

YOUR REF: 1187 L21
OUR REF: OP 3546/2009 (420183)

6 May 2014

Jim Papas Drafting Pty Ltd
PO Box 2347
MAREEBA QLD 4880

Dear Sir/Madam

**DECISION NOTICE UNDER S 335 SUSTAINABLE PLANNING ACT 2009:
REQUEST TO CHANGE DEVELOPMENT APPROVAL AND REQUEST TO
EXTEND THE RELEVANT PERIOD – STAGE 3 OCEAN BREEZE ESTATE -
905L COOYA BEACH ROAD, BONNIE DOON**

With reference to the request for a Permissible Change and to extend the Relevant Period for the abovementioned development approval, which was determined by Council at the Ordinary Meeting held on 29 April 2014, please find attached the relevant Decision Notice.

Please note that this Development Permit is now valid up to and including 17 February 2016.

The notice includes extracts from the Act with respect to lodging an Appeal.

Should you have any enquiries in relation to this Decision Notice, please contact Neil Beck of Council's Development and Environment Branch on telephone number 07 4099 9451.

Yours faithfully

Donna Graham
Manager Development & Environment

Att

YOUR REF: 1187 L21
OUR REF: OP 3546/2009 (420183)

6 May 2014

Jim Papas Drafting Pty Ltd
PO Box 2347
MAREEBA QLD 4870

Dear Sir/Madam

**CHANGED NEGOTIATED DECISION NOTICE FOR OPERATIONAL WORKS
(1 LOT INTO 32 LOTS) OCEAN BREEZE ESTATE STAGE 3
905L COOYA BEACH ROAD, BONNIE DOON**

Please find attached the relevant Changed Negotiated Decision Notice for the above Operational Works related to the subdivision of 1 Lot into 32 Lots. In addition, 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 pre-start meeting. An invitation to attend the meeting must be sent to Council's representative, Neil Beck, on telephone number 07 4099 9451 or email address neil.beck@douglas.qld.gov.au 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.
2. This approval is for roadworks, stormwater, drainage, water and waste, earthworks, concrete works, and landscaping.
3. With regards to the Sewer Condition 6(b), Water and Waste will address this representation under separate cover, prior to the Pre-Start Meeting.

Should you require further information or assistance, please contact Neil Beck of Council's Development and Environment Branch on telephone number 07 4099 9451.

Yours faithfully

Donna Graham
Manager Development & Environment

Att

YOUR REF: 1187 L21
OUR REF: ROL 3546/2009 (420183)

6 May 2014

**CHANGED NEGOTIATED DECISION NOTICE FOR OPERATIONAL WORKS
(1 LOT INTO 32 LOTS) OCEAN BREEZE ESTATE STAGE 3
905L COOYA BEACH ROAD, BONNIE DOON**

PROPOSAL:

Operational Works (Engineering) – Construction of roadworks, stormwater, drainage, water and waste, earthworks, concrete works, and landscaping.

TYPE OF DEVELOPMENT:

Operational Works

REAL PROPERTY DESCRIPTION:

Lot 905 on SP210324

REFERRAL AGENCY CONDITIONS:

None applicable

FURTHER DEVELOPMENT PERMITS OR APPROVALS REQUIRED:

None applicable

NEGOTIATED DECISION DATE:

17 February 2014

DECISION:

Approved Subject to Conditions

TYPE OF APPROVAL:

Development Permit

ASSESSMENT MANAGER CONDITIONS – STANDARD:

The standard conditions are shown in Appendix A and must be read in conjunction with any approved plans and project specific conditions identified below.

The information or amended drawings required in accordance with these conditions must be submitted and approved prior to the pre-start meeting unless otherwise noted.

