



Decision Notice Approval (amended)

Planning Act Form 5 (version 1.1 effective 22 June 2018) made under Section 282 of the Planning Act 2016 for a decision notice (approval) under s83 (change application) Planning Act 2016, and Section 3.5.15 of the Integrated Planning Act 1997

Application number:	D-R/2022-2006	Contact:	Elaine Bayles
Notice Date:	22 December 2025	Contact Number:	1300 22 55 77

APPLICANT DETAILS

Name:	Keppel Developments Pty Ltd		
Postal address:	C/- Capricorn Survey Group (CQ) Pty Ltd PO BOX 1391 ROCKHAMPTON QLD 4700		
Phone no:	07 4927 5199	Mobile no:	N/A
Email:	reception@csgcq.com.au		

I acknowledge receipt of the above change application on 17 November 2025 and confirm the following:

DEVELOPMENT APPROVAL

Development Permit for Reconfiguration of a Lot (thirteen lots and open space) Crestwood Estate Stage 7 - previously Chancellors Estate - Stage 7
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PROPERTY DESCRIPTION

Street address:	Lot 300 Yeppoon Road, Norman Gardens
Real property description:	Lot 901 on SP325485

OWNER DETAILS

Name:	Keppel Developments Pty Ltd
Postal address:	GPO BOX 1550, BRISBANE QLD 4001
Dear Keppel Developments Pty Ltd	
I advise that, on 15 December 2025 the above change application was:	
<input checked="" type="checkbox"/> approved in full with conditions* (refer to the conditions contained in Attachment 1)	
*Note: The conditions show which conditions have been imposed by the assessment manager and which conditions have been imposed by a referral agency.	

CHANGES TO CONDITIONS

The conditions which have been changed or cancelled are as follows:

1)	Court Order	Amended	21 October 2013
2)	Court Order	Amended	9 March 2016
3)	Item 5	Changed	15 December 2025
4)	Condition 1.9	New	15 December 2025
5)	Condition 2.1	Changed	28 September 2022

6)	Condition 2.1	Changed	15 December 2025
7)	Condition 3.3	New	28 September 2022
8)	Condition 7.2	Changed	28 September 2022
9)	Condition 7.3	Changed	28 September 2022
10)	Condition 7.13	Changed	28 September 2022
11)	Condition 7.14	Changed	28 September 2022
12)	Condition 9.9	Changed	28 September 2022

1. DETAILS OF THE APPROVAL

	Development Permit	Preliminary Approval
Development assessable under the planning scheme, superseded planning scheme, a temporary local planning instrument, a master plan or a preliminary approval which includes a variation approval - Reconfiguring a lot	<input checked="" type="checkbox"/>	<input type="checkbox"/>

2. CONDITIONS

This approval is subject to the conditions in Attachment 1.

3. FURTHER DEVELOPMENT PERMITS REQUIRED

Please be advised that the following development permits are required to be obtained before the development can be carried out:

Type of development permit required	Subject of the required development permit
Operational Works	<i>Road Works</i> <i>Sewer Works</i> <i>Water Works</i> <i>Stormwater Works</i> <i>Site Works</i> <i>Inter-allotment Drainage Works</i>

4. REFERRAL AGENCIES

The following Referral Agencies were activated by this application.

For an application involving	Name of agency	Role of Agency	Contact Details
CLEARING NATIVE VEGETATION			
<i>Schedule 10, Part 3, Division 4, Table 2 - Reconfiguring a lot that is assessable development under s21</i>			
Development application for reconfiguring a lot that is assessable development under section 21, if— (a) a lot that the application relates to is 5ha or larger; and (b) the size of any lot created is 25ha or less; and	The chief executive of the department in which the <i>Planning Act 2016</i> is	Concurrence	<u>In person:</u> Level 2, 209 Bolsover Street, Rockhampton City <u>Online lodgement using MyDAS2:</u> https://prod2.dev-assess.qld.gov.au/suite/

<p>(c) either—</p> <p>(i) the reconfiguration involves operational work that is assessable development under section 5, other than operational work that is only the clearing of regulated regrowth vegetation; or</p> <p>(ii) on any lot created, accepted operational work, other than operational work that is only the clearing of regulated regrowth vegetation, may be carried out</p>	<p>administered:</p> <p>Department of State Development, Tourism and Innovation</p>		<p><u>Email:</u> RockhamptonSARA@dsmip.qld.gov.au</p> <p><u>Postal:</u> PO Box 113 Rockhampton Qld 4700</p>
<p>STATE TRANSPORT INFRASTRUCTURE (State Transport Corridors and Future State Transport Corridors)</p>			
<p><i>Schedule 10, Part 9, Division 4, Subdivision 2, Table 1 – Reconfiguring a lot near a State transport corridor</i></p>			
<p>Development application for reconfiguring a lot that is assessable development under section 21, if—</p> <p>(a) all or part of the premises are within 25m of a State transport corridor; and</p> <p>(b) 1 or more of the following apply—</p> <p>(i) the total number of lots is increased;</p> <p>(ii) the total number of lots adjacent to the State transport corridor is increased;</p> <p>(iii) there is a new or changed access between the premises and the State transport corridor;</p> <p>(iv) an easement is created adjacent to a railway as defined under the Transport Infrastructure Act, schedule 6; and</p> <p>(c) the reconfiguration does not relate to government supported transport infrastructure</p>	<p>The chief executive of the department in which the <i>Planning Act 2016</i> is administered:</p> <p>Department of State Development, Tourism and Innovation</p>	<p>Concurrence</p>	<p><u>In person:</u> Level 2, 209 Bolsover Street, Rockhampton City</p> <p><u>Online lodgement using MyDAS2:</u> https://prod2.dev-assess.qld.gov.au/suite/</p> <p><u>Email:</u> RockhamptonSARA@dsmip.qld.gov.au</p> <p><u>Postal:</u> PO Box 113 Rockhampton Qld 4700</p>

5. THE APPROVED PLANS

The approved development must be completed and maintained generally in accordance with the approved drawings and documents:

