**SCHEDULE OF CONDITIONS**

**MATERIAL CHANGE OF USE**

**(Description, e.g. Shopping Centre)**

1. **Approved 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 as stamped “Approved Subject to Conditions” which forms part of this approval, unless otherwise specified by any condition of this approval.

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
|  | **Plan Name** | **Plan No.** | **Revision No.** | **Plan/Revision Date** |
|  |  |  |  |  |
|  |  |  |  |  |
|  |  |  |  |  |
|  |  |  |  |  |
|  | **Associated Reports** |
|  |  |

*b) The recommendations outlined in the above reports/s must be implemented prior to the commencement of the use.*

*Used on all applications*

**Reason**

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

**Timing**

During the operation and life of the development.

1. **Compliance with Required Assessment Benchmarks**

**Condition**

The development must maintain compliance with all required acceptable outcomes of the relevant assessment benchmarks identified by the tables of assessment of the Townsville City Plan, with exception of the following:

1. Acceptable Outcome AO[insert relevant AO] of the xx zone/overlay code; and
2. Acceptable Outcome AO[insert relevant AO] of the xx zone/overlay code.

*OR*

The development must maintain compliance with all required acceptable outcomes of the relevant assessment benchmarks identified by the tables of assessment of the Townsville City Plan, with exception of those subject to assessment as part of this development permit.

*To be used where the development is ordinarily considered ‘accepted development subject to requirements’, and a development application was only required as a result of non-compliance with certain acceptable outcomes.*

*This condition is to be used in place of all other conditions, with exception of Condition1 and any other conditions specifically relating to the subject matter of the accepted development assessment benchmark(s) acceptable outcomes that were not complied with.*

**Reason**

To ensure the development maintains compliance with all required acceptable outcomes of the relevant assessment benchmarks in accordance relevant code/s and policy direction.

**Timing**

Prior to the commencement of the use and maintained for the life of the development.

**Advice**

*The subject Development Permit has been limited to assessment relating to acceptable outcome AO[insert relevant AO] of the xx zone/overlay code. Compliance with all other required acceptable outcomes of the assessment benchmarks specified by the Tables of assessment must be maintained, pursuant to Section 5.3.3(3)(b)(ii) of the Townsville City Plan.*

1. **Approved Use**

**Condition**

1. The development is only permitted to operate in accordance with the definition of *XX,* as defined under the Townsville City Plan, current at the time of approval.
2. The *XX use* component of the development is not permitted to operate independently of the *XX use.*

Any use outside of these definitions will require a new Material Change of Use application.

*Used on applications requiring specific restrictions on the nature of the use.*

**Reason**

To ensure the development does not have a detrimental effect on the amenity of the surrounding land in accordance with relevant code/s and policy direction.

**Timing**

At all times following the commencement of the use.

1. **Hours of Operation**

**Condition**

Unless otherwise agreed in writing by council, the activities associated with the use must only be conducted between XXam to XXpm Monday to Saturday inclusive.

The use is not to operate on Sunday or Public Holidays.

*Used on applications requiring specific operating times.*

**Reason**

To ensure the development does not have a detrimental impact on the amenity of the surrounding land in accordance with relevant code/s and policy direction.

**Timing**

At all times following the commencement of the use.

1. **Enrolment Numbers**

**Condition**

The number of enrolments places for *Child Care Centre* *OR* *Educational Establishment* is limited to insert number of child places (XX).

*Used on applications for Child Care Centres and Educational Establishments*

**Reason**

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

**Timing**

At all times following the commencement of the use.

1. **Amalgamation of Allotments**

**Condition**

The amalgamation of Lot XX and Lot XX into single parcel must be undertaken and the survey plan must be registered in accordance with the *Land Title Act 1994* or relevant legislation as amended.

*Used on applications where there are multiple primary parcels which need to be amalgamated.*

**Reason**

The development application identified multiple lots were required to allow the approved use to commence and operate. Accordingly, the amalgamation of the lots is required to support the proposed use.

**Timing**

Prior to the commencement of the use.

*To be used where buildings are proposed to be constructed across property boundaries.*

1. **Storage**

**Condition**

Goods, equipment, packaging material or machinery must not be stored or left exposed outside the building so as to be visible from any public road or thoroughfare. Any storage on site is required to be screened from view from all roads and adjacent properties.

*Used on commercial and industrial applications where goods may be stored outdoors.*

**Reason**

To ensure the development does not have a detrimental effect on the visual amenity of the surrounding land in accordance with relevant code/s and policy direction.

**Timing**

At all times following the commencement of the use.

1. **Bushfire Management**

**Condition**

A Bushfire Management Plan must be prepared by a suitably qualified person to demonstrate compliance with Part 8.2.2 Bushfire hazard overlay code and SC6.8 Mitigating bushfire hazard planning scheme policy of the Townsville City Plan. The Bushfire Management Plan must be submitted to council for approval.

*Used for developments that require a Bushfire Management Plan in accordance with the Bushfire hazard overlay code. Not all developments require a BMP and can be conditioned to be consistent with the code via other provisions (i.e. buffers, water supply, etc.).*

**Reason**

To protect development from bushfire hazards in accordance with relevant code/s and policy direction.

**Timing**

Technical details are to be submitted to council as part of an application for Certificate of Compliance and any recommendations/requirements implemented at the relevant phase of the development.

***Advice***

*Refer to Townsville City Plan Technical Information Sheet, Practice Note 2 – Bushfire Hazard Overlay Interpretation.*

1. **Sewerage Reticulation**

**Condition**

The development must be serviced by the public sewerage network.

*To be used when sewer reticulation is required.*

**Reason**

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

**Timing**

Technical details are to be submitted to council as part of an application for Operational Work and implemented prior to the commencement of the use.

*OR– where Operational Works application not required*

Prior to the commencement of the use.

**Advice**

1. *SC6.4 Development manual planning scheme policy may require a network analysis of the proposed subdivision to be undertaken.*
2. *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. Should the approval not be obtainable from the adjoining property owner(s) after having made all reasonable efforts then Council will determine whether to enact its powers under the provisions of the Planning Act 2016.*
3. **On-site Sewage Treatment and Disposal**

**Condition**

The development must be serviced by an on-site sewage treatment and disposal system in accordance with Part 9.3.6 Works code and SC6.4 Development manual planning scheme policy, specifically SC6.4.11.8 On-site sewerage facilities of the Townsville City Plan.

*Used where an on-site sewage disposal system report has not been submitted and when the development is not within a sewered area and adequate area is available for on-site treatment.*

*OR*

The development must be serviced by an on-site sewage disposal system in accordance with the *approved report* dated XX prepared by *Consultant* as listed in Condition 1, above.

*Used where an on-site sewage disposal system report has been submitted and approved for an on-site sewer.*

**Reason**

The development is not located within a service area for a sewerage service under the *Water Supply (Safety and Reliability) Act 2008* and must be appropriately serviced by an on-site sewage treatment and disposal facility that is appropriate for the level of demand generated by the development in accordance with relevant code/s and policy direction.

**Timing**

Prior to the commencement of use.

**Advice**

*On-site sewage information supplied with this application is not permission to install the facility or commence building work. Under the Plumbing and Drainage Act 2018, an application must be lodged with the Assets and Hydraulics team of Townsville City Council before any building work or installation of an on-site facility can be carried out.*

1. **Water Supply**

**Condition**

The development must connect to council’s reticulated water system.

