

Our reference: OTH/2024/20
Your reference: #6182

Decision notice — change application approval including amended suite of development conditions for COM/2023/162

(Given under section 63(2) of the *Planning Act 2016*)

Date of decision notice: 14 August 2024

Applicant details

Applicant name: FPI Queensland Pty Ltd
Applicant contact details: C/- Gassman Development Perspectives
PO BOX 392
BEENLEIGH QLD 4207

Application details

Application number: OTH/2024/20
Approval sought: Request for a change application, other than a minor change, to a development approval pursuant to section 82 of the Planning Act 2016, for a Development permit for a Combined development permit for Material change of use and Operational work (Code assessment) for a Warehouse and Change to ground level.
Details of proposed development: Introduction of Industry (low impact) land use, pursuant to the M38 Industrial Place Code.

Location details

Street address: 10 Homestead Drive, Stapylton
Real property description: Lot 122 SP329476

Decision

Date of decision 9 August 2023
Decision details: Under Delegated Authority, the Manager Planning Assessment of the City Development Branch of Council has resolved to approve the development application in full, with conditions.

Referral agency(s) for the application

The referral agencies for this application are:

For an application involving	Name of referral agency	Advice agency or concurrence agency	Address
Schedule 10, Part 7, Division 3, Table 1, Item 1 – Material change of use for a hazardous chemical facility	Department of Infrastructure, Local Government and Planning	Concurrence agency	Department of Infrastructure, Local Government and Planning PO Box 3290 Australia Fair SOUTHPORT QLD 4215

Details of the approval

Development approval Material change of use for a Warehouse and Industry (Low impact) and Operational work for Change to ground level.

Conditions

The conditions that have been imposed by Council, as Assessment manager, are enclosed.

The conditions and/or advice that have been imposed/ provided by referral agency(s) are attached.

Further development permits

The following development permits are required to be obtained before the development can be carried out:

- Operational works – Landscape works
- Operational works – Infrastructure
- Connections / disconnections: Application to work on the City's Infrastructure
- Temporary Road Closure and Works Zone Permit Application
- Referral Agency Assessment
- Permit for plumbing and drainage work

Notwithstanding the above, other approvals/development permits may be required.

Properly made submissions

Not applicable—No part of the application required public notification.

Approved plans and drawings

Approved plans and drawings are attached and are identified in the conditions imposed by Council as the Assessment manager.

Appeal rights

Applicant	You have appeal rights in relation to this decision. An appeal may be made against a responsible entity's decision for a change application. An appeal must be started within 20 business days after this notice is given to you. An appeal may be made to the Planning and Environment Court or, for certain matters which are identified in section 1(2) of Schedule 1 of the <i>Planning Act 2016</i>, to a development tribunal. An appeal is started by lodging a notice of appeal with the registrar of the Planning and Environment Court or a development tribunal, as applicable. The notice of appeal must be in the approved form, succinctly state the grounds of the appeal and be accompanied by the required fee. An appellant to the Planning and Environment Court must give a copy of the notice of appeal, within 10 business days after the appeal is started, to the persons identified in section 230(3) of the <i>Planning Act 2016</i>. A person who is appealing to the Planning and Environment Court must comply with the rules of the court that apply to the appeal. An extract of Chapter 6, Part 1 and Schedule 1 of the <i>Planning Act 2016</i> is attached to this notice, which sets out further information about the appeal rights.
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For further information please contact Kyra Reid, Planner, on 07 5582 8866 or via email mail@goldcoast.qld.gov.au who will be pleased to assist.

AUTHORISED BY

A handwritten signature in black ink, appearing to read 'Adam Morris', written in a cursive style.

Adam Morris

Supervisor (North)

For the Chief Executive Officer

Council of the City of Gold Coast

Enc:

Conditions imposed by Council as Assessment Manager

Statement of reasons (given under section 63(4) of *Planning Act 2016*)

Attach:

Referral agency conditions and/or advice

Stamped approved plans and drawings

Infrastructure charges notice for the approved development

Appeal rights extracts

New and/or amended conditions imposed by Council as the Responsible Entity

Condition 2 currently reads:

2

Amended drawings

a Prepare and submit amendments to the drawings for confirmation they constitute the approved drawings for the purposes of this development approval. All amended drawings must be submitted (and confirmed by Council) prior to commencement of any works on site.

Drawing Title	Author	Date	Drawing No.	Ver
Site Plan	Frasers Property	25.10.23	Q22-002A-DA-002	E
Office Plan	Frasers Property	25.10.23	Q22-002A-DA-110	C
Building Elevations	Frasers Property	13.07.23	Q22-002A-DA-200	B
Elevations Finishes	Frasers Property	13.07.23	Q22-002A-DA-500	B

The following amendments must be included:

i. Pursuant to section 3.3.4.2(b) of Australian Standards AS2890.2:2018, show grade change transitions of 1 in 16 (6.25%) over 10m in travel to accommodate Articulated Vehicles (AVs) and B-doubles (BDs) on the ramp section between Eastridge Street and the service area. Alternatively, reduce the ramp grade so the change in grade does not exceed 1 in 50 (2%).

ii. At the gate locations to the 'Car Entry/Exit' and 'Truck Entry/Exit', include a notation advising that the gates will remain open during the hours of operation.

iii. Annotation noting that palisade fence & retaining wall along the Homestead Drive frontage are to be setback a minimum of 3 metres from the street boundary.

Condition 2 is amended to read as follows:

2

Approved drawings

Undertake and maintain the development generally in accordance with the following drawings:

Drawing Title	Author	Date	Drawing No.	Ver
Site Plan	Frasers Property	21.06.24	Q23-017A-FS-011	A
Building Elevations	Frasers Property	13.07.23	Q22-002A-DA-200	B
Elevations Finishes	Frasers Property	13.07.23	Q22-002A-DA-500	B

The conditions of this approval are to be read in conjunction with the attached stamped approved drawings. Where a conflict occurs between the conditions of this approval and the stamped approved drawings, the conditions of this approval shall take precedence.

Condition 25 currently reads:

25	Storage / servicing point Design the bin storage point prior to the use commencing and in accordance with City Plan Policy SC6.15 - Solid waste management at no cost to Council:
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	- i No steps or lips on bin-carting route. - ii Hose cock for bin washing. - iii Concrete slab graded to drainage point within the storage point. - iv Drainage point connected to sewerage network with trade waste requirements. - v Roofed and designed to prevent entry to rainwater. - vi Air locked, fly and vermin proofed, well-ventilated and solely used for the storage of waste. - vii Screened.
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Condition 25 is amended to read as follows:

25	Storage / servicing point Design the bin storage point prior to the use commencing and in accordance with City Plan Policy SC6.15 - Solid waste management at no cost to Council: - i No steps or lips on bin-carting route. - ii Hose cock for bin washing. - iii Concrete slab graded to drainage point within the storage point. - iv Drainage point connected to sewerage network with trade waste requirements. - v Roofed and designed to prevent entry to rainwater. - vi Fly and vermin proofed, well-ventilated and solely used for the storage of waste. - vii Screened
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Amended suite of development conditions for development approval OTH/2024/20

