, and/or public utility installations resulting from the development or in connection with the development, must be at full cost to the developer.
- 23.2 Any damage to existing roadway (including removal of concrete slurry from public land, pathway, roads, kerb and channel and stormwater gullies and drainage lines) which may occur during any works carried out in association with the approved development must be repaired. This must include the reinstatement of the existing traffic signs and pavement markings which may have been removed.
- 23.3 'As constructed' information pertaining to assets to be handed over to Council and those which may have an impact on Council's existing and future assets must be provided prior to commencement of the use. This information must be provided in accordance with the Manual for Submission of Digital As Constructed Information.
- 24.0 ENVIRONMENTAL
- 24.1 An Erosion and Sediment Control Management Plan must be implemented and maintained on-site for the duration of the works, and until all exposed soil areas are permanently stabilised (for example, turfed, hydromulched, concreted, landscaped). The prepared Erosion and Sediment Control Management Plan must be available on-site for inspection by Council Officers during those works.
- 25.0 OPERATING PROCEDURES
- 25.1 All construction materials, waste and waste skips must be located and stored on-site. All construction materials and waste must be secured and not allowed to be washed or blown by the wind off-site. At all times machinery and contractor's vehicles must be parked so as to not unreasonably obstruct the road pavement, road verges/footpaths or any neighbouring property accesses.

ADVISORY NOTES – PART A and PART B

NOTE 1. Aboriginal Cultural Heritage

It is advised that under Section 23 of the *Aboriginal Cultural Heritage Act 2003*, a person who carries out an activity must take all reasonable and practicable measures to ensure the activity does not harm Aboriginal Cultural Heritage (the "cultural heritage duty of care"). Maximum penalties for breaching the duty of care are listed in the Aboriginal Cultural Heritage legislation. The information on Aboriginal Cultural Heritage is available on the Department of Aboriginal and Torres Strait Islander and Multicultural Affairs website www.datsima.qld.gov.au

NOTE 2. General Environmental Duty

General environmental duty under the *Environmental Protection Act* prohibits unlawful environmental nuisance caused by noise, aerosols, particles dust, ash, fumes, light, odour or smoke beyond the boundaries of the property during all stages of the development including earthworks, construction and operation.

NOTE 3. General Safety Of Public During Construction

The *Workplace Health and Safety Act* and *Manual of Uniform Traffic Control Devices* must be complied with in carrying out any construction works, and to ensure safe traffic control and safe public access in respect of works being

constructed on a road.

NOTE 4. Vegetation Management

- a. The balance lot has been initially identified as containing significant local environmental value and as such further investigation through the production of a detailed ecological report will be required to be submitted to Council as the development of the overall lot progresses, particularly beyond the current proposed link road. Bushfire Hazard risk will also be required to be further investigated at this point as well through the development of a Bushfire Hazard Assessment and Bushfire Management Plan.
- b. The land subject to the above development application must be free of declared pest plants and animals; as declared at the date of development application in Local Law No. 3 (Community & Environmental Management) 2011 and Schedule 1 of Subordinate Local Law 3 (Community & Environmental Management) 2011 and in the Land Protection (Pest and Stock Route Management) Act 2002 or as amended; to the satisfaction of Council's Pest Management Officer, prior to the commencement of any site works. Council will supply a free inspection and advice service on the request of the land owner.
- c. Part of the subject site is mapped by the Department of Environment and Heritage Protection as containing Regulated Vegetation. The Vegetation Management Act 1999 has requirements with regard to the clearing of vegetation. Information on Vegetation Management is available at: <https://www.qld.gov.au/environment/land/vegetation/management/>
- d. The subject site is mapped under the Livingstone Planning Scheme as 'Locally Significant Vegetation' (PSM10a and 10b). Clearing of this vegetation should not be undertaken without the advice of Council's Natural Resource Management Unit.

NOTE 5. Infrastructure Charges Notice

This application is subject to infrastructure charges in accordance with the *Adopted Infrastructure Charges Resolution (No.2) 2015*. The charges are presented on an Infrastructure Charges Notice which has been supplied with this decision notice.

NOTE 6. Property Note –Material Change of Use

A 'blanket' material change of use applies to this lot. Part B of this development permit (D-186-2017) allows for one (1) Dwelling house to be constructed on each of the approved lots created pursuant to Part A of this permit. Each Dwelling house and associated outbuildings necessary for purposes ancillary to the occupation of the Dwelling house must meet the Development Standards detailed on the approved plans. Any development other than a Dwelling house consistent with the approved plans and the conditions of this permit will trigger assessment against the Planning Scheme in force at the time the development occurs.

