

12 September 2019

Enquiries: Neil Beck
Our Ref: OP 2019_3257/1 (919188)
Your Ref:

Administration Office
64 - 66 Front St Mossman
P 07 4099 9444
F 07 4098 2902

Total Construction Pty Ltd
Unit 11/16 Metroplex Ave
MURARRIE QLD 4172

Email: philh@totalconstruction.com.au

Dear Sir

**Development Application for Operational Works (Mains Water Connection)
At 49 Johnston Road MOSSMAN GORGE
On Land Described as LOT: 1 SP: 150474**

Please find attached the Decision Notice for the above-mentioned development application.

Please quote Council's application number: OP 2019_3257/1 in all subsequent correspondence relating to this development application.

Also find attached a 'Pre-Start' meeting template, which identifies the information that must be provided for Council approval, prior to the commencement of works.

The template also provides the Consulting Engineer with a format for conducting the meeting. An invitation to attend the meeting must be sent to Council's representative Neil Beck on telephone number 07 4099 9451, giving at least five (5) working days notification if possible.

In addition to the Decision Notice, Council provides the following 'Advice Statement' which relates to issues that are relevant to the proposed works:

1. The Consulting Engineer is to present all contractors with a copy of this Decision Notice and the Council approved plans, prior to the commencement of works.

Should you require any clarification regarding this, please contact Neil Beck on telephone 07 4099 9451.

Yours faithfully

Paul Hoye
Manager Environment & Planning

encl.

- Decision Notice
 - Approved Drawing(s) and/or Document(s)
 - Standard Conditions
- Advice For Making Representations and Appeals (Decision Notice)
- Adopted Infrastructure Charges Notice
- Advice For Making Representations and Appeals (Infrastructure Charges)

Copy To: Manager Infrastructure – Michael Kriedemann
Manager Water & Waste – Peter Tonkes
Co-ordinator Civil Works – Pieter Kleinhans

Decision Notice

Approval (with conditions)

Given under section 63 of the Planning Act 2016

Applicant Details

Name: Total Construction Pty Ltd
Postal Address: Unit 11/16 Metroplex Ave
MURARRIE QLD 4172
Email: philh@totalconstruction.com.au

Property Details

Street Address: 49 Johnston Road MOSSMAN GORGE
Real Property Description: LOT: 1 SP: 150474
Local Government Area: Douglas Shire Council

Details of Proposed Development

Development Permit for Operational Works (Operational Works (Mains Water Connection))

Decision

Date of Decision: 12 September 2019
Decision Details: Approved (subject to conditions)

Approved Drawing(s) and/or Document(s)

Copies of the following plans, specifications and/or drawings are enclosed.

Drawing No.	Title	Revision
C16-012 CW100	LOCALITY LAYOUT PLAN	-
C16-012 CW501	WATER RETICULATION LAYOUT PLAN	C
C16-012 CW502	WATER RETICULATION DETAILS	B
C16-012 CW503	FNQROC STANDARD DRAWING S2015	A

Assessment Manager Conditions & Advices

1. Water

- a. Existing water mains and services in Johnston Road must be potholed and located as part of preliminary investigations prior to requesting a prestart meeting and prior to works commencing. All necessary clearances must be confirmed by the certifying RPEQ as part of the preliminary investigations.
- b. The existing water constructed as part of the previous works and located within the future road reserve must be pressure tested prior to the mains being commissioned.
- c. The contractor under the direct supervision of Council's Team Leader for Water Reticulation must undertake connection to the trunk water mains located in Johnston Road. Drawing No. CW502 must be amended to detail a tapping connection under pressure instead of the flange tee cut in.
- d. Contact must be made with the Mossman Hospital regarding the best time to commission the new water main and cease water supply to Mossman Hospital. Details around the duration of time that the Hospital will be without supply and how this impact will be managed must be made known and agreed between all stakeholders. Details and agreement regarding the shutdown must be in place prior requesting the pre-start meeting. Further meetings regarding this matter will be required in order to comply with this condition.
- e. For works requiring inspection and supervision, a minimum notice of 2 business days is required prior to works taking place.

2. Traffic Management

Prior to the commencement of works, a Traffic Guidance Scheme (TGS) must be prepared and endorsed by a suitably qualified and competent person and be in accordance with the latest edition of the Manual Uniform of Traffic Control Devices (MUTCD), Part 3, Works on Road.

3. Compaction & Finished Ground Levels

The compaction of the backfilling of works in Johnston Road must be undertaken in accordance with Section S1.10 of the FNQROC Development Manual. At the completion of the works, the road verge of Murphy Street must be left in a tidy and presentable condition and be to the satisfaction of the Chief Executive Officer.

4. Construction Security Bond

Lodgement of Construction Security Bond as per the FNQROC Development Manual, Section CP1.07, (ie, five (5) per cent of the value of the works) is required, prior to commencement of work. The bond shall be in favour of Council and in the format of cash or an unconditional bank guarantee and have no termination date.

Further Development Permits

None applicable

Concurrence Agency Response

Currency Period for the Approval

This approval, granted under the provisions of the *Planning Act 2016*, shall lapse two (2) years from the day the approval takes effect in accordance with the provisions of Section 85 of the *Planning Act 2016*.

Rights to make Representations & Rights of Appeal

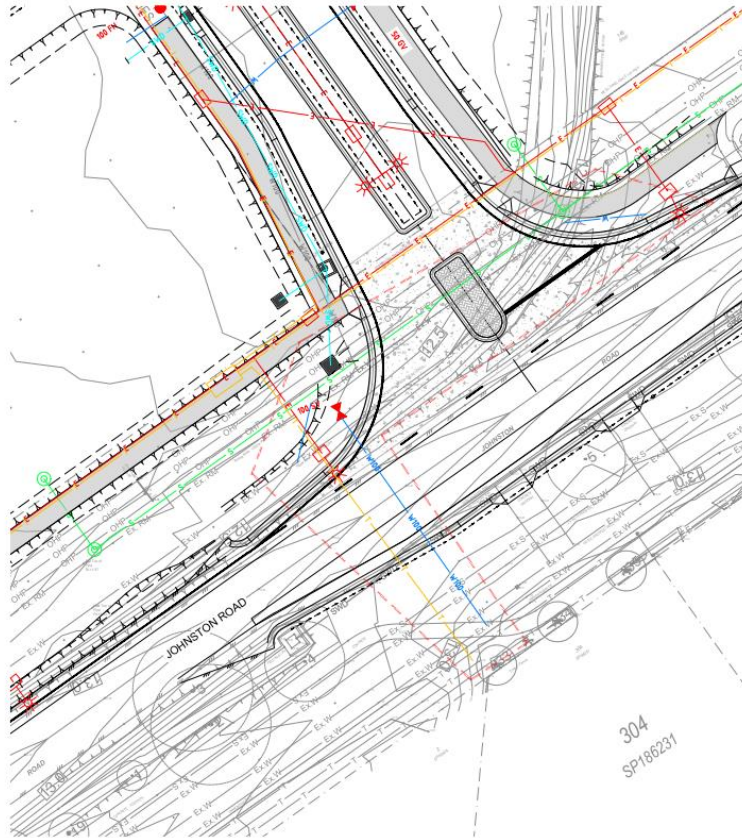
The rights of applicants to make representations and rights to appeal to a Tribunal or the Planning and Environment Court against decisions about a development application are set out in Chapter 6, Part 1 of the *Planning Act 2016*.