For ease of reference only, a consolidated set of the conditions, incorporating the above changes, of the development permit dated 28 November 2023 for Development permit for a Material change of use for a Warehouse and Industry (Low impact) and Operational work for Change to ground level is set out below:

Part A: Material change of use																								
General																								
1	Timing																							
	a All conditions of this development approval must be complied with at no cost to Council at all times unless otherwise stated in another condition. b Where the timing in a condition is prior to commencement of the use and a Building Format Plan is lodged for approval, the timing in the condition changes from being prior to commencement of the use to being prior to the earlier of the commencement of the use and approval of the plan of subdivision. This timing requirement prevails despite any inconsistency with the timing requirement in another condition.																							
2	Approved drawings																							
	Undertake and maintain the development generally in accordance with the following drawings: <table><tr><th>Drawing Title</th><th>Author</th><th>Date</th><th>Drawing No.</th><th>Ver</th></tr><tr><td>Site Plan</td><td>Frasers Property</td><td>21.06.24</td><td>Q23-017A-FS-011</td><td>A</td></tr><tr><td>Building Elevations</td><td>Frasers Property</td><td>13.07.23</td><td>Q22-002A-DA-200</td><td>B</td></tr><tr><td>Elevations Finishes</td><td>Frasers Property</td><td>13.07.23</td><td>Q22-002A-DA-500</td><td>B</td></tr></table> The conditions of this approval are to be read in conjunction with the attached stamped approved drawings. Where a conflict occurs between the conditions of this approval and the stamped approved drawings, the conditions of this approval shall take precedence.					Drawing Title	Author	Date	Drawing No.	Ver	Site Plan	Frasers Property	21.06.24	Q23-017A-FS-011	A	Building Elevations	Frasers Property	13.07.23	Q22-002A-DA-200	B	Elevations Finishes	Frasers Property	13.07.23	Q22-002A-DA-500
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3	Approved Plans																							
	Design and construct the development generally in accordance with the following plans: <table><tr><th colspan="5">Health and Regulatory Services</th></tr><tr><th>Plan Title</th><th>Author</th><th>Date</th><th>Plan Reference No.</th><th>Ver</th></tr><tr><td>Proposed Warehouse Facility Lot 122 Eastridge Street Staplyton – Acoustic Report</td><td>Acoustic Works</td><td>20 July 2023</td><td>2023145</td><td>R01B</td></tr></table>					Health and Regulatory Services					Plan Title	Author	Date	Plan Reference No.	Ver	Proposed Warehouse Facility Lot 122 Eastridge Street Staplyton – Acoustic Report	Acoustic Works	20 July 2023	2023145	R01B				
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Plan Title	Author	Date	Plan Reference No.	Ver																				
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Property																								
4	Requirement to register easements – Water Supply																							
	a Register the following easements for the purpose stated below in accordance with the WSAA Water Supply Code of Australia – SEQ Edition and City of Gold Coast’s Standard Water Meter Drawings. i “Water Supply” easement over all Council water meter assemblies – This item can be volumetric with a minimum 2.4m from slab to above the meter assembly. b The terms of the easement must include: i Standard terms document 707918364 must be referenced on Form 9 – easement document.																							

	ii Easement plans and associated documents (i.e.: Form 9 – easement document and general consent form 18) must be fully completed and signed by the owner of the burdened land (and any mortgagees, if necessary) and benefitting land before they are submitted to council for endorsement. c Registration of the easement must occur at the same time as registering the survey plan or prior to commencement of use whichever is the sooner. d Ensure water infrastructure is positioned appropriately within the easement as per Council's Standard Water Meter Drawings. This condition attaches to the land the subject of the development approval and binds the owner(s) of the land and the owners' successors in title (even after the time when the easement is required to be registered). Therefore, if this condition is not complied with at the time required by this condition, the owner(s) of the land and the owners' successors in title continue to be obligated to register the easement in accordance with this condition and must do so within 40 business days of becoming aware of the non-compliance with this condition.										
5	Restrictions regarding Council easements and sewer and water supply infrastructure a No building work, deep rooted tree species, or landscaping with invasive root systems are permitted over or within any Council public utility easement. b Ensure all proposed buildings, structures and footings are a minimum distance of 1.2 horizontal metres from Council infrastructure. c Ensure all proposed buildings, deep landscaping, structures and footings are a minimum 1 metre clear of the property sewer connection. d Ensure a minimum 2.4 metres unobstructed vertical clearance from the finished surface level above Council sewerage infrastructure including the property inspection opening (IO). e Ensure a minimum 2.4 metres unobstructed vertical clearance from finished surface / slab level above the Council water meter assembly.										
Amenity											
6	Screening of visually offensive components Locate and screen the following components of the development so that they are not visible from any road to which the site has frontage, adjoining premises or otherwise on display from any public thoroughfare or vantage point: a Refuse storage area b Service equipment c Mechanical ventilation d Refrigeration units e Storage areas for machinery, materials, vehicles or the like.										
Environmental and Landscaping											
7	Landscaping works a Obtain an operational works approval to landscape the site and the adjoining road verge generally in accordance with the Statement of Landscape Intent listed below, prior to commencement of the use at no cost to Council: <table><tr><th>Drawing Title</th><th>Author</th><th>Date</th><th>Drawing No.</th><th>Ver</th></tr><tr><td>Statement of Landscape Intent – 10 Homestead Dr. Stapylton</td><td>Gassmann Development Perspectives</td><td>September 2023</td><td>Page 01- 12</td><td>E</td></tr></table> and include in particular: i Tree species must be a minimum bag size of 100L at the time of planting. ii Palm species must be a minimum 3 metres in height at the time of planting.	Drawing Title	Author	Date	Drawing No.	Ver	Statement of Landscape Intent – 10 Homestead Dr. Stapylton	Gassmann Development Perspectives	September 2023	Page 01- 12	E
Drawing Title	Author	Date	Drawing No.	Ver							
Statement of Landscape Intent – 10 Homestead Dr. Stapylton	Gassmann Development Perspectives	September 2023	Page 01- 12	E							

