**SCHEDULE OF CONDITIONS**

**OPERATIONAL WORK & CERTIFICATE OF COMPLIANCE**

**(Description, e.g. Engineering And Landscaping Works Associated With RC12/0000)**

1. **Accepted Plans and Supporting Documentation**

**Condition**

a) The development must generally comply with the plan(s) and supporting documentation referenced in the table below and attached which forms part of this approval, unless otherwise specified by any condition of this approval.

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| --- | --- | --- | --- | --- |
|  | **Plan Name** | **Plan No.** | **Revision No.** | **Plan/Revision Date** |
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|  | **Associated Reports** | | | |
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b) This permit is issued on the understanding that the design complies with Council’s development manual, with Council’s planning scheme and with all conditions of relevant decision notices.

c) Council's assessment of the design has been an audit only. In the issuing of this permit Council makes no acknowledgement that the design meets the above requirements.

d) It is a condition of this permit that any errors in the design are the responsibility of the consulting engineer / landscape architect, and that any rectification costs which may be applicable are to be borne by the developer. Council bear no responsibility for any errors associated with the design or any costs arising therefrom.

e) One full set of the most up to date approved plans must be held on site and available for inspection for the duration of the construction phase.

f) All civil works associated with this development permit must be constructed and delivered as per the accepted design plans, and as per Council Construction specifications as outlined in SC6.4 Development manual planning scheme policy of the Townsville City Plan.

**Reason**

The development must comply with all planning scheme requirements as approved by this development permit.

**Timing**

During the operation and life of the development.

1. **Amended Drawings**

**Condition**

Amended plans must be submitted to council for approval, incorporating the following:

a) Earthworks Amendments

i)

ii)

b) Roadworks Amendments

i)

ii)

c) Stormwater Amendments

i)

ii)

d) Water Amendments

i)

ii)

e) Sewer Amendments

i)

ii)

f) Landscaping Amendments

i)

ii)

g) Irrigation Amendments

i)

ii)

*Used on all applications that requires amendments to be submitted prior to work commencing.*

**Reason**

To ensure development is being constructed in accordance with the relevant code/s and policy direction.

**Timing**

Amended plans/reports must be submitted prior to pre-start.

Approved plans must be included with the “For Construction Drawings” submitted with the pre-start application.

1. **Pre-construction**

**Condition**

Prior to the commencement of work, and in accordance with SC6.4 Development manual planning scheme policy specifically SC6.4.23.1 (3) Pre-construction guidelines of the Townsville City Plan, Planning and Development must be contacted to arrange/conclude all necessary pre-construction documentation.

*To be used on all applications*

**Reason**

To ensure that the construction process is undertaken in accordance with relevant code/s and policy direction.

**Timing**

Prior to commencement of construction.

1. **Hours of Work**

**Condition**

Works involving machinery of any description must only be carried out on site in accordance with SC6.4 Development manual planning scheme policy, specifically SC6.4.23.1 (4) Construction standards and guidelines of the Townsville City Plan.

*To be used on all applications*

**Reason**

To have regard to amenity and to ensure that the construction process is undertaken in accordance with relevant code/s and policy direction.

**Timing**

During the construction phase of the development.

1. **Works Inspection Fee**

**Condition**

a) A works inspection fee (at the rate applicable at the time of payment) must be paid.

b) A reinspection fee (at the rate applicable at the time of payment) will be applicable where an additional inspection is required due to works being incomplete or unsatisfactory at the initial inspection.

*To be used on applications*

**Reason**

In accordance with policy direction (Fees and charges).

**Timing**

a) Prior to the works being accepted On Maintenance/Final Completion.

b) The reinspection fee must be paid prior to the additional inspection being conducted.

1. **Inspections**

**Condition**

Each inspection must be certified and documented in accordance with SC6.4 Development manual planning scheme policy of the Townsville City Plan. All approved works are required to be inspected by Townsville City Council.

*Note: Inspections required to be witnessed by Council Officers are set out in SC6.4.23.1 (5) Quality management system of the Townsville City Plan.*

Planning and Development must be given at least two (2) business days’ notice to arrange attendance by a representative for the purposes of joint witnessing these inspections.

