

Our reference: PN307555/03/DA10
OPW201800001

Decision notice— approval (with conditions)

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

Date of decision notice: 1 March 2018

Applicant details

Applicant name: SPACEFRAME BUILDINGS PTY. LTD.

Applicant contact details: Spaceframe Buildings Pty. Ltd.
C/- Spaceframe Buildings Pty Ltd
PO BOX 452
MORNINGSIDE QLD 4170

Application details

Application number: OPW201800001

Approval sought: Operational work

Details of proposed development: Development permit for Operational work for Infrastructure (stormwater, sewer and water reticulation) to facilitate the development of Medium impact industry (MCU201701572).

Location details

Street address: 84 - 160 Christensen Road South, Stapylton

Real property description: Lot 334 on SP193431

Decision

Date of decision: 28 February 2018

Decision details: Under Delegated Authority, the Manager of the City Development Branch of Council 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 for Infrastructure (stormwater, sewer and water reticulation).

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. This approval will lapse on 1 March 2020.

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 Craig Morse, Civil Engineer on p: 07 5582 8866 or via email mail@goldcoast.qld.gov.au who will be pleased to assist.

AUTHORISED BY

Antony Kocsmar
Acting 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:																																							
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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 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 until the asset is accepted “off maintenance” by the City in accordance with the procedures in City Planning Policy SC6.9 – Land development guidelines, sections 6.9.6 and 6.9.7.																																							
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.	Legal point of discharge Construct and maintain the stormwater drainage system identified in the approved drawings condition at no cost to Council until the asset is accepted "off maintenance" by the City in accordance with the procedures in City Planning Policy SC6.9 – Land development guidelines, section 6.9.6.																																								
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6.	Sewer reticulation Construct and maintain the sewer reticulation system identified in the approved drawings condition at no cost to Council until the asset is accepted "off maintenance" by the City in accordance with the procedures in City Planning Policy SC6.9 – Land development guidelines, sections 6.9.6 and 6.9.7 and include in particular: - i The size of the sewer property service connection must be a minimum of 150 mm in accordance with Section 4.5.4 of the SEQ Water Supply & Sewerage Design & Construction Code (SEQ WS&S D&C Code). - ii Remove/seal/cap redundant sewer property services.																																								
7.	Water reticulation Construct and maintain the water reticulation system at no cost to Council until the asset is accepted "off maintenance" by the City in accordance with the procedures in City Planning Policy SC6.9 – Land development guidelines, section 6.9.6.																																								
Construction Management																																									
8.	Certification of works Provide Council with certificates prepared by qualified experts from the disciplines listed below, confirming as follows: <table border="1" style="width: 100%; margin-top: 10px;"> <tr> <th colspan="5">Operational Works</th> </tr> <tr> <th>Certified document</th> <th>Certification date</th> <th>Plan/ Drawing</th> <th>Expert discipline</th> <th>Requesting Council Section</th> </tr> <tr> <td>Appendix C Certification from the Land Development Guidelines</td> <td>Upon practical completion of works.</td> <td>N/A</td> <td>Registered Professional Engineer Queensland (RPEQ)</td> <td>Contributed Assets</td> </tr> <tr> <td colspan="5"> The certification is to confirm: i. All works have been undertaken generally in accordance with the approved drawings. ii. All works have been undertaken in accordance with the conditions. </td> </tr> </table> <table border="1" style="width: 100%; margin-top: 10px;"> <tr> <th colspan="5">Gold Coast Water and Waste</th> </tr> <tr> <th>Certified document</th> <th>Certification date</th> <th>Plan/ Drawing</th> <th>Expert discipline</th> <th>Requesting Council Section</th> </tr> <tr> <td>Requirements of Water & Sewerage acceptance testing guidelines</td> <td>Prior to request</td> <td></td> <td>RPEQ</td> <td>Water & Waste</td> </tr> <tr> <td colspan="5">The certification is to confirm:</td> </tr> </table>	Operational Works					Certified document	Certification date	Plan/ Drawing	Expert discipline	Requesting Council Section	Appendix C 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: i. All works have been undertaken generally in accordance with the approved drawings. ii. All works have been undertaken in accordance with the conditions.					Gold Coast Water and Waste					Certified document	Certification date	Plan/ Drawing	Expert discipline	Requesting Council Section	Requirements of Water & Sewerage acceptance testing guidelines	Prior to request		RPEQ	Water & Waste	The certification is to confirm:				
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	i. Constructed works comply with necessary standards and confirm level and location details. ii. Installed components meet specifications and standards for materials and design and installation specifications and acceptance testing requirements.			
9.	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.			