<u>Plan/Document Name</u>	<u>Prepared By</u>	<u>Plan Number</u>	<u>Date</u>	<u>Version/ Issue</u>
Reconfiguration Plan Stages 7 & 8 (1 Lot into 30 Lots + PUL + Balance)	Capricorn Survey Group	9789-07-ROL	16 November 2025	A
Flood Study	Cardno	R1031/31-03	11 July 2008	2
Engineering Infrastructure Report	Brown Smart Consulting	R12063	June 2013	A
Stormwater Management Report	Brown Smart Consulting	R12063	June 2013	A
Bushfire Hazard Assessment and Management Plan Crestwood Estate	Denley Environmental Ecology &	40708	10 February 2014	1

<u>Plan/Document Name</u>	<u>Prepared By</u>	<u>Plan Number</u>	<u>Date</u>	<u>Version/ Issue</u>
	Environment			

6. CURRENCY PERIOD FOR THE APPROVAL (s.85 of the Planning Act) (change application)

The standard relevant periods stated in section 85 of *Planning Act 2016* apply to each aspect of development in this approval, if not stated in the conditions of approval attached.

7. RIGHTS OF APPEAL

The rights of an applicant to appeal to a tribunal or the Planning and Environment Court against a decision about a development application are set out in chapter 6, part 1 of the *Planning Act 2016*. For particular applications, there may also be a right to make an application for a declaration by a tribunal (see chapter 6, part 2 of the *Planning Act 2016*).

Appeal by an applicant

An applicant for a development application may appeal to the Planning and Environment Court against the following:

- the refusal of all or part of the development application
- a provision of the development approval
- the decision to give a preliminary approval when a development permit was applied for
- a deemed refusal of the development application.

An applicant may also have a right to appeal to the Development tribunal. For more information, see schedule 1 of the *Planning Act 2016*.

The timeframes for starting an appeal in the Planning and Environment Court are set out in section 229 of the *Planning Act 2016*.

Attachment 2 is an extract from the *Planning Act 2016* that sets down the applicant's appeal rights and the appeal rights of a submitter.

8. WHEN THE DEVELOPMENT APPROVAL TAKES EFFECT

This development approval takes effect:

- From the time the decision notice is given – if there is no submitter and the applicant does not appeal the decision to the court.

Or

- When the submitter's appeal period ends – if there is a submitter and the applicant does not appeal the decision to the court.

Or

- Subject to the decision of the court, when the appeal is finally decided – if an appeal is made to the court.

9. ORIGINAL DECISION ASSESSMENT MANAGER

Name: Planning and Environment Court	Date: 28 August 2008
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10. ASSESSMENT MANAGER

Name: Aidan Murray <u>SENIOR PLANNING OFFICER</u>	Signature: 	Date: 22 December 2025
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C/C Department of State Development, Manufacturing, Infrastructure and Planning- RockhamptonSARA@dsdmip.qld.gov.au

Attachment 1 – Conditions of the approval

Part 1 – Conditions imposed by the assessment manager [Note: where a condition is imposed about infrastructure under Chapter 4 of the Planning Act 2016, the relevant provision of the Act under which this condition was imposed must be specified.]

Part 2 – Conditions required by the referral agency response

Attachment 2—Extract on appeal rights

1.0 ADMINISTRATION

- 1.1 The Developer is responsible for ensuring compliance with this approval and the Conditions of the approval by an employee, agent, contractor or invitee of the Developer.
- 1.2 Where these Conditions refer to “Council” in relation to requiring Council to approve or to be satisfied as to any matter, or conferring on the Council a function, power or discretion, that role of the Council may be fulfilled in whole or in part by a delegate appointed for that purpose by the Council.
- 1.3 All conditions of this approval must be undertaken and completed to the satisfaction of Council, at no cost to Council.
- 1.4 All conditions, works, or requirements of this approval must be undertaken and completed prior to the issue of the Compliance Certificate for the Survey Plan, unless otherwise stated.
- 1.5 Where applicable, infrastructure requirements of this approval must be contributed to the relevant authorities, at no cost to Council prior, to the issue of the Compliance Certificate for the Survey Plan, unless otherwise stated.
- 1.6 The following further Development Permits must be obtained prior to the commencement of any works associated with its purposes:
 - 1.6.1 Operational Works:
 - (i) Road Works;
 - (ii) Sewerage Works;
 - (iii) Water Works;
 - (iv) Stormwater Works;
 - (v) Inter-allotment Drainage Works; and
 - (vi) Site Works.
- 1.7 Unless otherwise stated, all works must be designed, constructed and maintained in accordance with the relevant Council policies, guidelines and standards.
- 1.8 All engineering drawings/specifications, design and construction works must comply with the requirements of the relevant Australian Standards and must be approved, supervised and certified by a Registered Professional Engineer of Queensland.
- 1.9 Existing drainage Easement G on SP325485 must be replaced by a new drainage easement that it is wholly located outside of the proposed Lot 170 and Lot 172 boundaries.

2.0 APPROVED PLANS AND DOCUMENTS

- 2.1 The approved development must be completed and maintained generally in accordance with the approved plans and documents, except where amended by the conditions of this permit:

<u>Plan/Document Name</u>	<u>Prepared By</u>	<u>Plan Number</u>	<u>Date</u>	<u>Version/ Issue</u>
Reconfiguration Plan Stages 7 & 8 (1 Lot into 30 Lots + PUL + Balance)	Capricorn Survey Group	9789-07-ROL	16 November 2025	A
Flood Study	Cardno	R1031/31-03	11 July 2008	2
Engineering Infrastructure	Brown Smart	R12063	June 2013	A

<u>Plan/Document Name</u>	<u>Prepared By</u>	<u>Plan Number</u>	<u>Date</u>	<u>Version/ Issue</u>
Report	Consulting			
Stormwater Management Report	Brown Smart Consulting	R12063	June 2013	A
Bushfire Hazard Assessment and Management Plan Crestwood Estate	Denley Environmental Ecology & Environment	40708	10 February 2014	1

2.2 Where there is any conflict between the conditions of this approval and the details shown on the approved plans and documents, the conditions of approval must prevail.