	- iii Shrub species must be a minimum 200mm pot size at the time of planting. - iv Screening shrubs must be able to achieve a minimum height of 3 metres at maturity and must be 300mm bag size at the time of planting. - v Cascading species must be trained down the face of the wall/structure they are intended to grow down and have a minimum fall of 500mm at the time of planting. - vi Climbing species must be trained to the trellis and be a minimum 500mm in height at the time of planting. - vii Tree species planted with root zones adjacent to structures must have root control barriers and/or structure strengthening systems installed. Full demonstration of these systems is required. - viii Pandanus species must be ex-ground, a minimum 3 metres in height and multi headed at the time of planting. - ix Incorporate large canopy tree planting at approximately 6 metre centres within the frontage garden beds. - x Install a row of screening shrubs at 1 metre centres along the front boundary. - xi Planter boxes where trees are to be planted must possess a minimum surface area of 6m². Tree species must be chosen which are suitable for root zones growing in confined planting locations. - xii An automatic irrigation system must be provided to all podium planter boxes. - xiii Structural soil cells must be proposed at a minimum area of 6m² and minimum depth of 800mm where the trees in tree grates are shown on the approved plan. - xiv Include a maintenance management plan relating to the trellis / climbing plant / green roof / green wall systems. The maintenance management plan must: • Provide detailed information on how these vegetative systems will be safely accessed for maintenance. • Stipulate a maintenance schedule for these systems. • Provide details on the minimum standards to which these systems must be maintained. • Describe actions to be taken if the system does not function as intended. - xv Include frontage fencing as shown on the approved stamped drawings, the subject of this application. - xvi All road reserve turf must be repaired and replaced if damaged. b Construct and maintain the private landscaping identified above at no cost to Council at all times.
8	Retaining wall and fencing location (<i>specific condition</i>) All parts of the palisade fence & retaining wall along the Homestead Drive frontage are to be setback a minimum of 3 metres from the street boundary.
Transport	
9	Operational restrictions No more than 52 staff are permitted onsite at any one time including during shift changeovers.
10	Off-street vehicle and car parking facilities a Design and construct off-street vehicle facilities at no cost to Council prior to the commencement of the use, generally in accordance with the M38 Industrial Place Code and include in particular: - i A minimum of 57 car parking spaces, and area to accommodate servicing, comprising: – 52 car parking spaces for staff. – 5 freely accessible car parking spaces for visitors. – Service area accommodating 20m Articulated Vehicles (AV).

	- ii All spaces are drained, sealed and line marked. - iii Provision of wheel stops in car parking bays numbered 5-23 to prevent encroachment of vehicles within the footpath. - iv Clearly identified signage and directional markings including: - Delineation of parking spaces for people with disabilities. - Delineation and signage indicating 'vehicle turnaround' for the turnaround bay. - Signage indicating parking spaces numbered 54-57 located within the service area are to be used by staff only. - Signage visible to motorists on Eastridge Street to clearly identify the separate car and truck access driveways. b Undertake and maintain the off-street vehicle and parking facilities at no cost to Council at all times. c The off-street parking facilities must only be used for vehicle parking.
11	Security gate requirements All security gates must remain open to allow vehicular and pedestrian access for employees and visitors during the hours of operation of the development.
12	Loading and unloading (excluding waste collection vehicles) Loading and unloading of service vehicles must be undertaken generally in accordance with the M38 Industrial Place Code and include in particular: - i Loading and unloading of any vehicle servicing the development must be conducted wholly within the site. - ii Any vehicles waiting to be loaded or unloaded, must stand entirely within the site. - iii All vehicles must enter and exit the site in a forward gear.
Engineering	
13	Electrical reticulation Enter into a contractual agreement to design, construct and connect an electrical reticulation system at no cost to Council and include in particular: - i Provide underground electricity to proposed building/s. - ii No additional poles and pole-mounted transformers are to be erected within public roads. - iii Meet the requirements of the electricity supplier (e.g. Energex).
14	Telecommunications network Enter into a contractual agreement to design, construct and connect a telecommunications services network at no cost to Council and include in particular: - i Provide underground telecommunications to proposed building/s, lead-in conduits and equipment space/s in a suitable location within the building/s, to suit the carrier of choice. - ii All new pit and pipe infrastructure required to be installed along public road(s), must be suitably sized to cater for future installation of fibre optic cables. - iii Meet the telecommunications industry standards (e.g. Telstra/NBN Co standards).
15	Existing structures and services a Prior to commencement of works, identify all structures and services (i.e. electrical pillars, water metres/hydrants, telecommunication infrastructure) within pedestrian infrastructure areas (i.e. footpaths, outdoor dining, bike racks) that impede pedestrian accessibility, and where required, obtain the necessary approvals from the relevant public utility authority to have these structures and services removed/relocated at no cost to Council. b Ensure removal/relocation of these structures and services occurs prior to commencement of the use at no cost to Council.

16	Rectification of Council's infrastructure - a Rectify any damage caused to Council infrastructure (including kerb, channelling, service pits, footpaths and water and sewer reticulation networks) prior to commencement of the use at no cost to Council. - b Construct and maintain the rectified Council infrastructure at no cost to Council prior to commencement of the use.
17	Eastridge Street – 'No stopping' yellow line marking - a Obtain an operational works approval for the design and construction of line marking on Eastridge Street to prevent on-street vehicle parking within the areas required to achieve entering sight distance at the vehicle access points, prior to commencement of the use at no cost to Council and include in particular: - i Install 'No-stopping' yellow line marking extending 20m west along the southern kerb line of Eastridge Street from the western-most edge of the 'Car Entry/Exit' vehicle crossing. - ii Install 'No-stopping' yellow line marking extending 35m east along the southern kerb line of Eastridge Street from the eastern-most edge of the 'Truck Entry/Exit' vehicle crossing. - b Construct and maintain the works identified above at no cost to Council until the asset is accepted "off maintenance" in accordance with the procedures in City Plan Policy SC6.11 – Land development guidelines, section 2 – Transport network standards, section 7 – Procedures, section 8.5 – As-constructed requirements, section 9 - Specifications and section 10 – Standard drawings.
18	Footpaths - a Obtain an operational works approval for the design and construction of all footpaths prior to commencement of the use at no cost to Council and include in particular: - i Minimum 1.5-metre-wide paths connecting the existing public footpath on Homestead Drive to the development's internal pedestrian access points at the property boundary. - b Construct and maintain the footpaths identified above at no cost to Council until the asset is accepted "off maintenance" in accordance with the procedures in City Plan Policy SC6.11 – Land development guidelines, section 2 – Transport network standards, section 7 – Procedures, section 8.5 – As-constructed requirements, section 9 - Specifications and section 10 – Standard drawings.
Stormwater Drainage	
19	Overland flow paths and hydraulic alterations - a Leave unaltered the overland flow paths on the site, such that the characteristics of existing overland flows on other properties remain uninhibited and unchanged. - b The development must not: - i Increase peak flow rates downstream from the site. - ii Increase flood levels external to the site. - iii Increase duration of inundation external to the site that could cause loss or damage.
Sewer and Water Works	
20	Sewer connection Connect the development via the existing sewer property connection, prior to commencement of the use at no cost to Council and include in particular: - i Be in accordance with the WSAA Gravity Sewerage Code of Australia – SEQ Service Providers Edition and the Water and Sewerage Connections Policy. - ii The development is permitted with a single sewer connection to Council's sewerage network.