The Planning and Development representative must be authorised to conduct other regular site inspections, subject to normal OH&S requirements, in order to monitor development progress and general compliance with the development approval.

*To be used on all applications*

**Reason**

To ensure that the construction process is undertaken in accordance with relevant code/s and policy direction.

**Timing**

During the construction phase of the development.

1. **Relocation of utility services**

**Condition**

Any relocation and/or alteration to any public utility installation required as a result of any works carried out in connection with this development must be carried out at no cost to council in accordance with SC6.4 Development manual planning scheme policy, specifically SC6.4.23.1 (4) Construction standards and guidelines of the Townsville City Plan.

*To be used on all applications*

**Reason**

To ensure development is appropriately serviced by public services and/or facilities in accordance with relevant code/s and policy direction.

**Timing**

Prior to the release of the Plan of Survey.

1. **Roadworks**

**Condition**

Final pavement design must be submitted to Council for approval. The pavement design must be in accordance with SC6.4 Development manual planning scheme policy of the Townsville City Plan.

*To be used on all applications involving roadworks*

**Reason**

To ensure that the construction process is undertaken in accordance with relevant code/s and policy direction.

**Timing**

During the construction phase and prior to commencement of relevant works.

1. **On Maintenance**

**Condition**

An ‘On maintenance’ inspection is required to be undertaken and the works must be placed ‘On Maintenance’ for a minimum period of twelve (12) months (Maintenance Period) following the satisfactory demonstration of the ‘On maintenance’ requirements in accordance with SC6.4 Development manual planning scheme policy, specifically SC6.4.24 Acceptance of Completed Works of the Townsville City Plan.

Planning and Development must be provided at least five (5) business days’ notice, requesting the works be checked for compliance with the approvals and be accepted ‘On Maintenance’.

*To be used on all applications that are required to go On Maintenance.*

**Reason**

To facilitate the release of the Plan of Survey.

**Timing**

Following the completion of the construction phase of the development.

1. **Off Maintenance**

**Condition**

The works will become ‘Off Maintenance’ subject to:

a) Rectification of all defects identified at ‘On Maintenance’ or during the Maintenance Period.

b) Council being satisfied with the results of an ‘Off Maintenance’ inspection and compliance check against development approvals conducted by Council Officers following the end of the Maintenance Period in accordance with SC6.4 Development manual planning scheme policy, specifically SC6.4.24 On maintenance/final completion/off maintenance requirements of the Townsville City Plan.

*To be used on all applications that are required to go On Maintenance.*

**Reason**

To ensure that infrastructure that is to become a public asset being handed to Council has been constructed in accordance with relevant code/s and policy direction.

**Timing**

Following the completion of ‘On maintenance’ phase of the development.

1. **Final Completion**

**Condition**

The works will be accepted as finally complete subject to the satisfactory demonstration, that all works have been completed in accordance with SC6.4 Development manual planning scheme policy, specifically SC6.4.24.3 On maintenance/final completion/off maintenance requirements of the Townsville City Plan.

*To be used on all applications that are* ***not*** *required to go On Maintenance*

**Reason**

To ensure that the development is being appropriately serviced by infrastructure in accordance with relevant code/s and policy direction.

**Timing**

Following the completion of the construction phase of the development.

1. **Development Notice**

**Condition**

The public must be notified of the development construction site in accordance with SC6.4 Development manual planning scheme policy, specifically SC6.4.23.1 (4)Construction standards and guidelines of the Townsville City Plan.

*To be used on large applications, in particular staged estates*

**Reason**

To ensure that the construction process is undertaken in accordance with relevant code/s and policy direction.

**Timing**

Prior to commencement of construction.

1. **Rock Breaking, Drilling and Piling**

**Condition**

A noise and vibration control plan in relation to rock breaking, drilling and piling must be prepared in accordance with SC6.4 Development manual planning scheme policy, specifically SC6.4.19 Noise and vibration assessments of the Townsville City Plan.