2.3 Where conditions require the above plans or documents to be amended, the revised document(s) must be submitted for approval by Council prior to the submission of a Development Application for Operational Works.

3.0 STAGED DEVELOPMENT

3.1 This approval is for a development of Stage 7 of Crestwood Estate, comprising of thirteen lots (Lots 166 to 172 and 180 to 185) and public use land. The development is to be undertaken in accordance with the approved plans (refer to condition 2.1).

3.2 Unless otherwise expressly stated, the conditions must be read as being applicable to all stages.

3.3 Stage 7 must be completed prior to Stage 8 otherwise both stages can be completed simultaneously.

4.0 ROAD WORKS

4.1 A Development Permit for Operational Works (road works) must be obtained prior to the commencement of any road works on the site.

4.2 All works must be designed and constructed in accordance with the approved plans (refer to condition 2.1), Capricorn Municipal Development Guidelines, relevant Australian Standards and the provisions of a Development Permit for Operational Works (road works).

4.3 Any application for a Development Permit for Operational Works (road works) must demonstrate that all new roads and road reserves included in the application connect with existing constructed road(s) within and road reserve(s) at the time of making the application.

4.4 Any application for a Development Permit for Operational Works (road works) must be accompanied by a master road hierarchy plan in accordance with Capricorn Municipal Development Guideline. The plan must include details of road classifications, associated cross sections and demonstrate that road classifications can accommodate the intended traffic generated in a design horizon.

4.5 All proposed road reserves including the extensions to the existing roads such as Geoff Wilson Drive, Stan Jones Street and Jim Goldston Avenue and associated new stormwater systems must be designed and constructed in accordance with Capricorn Municipal Development Guidelines.

4.6 The pavement widths of the relevant roads must be transitioned to the existing pavements in accordance with Capricorn Municipal Development Guidelines.

4.7 All new cul-de-sac roads shown on the approved plans (refer to condition 2.1) including associated stormwater drainage systems must comply with all requirements for a road classification of "Access Place" in accordance with the requirements of the Capricorn Municipal Development Guidelines.

4.8 The design and construction of all temporary terminating roads must include a temporary turning area which complies with the relevant performance and technical criteria and facilitates suitable turning movements for a Council refuse collection vehicle. The temporary sealed turning area must permit the unimpeded development of the adjacent allotments. This may require extensions to the road pavement, to the road reserves and/or provision of easements on the extensions of these roads.

4.9 The intersection of Norman Road and Foulkes Street must be upgraded to a suitably configured signalised standard to cater for the full development of Crestwood Estate. The developer must construct the intersection, or as an alternative to developer construction, the developer may enter into an infrastructure agreement with Council on terms acceptable to Council, whereby Council will undertake

the required construction, and the developer will reimburse Council an agreed proportion of the costs of the same. If an infrastructure agreement is entered, the developer must also reimburse Council its legal costs associated with drafting and negotiating the agreement. The intersection must be constructed in accordance with the following:

- 4.9.1 The signalised intersection must comply with the *'Road Planning and Design Manual'*, and the *'Guide to Traffic Engineering Practice'* series of Austroads publications. The *'Road Planning and Design Manual'* must take precedence if there is any inconsistency between the two publications.
- 4.9.2 The configuration of the signalised intersection must provide for all traffic movements at the ten year post-completion of development design horizon such that a minimum level of service of 'C' is provided for the intersection.
- 4.9.3 The geometric design of all through-road elements on Norman Road must be based on a minimum design speed of sixty (60) kilometres an hour.
- 4.9.4 Category V3 road lighting must be provided in accordance with *Australian Standard AS1158* and extended as necessary to comply with all other specified requirements in the *Australian Standard AS1158* suite of standards.
- 4.9.5 Road signage and pavement markings must be installed in accordance with the *Manual of Uniform Traffic Control Devices*.

- 4.10 All pathways and access ramps must be designed and constructed in accordance with Capricorn Municipal Development Guidelines. All pathways located within a road reserve or public use land must be provided with public space lighting in accordance with Australian Standard AS1158 "Lighting for Roads and Public Spaces".
- 4.11 Traffic signs and pavement markings must be provided in accordance with the Manual of Uniform Traffic Control Devices – Queensland. Where necessary, existing traffic signs and pavement markings must be modified in accordance with the Manual of Uniform Traffic Control Devices – Queensland.
- 4.12 Any application for a Development Permit for Operational Works (road works) must include details of the Council approved road names for all new roads.

5.0 SEWERAGE WORKS

- 5.1 A Development Permit for Operational Works (sewerage works) must be obtained prior to the commencement of any sewerage works on the site.
- 5.2 All works must be designed and constructed in accordance with the approved plans (refer to condition 2.1), Capricorn Municipal Development Guidelines, Water Supply (Safety and Reliability) Act, Plumbing and Drainage Act and the provisions of a Development Permit for Operational Works (sewerage works).
- 5.3 All lots within the development must be connected to Council's reticulated sewerage network.
- 5.4 Any sewerage access chambers located within a park or reserve, or below a Q100 flood event, must be provided with bolt down lids.
- 5.5 Easements must be provided over all sewerage infrastructure located within private property. The easement location(s) and width(s) must be in accordance with the requirements of the Capricorn Municipal Development Guidelines.

6.0 WATER WORKS

- 6.1 A Development Permit for Operational Works (water works) must be obtained prior to the commencement of any water works on the site.
- 6.2 All works must be designed and constructed in accordance with the approved plans (refer to condition 2.1), Capricorn Municipal Development Guidelines, Water Supply (Safety and Reliability) Act, Plumbing and Drainage Act and the provisions of a Development Permit for Operational Works (water works).
- 6.3 All lots within the development must be connected to Council's reticulated water network.