A copy of the relevant appeal provisions are attached.

Approved Drawing(s) and/or Document(s)

Mossman Aged Care Plus - Water Main

JOHNSTON ROAD, MOSSMAN
for
THE SALVATION ARMY AGED CARE PLUS



SITE LAYOUT PLAN
SCALE 1:500 @ A1



LOCALITY LAYOUT PLAN
NOT TO SCALE

WORKS BOUNDARY

SURVEY INFORMATION:

LOCATION: PART OF LOT 1 ON SP150474
JOHNSTON ROAD,
MOSSMAN

PSM NO. 100497
LEVEL DATUM RL 10.10 AHD
AMG COORDINATES E:325992.920 N:817936.360

COUNCIL REFERENCE No. CA 1235/2015 (760753)
MAJOR PROJECT No. MP 05_0243

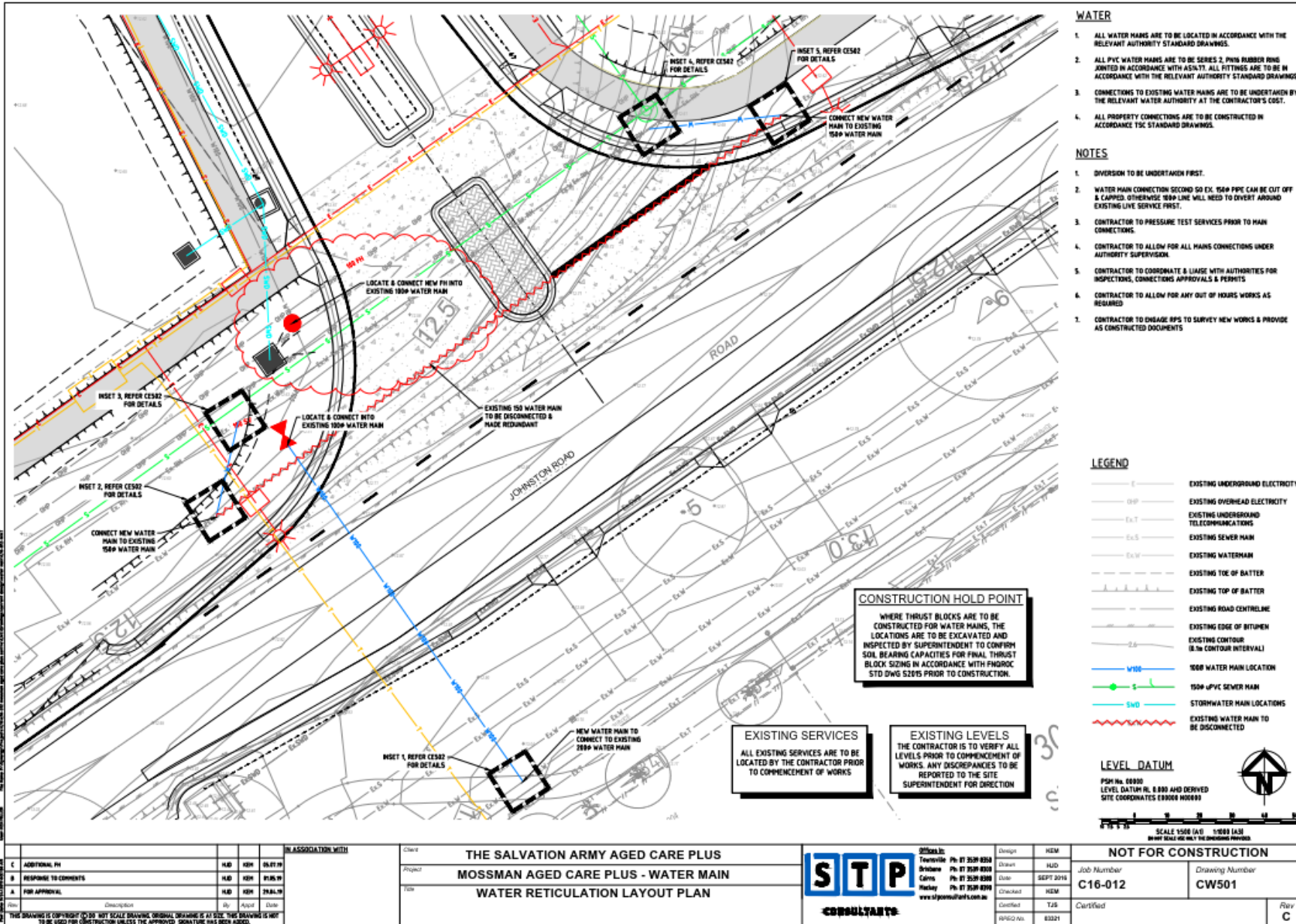


CONSULTANTS



Brisbane Office 2/237 Montague Rosedale West End, 4104 Phone 07 3255 2122 Facsimile 07 3255 2411	Toowoomba Office Level 1 Master Builders House 316 Start Street, Toowoomba, 4810 Phone 07 4724 2626 Facsimile 07 4724 2417	Calma Office Suite 7, Glencorp House 78 Mulgrew Road Calma, 4810 Phone 07 4031 8777 Facsimile 07 4031 8799	Mackay Office 104B Sydney Street Mackay 4740 Phone 07 4944 1577 Facsimile 07 49441588
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Date	Design	Checked	Approved	NPER No.	Signed	Drawing No.	Rev
SEPT 2016	HJD	KEM	TJS	03321		C16-012 CW100	#



- WATER**
- ALL WATER MAINS ARE TO BE LOCATED IN ACCORDANCE WITH THE RELEVANT AUTHORITY STANDARD DRAWINGS.
 - ALL PVC WATER MAINS ARE TO BE SERIES 2, P115 RUBBER RING JOINTED IN ACCORDANCE WITH AENLTY. ALL FITTINGS ARE TO BE IN ACCORDANCE WITH THE RELEVANT AUTHORITY STANDARD DRAWINGS.
 - CONNECTIONS TO EXISTING WATER MAINS ARE TO BE UNDERTAKEN BY THE RELEVANT WATER AUTHORITY AT THE CONTRACTOR'S COST.
 - ALL PROPERTY CONNECTIONS ARE TO BE CONSTRUCTED IN ACCORDANCE TSC STANDARD DRAWINGS.

