

Our Reference: OW/2025/5353  
Officer: Kelum Fernando  
Contact: 07 4688 6500  
Email: [development@tr.qld.gov.au](mailto:development@tr.qld.gov.au)

## Development Application Decision Notice APPROVAL

*Planning Act 2016 Section 63*

Vanderbilt Land 138 Pty Ltd  
C/- Arcos Group  
177c Brisbane Road  
MOOLOOLABA QLD 4557

Email: [civil@arcosgroup.com.au](mailto:civil@arcosgroup.com.au)

19 November 2025

Dear Sir/Madam

**Location:** 138-172 Hamlyn Road, OAKEY QLD 4401  
**Property Description:** Lot 1 RP132828  
**Relevant Planning Scheme:** *Toowoomba Regional Planning Scheme 2012*

The Development Application for Operational Works Road Work Stormwater Water Infrastructure Drainage Work Earthworks and Sewage Infrastructure for the abovementioned property has been assessed and approved with Conditions. The decision was made on 18 November 2025. The following provides all the relevant details:

### Details of Approval

Development Permit – Operational Works Road Work Stormwater Water Infrastructure Drainage Work Earthworks and Sewage Infrastructure

### Conditions and Advices

Assessment Manager's Conditions: As per attached Schedule 1

### Currency Period

In accordance with section 85(1)(c)(i) of the *Planning Act 2016* (Qld), this Development Approval lapses if the development does not substantially start within two (2) years of this Development Approval starting to have effect.

### Rights of Appeal

Attached is an extract from the *Planning Act 2016* which details your appeal rights regarding this decision.

The *Planning Act 2016* is available on the Office of the Queensland Parliamentary Counsel website via: <https://www.legislation.qld.gov.au/view/pdf/inforce/current/act-2016-025>.

Yours faithfully



Andrew Lilley  
Acting Principal Engineer  
Development Infrastructure and Growth



# TOOWOOMBA REGIONAL COUNCIL

A.B.N. 997 8830 5360

## SCHEDULE 1

### DEVELOPMENT PERMIT FOR OPERATIONAL WORKS

<b>APPLICATION NUMBER:</b>	OW/2025/5353
<b>APPLICANT:</b>	Vanderbilt Land 138 Pty Ltd
<b>LOCATION:</b>	138-172 Hamlyn Road, OAKEY QLD 4401
<b>REAL PROPERTY DESCRIPTION:</b>	Lot 1 RP132828
<b>APPROVED USE:</b>	Road Work Stormwater Water Infrastructure Drainage Work Earthworks and Sewage Infrastructure

#### A. ASSESSMENT MANAGER'S CONDITIONS:

##### GENERAL

##### APPROVED DEVELOPMENT

1. This Development Approval is for carrying out operational work for:
  - 1.1 Bulk Earthworks;
  - 1.2 Road works;
  - 1.3 Wastewater Reticulation;
  - 1.4 Water Reticulation;
  - 1.5 Retaining Walls;
  - 1.6 Stormwater Infrastructure; and
  - 1.7 Vehicular Access.

##### CARRY OUT AND MAINTAIN DEVELOPMENT

2. The development must comply with the provisions of Toowoomba Regional Council's Local Laws, Planning Scheme Policies, Planning Scheme and Planning Scheme Codes to the extent they have not been varied by this Development Approval.
3. Unless otherwise stated, all conditions must be complied with prior to acceptance of the works on maintenance, and thereafter.
4. All work associated with this Development Approval must be completed within two (2) years from the date the pre-start meeting is held.

##### APPROVED DRAWINGS

5. The development must be carried out generally in accordance with the Approved Drawings listed below, subject to the conditions of this Development Approval and any amendments listed below:

**Drawing No:** P1-S1-OPW-C-001, Revision D.  
**Description:** Drawing Index, prepared by Arcos Group and Received 7/11/2025  
**Amendments:** Nil

**Drawing No:** P1-S1-OPW-C-002, Revision C.  
**Description:** General Notes, prepared by Arcos Group and Dated 7/11/2025  
**Amendments:** Nil

**Drawing No:** P1-S1-OPW-C-011, Revision C.  
**Description:** Subdivision Layout Plan, prepared by Arcos Group and Dated 7/11/2025  
**Amendments:** Nil

**Drawing No:** P1-S1-OPW-C-101, Revision D.  
**Description:** Existing Features Plan, Sheet 1 of 2, prepared by Arcos Group and Dated 7/11/2025  
**Amendments:** Nil

**Drawing No:** P1-S1-OPW-C-102, Revision D.  
**Description:** Existing Features Plan, Sheet 2 of 2, prepared by Arcos Group and Dated 7/11/2025  
**Amendments:** Nil

**Drawing No:** P1-S1-OPW-C-201, Revision C.  
**Description:** Overall Earthwork Layout Plan, prepared by Arcos Group and Dated 7/11/2025  
**Amendments:** As per condition 6 of this Approval

**Drawing No:** P1-S1-OPW-C-202, Revision C.  
**Description:** Bulk Earthworks Layout Plan, Sheet 1 of 3, prepared by Arcos Group and Dated 7/11/2025  
**Amendments:** Nil

**Drawing No:** P1-S1-OPW-C-203, Revision C.  
**Description:** Bulk Earthworks Layout Plan, Sheet 2 of 3, prepared by Arcos Group and Dated 7/11/2025  
**Amendments:** Nil

**Drawing No:** P1-S1-OPW-C-204, Revision C.  
**Description:** Bulk Earthworks Layout Plan, Sheet 3 of 3, prepared by Arcos Group and Dated 7/11/2025  
**Amendments:** Nil

**Drawing No:** P1-S1-OPW-C-211, Revision C.  
**Description:** Bulk Earthworks Site Sections, Sheet 1 of 3, prepared by Arcos Group and Dated 7/11/2025  
**Amendments:** Nil

**Drawing No:** P1-S1-OPW-C-212, Revision C.  
**Description:** Bulk Earthworks Site Sections, Sheet 2 of 3, prepared by Arcos Group and Dated 7/11/2025  
**Amendments:** As per condition 6 of this Approval

**Drawing No:** P1-S1-OPW-C-213, Revision C.  
**Description:** Bulk Earthworks Site Sections, Sheet 3 of 3, prepared by Arcos Group and Dated 7/11/2025  
**Amendments:** As per condition 6 of this Approval

**Drawing No:** P1-S1-OPW-C-301, Revision C.  
**Description:** Development Layout Plan, Sheet 1 of 3, prepared by Arcos Group and Dated 7/11/2025

**Amendments:** Nil  
**Drawing No:** P1-S1-OPW-C-302, Revision C.  
**Description:** Development Layout Plan, Sheet 2 of 3, prepared by Arcos Group and Dated 7/11/2025  
**Amendments:** Nil

**Drawing No:** P1-S1-OPW-C-303, Revision C.  
**Description:** Development Layout Plan, Sheet 3 of 3, prepared by Arcos Group and Dated 7/11/2025  
**Amendments:** Nil

**Drawing No:** P1-S1-OPW-C-311, Revision C.  
**Description:** Typical Roadworks Details & Sections, prepared by Arcos Group and Dated 7/11/2025  
**Amendments:** Nil

**Drawing No:** P1-S1-OPW-C-321, Revision C.  
**Description:** Road MC01 Longitudinal Section, prepared by Arcos Group and Dated 7/11/2025  
**Amendments:** Nil

**Drawing No:** P1-S1-OPW-C-322, Revision C.  
**Description:** Road MC02 Longitudinal Section, prepared by Arcos Group and Dated 7/11/2025  
**Amendments:** Nil

**Drawing No:** P1-S1-OPW-C-323, Revision C.  
**Description:** Road MC03 Longitudinal Section, prepared by Arcos Group and Dated 7/11/2025  
**Amendments:** Nil

