**SCHEDULE OF CONDITIONS**

**RECONFIGURING A LOT**

**(Description e.g. One Into Two Lots)**

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** |
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|  | **Associated Reports** | | | |
|  |  | | | |
|  |  | | | |

b) The recommendations outlined in the above reports must be implemented prior to the signing of the Plan of Survey.

**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. **Water Supply (Public System)**

**Condition**

The development must be serviced by the public water supply.

*To be used when water reticulation is located to the frontage of the site and there are no capacity concerns. A water meter is not required prior to release of the POS.*

**Reason**

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

**Timing**

Prior to the commencement of use on the lots.

**Advice**

*No further works are required prior to the release of the Plan of Survey.*

*The water service(s) within the ‘Access, Drainage and Utilities Easement’ are owned and maintained by the respective lot owner and will not become a council asset. Water meter(s) can be connected following registration of the lot(s).*

*A Property Notation will be placed on council’s property management files to advise prospective purchasers of the required water supply arrangement.*

1. **Water Supply (Public System)**

**Condition**

The development must be serviced by the public water supply. In particular, a reticulated water supply must be provided to the frontage of each lot within the proposed development in accordance with Part 9.3.4 Reconfiguring a lot code and Part 9.3.6 Works code of the Townsville City Plan.

**Reason**

To ensure that the development 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 implemented prior to the release of the Plan of Survey, unless otherwise agreed by Council.

*To be used when water reticulation works (Council asset) are required to be carried out to provide a water service for each lot. Note water meters will not be connected to vacant lots prior to POS.*

**Advice**

*Townsville Water, at it’s discretion, may carry out works via a quote arrangement. If works are carried out by Townsville Water (works carried out by quote arrangement), an application for Operational Works will not be required.*

*Only to be used when* *the works are associated with a road crossing and Townsville Water can carry out the works.*

1. **Water Supply (Community/Group Title Schemes)**

**Condition**

The development must be serviced from the public water supply. In particular, an internal private reticulated water supply main must be provided to service each lot in the proposed community title development and be connected to Council’s infrastructure in accordance with Part 9.3.4 Reconfiguring a lot code and Part 9.3.6 Works code of the Townsville City Plan.

Sub-metering must be installed for each allotment.

*Used for all developments proposing a community title scheme.*

**Reason**

To ensure the development is appropriately serviced by infrastructure provided 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 release of the Plan of Survey.

**Advice**

1. *SC6.4 Development manual planning scheme policy may require a network analysis of the proposed subdivision to be undertaken.*
2. *The internal water mains within the development are owned and maintained by the body corporate and will not become a Council asset.*
3. **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**

To ensure the development is appropriately serviced by an appropriate water supply in accordance with relevant code/s and policy direction.

**Timing**

Prior to the release of the Plan of Survey.

*(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)*

**Advice**

1. *Prospective purchasers of the land must be notified of the on-site water supply requirements.*
2. *A Property Notation will be placed on Council’s property management files to advise prospective purchasers of the approved on-site water supply requirements, including any water filter system that may be required.*
3. **Sewerage Reticulation**

**Condition**

The development must be serviced by the public sewerage network.

*To be used when sewerage is located within the lots and future uses are able to connect when required. No further sewerage works are required.*

**Reason**

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

**Timing**

Prior to release of the Plan of Survey.

**Advice**

*No further works required prior to the release of the Plan of Survey.*

1. **Sewerage Reticulation**

**Condition**

The development must be serviced by the public sewerage network. In particular, each allotment must be provided with a single property service and must be connected directly and separately to Council’s sewer in accordance with Part 9.3.4 Reconfiguring a lot code and Part 9.3.6 Works code of the Townsville City Plan.

*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 release of the Plan of Survey.

*OR– where Operational Works application not required*

Prior to release of the Plan of Survey.

**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.*
3. **On-site Sewage Treatment and Disposal**

**Condition**

Each lot of 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 any use on the lot(s).

**Advice**

1. *On-site sewage disposal information supplied with this application is not permission to install the plant or commence building work. Under the Plumbing and Drainage Act 2018, an application must be lodged with Townsville City Council before any building work or installation of an on-site disposal system can be carried out.*
2. *Prospective purchasers of the land must be notified of the on-site sewage disposal system requirements.*
3. **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 will advise if required.*

**Reason**

To ensure the existing infrastructure is in suitable condition for the development to connect in accordance with SC6.4 Development manual planning scheme policy, specifically SC6.4.2 Development application guidelines of the Townsville City Plan.