- NOTES**
- DIVERSION TO BE UNDERTAKEN FIRST.
 - WATER MAIN CONNECTION SECOND SO EX. 1500 PIP CAN BE CUT OFF & CAPPED. OTHERWISE 1000 LINE WILL NEED TO DIVERT AROUND EXISTING LIVE SERVICE FIRST.
 - CONTRACTOR TO PRESSURE TEST SERVICES PRIOR TO MAIN CONNECTIONS.
 - CONTRACTOR TO ALLOW FOR ALL MAINS CONNECTIONS UNDER AUTHORITY SUPERVISION.
 - CONTRACTOR TO COORDINATE & LIAISE WITH AUTHORITIES FOR INSPECTIONS, CONNECTIONS APPROVALS & PERMITS
 - CONTRACTOR TO ALLOW FOR ANY OUT OF HOURS WORKS AS REQUIRED
 - CONTRACTOR TO ENGAGE GPS TO SURVEY NEW WORKS & PROVIDE AS CONSTRUCTED DOCUMENTS

- LEGEND**
- EXISTING UNDERGROUND ELECTRICITY
 - EXISTING OVERHEAD ELECTRICITY
 - EXISTING UNDERGROUND TELECOMMUNICATIONS
 - EXISTING SEWER MAIN
 - EXISTING WATER MAIN
 - EXISTING TOE OF BATTER
 - EXISTING TOP OF BATTER
 - EXISTING ROAD CENTRELINE
 - EXISTING EDGE OF BITUMEN
 - EXISTING CONTOUR (0.1m CONTOUR INTERVAL)
 - 1000 WATER MAIN LOCATION
 - 1500 PVC SEWER MAIN
 - STORMWATER MAIN LOCATIONS
 - EXISTING WATER MAIN TO BE DISCONNECTED

CONSTRUCTION HOLD POINT
 WHERE THRUST BLOCKS ARE TO BE CONSTRUCTED FOR WATER MAINS, THE LOCATIONS ARE TO BE EXCAVATED AND INSPECTED BY SUPERINTENDENT TO CONFIRM SOIL BEARING CAPACITIES FOR FINAL THRUST BLOCK SIZING IN ACCORDANCE WITH FMGROC STD DWG 52015 PRIOR TO CONSTRUCTION.

EXISTING SERVICES
 ALL EXISTING SERVICES ARE TO BE LOCATED BY THE CONTRACTOR PRIOR TO COMMENCEMENT OF WORKS

EXISTING LEVELS
 THE CONTRACTOR IS TO VERIFY ALL LEVELS PRIOR TO COMMENCEMENT OF WORKS. ANY DISCREPANCIES TO BE REPORTED TO THE SITE SUPERINTENDENT FOR DIRECTION

LEVEL DATUM
 PSM No. 0000
 LEVEL DATUM RL 8 000 AHD DERIVED
 SITE COORDINATES 49000 10000
 SCALE 1:500 (A3) 1:1000 (A3)
 DO NOT SCALE USE ONLY THE DIMENSIONS PROVIDED

Rev	Description	By	App'd	Date
C	ADDITIONAL PH	HLD	HEM	05.07.19
B	RESPONSE TO COMMENTS	HLD	HEM	01.05.19
A	FOR APPROVAL	HLD	HEM	29.04.19

Client	THE SALVATION ARMY AGED CARE PLUS
Project	MOSSMAN AGED CARE PLUS - WATER MAIN
Title	WATER RETICULATION LAYOUT PLAN

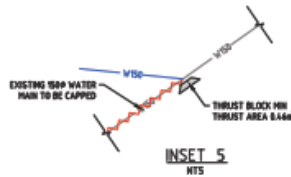
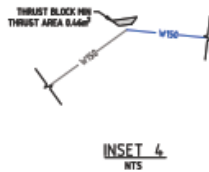
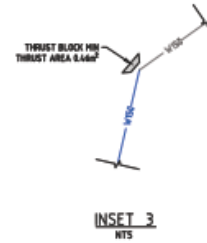
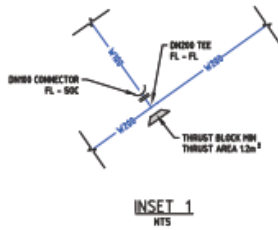
STP CONSULTANTS

Offices:
 Townsville Ph: 07 3539 0254
 Brisbane Ph: 07 3539 0200
 Cairns Ph: 07 3539 0300
 Mackay Ph: 07 3539 0399
 www.stpconsultants.com.au

Design	HEM	Job Number	C16-012	Drawing Number	CW501
Drawn	AJD	Checked	HEM	Certified	TJB
Date	SEPT 2016	Rev		Rev	C
WSPC No.	83021				

WATER

1. ALL WATER MAINS ARE TO BE LOCATED IN ACCORDANCE WITH THE RELEVANT AUTHORITY STANDARD DRAWINGS.
2. ALL PVC WATER MAINS ARE TO BE SERIES 2, PING RUBBER RING JOINTED IN ACCORDANCE WITH AS/ISO. ALL FITTINGS ARE TO BE IN ACCORDANCE WITH THE RELEVANT AUTHORITY STANDARD DRAWINGS.
3. CONNECTIONS TO EXISTING WATER MAINS ARE TO BE UNDERTAKEN BY THE RELEVANT WATER AUTHORITY AT THE CONTRACTOR'S COST.
4. ALL PROPERTY CONNECTIONS ARE TO BE CONSTRUCTED IN ACCORDANCE TSC STANDARD DRAWINGS.
5. SOIL BEARING CAPACITY FOR THRUST BLOCKS IS ASSUMED TO BE 50kPa. CONTRACTOR TO CONFIRM ON SITE AND LAMSE WITH STP IF SOIL BEARING CAPACITY IS DIFFERENT.



CONSTRUCTION HOLD POINT

WHERE THRUST BLOCKS ARE TO BE CONSTRUCTED FOR WATER MAINS, THE LOCATIONS ARE TO BE EXCAVATED AND INSPECTED BY SUPERINTENDENT TO CONFIRM SOIL BEARING CAPACITIES FOR FINAL THRUST BLOCK SIZING IN ACCORDANCE WITH FIGURE STD DWG 52015 PRIOR TO CONSTRUCTION.