**Drawing No:** P1-S1-OPW-C-324, Revision C.  
**Description:** Road MC04 Longitudinal Section, prepared by Arcos Group and Dated 7/11/2025  
**Amendments:** Nil

**Drawing No:** P1-S1-OPW-C-331, Revision C.  
**Description:** Road MC01 Cross Sections, Sheet 1 of 2, prepared by Arcos Group and Dated 7/11/2025  
**Amendments:** Nil

**Drawing No:** P1-S1-OPW-C-332, Revision C.  
**Description:** Road MC01 Cross Sections, Sheet 2 of 2, prepared by Arcos Group and Dated 7/11/2025  
**Amendments:** Nil

**Drawing No:** P1-S1-OPW-C-333, Revision C.  
**Description:** Road MC02 Cross Sections, Sheet 1 of 3, prepared by Arcos Group and Dated 7/11/2025  
**Amendments:** Nil

**Drawing No:** P1-S1-OPW-C-334, Revision C.  
**Description:** Road MC02 Cross Sections, Sheet 2 of 3, prepared by Arcos Group and Dated 7/11/2025  
**Amendments:** Nil

**Drawing No:** P1-S1-OPW-C-335, Revision C.  
**Description:** Road MC02 Cross Sections, Sheet 3 of 3, prepared by Arcos Group and Dated 7/11/2025  
**Amendments:** Nil

**Drawing No:** P1-S1-OPW-C-336, Revision C.  
**Description:** Road MC03 & MC04 Cross Sections, prepared by Arcos Group and Dated 7/11/2025  
**Amendments:** Nil

**Drawing No:** P1-S1-OPW-C-361, Revision C.  
**Description:** Intersection Detail Plan, Sheet 1 of 5, prepared by Arcos Group and Dated 7/11/2025  
**Amendments:** Nil

**Drawing No:** P1-S1-OPW-C-362, Revision C.  
**Description:** Intersection Detail Plan, Sheet 2 of 5, prepared by Arcos Group and Dated 7/11/2025  
**Amendments:** Nil

**Drawing No:** P1-S1-OPW-C-363, Revision C.  
**Description:** Intersection Detail Plan, Sheet 3 of 5, prepared by Arcos Group and Dated 7/11/2025  
**Amendments:** Nil

**Drawing No:** P1-S1-OPW-C-364, Revision C.  
**Description:** Intersection Detail Plan, Sheet 4 of 5, prepared by Arcos Group and Dated 7/11/2025  
**Amendments:** Nil

**Drawing No:** P1-S1-OPW-C-365, Revision C.  
**Description:** Intersection Detail Plan, Sheet 5 of 5, prepared by Arcos Group and Dated 7/11/2025  
**Amendments:** Nil

**Drawing No:** P1-S1-OPW-C-381, Revision C.  
**Description:** Retaining Wall RW01 Setout Plan and Longitudinal Sections, prepared by Arcos Group and Dated 7/11/2025  
**Amendments:** Nil

**Drawing No:** P1-S1-OPW-C-382, Revision C.  
**Description:** Retaining Wall RW02 Setout Plan and Longitudinal Sections, prepared by Arcos Group and Dated 7/11/2025  
**Amendments:** Nil

**Drawing No:** P1-S1-OPW-C-383, Revision C.  
**Description:** Retaining Wall RW03 Setout Plan and Longitudinal Sections, prepared by Arcos Group and Dated 7/11/2025  
**Amendments:** Nil

**Drawing No:** P1-S1-OPW-C-384, Revision C.  
**Description:** Retaining Wall RW04 Setout Plan and Longitudinal Sections, prepared by Arcos Group and Dated 7/11/2025  
**Amendments:** Nil

**Drawing No:** P1-S1-OPW-C-385, Revision C.  
**Description:** Retaining Wall RW05 & RW06 Setout Plan and Longitudinal Sections, prepared by Arcos Group and Dated 7/11/2025  
**Amendments:** Nil

**Drawing No:** P1-S1-OPW-C-386, Revision C.  
**Description:** Retaining Wall Typical Details & Sections, prepared by Arcos Group and Dated 7/11/2025  
**Amendments:** Nil

**Drawing No:** P1-S1-OPW-C-401, Revision C.  
**Description:** Stormwater Layout Plan, Sheet 1 of 3, prepared by Arcos Group and Dated 7/11/2025  
**Amendments:** Nil

**Drawing No:** P1-S1-OPW-C-402, Revision C.  
**Description:** Stormwater Layout Plan, Sheet 2 of 3, prepared by Arcos Group and Dated 7/11/2025  
**Amendments:** Nil

**Drawing No:** P1-S1-OPW-C-403, Revision C.  
**Description:** Stormwater Layout Plan, Sheet 3 of 3, prepared by Arcos Group and Dated 7/11/2025  
**Amendments:** Nil

**Drawing No:** P1-S1-OPW-C-411, Revision C.  
**Description:** Stormwater Catchment Plan, Sheet 1 of 2, prepared by Arcos Group and Dated 7/11/2025  
**Amendments:** Nil

**Drawing No:** P1-S1-OPW-C-412, Revision C.  
**Description:** Stormwater Catchment Plan, Sheet 2 of 2, prepared by Arcos Group and Dated 7/11/2025  
**Amendments:** Nil

**Drawing No:** P1-S1-OPW-C-421, Revision C.  
**Description:** Basin Site Plan, prepared by Arcos Group and Dated 7/11/2025  
**Amendments:** Nil

**Drawing No:** P1-S1-OPW-C-422, Revision C.  
**Description:** Basin Sections and Details, Sheet 1 of 2, prepared by Arcos Group and Dated 7/11/2025  
**Amendments:** Nil

**Drawing No:** P1-S1-OPW-C-422, Revision C.  
**Description:** Basin Sections and Details, Sheet 1 of 2, prepared by Arcos Group and Dated 7/11/2025  
**Amendments:** Nil

**Drawing No:** P1-S1-OPW-C-431, Revision C.  
**Description:** Stormwater Longitudinal Sections, Sheet 1 of 10, prepared by Arcos Group and Dated 7/11/2025  
**Amendments:** Nil

**Drawing No:** P1-S1-OPW-C-432, Revision C.  
**Description:** Stormwater Longitudinal Sections, Sheet 2 of 10, prepared by Arcos Group and Dated 7/11/2025  
**Amendments:** Nil

**Drawing No:** P1-S1-OPW-C-433, Revision C.  
**Description:** Stormwater Longitudinal Sections, Sheet 3 of 10, prepared by Arcos Group and Dated 7/11/2025  
**Amendments:** Nil

**Drawing No:** P1-S1-OPW-C-434, Revision C.  
**Description:** Stormwater Longitudinal Sections, Sheet 4 of 10, prepared by Arcos Group and Dated 7/11/2025  
**Amendments:** Nil

**Drawing No:** P1-S1-OPW-C-435, Revision C.  
**Description:** Stormwater Longitudinal Sections, Sheet 5 of 10, prepared by Arcos Group and Dated 7/11/2025  
**Amendments:** Nil

**Drawing No:** P1-S1-OPW-C-436, Revision C.  
**Description:** Stormwater Longitudinal Sections, Sheet 6 of 10, prepared by Arcos Group and Dated 7/11/2025  
**Amendments:** Nil

**Drawing No:** P1-S1-OPW-C-437, Revision C.  
**Description:** Stormwater Longitudinal Sections, Sheet 7 of 10, prepared by Arcos Group and Dated 7/11/2025  
**Amendments:** Nil

**Drawing No:** P1-S1-OPW-C-438, Revision C.  
**Description:** Stormwater Longitudinal Sections, Sheet 8 of 10, prepared by Arcos Group and Dated 7/11/2025  
**Amendments:** Nil