7.0 STORMWATER WORKS

- 7.1 A Development Permit for Operational Works (stormwater works) must be obtained prior to the commencement of any stormwater works on the site.
 - 7.2 All stormwater drainage works must be designed and constructed having regard to the approved plans (refer to condition 2.1), Queensland Urban Drainage Manual, Capricorn Municipal Development Guidelines, State Planning Policy 4/10 – Healthy Waters Guidelines, sound engineering practice and the provisions of a Development Permit for Operational Works (stormwater works).
 - 7.3 All stormwater drainage works including any rectification works of the existing detention basins in Lot 501 on SP275164, must be designed and constructed having reference to the approved Engineering Infrastructure Report, Stormwater Management Report (refer to condition 2.1), and approved Flood Study, Version 2, prepared by Cardno (QLD) Pty Ltd, dated 11 July 2008.
 - 7.4 All stormwater must drain to a demonstrated lawful point of discharge and must not adversely affect adjoining land or infrastructure by way of blocking, altering or diverting existing stormwater runoff patterns or have the potential to cause damage to other infrastructure.
 - 7.5 Any application for Operational works (Stormwater works) must identify all areas of the proposed development, and all other land (which may include land not under the control of the developer), which needs to be dedicated to, or encumbered in favour of Council or another statutory authority, in order to provide a lawful point of discharge for the proposed development. The areas identified must satisfy the requirements of the Queensland Urban Drainage Manual.
 - 7.6 Any application for Operational works (Stormwater works) must include an assessment of the major and minor rainfall event peak discharges for all relevant development scenarios.
 - 7.7 Drainage easement(s) must be dedicated in favour of Council to provide drainage corridors suitable for the conveyance of design stormwater flows (fully developed and un-detained flows) through the subject land during a 100 year Average Recurrence Interval (ARI) rainfall event.
 - 7.8 The above drainage easement(s) must be detailed and suitably dimensioned on a layout plan. Drainage calculations along with inundation layouts must be submitted to demonstrate the sizing of these easements is adequate.
 - 7.9 All land proposed and dedicated as major overland flow paths (Q100) must be able to contain all earthworks and batters and include a freeboard to the adjacent lots and access and maintenance provisions consistent with the Queensland Urban Drainage Manual.
 - 7.10 All proposed culverts/cross drainage structures must be designed and constructed considering twenty percent blockage factor, and maximum flow depth over the cross drainage structure must be limited to 200 millimetre (maximum) demonstrating allowable velocity, depth product(s).
 - 7.11 Each allotment must be designed so as to be flood free and self-draining.
 - 7.12 Any application for Operational works (Stormwater works) must include detailed engineering plans with details of any new drainage systems, or the amendment and upgrading of exiting drainage systems to implement the proposed drainage strategy.
 - 7.13 Detailed design of proposed detention/bio-retention basins (if required) and swale drains, or any rectification works of the existing detention basins in Lot 501 on SP275164 must include all required safety measures and facilities to ensure the safety of the public in accordance with Queensland Urban Drainage Manual.
 - 7.14 A management and maintenance plan for any proposed detention basin/retention system must be submitted as part of any application for a Development Permit for Operational Works (stormwater works).
- 8.0 INTER-ALLOTMENT DRAINAGE
- 8.1 A Development Permit for Operational Works (inter-allotment drainage works) must be obtained prior to the commencement of any drainage works on the site.
 - 8.2 Inter-allotment drainage, must be designed and constructed in accordance with the Queensland Urban Drainage Manual and must be provided to any lot where it cannot be satisfactorily demonstrated that roof water drainage associated with building construction on that lot, could reasonably be directed to the frontage kerb and channel or alternative lawful point of discharge. Note that swale drainage systems for inter-allotment drainage are not approved.
 - 8.3 Inter-allotment drainage systems and overland flow paths must be designed and constructed in accordance with the Queensland Urban Drainage Manual.

8.4 Inter-allotment drainage systems and overland flow paths must be wholly contained within a Council easement, with a minimum width of three (3) metres.

9.0 SITE WORKS

9.1 A Development Permit for Operational Works (site works) must be obtained prior to the commencement of any site works.

9.2 Any application for a Development Permit for Operational Works (site works) must be accompanied by an earthworks' plan which clearly identifies the following:

9.2.1 the location of cut and/or fill;

9.2.2 the type of fill to be used and the manner in which it is to be compacted;

9.2.3 the quantum of fill to be deposited or removed and finished cut and/or fill levels;

9.2.4 details of any proposed access routes to the site which are intended to be used to transport fill to or from the site; and

9.2.5 the maintenance of access roads to and from the site so that they are free of all cut and/or fill material and cleaned as necessary.

9.3 All earthworks must be undertaken in accordance with *Australian Standard AS3798 "Guidelines on Earthworks for Commercial and Residential Developments"*.

9.4 Site works must be constructed such that they do not, at any time, in any way restrict, impair or change the natural flow of runoff water, or cause a nuisance or worsening to adjoining properties or infrastructure.

9.5 The structural design of all retaining walls above one (1) metre in height must be separately and specifically certified by a Registered Professional Engineer of Queensland as part of the Operational Works submission. A Registered Professional Engineer of Queensland must on completion certify that all works are compliant with the approved design.

9.6 A detailed inspection and as constructed record must be provided to Council by the consultant Registered Professional Engineer of Queensland prior to acceptance of the works. The consultant must include in the certification confirmation that the wall's foundation ground conditions nominated in the design were inspected and achieved during construction.

9.7 The detailed inspection and As Constructed record must demonstrate to Council that the wall construction work was closely monitored throughout construction by the Registered Professional Engineer of Queensland including the achieved foundation ground conditions.

9.8 The approved design and/or the construction of the retaining walls must not be modified or altered without Council's prior written approval.

9.9 Any application for a Development Permit for Operational Works (site works) must be accompanied by a Geotechnical Assessment prepared by suitably qualified Registered Professional Engineer of Queensland which addresses the Rockhampton City Plan 2005, Steep or Unstable Land Code and State Planning Policy 1/03. (Only applicable for the development area where site slope is greater than fifteen percent determined in accordance with Steep or Unstable Land Code and State Planning Policy 1/03).