ASSESSMENT MANAGER CONDITIONS – PROJECT SPECIFIC:

1. General

- a. In accordance with the FNQROC Development Manual – Design Guideline D4.04(9) – 01/0911 – The designer shall be responsible for assessing the existing and future developed flow regime entering the development site from **upstream catchments**, ~~and shall provide Detailed calculations for each scenario investigated to determine the peak discharge for minor and major events (both internal and external catchment areas) for the drainage investigation of Stage 3 must accompany with the design submission.~~ This hydraulic model is to be carried out by a recognised organisation, and certified by a suitably experienced Registered Professional Engineer of Queensland (RPEQ), and submitted and approved by the Chief Executive Officer prior to the Pre-Start Meeting for Stage 3A2.

The certifying RPEQ must demonstrate and be satisfied that all necessary investigations have been completed to ensure the drainage conditions and operation of the drainage system is understood. Input parameters including but not limited to the initial and continuing losses in any runoff routing model or the runoff co-efficient for the rational method calculation must be substantiated.

The hydraulic model must investigate the scenarios of the initial and continuing infiltration losses set to zero or a runoff coefficient set at 0.7 for the five (5) year event and coefficient of 0.88 for the 100 year event for an external catchment are of 10Ha to determine the peak minor and major events.

- b. The minimum final surface level, including topsoil if applicable, within the building envelopes of each lot is to be RL 3.4m, or any higher level nominated by the hydraulic model.
- c. The source and quantity of any imported fill material is to be confirmed at the Pre-Start Meeting.
- d. A Traffic/Pedestrian Management Plan in accordance with the Department of Main Roads Manual of Uniform Traffic Control Devices (Section 3 – Works on Roads) is to be prepared and endorsed by a suitably qualified person and submitted for approval prior to the Pre-Start Meeting. The Traffic/Pedestrian Management Plan is to be established prior to any alterations to ensure the safety of the normal flow of traffic on the road or deviation of pedestrians.
- e. On drawing – Details (1187-C03 Rev F), the concrete driveway connecting Road F to Lot 7 is to be Type 1 (Without Drainage) as detailed on the FNQROC Standard Drawing S1110 Rev (B), and the access crossover as detailed on the FNQROC Standard Drawing S1015 Rev (B).
- f. On drawing – Bulk Earthworks Plan (1187-C04 Rev E), Typical Sections of the interface Cut, Fill and Top of Batter Set Back with existing lots are to be provided.
- g. In the event that Acid Sulfate Soils are encountered, the applicant is to ensure the site is managed in accordance with DERM Advice Response Letter issued on 15 September 2011 (Ref: CNS023057).

- h. On drawing – Details of Secondary Drainage Path and Manhole 11/51SW (1187-C19 Rev C) – Crossing details with dimensions, identifying vertical and horizontal clearance of existing services (ie, Ø150mm PVC Sewer Main and Ø200mm AC Water Main), in accordance with WSSA, where the proposed Ø1050mm x 2 stormwater pipes will pass under Cooya Beach Road. This information is to be supplied for approval, together with the method of construction, and the outlet rock protection details.
- i. Sub-surface drainage along the proposed roads, flushing points (in pits, in line, and heads) is to be designed and installed in accordance with the FNQROC Development Manual – Design Guideline D3.15 – 01/09.
- j. All Operational Works Drawings including the latest revisions must be certified by an RPEQ in accordance with the requirements of the FNQROC Development Manual prior to the Pre-Start Meeting.

All Operational Works drawings must be certified by an RPEQ including initialling the latest revisions of those drawings by the RPEQ in accordance with the requirements of the FNQROC Development Manual prior to the Pre-Start Meeting.

- k. All drainage infrastructure works conveying stormwater through Stage 3A2 and 3B must be completed in accordance with the approved drainage investigations and detailed design to the satisfaction of the Chief Executive Officer. Such works must be completed prior to the endorsement of the Survey Plan for Stage 3A2.