**Drawing No:** P1-S1-OPW-C-439, Revision C.  
**Description:** Stormwater Longitudinal Sections, Sheet 9 of 10, prepared by Arcos Group and Dated 7/11/2025  
**Amendments:** Nil

**Drawing No:** P1-S1-OPW-C-440, Revision C.  
**Description:** Stormwater Longitudinal Sections, Sheet 10 of 10, prepared by Arcos Group and Dated 7/11/2025  
**Amendments:** Nil

**Drawing No:** P1-S1-OPW-C-441, Revision C.  
**Description:** 12D Hydraulic Computations 39% AEP Storm Event, Sheet 1 of 2, prepared by Arcos Group and Dated 7/11/2025  
**Amendments:** Nil

**Drawing No:** P1-S1-OPW-C-442, Revision C.  
**Description:** 12D Hydraulic Computations 39% AEP Storm Event, Sheet 2 of 2, prepared by Arcos Group and Dated 7/11/2025  
**Amendments:** Nil

**Drawing No:** P1-S1-OPW-C-443, Revision C.  
**Description:** 12D Hydraulic Computations 1% AEP Storm Event, Sheet 1 of 2, prepared by Arcos Group and Dated 7/11/2025  
**Amendments:** Nil

**Drawing No:** P1-S1-OPW-C-444, Revision C.  
**Description:** 12D Hydraulic Computations 1% AEP Storm Event, Sheet 2 of 2, prepared by Arcos Group and Dated 7/11/2025  
**Amendments:** Nil

**Drawing No:** P1-S1-OPW-C-501, Revision C.  
**Description:** Sewer Notes, prepared by Arcos Group and Dated 7/11/2025  
**Amendments:** Nil

**Drawing No:** P1-S1-OPW-C-502, Revision C.  
**Description:** Sewer Plan, Sheet 1 of 3, prepared by Arcos Group and Dated 7/11/2025  
**Amendments:** Nil

**Drawing No:** P1-S1-OPW-C-503, Revision C.  
**Description:** Sewer Plan, Sheet 2 of 3, prepared by Arcos Group and Dated 7/11/2025  
**Amendments:** Nil

**Drawing No:** P1-S1-OPW-C-504, Revision C.  
**Description:** Sewer Plan, Sheet 3 of 3, prepared by Arcos Group and Dated 7/11/2025  
**Amendments:** Nil

**Drawing No:** P1-S1-OPW-C-511, Revision C.  
**Description:** Sewer Longitudinal Sections, Sheet 1 of 6, prepared by Arcos Group and Dated 7/11/2025  
**Amendments:** Nil

**Drawing No:** P1-S1-OPW-C-512, Revision C.  
**Description:** Sewer Longitudinal Sections, Sheet 2 of 6, prepared by Arcos Group and Dated 7/11/2025  
**Amendments:** Nil

**Drawing No:** P1-S1-OPW-C-513, Revision C.  
**Description:** Sewer Longitudinal Sections, Sheet 3 of 6, prepared by Arcos Group and Dated 7/11/2025  
**Amendments:** Nil

**Drawing No:** P1-S1-OPW-C-514, Revision C.  
**Description:** Sewer Longitudinal Sections, Sheet 4 of 6, prepared by Arcos Group and Dated 7/11/2025  
**Amendments:** Nil

**Drawing No:** P1-S1-OPW-C-515, Revision C.  
**Description:** Sewer Longitudinal Sections, Sheet 5 of 6, prepared by Arcos Group and Dated 7/11/2025  
**Amendments:** Nil

**Drawing No:** P1-S1-OPW-C-515, Revision -.  
**Description:** Sewer Longitudinal Sections, Sheet 6 of 6, prepared by Arcos Group and Received 7/11/2025  
**Amendments:** Nil

**Drawing No:** P1-S1-OPW-C-601, Revision C.  
**Description:** Watermain Notes, prepared by Arcos Group and Dated 7/11/2025  
**Amendments:** Nil

**Drawing No:** P1-S1-OPW-C-602, Revision C.  
**Description:** Watermain Plan, Sheet 1 of 4, prepared by Arcos Group and Dated 7/11/2025  
**Amendments:** Nil

**Drawing No:** P1-S1-OPW-C-603, Revision C.  
**Description:** Watermain Plan, Sheet 2 of 4, prepared by Arcos Group and Dated 7/11/2025  
**Amendments:** Nil

**Drawing No:** P1-S1-OPW-C-604, Revision C.  
**Description:** Watermain Plan, Sheet 3 of 4, prepared by Arcos Group and Dated 7/11/2025  
**Amendments:** Nil

**Drawing No:** P1-S1-OPW-C-605, Revision C.  
**Description:** Watermain Plan, Sheet 4 of 4, prepared by Arcos Group and Dated 7/11/2025  
**Amendments:** Nil

**Drawing No:** P1-S1-OPW-C-901, Revision C.  
**Description:** External Roadwork and Drainage Plan, Sheet 1 of 3, prepared by Arcos Group and Dated 7/11/2025  
**Amendments:** Nil

**Drawing No:** P1-S1-OPW-C-901, Revision C.  
**Description:** External Roadwork and Drainage Plan, Sheet 1 of 3, prepared by Arcos Group and Dated 7/11/2025  
**Amendments:** Nil

**Drawing No:** P1-S1-OPW-C-902, Revision C.  
**Description:** External Roadwork and Drainage Plan, Sheet 2 of 3, prepared by Arcos Group and Dated 7/11/2025  
**Amendments:** As per condition 6 of this Approval

**Drawing No:** P1-S1-OPW-C-903, Revision C.  
**Description:** External Roadwork and Drainage Plan, Sheet 3 of 3, prepared by Arcos Group and Dated 7/11/2025  
**Amendments:** As per condition 6 of this Approval

**Drawing No:** P1-S1-OPW-C-911, Revision C.  
**Description:** External Roadwork Typical Details, prepared by Arcos Group and Dated 7/11/2025  
**Amendments:** Nil

**Drawing No:** P1-S1-OPW-C-912, Revision C.  
**Description:** External Intersection Detail Plan, prepared by Arcos Group and Dated 7/11/2025  
**Amendments:** Nil

**Drawing No:** P1-S1-OPW-C-921, Revision C.  
**Description:** External Roadwork Longitudinal Sections, Sheet 1 of 2, prepared by Arcos Group and Dated 7/11/2025  
**Amendments:** Nil

**Drawing No:** P1-S1-OPW-C-922, Revision C.  
**Description:** External Roadwork Longitudinal Sections, Sheet 2 of 2, prepared by Arcos Group and Dated 7/11/2025  
**Amendments:** Nil

**Drawing No:** P1-S1-OPW-C-931, Revision C.  
**Description:** External Roadwork Cross Sections, Sheet 1 of 7, prepared by Arcos Group and Dated 7/11/2025  
**Amendments:** Nil

**Drawing No:** P1-S1-OPW-C-932, Revision C.  
**Description:** External Roadwork Cross Sections, Sheet 2 of 7, prepared by Arcos Group and Dated 7/11/2025  
**Amendments:** Nil

**Drawing No:** P1-S1-OPW-C-933, Revision C.  
**Description:** External Roadwork Cross Sections, Sheet 3 of 7, prepared by Arcos Group and Dated 7/11/2025  
**Amendments:** Nil

**Drawing No:** P1-S1-OPW-C-934, Revision C.  
**Description:** External Roadwork Cross Sections, Sheet 4 of 7, prepared by Arcos Group and Dated 7/11/2025  
**Amendments:** Nil

**Drawing No:** P1-S1-OPW-C-935, Revision C.  
**Description:** External Roadwork Cross Sections, Sheet 5 of 7, prepared by Arcos Group and Dated 7/11/2025  
**Amendments:** Nil