**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. **Existing Services**

**Condition**

a) The existing services for each lot must be contained within the individual allotments. Any existing water meters must be contained within the individual lot which they service, at the property road frontage;

*Used on all applications*

b) Where the development does not allow existing services to be contained within the individual lot, then such services must be relocated or easement obtained. Such easements must be registered in accordance with the *Land Title Act 1994*, in conjunction with registration of the Plan of Survey.

*Used on applications where it is known that services cannot be contained within the individual lot.*

**Reason**

To ensure the 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. **Relocation of Utilities**

**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.

*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. **Electricity and Telecommunications**

**Condition**

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

*Used for developments that require 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**

Installation to be achieved prior to release of the Plan of Survey *OR* the development achieving “On Maintenance”.

Where installation cannot be achieved, confirmation that supply can be provided must be obtained from the supplier and provided to Council.

1. **Minimum Lot Levels**

**Condition**

The finished level on all new allotments *OR* building pad on created allotments must be above the 1% AEP flood *OR* RL3.05m AHD.

*Used on* applications that trigger assessment against the Coastal environment overlay code/Flood hazard overlay code, and a detailed Flood impact assessment/hydraulic report has not been provided.

OR

The finished level on all new allotments *OR* building pad on created allotments must be in accordance with the *approved report* dated XX prepared by *Consultant* as listed in Condition 1, above.

**Reason**

To ensure lots are developed to be appropriately immune from flood and storm tide hazards without impacting on surrounding land, in accordance with relevant code/s and policy direction.

**Timing**

Prior to release of the Plan of Survey and maintained for the life of the development.

*Where works are not required to achieve minimum levels.*

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.

*Where works are required to achieve minimum levels.*

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 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**

Technical details to be submitted to Council as part of an application for Operational Works and implemented 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). 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. This is for high risk sites.*

**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**

Technical details to be submitted to Council as part of an application for Operational Works and implemented 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. **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 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 release of the Plan of Survey.

*OR*

Prior to the release of the Plan of Survey 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 and submitted to Council for approval.

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

*To be used on developments where a SQMP is required in accordance with the Healthy Waters Code.*

**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.

**Timing**

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.

1. **Inter Allotment Stormwater Drainage Easements**

**Condition**

Drainage easement(s) must be provided in accordance with Part 9.3.2 Healthy waters code of the Townsville City Plan in favour of Council over the stormwater drainage system.

*To be used on applications that require drainage to traverse through other lands to a legal point of discharge.*

**Reason**

To convey stormwater across other lands legally and in an environmentally responsible manner in accordance with relevant code/s and policy direction.

**Timing**

The easement documents must be submitted to Council for signing at the time of lodgement of the Plan of Survey and registered in accordance with the *Land Title Act 1994*.

*To be used where Council is required to sign easement documents (i.e. where Council is party to the easement)*

*OR*

The easement documents must be submitted to Council for review to confirm compliance with the condition at the time of lodgement of the Plan of Survey and registered in accordance with the *Land Title Act 1994.*

*To be used in all other circumstances.*

1. **Stormwater Drainage Easements and Reserves**

**Condition**

1. All easements or reserves over all underground drains, constructed drainage works, improved drains and natural concentrated flow paths which are placed under the control of Council must be registered with the Plan of Survey.

b) All easements or reserves required by Council or other public utility entity for access to, or for the provision of, essential services must be registered with the Plan of Survey.

c) Surrenders of any existing easements and/or leases where necessary in connection with the subdivision must be registered with the Plan of Survey.

d) The extent and location of easements, reserves and surrenders required in (a) to (c) will, as far as possible, be determined prior to issue of the development permit for Operational Work or upon completion of works if subsequently found necessary.

e) The land shown on the approved plans for drainage purposes must be transferred to Council, free of cost, as freehold on trust for drainage purposes, in accordance with relevant code/s and policies.

*To be used on applications that involve drainage traversing through other lands and a reserve or easement is required in favour of Council for ongoing maintenance and management.*

**Reason**

a) – d) To provide legal access for ongoing maintenance to stormwater drainage paths in accordance with relevant code/s and policy direction.

e) To ensure the transfer of appropriate public infrastructure in accordance with infrastructure planning requirements.

**Timing**

The easement documents must be submitted to Council for signing at the time of lodgement of the Plan of Survey and registered in accordance with the *Land Title Act 1994*.

1. **Roadworks**

**Condition**

1. All new roads and intersections shown on the approved plans listed in Condition 1 must be designed and constructed in accordance with Part 9.3.5 Transport, access and parking code of the Townsville City Plan.