*To be used on applications that may require rock breaking.*

**Reason**

To ensure that the works are undertaken in accordance with relevant code/s and policy direction.

**Timing**

Prior to or at the pre-start meeting.

1. **Geotechnical**

**Condition**

Geotechnical certification must be provided that the works “as constructed” have a landslip risk classification of “low” in accordance with SC6.4 Development manual planning scheme policy of the Townsville City Plan.

*Applicable where earlier MCU and ROL permits have been issued and requires details.*

**Reason**

To ensure that the construction process is undertaken in accordance with relevant code/s and policy direction.

**Timing**

Prior to signing of the Plan of Survey.

1. **Vegetation Protection Zone**

**Condition**

A vegetation protection zone must be established on site and the Vegetation protection plan must be available on site in accordance with SC6.4 Development manual planning scheme policy, specifically SC6.4.23.1 (4) Construction standards and guidelines of the Townsville City Plan.

*To be used for sites where vegetation is to be protected.*

**Reason**

Protection of trees and vegetation.

**Timing**

Prior to, or during construction of the development.

1. **Vegetation Disposal**

**Condition**

The disposal of vegetation must be carried out in accordance with Part 9.3.6 Works code of the Townsville City Plan.

*To be used for sites where vegetation will be removed.*

**Reason**

Vegetation is to be disposed of in in accordance with relevant code/s and policy direction.

**Timing**

Prior to, or during construction of the development.

1. **Revegetation**

**Condition**

All revegetation works to be undertaken in accordance with SC6.4 Development manual planning scheme policy of the Townsville City Plan.

*To be used on applications that require revegetation works.*

**Reason**

To provide appropriate vegetation coverage to address amenity and/or to manage soil erosion issues in accordance with relevant code/s and policy direction.

**Timing**

During the construction phase.

1. **Haulage of Materials**

**Condition**

Haulage of material must be undertaken in accordance Part 9.3.6 Works code and SC6.4 Development manual planning scheme policy of the Townsville City Plan.

*To be used on applications where haulage of material required.*

**Reason**

Ensure materials are imported and exported from the site in accordance with relevant code/s and policy direction.

**Timing**

During the construction phase.

1. **Soil Erosion and Sediment Control**

**Condition**

Prescribed Water Contaminants (as defined in the *Environmental Protection Act 1994*) must not be released from the site or to waters within the site, or be likely to be released should rainfall occur, unless all reasonable and practicable measures are taken to prevent or minimise the release and concentration of contamination. These measures must be designed, implemented and maintained in accordance with "Best Practice Erosion and Sediment Control" published by the International Erosion Control Association (Australasian Chapter) (lECA, 2008).

*Used for low-risk developments where <2,500m2 of disturbance will occur and SESC plans do not need to be assessed.*

**Reason**

To ensure that receiving waters during construction of the development are managed from the effects of increased sediment run-off in accordance with relevant code/s and policy direction.

**Timing**

At all times during the construction phase of the development.

**Advice**

*To ensure compliance with the Environmental Protection Act 1994.*

1. **Soil Erosion and Sediment Control**

**Condition**

1. Earthworks must occur in the months of April to November only. Earthworks outside of this period that are underway must cease, be suitably stabilised and made safe. If earthworks are proposed to occur outside of this period, amended soil erosion and sediment control plans must be submitted to Council as part of an application for Certificate of Compliance and approved prior to earthworks commencing or resuming.
2. Prescribed Water Contaminants (as defined in the Environmental Protection Act 1994) must not be released from the site or to waters within the site, or be likely to be released should rainfall occur, unless all reasonable and practicable measures are taken to prevent or minimise the release and concentration of contamination. These measures must be designed, implemented and maintained in accordance with "Best Practice Erosion and Sediment Control" published by the International Erosion Control Association (Australasian Chapter) (lECA, 2008).
3. Erosion control measures must be implemented at all stages of construction and in accordance with the best practice land clearing and rehabilitation requirements of Table 4.4.7 of “Best Practice Erosion and Sediment Control” published by the International Erosion Control Association (Australasian Chapter) (IECA, 2008). Unfinished earthworks must be suitably stabilised prior to anticipated rainfall.