**Drawing No:** P1-S1-OPW-C-936, Revision C.  
**Description:** External Roadwork Cross Sections, Sheet 6 of 7, prepared by Arcos Group and Dated 7/11/2025  
**Amendments:** Nil

**Drawing No:** P1-S1-OPW-C-937, Revision C.  
**Description:** External Roadwork Cross Sections, Sheet 7 of 7, prepared by Arcos Group and Dated 7/11/2025  
**Amendments:** Nil

**Drawing No:** P1-S1-OPW-C-941, Revision C.  
**Description:** External Stormwater Longitudinal Sections, Sheet 1 of 3, prepared by Arcos Group and Dated 7/11/2025  
**Amendments:** Nil

**Drawing No:** P1-S1-OPW-C-942, Revision C.  
**Description:** External Stormwater Longitudinal Sections, Sheet 1 of 3, prepared by Arcos Group and Dated 7/11/2025  
**Amendments:** Nil

**Drawing No:** P1-S1-OPW-C-943, Revision C.  
**Description:** External Stormwater Longitudinal Sections, Sheet 1 of 3, prepared by Arcos Group and Dated 7/11/2025  
**Amendments:** Nil

**Drawing No:** P1-S1-OPW-C-944, Revision C.  
**Description:** External Stormwater 12 Hydraulic Calculations, prepared by Arcos Group and Dated 7/11/2025  
**Amendments:** Nil

**Drawing No:** P1-S1-OPW-C-951, Revision C.  
**Description:** External Stormwater Typical Details, prepared by Arcos Group and Dated 7/11/2025  
**Amendments:** As per condition 6 of this Approval

**Drawing No:** P1-S1-OPW-C-961, Revision C.  
**Description:** External Channel Longitudinal Sections, Sheet 1 of 2, prepared by Arcos Group and Dated 7/11/2025  
**Amendments:** Nil

**Drawing No:** P1-S1-OPW-C-962, Revision C.  
**Description:** External Channel Longitudinal Sections, Sheet 2 of 2, prepared by Arcos Group and Dated 7/11/2025  
**Amendments:** Nil

**Drawing No:** P1-S1-OPW-C-971, Revision C.  
**Description:** External Channel Cross Sections, Sheet 1 of 5, prepared by Arcos Group and Dated 7/11/2025  
**Amendments:** As per condition 6 of this Approval

**Drawing No:** P1-S1-OPW-C-972, Revision C.  
**Description:** External Channel Cross Sections, Sheet 2 of 5, prepared by Arcos Group and Dated 7/11/2025  
**Amendments:** As per condition 6 of this Approval

**Drawing No:** P1-S1-OPW-C-973, Revision C.  
**Description:** External Channel Cross Sections, Sheet 3 of 5, prepared by Arcos Group and Dated 7/11/2025  
**Amendments:** As per condition 6 of this Approval

**Drawing No:** P1-S1-OPW-C-974, Revision C.  
**Description:** External Channel Cross Sections, Sheet 4 of 5, prepared by Arcos Group and Dated 7/11/2025  
**Amendments:** As per condition 6 of this Approval

**Drawing No:** P1-S1-OPW-C-975, Revision C.  
**Description:** External Channel Cross Sections, Sheet 5 of 5, prepared by Arcos Group and Dated 7/11/2025  
**Amendments:** As per condition 6 of this Approval

**Drawing No:** P1-S1-SKT-C-002, Revision -  
**Description:** Stormwater Strategy Existing Catchment Plan, prepared by Arcos Group and Received 1/08/2025  
**Amendments:** Nil

**Drawing No:** P1-S1-SKT-C-003, Revision -  
**Description:** Stormwater Strategy Developed Catchment Plan, prepared by Arcos Group and Received 1/08/2025  
**Amendments:** Nil

**Drawing No:** 240675 – S-000, Revision - 1  
**Description:** Proposed Retaining wall – Cover Sheet, prepared by Arcos Group and Received 2/10/2025  
**Amendments:** Nil

**Drawing No:** 240675 – S-001, Revision - 1  
**Description:** General Notes, prepared by Arcos Group and dated 1/10/2025  
**Amendments:** Nil

**Drawing No:** 240675 – S-210, Revision - 1  
**Description:** Concrete Sleeper Retaining Wall Type 1.1 & 2.1, prepared by Arcos Group and dated 1/10/2025  
**Amendments:** Nil

**Drawing No:** 240675 – S-220, Revision - 1  
**Description:** Service Crossover, Details & Floating Post, prepared by Arcos Group and dated 1/10/2025  
**Amendments:** Nil

6. Unless otherwise agreed in writing by the Council the abovementioned approved drawings must be amended in accordance with the following:

6.1 Earthworks within Hamlyn Road must be amended in accordance with the recommendations of the endorsed Arboricultural Impact Assessment Report.

7. Any drawings to be amended must only incorporate the amendments listed within this Development Approval and must be resubmitted and approved by Council five (5) business days prior to a request for prestart or prior to the issue of any additional Operational Works approval whichever occurs first if applicable.

#### **COUNCIL APPROVAL OF PLANS, DOCUMENTS & WORKS (FOR ENDORSEMENT)**

8. Prior to the pre-start meeting prepare and submit the following documents in accordance with this Approval and obtain Council's endorsement:

8.1 Arboricultural Impact Assessment Report;

#### **COMPLETION PERIOD**

9. In accordance with section 88(1) of the *Planning Act 2016* (Qld), this Development Approval lapses if the development is not completed within 2 years from the date the pre-start meeting is held.

## FEES, CHARGES AND SECURITIES

10. The following estimates of construction costs have been used to determine the amounts provided in the 'Request for Payment':

10.1 Subdivisional Infrastructure; \$ 8,007,923.71

11. Following satisfactory inspection of the completed works, and acceptance of the works "on maintenance", a minimum of 12 month "defects liability period" will apply. During this time, a security will be retained to ensure correction of any defects in the constructed works. The fees, charges and securities detailed in the attached 'Statement of Fees' must be paid before and prior to Council accepting the works on-maintenance. The following security against defects will apply:

11.1 Subdivisional Infrastructure; \$ 800,792.00

## DEDICATIONS, AGREEMENTS & CONTRIBUTIONS

### EASEMENTS

12. An easement for drainage purposes must be registered in favour of Council against the title of the balance lot. The easement must be a minimum 23m wide and must be located over the proposed easement identified on the Approved Plans included on the Plan of Subdivision for Council's approval.

13. Where the Grantee is Council or a service authority, the easement documentation must be in accordance with the Grantee's standard easement terms and documents or any other terms and conditions as deemed necessary to fulfil the purpose of the easement.

14. Easement documentation must be prepared and submitted to Council, at no cost to Council, for endorsement where Council is the Grantee or review against conditions of approval otherwise.

15. Unless consistent with the terms of the easement and authorised under this Development Approval, any permanent works or structures must be kept clear of any existing or proposed easements on the subject land.

*Note: Council will not take or purchase land in accordance with section 263 of the Planning Act 2016 in order to allow the construction of drainage infrastructure on adjoining land to facilitate the development.*

## CONSTRUCTION REQUIREMENTS

### PRE-START MEETING

16. A pre-start meeting as outlined in *Planning Scheme Policy No 2 SC6.2.7.9* attended by Council's officers, the Supervising Engineer and the Contractor, must be arranged by the Supervising Engineer and held at a time and place mutually convenient to all attendees.

*Note: Pre-Start prerequisites include but are not limited to the provisions of Planning Scheme Policy No 2 SC6.2.7.9, 6.2.7.7.2 and the conditions of this approval.*

17. At the pre-start meeting, the Supervising Engineer must provide to Council a Project Quality Plan and have received approval from Council prior to works commencing.