*Used for all applications when there is insufficient water supply to service the subject development. Engineers will advise if required.*

**Reason**

To ensure that the premises is appropriately serviced by reticulated water supply infrastructure in accordance with relevant code/s and policy direction.

**Timing**

Technical details are to be submitted to council as part of an application for Operational Work and works completed prior to the commencement of the use.

*OR*

Prior to the commencement of the use.

*To be used when Operational works not required.*

**Advice**

*Townsville City Council does not permit the direct connection of pump systems to water mains for firefighting purposes. Private building fire systems must comply with relevant building codes and standards.*

1. **On-site Water Supply**

**Condition**

The development must be serviced by a private water supply in accordance with Part 9.3.6 Works code and SC6.4 Development manual planning scheme policy, specifically SC6.4.11.7 On-site water supply of the Townsville City Plan.

*Used where a water supply assessment has not been submitted.*

*OR*

The development must be serviced by a private water supply in accordance with Part 9.3.6 Works code and SC6.4 Development manual planning scheme policy, specifically SC6.4.11.7 On-site water supply of the Townsville City Plan and the *approved report* dated XX prepared by *Consultant* as listed in Condition 1, above.

*Used where a water supply assessment has been submitted and approved for a private water supply.*

**Reason**

The development is not located within a service area for a reticulated water service and in accordance with relevant code/s and policy direction.

**Timing**

Prior to the commencement of the use.

*(Where report is approved as part of Condition 1)*

*OR*

Details of water supply and bacteriological test results are to be submitted to council as part of an application for a Certificate of Compliance and implemented prior to the release of the Plan of Survey.

*(Where report is not approved as part of Condition 1)*

1. **Conduit Assessment**

**Condition**

A visual inspection of the existing (insert service) traversing the site must be conducted in accordance with the following:

a) An assessment is required on the condition of the \_\_\_\_\_\_\_\_\_\_\_ from \_\_\_\_\_\_\_\_\_\_ to \_\_\_\_\_\_\_\_\_\_\_\_\_.

b) The assessment must be undertaken by a certified CCTV operator to perform conduit condition assessment and the results are to be submitted to council in an appropriate electronic format and accompanied by a written report for approval.

c) Any upgrading or replacement determined by council will be carried out as part of the development at no expense to council.

*Used for an existing service in a development which is aged and may suffer problems as a result of the subject development. Infrastructure Assessment should advise if required.*

**Reason**

To assess the condition of the conduit(s) in accordance with relevant code/s and policy direction.

**Timing**

a) & b) Technical details are to be submitted to council as part of an application for a Certificate of Compliance and implemented prior to the release of the Plan of Survey.

1. Technical details are to be submitted to council as part of an application for Operational Work and implemented prior to the release of the Plan of Survey.
2. **Electricity and Telecommunication**

**Condition**

Electricity and telecommunications must be provided in accordance with Part 9.3.6 Works code of the Townsville City Plan.

*To be used for developments that requires electricity and telecommunications facilities to be provided.*

**Reason**

To provide an appropriate level of electricity and telecommunication services for the development in accordance with relevant code/s and policy direction.

**Timing**

Prior to the commencement of use.

1. **Relocation of Services or Facilities**

**Condition**

Any required relocation and/or alteration to any public service or facility installation must be carried out at no cost to council.

*To be used on all applications*.

**Reason**

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

**Timing**

Prior to the commencement of use.

1. **Stormwater Drainage**

**Condition**

An appropriately qualified and experienced Registered Professional Engineer of Queensland (RPEQ) must certify that stormwater drainage achieves the prescribed outcomes in accordance with Part 9.3.2 Healthy waters code of the Townsville City Plan.

*Used on developments where drainage to the lawful point of discharge is achievable but a stormwater management plan is required*

Stormwater drainage must achieve the prescribed outcomes in accordance with Part 9.3.2 Healthy waters code of the Townsville City Plan.

*Used on low risk developments where drainage to the lawful point of discharge is achievable without civil works*

**Reason**

To convey stormwater legally and in an environmentally responsible manner in accordance with Part 9.3.2 Healthy waters code of the Townsville City Plan.

**Timing**

Technical details are to be submitted to council as part of an application for Operational Work and works completed prior to the commencement of the use and

maintained for the life of the development.

*OR*

Prior to the commencement of the use and maintained for the life of the development.

*To be used when Operational works not required.*

1. **Stormwater Quality Management**

**Condition**

A Stormwater Quality Management Plan (SQMP) must be prepared by a suitably qualified person in accordance with Part 9.3.2 Healthy waters code of the Townsville City Plan.

The SQMP must be implemented in accordance with the guideline. All works must be carried out in accordance with SC6.4 Development manual planning scheme policy of the Townsville City Plan.

*To be applied on all applications where a development is required to demonstrate how proposed stormwater management is protecting water quality and quantity.*

*It is preferred that SQMP is provided as part of the application material. If so, Condition 1 is sufficient to approved and implement recommendations of the SQMP.*

**Reason**

To manage and to minimise the risk of causing environmental harm to receiving waters, damage to council infrastructure, and unnecessary financial burdens to council and the community in accordance with relevant code/s and policy direction.

**Timing**

Technical details are to be submitted to council as part of an application for Operational Work and works completed prior to the commencement of the use and

maintained for the life of the development.

1. **Minimum Floor Levels**

**Condition**

Floor levels must achieve immunity from *storm tide inundation and/or flood* hazards by ensuring;

*(a) floor levels of all non-habitable rooms are above the defined flood event level; and*

*(b) floor levels of all habitable rooms are 300mm above the defined flood event level, or above the defined storm tide event level of 3.9m/4.5m AHD, whichever is greater.*

Documentation signed by a RPEQ must be submitted to a Building Certifier identifying the required minimum floor height of all habitable rooms to achieve storm tide/flood immunity.

*Used on all applications where storm tide and/or flooding is applicable*

**Reason**

To ensure the development is appropriately immune from rising storm tide AND/OR flood water in accordance with relevant code/s and policy direction.

**Timing**

Prior to the issuing of a Development Permit for Building Works.

1. **Storm Surge Resilience**

**Condition**

The structure of the proposed insert use must be designed to withstand the impacts associated with a defined storm tide event (such as storm surge scouring) to the greatest extent practicable.

*Used on all applications where high hazard storm tide and coastal erosion is applicable*

**Reason**

To ensure that the building is designed to minimise the susceptibility to and potential impact of storm tide inundation in accordance with the Coastal environment overlay code.

**Timing**

Prior to the issuing of a Development Permit for Building Works.

**Advice**

*For further advice please refer to the Queensland Government publication ‘Storm Tide Resilient Building Guidance for Queensland Homes’, December 2019 (*[*www.qra.qld.gov.au*](http://www.qra.qld.gov.au)*).*

1. **Roadworks and Traffic**

**Condition**

a) A new access driveway and crossover from the existing kerb and channel/edge of bitumen to the property boundary must be constructed generally in accordance with Part 9.3.5 Transport impact, access and parking code of the Townsville City Plan.

*OR*

b) The existing vehicle access(es) including the crossover(s) in the kerb and channel must be replaced in accordance with Part 9.3.5 Transport impact, access and parking code of the Townsville City Plan.

