

Our reference: COM/2021/229

Decision notice— approval (with conditions)

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

Date of decision notice: 17 January 2022

Applicant details

Applicant name: Frasers Property Australia Pty Ltd
Applicant contact details: C/- Gassman Development Perspectives
PO BOX 392
BEENLEIGH QLD 4207

Application details

Application number: COM/2021/229
Approval sought: Development permit for Operational work
Details of proposed development: Operational work for Change to Ground Level, Infrastructure (roadwork, footpath and stormwater reticulation) and Vehicle Access Work.

Location details

Street address: 60 Stapylton Jacobs Well Road, Stapylton Qld 4207
Real property description: Lot 501 SP295994

Decision

Date of decision 17 January 2022
Decision details: Under Delegated Authority, the Supervisor of Operational Works 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 Change to Ground Level, Infrastructure (roadwork, footpath and stormwater reticulation) and Vehicle Access Work.

Conditions

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

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

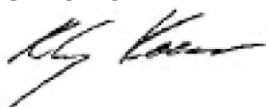
Approved plans and drawings are attached and are identified in the conditions imposed by Council as the Assessment manager.

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 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

Supervisor Operational Works

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 extract

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:																																																																																																		
	<table><tr><th colspan="5">Operational Works</th></tr><tr><th>Drawing Title</th><th>Author</th><th>Date</th><th>Drawing No.</th><th>Ver</th></tr><tr><td>Drawing Index and Locality Plan</td><td>Gassman</td><td>September 2021</td><td>5941 ENG EXTINT2 001</td><td>C</td></tr><tr><td>General Notes</td><td>Gassman</td><td>14/09/21</td><td>5941 ENG EXTINT2 002</td><td>A</td></tr><tr><td>Legend</td><td>Gassman</td><td>14/09/21</td><td>5941 ENG EXTINT2 003</td><td>A</td></tr><tr><td>Key Plan Layout</td><td>Gassman</td><td>22/12/21</td><td>5941 ENG EXTINT2 004</td><td>C</td></tr><tr><td>Existing Surface Layout Plan Sheet 1 of 2</td><td>Gassman</td><td>14/09/21</td><td>5941 ENG EXTINT2 010</td><td>A</td></tr><tr><td>Existing Surface Layout Plan Sheet 2 of 2</td><td>Gassman</td><td>14/09/21</td><td>5941 ENG EXTINT2 011</td><td>A</td></tr><tr><td>Demolition and Protection Layout Plan Sheet 1 of 2</td><td>Gassman</td><td>14/09/21</td><td>5941 ENG EXTINT2 020</td><td>A</td></tr><tr><td>Demolition and Protection Layout Plan Sheet 2 of 2</td><td>Gassman</td><td>22/12/21</td><td>5941 ENG EXTINT2 021</td><td>C</td></tr><tr><td>Sediment and Erosion Control Plan Sheet 1 of 2</td><td>Gassman</td><td>14/09/21</td><td>5941 ENG EXTINT2 050</td><td>A</td></tr><tr><td>Sediment and Erosion Control Plan Sheet 2 of 2</td><td>Gassman</td><td>22/12/21</td><td>5941 ENG EXTINT2 051</td><td>C</td></tr><tr><td>Sediment and Erosion Typical Sections and Details</td><td>Gassman</td><td>14/09/21</td><td>5941 ENG EXTINT2 052</td><td>A</td></tr><tr><td>Earthworks Cut and Fill Plan Sheet 1 of 2</td><td>Gassman</td><td>22/12/21</td><td>5941 ENG EXTINT2 120</td><td>C</td></tr><tr><td>Earthworks Cut and Fill Plan Sheet 2 of 2</td><td>Gassman</td><td>22/12/21</td><td>5941 ENG EXTINT2 121</td><td>C</td></tr><tr><td>Roadworks and Drainage Layout Plan Sheet 1 of 2</td><td>Gassman</td><td>14/09/21</td><td>5941 ENG EXTINT2 400</td><td>A</td></tr><tr><td>Roadworks and Drainage Layout Plan Sheet 2 of 2</td><td>Gassman</td><td>22/12/21</td><td>5941 ENG EXTINT2 401</td><td>C</td></tr><tr><td>Typical Sections and Details Sheet 1 of 2</td><td>Gassman</td><td>14/09/21</td><td>5941 ENG EXTINT2 410</td><td>A</td></tr><tr><td>Typical Sections and Details Sheet 2 of 2</td><td>Gassman</td><td>14/09/21</td><td>5941 ENG EXTINT2 411</td><td>A</td></tr></table>				Operational Works					Drawing Title	Author	Date	Drawing No.	