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25	Storage / servicing point Design the bin storage point prior to the use commencing and in accordance with City Plan Policy SC6.15 - Solid waste management at no cost to Council: - i No steps or lips on bin-carting route. - ii Hose cock for bin washing. - iii Concrete slab graded to drainage point within the storage point. - iv Drainage point connected to sewerage network with trade waste requirements. - v Roofed and designed to prevent entry to rainwater. - vi Fly and vermin proofed, well-ventilated and solely used for the storage of waste. - vii Screened															
Construction Management																
26	Certification of works - Health and Regulatory Services Provide Council with certificates prepared by qualified expert(s) from the discipline(s) listed below, confirming as follows: <table><tr><td colspan="5">Health and Regulatory Services</td></tr><tr><td>Certified document</td><td>Certification date</td><td>Plan/Drawing</td><td>Expert discipline</td><td>Requesting Council Section</td></tr><tr><td>Acoustic compliance report</td><td>Prior to commencement of the use</td><td>Proposed Warehouse Facility Lot 122 Eastridge Street Staplyton – Acoustic Report' Prepared by: Acoustic Works; Dated: 20 July 2023; ref: 2023145; Ver: R01B</td><td>Acoustic Engineer</td><td>Health and Regulatory Services</td></tr></table> The certification is to confirm: The development has been designed and constructed in accordance with the assessment and recommendations outlined in an approved Acoustic Report.	Health and Regulatory Services					Certified document	Certification date	Plan/Drawing	Expert discipline	Requesting Council Section	Acoustic compliance report	Prior to commencement of the use	Proposed Warehouse Facility Lot 122 Eastridge Street Staplyton – Acoustic Report' Prepared by: Acoustic Works; Dated: 20 July 2023; ref: 2023145; Ver: R01B	Acoustic Engineer	Health and Regulatory Services
Health and Regulatory Services																
Certified document	Certification date	Plan/Drawing	Expert discipline	Requesting Council Section												
Acoustic compliance report	Prior to commencement of the use	Proposed Warehouse Facility Lot 122 Eastridge Street Staplyton – Acoustic Report' Prepared by: Acoustic Works; Dated: 20 July 2023; ref: 2023145; Ver: R01B	Acoustic Engineer	Health and Regulatory Services												

27

Certification of works - Subdivision Engineering

Provide Council with certificates prepared by qualified experts from the disciplines listed below, confirming as follows:

Subdivision Engineering				
Certified document	Certification date	Plan/ Drawing	Expert discipline	Requesting Council Section
Certificate for electricity supply	Prior to commencement of the use	-	An authorised supplier (e.g. Energex)	Development Compliance

The certification is to confirm:
Underground electricity supply is available to the development site and all proposed building/s.

Subdivision Engineering

Certified document	Certification date	Plan/ Drawing	Expert discipline	Requesting Council Section
Contractual agreement (e.g. Agreement Advice or Completion Letter from Telstra. Alternatively, a copy of Master Development Agreement or Small Development Agreement from NBN Co).	Prior to commencement of the use	-	The authorised telecommunication carrier (e.g. Telstra, NBN Co)	Development Compliance

The certification is to confirm:
Underground telecommunication infrastructure will be installed in accordance with telecommunications industry standards (e.g. Telstra / NBN Co standards).

28

Erosion and sediment control plan

a

Obtain a Management Plan approval for an Erosion and sediment control plan generally in accordance with the Healthy waters code, City Plan Policy SC6.12 - Land development guidelines and State Planning Policy, July 2017 requirements, prior to any works commencing.

b

The Erosion and sediment control plan must be prepared by a suitably qualified professional and include in particular:

i

Demonstrate sediment control structures (e.g sediment fence) will be placed at the base of all materials on site to mitigate any sediment runoff.

ii

Demonstrate a perimeter bund and / or diversion drain will be constructed around the disturbed area to prevent any outside clean stormwater from mixing with polluted / contaminated stormwater.

iii

The sediment basin(s) proposed for the construction phase is designed in accordance with Appendix B – Revision June 2018 of the Best Practice Erosion & Sediment Control (IECA Australasia, November 2008).

31

Certification of works – Water and Waste (Solid Waste Management)

Provide Council with certificates prepared by qualified expert(s) from the discipline(s) listed below, confirming as follows:

Water and Waste				
Certified document	Certification date	Plan/ Drawing	Expert discipline	Requesting Council Section
- Waste Management compliance report; - Bulk bin storage / servicing point.	Prior to commencement of the use	Approved Plans	Registered Professional Engineer of Queensland (RPEQ) or a suitably qualified Licensed Building Certifier	Water and Waste
Design and construction of areas subject to waste collection vehicle manoeuvres have been completed to withstand the loading of the waste collection vehicle	Prior to commencement of the use	Approved Plans	Registered Professional Engineer of Queensland (RPEQ)	Water and Waste

The certification is to confirm:

- The development has been designed and constructed in accordance with the City Plan Policy SC6.15 – Solid waste management.
- The RPEQ has approved a hardstand design and inspected the areas subject to waste collection vehicle loading throughout the construction process, including (where applicable) all subgrade proof rolls, pre-seal, and pre-pour inspections Internal road, driveway and manoeuvring areas subject to waste collection vehicle (WCV) loading are designed and constructed to withstand the fully loaded vehicle weight of the nominated WCV (WCV details can be found in City Plan Policy SC6.15 – Solid waste management) and have been inspected by the certifying RPEQ.

32	Hold point inspection – Solid Waste Arrange a hold point inspection to complete the requirements identified in City Plan Policy SC.6.11 – Land development guidelines the City Plan for the following: <i>Please note: Inspections for multiple items is preferred.</i> <table><tr><th>Purpose</th><th>Hold Point</th><th>Council contact</th></tr><tr><td>Bin storage / servicing point</td><td>Within 5 business days of the bin storage point being completed.</td><td>Water and Waste inspections@goldcoast.qld.gov.au</td></tr><tr><td>Confirm works for the bin storage /servicing point and associated vehicle access have been undertaken in accordance with the approved MCU drawings.</td><td>Within 5 business days of bin servicing point and vehicle access being completed.</td><td>Water and Waste inspections@goldcoast.qld.gov.au</td></tr></table>	Purpose	Hold Point	Council contact	Bin storage / servicing point	Within 5 business days of the bin storage point being completed.	Water and Waste inspections@goldcoast.qld.gov.au	Confirm works for the bin storage /servicing point and associated vehicle access have been undertaken in accordance with the approved MCU drawings.	Within 5 business days of bin servicing point and vehicle access being completed.	Water and Waste inspections@goldcoast.qld.gov.au
Purpose	Hold Point	Council contact								
Bin storage / servicing point	Within 5 business days of the bin storage point being completed.	Water and Waste inspections@goldcoast.qld.gov.au								
Confirm works for the bin storage /servicing point and associated vehicle access have been undertaken in accordance with the approved MCU drawings.	Within 5 business days of bin servicing point and vehicle access being completed.	Water and Waste inspections@goldcoast.qld.gov.au								
33	Availability of approved plans, drawings and reports Retain a copy of this decision notice and stamped approved plans, drawings and reports on site at all times during construction. Any contractors undertaking approved work (including tree removal or relocations) must be directly provided with a copy of these conditions and instructed as to the need to comply with them.									
34	Notice of works timetable Provide a Notice of works timetable for Commencement of use to Council's Development Compliance section prior to commencement of any works. A copy of Council's Notice of works timetable is available on Council website.									
Plumbing and Drainage Act 2018										
35	Plumbing and drainage works Obtain a permit for all plumbing and drainage work prior to any compliance assessable work commencing. <i>Note:</i> <i>A permit for plumbing and drainage works does not approve the discharge of trade waste to Council's sewerage system. The generator of trade waste must complete an application for approval to discharge trade waste to Council's Sewerage System (available on Council's website).</i>									
Advice Notes										
A	Development infrastructure Development infrastructure required to be provided in implementing this development approval is non-trunk development infrastructure unless otherwise stated in a condition of the approval.									
B	Further development permits / compliance permits Further development permits and/or compliance permits from Council are required to facilitate the development of the approved works identified in this decision notice. These include: <table><tr><td>Landscape Assessment</td></tr><tr><td>Operational works - landscape works (Private works)</td></tr></table>	Landscape Assessment	Operational works - landscape works (Private works)							
Landscape Assessment										
Operational works - landscape works (Private works)										