*OR*

c) The existing vehicle access(es) including crossover(s) in the kerb and channel at the location shown on the approved plans must be removed and replaced with new kerb and channel. Where applicable, the footpath must be reinstated in accordance with Part 9.3.5 Transport impact, access and parking code of the Townsville City Plan.

*OR*

d) The road shoulder from lip of channel to edge of existing bitumen surfaced pavement must be gravel paved and bitumen surfaced for the full frontage of the development site in accordance with Part 9.3.5 Transport impact, access and parking code of the Townsville City Plan.

*OR*

e) Any damage to the kerb and channelling must be reconstructed/repaired for the full frontage of the site in accordance with Part 9.3.5 Transport impact, access and parking code of the Townsville City Plan.

*OR*

f) A XXm wide concrete footpath must be constructed to the full frontage of the site along insert street name in accordance with Part 9.3.5 Transport impact, access and parking code of the Townsville City Plan.

*AND*

g) During the construction phase, any damage to the road reserve (i.e. footpath/kerb and channel) must be replaced in accordance with council’s standards.

*Used on all applications requiring roadworks construction or repair.*

**Reason**

To provide development with access in accordance with council standards.

**Timing**

Technical details are to be submitted to council as part of an application for Operational Work and works completed prior to the commencement of the use and

maintained for the life of the development.

**Advice**

*Accesses must be designed to ensure sight triangles are kept clear of obstructions to visibility in accordance with the requirements of AS2890.1 and DTMR’s “Treatment options to improve safety of pedestrians, bicycle riders and other path users at driveways”.*

1. **Vehicle Access**

**Condition**

a) The new access driveway and crossover must be constructed from the existing kerb and channel to the property boundary in accordance with Part 9.3.5 Transport impact, access and parking code and designed in accordance with SC6.4 Development manual planning scheme policy specifically SC6.4.5.4 Car parking and SC6.4.5.3 Public transport facilities guidelines of the Townsville City Plan.

b) During the construction phase, any damage to the road reserve (i.e. footpath/kerb and channel) must be replaced in accordance with council’s standards.

*To be used where vehicle access is the only works requiring approval.*

**Reason**

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

**Timing**

To be submitted and approved by council as part of an application for a Roadworks Permit and maintained for the life of the development.

**Advice**

*Accesses must be designed to ensure sight triangles are kept clear of obstructions to visibility in accordance with the requirements of AS2890.1 and DTMR’s “Treatment options to improve safety of pedestrians, bicycle riders and other path users at driveways”.*

1. **Limitation of Vehicle Access**

**Condition**

To maintain the safety and efficiency of the adjoining road network and the integrity of council infrastructure, vehicle access is only permitted as shown on the approved drawings (inset drawings here) and must only access (insert street/road name).

*To be used where a development bounds a street but cannot obtain access to it or where public vehicular access to be prohibited.*

**Reason**

To ensure the development does not compromise road safety and avoids damage to council infrastructure in accordance with relevant code/s and policy direction.

**Timing**

Prior to the commencement of the use and to be maintained for the life of the development.

1. **Car Parking**

**Condition**

a) All car parking facilities, associated ramps, and driveways must be provided in accordance with Part 9.3.5 Transport impact, access and parking code and designed in accordance with SC6.4 Development manual planning scheme policy specifically SC6.4.5.4 Car parking and SC6.4.5.3 Public transport facilities guidelines of the Townsville City Plan and as detailed in the latest amendment of the Australian/New Zealand Standard AS/NZ 2890. All car parking facilities must be maintained to a safe operating standard at all times thereafter.

b) A minimum of XX car spaces including disabled parking must be provided on site in accordance with SC6.10 Parking rates planning scheme policy of the Townsville City Plan.

*To be used where car parking is required.*

**Reason**

To ensure development is appropriately serviced by parking and access facilities in accordance with relevant code/s and policy direction.

**Timing**

Technical details are to be submitted to council as part of an application for Operational Work and maintained for the life of the development.

*OR*

Prior to the commencement of the use.

1. **Car Parking Management Plan**

**Condition**

A Car Parking Management Plan must be prepared demonstrating the functionality and management of the proposed car parking arrangement.

*To be used on all applications where a car parking management plan is required (i.e. tandem carparking arrangements), and has not been approved as part of Condition 1, above.*

**Reason**

To ensure development is appropriately serviced by parking and access facilities in accordance with relevant code/s and policy direction.

**Timing**

Technical details are to be submitted to council as part of an application for a Certificate of Compliance, implemented prior to the commencement of use and maintained for the life of the development.

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 of the Townsville City Plan, and submitted to council for approval.

*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**

Technical details are to be submitted to council as part of an application for Operational Work and any recommendations/requirements implemented at the relevant phase of the development.

1. **Additional Geotechnical Requirements**

**Condition**

Certification from an appropriately qualified and experienced geotechnical consultant certifying that the detailed engineering design for the use is consistent with the recommendations of the Geotechnical Assessment listed in Condition 1, above, must be submitted to council for approval. The certification must address the requirements of Part 8.2.7 Landslide hazard overlay code of the Townsville City Plan.

*Used on applications within the Landslide hazard overlay where the development is likely to have any significant impacts on adjoining allotments, and where there is a risk to the subject development.*

**Reason**

To confirm that the engineering design appropriately addresses the recommendations of the geotechnical report.

**Timing**

Technical details are to be submitted to council as part of an application for Operational Work and any recommendations/requirements implemented at the relevant phase of the development.

1. **Drying Facilities**

**Condition**

Clothes drying facilities must be provided and must be screened from public view in accordance with the Residential zone codes of Part 6.2 Residential zones category of the Townsville City Plan.

*To be used on all dual occupancy and multiple dwelling applications.*

**Reason**

To ensure the development does not have a detrimental impact on the amenity of the surrounding land in accordance with relevant code/s and policy direction.

**Timing**

Prior to the commencement of the use and maintained for the life of the development.

1. **Letterboxes**

**Condition**

The location of the letter boxes on site must cater for the number of dwelling units within the development and must be designed to address Crime Prevention through Environmental Design principles.

*To be used on multiple dwelling applications only where plans have not detailed the location of letterboxes.*

**Reason**

To ensure that the premises is appropriately serviced in accordance with relevant code/s and policy direction.

**Timing**

Prior to the commencement of the use and maintained for the life of the development.

**Advice**

A body corporate letterbox will be required where units will be strata titled.

1. **Property Numbering**

**Condition**

Legible property numbers must be erected at the premises and must be maintained.

The site identification numbers should be of reflective material, maintained free from foliage and other obstructions, and be large enough to be read from the street.

*To be used on all applications.*

**Reason**

To allow the general public, service and emergency service providers to effectively identify the property.

**Timing**

Prior to the commencement of the use and maintained for the life of the development.

1. **Screen Fencing**

**Condition**

Boundary screen fencing must be provided between the site and any adjoining land occupied by a residential building or any adjoining land within a residential zone. Unless otherwise agreed in writing by council, screen fences must be a minimum of 1.8 metres in height from the finished ground level and have a maximum separation of 15mm between screen panels/palings.

*Used applications requiring screen fencing to neighbouring residential allotments.*

**Reason**

To ensure the development does not have a detrimental effect on the amenity of the surrounding land and to address Crime Prevention through Environmental Design principles in accordance with the relevant code/s and policy direction.

**Timing**

Prior to the commencement of the use and maintained for the life of the development.