### HOURS OF CONSTRUCTION

18. Unless otherwise approved in writing by Council approved hours of construction are between the hours of 6.30 am to 6.30 pm Monday to Saturday.

19. Unless otherwise approved in writing by Council no works are permitted on public holidays.

20. Any activities which cause noise nuisance must not be carried out on the subject land outside the approved hours of construction or on Sundays or Public Holidays.

### **CONSTRUCTION WORKS**

21. The construction works shall be in accordance with the requirements outlined in *Planning Scheme Policy No 2 SC6.2.7.7*.
22. During the course of construction works:
- 22.1 Ensure that the works are carried out by a qualified contractor;
  - 22.2 Accept responsibility for all aspects of the works, including public safety; and
  - 22.3 Ensure adequate barricades, signage and other warning devices are in place at all times.
23. A minimum of \$10 million of Public Liability Insurance and Workers Compensation Insurance must be secured at all times throughout the construction and maintenance periods by the developer /contractor.

### **VERGE WORKS**

24. All work carried out in the road reserve must be carried out during daylight hours only unless approved otherwise by Council. No excavations, stockpiles of material or other hazards or obstructions are to be left on the verge during hours of darkness.

*Note: Should access to footpaths, verge or road need to be restricted, a separate 'Temporary road or footpath closure' must be obtained from Council's Principal Engineer Road Operations, prior to the commencement of the works.*

### **COUNCIL AND PUBLIC UTILITY SERVICES INFRASTRUCTURE**

25. Prepare and submit a condition assessment report for the existing Council and public utility services infrastructure within the road reserve of Hamlyn Road and 4AK Road for Council's endorsement. The report must be prepared at no cost to Council and lodged with Council prior to the pre-start meeting for the development.
26. The condition assessment report must be certified by a Registered Professional Engineer of Queensland (RPEQ) – Civil/Structural and must provide the following:
- 26.1 A detailed assessment of the type and extent of existing defects to Council and public utility services infrastructure along Hamlyn Road and 4AK Road. The condition assessment report must include the Hamlyn Road and 4AK Road frontages of the subject land and extending along Hamlyn Road and 4AK Road for 20m past the property boundary lines to the subject land; and
  - 26.2 Recommendations for the protection and/or remediation of existing Council and public utility services infrastructure within the vicinity of the subject land that may be affected during the construction and operational phases of the development.
27. Works associated with the recommendations of the condition assessment report must be undertaken at no cost to Council.
28. Prepare and submit a post construction condition assessment report for the existing Council and public utility services infrastructure within the road reserve of Hamlyn Road and 4AK Road for Council's endorsement. The report must be prepared at no cost to Council, on completion of operational/building works on the subject land, and lodged with Council prior to the acceptance of the works on maintenance for the development of the existing Council and public utility services infrastructure.

29. The post construction condition assessment report must be certified by a Registered Professional Engineer of Queensland (RPEQ) – Civil/Structural and must provide the following:
  - 29.1 A detailed assessment of the type and extent of existing defects to Council and public utility services infrastructure along Hamlyn Road and 4AK Road. The post construction condition assessment must include the Hamlyn Road and 4AK Road frontage/s of the subject land and extending along Hamlyn Road and 4AK Road for 20m past the property boundary lines to the subject land; and
  - 29.2 A comparison of the pre and post condition of the relevant Council and public utility services infrastructure including recommendations for any remediation works required to be undertaken to damaged and/or deteriorated infrastructure.
30. Remediation works must be undertaken at no cost to Council in accordance with the recommendations of the post construction condition report prior to acceptance of the works on maintenance.
31. Construction, alterations and any repairs to Council infrastructure is undertaken in accordance with the *Planning Scheme Policy PSP No. 4 – Development Near Utility Services*.

#### **DAMAGE TO SERVICES & ASSETS**

32. Protect Council and public utility services and assets during construction of the development.
33. Any damage caused to existing services and assets as a result of the development works must be repaired at no cost to the asset owner in accordance with the following timing:
  - 33.1 Where the damage would cause a hazard to pedestrian or vehicle safety or interrupts a service to the community, immediately; or
  - 33.2 Where otherwise, as soon as reasonably possible, but no later than completion of the works associated with the development or prior to the commencement of use, whichever is the earlier.
34. Any repair work which includes alteration to the alignment or the level of existing services and assets must first be referred to the relevant service authority for approval.
35. Construction, alterations and any repairs to Council infrastructure is undertaken in accordance with Council's relevant policies and requirements at no cost to Council.

*Note: Council must be notified of any damage to water and sewer immediately 131 872*

#### **PEDESTRIAN AND CYCLIST SAFETY**

36. Safe pedestrian and cyclist access along Council's footpaths must be maintained at all times.

*Note: Should access to footpaths need to be restricted, a separate 'Temporary road or footpath closure' must be obtained from Council's Principal Engineer Road Operations, prior to the commencement of the works.*

#### **EROSION AND SEDIMENT CONTROL**

37. Erosion and sediment control measures in accordance with *Planning Scheme Policy PSP No. 2 - Engineering Standards – Roads and Drainage Infrastructure* must be implemented as necessary, and must be maintained at all times during the works period.
38. Stockpiles of topsoil, sand, aggregate, spoil or other material capable of being moved by the action of wind or running water must be stored clear of drainage paths and not within the road reserve at any time.

39. Measures such as sediment fences, earth berms, temporary drainage, temporary sediment basins, dewatering or stormwater filtering devices to prevent eroded material, sediment or sediment laden water from being transported to adjoining properties, roads or stormwater drainage systems must be provided.
40. Where erosion and sediment control measures have been damaged, fail or are inadequate and erosion or the release of sediment or sediment laden stormwater has occurred from the subject land or associated works, any resultant property or environmental damage or interference caused must be repaired or cleaned up within 24 hours or upon the direction of Council, at no cost to the affected parties.
41. Measures such as vehicle baths, wash-down and construction matting together with dust suppressants and wraps, exposed ground and stockpile sprinkling must be put in place to prevent site vehicles tracking sediment onto adjoining streets during the course of the construction period, and to prevent dust nuisance during construction and the ensuing 'on-maintenance' period.

### **COUNCIL CONTROLLED TREE DISTURBANCE AND REMOVAL APPROVAL**

42. Provide to Council for endorsement prior to commencement of any works, an Arboricultural Impact Assessment Report prepared by a Suitably Qualified Person (consulting Arborist, minimum AQF 5). The report must demonstrate that the proposed development and associated construction works will not result in a negative impact to the Council trees located within the Hamlyn Road road reserve. The Report must comply with the requirements of AS4970:2025 and include but not be limited to the following:
  - Site address;
  - Tree location/s and context (e.g. ground conditions);
  - Inspection methodology (aerial inspection, visual tree assessment, other);
  - Tree dimensions (height, crown spread and trunk diameter);
  - Health and structural condition;
  - Estimated age and useful life expectancy;
  - Details of the construction activities and their likely impact;
  - Tree Retention value;
  - Cultural / heritage values;
  - Tree protection measures to be applied;
  - Recommendations; and
  - Supporting evidence (pictures, test results and site plan).
43. Where the Arborist Report identifies TPZ fencing is required to protect the precautionary area of Council controlled trees, a pre-start meeting between the Site supervisor and Council Parks representative is to occur prior to commencement of any onsite works. A minimum of one weeks' notice is required for organising the Arboricultural Prestart meeting.
44. If trees are found by the consulting arborist to be unsuitable for retention, provide an amended plan for endorsement that clearly identifies trees unsuitable for retention and protection of trees to be retained. If found to be unsuitable for retention, replacement trees will need to be provided to the road reserve surrounding the development site (in accordance with Council's Policy for removal of Council controlled trees).
45. The removal, modification or interference (including disturbance within the Tree Protection Zone (TPZ) or Structural Root Zone (SRZ)) of a Council Controlled Tree must not be undertaken unless approved in writing by Council and in accordance with any conditions of this Development Approval.
46. Obtain the written approval of Parks and Recreation Services Branch for removal of any existing street tree identified as not compatible with retention prior to any site works. Where approval by Council is granted, all conditions of the written approval must be adhered to.
47. This Development Approval does not infer or give approval to the owners or occupiers of the subject land to disturb or remove Council Controlled Trees. A separate Council Controlled Trees

Disturbance or Removal Approval is required where a Council Controlled Trees is expected to be disturbed or removed. Please contact Council's Parks and Recreation Branch via Council's Customer Service Centre for further information. If approval is given for removal, replacement trees and / or monetary compensation will be required to be provided along with a maintenance period for establishment. This approval should be sought at the same time as the submission of a Landscape Plan for compliance assessment.