LEVEL DATUM

PSM No. 00000
LEVEL DATUM RL 0.000 AND DERIVED
SITE COORDINATES 00000 100000



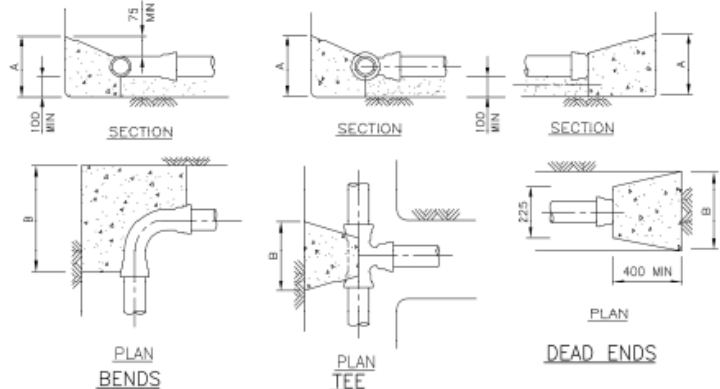
Rev	Description	By	App'd	Date
B	RESPONSE TO COMMENTS	HLB	KMH	01/05/19
A	FOR APPROVAL	HLB	KMH	29/01/19

IN ASSOCIATION WITH	
Client	THE SALVATION ARMY AGED CARE PLUS
Project	MOSSMAN AGED CARE PLUS - WATER MAIN
Title	WATER RETICULATION DETAILS

	STP CONSULTANTS
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Office No: Townsville Ph: 07 3530 0950 Brisbane Ph: 07 3530 0950 Cairns Ph: 07 3530 0950 Mackay Ph: 07 3530 0950 www.stpconsultants.com.au	Design: HGM Drawn: HJD Date: SEPT 2016 Checked: HGM Certified: TJB N/A/C No: 83321
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NOT FOR CONSTRUCTION	
Job Number C16-012	Drawing Number CW502
Rev B	

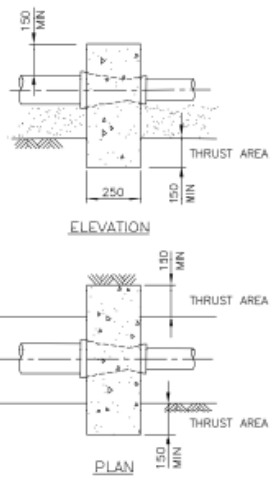


MINIMUM THRUST AREA (A x B) IN m² FOR 1200 kPa TEST PRESSURE

SAFE BEARING LOAD	90° & #60 BENDS				45° & 30° BENDS				22 1/2° BENDS				11 1/4° BENDS				DEAD ENDS/TEES			
	25 kPa	50 kPa	75 kPa	100 kPa	25 kPa	50 kPa	75 kPa	100 kPa	25 kPa	50 kPa	75 kPa	100 kPa	25 kPa	50 kPa	75 kPa	100 kPa	25 kPa	50 kPa	75 kPa	100 kPa
100	0.82	0.41	0.27	0.20	0.44	0.21	0.14	0.11	0.24	0.12	0.08	N	0.10	N	N	N	0.35	0.29	0.19	0.15
150	1.68	0.84	0.56	0.42	0.91	0.46	0.30	0.23	0.48	0.24	0.16	0.12	0.24	0.12	0.08	N	1.20	0.90	0.40	0.30
225	2.56	1.27	0.85	0.64	1.92	0.96	0.64	0.48	1.00	0.50	0.34	0.25	0.48	0.24	0.16	0.12	2.54	1.27	0.85	0.64

NOTES

- CONCRETE FOR THRUST BLOCKS TO BE N25 MIN. IN ACCORDANCE WITH AS3179 & AS3600 & SHALL BE POURED AGAINST UNDISTURBED SOIL.
- TAPERS TO HAVE A MIN. THRUST AREA FOR ANCHORS EQUAL TO THE DIFFERENCE IN CORRESPONDING THRUST AREA FOR DEAD ENDS OF EACH DIAMETER OF TAPER.
- FOR VERTICAL BENDS IN SAG, THE SAFE BEARING LOADS OF THE VARIOUS SOILS MAY BE TAKEN AS TWICE THOSE FOR HORIZONTAL THRUST.
- UNLESS NOTED OTHERWISE THRUST BLOCKS ARE REQUIRED FOR ALL VALVES #200 & GREATER & SHALL HAVE A THRUST AREA EQUAL TO THAT FOR A DEAD END. ALSO WHEN IN SOFT CLAY ALL VALVES SHALL HAVE THRUST BLOCKS EQUAL TO THAT FOR A DEAD END.
- HOLD DOWN BOLTS TO BE M12 STAINLESS STEEL MIN. EMBEDMENT LENGTH 300mm WITH 75 HOOK, COG OF 50 x 50 x 6 WASHER. STRAPS 40 50 x 6 STAINLESS STEEL PLATE BENT TO SUIT.
- THRUST BLOCK FOR MATERIALS WITH SAFE BEARING LOAD < 25kPa ARE TO BE DETAILED WITH ENGINEERING DESIGN.
- FOR PIPES > 225mm DIA. THE THRUST BLOCKS SHALL BE SPECIFICALLY DESIGNED & DETAILED AFTER SOIL TESTING..
- ALL FITTINGS SHALL BE PROVIDED WITH THRUST BLOCKS FORMED AGAINST SOLID GROUND TO TRANSFER UNBALANCED FORCES FROM FITTING TO SOLID GROUND.
- NOMINAL THRUST AREA 'N' SHALL BE EFFECTED BY N25 CONCRETE OVER FULL LENGTH OF FITTING, & EXTENDING IN DEPTH FROM THE BOTTOM OF THE TRENCH TO AT LEAST 75mm ABOVE THE TOP OF THE FITTING.
- TABULATED 'MIN. THRUST AREA FOR ANCHORAGE' APPLY FOR TEST PRESSURE OF 1200kPa. AREAS SHALL BE ADJUSTED PRORATA FOR OTHER TEST PRESSURES EXCEPT THAT NOMINAL THRUST AREAS 'N' SHALL HAVE TO BE CALCULATED FOR TEST PRESSURES OVER 1200kPa.
- SHAPE & DIMENSIONS OF CONCRETE BLOCKS SHOWN ARE MINIMUM REQUIREMENTS.
- WHEN PLACING THE CONCRETE ON A PVC PIPE, CARE SHALL BE TAKEN TO AVOID ENCASEING THE PIPE COMPLETELY. THE MAXIMUM ENGAGEMENT SHALL BE 180°.
- WHEN PLACING A PVC PIPE IN CONCRETE A MEMBRANE OF POLYETHENE, PVC OR FELT SHALL SURROUND THE PIPE & FITTING TO PERMIT PIPE MOVEMENT IN THE CONCRETE.
- MINIMUM COVER TO PIPE SHALL BE 600mm REFER TO S2016 FOR MIN. COVER TO INDIVIDUAL PIPE TYPES.