Ver	Drawing Index and Locality Plan	Gassman	September 2021	5941 ENG EXTINT2 001	C	General Notes	Gassman	14/09/21	5941 ENG EXTINT2 002	A	Legend	Gassman	14/09/21	5941 ENG EXTINT2 003	A	Key Plan Layout	Gassman	22/12/21	5941 ENG EXTINT2 004	C	Existing Surface Layout Plan Sheet 1 of 2	Gassman	14/09/21	5941 ENG EXTINT2 010	A	Existing Surface Layout Plan Sheet 2 of 2	Gassman	14/09/21	5941 ENG EXTINT2 011	A	Demolition and Protection Layout Plan Sheet 1 of 2	Gassman	14/09/21	5941 ENG EXTINT2 020	A	Demolition and Protection Layout Plan Sheet 2 of 2	Gassman	22/12/21	5941 ENG EXTINT2 021	C	Sediment and Erosion Control Plan Sheet 1 of 2	Gassman	14/09/21	5941 ENG EXTINT2 050	A	Sediment and Erosion Control Plan Sheet 2 of 2	Gassman	22/12/21	5941 ENG EXTINT2 051	C	Sediment and Erosion Typical Sections and Details	Gassman	14/09/21	5941 ENG EXTINT2 052	A	Earthworks Cut and Fill Plan Sheet 1 of 2	Gassman	22/12/21	5941 ENG EXTINT2 120	C	Earthworks Cut and Fill Plan Sheet 2 of 2	Gassman	22/12/21	5941 ENG EXTINT2 121	C	Roadworks and Drainage Layout Plan Sheet 1 of 2	Gassman	14/09/21	5941 ENG EXTINT2 400	A	Roadworks and Drainage Layout Plan Sheet 2 of 2	Gassman	22/12/21	5941 ENG EXTINT2 401	C	Typical Sections and Details Sheet 1 of 2	Gassman	14/09/21	5941 ENG EXTINT2 410	A	Typical Sections and Details Sheet 2 of 2	Gassman	14/09/21	5941 ENG EXTINT2 411	A
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	Control Line Layout Plan	Gassman	22/12/21	5941 ENG EXTINT2 420	C
	Control Line Setout Tables	Gassman	14/09/21	5941 ENG EXTINT2 421	A
	Christensen Road Longitudinal Section	Gassman	14/09/21	5941 ENG EXTINT2 430	A
	Highlands Street Longitudinal Section	Gassman	14/09/21	5941 ENG EXTINT2 431	A
	Christensen Road Cross Sections Sheet 1 of 13	Gassman	14/09/21	5941 ENG EXTINT2 450	A
	Christensen Road Cross Sections Sheet 2 of 13	Gassman	14/09/21	5941 ENG EXTINT2 451	A
	Christensen Road Cross Sections Sheet 3 of 13	Gassman	14/09/21	5941 ENG EXTINT2 452	A
	Christensen Road Cross Sections Sheet 4 of 13	Gassman	14/09/21	5941 ENG EXTINT2 453	A
	Christensen Road Cross Sections Sheet 5 of 13	Gassman	14/09/21	5941 ENG EXTINT2 454	A
	Christensen Road Cross Sections Sheet 6 of 13	Gassman	14/09/21	5941 ENG EXTINT2 455	A
	Christensen Road Cross Sections Sheet 7 of 13	Gassman	22/12/21	5941 ENG EXTINT2 456	B
	Christensen Road Cross Sections Sheet 8 of 13	Gassman	22/12/21	5941 ENG EXTINT2 457	B
	Christensen Road Cross Sections Sheet 9 of 13	Gassman	22/12/21	5941 ENG EXTINT2 458	B
	Christensen Road Cross Sections Sheet 10 of 13	Gassman	22/12/21	5941 ENG EXTINT2 459	B
	Christensen Road Cross Sections Sheet 11 of 13	Gassman	22/12/21	5941 ENG EXTINT2 460	B
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	Christensen Road Cross Sections Sheet 13 of 13	Gassman	22/12/21	5941 ENG EXTINT2 462	B
	Driveway Setout Details	Gassman	22/12/21	5941 ENG EXTINT2 480	C
	Christensen Road & Highlands Street Intersection Details	Gassman	22/12/21	5941 ENG EXTINT2 490	C
	Storm Water Drainage Catchment Plan	Gassman	22/12/21	5941 ENG EXTINT2 500	C
	Stormwater Drainage Longitudinal Sections	Gassman	12/11/21	5941 ENG EXTINT2 510	B
	Stormwater Drainage Calculation Tables	Gassman	14/09/21	5941 ENG EXTINT2 550	A
	Linemarking and Signage Plan Sheet 1 of 2	Gassman	12/11/21	5941 ENG EXTINT2 800	B