*Used where the low-risk developments where <2,500m2 of disturbance will occur and SESC plans do not need to be assessed.*

**Reason**

To ensure that receiving waters during construction of the development are managed from the effects of increased sediment run-off in accordance with relevant code/s and policy direction.

**Timing**

At all times during the construction phase of the development.

**Referral Agency Conditions**

**Concurrence Agency Conditions – INSERT CONCURRENCE AGENCY/IES**

Pursuant to Section 56 of the *Planning Act 2016*, the INSERT CONCURRENCE AGENCY advises that it has no objection to Townsville City Council issuing a Development Permit for Operational Work, subject to the conditions, as attached.

**Advice Agency – INSERT ADVICE AGENCY/IES**

Pursuant to Section 56 of the *Planning Act 2016*, INSERT ADVICE AGENCY advises that it has no objection to Townsville City Council issuing a Development Permit for Operational Work, as attached.

**ADVICE**

1. **Satisfaction of Approval Conditions**

**Advice**

Unless explicitly stated elsewhere in this permit, all requirements of the conditions of this approval must be satisfied prior to Council accepting the works Finally Complete/On Maintenance. Council may, at its absolute discretion, agree to accept other forms of security to guarantee compliance with conditions yet enable early acceptance of the works Finally Complete/On Maintenance.

1. **Limitation of Approval**

**Advice**

The Council and its officers make no representations and provide no warranties as to the accuracy of the information contained in the application (including its supporting material provided to it by the Applicant). The Council and its officers rely upon the Applicant and certification by a Registered Professional Engineer Queensland concerning the accuracy and completeness of the application and its supporting material and accepts the application and supporting material as constituting a representation by the Applicant as to its accuracy and completeness. The Applicant must indemnify the Council against any claim from a third party arising from inaccuracy or incompleteness of the Application or its supporting material.

1. **Flood Overlay Management**

**Advice**

Where the development will address the flood risk for the 1% AEP flood, the applicant can seek to have the Flood Overlay mapping amended to remove the property (or a portion thereof) from the high and medium flood hazard areas. Should the applicant wish to apply this mapping amendment, the applicant must provide council a digital map clearly showing a polygon of areas of the development site where land is now situated above the 1% AEP flood level. The polygon supplied must be as follows:

File format: ESRI Feature Class;

Shapefile;

Digital Exchange Format (DXF); or

AutoCAD Drawing (DWG).

Coordinate System: MGA94, Zone 55

Mapping updates will be compiled following the development being accepted as complete, but will not be formally incorporated as mapping amendment until the following annual planning scheme amendment is made.

The provision of mapping information must be provided as part of ‘as constructed’ documentation prior to the release of the Plan of Survey.

1. **Contaminated Soils**

**Advice**

Where contaminated soils are evident remedial works must be undertaken in accordance with *Environmental Protection Act 1994*. Where contaminated soils are identified Council must be notified and provided with an appropriate Contaminated Soil Remedial Plan.

1. **Poly-Fluoroalkyl Substances (PFAS)**

**Advice**

Due to the recent discovery of PFAS within the Townsville Local Government area, it is strongly recommended that an independent Human Health Risk Assessment be undertaken over the subject site to ensure there are no impacts to human health resulting from potential environmental exposure to PFAS. The applicant is advised further information can be obtained via: https://www.pfas.gov.au/ or http://www.health.gov.au/pfas

*To be used on all applications where PFAS may be present (predominately Garbutt, Rowes Bay, West End, Belgian Gardens, Pallarenda, Mount St John, Mount Louisa and Bohle)*

1. **Connection to Council Sewer**

**Advice**

a) All new reticulated sewers connecting to Councils existing sewer system must be plugged at the connection until such time that all works are complete and the sewer line has been cleaned out.

b) A copy of this permit and the approved sewerage reticulation design must be submitted to Council with the appropriate application form for connection to Council's sewer supply. Council will respond to the application with a quotation for the work and upon payment will schedule the works for connection.