	Water and Waste
	Operational works - infrastructure
	Connections / disconnections: Application to work on the City's Infrastructure
	Temporary Road Closure and Works Zone Permit Application
	Referral Agency Assessment
	Plumbing and Drainage
	Permit for plumbing and drainage work
	Transport Assessment
	Operational works – infrastructure
	A copy of this decision notice and accompanying stamped drawings / plans must be submitted with any subsequent application identified above. Subsequent development applications (i.e.: Operational works) will be assessed in accordance with the City Plan Version at the time of lodgement (excluding instances where Variation / Preliminary approval exists).
C	Works in properties other than the development land Where development works or works required to service the development require access, works or otherwise on land that is not part of the development approval, the applicant is solely responsible for obtaining consent and providing such with the "Application to work on City's infrastructure". Council will not become involved in any disputes arising from attempts to obtain neighbouring landowners' consent and assumes no responsibility for any impacts this has on the development. Council shall not be held responsible for any delays, complications or otherwise related to obtaining consent from neighbouring landowners as this is a civil matter to be resolved between the relevant parties.
D	Council water and sewer mains to be protected during site works The developer is responsible at all times for ensuring that Council's water and sewerage infrastructure is protected during construction activities on site. This may require physical protection measures to be put in place during works such as deliveries, moving heavy equipment into and out of the site, or when doing works in close proximity to water and sewer assets. Where Council water and sewer infrastructure is damaged during construction, Council will undertake immediate repairs and any costs associated with these repairs will be charged to the landowner, principal contractor or other relevant party. If further, more permanent repairs are required, such as replacement of water and sewer mains, the landowner, principal contractor or other relevant party will first be given an opportunity to complete these works (other approvals may be required), or Council will undertake these works and pass the costs on to the landowner, principal contractor or other relevant party.
E	Works in Transport and Main Roads (TMR) Corridor Approval from the Department of Transport and Main Roads (TMR) is required for any works proposed to be undertaken within a TMR road corridor. Any works within a TMR road corridor must comply with all TMR design requirements (Technical Note 163) and certification by a Registered Professional Engineer of Queensland (RPEQ). <i>Note: Changes made to the drawings may necessitate the submission of a Minor or Other Change development application, in accordance with the Planning Act 2016.</i>

F	Connections and disconnections Any connection / disconnection to the existing water and sewerage networks will be at the applicant's cost. Prior to the connection / disconnection taking place, the applicant must obtain written approval from Water and Waste. Refer to Water and Sewerage Connections Policy, available on Council's website http://www.cityofgoldcoast.com.au
G	No open trenching of the road pavement for water connections across / in roadways Conduits must be installed to service the proposed development via trenchless technology the road (open cutting of the road is not permitted) to connect to Council's potable water supply network. In certain circumstances approval of open trenching of the road may be allowed, subject to Council approval. Refer to Water and Sewerage Connections Policy, available on Council's website http://www.cityofgoldcoast.com.au
H	Water meter sizing All water meters 50 mm in diameter or larger must be installed aboveground and on lot and require an Operational works approval and an easement over the water meter arrangement. Unrestricted access to the water service (including meters) must be provided at all times. Refer to Water and Metering Technical Specifications, available on Council's website http://www.cityofgoldcoast.com.au
I	Separate service connection points Should a volumetric subdivision be pursued, separate water supply services will need to be designed and constructed to each of the different uses (e.g. commercial / residential), or to each of the volumetric lots created, so as to ensure that all lots within the site have separate service connection points. Internal services will need to be managed through the Building Management Statement. Each volumetric lot requires a potable water meter and the ultimate development is permitted with a single fire meter. Any subsequent volumetric ROL application must be approved by Council prior to water meters being approved based on the ROL proposal. The ROL application must include amended architectural drawings (using the latest overarching development permit, ie: MCU drawings) to demonstrate all water required water meters (50mm and larger) fit into the layout of the development.
J	Connections to, alteration or realignment of Council infrastructure Where development works require the connection to, alteration, removal or realignment of Council infrastructure or impact on other public utility infrastructure (e.g. telecommunications, electricity and gas), the applicant must obtain the necessary approvals from the relevant public utility authority prior to works commencing. Connection to, alteration, removal or realignment of Council infrastructure includes (but is not limited to) fire hydrants, water service meters, sewer maintenance hole covers, stormwater drainage infrastructure, reinstatement of maintenance hole covers, stormwater drainage infrastructure, crossovers, footpaths, road pavement, kerb and channel, kerb ramps, medians, traffic islands, road furniture, signage and line-marking.
K	Operational Works meeting prior to lodgement Council's Water and Waste Development Services team encourage contact to discuss any water and sewer matters of significance prior to the submission of an application for Operational Works. Contact GCWDA@goldcoast.qld.gov.au to arrange a meeting.

L	Design, Constructability and Minor change applications The application has been approved based on the information provided by the consultant. Water and Waste are not liable for any design or constructability issues experienced on-site. All necessary steps must be taken prior to construction to validate the information in the designs, including locating services. Should any changes be required to the design to ensure it can be constructed in compliance with relevant engineering standards; a Minor Change application (Section 78 of the <i>Planning Act 2016</i>) must be submitted and approved by Council prior to lodging a request for a Pre-Start meeting.
M	Compliance with conditions Once this development approval takes effect, the conditions attach to the land and are applicable in perpetuity. It is a development offence to contravene a development approval, including any of its conditions.
N	Indigenous cultural heritage legislation and duty of care requirement The <i>Aboriginal Cultural Heritage Act 2003</i> ('ACHA') is administered by the Department of Seniors, Disability Services and Aboriginal and Torres Strait Islander Partnerships (DSDSATSIP). The ACHA establishes a duty of care to take all reasonable and practicable measures to ensure any activity does not harm Aboriginal cultural heritage. This duty of care: - i Is not negated by the issuing of this development approval; - ii Applies on all land and water, including freehold land; - iii Lies with the person or entity conducting an activity; and - iv If breached, is subject to criminal offence penalties. Those proposing an activity involving surface disturbance beyond that which has already occurred at the proposed site must observe this duty of care. Details of how to fulfil this duty of care are outlined in the duty of care guidelines gazetted with the ACHA. The applicant should contact DSDSATSIP's Cultural Heritage Coordination Unit on 1300 378 401 for further information on the responsibilities of developers under the ACHA.
O	Infrastructure charges Infrastructure charges are now levied under a Charges Resolution by way of an Infrastructure Charges Notice, which accompanies this decision notice.
P	Applicant responsibilities The applicant is responsible for securing all necessary approvals and tenure, providing statutory notifications and complying with all relevant laws. Nothing in this decision notice alleviates the need for the applicant to comply with all relevant local, State and Commonwealth laws and to ensure appropriate tenure arrangements have been made where the use of/reliance upon land other than that owned by the applicant is involved. Without limiting this obligation, the applicant is responsible for: - a Obtaining all other/further necessary approvals, licences, permits, resource entitlements etc by whatever name called required by law before the development the subject of this approval can be lawfully commenced and to carry out the activity for its duration. - b Providing any notifications required by law (by way of example only, to notify the administering authority pursuant to the <i>Environment Protection Act 1994</i> of environmental harm being caused/threatened by the activity, and upon becoming aware the premises is being used for a 'notifiable activity'). - c Securing tenure/permission from the relevant owner to use private or public land not owned by the applicant (including for access required by conditions of approval). - d Ensuring existing survey marks, including cadastral marks at property corners, i.e pegs or cadastral reference marks in the road reserve (permanent surveys marks, buried iron pins, and various marks in concrete or bitumen structure) are not interfered with. A Consulting Cadastral Surveyor must be contacted if survey marks are disturbed or destroyed during any works in relation to this or related approvals, to investigate and determine if any further