2. Earthworks

- a. All earthworks are to be constructed in accordance with Australian Standard 3798-2007, Guidelines on Earthworks for Commercial and Residential Developments.
- b. Any alterations to the proposed design that are required as a result of the geotechnical assessment are to be submitted to Council for approval prior to the pre-start meeting.
- c. The constructed earthworks and associated compaction documentation is to be reviewed by a geotechnical engineer and advice provided to council prior to works acceptance.
- d. A gap will be required to be constructed in the buffer along Melaleuca Drive at the start of the secondary drainage path along the footpath between Lots 16 and 17, in order for the drainage path to operate. Also, Physical Barriers in accordance with FNQROC Development Manual are to be installed at both ends of the footpath to prevent vehicle access. Details are to be provided prior to the Pre-Start Meeting.

3. Stormwater

- a. CCTV inspection is to be carried out through all stormwater constructed as part of this development and the Consultant is to assess the CCTV footage and prepare a report on the condition of as-constructed stormwater. The report shall be submitted and approved by Development Engineering prior to issue of Works Acceptance. Rectification to sub-standard stormwater shall be carried out to the satisfaction of Council.

- b. All stormwater from the property must be directed to a lawful point of discharge such that it does not adversely affect surrounding properties or properties downstream from the development to the requirements and satisfaction of the Chief Executive Officer.
- c. Minimum clear cover shall be 600mm in general or in accordance with manufacturer's specification, otherwise approved by the Council, and the minimum vertical and horizontal clearances between a stormwater pipe and any other pipe or service conduit shall be 150mm.
- d. In every drain (open or piped) passing through any property other than a road reserve an easement shall be provided in favour of the Council. These easements are to be shown on the stormwater as-constructed drawings and are to be provided prior to granting of Early Plan Sealing or issue of a Works Acceptance Certificate whichever occurs first.

4. Stockpiling and Transportation of Fill Material

- a. Soil used for filling or spoil from the excavation is not to be stockpiled in locations that can be viewed from adjoining premises or a road frontage for more than **one (1) month**.

5. Erosion and Sediment Control

- a. All reasonable and practicable measures must be taken to prevent pollution to the existing creek, waterways or drainage lines, as a result of silt run-off, oil and grease spills from any machinery. Wastewater for cleaning equipment must not be discharged or in-directly to any watercourses or stormwater systems
- b. **Prior to the Pre-Start** meeting the applicant is to provide for approval, the Contractor Erosion and Sediment Control Plan (ESCP) along with drawings to be implemented on-site during construction and the defect liability period (ie, topsoil stripping, bulk earthworks, roadworks and drainage). The drawings are to show the following activities:
 - Establishment to site;
 - Clear and strip;
 - Earthworks, drainage works, road works;
 - Completion of all works; and
 - Information regarding the dust management strategy.

6. Sewer

- a. Amended drawings in accordance with these conditions must be approved prior to the pre-start meeting.
- b. Alter the sewerage reticulation layout such that sewer line 5/2DE – 1/4DE runs along the rear boundaries of Lots 7 to 16 as discussed in the meeting with Council officers on 17 August 2011. The consultant should provide a cost estimate to make the design changes and for the extra sewer work for approval prior to commencing the redesign work. If the cost is deemed unreasonable by Council then the design will revert back to the original design.

- c. 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.
- d. Easements must be registered over sewers where retaining walls or batters steeper than one (1) on five (5) are located within the zone of influence of any existing or proposed sewer.
- e. 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.
- f. Where a manhole is located in a batter, a flat area of 1.5m 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 0.8m standard alignment then the flat area must be on at least three (3) sides.
- g. Where an easement is required the property connection branch must be extended at least one (1) metre from the easement boundary.
- h. House drains are to extend one (1) metre past the end of the driveway on hatchet blocks and 1.5m 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.
- i. 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 sewerage submission is to include the 'Statement of Compliance – As-constructed Documentation' and must be the final issue.
- j. CCTV inspection must be carried out through all sewers constructed as part of this development and the Consultant is to assess the CCTV footage and prepare a report on the condition of as-constructed sewers. The report must be submitted and approved by Water and Waste prior to issue of Works Acceptance. Rectification of sub-standard sewers shall be carried out to the satisfaction of Council.
- k. Minimum clearances between sewer mains and other services must be in accordance with the Sewerage Code of Australia.