*To be used only when approval involves sewerage works.*

1. **Connection to Council Water Supply**

**Advice**

A copy of this permit and the approved water reticulation design must be submitted to Council with the appropriate application form for connection to Council’s water supply. Council will respond to the application with a quotation for the work and upon payment will schedule the works for connection.

*To be used only when approval involves water main works*

1. **Specifications and Drawings**

**Advice**

Details of Council’s specifications and standard drawings can be viewed in SC6.4 Development manual planning scheme policy of the Townsville City Plan.

1. **Contiguous Construction**

**Advice**

Notwithstanding Council’s examination of construction plans, all contiguous works must be constructed correctly as to level, alignment and grade, and where necessary, existing construction must be altered to achieve this.

1. **Further Approvals Required**

**Advice**

a) Roadworks Approval / Letter of No Objection

A Roadworks approval must be obtained in accordance with Local Laws 4 for the installation of any hoardings, gantries or temporary road closures of the footpath or road prior to the commencement of works. The application must include the following:

(i) Completed Roadworks approved application form.

(ii) Prescribed fee.

(iii) Traffic Management Plan prepared by a suitably qualified professional detailing the traffic management measures put in place to manage all roadworks including pedestrians, cyclists and vehicles in accordance with the *Manual of Uniform Traffic Control Devices Part 3 – Works on Roads*.

If the works require closure of part of the road reserve, a temporary Road Closure will be required. This permit allows for a section of road reserve to be closed for the purpose of works. The Queensland Police Service is the issuing authority for these permits. An application will need to be made to Council for a letter of no objection prior to applying to the Queensland Police Service for the permit. The Traffic Management Plan will need to be included with the application to Council.

b) Building Approval

All building structures (including retaining walls) associated with the proposed works must obtain a Development Permit for Building Works prior to commencement of any works associated with these structures.

c) Plumbing and Drainage Works

A Compliance Permit must be obtained to carry out any plumbing and drainage works associated with this approval prior to the commencement of any plumbing and/or drainage works. Please contact Hydraulic Unit on 13 48 10 for further information.

Please note that a Final Certificate for the works must be issued by the Hydraulic Services prior to acceptance On Maintenance.

*To be used on applications that include drinking fountains, taps, toilet blocks.*

d) Referral Agency Response (Siting Relaxation)

Building envelope/s must comply with the QDC or Plan of Development where applicable. Where building envelope/s do not comply with these standards, a Referral agency response (siting relaxation) will be required.

1. **Workplace Health and Safety**

**Advice**

Work must not commence unless the requirements of the Workplace Health and Safety Act have been met. The contractor, developer and consulting engineer must take all necessary steps to ensure public safety in relation to construction activities. A copy of the application for a Notifiable Project must be provided to Council for record purposes.

1. **Environmental Considerations**

**Advice**

Construction must comply with the *Environmental Protection Act* 1994, Policies and Guidelines.

1. **Access to Council Infrastructure and Satisfaction of Works on Adjoining Allotments**

**Advice**

a) A written approval from the adjoining property owner(s) should be provided to Council to allow entry to their property to carry out the works associated with this development prior to the works commencing.

b) Should the approval not be obtainable from the adjoining property owner(s) after having made all reasonable efforts and there are no alternative options to achieve the works required, Council will then determine whether to enact its powers under the provisions of the *Planning Act 2016.*

1. **Survey Control**

**Advice**

a) Prior to Council signing any survey plans associated with the development, a minimum of two (2) Permanent Survey Marks levelled to AHD (class LD or better) must be located within the development or within 150m of the development.

In addition, two (2) Permanent Survey Marks located within the development or within 500m of the development must be coordinated on MGA’94 (class D or better).

b) All new and updated Permanent Survey Mark sketches must be forwarded to the Department of Natural Resources and Mines to be added to the SCDB.

*Requirement for PSM’s coordinated on MGA’94 not required on small infill developments of five (5) lots or less.*

*To be used on all applications.*