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.	Pre-start inspection Arrange a pre-start inspection prior to the commencement of works to complete the requirements identified in SC.6.9 City Plan Policy – Land development guidelines for the following: <table><tr><td> Purpose Review and discuss Operational works – infrastructure approval </td><td> Council contact 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 Review and discuss Operational works – infrastructure approval	Council contact Contributed Assets (07) 5582 9034	
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12.	Hold point inspection Arrange a hold point inspection to complete the requirements identified in SC.6.9 City Plan Policy – Land development guidelines/Landscape work code of the City Plan for the following: <table><tr><td> Purpose Confirm works have been undertaken in accordance with the operational works approval and associated hold point requirements identified in SC6.9 City Plan Policy – Land development guidelines </td><td> Hold Point As indicated in SC6.9 City Plan Policy – Land development guidelines </td><td> Council contact 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 Confirm works have been undertaken in accordance with the operational works approval and associated hold point requirements identified in SC6.9 City Plan Policy – Land development guidelines	Hold Point As indicated in SC6.9 City Plan Policy – Land development guidelines	Council contact Contributed Assets (07) 5582 9034
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13.	On maintenance Arrange an on maintenance meeting to complete the requirements identified in SC.6.9 City Plan Policy – Land development guidelines for the following: <table><tr><td> Purpose Confirm satisfactory completion of works have been undertaken in accordance with the Operational works – Infrastructure approval </td><td> Hold Point Prior to commencement of the on maintenance period </td><td> Council contact Contributed Assets (07) 5582 9034 </td></tr></table>	Purpose Confirm satisfactory completion of works have been undertaken in accordance with the Operational works – Infrastructure approval	Hold Point Prior to commencement of the on maintenance period	Council contact Contributed Assets (07) 5582 9034
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14.	Off maintenance Arrange an off maintenance meeting to complete the requirements identified in SC.6.9 City Plan Policy – Land development guidelines for the following:								
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15.	Bond a. Provide security to Council in the form of an unconditional and irrevocable bank guarantee or cash in the amount of \$5,000 to secure: i. The conditions of approval have been satisfied. b. Provide the security prior to the commencement of works. Council will hold the security until: i. Works are acceptable to proceed to on maintenance.								
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 PN307555/01/DA8 MCU201701572 as at 1 February 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.	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>Gold Coast Water and Waste</td></tr><tr><td>- Application to work on the City's Infrastructure</td></tr></table> A copy of this decision notice and accompanying stamped drawings/plans must be submitted with any subsequent application identified above.	Gold Coast Water and Waste	- Application to work on the City's Infrastructure						
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D.	No open trenching of the road pavement for water connections across/in roadways Conduits must be installed to service the proposed development by thrust boring 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 Gold Coast Water and Waste Network Modifications, Extension and Connections Policy Procedures, available on Council's website: http://www.cityofgoldcoast.com.au								

E.	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.
F.	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.
G.	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 Gold Coast Water and Waste. Refer to Gold Coast Water and Waste Network Modifications, Extension and Connections Policy Procedures, available on Council's website: http://www.cityofgoldcoast.com.au
H.	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.
I.	Indigenous cultural heritage legislation and duty of care requirement The <i>Aboriginal Cultural Heritage Act 2003</i> ('ACHA') is administered by the Department of Aboriginal and Torres Strait Islander and Multicultural Affairs (DATSIMA). 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: - Is not negated by the issuing of this development approval; - Applies on all land and water, including freehold land; - Lies with the person or entity conducting an activity; and - 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 DATSIMA's Cultural Heritage Coordination Unit on (07) 3405 3050 for further information on the responsibilities of developers under the ACHA.
J.	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.

K.	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: - 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; - 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'); - 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); - 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; - 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 - Making payment of any outstanding Council rates and charges applicable to the development site prior to the lodgement of subdivision plans. - 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
L.	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 Gold Coast Water 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