1. **Screening of Plant and Utilities**

**Condition**

Unless otherwise agreed in writing by council, all plant and utilities must be screened or located so as not to be visible from the street.

**Reason**

To ensure the development does not have a detrimental effect on the amenity of the surrounding land in accordance with relevant code/s and policy direction.

**Timing**

Prior to the commencement of the use and maintained for the life of the development.

1. **Footpath Awning**

**Condition**

A footpath awning/shade structure must be provided for the full frontage of the site.

*To be used on all applications that require a footpath awning to be provided.*

**Reason**

Awnings/shade structures are to provide solar relief and to be designed in accordance with relevant code/s and policy direction.

**Timing**

Technical details are to be submitted to council as part of an application for Certificate of Compliance and maintained for the life of the development

1. **Landscaping**

**Condition**

Landscape and Irrigation Design Plans must be prepared and provided to council for approval in accordance with Part 9.3.3 Landscape code of the Townsville City Plan. Landscaping and Irrigation must be constructed in accordance with the approved landscaping plan(s) and constructed to the relevant standards in accordance with relevant code/s and policy direction.

*To be used on applications where detailed landscaping plans are required to be submitted to Council for approval.*

*Private development generally doesn’t require Irrigation Design Plans.*

**Reason**

To achieve the desired streetscape character of the location in accordance with relevant code/s and policy direction.

**Timing**

Technical details are to be submitted to council as part of an application for Operational Work and works completed prior to the commencement of the use and

maintained for the life of the development.

1. **Landscaping**

**Condition**

Landscape and Irrigation must be constructed in accordance with the approved landscaping plan(s) and constructed to the relevant standards in accordance with relevant code/s and policy direction.

*To be used on applications where sufficient detail is provided in the MCU plans and no further landscaping plans are required to be submitted to Council for approval.*

**Reason**

To achieve the desired streetscape character of the location in accordance with relevant code/s and policy direction.

**Timing**

Prior to the commencement of the use and maintained for the life of the development.

1. **Existing Street Trees**

**Condition**

Existing street trees located within the road reserve must not be damaged, removed, destroyed or lopped without the written consent of council first being obtained.

**Reason**

To maintain streetscape outcomes in accordance with relevant code/s and policy direction.

**Timing**

Written consent from council to be obtained prior to commencement of works.

1. **Street Enhancements**

**Condition**

Street enhancements must be provided along the (insert street name) frontage in accordance with Part 9.3.3 Landscape code, Part 9.3.6 Works code and SC6.4 Development manual planning scheme policy, specifically SC6.4.20.1 Footpath treatment policy of the Townsville City Plan.

*To be used on applications where the footpath paving policy is triggered.*

**Reason**

To achieve the desired streetscape character of the location in accordance with relevant code/s and policy direction.

**Timing**

Technical details are to be submitted to council as part of an application for Operational Work and works completed prior to the commencement of the use and

maintained for the life of the development.

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.

1. **Soil Erosion and Sediment Control Plan**

**Condition**

1. Soil erosion and sediment control (SESC) plans must be prepared by a suitably qualified professional and submitted to Council for approval, with the proposed SESC measures to be designed in accordance with "Best Practice Erosion and Sediment Control" published by the International Erosion Control Association (Australasian Chapter) (lECA, 2008).
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).

*Used for developments where <2,500m2 of disturbance will occur but where SESC plans are required 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**

1. Technical details are to be submitted to Council as part of an application for Operational Works.
2. At all times during the construction phase of the development.
3. **Soil Erosion and Sediment Control Plan**

**Condition**

1. Soil erosion and sediment control (SESC) plans must be prepared by a suitably qualified professional and submitted to Council for approval, with the proposed SESC measures to be designed in accordance with "Best Practice Erosion and Sediment Control" published by the International Erosion Control Association (Australasian Chapter) (lECA, 2008). The plans must demonstrate that the proposed SESC measures will achieve the erosion and sediment control design objectives specified in Appendix 2, Table A of the State Planning Policy 2017.
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) and achieve the design objectives specified in Appendix 2, Table A of the State Planning Policy 2017.

*For developments where ≥ 2,500 m2 of disturbance will occur and the SPP2017 design objectives apply.*

**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**

1. Technical details are to be submitted to Council as part of an application for Operational Works.
2. At all times during the construction phase of the development.

**Advice**

*Traditional (e.g. Type D) sediment basins operate as batch systems and are not recommended in coastal Queensland because rainfall often occurs in consecutive events which does not allow sufficient time for the batch process to occur. Batch basins would need to be impractically large or require impractical treatment and dewatering strategies to achieve the State Planning Policy 2017 design objectives. High Efficiency Sediment (HES) basins, which operate on a continuous flow basis, are recommended instead and allow a much greater volume of runoff to be treated for a given basin size compared to traditional batch basins. HES basins designed in accordance with the 2018 revision of Appendix B of IECA, 2008 will achieve the SPP design objective and are an accepted solution to achieve compliance with this policy.*

1. **Dust Management**

**Condition**

A dust management plan must be prepared in accordance with SC6.4 Development manual planning scheme policy specifically SC6.4.7.4 (8) Suppression of dust and submitted to council for approval.

During Level 3 and 4 water restrictions, water must not be drawn from council’s reticulated supply. The dust management plan must include detail of where water used for dust mitigation is to be drawn from should Level 3 and 4 water restrictions be in effect and/or imposed during the construction of the development.

*To be used when a dust management plan is required*

*OR*

Dust mitigation measures must be implemented onsite for the suppression of dust.

During Level 3 and 4 water restrictions, water must not be drawn from council’s reticulated supply.  Water to be used for dust mitigation is to be drawn from sources other than council’s reticulated supply should Level 3 and 4 water restrictions be in effect and/or imposed during the construction of the development.

*To be used when a dust management plan is NOT required*

**Reason**

To mitigate potential adverse impacts of dust hazards in accordance with SC6.4 Development manual planning scheme policy specifically SC6.4.7.4 (8) Suppression of dust of the Townsville City Plan.

The drawing of water from a non-reticulated source is to provide the ongoing protection of council’s reticulated supply.

**Timing**

Technical details are to be submitted to council as part of an application for Certificate of Compliance prior to the construction pre-start meeting and any requirements implemented during the construction phase of the development.

*To be used where the use may generate nuisance dust, and where* *a Dust Management Plan was not previously submitted and is not listed in Condition 1.*

*OR*

At all times during the construction phase of the development.

*To be used on applications where the use may generate nuisance dust, however a dust management plan is NOT considered necessary.*

1. **Acid Sulphate Soils Management**

**Condition**

Soil and groundwater investigations must be conducted in accordance with Part 9.3.2 Healthy waters code of the Townsville City Plan to support the proposed earthworks. Should the soil and groundwater investigations reveal the presence of acid sulphate soils or potential acid sulphate soils, an Acid Sulphate Soils Management Plan must be prepared and submitted to council for approval.

*To be used where there is the potential that works will disturb ASS (i.e. Basement car park, etc).*

**Reason**

To ensure potential adverse impacts on the natural and built environment including infrastructure and human health as a result of acid sulphate soils are avoided in accordance with relevant code/s and policy direction.

**Timing**

Technical details are to be submitted to council as part of an application for Operational Work.

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 an environmentally responsible manner in accordance with SC6.4 Development manual planning scheme policy, specifically SC6.4.23 Construction management and SC6.4.7.1 Clearing and grubbing of the Townsville City Plan.