	Linemarking and Signage Plan Sheet 2 of 2	Gassman	22/12/21	5941 ENG EXTINT2 801	C
	A-Double Swept Path Analysis Sheet 1 of 4	Gassman	22/12/21	5941 ENG EXTINT2 900	C
	A-Double Swept Path Analysis Sheet 2 of 4	Gassman	22/12/21	5941 ENG EXTINT2 901	C
	A-Double Swept Path Analysis Sheet 3 of 4	Gassman	22/12/21	5941 ENG EXTINT2 902	C
	A-Double Swept Path Analysis Sheet 4 of 4	Gassman	22/12/21	5941 ENG EXTINT2 903	C
And ensure that: - i The concrete is 175mm thick having a minimum of N32 grade. The minimum steel reinforcement is SL72 mesh with a minimum 50 mm top cover. - ii Stormwater kerb adaptors are clear from the crossing and entirely contained within the frontage of the subject site. - iii The vehicular crossing is located clear from all utility services. - iv Standard change in grade requirements in AS2890.1 is complied with. 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.					
3	When the approval lapses if works is not completed This approval will lapse if the works is not completed by 17 January 2024, in accordance with section 88 of the Planning Act 2016.				
Engineering					
4	Rectification of Council's infrastructure - a Rectify any damage caused to Council infrastructure (including roads, 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 SC6.11 – Land development guidelines, sections 7 Procedures, 8.5 As-constructed requirements, 9 Specifications and 10 Standard drawings.				
5	Footpaths - a Construct and maintain the footpath 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 SC6.11 – Land development guidelines, sections 2 Transport network standards, 7 Procedures, 8.5 As-constructed requirements, 9 Specifications and 10 Standard drawings. - b Ensure that there is a minimum 300mm circumferential separation between any footpath and the outer edge of existing/new power poles. Fill the space with compacted cold-mix asphalt to a minimum depth of 50mm.				
6	Roadworks Construct and maintain the roadworks 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 SC6.11 – Land development guidelines, sections 2 Transport network standards, 7 Procedures, 8.5 As-constructed requirements, 9 Specifications & 10 Standard drawings.				

7	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.															
8	Construction of vehicular crossing Construct the vehicular crossing generally in accordance with the Driveways and vehicular crossing code of the City Plan and include in particular: i Requirements of the Manual of Uniform Traffic Control Devices, Part 3 – Works on Roads:															
9	Existing structures and services Ensure removal of existing structures and services listed below prior to the post pour inspection at no cost to Council: i Redundant vehicular crossing. ii Redundant stormwater kerb adaptors, (including any associated pipework across the verge).															
Stormwater Drainage																
10	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															
11	Stormwater drainage / 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 SC6.11 – Land development guidelines, sections 4 Stormwater drainage and water sensitive urban design standards, 7 Procedures, 8.5 As-constructed requirements, 9 Specifications and 10 Standard drawings.															
Construction Management																
12	Certification of works Provide Council with certificates prepared by qualified experts from the disciplines listed below, confirming as follows: <table><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 A Certification from the Land Development</td><td>Upon practical completion of works.</td><td>N/A</td><td>Registered Professional Engineer Queensland</td><td>Contributed Assets</td></tr></table>	Operational Works					Certified document	Certification date	Plan/ Drawing	Expert discipline	Requesting Council Section	Appendix A Certification from the Land Development	Upon practical completion of works.	N/A	Registered Professional Engineer Queensland	Contributed Assets
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Guidelines			(RPEQ)	
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 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 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.				