10.0 LANDSCAPING WORKS

10.1 A Development Permit for Operational Works (landscaping works) must be obtained prior to the commencement of any landscaping works on the site.

10.2 Any application for a Development Permit for Operational Works (landscaping works) must include, but is not limited to, the following:

10.2.1 A plan documenting the "Extent of Works" and supporting documentation which includes:

(i) location and name of existing trees, including those to be retained (the location of the trees shall be overlaid or be easily compared with the proposed development design);

(ii) the extent of soft and hard landscape proposed;

(iii) important spot levels and/or contours. The levels of the trees to be retained shall be provided in relation to the finished levels of the proposed buildings and works;

- (iv) underground and overhead services;
- (v) typical details of critical design elements (stabilisation of batters, retaining walls, fences);
- (vi) details of landscape structures including areas of deep planting; and
- (vii) specification notes on mulching and soil preparation.

10.2.2 A "Planting Plan" and supporting documentation which includes:

- (i) trees, shrubs and groundcovers to all areas to be landscaped;
- (ii) position and canopy spread of all trees and shrubs;
- (iii) the extent and type of works (inclusive but not limited to paving, fences and garden bed edging); and
- (iv) a plant schedule with the botanic and common names, total plant numbers and pot sizes at the time of planting.

11.0 ELECTRICITY AND TELECOMMUNICATIONS

11.1 Underground electricity and telecommunication connections must be provided to the proposed development to the requirements of the relevant authority.

11.2 Evidence must be provided of a certificate of supply with the relevant service providers to provide each lot with live electricity and telecommunication connections, in accordance with the requirements of the relevant authorities prior to the issue of the Compliance Certificate for the Survey Plan.

12.0 ASSET MANAGEMENT

12.1 Any alteration necessary to electricity, telephone, water mains, sewerage mains, and/or public utility installations resulting from the development or in connection with the development, must be at full cost to the Developer.

12.2 Any damage to existing kerb and channel, pathway or roadway (including removal of concrete slurry from public land, pathway, roads, kerb and channel and stormwater gullies and drainage lines) which may occur during any works carried out in association with the approved development must be repaired. This must include the reinstatement of the existing traffic signs and pavement markings which may have been removed.

12.3 'As constructed' information pertaining to assets to be handed over to Council and those which may have an impact on Council's existing and future assets must be provided prior to the issue of the Compliance Certificate for the Survey Plan. This information must be provided in accordance with the Manual for Submission of Digital As Constructed Information.

13.0 ENVIRONMENTAL

13.1 Any application for a Development Permit for Operational Works must be accompanied by a detailed Environmental Management Plan, which addresses, but is not limited to, the following matters:

- (i) water quality and drainage;
- (ii) erosion and silt/sedimentation management;
- (iii) acid sulphate soils;
- (iv) fauna management;
- (v) vegetation management and clearing;
- (vi) topsoil management;
- (vii) interim drainage plan during construction;
- (viii) construction programme;
- (ix) geotechnical issues;
- (x) weed control;
- (xi) bushfire management;
- (xii) emergency vehicle access;
- (xiii) noise and dust suppression; and

- (xiv) waste management.
- 13.2 Any application for a Development Permit for Operational Works must be accompanied by an Erosion and Sediment Control Plan which addresses, but is not limited to, the following:
- (i) objectives;
 - (ii) site location / topography;
 - (iii) vegetation;
 - (iv) site drainage;
 - (v) soils;
 - (vi) erosion susceptibility;
 - (vii) erosion risk;
 - (viii) concept;
 - (ix) design; and
 - (x) implementation, for the construction and post construction phases of work.
- 13.3 The Environmental Management Plan approved as part of a Development Permit for Operational Works must be part of the contract documentation for the development works.
- 13.4 The Erosion Control and Stormwater Control Management Plan must be implemented and maintained on-site for the duration of the works, and until all exposed soil areas are permanently stabilised (for example, turfed, hydromulched, concreted, landscaped). The prepared Erosion Control and Stormwater Control Management Plan must be available on-site for inspection by Council Officers during those works.
- 13.5 The development must be undertaken in accordance with updated recommendations in the approved Bushfire Hazard Assessment and Management Plan (refer to condition 2.1)
- 13.6 All dead and/or damaged timber must be removed from the site during construction of the subdivision and prior to the issue of the Compliance Certificate for the Survey Plan.
- 14.0 CONTRIBUTIONS/COSTS
- 14.1 The contributions must be paid to Council prior to the issue of the Compliance Certificate for the Survey Plan for the respective stage of development.
- 14.2 The contributions must be paid in accordance with Council's Policy rates at the date of payment. The following table sets out the contributions required to be paid:

All contributions paid by 8 March 2018 are out below. Contributions will be updated by Consumer Price Index at the time of payment.

<u>Policy</u>	<u>Contribution</u>	<u>Current Total*</u>
PSP 5	Open Space Infrastructure Contributions	\$15,275.00
PSP 8 and PSP 10	Road Infrastructure Contributions and Stormwater Contributions	\$21,487.31
PSP 11	Water Supply Infrastructure Contributions	\$40,124.50
PSP 11	Sewerage Infrastructure Contributions	\$30,972.50

All contributions paid after 8 March 2018 must be paid in accordance with the charge applicable at the time of payment.

15.0 OPERATION PROCEDURES

- 15.1 All construction materials, waste, waste skips, machinery and contractors' vehicles must be located and stored or parked within the site. No storage of materials, parking of construction machinery or contractors' vehicles will be permitted in Norman Road, Foulkes Street, Bruce Hiskens Court, Geoff Wilsons Drive, Stan Jones Street or Jim Goldston Avenue.