**Timing**

Prior to, or during, construction of the development.

1. **Vegetation Retention and Protection**

**Condition**

Unless otherwise approved by council in writing, all trees/vegetation must be retained as detailed in Condition 1 above.

*To be used for all applications where trees or vegetation are required to be retained.*

**Reason**

Vegetation to be retained must be protected in accordance with relevant code/s and policy direction.

**Timing**

At all times during the construction of the development and following the commencement of the use.

1. **Refuse Facilities**

**Condition**

Refuse collection arrangements must be provided by the developer so as to achieve the requirements of the Part 9.3.6 Works code of the Townsville City Plan and in particular:

a) The waste management plan titled insert title prepared by insert author dated insert date is approved. The waste management plan must be implemented during construction and at commencement of the use. Any amendments to the plan must not be implemented until approval from Council is issued.

*To be used when a waste management plan has already been submitted and approved.*

b) A waste storage area must be provided of sufficient size to house all garbage bins including recycling bins. The developer must provide a storage area that is to be suitably paved, with a hose cock fitted in close proximity to the enclosure and drain to sewer via a legal sewer connection.

*To be used when a central waste storage area is shown on the approval plan.*

c) The owner/occupier is responsible for the storage of their mobile waste container (wheelie) bins including recycling bins. The developer must provide storage areas that are suitably paved, with a hose cock fitted in close proximity.

d) All bins are to be individually marked with the unit number to which it belongs.

*To be used for when mobile waste container storage is approved.*

e) Bulk refuse facilities are applicable to this development and must be:

• A suitable enclosure with concrete slab floor, with dimension which exceed the size of the nominated bin size by at least 300mm at the rear and both sides and 600mm at the front;

• Within the curtilage of the premises in an accessible location to receive the service;

• Graded and drained through an approved sediment/silt trap to legal sewer connection;

• Provided with a hose cock and hose in close proximity to the enclosure;

• Enclosure must be screened and not visible from any street frontage.

f) An adequate hard stand area with sufficient space to accommodate all bins for collection must be made available along (insert street name) frontage for the collection of mobile garbage (wheelie) bins and recycling bins (collected bi weekly). When development is operational, please contact Waste Services on 13 48 10 to commence refuse service.

*To be used on applications where sufficient area must be provided for the collection of bins. A hard stand area is only required on unlevel areas (i.e. steep road reserves).*

g) A minimum overhead clearance of 4.2 metres must be provided for refuse collection. Access for the collection of the mobile garbage (wheelie) bins is not to be impeded by any overhead obstructions such as trees, wires or other structures. This minimum height clearance must be maintained at all times.

*To be used for developments with mobile wheelie bins.*

h) The minimum overhead clearance required for refuse collection is 6.5 metres. Access for the collection of bulk bins is not to be impeded by any overhead obstructions such as trees, wires or other structures. This minimum height clearance must be maintained at all times.

*To be used for developments with bulk bins.*

i) All waste generated as a result of the demolition of existing building or structures, and construction of the premises is to be effectively controlled and contained entirely within the boundaries of the site before disposal. All waste is to be disposed of in accordance with the Environmental Protection (Waste Management) Regulation 2000.

*To be used on applications that involves demolition or building works.*

j) Access roads and driveways must be designed and constructed to accept vehicle loadings of not less that G.V.M 33 tonnes.

*To be used on applications where the refuse truck must enter the site for waste* *collection. Confirm with Waste Services that collection on site is possible.*

**Reason**

To ensure the premises is appropriately serviced and to protect matters of public health and amenity in accordance with relevant code/s and policy direction.

**Timing**

Prior to commencement of the use and to be maintained for the life of the development.

1. **Service, Deliveries and Refuse Collection**

**Condition**

Service and delivery vehicle activity and refuse collection by Medium Rigid Vehicles (MRV) or larger vehicles is limited to the hours of 7am and 6pm, Monday to Friday inclusive, unless otherwise approved by council.

Deliveries are not permitted on Saturdays, Sundays and Public Holidays.

*To be used on applications requiring specific refuse and service vehicle collection times to maintain amenity in the area.*

**Reason**

To ensure the development does not have a detrimental effect on the amenity of the surrounding land in accordance with relevant code/s and policy direction.

**Timing**

At all times following the commencement of the use.

1. **Heritage Buildings**

**Condition**

Where demolition or relocation of a heritage building occurs, archival recording (such as a photographic record and measured drawings) in accordance with Part 8.2.4 Cultural heritage overlay code and SC6.3 Cultural heritage planning scheme policy of the Townsville City Plan, must be submitted to council.

*To be used on applications where the existing building is listed in Schedule 7 – Place of cultural heritage value and is being relocated.*

**Reason**

To identify and capture the unique qualities of a place, creating a permanent record to inform ongoing understanding of caring for heritage places.

**Timing**

To be submitted to council within 1 month of the demolition or removal of the heritage building.

**Advice**

Guidelines for recording archival information of heritage places is provided by the Department of Environment and Science at https://www.ehp.qld.gov.au/assets/documents/land/heritage/archival-recording-heritage-places.pdf

1. **Protection of Operational Airspace**

**Condition**

a) Development must not involve permanent or temporary obstructions that will adversely affect the airport’s operational airspace

*To be used where development is identified as being within the Airports Operational Airspace, as per Overlay Map OM-01.1 and triggers assessment against PO1 of the* *Airport environs overlay code.*

b) Development must not involve physical obstructions or design features that adversely affect the function of aviation facilities.

*To be used where development is identified as being within the Airports Operational Airspace, as per Overlay Map OM-01.3 and triggers assessment against PO5 of the Airport environs overlay code.*

c) Development must not generate emissions which significantly affect air turbulence, viability or aircraft engine operation in the airport’s operational airspace.

*To be used where development is identified as being within the Airports Operational Airspace, as per Overlay Map OM-01.1 and triggers assessment against PO2 of the Airport environs overlay code.*

d) Development must be operated and managed so as not to attract a significant number of flying vertebrates into the identified Wildlife hazard buffer area.

*To be used where development is identified as being within a wildlife hazard buffer zone as per Overlay Map OM-01.2 and triggers assessment against PO3 of the Airport environs overlay code.*

e) Development must Not involve external lighting or reflective surfaces that could distract or confuse pilots.

*To be used where development is identified as being within the Airports Operational Airspace, as per Overlay Map OM-01.5 and triggers assessment against PO7 of the Airport environs overlay code.*

**Reason**

To ensure the development does not have detrimental effect on the operation of airspace.

**Timing**

During the construction of the development and at all times following the commencement of the use.

1. **Fire Fighting**

**Condition**

The development must be provided with an adequate and accessible supply of water for firefighting purposes.

*Used for developments that trigger assessment against the Bushfire hazard overlay code.*

**Reason**

In accordance with Part 8.2.2 Bushfire hazard overlay code of the Townsville City Plan.

**Timing**

Prior to commencement of the use and to be maintained for the life of the development.

