

20 January 2012
David Price
Implementation & Assessment Branch, Nerang
(07) 5582 8866

PN307555/03/DA5
Application No: OPW201101805

Multispan Australia Pty Ltd
C/- Gregg Rosman
PO Box 294
SALISBURY QLD 4107



Dear Sir

DECISION NOTICE TO APPLICANT

Application Type: OPERATIONAL WORKS - LANDSCAPING
Property Description: LOT 334 ON SP193431
Property Location: 84 - 160 CHRISTENSEN ROAD SOUTH, STAPYLTON

I wish to advise that on 20 January 2012 the issue of a Development Permit for Operational Works for Landscaping at the site described above, was approved subject to the conditions outlined in the attached document.

An extract from the [Sustainable Planning Act 2009](#), which details your appeal rights, is attached for your information.

If you do not appeal the decision, this Decision Notice is taken to be the Development Approval and has effect immediately.

As identified with the attached conditions of approval this development approval will lapse if the approved aspect of development is not completed before 20 January 2014.

Contacting us

Should you wish to clarify any issues contained in this letter, please do not hesitate to contact the Planning Assessment area on telephone (07) 5582 8866.

Yours faithfully

Dr Shahadat Hossain
EXECUTIVE COORDINATOR ENGINEERING & ENVIRONMENTAL ASSESSMENT
For the Chief Executive Officer

DP

LANDSCAPE WORKS ON PRIVATE LAND

1 Approved landscape works

The landscape works must be constructed in accordance with the approved plan/s listed below, as amended in red, stamped and returned to the applicant with this decision notice.

Plan No.	Rev.	Title	Date	Prepared by
LS – 1501	B	SITE PLAN	13.01.12	MULTI SPAN AUSTRALIA
LS – 1502	B	PLANTING PLAN	13.01.12	MULTI SPAN AUSTRALIA
LS – 1503	B	PLANTING PLAN 2	13.01.12	MULTI SPAN AUSTRALIA
LS – 1504	B	PLANTING PLAN 3	13.01.12	MULTI SPAN AUSTRALIA

2 Final Inspection

- a Completed Landscape works must pass a final inspection by Council Officers prior to the approved use commencing on site. Contact Council's Planning/Assessment Team to arrange this inspection.
- b A copy of the stamped approved Detailed Landscape Plan (to be supplied by the applicant) is required on site and will be used to assess the constructed landscape.
- c Inspections will only be undertaken upon practical completion of the landscape works including hardscape and structures.
- d A Final Landscape Approval will be issued upon completion of all Landscape works to the satisfaction of Council requirements.

3 Maintenance & Quality

All landscape materials, plants, vegetation and watering systems shown on the approved landscaping plan must be of acceptable quality and be installed and maintained to the satisfaction of the Chief Executive Officer.

4 Compliance with GCCC Planning Scheme Policy 11, 12 and 13

Where any perceived conflict exists between the stamped approved plans and Council's *Planning Scheme Policy 11, 12 and 13*, the requirements of the Policy take precedence.

5 Landscape works on public land require separate approval

- a This development approval provides for hard and soft landscape works to be undertaken only on private land not transferred to Council as public open space or public road reserve and does not cover landscape works undertaken on proposed/requested/existing public land.
- b All landscape works to be undertaken on land that is not designated as to remain in private ownership requires a separate landscape operational works approval.

6 Tree Pruning

Trees must not be topiarised or pruned in a manner contrary to *Australian Standard AS4373 – Pruning of Amenity Trees*. Where pruning of trees is required, it must be undertaken in accordance with *Australian Standard AS4373 – Pruning of Amenity Trees*.

NOTES TO APPLICANT

All persons and/or companies engaging in landscaping works must adhere to current water restrictions. These restrictions detail specific times and methods for the watering of newly established gardens and turf for both residential and non-residential developments. Any person or company found contravening current water restrictions may incur fines of up to 200 penalty units. [Water Act 2000 Section 388 (2)] (1 Penalty Unit = \$75.00).

Development (as defined) may commence only where an approval is given by Council by way of a Development Permit issued to allow specific development nominated in the permit to be carried out.

Where an appeal (within the prescribed 20 business days) has been or is being lodged, development (as defined), shall not commence until such appeal has either been withdrawn or has been determined by the Court. The Applicant must then comply with the conditions on the Development Permit whether or not such conditions have resulted from a Court Order.

The Applicant is advised that nothing in this Decision Notice alleviates the need to observe all relevant legislation including standard requirements of the Building Code of Australia, Council's Planning Scheme and Local Laws.

Sustainable Planning Act 2009

APPEAL RIGHTS FOR APPROVAL OR REFUSAL OF DEVELOPMENT APPLICATIONS FOR MATERIAL CHANGE OF USE, RECONFIGURATION OF A LOT OR OPERATIONAL WORKS APPLICATIONS.

461 Appeals by applicants

- (1) An applicant for a development application may appeal to the court against any of the following:
 - (a) the refusal, or the refusal in part, of the development application;
 - (b) any condition of a development approval, another matter stated in a development approval and the identification or inclusion of a code under section 242;
 - (c) the decision to give a preliminary approval when a development permit was applied for;
 - (d) the length of a period mentioned in section 341;
 - (e) a deemed refusal of the development application;
- (2) An appeal under subsection (1)(a), (b), (c) or (d) must be started within 20 business days (the applicant's appeal period) after:
 - (a) if a decision notice or negotiated decision notice is given - the day the decision notice or negotiated decision notice is given to the applicant;
 - (b) otherwise, the day a decision notice was required to be given to the applicant.
- (3) An appeal under subsection (1)(e) may be started at any time after the last day of a decision on the matter should have been made.