7. Water

- a. The Inspection and Test Plan 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.
- b. 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 500mm with the sewer under the water main.

- c. As-constructed water submissions are to include the 'Statement of Compliance – As-constructed Documentation' and must be the final issue. The as-constructed drawing must be approved prior to Issue of a Works Acceptance Certificate.

8. Other

- a. Any work to be done around the existing Ergon Plant or existing electrical infrastructure is to be approved by Ergon Energy.
- b. The applicant is to comply with the Conditional Approval – Landscape Plans for Stage 3, issued by Cairns Regional Council on 8 April 2011 (Ref: 3128498) and submitted to RPS Group. (Please find below a copy of this document).

APPROVED PLANS AND SPECIFICATIONS:

Generally in accordance with the following drawings submitted by Jim Papas Drafting Pty Ltd subject to any alterations made by conditions of Development Permit for Operational Work 8/10/44.

Drawing Description	No.	Rev.
Existing Site Plan	1187-C01	D
Typical Cross Section, Pavement Data and Set Out Details	1187-C02	D
Details	1187-C03	F
Earthworks, Roadworks and Stormwater Drainage Plan	1187-C05	E
Soil and Water Management Plan	1187-C06	E
Sewerage Reticulation Plan	1187-C07	E
Water Reticulation Plan	1187-C08	D
Intersection Details	1187-C09	D
Bayil Drive – Longitudinal Section	1187-C10	D
Bayil Drive - Cross Sections (Sheet 1 of 2)	1187-C11	D
Bayil Drive - Cross Sections (Sheet 2 of 2)	1187-C12	D
Road F – Longitudinal Section	1187-C13	D
Road F - Cross Sections (Sheet 1 of 2)	1187-C14	D
Road F - Cross Sections (Sheet 2 of 2)	1187-C15	D
Stormwater Drainage Longitudinal Sections (Sheet 1 of 2)	1187-C16	D
Stormwater Drainage Longitudinal Sections (Sheet 2 of 2), Setout, Pit Schedules and Notes	1187-C17	D
Sewerage Reticulation Longitudinal Sections, Notes and Setout	1187-C18	D
Stormwater Drainage Catchment Plan	1187-C20	D
Stormwater Drainage Calculation Sheet	1187-C21	D
Captain Cook Highway/ Bonnie Doon Road Intersection – General Arrangement	1187-C31	F
Captain Cook Highway/ Bonnie Doon Road Intersection – Dimensions, Line Marking and Signage Details	1187-C32	D
Captain Cook Highway/ Bonnie Doon Road Intersection – Longitudinal Section and Drainage Cross Sections	1187-C33	C

Captain Cook Highway/ Bonnie Doon Road Intersection – Cross Sections and Typical Cross Section	1187-C34	C
Landscape General Layout	116001 L01	1
Specification Planting	116001 L02	1
Specification Grassed Areas	116001 L03	1

PLANS TO BE AMENDED PRIOR TO THE PRE-START MEETING:

Drawing Description	No.	Rev.
Bulk Earthworks Plan	1187-C04	E
Details of Secondary Drainage Path and Manhole 11/51 SW	1187-C19	C

For information relating to the *Sustainable Planning Act* 2009 log on to www.dsdip.qld.gov.au. To access the FNQROC Development Manual, Local Laws and other applicable Policies log on to www.douglas.qld.gov.au .

ADVICE STATEMENT

Similar to the requirements for Stage 3, a drainage investigation will be required for the Operational Works application for the balance of Stage 5 and must be certified by an RPEQ. It is recommended that such an investigation be submitted as supporting information when making the application.