1. **Groundwater and Dewatering Management**

**Condition**

A Groundwater and Dewatering Management Plan (GDMP) must be submitted to council for approval. The GDMP must be prepared by an appropriately qualified and experienced expert in the field to address the management of dewatering during the construction stage. The GDMP must also consider and include an Acid Sulphate Soil Management Plan. In particular, the GDMP must consist of, but not be limited to:

a) Monitoring frequencies (groundwater quality must be monitored before, during and after the construction of the development).

b) Bore monitoring locations.

c) Quantitative details of the dewatering system, including proposed duration of discharge and the hourly and total quantities of water to be discharged, and how this water will be treated.

d) Provide information on the standards to which the groundwater will be treated prior to offsite discharge and reasons why the standard has been chosen.

e) Provide information on treatment methods including how groundwater will be treated to the specific standards, why the treatment method has been chosen and how effective it will be.

f) A monitoring plan including parameters, technology, frequency and how and when monitoring data will be reported to Council. At a minimum the following items should be considered:

• pH of the discharge water should be carefully monitored to provide and indicator or any potential oxidation of PASS affected by groundwater drawdown;

• ferrous iron should be measured prior to discharge using colour-metric text strips. Where ferrous iron is detected, it will need to be held, treated and retested prior to discharge;

• groundwater monitoring and sampling commence and continue during and after dewatering. As a minimum, pH, EC, DO , turbidity, water level, acidity as CaCO3, Fe and AI should be monitored at appropriate frequencies;

• the exact location and frequency of groundwater testing should be prescribed by a groundwater/water quality specialist. Evidence must be provided that any proposed groundwater treatment and monitoring plan will adequately describe the groundwater quality and the level of groundwater treatment prior to stormwater discharge.

g) A strategy to manage non-conformities.

h) Location of treated water discharge.

i) Details and qualifications of the designated suitable qualified person to oversee the dewatering process, water quality treatment, testing and reporting.

j) Risk for settlement of neighbouring footings and in-ground services. Install permanent survey points for monitoring potential movement on the neighbouring structures on a regular basis, such as prior to commencement of the dewatering and then on a weekly interval.

The dewatering management strategies are re-evaluated following field trials to ensure the proposed management system performs adequately. All groundwater, PASS and other environmental monitoring results must be provided to council on a regular basis during development.

*To be used on applications where a basement car park is to be constructed and there is the potential for dewatering of the excavated area.*

**Reason**

To ensure the protection of people and property and the ongoing sustainability of the development.

**Timing**

Technical details are to be submitted to council as part of an application for Operational Work.

1. **Noise Management**

**Condition**

A Noise and Vibration Control Plan must be prepared in accordance SC6.4 Development manual planning scheme policy specifically SC6.4.19 Noise and vibration of the Townsville City Plan and submitted to council for approval.

*To be used on all applications where the use may generate nuisance noise, and where a Noise Management Plan was not previously submitted and is not listed in Condition 1.*

*OR*

1. The proposed activity must be conducted in a manner that applies such reasonable and practicable means necessary to avoid, minimise or manage the emission or likelihood of emission of noise that constitutes an intrusive or noise nuisance.

*To be used on all applications where the use has the potential to generate a noise nuisance, however it is not considered that a Noise Impact Assessment is necessary.*

**Reason**

To ensure that the use does not cause a noise nuisance to nearby sensitive receptors, and to ensure that a nuisance is not caused to the use from other nearby noise sources in accordance with the *Environmental Protection Act 1994* Section 440.

**Timing**

Technical details are to be submitted to council as part of an application for Certificate of Compliance and any recommendations/requirements implemented at the relevant phase of the development.

*OR*

During the operation and life of the development

1. **Noise Management**

**Condition**

The developer must implement all the proposed mitigation measures of the Noise Impact Assessment prepared by XX dated XX, including (but not limited to) the following mitigation measures:

1. XX;
2. XX;

**Reason**

To ensure that the use does not cause a noise nuisance to nearby sensitive receptors, and to ensure that a nuisance is not caused to the use from other nearby noise sources in accordance with the *Environmental Protection Act 1994* Section 440.

**Timing**

Technical details are to be submitted to council as part of an application for Certificate of Compliance and to be maintained during the operation and life of the development.

1. **Acoustic Control Measures – Post Construction Certification**

**Condition**

The developer must submit to council a post construction certification, one month following commencement of use, demonstrating that the recommendations of the Noise Impact Assessment prepared by XX outlined in Condition XX of this approval, have been achieved.

Should the Post Construction Certification demonstrate that the XX is not operating in accordance with the conditions of this approval, the hours of operation must reduce , until such time as compliance is demonstrated.

Certification must be provided by a suitably qualified acoustic consultant.

**Reason**

To ensure that acoustic quality objectives of the *Environmental Protection (Noise) Policy* and the recommendations of the Noise Impact Assessment prepared by XX dated XX, have been effectively implemented/installed.

**Timing**

Technical details are to be submitted to council as part of an application for a Certificate of Compliance within one (1) month from the commencement of the use.

1. **Odour Management**

**Condition**

An Odour Management Plan must be submitted to council for approval.

*To be used on all applications where the use may generate nuisance odour, and where an Odour Management Plan was not previously submitted and is not listed in Condition 1.*

*OR*

1. Implement odour control measures during the operation and life of the development to prevent an environmental nuisance from affecting nearby sensitive receptors.

*To be used on all applications where the use has the potential to generate a noise nuisance, however it is not considered that a Noise Impact Assessment is necessary.*

**Reason**

To ensure that the use does not cause an odour nuisance to nearby sensitive receptors.

**Timing**

Technical details are to be submitted to council as part of an application for Certificate of Compliance and any recommendations/requirements implemented at the relevant phase of the development.

*OR*

During the operation and life of the development.

1. **Odour Management**

**Condition**

The developer must implement all the proposed mitigation measures of the Odour Impact Assessment prepared by XX dated XX, including (but not limited to) the following mitigation measures:

1. XX;
2. XX;

**Reason**

To ensure that the use does not cause an environmental nuisance to nearby sensitive receptors in accordance with section 440 of the *Environmental Protection Act 1994*.

**Timing**

Prior to the commencement of the use associated with each stage and maintained during the operation and life of the development.

1. **Outdoor Lighting**

**Condition**

Any outdoor lighting fixtures must be installed and maintained so that they do not emit glare or light above the levels stated in Australian Standard 4282:2023 – Control of the Obtrusive Effects of Outdoor Lighting.

*Australian Standard 4282 to be checked at time of condition to ensure it is current, in terms of year of revision.*

**Reason**

To ensure that the use does not cause a light nuisance to nearby sensitive receptors, and to ensure that a nuisance is not caused to the use from other nearby light sources in accordance with the *Environmental Protection Act 1994* Section 440.

**Timing**

Prior to commencement of the use and to be maintained for the life of the development.

*To be used on all applications where outdoor lighting is to be installed as part of the use.*

1. **Spray Booth Operations**

**Condition**

Evidence of certification of the spray booth by a suitably qualified and experienced person must be provided to council which demonstrates that the spray booth is compliant with relevant Australian Standards.

*To be used on all applications where a spray booth is to be installed as part of the use.*

**Reason**

To ensure that the use does not cause an odour nuisance or overspray issues to nearby sensitive receptors in accordance with the Queensland Environmental Protection Act 1994 Section 440 and to ensure it complies with Australian Standard AS4114.1 and 4114.2.

**Timing**

Technical details are to be submitted to council as part of an application for Certificate of Compliance and any recommendations/requirements implemented at the relevant phase of the development.

1. **Spillage Control**

**Condition**

The developer must ensure that all necessary steps are taken to ensure that the refuelling of the service station via tank vehicle etc. meets all relevant standards including but not limited to safety and environmental.