48. No new infrastructure is permitted to be constructed within the Structural Root Zone (SRZ), as determined in accordance with AS4970-2025 Protection of Trees on Development Sites, of any Council Controlled Tree present on Hamlyn Road.

#### **PROTECTION OF COUNCIL CONTROLLED TREES (Where works are within TPZ)**

49. Council Controlled Trees affected by works within the Tree Protection Zone (TPZ), as determined in accordance with AS4970-2025 Protection of Trees on Development Sites, must be protected for the duration of construction. All works must be carried out in accordance with the relevant standards in Planning Scheme Policy No.8 - Street Trees and AS4970-2025 Protection of Trees on Development Sites, and must include in particular:
  - 49.1 Establishment of a work exclusion area around the Council Controlled Tree to be retained prior to commencement of construction to avoid damage and soil compaction from plant and machinery;
  - 49.2 Providing Council with one weeks' notice of any excavation works affecting the Tree Protection Zone of a Council Controlled Tree so that a Council Arborist may be present during excavation works;
  - 49.3 During excavation works, where roots greater than 50mm diameter are uncovered that need to be severed, obtain approval from a Council Arborist to sever the root, and if granted, do so with a cutting device and not a ripping device; and
  - 49.4 Tree protection measures are to be maintained until works are completed or accepted on-maintenance.

### **WORKS**

#### **STORMWATER DRAINAGE**

50. All stormwater drainage works carried out under this Development Approval must comply with *Planning Scheme Policy PSP No. 2 - Engineering Standards – Roads and Drainage Infrastructure*.
51. Stormwater quality must be ensured by the use of stormwater quality best management practice.
52. All land adjoining the development must be protected at all times from ponding or nuisance from stormwater resulting from the development.

#### **WASTEWATER INFRASTRUCTURE**

53. The construction of the wastewater reticulation systems must be in accordance with Council's *Wastewater Infrastructure Policy 2.04* at no cost to Council.
54. Any connection to or modification of Council's live wastewater infrastructure must be undertaken by Council at no cost to Council.

*Note: For a private works quotation for the required works Council's Water & Wastewater Department can be contacted on ph 131 872. Subject to payment of the quotation, a suitable time for this work to be carried out must be agreed with Council. The request requires a copy of the corresponding Council approval including stamped approved drawings.*

*Note: Please note any new connection or reconnection to a Council wastewater system requires a Form 1 Plumbing approval prior to house drainage being installed.*

55. Any temporary sewer isolation plug installed by Council must not be disturbed and must only be removed by Council once the sewer works are approved as 'on maintenance' unless otherwise approved by Council. If the applicant has any queries relating to the plug(s) or suspects an issue with it, the applicant or their Principal Contractor must contact Council's staff member stated on the corresponding Private Works Quote.
56. The minimum required cover and clearances to new or Council's existing wastewater infrastructure must be maintained unless otherwise approved in writing by Council. Where the location and levels of existing services are unknown, the contractor must pothole to establish the accurate location and level. Any existing services not previously identified must be included on amended detailed design drawings, which must be submitted to Council for approval a minimum of 5 business days prior to this Operational Works pre-start meeting.
57. Sewer maintenance hole construction methods are required to be carried out in accordance with WSA02-2014 CI 7.6.2. A pre-cast cover slab must be used for all maintenance holes with one compatible proprietary pre-cast spacer ring and access cover components built to the required finished surface levels. The components shall allow for disassembly and reassembly including certified lifting points to enable this.
58. Sewer maintenance holes must be vacuum tested (negative pressure) in accordance with WSA02-2014 CI 21.4.5. Council reserves the right to nominate different maintenance holes to what the independent testing organisation may select for test locations. The nominated test locations must be submitted to Council a minimum of 5 days prior to testing occurring.
59. Brass or grade 304 stainless steel Indicator Discs must be accurately installed on the faces of opposing concrete kerbs to indicate the alignment of all sewer main crossings of roadways, denoted as 'S'.
60. Street light posts and power poles must be located greater than 1.0m away from any sewer mains.
61. Any tree planting near wastewater infrastructure must maintain a minimum 4.0m clearance to any sewer main or inspection chamber.

## **WATER SUPPLY INFRASTRUCTURE**

62. The construction of water supply reticulation systems must be carried out in accordance with Council's *Water Infrastructure Policy 2.03* at no cost to Council.
63. All live connections to the existing water supply networks and water meter installations must be carried out by Council at no cost to Council.

*Note: For a private works quotation for the required works Council's Water & Wastewater Department can be contacted on ph 131 872. Subject to payment of the quotation, a suitable time for this work to be carried out must be agreed with Council. The request requires a copy of the corresponding Council approval including stamped approved drawings.*

64. Fire Hydrants and Valves must be installed in accordance with the Water Services Association of Australia (WSAA) *WSA 03—2011-3.1, 8 Section APPURTENANCES and Council Addendum to WSA 03 – 2011.*
65. Fire Hydrants and Valves surface box assemblies must include a DN225 shroud using pipe class 12 uPVC, and either a cast iron shroud base plate or asphalt premix seal ring. These must be assembled on a compacted trench fill base layer and relevant to the possible traffic loadings. The surface box surrounds & cast-iron lids must be coloured Yellow for Fire Hydrants (denoted 'F' or 'FH'), coloured White for normally open Valves (denoted 'SV'), and coloured Red for normally

closed Valves (denoted 'SV'). Any colouring applied aftermarket must be epoxy enamel based and include an abrasive compound as per WSAA 8.10.3.

*Note: Council's preference is that these colours be added during manufacture of these components.*

66. Where property service connections are required to cross the road, enveloping conduits must be installed fully extending from the water main across to the opposing front property boundary without any bends. The enveloping conduit installation must be installed by the Contractor in accordance with Council's Standard Drawing Number 101214-001.
67. Retro-reflective pavement markers (RRPM) and kerb marker plates must be provided in accordance with the Eastern Downs Regional Organisation of Councils (EDROC) *Drawing Number EDROC-33*.
68. Brass or grade 304 stainless steel Indicator Discs must be accurately installed on the faces of opposing concrete kerbs to indicate the alignment of all crossings of roadways for water mains or water services, denoted as 'W'.
69. The minimum required cover and clearances to new or Council's existing water infrastructure must be maintained unless otherwise approved in writing by Council. Where the location and levels of existing services are unknown, the contractor must pothole to establish the accurate location and level. Any existing services not previously identified must be included on amended detailed design drawings, which must be submitted to Council for approval a minimum of 5 business days prior to this Operational Works pre-start meeting.
70. Any proposed tree plantings near water service connection points must have a minimum 1.5m clearance to the connection point.
71. Any proposed street tree plantings near water mains must have a minimum 2.0m clearance to the water mains.
72. All water main road crossings must be DICL material extending either side at a minimum distance of 1.0m past the back of concrete kerbs.