	action is required. More information on interference with survey marks is available under Section 42 of the <i>Survey and Mapping Infrastructure Act 2003</i>. - e Ensuring the correct siting of structures on the land. An identification survey demonstrating correct siting and setbacks of structures may be requested of the applicant to ensure compliance with this decision notice and applicable codes. - f Providing Council with proof of payment of the Portable Long Service Leave building construction levy (or proof of appropriate exemption) where the total value of the building and construction works exceeds \$150,000 (excluding GST). Acceptable proof of payment is a Q.Leave –Notification and Payment Form approved by the Authority. Proof of payment must be provided before Council can issue a development permit for the Operational works. This is a requirement of section 77(1) of the Building and Construction Industry (Portable Long Service Leave) Act 1991. - g Making payment of any outstanding Council rates and charges applicable to the development site prior to the lodgement of subdivision plans. - h Obtaining any necessary local government/state approvals where works require the installation of temporary ground anchoring into adjacent Road Reserves. Where ground anchoring is proposed into an adjacent private property, approval from the relevant property owners(s) is required.
Q	Access from/works in State-controlled road All access from and works within the State controlled road/reserve must not be carried out without approval from the Department of Transport and Main Roads.
R	Weeds, pest animals and ants Biosecurity Queensland of the Department of Agriculture and Fisheries leads the Government's efforts to prevent, respond to and recover from pests and diseases threatening agricultural prosperity, the environment, social amenity and human health. All landscape materials, including but not limited to, soils, mulch, grass, gravel, potted or ex-ground plants, pavers and timber used in landscape treatments must be free from weeds, pest animals and ants.
S	Fire ant control A significant portion of the Gold Coast is within Fire Ant Biosecurity zone 2 and must remain vigilant for the presence of fire ants. Under the <i>Biosecurity Act 2014</i> individuals and organisations whose activities involve the movement or storage of fire ant carriers have a general biosecurity obligation to take all reasonable steps to ensure they do not spread fire ants. Movement of a fire ant carrier from within the fire ant biosecurity zone may need a biosecurity instrument permit. More information is available on the Department of Agriculture and Fisheries website www.daf.qld.gov.au/plants/weeds-pest-animals-ants/invasive-ants/fire-ants.

Part B: Operational works (Change to ground level)**General****1 Approved drawings**

Undertake and maintain the development generally in accordance with the following drawings including as amended in red by the Council:

Operational Works				
Drawing Title	Author	Date	Drawing No.	Ver
Drawing Index and Locality Plan	Gassman Development Perspectives	21/09/23	BE001	B
General Notes Sheet 1 of 2	Gassman Development Perspectives	20/07/23	BE002	A
General Notes Sheet 2 of 2	Gassman Development Perspectives	20/07/23	BE003	A
Legend	Gassman Development Perspectives	20/07/23	BE004	A
Key Layout Plan	Gassman Development Perspectives	21/09/23	BE005	B
Existing Surface and Feature Plan	Gassman Development Perspectives	20/07/23	BE010	A
Sediment and Erosion Control Plan Sheet 1 of 2	Gassman Development Perspectives	21/09/23	BE020	B
Sediment and Erosion Control Plan Sheet 2 of 2	Gassman Development Perspectives	20/07/23	BE021	A
Sediment and Erosion Typical Details	Gassman Development Perspectives	20/07/23	BE035	A
Bulk Earthworks Cut & Fill Layout Plan Sheet 1 of 2	Gassman Development Perspectives	21/09/23	BE050	B
Bulk Earthworks Cut & Fill Layout Plan Sheet 2 of 2	Gassman Development Perspectives	21/09/23	BE051	B
Finished Surface Level Layout Plan Sheet 1 of 2	Gassman Development Perspectives	21/09/23	BE100	B
Finished Surface Level Layout Plan Sheet 2 of 2	Gassman Development Perspectives	20/07/23	BE101	A
Finished Surface Cross Sections	Gassman Development Perspectives	21/09/23	BE150	B

The conditions of this approval are to be read in conjunction with the attached stamped approved drawings. Where a conflict occurs between the conditions of this approval and the stamped approved drawings, the conditions of this approval shall take precedence.

Engineering	
2	Rectification of Council's infrastructure - a Rectify any damage caused to Council infrastructure (including kerb, channelling, service pits, footpaths and water and sewer reticulation networks) prior to an 'on maintenance' inspection, at no cost to Council. - b Maintain the rectified Council infrastructure at no cost to Council at all times.
3	Earthworks - a Construct the earthworks identified in the approved drawings condition at no cost to Council in accordance with the standards and procedures in City Planning Policy SC6.11 – Land development guidelines, sections 3 Change to Ground level standards, 7 Procedures, 8.5 As-constructed requirements and 9 Specifications and 10 Standard drawings. - b Maintain the earthworks identified above at no cost to Council at all times.
Stormwater Drainage	
4	Overland flow paths and hydraulic alterations - a Leave unaltered the overland flow paths on the site, such that the characteristics of existing overland flows on other properties remain uninhibited and unchanged. - b The development must not: - i Increase peak flow rates downstream from the site. - ii Increase flood levels external to the site. - iii Increase duration of inundation external to the site that could cause loss or damage.
5	Erosion and sediment control - a Implement the erosion, sediment and dust control measures identified in the approved drawings at no cost to Council: - b Undertake works generally in accordance with the Operational works approval and include in particular: - i Sediment controls must be maintained and amended as necessary to ensure the measures implemented conform to the Construction Phase stormwater management design objectives of the State Planning Policy 2017 (Appendix 2 – Table A). - ii Erosion, sediment and dust control measures must be implemented in accordance with the approved plan / drawings and Best Practice Erosion & Sediment Control (IECA Australasia, November 2008). - iii Sediment control structures e.g.: sediment fence, must be placed at the base of all materials imported on site to mitigate sediment run-off. - iv A perimeter bund and/or diversion drain must be constructed around the disturbed areas to prevent any outside clean stormwater from mixing with polluted / contaminated stormwater. - v All polluted / contaminated water from the site, including dewatering discharge, must be treated to achieve the water quality objectives in Table 8.2.1 of the Queensland Water Quality Guidelines (DERM September 2009) prior to discharging from the site. - vi Inspections for erosion and sediment control measures are to occur in accordance with the compliance procedures in City Plan Policy SC6.11 – Land development guidelines, section 4.5.17.1.2 - Compliance.
Construction Management	
6	Certification of works Provide Council with certificates prepared by qualified experts from the disciplines listed below, confirming as follows:

Operational Works

Certified document	Certification date	Plan/ Drawing	Expert discipline	Requesting Council Section
Appendix A Certification from the Land Development Guidelines	Upon practical completion of works.	N/A	Registered Professional Engineer Queensland (RPEQ)	Contributed Assets
The certification is to confirm: All works have been undertaken generally in accordance with the approval.				