*Use on all applications requiring a road to be constructed.*

1. An application for street names must be submitted to and approved by Council prior to submission of any Operational Works application. Approved street names must be shown on all engineering drawings submitted for Operational Works.

*Used where new roads are proposed which require street names.*

1. Where a temporary turnaround is to be provided at the end of a road reserve on the balance land the developer must provide Council with an access easement to allow for vehicles to turnaround unless otherwise approved by Council.

*Used where temporary turnaround areas will be required (i.e. staged developments)*

**Reason**

To ensure an appropriate transport network is provided 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 release of the Plan of Survey.

1. **Street Lighting**

**Condition**

Overhead street lighting must be provided for the following streets and must be in accordance with Part 9.3.5 Transport impact, access and parking code of the Townsville City Plan and the categories shown as per Australian Standards, AS/NZS 1158 - Road Lighting.

Road Lighting Category

[INSERT] [INSERT]

*To be used for those proposals that requires street lighting.*

**Reason**

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

**Timing**

Prior to the development achieving “On Maintenance”.

1. **Prohibition of Vehicle Access**

**Condition**

Direct vehicle access is not permitted between \_\_\_\_\_\_\_\_\_\_ and \_\_\_\_\_\_\_\_\_\_\_. A barrier must be erected along the boundary of the site to prevent such access. Details of the barrier must be submitted to Council for approval.

*To be used on applications where vehicle access may not be proposed to protect infrastructure (e.g. parkland) or where direct access from a particular road is to be denied.*

**Reason**

To prevent unauthorised access in accordance with relevant code/s and policy direction.

**Timing**

Prior to the release of Plan of Survey and to be maintained at all times thereafter.

1. **Driveway Construction (Rear Lot)**

**Condition**

A sealed driveway from the front property boundary for the entire length of the access handle must be provided to service the rear lot. The access handle must be designed in accordance with the design criteria within Part 9.3.4 Reconfiguring a lot code of the Townsville City Plan.

*To be used on all applications where a rear allotment is created in an urban area or where dust/amenity is a significant concern*

*OR*

A driveway constructed of suitable dust suppressant material from the front property boundary for the entire length of the access handle must be provided to service the rear lot. The access handle must be designed in accordance with the design criteria within Part 9.3.4 Reconfiguring a lot code of the Townsville City Plan.

*To be used on all applications where a rear allotment is created in the rural or rural residential area and dust/amenity is not a significant concern.*

**Reason**

To provide appropriate access for the created rear allotment(s) in accordance with relevant code/s and policy direction.

**Timing**

Prior to the commencement of any future use on the rear lot.

**Advice**

*A Roadworks Approval is required for any works in the road reserve.*

*Prospective purchasers of the rear lot must be notified of the driveway requirements by the developer. A Property Notation will be placed on Council’s property management files to advise prospective purchasers of the approved access driveway requirements.*

*It is recommended that conduits be installed prior to the construction of the driveway within the easement to allow for services (i.e. water service, electricity supply, etc.) to be provided to [insert rear lot/s] in the future.*

1. **Access**

**Condition**

A new access driveway and crossover from the existing kerb and channel OR edge of bitumen to the property boundary to service Lots XX must be constructed in accordance with Council’s relevant Standard Drawings for Driveway Access and Driveway Crossovers.

*To be used on applications for when a crossover is required (ie. Hatchet lot, Upgrade of existing crossover, etc)*

**Reason**

To provide appropriate access in accordance with relevant code/s and policy direction.

**Timing**

Prior to the commencement of any future use on the lot.

*OR*

Prior to release of the Plan of Survey.

**Advice**

*A Roadworks Approval is required for any works in the road reserve.*

1. **Access and Utilities Easement**

**Condition**

An easement(s) to allow pedestrian and vehicle access, on-site manoeuvring and connection of services and utilities for benefited Lot XX over burdened Lot XX must be provided.

*To be used where reciprocal right easement/s are required or where access to services may be required.*

**Reason**

To provide lawful access and utilities connections to all created allotments in accordance with relevant code/s and policy direction.

**Timing**

The easement documents must be submitted to Council for signing at the time of lodgement of the Plan of Survey and registered in accordance with the *Land Title Act 1994.*

*To be used where Council is required to sign easement documents (i.e. where Council is party to the easement)*

*OR*

The easement documents must be submitted to Council for review to confirm compliance with the condition at the time of lodgement of the Plan of Survey and registered in accordance with the *Land Title Act 1994.*

*To be used in all other circumstances.*

1. **High Density Development Easement**

**Condition**

A high density development easement over lots XX and XX must be created and registered in accordance with the *Land Title Act 1994*.