NOTE 7. Trunk Stormwater infrastructure

Future stormwater trunk infrastructure D-8 (Ross Creek drainage system management) and D-29 (Ross Creek drainage feature system – Tanby Road) are identified within the subject Lot 5006 SP296906. Stormwater trunk infrastructure D-83 (Ross Creek drainage feature system) and D-84 (Ross Creek District Treatment Facility) are also identified within the subject lot under *Adopted*

Infrastructure Charges Resolution (No. 3) 2018. The floodplain areas of Ross Creek within the subject lot can be transferred to Council as “Fee simple” or as “Fee simple as trustee” at no cost to Council.

NOTE 8. Stormwater management strategy

Total catchment modelling must be undertaken to determine preferred location and operational requirements of any stormwater detention / retention system. Target flow regime boundary conditions at discharge locations along the trunk system must be agreed in consultation with Council. No increases in flows for the Q20 event to fit current culvert design at Taranganba Road.

Council requires the applicant to investigate and provide sufficient details taking into account all associated catchments for pre and post development scenarios. The investigation should include selected range of events including major and minor events up to the Defined Flood Event (inclusive) for a range of storm durations, including critical storm duration with relevant hydrographs.

Flow regime includes discharge quantity / volume, flood level, velocity, frequency and duration. As part of the detailed design it is important to check the overall impact in terms of flow regime changes at discharge points within Ross Creek. For further clarity cross sections at few intermediate points within the study area including discharge locations needs to be included.

NOTE 9. Stormwater quality

Relevant rainfall intensities (if necessary) may be obtained from Council for MUSIC modeling.

NOTE 10. Water works

A water network analysis / new water supply strategy is required if any building pad level of proposed allotments exceeds thirty-five (35) metres Australian Height Datum to maintain the standard water supply services in accordance with *Water Supply (Safety and Reliability) Act*.

RECOMMENDATION F2 – D-186-2017 STAGES 9A AND 9B

That in relation to the application for a Development Permit D-186-2017 for Reconfiguring a Lot (one lot into twenty-three lots + balance) and a Development Permit for a Material change of use for twenty-three (23) Dwelling houses (Sea Haven Estate Stages 9A and 9B), made by Keppel Developments Pty Ltd, on Lot 5006 on SP296906 and located at Lot 5006 Havenwood Drive, Taroomball, Council resolves to issue and Infrastructure Charges Notice for the amount of **\$483,000.00** with the following sub-staging;

9A	\$231,000.00
9B	\$252,000.00

Moved by: Deputy Mayor, Councillor Hutton

Seconded by: Councillor Kelly

MOTION CARRIED

13 QUESTIONS/STATEMENT/MOTIONS ON NOTICE FROM COUNCILLORS

13.1 NOTICE OF MOTION - COUNCILLOR GLENDA MATHER - YEPPOON SHOWGROUNDSYEPPOON SHOWGROUNDS

File No: GV13.4.4
Attachments: 1. [Notice of Motion - Yeppoon Showgrounds](#)
Responsible Officer: Chris Murdoch - Chief Executive Officer

SUMMARY

Councillor Glenda Mather has indicated her intention to move the following Notice of Motion at the next Council Meeting 3 July 2018, as follows:

COUNCIL RESOLUTION

THAT Council identify the needs of community groups, and the best use of the various lands which comprise the Yeppoon Showgrounds, otherwise known as Stevenson Park, Council initiate a meeting of all stakeholders at the earliest, prior to any new lease/s for the grounds are re-negotiated and determined.

Moved by: Councillor Mather

Seconded by: Councillor Belot

MOTION CARRIED

**13.2 NOTICE OF MOTION - COUNCILLOR ADAM BELOT - LEASING LSC
INFRASTRUCTURE/BUILDINGS**

File No: GV13.4.1
Attachments: 1. Notice of Motion - LSC
Infrastructure/Buildings [↗](#)
Responsible Officer: Chris Murdoch - Chief Executive Officer

SUMMARY

Councillor Adam Belot has indicated his intention to move the following Notice of Motion at the next Ordinary Council Meeting on 3 July 2018, as follows:

COUNCIL RESOLUTION

THAT LSC review and refine the process, which assesses what entity (individual, business, not for profit etc.) is successful in leasing LSC infrastructure/buildings, to reflect that all Councillors will be responsible for making the final decision based on relevant information.

Moved by: Councillor Belot
Seconded by: Councillor Mather

MOTION CARRIED**DIVISION:**

Crs B Ludwig ,A Belot, PE Eastwood, G Mather and T Wyatt voted in the affirmative.

Crs N Hutton and J Kelly voted in the negative.

14 CLOSED SESSION

In accordance with the provisions of section 275 of the *Local Government Regulation 2012*, a local government may resolve to close a meeting to the public to discuss confidential items, such that its Councillors or members consider it necessary to close the meeting at 12.07pm.