TAPER

CONCRETE VOLUMES TO COUNTER THRUST (m³ PER 1200kPa TEST PRESSURE)

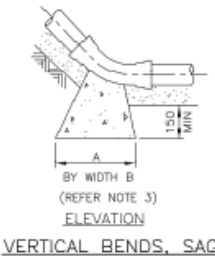
DIA	90°	45°	22 1/2°	11 1/4°
100	0.85	0.45	0.25	0.10
150	1.75	0.95	0.50	0.25
225	3.76	2.00	1.06	0.60

VERTICAL BENDS, CREST

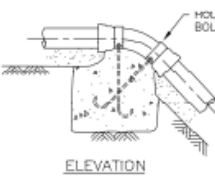
SAFE BEARING LOADS (kPa)

MATERIAL	SAFE BEARING LOAD (kPa)
SOFT CLAY	Requires soil testing to determine safe bearing load
MARINE CLAY	Requires soil testing to determine safe bearing load
MEDIUM CLAY, SANDY LOAM	50
SAND & GRAVEL, HARD CLAY	75
SAND & GRAVEL CEMENTED WITH CLAY	100
SHALE	240

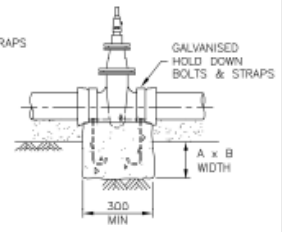
FOR HORIZONTAL THRUST BLOCKS IN TRENCHES WHERE THE COVER TO PIPE IS > 450MM



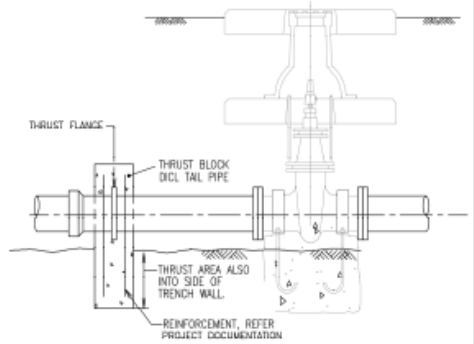
VERTICAL BENDS, SAG



VERTICAL BENDS, CREST



VALVES



SLUICE VALVE (Ø200 & GREATER - SOFT CLAY)
(REFER NOTE 4)

Rev	Description	By	App'd	Date
B	RESPONSE TO COMMENTS	HLB	KHM	20/09/18
A	FOR APPROVAL	NMF	KHM	29/01/18

IN ASSOCIATION WITH

Client: **THE SALVATION ARMY AGED CARE PLUS**
 Project: **MOSSMAN AGED CARE PLUS - WATER MAIN**
 Title: **FNQROC STANDARD DRAWING S2015**



Office: Townsville Ph: 07 3539 8950
 Brisbane Ph: 07 3539 8959
 Cairns Ph: 07 3539 8960
 Mackay Ph: 07 3539 8950
 www.stpconsultants.com.au

Design: KHM
 Drawn: HLD
 Date: SEPT 2016
 Checked: KHM
 Certified: TJB
 S/NOC No: 83321

NOT FOR CONSTRUCTION
 Job Number: **C16-012**
 Drawing Number: **CW503**
 Rev: **A**

STANDARD CONDITIONS

General

1. The proposed works are permitted subject to any alterations:
 - a. found necessary by Chief Executive Officer at the time of examination of Engineering drawings or during construction of the works because of particular engineering requirements and.
 - b. to ensure the works comply in all respects with the requirements of the *FNQROC Development Manual* and good engineering practice; and
 - c. to comply with project specific conditions and the following standard conditions of approval.

All works must be carried out in accordance with the approved plans, conditions and specifications, to the requirements and satisfaction of the Chief Executive Officer.

2. The conditions of any Reconfiguration of Lot or Material Change of Use permits applicable to the subject lot or lots shall be complied with in conjunction with this development permit.
3. Council's examination of the documents should not be taken to mean that the documents have been checked in detail and Council takes no responsibility for their accuracy. If during construction, inadequacies of the design are discovered, it is the responsibility of the Principal Consulting Engineer to resubmit amended plans to Council for approval and rectify works accordingly.
4. Notwithstanding any approval given to engineering documents, where a discrepancy occurs between these documents and Council's standards, then Council's standards shall apply. All works must be performed in accordance with Council standards and Local Laws and other statutory requirements.
5. If in fact there are errors, omissions or insufficient detail on the plans for the purpose of construction, these deficiencies shall be made good during construction and Council reserves the right to withhold approval of construction until such deficiencies are made good to its satisfaction.
6. Work and or Technical Documents identified within these Development Approval Conditions require Council approval prior to granting Early Plan Sealing or Plan Sealing of a Subdivision Plan or the issue of a Works Acceptance Certificate, whichever occurs first.

Timing of Effect

7. The conditions of this development permit must be effected prior to the approval and dating of the survey plan, except where specified otherwise in these conditions of approval, or at Council's discretion.

Easement Documentation

8. Easement documents are to be submitted to Council's solicitors for checking in accordance with the conditions of the Reconfiguration Development Permit. Contact Council for current nominated solicitors details.

Portable Long Service Leave Notification

9. As per the QLeave – Building and Construction Industry Authority Guidelines, if the works are over \$150 000, Council must sight a copy of the receipted Portable Long Service Notification and Payment form prior to commencement of work.

Construction Security Bond

10. Lodgement of Construction Security Bond as per the *FNQROC Development Manual*, Section CP1.07, (ie, five (5) per cent of the value of the works) is required, prior to commencement of work. The bond shall be in favour of Council and in the format of cash or an unconditional bank guarantee, which must cover all aspects of the construction and have no termination date.

Third Party Agreement

11. The developer must obtain written agreement from third parties and/or Referral Agencies for any works proposed on adjacent properties. The agreement(s) must be provided prior to the associated works commencing on site. All agreements must be available for Council scrutiny, upon request.

Commencement of Works

12. Council is to receive written Notice of Intention to Commence Works and all matters relevant to the Pre-Start meeting are to be attended to in accordance with Section CP1.07, CP1.08 and Section CP1.09, of the *FNQROC Development Manual*.

Hours of Work

13. Work involving the operation of construction plant and equipment of any description, shall only be carried out on site during the following times:
 - a. 7:00 am to 6:00 pm, Monday to Friday;
 - b. 7:00 am to 1:00 pm, Saturdays; and
 - c. no work is permitted on Sundays or Public Holidays.

Any variations to the above working hours must be authorised by the Chief Executive Officer, prior to the commencement of such works.