*To be used on applications that create lots 300m2 or less and where future construction will include attached dwellings on adjoining boundaries. Division 4AA of the Land Title Act should be read to determine need for this condition.*

**Reason**

In accordance with Division 4AA of the *Land Title Act 1994*.

**Timing**

The easement documents must be submitted to Council at the time of lodgement of the Plan of Survey and registered in accordance with the *Land Title Act 1994.*

1. **Car Parking Spaces**

**Condition**

Two (2) car parking spaces must be provided on Lot XX for the existing dwelling in accordance with Part 9.3.5 Transport impact, access and parking code of the Townsville City Plan and the Queensland Development Code (QDC).

*Used for infill development where existing car parking may be affected by the development.*

**Reason**

To ensure the development maintains and/or provides appropriate on site car parking facilities in accordance with relevant code/s and policy direction.

**Timing**

Prior to the release of the Plan of Survey.

**Advice**

*An application for a Concurrence Agency Response (Siting Relaxation) may be required to be lodged with Council where new car parking structures do not comply with the relevant assessment criteria of the Queensland Development Code.*

1. **Demolition**

**Condition**

The existing (insert structure) on proposed Lot XX must be demolished.

*Used on applications where outbuildings, buildings or structures need to be removed on a proposed vacant allotment or located across proposed property boundaries.*

**Reason**

The existing structure does not form part of the development proposal.

*OR*

The structure will be located over the proposed new boundary.

**Timing**

Prior to the release of the Plan of Survey.

**Advice**

*Confirmation should be obtained from a Building Certifier to ascertain if an application for a Development Permit for Building Works will be required for the demolition of any structure.*

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.*

**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 and any requirements implemented at the relevant phase of the development.

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.).*

*OR*

All recommendations of the in accordance with the Bushfire Management Plan dated XX prepared by *Consultant* as listed in Condition 1, above, must be implemented at all times during the construction phase and for the life of the development.

*Used where a Bushfire Management Plan has been accepted and approved by Council.*

**Reason**

To ensure that development maintains the safety of people and property 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 and any recommendations/requirements implemented at the relevant phase of the development.

*Where a Bushfire Management Plan is required to be provided for assessment.*

*OR*

At all times during the construction of the development and maintained for the life of the development.

*Where a Bushfire Management Plan has been accepted.*

***Advice***

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

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 SC6.4.3.15 Noise and vibration assessments 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 implemented prior to the release of the Plan of Survey.

1. **Transfer of Land**

**Condition**

The land shown on the approval plans as public open space must be transferred to Townsville City Council as freehold on trust for public park/drainage/environmental corridor purposes, free of cost in accordance with Part 9.3.4 Reconfiguring a lot code/Part 4 Local government infrastructure plan of the Townsville City Plan.

*Used where the proposal requires public open space (i.e. parks) to be transferred to Council.*

**Reason**

To ensure the transfer of appropriate public infrastructure in accordance with infrastructure planning requirements.

**Timing**

The transfer documents must be submitted to Council at the time of lodgement of the Plan of Survey associated with the land to be transferred and registered in accordance with the *Land Title Act 1994.*

1. **Street Trees**

**Condition**

Street tree planting must be provided to the insert street/road frontage in accordance with Part 9.3.3 Landscape code of the Townsville City Plan.

**Reason**

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

**Timing**

To be implemented prior to the release of the Plan of Survey.

**Advice**

*Insert specific advice on species, if provided.*

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.

*To be used on applications where existing street trees are present.*

**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. **Vegetation Retention and Protection**

**Condition**

Unless otherwise approved by Council, all trees/vegetation identified on the approved plans detailed in Condition 1, above, must be retained in accordance with Part 9.3.3 Landscape code of the Townsville City Plan.

*To be used for applications where there is vegetation being retained.*

*Note: all trees to be retained as part of the application should be identified before the decision stage.*

**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 maintained for the life of the development.

1. **Graffiti**

**Condition**

Details of an appropriate anti-graffiti protective shield treatment to the wall/fence (specify extent of wall or fence and location to be treated) or other alternative measures accordance with Part 9.3.3 Landscaping code of the Townsville City Plan, must be submitted to Council for approval.

Where a protective shield is applied, the protective shield will not be maintained by Council until the wall/fence is accepted “Off Maintenance”. During the maintenance period any graffiti on the subject wall/fence must be removed within 48 hours at no cost to Council.

*To be used where structures are likely to be the subject of vandalism.*

**Reason**

To retain and/or enhance streetscape amenity 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, and installed prior to the release of the Plan of Survey.