ADVISORY NOTES

NOTE 1. Aboriginal Cultural Heritage

It is advised that under section 23 of the *Aboriginal Cultural Heritage Act 2003*, a person who carries out an activity must take all reasonable and practicable measures to ensure the activity does not harm Aboriginal Cultural Heritage (the “cultural heritage duty of care”). Maximum penalties for breaching the duty of care are listed in the Aboriginal Cultural Heritage legislation. The information on Aboriginal Cultural Heritage is available on the Department of Women, Aboriginal and Torres Strait Islander Partnerships and Multiculturalism website www.tatsipca.qld.gov.au

NOTE 2. General Environmental Duty

General environmental duty under the *Environmental Protection Act* prohibits unlawful environmental nuisance caused by noise, aerosols, particles dust, ash, fumes, light, odour or smoke beyond the boundaries of the property during all stages of the development including earthworks, construction and operation.

NOTE 3. General Safety of Public During Construction

The *Workplace Health and Safety Act* and *Manual of Uniform Traffic Control Devices* must be complied with in carrying out any construction works, and to ensure safe traffic control and safe public access in respect of works being constructed on a road.

NOTE 4. Property Notes

All future buildings on the proposed lots must be constructed in compliance with *Australian Standard AS3959 “Construction in Bushfire Prone Areas”* and the approved Bushfire Hazard Assessment and Management Plan.



Attachment 1 – Part 2
Referral Agency Conditions –
Department of Infrastructure, Local Government
and Planning

PLANNING ACT 2016

The following is an extract from the *Planning Act 2016* (Chapter 6)

Appeal rights

229 Appeals to tribunal or P&E Court

- (1) Schedule 1 states—
 - (a) matters that may be appealed to—
 - (i) either a tribunal or the P&E Court; or
 - (ii) only a tribunal; or
 - (iii) only the P&E Court; and
 - (b) the person—
 - (i) who may appeal a matter (the **appellant**); and
 - (ii) who is a respondent in an appeal of the matter; and
 - (iii) who is a co-respondent in an appeal of the matter; and
 - (iv) who may elect to be a co-respondent in an appeal of the matter.
 - (2) An appellant may start an appeal within the appeal period.
 - (3) The **appeal period** is—
 - (a) for an appeal by a building advisory agency—10 business days after a decision notice for the decision is given to the agency or
 - (b) for an appeal against a deemed refusal—at any time after the deemed refusal happens; or
 - (c) for an appeal against a decision of the Minister, under chapter 7, part 4, to register premises or to renew the registration of premises—20 business days after a notice is published under section 269(3)(a) or (4); or
 - (d) for an appeal against an infrastructure charges notice—20 business days after the infrastructure charges notice is given to the person; or
 - (e) for an appeal about a deemed approval of a development application for which a decision notice has not been given—30 business days after the applicant gives the deemed approval notice to the assessment manager; or
 - (f) for any other appeal—20 business days after a notice of the decision for the matter, including an enforcement notice, is given to the person.
- Note—
See the P&E Court Act for the court's power to extend the appeal period.
- (4) Each respondent and co-respondent for an appeal may be heard in the appeal.
 - (5) If an appeal is only about a referral agency's response, the assessment manager may apply to the tribunal or P&E Court to withdraw from the appeal.
 - (6) To remove any doubt, it is declared that an appeal against an infrastructure charges notice must not be about—
 - (a) the adopted charge itself; or
 - (b) for a decision about an offset or refund—
 - (i) the establishment cost of trunk infrastructure identified in a LGIP; or
 - (ii) the cost of infrastructure decided using the method included in the local government's charges resolution.

230 Notice of appeal

- (1) An appellant starts an appeal by lodging, with the registrar of the tribunal or P&E Court, a notice of appeal that—
 - (a) is in the approved form; and
 - (b) succinctly states the grounds of the appeal.
- (2) The notice of appeal must be accompanied by the required fee.
- (3) The appellant or, for an appeal to a tribunal, the registrar must, within the service period, give a copy of the notice of appeal to—
 - (a) the respondent for the appeal; and

- (b) each co-respondent for the appeal; and
 - (c) for an appeal about a development application under schedule 1, table 1, item 1—each principal submitter for the development application; and
 - (d) for an appeal about a change application under schedule 1, table 1, item 2—each principal submitter for the change application; and
 - (e) each person who may elect to become a co-respondent for the appeal, other than an eligible submitter who is not a principal submitter in an appeal under paragraph (c) or (d); and
 - (f) for an appeal to the P&E Court—the chief executive; and
 - (g) for an appeal to a tribunal under another Act—any other person who the registrar considers appropriate.
- (4) The **service period** is—
 - (a) if a submitter or advice agency started the appeal in the P&E Court—2 business days after the appeal is started; or
 - (b) otherwise—10 business days after the appeal is started.
 - (5) A notice of appeal given to a person who may elect to be a co-respondent must state the effect of subsection
 - (6) A person elects to be a co-respondent by filing a notice of election, in the approved form, within 10 business days after the notice of appeal is given to the person.

231 Other appeals

- (1) Subject to this chapter, schedule 1 and the P&E Court Act, unless the Supreme Court decides a decision or other matter under this Act is affected by jurisdictional error, the decision or matter is non-appealable.
- (2) The Judicial Review Act 1991, part 5 applies to the decision or matter to the extent it is affected by jurisdictional error.
- (3) A person who, but for subsection (1) could have made an application under the Judicial Review Act 1991 in relation to the decision or matter, may apply under part 4 of that Act for a statement of reasons in relation to the decision or matter.
- (4) In this section— **decision** includes—
 - (a) conduct engaged in for the purpose of making a decision; and
 - (b) other conduct that relates to the making of a decision; and
 - (c) the making of a decision or the failure to make a decision; and
 - (d) a purported decision; and
 - (e) a deemed refusal.

non-appealable, for a decision or matter, means the decision or matter—

- (a) is final and conclusive; and
- (b) may not be challenged, appealed against, reviewed, quashed, set aside or called into question in any other way under the Judicial Review Act 1991 or otherwise, whether by the Supreme Court, another court, a tribunal or another entity; and
- (c) is not subject to any declaratory, injunctive or other order of the Supreme Court, another court, a tribunal or another entity on any ground.