Public Notification of the Works

14. The developer or the nominated representative must provide:
 - a. Public notification of the development in local newspapers in accordance with Section CP1.11 of the *FNQROC Development Manual*.
 - b. Signage identifying the location of the project, general allotment layout, contact numbers (including out-of-office hours emergency numbers) must be provided at all entrance points to the development. All signage must be appropriately positioned, prior to the commencement of any works on the site.

Site Inspections

15. Council requires a number of major inspections to be completed as Witness and Hold Points for Consulting Engineers and Council officers during the construction of the works. Inspections undertaken during construction shall be in accordance with Section CP1.16 (Inspection and Testing) of the *FNQROC Development Manual*. These Witness and Hold points are to be included in the contractors Inspection and Test Plan (ITP) and be made available for inspection, prior to the commencement of any works on the site.

Soil and Water Management

16. All works must be in accordance with Section CP1.13 and D5 of the *FNQROC Development Manual*, and must comply with the following:
- a. A copy of the contractor's Erosion and Sediment Control (ESC) Plan is to be submitted to Council and endorsed by the Consulting Engineer, prior to commencement of any works. In particular, the ESC Plan must address the Institution of Engineers' Australia *Guidelines for Soil Erosion and Sediment Control and the Environment Protection (Water) Policy* and Clauses CP1.06, CP1.13 and D5.10 of Council's *FNQROC Development Manual*. The ESC Plan must be relevant to all phases of the construction and be updated where necessary as works progress.
 - b. Any dewatering activities will require approval from Council's Environmental Protection Unit, telephone number 07 4099 9475 and a valid permit obtained prior to commencement.
 - c. During the construction period, the Consulting Engineer shall randomly audit and inspect ESC measures for compliance with the Engineer endorsed contractor's ESC Plan, derived from the Engineer's ESC Strategy (As per *FNQROC Development Manual* CP1 Appendix A).
 - d. It is the contractor's responsibility to ensure that the ESC Plan is updated and amended to reflect any changes in the construction methodology. All such amendments shall be approved by the Engineer and presented to Council.
 - e. The developer shall be held responsible for any rectification works required to clean up dust, pollutants and sediments that may leave the site as a result of construction activities.
 - f. The developer or their representative shall be responsible for communicating with third parties affected by any dust, pollutants or sediment leaving the site as a result of any construction activity that is associated with the project site.

Street Lighting

17. The provision of street lighting is to be in accordance with the *FNQROC Development Manual* D8 and designed to comply with the Road Lighting Standard AS/NZS 1158, a compliance certificate that has been certified by an appropriate Registered Professional Engineer of Queensland (RPEQ) must be provided to demonstrate the lighting design complies to the requirements of the Road Lighting Standard AS/NZS 1158. New street lighting is to be erected as a Rate 2 public lighting installation, Rate 1 will only be considered where an overhead electricity reticulation exists:
- a. Lighting columns, luminaires and lamps are to be of a type specified in Ergon Energy's *Lighting Construction Manual*, unless approved otherwise by Council.
 - b. The applicable lighting category for roads associated with this project having a road hierarchy of residential access and above is identified in Table D8.1 of the *FNQROC Development Manual*.
 - c. Local Area Traffic Management (LATM) devices including roundabouts, must be provided with an illumination of not less than 3.5 Lux as specified in the Road Lighting Standard AS/NZS 1158.
 - d. Street lighting located adjacent to the development frontage must be located behind the kerb (usually a minimum of 820 mm from the invert of the kerb) and spaced to meet the required lighting category for the road.

Infrastructure Plans for Utility Services

18. Approved infrastructure plans for gas, electrical and telecommunications services must be endorsed by Council, prior to the commencement of associated works.

Landscaping General

19. Landscaping shall be provided in accordance with Part D9 and Part S8 of the *FNQROC Development Manual*, unless approved otherwise by Council.
20. The landscaping works must be constructed in accordance with the approved plans and conditions. The developer must seek approval in writing from the Council for any changes to the plan or the landscaping works on the site. This approval must be obtained prior to commencement of these works on site.
21. The landscape must be maintained in good order by the developer for at least three (3) months during the Works Acceptance period, and generally timed to coincide with the Final Works Acceptance Inspection, when all landscaping works must be in a condition suitable for Council to commence regular maintenance.

Trees

22. Any trees must be planted and staked in accordance with the *FNQROC Development Manual* drawing S4210, with root barriers installed such that they are just visible at the finished surface level. Note that where footpaths are to be provided, a root barrier must also be provided between the tree and the path. Root barriers must be installed and appropriate topsoil, level of compaction and drainage provided, as specified by the manufacturer.
23. Street tree planting locations must be in compliance with *FNQROC Development Manual* D9.07.6 'Alignment and placement of Street Trees'. Trees shall be positioned a minimum of:
 - a. 7.5 metres from streetlights;
 - b. two (2) metres from the inlet or outlet of stormwater pipes;
 - c. three (3) metres from any driveways;
 - d. ten (10) metres back from the apex of both boundaries of a corner lot;
 - e. 0.8 metres – one (1) metres from the back of kerbs.
24. All trees must be watered directly after planting and prior to laying mulch. The mulch must be left clear of the trunk and be laid in accordance with *FNQROC Development Manual* drawing S4210 and S8.14, at a radius of 0.5 metre around the base of the tree and out to the back of kerb.
25. All trees must be of good vigour and health and must not be root-bound at the time of planting. They should be approximately 1.5 metres – two (2) metres tall with well-established root and branch formation. Trees should have a clear dominant central leader.
26. A joint site inspection is to be held with Council officers and developer's representative to assess the general condition of any existing trees and shrubs within six (6) metres of any property boundary abutting the road reserve, or other Council land. If any dead, dying or dangerous trees are identified during the meeting, with the landowner's consent, they are to be removed to the satisfaction of Council officers, prior to the sealing of plans for the associated lot.
27. Any trees identified on drawings to be retained, are to be protected in accordance with approved plans. This must include, but is not limited to, the erection and continued

maintenance of suitable physical barrier(s) placed around the tree to protect the tree and the root system. Additional protection of tree trunks by the fixing of timber planks using wire loops is also required unless approved otherwise by Council. Any damage caused to nominated trees as a result of construction activity, will require inspection by Council and will require a specified number of suitable replacements trees of suitable maturity to be provided to replace the loss in amenity.