13	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="319 280 1449 810"> <tr> <th colspan="2" data-bbox="319 280 1449 324">All works approved by this permit</th></tr> <tr> <th data-bbox="319 324 703 436">Expertise required of the suitably qualified professional</th><th data-bbox="703 324 1449 436">Actions to be overseen by the professional</th></tr> <tr> <td data-bbox="319 436 703 548">Registered Professional Engineer of Queensland (RPEQ)</td><td data-bbox="703 436 1449 548">All supply, installation, construction, testing and commissioning of works</td></tr> <tr> <th colspan="2" data-bbox="319 548 1449 593">Operational works</th></tr> <tr> <th data-bbox="319 593 703 705">Expertise required of the suitably qualified professional</th><th data-bbox="703 593 1449 705">Actions to be overseen by the professional</th></tr> <tr> <td data-bbox="319 705 703 808">Registered Professional Engineer of Queensland (RPEQ)</td><td data-bbox="703 705 1449 808">Bulk earthworks inspected to level 1 in accordance with AS3798-2007</td></tr> </table>	All works approved by this permit		Expertise required of the suitably qualified professional	Actions to be overseen by the professional	Registered Professional Engineer of Queensland (RPEQ)	All supply, installation, construction, testing and commissioning of works	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
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Registered Professional Engineer of Queensland (RPEQ)	Bulk earthworks inspected to level 1 in accordance with AS3798-2007												
14	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.												
15	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.												

16	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.				
17	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 to acceptance of On maintenance.				
18	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 that 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 the 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 any sediment runoff. iv. A perimeter bund and/or diversion drain must be constructed around the disturbed area 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. - c Inspections for erosion and sediment control measures are to occur in accordance with the compliance procedures in City Planning Policy SC6.11 – Land development guidelines, Section 4.5.17.1.2 – Compliance.				
19	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 border="1" data-bbox="317 1576 1447 1713"> <tr> <th>Purpose</th><th>Council contact</th></tr> <tr> <td>Review and discuss this Operational works – infrastructure 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 this Operational works – infrastructure approval.	Contributed Assets (07) 5582 9034
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Review and discuss this Operational works – infrastructure approval.	Contributed Assets (07) 5582 9034				

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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:

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
Undertake a vehicular crossing pre-pour inspection to ensure work is in accordance with the Operational works approval inclusive of any necessary footpath tie ins.	Prior to placement of concrete	Development Compliance (07) 5582 8184
Undertake a vehicular crossing post-pour inspection to ensure work is in accordance with the Operational works approval	After placement of concrete	Development Compliance (07) 5582 8184

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.

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On maintenance

Arrange an on maintenance meeting to complete the requirements identified in SC.6.11 City Plan Policy – Land development guidelines for the following:

Purpose	Hold Point	Council contact
Confirm completion of works have been undertaken in accordance with this approval	Prior to commencement of the on maintenance period	Contributed Assets 07 5582 9034

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.

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Off maintenance

Arrange an off maintenance meeting to complete the requirements identified in SC.6.11 City Plan Policy – Land development guidelines for the following:

Purpose	Hold Point	Council contact
Confirmation works have been undertaken in accordance with the Operational works, Works for infrastructure approval	Prior to Asset handover / conclusion of on maintenance period	Contributed Assets (07) 5582 9034

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.

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 COM/2020/262 dated 30 April 2021. 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	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: - 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 DATSIMA's Cultural Heritage Coordination Unit on 07 3405 3050 for further information on the responsibilities of developers under the ACHA.
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	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 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;

	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. g 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
F	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 & 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
G	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.