**Advice**

Refer to Council’s *Graffiti Action Plan 2021 - 2024* to identify appropriate measures to assist in the prevention and management of illegal graffiti.

1. **Noise Attenuation**

**Condition**

Noise attenuation measures must be provided at each relevant stage of the development in accordance with the *approved report* dated XX prepared by *Consultant* as listed in Condition 1, above.

*To be used on all developments where noise attenuation measures are identified in a noise assessment report.*

**Reason**

To mitigate noise impacts in accordance with relevant code/s and policy direction.

**Timing**

Details of attenuation measures to be submitted to Council as part of an application for Operational Work and implemented prior to the release of the Plan of Survey.

1. **Refuse Collection Point**

**Condition**

A designated refuse collection point for identify lots to be serviced must be provided in accordance with Part 9.3.6 Works code of the Townsville City Plan.

*To be used where lots require dedicated bin collection pads within Council road reserve*

*OR*

Refuse collection for [insert proposed rear lot/s number/s] will occur at the frontage of [insert proposed front lot number] in accordance with Part 9.3.6 Works code of the Townsville City Plan.

*To be used where refuse collection for rear lots occurs in front of a created front allotment and bin collection pads are* ***not*** *required*

**Reason**

To ensure appropriate refuse collection can be achieved for all lots in accordance with relevant code/s and policy direction.

**Timing**

Technical detail to be submitted to Council as part of an application for Operational Work and implemented prior to the release of the Plan of Survey.

*To be used where bin pads* ***are*** *required to be constructed in Council road reserve.*

*OR*

At the commencement of any future use on the rear lot.

*To be used where bin pads are* ***not*** *required to be constructed in Council road reserve.*

**Advice**

Prospective *purchasers of all lots must be notified of the refuse collection requirements by the developer. A Property Notation will be placed on Council’s property management files to advise all prospective purchasers of the refuse collection requirements.*

**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 Reconfiguring a Lot 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 Reconfiguring a Lot, as attached.

**ADVICE**

1. **Infrastructure Charges**

**Advice**

An Infrastructure Charges Notice outlining the estimated infrastructure contributions payable relevant to the Development Permit is attached /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. **Further Approvals Required**

**Advice**

a) **Plumbing and Drainage Works**

A Compliance Permit to carry out plumbing and drainage works prior to the commencement of sanitary drainage works must be obtained from Council.

b) **Operational Works**

An Operational Work application must be submitted to Council for approval prior to works commencing on site, unless otherwise approved by Council.

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

Submission of “As constructed” documentation in the Operational Work stage of development must appropriately denote and differentiate future private and public assets.

c) **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.

d) **Roadworks Approval**

A Roadworks Approval 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 must be obtained from Council. The application must include the following:

(i) Completed Roadworks approval application form;

(ii) Prescribed fee;

(iii) Traffic Management Plan prepared by a suitably qualified traffic professional detailing the traffic management measures put in place to manage all roadworks including pedestrians, cyclists and vehicle 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 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.

*To be used where further approvals are required.*

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. **Earthworks**

**Advice**

Earthworks are not approved as part of this Development Permit. It must be determined if the earthworks are deemed either Accepted development or Accepted development subject to requirements or a Code assessable Operational work development application to be lodged with Council for assessment in accordance with relevant code/s and policy direction.

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. Earthworks must be designed in accordance with Works code of the Townsville City 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 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 where further approvals are required.*

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 and upon payment will schedule the works for connection.

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

1. **Portable Long Service Leave Notification**

**Advice**

As per Qleave – Building and Construction Industry Authority Guidelines, for works over $150,000, Council must sight a copy of the receipted Portable Long Service Notification and Payment form prior to the issue of a Development Permit to carry out Operational Work.

*To be used those proposals expected to involve Operational Work greater than $150,000 in value.*

1. **Payment of Rates, Charges and Expenses**

**Advice**

Prior to signing the Plan of Survey, payment is required of any outstanding rates or charges levied by the Council or any expenses being a charge over the subject land.

*Used on all applications.*

1. **Satisfaction of Approval Conditions**

**Advice**

a) Unless explicitly stated elsewhere in this permit, all requirements of the conditions of this approval must be satisfied prior to Council signing the Plan of Survey.

b) Council may, at its absolute discretion, agree to accept other forms of security to guarantee compliance with conditions to enable an early signing of a Plan of Survey.

*Used on all applications.*

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 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. Insofar as the application and its supporting material may be incomplete and/or inaccurate giving tide to any claim by a third party the applicant agrees to indemnity and save the Council harmless in respect of any claim so arising.

*To be used on all approvals.*

1. **Specifications and Drawings**

**Advice**

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