Verges

28. All verges are to be covered full-width with topsoil (AS 4419/Soils for Landscaping and Garden Use) to a depth of not less than 40 mm, lightly compacted and grassed in accordance with Council's Guidelines and Specifications.
29. Any island beds or any shrub beds must have a permanent irrigation system installed, which must be connected to the Douglas Water Network. An Application for a Water Service Connection must be presented to Douglas Water & Waste to facilitate the connection, and must include the installation of a flow meter and associated valves.
30. All water reticulation, including permanent irrigation systems, are to be identified in as-constructed plans which must be submitted to Council for approval prior to the Works Acceptance (On Maintenance) meeting for landscaping.

Structures and Retaining Walls

31. Separate building certification and/or structural certification is required for any works to alter existing structures, provide new structures or construct retaining walls that are over 900 mm high. Certification by a suitably qualified engineer must be provided, prior to opening the work site to the public.

The Location of Stormwater Quality Interception Devices (SQIDs)

32. Council must approve the location of any SQIDs prior to installation. They shall be positioned to allow for economic and efficient maintenance operations, and will require a reinforced concrete hard standing area to be provided from the edge of the carriageway to the SQID location. Vehicular access from the public road reserve to the SQID must remain unrestricted.

Sewer and Water

33. All water and sewerage works must be in accordance with Sections D6 and D7 of the *FNQROC Development Manual*, and must comply with the following:
 - a. Douglas Shire Council requires a minimum of five (5) working days notice of intention to commence water and sewerage related works. The notice shall be given to the Senior Plumbing Inspector at Douglas Shire Council either in writing, by telephone 07 4099 9479, fax 07 4098 2902 or email to enquiries@douglas.qld.gov.au prior to the commencement of works.
 - b. The developer shall be responsible for confirming the location of all existing sewer, water and utility service infrastructure prior to the commencement of works on site. Any permits necessary to alter/interfere with such services must be obtained prior to the commencement of work and be available for Council inspection if required.
 - c. Any works over or within the zone of influence of Council's existing water and sewerage infrastructure must be approved by Douglas Shire Council prior to the commencement of the proposed works. Unless otherwise approved in writing, existing infrastructure impacted by the development shall be subject to the maintenance period provisions contained in this Decision Notice.

Construction works shall include any works that may impact on existing infrastructure such as, but not limited to, mobilisation of heavy earthmoving equipment, stripping and grubbing, site filling, stockpiling of materials and installation of erosion and sediment control measures.

- d. All testing and acceptance of water and sewerage works shall be in accordance with CP1 Construction Procedures of the *FNQROC Development Manual*. Works are to be certified as acceptable by Douglas Water & Waste, and any operating manuals etc be provided to Council, prior to making an application for the acceptance of the works.

Sewer

34. Douglas Water & Waste must be contacted to perform any direct connection to live sewer mains. Unless otherwise approved in writing, separate applications for approval on the prescribed forms shall be made to Douglas Water & Waste for each connection together with payment of the relevant fee. All connections are to be provided subject to the terms and conditions of Douglas Shire Council's 'Application for Plumbing Works'.
 - a. Amended drawings in accordance with these conditions must be approved prior to the pre-start meeting.
 - b. The Inspection and Test Plan (ITP) must be approved prior to the pre-start meeting. At project completion the completed and validated ITP must be submitted and approved prior to the issue of a Works Acceptance Certificate.
 - c. Where retaining walls are located within the zone of influence of a sewer the footings must be 1000 mm clear of the sewer and designed in accordance with the *Queensland Development Code*. Full design details and structural certification must be approved prior to commencement of works.
 - d. Minimum clearances between sewer mains and other services must be in accordance with the *Sewerage Code of Australia*. Clearances must be included on the long-section drawing.
 - e. Where a manhole is located in a batter, a flat area of 1.5 metres radius from the centre of the manhole must be provided. Where the manhole is located along a side or rear boundary and is on the 0.8 metre standard alignment then the flat area must be on at least three (3) sides.
 - f. Where an easement is required the property connection branch must be extended at least one (1) metre from the easement boundary.
 - g. House drains are to extend one (1) metre past the end of the driveway on hatchet blocks and 1.5 metres beyond the top of batters. An I.O. is to be provided at the downstream end of the house drain within one (1) metre of the boundary to delineate the end of the property connection branch.
 - h. As-constructed sewerage drawings must be approved prior to granting of Early Plan Sealing or Issue of a Works Acceptance Certificate whichever occurs first. The as-constructed submission is to include the 'Statement of Compliance – As-constructed Documentation' and must be the final issue.

Water

35. Douglas Shire Council must be contacted to perform any direct connection to live water mains whether being as a permanent connection, a connection for irrigation purposes or for construction water. Unless otherwise approved in writing, separate applications on the prescribed forms shall be made to Douglas Shire Council for connections, together with

payment of the relevant fee. All connections are to be provided subject to the terms and conditions of Douglas Shire Council's 'Application for a Water Service Connection'.

- a. Amended drawings in accordance with these conditions must be approved prior to the pre-start meeting.
- b. The Inspection and Test Plan (ITP) must be approved prior to the pre-start meeting. At project completion the completed and validated ITP must be submitted and approved prior to the issue of a Works Acceptance Certificate.
- c. Minimum clearances between water mains and other services must be in accordance with the *Water Supply Code of Australia* in particular the minimum clearance between water mains and sewer mains must be 500 mm with the sewer under the water main.
- d. As-constructed water drawings must be approved prior to Issue of a Works Acceptance Certificate. The as-constructed submission is to include the 'Statement of Compliance – As-constructed Documentation' and must be the final issue.

Roads and Footpaths

36. All works are to be designed and constructed in accordance with AS 1428.1-2001: '*Design for access and mobility*' – General requirements for access – New building work, and associated standard AS/NZS 1428.4 2002, '*Design for Access and Mobility*' – Tactile Indicators. The design is required to provide equal access for people with disability and include the provision of suitable ramps and landing areas and the installation of Tactile Ground Surface Indicators (TGSIs) where required.

Cultural Heritage

37. The *Aboriginal Cultural Heritage Act 2003* (the Act) seeks to protect artefacts and cultural sites that are of significance to Aboriginal people. The Act requires anyone carrying out an activity to exercise a Duty of Care. Guidelines have been produced to enable assessment of sites under the Act. These are available from Department of Environment Heritage Protection and can be downloaded from their website at www.ehp.qld.gov.au. The work identified in the project documentation is likely to require assessment of the site under the Act.

Extracts from the Planning Act 2016 - Making Representations During Applicant's Appeal Period

Planning Act 2016
Chapter 3 Development assessment

[s 74]

Division 2 Changing development approvals

Subdivision 1 Changes during appeal period

74 What this subdivision is about

- (1) This subdivision is about changing a development approval before the applicant's appeal period for the approval ends.
- (2) This subdivision also applies to an approval of a change application, other than a change application for a minor change to a development approval.
- (3) For subsection (2), sections 75 and 76 apply—
 - (a) as if a reference in section 75 to a development approval were a reference to an approval of a change application; and
 - (b) as if a reference in the sections to the assessment manager were a reference to the responsible entity; and
 - (c) as if a reference in section 76 to a development application were a reference to a change application; and
 - (d) as if the reference in section 76(3)(b) to section 63(2) and (3) were a reference to section 83(4); and
 - (e) with any other necessary changes.

