

Our reference: OPW/2019/784
Your reference: C923

Decision notice — approval (with conditions)
(Given under section 63(2) of the *Planning Act 2016*)

Date of decision notice: 17 June 2019

Applicant details

Applicant name: Robin Russell & Associates Pty Ltd
Applicant contact details: 204/6 Babarra St
STAFFORD QLD 4053

Application details

Application number: OPW/2019/784
Approval sought: Development Permit for Operational Work
Details of proposed development: Development permit for Operational work for Infrastructure (Electrical Works) to facilitate a community title development (ROL201800026).

Location details

Street address: 84-160 Christensen Road South, Stapylton Qld 4207
Real property description: Lot 334 SP193431 and Christensen Road, Stapylton Road Reserve.

Decision

Date of decision: 17 June 2019
Decision details: Under Delegated Authority, the Executive Coordinator for Engineering and Environmental Assessment has resolved to approve the development application in full with conditions.

Referral agency(s) for the application

Not applicable – no part of the application required referral.

Details of the approval

Development permit: Operational work – Infrastructure (Electrical Works – Street Lighting)

Conditions

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

Properly made submissions

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

Currency period for the approval (section 85 of the *Planning Act 2016*)

In accordance with section 85 of the *Planning Act 2016*, this approval has a currency period of two years.

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, as applicable: • the refusal of part of the development application; or • a provision of the development approval; or • if a development permit was applied for, the decision to give a preliminary approval. 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 Sanjib Bhowmick, Civil Engineer on p: 07 5582 8866 or via email mail@goldcoast.qld.gov.au who will be pleased to assist.

AUTHORISED BY



Sam Hartley

Executive Coordinator Engineering & Environmental Assessment

For the Chief Executive Officer

Council of the City of Gold Coast

Enc:

Conditions imposed by Council as Assessment manager

Attach:

Stamped approved plans and drawings

Appeal rights extracts

Conditions imposed by Council as Assessment Manager

General					
1.	Timing All conditions of this development approval must be complied with at no cost to Council at all times unless otherwise stated in another condition.				
2.	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
Electrical reticulation		Robin Russell & Associates Pty Ltd	30/05/2019	C923 – 01A, Sheet 1 of 3	A
Electrical reticulation		Robin Russell & Associates Pty Ltd	30/05/2019	C923 – 02A, Sheet 2 of 3	A
Electrical reticulation		Robin Russell & Associates Pty Ltd	30/05/2019	C923 – 03A, Sheet 3 of 3	A
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					
3.	Rectification of Council's infrastructure Rectify any damage caused to Council infrastructure (including kerb, channelling, service pits, footpaths and water and sewer reticulation networks) at all times, at no cost to Council.				
Electrical Reticulation					
4.	Construction of electrical and lighting reticulation a. All existing underground services are to be located prior to the commencement of construction. b. If no conduits exist, road crossings are to be bored. c. In accordance with section 6.11 of City Plan Policy – Land Development Guidelines, Standard Specifications and Drawings conflict between water service points and electrical distribution pillars at a common boundary is not permitted. Prior to the installation of electrical distribution pillars, a comparison with proposed water service connection points must be made to ensure that no conflict at a common boundary occurs. Council will not issue a compliance certificate for the subdivision plan until any conflicts are rectified. d. Roads and verge areas are to be reinstated to the satisfaction of the Chief Executive Officer, at no cost to Council.				
5.	Approval required from electricity supplier a. Approval of the electrical reticulation drawings referred to in condition 2 approves only the location/installation of street lighting. b. The applicant must obtain approval from an authorised electricity supplier (eg. ENERGEX) for the electrical reticulation. In seeking that approval, the applicant must submit to the electricity supplier a copy of this decision notice, together with the stamped approved plans/drawings.				
6.	Electricity supply a. In supplying power to the site, no additional poles and/or pole-mounted transformers are to				

	be erected. b. Prior to Council's compliance assessment of subdivision plans, submit to Council a copy of the 'Certificate of Supply' from an authorised electricity supplier (e.g. ENERGEX) as evidence that underground electricity supply is available to all proposed lots.
Advice Notes	
A.	Consistency with other related approvals The assessment and approval of the operational work the subject of this permit, has been attended to having regard to the conditions of PN307555/02/DA1, ROL201800026 dated 23 August 2018. Should any change to any of these approvals be sought and achieved, consideration by the applicant should also be had to the consequences on the related approvals (and the potential need to make subsequent changes to these related approvals).
B.	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.
C.	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.
D.	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.
E.	Fire ant control Northern suburbs of the Gold Coast are within Fire Ant Biosecurity zone 2 and must remain vigilant for the presence of fire ants. Under the Biosecurity Act 2014 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.
F.	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.
G.	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 the correcting 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; e Providing Council with proof of payment of the Portable Long Service Leave building construction levy (or proof of appropriate exemption) where the value of the Operational Works exceed \$150,000. 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; and f Making payment of any outstanding Council rates and charges applicable to the development site prior to the lodgement of subdivision plans.
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