## **VEHICULAR ACCESS**

73. The vehicle accesses (crossing of the verge) must be constructed generally in accordance with the Institute of Public Works Engineering Australasia Drawing *RS-051 Heavy Duty Vehicle Crossing*, and in accordance with *Australian Standard AS 2890 – Parking Facilities (Part 1 and as relevant Part 2)*;
74. The vehicle accesses (crossing of the verge) must align neatly on both sides with the pedestrian footpath and verge with a maximum cross fall of 2.5%. Where there is an existing pedestrian path, the existing footpath in the vicinity of the driveway must be saw cut, removed and replaced by the driveway crossover. The driveway is to be graded at not steeper than 2.5% for the width of the footpath.
75. The vehicle accesses (crossing of the verge) must be located a minimum 1 metre clear of existing maintenance holes, fire hydrants, power poles, streetlights, or signage (unless otherwise approved herein).

## **EARTHWORKS AND RETAINING WALLS**

76. All earthworks and retaining walls must be undertaken and constructed in accordance with:
  - 76.1 the approved drawings and documents; and
  - 76.2 where not otherwise specified in the approved drawings and documents, in accordance with *Planning Scheme Policy SC6.2.5 – Earthworks* in the *Toowoomba Regional Planning Scheme*.

77. All earthworks, including batters, must be fully contained within the subject land and must not in any way impact on the properties adjoining the subject land.
78. The transport routes for the haulage of material between the subject land and land receiving or sourcing fill shall be identified and submitted to Council's Roads Operation Branch for approval prior to the commencement of transport operations.
79. All retaining walls adjacent to a Council controlled space (e.g. road reserve, public open space, easements, pedestrian links and drainage reserves) are to have permanent fencing installed prior to the acceptance of the works on maintenance. Endorsement by Council of the design and construction details of the fencing to be installed must be granted prior to works commencing on the construction of the fences.

*Note: The purpose of the fencing is to ensure both safety and aesthetic outcomes are appropriately addressed.*

80. All retaining walls over 1m in height that share property boundaries between lots must have a minimum of temporary safety fencing installed prior to works being accepted on maintenance. The temporary safety fencing must be maintained by the Applicant until the property is disposed of or until permanent fencing is installed.

*Note: The purpose of the temporary safety fencing is to prevent falls and injury to persons.*

*Note: These conditions must be in accordance with any fencing conditions in an associated relevant approval.*

## **SIGNAGE AND LINEMARKING**

81. All works on or near roadways must be adequately signed in accordance with Toowoomba Regional Council Planning Scheme Policy *PSP No. 2 - Engineering Standards – Roads and Drainage Infrastructure* as well as the Department of Transport and Main Roads *Manual of Uniform Traffic Control Devices (MUTCD)*.

*Note: Any road or lane closures will require written application to Council, and all conditions of Council approval must be complied with throughout construction of the works.*

82. All street signs and line marking must be installed and/or modified to suit the new works in accordance with Toowoomba Regional Council Planning Scheme Policy *PSP No. 2 - Engineering Standards – Roads and Drainage Infrastructure* as well as the Department of Transport and Main Roads *Manual of Uniform Traffic Control Devices (MUTCD)* prior to acceptance of the works on-maintenance.
83. Any removal or modification of any existing Council traffic signs and/or parking bays will require the separate written approval of Council's Principal Engineer – Road Operations.

## **PAVEMENT DESIGN**

84. The pavement design for all roads must be confirmed after in-situ subgrade testing prior to construction of the pavement. Pavement design details and test results must be submitted and approved by Council a minimum of five (5) business days prior to the pre-start meeting or commencement of pavement works on the subject land.

## **STREET LIGHTING**

85. The street lighting design and installation must comply with *Planning Scheme Policy SC6.2.6 – Road and public space lighting*.

## **WORKS INSPECTIONS**

86. During the construction phase, Council must be given at least 48 hours' notice to carry out the following joint inspections where applicable:

- 86.1 Proof rolling and profile of subgrade;
- 86.2 Proof rolling and profile of base course;
- 86.3 Pre-seal inspection of pavements;
- 86.4 Underground pipework, including property connections and thrust blocks, prior to backfilling;
- 86.5 Pressure tests for water supply and wastewater pipes and manholes; and
- 86.6 Other inspections as deemed necessary by Council.

*Note: No liability or warranty is implied or expressed by any inspection or the absence of any inspection, or by a Council decision relating thereto.*

- 87. Prior to the on-maintenance inspection, the completed and signed Project Quality Plan and all construction test results for all works approved under this development approval must be lodged with Council for review and Council records. If the results are incomplete or unsatisfactory, the works (including any necessary remedial works as applicable) will not be accepted on maintenance until complete and satisfactory testing is undertaken and/or results are lodged with Council.

#### **CERTIFICATION OF CONSTRUCTION WORKS**

- 88. A supervision certificate completed by a Registered Professional Engineer of Queensland – Civil must be provided upon completion of the works certifying that the works have been completed in accordance with the approved plans and specifications.
- 89. The Registered Professional Engineer of Queensland performing any task or function associated with the proposed works must hold professional indemnity insurance to the value of \$2 million.

#### **AS-CONSTRUCTED DRAWINGS & ACCOMPANYING ADAC XML DIGITAL FILE**

- 90. The As-Constructed package of data consisting of the following, must be provided prior to acceptance of the works on-maintenance or before commencement of use:
  - 90.1 Red-lined marked-up “Approved for Construction” Drawings showing changes to construction materials, design levels, locational details and other amendments from the approved design that may have occurred during the Operational Works phase.
    - Marked-up drawings to be submitted in PDF file format only and to be clear and legible when printed at A3 scale;
    - All pages are to include a signed Certification Block endorsed by:
      - an RPEQ Registered Engineer attesting to the accuracy of the engineering aspects and materials noted on the drawings; and
      - Registered Surveyor verifying the accuracy of the locational details, relative levels, boundaries and alignments as shown on the drawings.
  - 90.2 An accompanying compliant ADAC XML and DWG files to be submitted with all details and values (e.g. survey levels, material types) matching the associated marked-up As-Constructed drawings including details of any retired and/or removed existing assets.

*Note: Further details, including a sample “Downloadable” drawing template and guidelines on the preparation of both the As-Constructed Drawings and accompanying ADAC XML files can be found on Councils website.*

90.3 An As-Constructed Plan showing finished surface levels over the completed development must also be submitted in accordance with the following requirements:

- The survey information is to show surface levels and site contours at 1 (one) metre intervals;
- All levels to be shown as Reduced Levels to the Australian Height Datum (AHD).

*Note: Clean As-Constructed Drawings are to be prepared at an A1 scale, printable to A3. Further details, including a sample "Downloadable" drawing template and guidelines on the preparation of both the As-Constructed Drawings and accompanying ADAC XML files can be found on Councils Website*

## **B. ADVICES:**

### **RELIANCE ON ENGINEER'S CERTIFICATION**

- 1) In approving plans and specifications for this project, Council has carried out an audit check of information submitted by Arcos Group. Accordingly, Council has placed reliance on the certificate of design signed by the Registered Professional Engineer Queensland (RPEQ) that the Approved Plans and specifications are correct and in accordance with required engineering standards. The RPEQ bears full responsibility for all aspects of the engineering design. Council reserves the right to require further amendments and/or additions at a later stage, should design errors become apparent.

### **WHEN APPROVAL TAKES EFFECT**

- 2) This Development Approval starts to have effect in accordance with the provisions of Section 71 of the *Planning Act 2016*.

### **WHEN APPROVAL LAPSES**

- 3) This Development Approval will lapse in accordance with the provisions contained in Sections 85 and 88 of the *Planning Act 2016*, unless otherwise stated elsewhere within this Development Approval.