RIGHTS OF APPEAL

Attached

End of Decision Notice

Att Appeal Rights
 Pre-Start Meeting Template
 Standard Conditions, Appendix A

APPENDIX 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 are nominated as requiring Compliance Assessment under section 398 of the *Sustainable Planning Act 2009*. In particular As-Constructed Water, Stormwater and Sewerage Plans must be submitted to the Compliance Assessor (Douglas Shire Council) on the approved form (Form 32) and will be assessed against the provisions of Council's *FNQROC Development Manual*. Council must issue a Compliance Certificate for the assessable documents 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.

Portable Long Service Leave Notification

9. As per the QLeave – Building and Construction Industry Authority Guidelines, if the works are over \$80 000, 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 The Chief Executive Officer 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.

ENQUIRIES: Lisa Pulman
PHONE: 07 4044 3002
YOUR REF: PR 1076271
OUR REF: 8/10/44 #3128498

8 April 2011

Evan Yelavitch
RPS Group
PO Box 1949
CAIRNS QLD 4870

Dear Evan

**LANDSCAPE PLANS FOR STAGE 3 OPERATIONAL WORKS
AT JULIA CLOSE, COOYA BEACH, LOT 905 SP210324**

Reference is made to your application for endorsement of the landscape plans lodged with Council. Council officers have assessed the landscape plans designed by RPS Group for the subject property.

Please be advised that the landscape plans are approved subject to the following.

APPROVED LANDSCAPE PLANS

Title	Drawing No.	Issue	Dated
Cover sheet	PR 106271 L0.00	01	04/01/2011
Landscape plan 1 of 1	PR 106271 L1.01	01	04/01/2011
Landscape details 1 of 1	PR 106271 L2.01	01	04/01/2011

PERMIT CONDITIONS

1. Refer to and undertake all the conditions stated in Council's *Decision Notice for Development Approval 8/10/44, Operation Works*.

Timing of Effect

2. The conditions of the Development Permit must be complied with prior to the commencement of the approved use.
3. All the plants in the landscape must be watered effectively to ensure their long-term health and survival during dry weather conditions.

On-street landscaping

4. The specified trees must be well established in a 25 litre or 300 mm nursery container at the time of planting. A tree root barrier must be installed at each new street tree in accordance with standard drawing S4210 in the FNQROC Development Manual. Each tree must be staked according to S8.14 (9) of the FNQROC Development Manual.
5. The property developer or owner must maintain the on street landscape in good order for at least three months during the 'on-maintenance' (Works Acceptance) period. The

FNQROC Development Manual, section S8-14 (13) recommends that all plants shall be watered at the rate of 10 litres per plant every third day for the first twelve weeks.

Inspection

6. You are required to contact Council's Environment Officer in Development Assessment at the time of completion of the landscaping work to arrange a time for a site inspection.

ADVICE

Other approvals

1. This approval is for the landscaping element of the development only, and the approval is not a complete audit of the proposal and does not relieve the applicant/owner of their obligations under the Planning Scheme or *Sustainable Planning Act 2009*. Any relevant approvals should be sought individually and will be determined on their merits.
2. This endorsement does include the 'on-street' landscaping works, but not the on-street engineering works for which a separate approval is required under Local Law No. 22 (Activities on Roads). The landscaping works must be completed in accordance with the specifications listed in the FNQROC Development Manual, Landscaping. A copy of the manual can be accessed through Council's website, www.cairns.qld.gov.au under *CairnsPlan*.
3. During periods of Council's restrictions on irrigation by sprinkler, the property owner may need to obtain a special permit to irrigate outside the restricted hours. Please apply in writing to Cairns Water & Waste for attention of Manager Operations, PO Box 359, CAIRNS QLD 4870.

The landscaping contractor for this project must be provided with the following items:

1. A copy of this endorsement letter;
2. An A1 size copy of the endorsed plans;
3. A copy of the specifications associated with the plans.

Should you wish to discuss any of the matters in this letter, please contact Council's Environment Officer in the Development Assessment Section, on 07 4044 3002.

Yours faithfully

Kelly Reaston
Manager Development Assessment

APPENDIX 1: APPROVED PLAN(S) & DOCUMENT(S)



APPENDIX 2: AMENDED STAGING PLAN