232 Rules of the P&E Court

- (1) A person who is appealing to the P&E Court must comply with the rules of the court that apply to the appeal.
- (2) However, the P&E Court may hear and decide an appeal even if the person has not complied with rules of the P&E Court.

Schedule 1

Appeals section 229

1 Appeal rights and parties to appeals

- (1) Table 1 states the matters that may be appealed to—(a) the P&E court; or (b) a tribunal.
- (2) However, table 1 applies to a tribunal only if the matter involves—
- (a) the refusal, or deemed refusal of a development application, for—
 - (i) a material change of use for a classified building; or
 - (ii) operational work associated with building work, a retaining wall, or a tennis court; or
 - (b) a provision of a development approval for—
 - (i) a material change of use for a classified building; or
 - (ii) operational work associated with building work, a retaining wall, or a tennis court; or
 - (c) if a development permit was applied for—the decision to give a preliminary approval for—
 - (i) a material change of use for a classified building; or
 - (ii) operational work associated with building work, a retaining wall, or a tennis court; or
 - (d) a development condition if—
 - (i) the development approval is only for a material change of use that involves the use of a building classified under the Building Code as a class 2 building; and
 - (ii) the building is, or is proposed to be, not more than 3 storeys; and
 - (iii) the proposed development is for not more than 60 sole-occupancy units; or
 - (e) a decision for, or a deemed refusal of, an extension application for a development approval that is only for a material change of use of a classified building; or
 - (f) a decision for, or a deemed refusal of, a change application for a development approval that is only for a material change of use of a classified building; or
 - (g) a matter under this Act, to the extent the matter relates to—
 - (i) the Building Act, other than a matter under that Act that may or must be decided by the Queensland Building and Construction Commission; or
 - (ii) the Plumbing and Drainage Act, part 4 or 5; or
 - (h) a decision to give an enforcement notice in relation to a matter under paragraphs (a) to (g); or
 - (i) a decision to give an infrastructure charges notice; or
 - (j) the refusal, or deemed refusal, of a conversion application; or
 - (k) a matter that, under another Act, may be appealed to the tribunal; or
 - (l) a matter prescribed by regulation.
- (3) Also, table 1 does not apply to a tribunal if the matter involves—
- (a) for a matter in subsection (2)(a) to (d)—
 - (i) a development approval for which the development application required impact assessment; and
 - (ii) a development approval in relation to which the assessment manager received a properly made submission for the development application; or
 - (b) a provision of a development approval about the identification or inclusion, under a variation approval, of a matter for the development.
- (4) Table 2 states the matters that may be appealed only to the P&E Court.
- (5) Table 3 states the matters that may be appealed only to the tribunal.
- (6) In each table—
- (a) column 1 states the appellant in the appeal; and
 - (b) column 2 states the respondent in the appeal; and
 - (c) column 3 states the co-respondent (if any) in the appeal; and
 - (d) column 4 states the co-respondents by election (if any) in the appeal.
- (7) If the chief executive receives a notice of appeal under section 230(3)(f), the chief executive may elect to be a co-respondent in the appeal.

Table 1
Appeals to the P&E Court and, for certain matters, to a tribunal

<p>1. Development applications An appeal may be made against—</p> <ul style="list-style-type: none"> (a) the refusal of all or part of the development application; or (b) the deemed refusal of the development application; or (c) a provision of the development approval; or (d) if a development permit was applied for—the decision to give a preliminary approval. 			
Column 1 Appellant	Column 2 Respondent	Column 3 Co-respondent (if any)	Column 4 Co-respondent by election (if any)
The applicant	The assessment manager	If the appeal is about a concurrence agency's referral	1 A concurrence agency that is not a co-respondent 2 If a chosen Assessment

Table 1 Appeals to the P&E Court and, for certain matters, to a tribunal			
		response—the concurrence agency	manager is the respondent—the prescribed assessment manager 3 Any eligible advice agency for the application 4 Any eligible submitter for the application
<p>2. Change applications An appeal may be made against— (a) a responsible entity’s decision for a change application, other than a decision made by the P&E court; or (b) a deemed refusal of a change application.</p>			
Column 1 Appellant	Column 2 Respondent	Column 3 Co-respondent (if any)	Column 4 Co-respondent by election (if any)
1 The applicant 2 If the responsible entity is the assessment manager—an affected entity that gave a pre-request notice or response notice	The responsible entity	If an affected entity starts the appeal—the applicant	1 A concurrence agency for the development application 2 If a chosen assessment manager is the respondent—the prescribed assessment manager 3 A private certifier for the development application 4 Any eligible advice agency for the change application 5 Any eligible submitter for the change application
<p>3. Extension applications An appeal may be made against— (a) the assessment manager’s decision about an extension application; or (b) a deemed refusal of an extension application.</p>			
Column 1 Appellant	Column 2 Respondent	Column 3 Co-respondent (if any)	Column 4 Co-respondent by election (if any)
1 1 The applicant 2 For a matter other than a deemed refusal of an extension application – a concurrence agency, other than the chief executive, for the application	The assessment manager	If a concurrence agency starts the appeal – the applicant	If a chosen assessment manager is the respondent – the prescribed assessment manager
<p>4. Infrastructure charges notices An appeal may be made against an infrastructure charges notice on 1 or more of the following grounds a) The notice involved an error relating to – (i) The application of the relevant adopted charge; or Examples of errors in applying an adopted charge – <ul style="list-style-type: none"> • The incorrect application of gross floor area for a non-residential development • Applying an incorrect ‘use category’, under a regulation, to the development <ul style="list-style-type: none"> (i) The working out of extra demands, for section 120; or (ii) An offset or refund; or b) The was no decision about an offset or refund; or c) If the infrastructure charges notice states a refund will be given – the timing for giving the refund; or d) The amount of the charge is so unreasonable that no reasonable relevant local government could have imposed the amount.</p>			