*To be used on all applications where a Service Station forms part of the approved use.*

**Reason**

To ensure that if a spill occurs there are adequate control measures in place.

**Timing**

Technical details are to be submitted to council as part of an application for Operational Work and any recommendations/requirements implemented at the relevant phase of the development and maintained for the life of the development.

1. **Building Materials**

**Condition**

The exterior surfaces of all buildings and structures associated with the use must be constructed from materials and/or painted or similarly treated with paint or pigment of a low reflective level which does not cause excessive glare.

*To be used on all applications where materials are not of significant concern.*

**Reason**

To ensure protection of matters of public safety and amenity in accordance with relevant code/s and policy direction.

**Timing**

Prior to the commencement of the use and maintained for the life 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 Material Change of Use, 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 Material Change of Use, as attached.

**ADVICE**

1. **Infrastructure Charges**

**Advice**

An Infrastructure Charges Notice outlining the estimated infrastructure contributions payable relevant to the Development Permit is attached for your information/will be issued as soon as practicable in accordance with the *Planning Act 2016*.

1. **Water Restrictions**

**Advice**

a) To manage Townsville’s water resources, council regulates water restrictions on a permanent basis. All development undertaken in Townsville must be mindful of the current and projected level of water restrictions that may affect development activities such as landscaping establishment and/or soil erosion and sediment control;

b) Developers remain responsible for compliance with any water restrictions as directed by council;

c) During times of significant water shortage, council may refuse to grant developers exemptions from water restrictions for the purposes of landscaping works or soil erosion and sediment control activities;

d) In circumstances where exemptions to water restrictions are no longer issued by council, bonding of soft landscaping works will be permitted to enable the release of plans of survey and / or compliance certificates. In cases where the soft landscaping is a component of permanent soil erosion and sediment control (such as an open drain) the use of “bonded fibre matrix” type hydro-mulch products or other suitable soil erosion and sediment control methods can be carried out as alternatives to demonstrate compliance with water restrictions; and

e) The responsibility for compliance with all relevant environmental protection requirements (in particular sediment and erosion control) remains with the developer.

1. **Assessment Manager Advice**

**Advice**

Before an on-site sewerage disposal facility can be installed on a property, the applicant is required to apply for a permit to install the treatment facility on that property as per the *Plumbing and Drainage Act 2018*. Applications to install an onsite sewage disposal facility are to be lodged with council as part of the plumbing/drainage application. Applicants should also refer to the on-site sewage disposal facilities for non-sewered properties guidelines which provides details on the application and installation stages of an onsite sewerage facility. This document may be found on Council’s website.

1. **Further Approvals Required**

**Advice**

a) Operational Work

An Operational Work application associated with the following conditions must be submitted to Council for approval prior to the issue of a Development Permit for Building Works, unless otherwise approved by council.

All engineering, soil erosion and sediment control and landscaping designs/documentation associated with such an application must be prepared and where necessary, certified by a suitably qualified/experience person.

b) Certificate of Compliance

An application for Certificate of Compliance associated with the following conditions must be submitted to Council for approval prior to the issue of a Development Permit for Building Works, unless otherwise approved by council.

c) Plumbing and Drainage Works

A Compliance Permit to carry out plumbing and drainage works prior to the commencement of sanitary drainage works.

*To be used on applications that requires a Compliance Assessment or Plumbing and Drainage Works.*

d) Building Works

A Development Permit for Building Works to carry out building works prior to works commencing on site.

e) Road Works Permit

A Roadworks permit for the construction of a driveway or access within the road reserve must be obtained.

f) Operational work – Signage

A Development Permit for Operational work is required for signage deemed to be code assessable in accordance with the Planning Scheme.

*To be used on all application where building works will require a Building Works approval.*

1. **Earthworks**

**Advice**

1. Plans of any earthworks to be associated with the use that is deemed to be assessable development in accordance with the Categories of development and assessment - Operational work of the Townsville City Plan must be submitted to council for assessment; and

b)      Earthworks must be designed in accordance with Works code of the Townsville City Plan.

1. **Advertising Devices**

**Advice**

a) Plans of any signage to be associated with the use that is deemed to be assessable development in accordance with Part 5.8 Categories of development and assessment - Operational work specifically Table 5.8.2 Operational work being placing an advertising device on premises of the Townsville City Plan must be submitted to council for assessment; and

b) Signs must be designed in accordance with Part 9.3.1 Advertising devices code of the Townsville City Plan; and

c) To maintain amenity for the adjoining properties, no illumination of the signage is to occur unless otherwise approved by council.

*To be used on applications with significant signage or there is anticipated to be significant signage but have not provided specific details on individual signage as part of the MCU.*

*Note: Advertising Devices are included as a Fast Track development type, see council’s website for a list of accredited consultants that can assist with the submission of an application.*

1. **Further Inspections Required**

**Advice**

**Compliance with Conditions**

The following inspections will be required to be undertaken by council to determine compliance with conditions that are not subject to a further approval.

Condition x – Building Materials

Condition x – Property Numbering

Condition x – Drying Facilities

Condition x – Letterboxes

Condition x – Screen Fencing

Condition x – Screening Plant and Utilities

Condition x – Fire Fighting

1. **Shop Fit Out**

**Advice**

a) Prior to any fit out of the intended food premises, an application for food licence including details on the fit out of the premises must be submitted to council’s Environmental Health Services. No fit out or construction may take place before approval is granted. A food premise is anywhere food or beverages are prepared, packed, stored, handled, serviced, supplied or delivered for sale.

b) Prior to any fit out of the intended Skin Penetration Establishment, a separate application must be submitted to council’s Environmental Health Services for Licence issue. No fit out or construction may take place before approval is granted.

c) Where the premises is intended to be used for carrying out an Environmentally Relevant Activity (ERA) that has been devolved to council, as defined in Schedule 2 of the Environmental Protection Regulation 2019, an application for development approval under the *Planning Act 2016* must be submitted to the relevant administering authority prior to the commencement of the activity. To operate an ERA, an Environmental

d) Authority is required. The application for the DA is also taken to be the application for the Environmental Authority.

Maximum penalties may be imposed for operating an Environmentally Relevant Activity (ERA) without a development approval.

Further to this; to operate an ERA the operator needs to be a registered suitable operator. Applications for this can be submitted to local government with the EA application or can be sent direct to Department of Environment and Science (DES). DES assess all suitable operator applications.

Maximum penalties may be imposed for operating an EA as an unregistered operator.

1. **Outdoor Dining**

**Advice**

If an outdoor dining area is to be incorporated, a separate Outdoor Dining Licence application is required under the Subordinate Local Law No. 1.2 (Commercial Use of Local Government Controlled Areas and Roads) 2011.

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. **Connection to Council Sewer**

**Advice**

A copy of this permit and the approved sewer 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 upon payment will schedule the works for connection.

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

1. **Storage of Materials and Machinery**

**Advice**

All materials and machinery to be used during the construction period are to be wholly stored on the site, unless otherwise approved by council.

1. **Building Work Noise**

**Advice**

The hours of audible noise associated with construction and building work on site must be limited to between the hours of:

• 6.30 a.m. to 6.30 p.m. Monday to Saturday; with

• No work on Sundays or Public Holidays.