75 Making change representations

- (1) The applicant may make representations (*change representations*) to the assessment manager, during the applicant's appeal period for the development approval, about changing—
 - (a) a matter in the development approval, other than—
 - (i) a matter stated because of a referral agency's response; or

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- (ii) a development condition imposed under a direction made by the Minister under chapter 3, part 6, division 2; or
 - (b) if the development approval is a deemed approval—the standard conditions taken to be included in the deemed approval under section 64(8)(c).
- (2) If the applicant needs more time to make the change representations, the applicant may, during the applicant's appeal period for the approval, suspend the appeal period by a notice given to the assessment manager.
- (3) Only 1 notice may be given.
- (4) If a notice is given, the appeal period is suspended—
- (a) if the change representations are not made within a period of 20 business days after the notice is given to the assessment manager—until the end of that period; or
 - (b) if the change representations are made within 20 business days after the notice is given to the assessment manager, until—
 - (i) the applicant withdraws the notice, by giving another notice to the assessment manager; or
 - (ii) the applicant receives notice that the assessment manager does not agree with the change representations; or
 - (iii) the end of 20 business days after the change representations are made, or a longer period agreed in writing between the applicant and the assessment manager.
- (5) However, if the assessment manager gives the applicant a negotiated decision notice, the appeal period starts again on the day after the negotiated decision notice is given.

76 Deciding change representations

- (1) The assessment manager must assess the change representations against and having regard to the matters that

- must be considered when assessing a development application, to the extent those matters are relevant.
- (2) The assessment manager must, within 5 business days after deciding the change representations, give a decision notice to—
 - (a) the applicant; and
 - (b) if the assessment manager agrees with any of the change representations—
 - (i) each principal submitter; and
 - (ii) each referral agency; and
 - (iii) if the assessment manager is not a local government and the development is in a local government area—the relevant local government; and
 - (iv) if the assessment manager is a chosen assessment manager—the prescribed assessment manager; and
 - (v) another person prescribed by regulation.
 - (3) A decision notice (a *negotiated decision notice*) that states the assessment manager agrees with a change representation must—
 - (a) state the nature of the change agreed to; and
 - (b) comply with section 63(2) and (3).
 - (4) A negotiated decision notice replaces the decision notice for the development application.
 - (5) Only 1 negotiated decision notice may be given.
 - (6) If a negotiated decision notice is given to an applicant, a local government may give a replacement infrastructure charges notice to the applicant.

- (2) The person is taken to have engaged in the representative's conduct, unless the person proves the person could not have prevented the conduct by exercising reasonable diligence.
- (3) In this section—
 - conduct* means an act or omission.
 - representative* means—
 - (a) of a corporation—an executive officer, employee or agent of the corporation; or
 - (b) of an individual—an employee or agent of the individual.
 - state of mind*, of a person, includes the person's—
 - (a) knowledge, intention, opinion, belief or purpose; and
 - (b) reasons for the intention, opinion, belief or purpose.

Chapter 6 Dispute resolution

Part 1 Appeal rights

229 Appeals to tribunal or P&E Court

- (1) Schedule 1 states—
 - (a) matters that may be appealed to—
 - (i) either a tribunal or the P&E Court; or
 - (ii) only a tribunal; or
 - (iii) only the P&E Court; and
 - (b) the person—
 - (i) who may appeal a matter (the *appellant*); and
 - (ii) who is a respondent in an appeal of the matter; and

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- (iii) who is a co-respondent in an appeal of the matter;
and
 - (iv) who may elect to be a co-respondent in an appeal of the matter.
- (2) An appellant may start an appeal within the appeal period.
- (3) The **appeal period** is—
- (a) for an appeal by a building advisory agency—10 business days after a decision notice for the decision is given to the agency; or
 - (b) for an appeal against a deemed refusal—at any time after the deemed refusal happens; or
 - (c) for an appeal against a decision of the Minister, under chapter 7, part 4, to register premises or to renew the registration of premises—20 business days after a notice is published under section 269(3)(a) or (4); or
 - (d) for an appeal against an infrastructure charges notice—20 business days after the infrastructure charges notice is given to the person; or
 - (e) for an appeal about a deemed approval of a development application for which a decision notice has not been given—30 business days after the applicant gives the deemed approval notice to the assessment manager; or
 - (f) for an appeal relating to the *Plumbing and Drainage Act 2018*—
 - (i) for an appeal against an enforcement notice given because of a belief mentioned in the *Plumbing and Drainage Act 2018*, section 143(2)(a)(i), (b) or (c)—5 business days after the day the notice is given; or
 - (ii) for an appeal against a decision of a local government or an inspector to give an action notice under the *Plumbing and Drainage Act 2018*—5 business days after the notice is given; or

- (iii) otherwise—20 business days after the day the notice is given; or
- (g) for any other appeal—20 business days after a notice of the decision for the matter, including an enforcement notice, is given to the person.

Note—

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

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

230 Notice of appeal

- (1) An appellant starts an appeal by lodging, with the registrar of the tribunal or P&E Court, a notice of appeal that—
 - (a) is in the approved form; and
 - (b) succinctly states the grounds of the appeal.
- (2) The notice of appeal must be accompanied by the required fee.
- (3) The appellant or, for an appeal to a tribunal, the registrar, must, within the service period, give a copy of the notice of appeal to—

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

- (7) Despite any other Act or rules of court to the contrary, a copy of a notice of appeal may be given to the chief executive by emailing the copy to the chief executive at the email address stated on the department's website for this purpose.

231 Non-appealable decisions and matters

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

whether by the Supreme Court, another court, any tribunal or another entity; and

- (c) is not subject to any declaratory, injunctive or other order of the Supreme Court, another court, any tribunal or another entity on any ground.

232 Rules of the P&E Court

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

Part 2 Development tribunal

Division 1 General

233 Appointment of referees

- (1) The Minister, or chief executive, (the *appointer*) may appoint a person to be a referee, by an appointment notice, if the appointer considers the person—
 - (a) has the qualifications or experience prescribed by regulation; and
 - (b) has demonstrated an ability—
 - (i) to negotiate and mediate outcomes between parties to a proceeding; and
 - (ii) to apply the principles of natural justice; and
 - (iii) to analyse complex technical issues; and
 - (iv) to communicate effectively, including, for example, to write informed succinct and well-organised decisions, reports, submissions or other documents.