Table 1 Appeals to the P&E Court and, for certain matters, to a tribunal			
Column 1 Appellant	Column 2 Respondent	Column 3 Co-respondent (if any)	Column 4 Co-respondent by election (if any)
The person given the Infrastructure charges notice	The local government that gave the infrastructure charges notice	-	-
5. Conversion applications An appeal may be made against— (a) the refusal of a conversion application; or (b) a deemed refusal of a conversion application.			
Column 1 Appellant	Column 2 Respondent	Column 3 Co-respondent (if any)	Column 4 Co-respondent by election (if any)
The applicant	The local government to which the conversion application was made	-	-
6. Enforcement notices An appeal may be made against the decision to give an enforcement notice.			
Column 1 Appellant	Column 2 Respondent	Column 3 Co-respondent (if any)	Column 4 Co-respondent by election (if any)
The person given the enforcement notice	The enforcement authority	-	If the enforcement authority is not the local government for the premises in relation to which the offence is alleged to have happened—the local government

Table 2 Appeals to the P&E Court only			
1. Appeals from tribunal An appeal may be made against a decision of a tribunal, other than a decision under section 252, on the ground of— (a) an error or mistake in law on the part of the tribunal; or (b) jurisdictional error.			
Column 1 Appellant	Column 2 Respondent	Column 3 Co-respondent (if any)	Column 4 Co-respondent by election (if any)
A party to the proceedings for the decision	The other party to the proceedings for the decision	-	-
2. Eligible submitter appeals An appeal may be made against the decision to give a development approval, or an approval for a change application, to the extent that the decision relates to— (a) any part of the development application for the development approval that required impact assessment; or (b) a variation request.			
Column 1 Appellant	Column 2 Respondent	Column 3 Co-respondent (if any)	Column 4 Co-respondent by election (if any)
1 For a development application—an eligible submitter for the development application	1 For a development application—the assessment manager 2 For a change	1 The applicant 2 If the appeal is about a concurrence agency's referral response—the	Another eligible submitter for the application

Table 2 Appeals to the P&E Court only			
2 For a change application—an eligible submitter for the change application	application—the responsible entity	concurrency agency	
<p>3. Eligible submitter and eligible advice agency appeals</p> <p>An appeal may be made against a provision of a development approval, or failure to include a provision in the development approval, to the extent the matter relates to—</p> <p>(a) any part of the development application or the change application, for the development approval, that required impact assessment; or</p> <p>(b) a variation request.</p>			
Column 1 Appellant	Column 2 Respondent	Column 3 Co-respondent (if any)	Column 4 Co-respondent by election (if any)
<p>1 For a development application—an eligible submitter for the development application</p> <p>2 For a change application—an eligible submitter for the change application</p> <p>3 An eligible advice agency for the development application or change application</p>	<p>1 For a development application—the assessment manager</p> <p>2 For a change application—the responsible entity</p>	<p>1 The applicant</p> <p>2 If the appeal is about a concurrency agency's referral response—the concurrency agency</p>	Another eligible submitter for the application
<p>4. Compensation claims</p> <p>An appeal may be made against—</p> <p>(a) a decision under section 32 about a compensation claim; or</p> <p>(b) a decision under section 265 about a claim for compensation; or</p> <p>(c) a deemed refusal of a claim under paragraph (a) or (b).</p>			
Column 1 Appellant	Column 2 Respondent	Column 3 Co-respondent (if any)	Column 4 Co-respondent by election (if any)
A person dissatisfied with the decision	The local government to which the claim was made	-	-
<p>5. Registered premises</p> <p>An appeal may be made against a decision of the Minister under chapter 7, part 4.</p>			
Column 1 Appellant	Column 2 Respondent	Column 3 Co-respondent (if any)	Column 4 Co-respondent by election (if any)
<p>1 A person given a decision notice about the decision</p> <p>2 If the decision is to register premises or renew the registration of premises—an owner or occupier of premises in the affected area for the</p>	The Minister	-	If an owner or occupier starts the appeal – the owner of the registered premises

Table 2 Appeals to the P&E Court only			
registered premises who is dissatisfied with the decision			
<p>6. Local laws An appeal may be made against a decision of a local government, or conditions applied, under a local law about—</p> <p>(a) the use of premises, other than a use that is the natural and ordinary consequence of prohibited development; or</p> <p>(b) the erection of a building or other structure.</p>			
Column 1 Appellant	Column 2 Respondent	Column 3 Co-respondent (if any)	Column 4 Co-respondent by election (if any)
A person who— (a) applied for the decision; and (b) is dissatisfied with the decision or conditions.	The local government	-	-

Table 3 Appeals to the tribunal only			
<p>1. Building advisory agency appeals An appeal may be made against giving a development approval for building work to the extent the building work required code assessment against the building assessment provisions.</p>			
Column 1 Appellant	Column 2 Respondent	Column 3 Co-respondent (if any)	Column 4 Co-respondent by election (if any)
A building advisory agency for the development application related to the approval	The assessment manager	The applicant	1 A concurrence agency for the development application related to the approval 2 A private certifier for the development application related to the approval
<p>3. Certain decisions under the Building Act and the Plumbing and Drainage Act An appeal may be made against a decision under—</p> <p>(a) the Building Act, other than a decision made by the Queensland Building and Construction Commission; or</p> <p>(b) the Plumbing and Drainage Act, part 4 or 5.</p>			
Column 1 Appellant	Column 2 Respondent	Column 3 Co-respondent (if any)	Column 4 Co-respondent by election (if any)
A person who received, or was entitled to receive, notice of the decision	The person who made the decision	-	-
<p>4. Local government failure to decide application under the Building Act An appeal may be made against a local government's failure to decide an application under the Building Act within the period required under that Act.</p>			
Column 1 Appellant	Column 2 Respondent	Column 3 Co-respondent (if any)	Column 4 Co-respondent by election (if any)
A person who was entitled to receive, notice of the decision	The local government to which the application was made	-	-