COUNCIL RESOLUTION

THAT the meeting be closed to the public to discuss the following items, which are considered confidential in accordance with section 275 of the *Local Government Regulation 2012*, for the reasons indicated.

15.1 Consideration of the future of the Yeppoon Town Clock

This report is considered confidential in accordance with section 275(1)(h), of the *Local Government Regulation 2012*, as it contains information relating to other business for which a public discussion would be likely to prejudice the interests of the local government or someone else, or enable a person to gain a financial advantage .

15.2 Registration Infringement Process

This report is considered confidential in accordance with section 275(1)(h), of the *Local Government Regulation 2012*, as it contains information relating to other business for which a public discussion would be likely to prejudice the interests of the local government or someone else, or enable a person to gain a financial advantage .

15.3 REQUEST FOR DEFERRAL OF OUTSTANDING INFRASTRUCTURE CHARGES FOR A DEVELOPMENT FOR MULTIPLE DWELLING UNITS AT 17 ROCKHAMPTON ROAD, YEPPOON

This report is considered confidential in accordance with section 275(1)(h), of the *Local Government Regulation 2012*, as it contains information relating to other business for which a public discussion would be likely to prejudice the interests of the local government or someone else, or enable a person to gain a financial advantage .

15.4 Response to Questions on Notice - Taranganba School Bus Drop Off Zone

This report is considered confidential in accordance with section 275(1)(h), of the *Local Government Regulation 2012*, as it contains information relating to other business for which a public discussion would be likely to prejudice the interests of the local government or someone else, or enable a person to gain a financial advantage .

Moved by: Councillor Mather

Seconded by: Councillor Kelly

MOTION CARRIED

COUNCIL RESOLUTION

THAT the meeting moves out of closed session and be opened to the public at 1.12pm.

Moved by: Councillor Kelly

Seconded by: Councillor Eastwood

MOTION CARRIED

COUNCIL RESOLUTION

THAT the meeting be closed to the public to discuss the following items, which are considered confidential in accordance with section 275 of the *Local Government Regulation 2012*, for the reasons indicated at 1.14pm.

15.1 Consideration of the future of the Yeppoon Town Clock

This report is considered confidential in accordance with section 275(1)(h), of the *Local Government Regulation 2012*, as it contains information relating to other business for which a public discussion would be likely to prejudice the interests of the local government or someone else, or enable a person to gain a financial advantage .

Moved by: Councillor Belot

Seconded by: Councillor Eastwood

MOTION CARRIED

01:17 PM Mayor Ludwig left the meeting.

01:25 PM Mayor Ludwig returned to the meeting.

COUNCIL RESOLUTION

THAT the meeting moves out of closed session and be opened to the public at 1.38pm.

Moved by: Councillor Kelly

Seconded by: Councillor Eastwood

MOTION CARRIED

1.35 PM Councillor Mather left the meeting.

15 CONFIDENTIAL REPORTS

15.1 CONSIDERATION OF THE FUTURE OF THE YEPPON TOWN CLOCK

File No: ED8.5.22

Attachments: 1. Attachment 1 - Concepts for Yeppoon Town Clock

Responsible Officer: Debra Howe - Director Strategic Growth and Development
Brett Bacon - Executive Director Liveability and Wellbeing

Author: Russell Claus - Urban Strategist

This report is considered confidential in accordance with section 275(1)(h), of the *Local Government Regulation 2012*, as it contains information relating to other business for which a public discussion would be likely to prejudice the interests of the local government or someone else, or enable a person to gain a financial advantage .

SUMMARY

This report provides a review of potential options for the treatment of the Yeppoon town clock.

COUNCIL RESOLUTION

THAT Council requests a report to the Council Advisory Committee in relation to all options including possible replacement, relocation or removal of the Yeppoon town clock as well as appropriate community consultation process

Moved by: Deputy Mayor, Councillor Hutton

Seconded by: Councillor Eastwood

MOTION CARRIED

15.2 REGISTRATION INFRINGEMENT PROCESS

File No: LE19.3.3

Attachments:

1. Infringement review - 10 April 2018
2. Brett Bacon Workshop Report 21 May 2018 - Deputation
3. Registration Prompts

Responsible Officer: David Battese - Manager Strategy & Development
Brett Bacon - Executive Director Liveability and Wellbeing

Author: Craig Newsome - Coordinator Public Environments

This report is considered confidential in accordance with section 275(1)(h), of the *Local Government Regulation 2012*, as it contains information relating to other business for which a public discussion would be likely to prejudice the interests of the local government or someone else, or enable a person to gain a financial advantage .