Geotechnical

Certified document	Certification date	Plan/ Drawing	Expert discipline	Requesting Council Section
Geotech certification for stability	Upon practical completion of works.	N/A	Registered Professional Engineer Queensland (RPEQ)	Contributed Assets
The certification is to confirm: - Cut/fill batters and retaining structures associated with the proposed development have been adequately designed based on existing geotechnical conditions of the site taking into account all predicted surcharge loadings; and they will achieve a long-term factor of safety greater than or equal to 1.5 against geotechnical failure. - Constructed cut/fill batters and retaining structures on the site have achieved adequate stability with a long-term factor of safety greater than or equal to 1.5 against geotechnical failure.				

Geotechnical

Certified document	Certification date	Plan/ Drawing	Expert discipline	Requesting Council Section
Geotech certification for level 1	Upon practical completion of works.	N/A	Registered Professional Engineer Queensland (RPEQ)	Contributed Assets
The certification is to confirm: - Earthworks have been carried out in accordance with AS 3798-2007: <i>Guidelines on earthworks for commercial and residential developments</i>. - Supervision of bulk earthworks was completed to Level 1 and the frequency of field density testing must be in accordance with Table 8.1 of AS 3798-2007. - Fill materials were placed in layers, watered if required and compacted to achieve the specified density ratio as specified in Table 5.1 - Minimum Relative Compaction of AS 3798-2007.				

7	Supervision of works During construction of any works the following professionals must be appointed to supervise the below described actions: <table border="1" data-bbox="284 241 1445 510"> <tr> <th colspan="2" data-bbox="284 241 683 293">Operational works</th></tr> <tr> <th data-bbox="284 293 683 405">Expertise required of the suitably qualified professional</th><th data-bbox="683 293 1445 405">Actions to be overseen by the professional</th></tr> <tr> <td data-bbox="284 405 683 510">Registered Professional Engineer of Queensland (RPEQ)</td><td data-bbox="683 405 1445 510">Bulk earthworks inspected to level 1 in accordance with AS3798-2007</td></tr> </table>	Operational works		Expertise required of the suitably qualified professional	Actions to be overseen by the professional	Registered Professional Engineer of Queensland (RPEQ)	Bulk earthworks inspected to level 1 in accordance with AS3798-2007
Operational works							
Expertise required of the suitably qualified professional	Actions to be overseen by the professional						
Registered Professional Engineer of Queensland (RPEQ)	Bulk earthworks inspected to level 1 in accordance with AS3798-2007						
8	Availability of approved plans, drawings and reports Retain a copy of this decision notice and stamped approved plans, drawings and reports on site at all times during construction. Any contractors undertaking approved work (including tree removal or relocations) must be directly provided with a copy of these conditions and instructed as to the need to comply with them.						
9	Haulage access/site management plan - a Prepare and implement a Haulage access/site management plan generally in accordance with the Change to ground level and creation of new waterways code of the City Plan prior to any works commencing. - b The Haulage access/site management plan must be prepared by a suitably qualified professional and include in particular. - i Address the provision of vehicle barrier(s) along the frontages of the land to ensure vehicles use approved crossovers. - ii Provide Loading/unloading operations. - iii Address nuisance from dust, noise, vibration, smoke and material tracked onto public roads as a result of hauling and filling operations and how complaints will be addressed. - iv Identify measures and work practices to ensure the site will be maintained in a clean and tidy state at all times including collection, storage and disposal of all waste materials. - v Identify measures and work practices to ensure non- recyclable debris transported from the site is disposed of at an approved waste facility. Combustion of any material is not permitted on the subject site without prior approval of Council. - vi Identify measures and work procedures to ensure gravel access areas to the site, transport dust covers and shake (hose) down areas are in place to control both on-site dust nuisance and contamination of external properties, roadways and receiving waterways. - c Comply with the Haulage access/site management plan during all construction works at no cost to Council.						
10	Transport of soil / fill / excavated material During the transportation of soil and other fill / excavated material: - a All trucks hauling soil, or fill / excavated material must have their loads secure and covered. - b Any spillage that falls from the trucks or their wheels must be collected and removed from the site and streets along which the trucks travel on a daily basis. - c Prior to vehicles exiting the site, measures must be taken to remove the soil from the wheels of the vehicles to prevent soil and mud being deposited on public roads.						

11	Earthworks as-constructed data Prepare and submit for approval as-constructed data for the constructed earthworks generally in accordance with City Plan Policy SC6.11 – Land development guidelines, section 8.5 prior to request for practical completion of the works/ prior to acceptance of On maintenance.						
12	Pre-start inspection Arrange a pre-start inspection prior to the commencement of works to complete the requirements identified in SC.6.11 City Plan Policy – Land development guidelines for the following: <table><tr><th>Purpose</th><th>Council contact</th></tr><tr><td>Review and discuss Operational works – change to ground level approval</td><td>Contributed Assets (07) 5582 9034</td></tr></table> Copies of applicable material including this decision notice and stamped approved plans, drawings and reports are to be available for the meeting and kept on site during construction.	Purpose	Council contact	Review and discuss Operational works – change to ground level approval	Contributed Assets (07) 5582 9034		
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Review and discuss Operational works – change to ground level approval	Contributed Assets (07) 5582 9034						
13	Hold point inspection Arrange a hold point inspection to complete the requirements identified in SC.6.11 City Plan Policy – Land development guidelines/Landscape work code of the City Plan for the following: <table><tr><th>Purpose</th><th>Hold Point</th><th>Council contact</th></tr><tr><td>Confirm works have been undertaken in accordance with the operational works approval and associated hold point requirements identified in SC6.11 City Plan Policy – Land development guidelines</td><td>As indicated in SC6.11 City Plan Policy – Land development guidelines</td><td>Contributed Assets (07) 5582 9034</td></tr></table> Copies of applicable material including this decision notice and stamped approved plans, drawings and reports are to be available for the meeting and kept on site during construction.	Purpose	Hold Point	Council contact	Confirm works have been undertaken in accordance with the operational works approval and associated hold point requirements identified in SC6.11 City Plan Policy – Land development guidelines	As indicated in SC6.11 City Plan Policy – Land development guidelines	Contributed Assets (07) 5582 9034
Purpose	Hold Point	Council contact					
Confirm works have been undertaken in accordance with the operational works approval and associated hold point requirements identified in SC6.11 City Plan Policy – Land development guidelines	As indicated in SC6.11 City Plan Policy – Land development guidelines	Contributed Assets (07) 5582 9034					
14	Practical Completion Arrange a practical completion meeting to complete the requirements identified in City Plan Policy SC6.11 – Land development guidelines, section 7.3.1 City civil engineering inspections for the following: <table><tr><th>Purpose</th><th>Hold Point</th><th>Council contact</th></tr><tr><td>Confirm completion of works have been undertaken in accordance with this approval</td><td>Prior to receiving a practical completion letter</td><td>Contributed Assets 07 5582 9034</td></tr></table> Copies of applicable material including this decision notice and stamped approved plans, drawings and reports are to be available for the meeting and kept on site during construction.	Purpose	Hold Point	Council contact	Confirm completion of works have been undertaken in accordance with this approval	Prior to receiving a practical completion letter	Contributed Assets 07 5582 9034
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Advice Notes							
A	Indigenous cultural heritage legislation and duty of care requirement The <i>Aboriginal Cultural Heritage Act 2003</i> (' ACHA ') is administered by the Department of Seniors, Disability Services and Aboriginal and Torres Strait Islander Partnerships (DSDSATSIP). The ACHA establishes a duty of care to take all reasonable and practicable measures to ensure any activity does not harm Aboriginal cultural heritage. This duty of care: a Is not negated by the issuing of this development approval; b Applies on all land and water, including freehold land; c Lies with the person or entity conducting an activity; and d If breached, is subject to criminal offence penalties.						