*To be used on all applications involving Building Work.*

1. **Specifications and Drawings**

**Advice**

Details of council’s specifications and standard drawings can be viewed on Council’s website.

1. **Lease Conditions**

**Advice**

The developer must comply with the relevant lease conditions associated with Cleveland Palms and Reconfiguring a Lot approval issues by council that applies to this allotment.

*To be used only for Cleveland Palms Applications.*

1. **Environmental Considerations**

**Advice**

Department of Environment and Science requirements.

Construction must comply with relevant Legislation, Policies and Guidelines.

1. **Odour Management**

**Advice**

In the event of a complaint being received by Council in relation to odour, the developer/ operator must engage a suitably qualified consultant to undertake an assessment addressing odour emanating from the site for this use in accordance with the provisions of the *Environmental Protection Act 1994.*

The assessment must be accompanied by a report, inclusive of supporting calculations and site investigations and provide a recommended method and location of odour attenuation measures. The developer/operator must provide a copy of the report to Council and undertake any works (if required from the report) within 3 months at no cost to Council.

*To be used on all applications where the use has the potential to generate an odour nuisance, however it is not considered that an Odour Impact Assessment is necessary.*

1. **Noise Management**

**Advice**

In the event of a complaint being received by Council in relation to noise associated with the use, the developer/operator must engage a suitably qualified acoustic consultant to undertake an assessment addressing noise emanating from the site for this use in accordance with the provisions of the *Environmental Protection Act 1994, Environmental Protection (Noise) Policy 2019, Environmental Protection Regulation 2019* and Australian Standard AS 1055 Acoustics to the satisfaction of the Townsville City Council.

The assessment must be accompanied by a report, inclusive of supporting calculations and site investigations and provide a recommended method and location of noise attenuation measures. The developer/operator must provide a copy of the report to Council and undertake any works (if required from the report) within 3 months at no cost to Council.

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. **Dilapidation Report**

**Advice**

a) It is advisable that the developer undertake a dilapidation report, prior to the commencement of any works on the site to mitigate against any possible future legal action. The report is designed to document evidence of the existing condition of adjoining properties internally and externally prior to any rock breaking or construction work commencing. Hence the report should document and provide photographs that clearly depict any existing damage to neighbouring properties.

*To be used on applications with extensive excavations which may cause damage to neighbouring properties or council infrastructure.*

b) The developer should provide a dilapidation report with photographs of the footpath, kerb and channel in the vicinity of the access(es) to the site, to council, prior to commencement of the works, and any damage identified by council inspectors rectified on completion of works. The developer will be responsible for the restoration of all damage identified by the inspectors if this report is not lodged prior to work commencing.

*To be used on applications where works are to be carried out within the existing road reserve.*

1. **Liquid Trade Waste Approval/Agreement**

**Advice**

The developer is advised that a Trade Waste Approval/Agreement may be required under the *Water Supply (Safety and Reliability) Act 2008*. This should be discussed with council’s Planning and Development team at an early stage of project development.

Contact Tradewaste@townsville.qld.gov.au or 13 48 10.

1. **Building Over/Adjacent to Services**

**Advice**

The developer is advised that the proposed building structures are over/adjacent to an existing service. In accordance with QDC MP1.4, the applicant may be required to make an application to Council for consent under Section 191 of the *Water Supply (Safety and Reliability) Act 2008* for building over or adjacent to services.

1. **Asbestos**

**Advice**

All asbestos being removed from the site must be transported and disposed in accordance with relevant legislation.

1. **Flammable and Combustible Liquids**

**Advice**

Flammable and combustible liquids are to be stored and handled in accordance with AS 1940 The Storage and Handling of Flammable and Combustible Liquids.

*To be used on all applications where flammable and combustible liquids may be stored, such as petrol, diesel or oil.*

1. **Chemical Storage**

**Advice**

Where chemicals are stored or handled on site, the storage and handling of chemicals must be in accordance with the relevant WHS Code of Practice.

*To be used on all applications where chemicals may be stored.*

1. **Magnetic Island Waste Facility**

**Advice**

The Magnetic Island Waste Management Facility at Picnic Bay does not accept commercial construction and demolition waste. Waste arising from the commercial construction and demolition of structures must be subject to disposal by a carrier/contractor approved to transport waste by the appropriate Local Government or Department of Environment and Science (DES) at a suitably licensed disposal facility.

The Magnetic Island Waste Management Facility at Picnic Bay does not accept Regulated Waste. Regulated Waste must be subject to disposal by a carrier/contractor approved by the appropriate Local Government/DES at a suitably licensed disposal facility.

1. **Roadworks Approval**

**Advice**

The developer is responsible for obtaining a Roadworks permit in accordance with Subordinate Local Law No. 1.15 (Carry out Works or Interfering with a Road or its Operation) 2011 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 indicate the following:

a) Completed Roadworks permit application form;

b) Prescribed fee;

c) Traffic Management Plan prepared by a suitable qualified traffic 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 (Queensland) Part 3 – Works on Roads.

If the works require closure of part of the road reserve, a temporary Road Closure Permit 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.

1. **Defence Registration**

**Advice**

Structure/s may require registration with the appropriate Civil Aviation and RAAF authorities.

1. **Clearance to Structure (Ergon Energy)**

**Advice**

The development site may be within 5m of an overhead powerline owned by Ergon Energy. There are strict legal and safety requirements for any buildings near an overhead powerline. Please contact Ergon Energy for safety advice on 13 74 66 or search for 'safety advice' on the Ergon Energy website and make an application if structures or works are proposed or if any person, plant or equipment will come within 5m of an existing line. To avoid building delays, it is advised you contact Ergon Energy early.

*To be used where the site is within 5m of an overhead powerline owned by Ergon Energy.*

1. **Regulated Device Audible Noise**

**Advice**

A person must not operate a regulated device in a way that makes an audible noise:

• On a business day or Saturday, before 7.00a.m or after 7.00p.m; or

• On any other day, before 8.00a.m or after 7.00p.m.

*To be used on Telecommunication applications that includes a generator.*

1. **Clinical/Medical Waste**

**Advice**

This development has the potential to generate or handle clinical and regulated waste material. Clinical and medical related waste is to be handled in accordance with AS/NZS 3816:1998 Australian Standard/New Zealand Standard – Management of clinical and related wastes.

*To be used on all applications where clinical or medical waste may be generated.*

1. **Environmentally Relevant Activities**

**Advice**

Where the premises is intended to be used for carrying out an Environmentally Relevant Activity as defined by the Environmental Protection Regulation 2019, an application under the *Planning Act 2016* and the *Environmental Protection Act 1994* must be submitted to the relevant administering authority prior to the commencement of the use.

*To be used on all applications where an ERA is to be carried out.*

1. **Environmental Management Register**

**Advice**

If the business meets the threshold specified in Schedule 3 of the *Environmental Protection Act 1994* for a notifiable activity, it has a responsibility under section 371(1) of the *Environmental Protection Act 1994* to notify the administering authority (Department of Environment and Science) within 22 business days of the use commencing.

*To be used on all applications where the use is a notifiable activity under the EP Act 1994.*

1. **Telecommunication Facilities**

**Advice**

Due to telecommunication facilities and their associated electromagnetic energy impacts being outside council’s jurisdiction and expertise, you must notify the Queensland Health Radiation Health Advisor of your proposal.

*To be used on all applications where a telecommunication facility is to be constructed.*