SUMMARY

Council at its recent workshop 21 May 2018 received a deputation regarding compliance notice timeframes relevant to Council's animal registration process. The deputation pertained to penalty infringement notices for failing to renew registration and failing to register a new dog. This report provides further information regarding this matter, as requested by Council.

COUNCIL RESOLUTION

THAT Council resolves to:

- a) acknowledge service of penalty infringements 837 and 838 was in accordance with the *State Penalties Enforcement Act 1999*;
- b) acknowledge, in addition to due process under the *State Penalties Enforcement Act 1999*, two internal reviews of penalty infringements 837 and 838 were afforded by senior authorised officers of Council, resulting in the original decision being upheld; and
- c) not withdraw either notice, recognising that the complainant has an opportunity pursuant to the *State Penalties Enforcement Act 1999*, should the complainant wish to contest the infringements.

ALTERNATE RESOLUTION:

THAT Council resolves to:

- 1) acknowledge service of penalty infringements 837 and 838 was in accordance with the *State Penalties Enforcement Act 1999*;
- 2) acknowledge, in addition to due process under the *State Penalties Enforcement Act 1999*, two internal reviews of penalty infringements 837 and 838 were afforded by senior authorised officers of Council, resulting in the original decision being upheld;
- 3) not withdraw notice 837, recognising that the complainant has an opportunity pursuant to the *State Penalties Enforcement Act 1999*, should the complainant wish to contest the infringements; and
- 4) withdraw notice 838.

Moved by: Councillor Wyatt
Seconded by: Councillor Eastwood
MOTION CARRIED

15.3 REQUEST FOR DEFERRAL OF OUTSTANDING INFRASTRUCTURE CHARGES FOR A DEVELOPMENT FOR MULTIPLE DWELLING UNITS AT 17 ROCKHAMPTON ROAD, YEPPON**File No:** D-85-2013**Attachments:**

1. Infrastructure Charges Notice D-85-2013
2. Email correspondence from land owner
3. Development Incentives Policy for Reconfiguring a Lot

Responsible Officer: David Battese - Manager Strategy & Development
Brett Bacon - Executive Director Liveability and Wellbeing**Author:** Madelaine Ward - Senior Planning Officer

This report is considered confidential in accordance with section 275(1)(h), of the *Local Government Regulation 2012*, as it contains information relating to other business for which a public discussion would be likely to prejudice the interests of the local government or someone else, or enable a person to gain a financial advantage .

SUMMARY

This report addresses a request by the landowner to defer the payment of the outstanding infrastructure charges to a future date once the first unit is on-sold following the registering of a building format plan for the premises.

COUNCIL RESOLUTION

THAT Council acquiesce to the request by the land owner on the basis that an Infrastructure Agreement be executed:

- 1) For a charge amount of \$77,000.00, being the current charges for the development;
- 2) Allowing the developer to defer the charge and require payment to be provided:
 - (a) within one (1) month from when the developer ceases to be the registered owner of any unit in the complex, or
 - (b) within twelve (12) months of written notification of this resolutionwhichever occurs the earlier.
- 3) The Infrastructure agreement be executed by the developer within sixty (60) business days of written notification of this resolution.
- 4) The developer pays the full cost of the preparation of the Infrastructure Agreement within thirty (30) business days of the agreement being executed.

Moved by: Deputy Mayor, Councillor Hutton**Seconded by:** Councillor Belot**MOTION CARRIED**

15.4 RESPONSE TO QUESTIONS ON NOTICE - TARANGANBA SCHOOL BUS DROP OFF ZONE**File No:** 15-046**Attachments:**

1. Confidential Ordinary Meeting report dated 9 December 2014 - Acquisition of Land for Road Purposes Taranganba School Bus Drop Off Zone
2. Action Sheet dated 9 December 2014 - Acquisition of Land For Road Purposes Taranganba School Bus Drop Off Zone

Responsible Officer: Dan Toon - Executive Director Infrastructure**Author:** Kat Groves - Executive Assistant to Director Infrastructure Services

This report is considered confidential in accordance with section 275(1)(h), of the *Local Government Regulation 2012*, as it contains information relating to other business for which a public discussion would be likely to prejudice the interests of the local government or someone else, or enable a person to gain a financial advantage .

SUMMARY

This report provides a response to Questions on Notice which Councillor Mather tendered to the Council meeting on 5 June 2018.

COUNCIL RESOLUTION

THAT the report providing a response to Councillor Mather's Questions on Notice regarding the Taranganba School drop off zone be received.

Moved by: Councillor Mather**Seconded by:** Councillor Wyatt**MOTION CARRIED**

16 URGENT BUSINESS QUESTIONS

17 CLOSURE OF MEETING

There being no further business the meeting closed at 1.45 pm.

Bill Ludwig
CHAIRPERSON

DATE