	Those proposing an activity involving surface disturbance beyond that which has already occurred at the proposed site must observe this duty of care. Details of how to fulfil this duty of care are outlined in the duty of care guidelines gazetted with the ACHA. The applicant should contact DSDSATSIP's Cultural Heritage Coordination Unit on 1300 378 401 for further information on the responsibilities of developers under the ACHA.		
B	Encroachment of works If any operational works, the subject of this approval encroaches on adjoining land, a letter from the adjoining owner must be submitted to Council consenting to the carrying out of these works.		
C	Further development permits / compliance permits Further development permits and/or compliance permits from Council are required to facilitate the development of the approved works identified in this decision notice. These include: <table border="1"><tr><td>Water and Waste</td></tr><tr><td>Referral Agency Assessment</td></tr></table> A copy of this decision notice and accompanying stamped drawings / plans must be submitted with any subsequent application identified above.	Water and Waste	Referral Agency Assessment
Water and Waste			
Referral Agency Assessment			
D	Applicant responsibilities The applicant is responsible for securing all necessary approvals and tenure, providing statutory notifications and complying with all relevant laws. Nothing in this decision notice alleviates the need for the applicant to comply with all relevant local, State and Commonwealth laws and to ensure appropriate tenure arrangements have been made where the use of/reliance upon land other than that owned by the applicant is involved. Without limiting this obligation, the applicant is responsible for: - a Obtaining all other/further necessary approvals, licences, permits, resource entitlements etc by whatever name called required by law before the development the subject of this approval can be lawfully commenced and to carry out the activity for its duration. - b Providing any notifications required by law (by way of example only, to notify the administering authority pursuant to the <i>Environment Protection Act 1994</i> of environmental harm being caused/threatened by the activity, and upon becoming aware the premises is being used for a 'notifiable activity'). - c Securing tenure/permission from the relevant owner to use private or public land not owned by the applicant (including for access required by conditions of approval). - d Ensuring existing survey marks, including cadastral marks at property corners, i.e pegs or cadastral reference marks in the road reserve (permanent surveys marks, buried iron pins, and various marks in concrete or bitumen structure) are not interfered with. A Consulting Cadastral Surveyor must be contacted if survey marks are disturbed or destroyed during any works in relation to this or related approvals, to investigate and determine if any further action is required. More information on interference with survey marks is available under Section 42 of the <i>Survey and Mapping Infrastructure Act 2003</i>. - e Ensuring the correct siting of structures on the land. An identification survey demonstrating correct siting and setbacks of structures may be requested of the applicant to ensure compliance with this decision notice and applicable codes. - f Providing Council with proof of payment of the Portable Long Service Leave building construction levy (or proof of appropriate exemption) where the total value of the building and construction works exceeds \$150,000 (excluding GST). Acceptable proof of payment is a Q.Leave –Notification and Payment Form approved by the Authority. Proof of payment must be provided before Council can issue a development permit for the Operational works. This is a requirement of section 77(1) of the Building and Construction Industry (Portable Long Service Leave) Act 1991. - g Making payment of any outstanding Council rates and charges applicable to the development site prior to the lodgement of subdivision plans.		

	h Obtaining any necessary local government/state approvals where works require the installation of temporary ground anchoring into adjacent Road Reserves. Where ground anchoring is proposed into an adjacent private property, approval from the relevant property owners(s) is required.
E	Water usage The use of potable water is not permitted in activities associated with road and pavement construction, the compaction of fill material or dust suppression. The use of recycled water is encouraged, especially where other alternative sources do not exist. Where recycled water is proposed to be used, contact the Water and Waste Recycled Water Management Team. More information is available for viewing on Council's website http://www.goldcoast.qld.gov.au/environment/recycled-water-for-industry-7900.html
F	Fire ant control A significant portion of the Gold Coast is within Fire Ant Biosecurity zone 2 and must remain vigilant for the presence of fire ants. Under the <i>Biosecurity Act 2014</i> individuals and organisations whose activities involve the movement or storage of fire ant carriers have a general biosecurity obligation to take all reasonable steps to ensure they do not spread fire ants. Movement of a fire ant carrier from within the fire ant biosecurity zone may need a biosecurity instrument permit. More information is available on the Department of Agriculture and Fisheries website www.daf.qld.gov.au/plants/weeds-pest-animals-ants/invasive-ants/fire-ants.
G	Council water and sewer mains to be protected during site works The developer is responsible at all times for ensuring that Council's water and sewerage infrastructure is protected during construction activities on site. This may require physical protection measures to be put in place during works such as deliveries, moving heavy equipment into and out of the site, or when doing works in close proximity to water and sewer assets. Where Council water and sewer infrastructure is damaged during construction, Council will undertake immediate repairs and any costs associated with these repairs will be charged to the landowner, principal contractor or other relevant party. If further, more permanent repairs are required, such as replacement of water and sewer mains, the landowner, principal contractor or other relevant party will first be given an opportunity to complete these works (other approvals may be required), or Council will undertake these works and pass the costs on to the landowner, principal contractor or other relevant party.

Statement of reasons (given under section 63(4) of the Planning Act 2016)

Details of proposed development	The proposed development is for a Material change of use (Code assessable) for Industry (Low impact) and a Warehouse.
Assessment benchmarks	The following assessment benchmarks applied to the proposed development: • M38 Industrial Estate Place Code; • Car parking, access and transport integration; • Works for infrastructure code; and • Landscape work.
Relevant matters	Not applicable – Code assessment
Reasons for decision	An assessment of the development application was carried out against the assessment benchmarks listed above and was determined to comply. A summary of the main reasons for the decision are as follows: • The development is consistent with intent of the M38 Industrial Estate Place Code, being the overarching categorising instrument for the site; • The approval includes conditions ensuring the off street car parking requirements of the site are met; and • The development includes an articulated façade to the primary street frontage and includes substantial landscaping promoting a high quality industrial area.
Matters prescribed by a regulation	Not applicable