### **OTHER LAWS & REQUIREMENTS**

- 4) This Development Approval relates to development requiring approval under the *Planning Act 2016* only. It is the approval holder's responsibility to obtain any other necessary approvals, licenses or permits required under State and Federal legislation or Council local law, prior to carrying out the development. Information with respect to other Council approvals, licenses or permits may be found on the Toowoomba Regional Council website. For information about State and Federal requirements please consult with these agencies directly.
- 5) Any works impacting outside the property boundary will require a permit under Subordinate Local Law No. 1.15 (2020) (Carrying Out Works on a Road or Interfering with a Road or its Operation). Please contact Council's Road Operations Branch through our Customer Service Centre on 131 872. The application can be found on Council's website at [www.tr.qld.gov.au](http://www.tr.qld.gov.au).
- 6) The development has only been assessed in accordance with the provisions of the *Toowoomba Regional Planning Scheme 2012*. No assessment has been made in respect of the provisions of the *Building Code of Australia* and/or the *Queensland Development Code*.

### **EXTRACTIVE ACTIVITIES**

- 7) In accordance with the *Environmental Protection Act 1994*, a separate approval from the Department of Environment and Science (Department) to carry out Environmentally Relevant Activity: ERA16 - *Extractive and screening activities* may be required prior to commencing earthworks. You should contact the Department on 1300 130 372 (select Option 4) to seek advice if such an approval is required based on the specifics of this approval.

## **CLEARING OF PROTECTED PLANTS**

- 8) In accordance with *Nature Conservation (Animals) Regulation 2020* you must check the flora survey trigger map, prior to the clearing of any native plants found on the subject land to determine if a flora survey must be undertaken and if a clearing permit for clearing endangered, vulnerable and near threatened plants ('EVNT plants') and their supporting habitat is required.

Under the Regulation, if a flora survey identifies that EVNT plants are not present or can be avoided by 100m, the clearing activity may be exempt from a permit, however an exempt clearing notification form must be submitted to the Department of Environment and Science. In an area other than a high risk area, a clearing permit is only required where a person is, or becomes, aware that EVNT plants are present, though a range of exemptions do apply. Clearing of least concern plants is generally exempt from requiring a clearing permit. For further information associated with the clearing of protected plants and to obtain flora survey trigger map for your site please refer to the Departmental website.

## **ENVIRONMENTAL HARM**

- 9) The *Environmental Protection Act 1994* (EP Act) states that a person must not carry out any activity that causes, or is likely to cause, environmental harm unless the person takes all reasonable and practicable measures to prevent or minimise the harm.

Environmental harm includes environmental nuisance. In this regard persons and entities involved in the civil, earthworks, construction and operational phases of this development are to adhere to their 'general environmental duty' to minimise the risk of causing environmental harm. Environmental harm is defined by the EP Act as any adverse effect, or potential adverse effect (whether temporary or permanent and of whatever magnitude, duration or frequency) on an environmental value and includes environmental nuisance.

Therefore, no person should cause any interference with the environment or amenity of the area by reason of the emission of noise, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, wastewater, waste products, grit, sediment, oil or otherwise, or cause hazards likely in the opinion of the Administering Authority to cause undue disturbance or annoyance to persons or affect property not connected with the use.

## **ENVIRONMENT PROTECTION & BIODIVERSITY CONSERVATION ACT 1999**

- 10) An additional approval from the Commonwealth Government under the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act) may be required in relation to the approved development. The EPBC Act relates to actions that may have a significant impact on matters of national environmental significance (NES) or the environment generally if on Commonwealth land. These matters of NES include nationally listed threatened and migratory species, Ramsar wetlands, World Heritage, Commonwealth marine and nuclear actions.

The EPBC Act provides that a person must not take an action that has, will have or is likely to have a significant impact on matters of NES, without the approval of the Commonwealth Environment Minister. Such actions should be referred to the Minister for a decision on whether or not approval is required under the EPBC Act.

Contact the Australian Government Department of Agriculture, Water and the Environment to discuss any obligations under the EPBC Act.

## **STREET TREE DISTURBANCE & REMOVAL APPROVAL**

- 11) This Development Approval does not infer or give approval to the owners or occupiers of the subject land to disturb or remove street trees. A separate Street Tree Disturbance or Removal Approval is required where a street tree is expected to be disturbed or removed. Please contact Council's Parks and Recreation Services Branch via Council's Customer Service Centre for further information in respect of street trees.

## **WATER POLLUTION**

- 12) In accordance with the *Environmental Protection Act 1994*, all sand, silt, mud, paint, cement, concrete, construction material and demolition material, and other such waste material must not be deposited or placed where it could reasonably be expected to travel into a roadside gutter, stormwater drain or watercourse. On the spot fines apply for such offences.

## **ABORIGINAL CULTURAL HERITAGE ACT 2003**

- 13) There may be a requirement to establish a Cultural Heritage Management Plan and/or obtain approvals pursuant to the *Aboriginal Cultural Heritage Act 2003* ("ACH Act").

The ACH Act establishes a cultural heritage duty of care which provides that: "A person who carries out an activity must take all reasonable and practicable measures to ensure the activity does not harm Aboriginal cultural heritage." It is an offence to fail to comply with the duty of care. Substantial monetary penalties may apply to individuals or corporations breaching this duty of care. Injunctions may also be issued by the Land Court, and the Minister administering the ACH Act may also issue stop orders for an activity that is harming or is likely to harm Aboriginal cultural heritage or the cultural heritage value of Aboriginal cultural heritage.

You should contact the Department of Aboriginal and Torres Strait Islander Partnership (DATSIP) Cultural Heritage Unit to discuss any obligations under the ACH Act.

## **FIRE ANTS**

- 14) The State of Queensland has been declared a quarantine area for the Red Imported Fire Ant. Should this approval involve the movement of restricted items from areas of known infestation the provisions of the *Nature Conservation (Plants) Regulation 2020* apply, compliance with statutory provisions must be achieved.

## **PROJECT QUALITY PLANS**

- 15) Examples of typical Development Project Quality Plans are included in the Appendices of PSP No 2 Engineering Standards – Roads and Drainage Infrastructure. Please contact Council if you require assistance locating or compiling example Development Project Quality Plans for water and sewer.

## **PARK ACCESS PERMITS**

- 16) Approval for park access must be sought from Council's Park and Recreation Services Branch via Council's Customer Service Centre prior to any works or access associated with the development being undertaken in the park. Please consult Council's Parks and Recreation Services Branch regarding access fees and the requirement of a bond in accordance with Council's adopted fees and charges. There will also be conditions specific to the proposed works including but not limited to timing of works (to ensure minimal impact on park users) and the provision of public liability insurance for all contractors.

## **C. ATTACHED POLICIES AND/OR STANDARDS:**

- Approved Plans
- Amended Plans Required to Be Submitted for Approval
- Appeal provisions pursuant to the *Planning Act 2016*.

**229 Appeals to tribunal or P&E Court**

- (1) Schedule 1 states—
- (a) matters that may be appealed to—
- (i) either a tribunal or the P&E Court; or
- (ii) only a tribunal; or
- (iii) only the P&E Court; and
- (b) the person—
- (i) who may appeal a matter (the appellant); and
- (ii) who is a respondent in an appeal of the matter; and
- (iii) who is a co-respondent in an appeal of the matter; and
- (iv) who may elect to be a co-respondent in an appeal of the matter.
- (2) An appellant may start an appeal within the appeal period.
- (3) The appeal period is—
- (a) for an appeal by a building advisory agency—10 business days after a decision notice for the decision is given to the agency; or
- (b) for an appeal against a deemed refusal—at any time after the deemed refusal happens; or
- (c) for an appeal against a decision of the Minister, under chapter 7, part 4, to register premises or to renew the registration of premises—20 business days after a notice is published under section 269(3)(a) or (4); or
- (d) for an appeal against an infrastructure charges notice—20 business days after the infrastructure charges notice is given to the person; or
- (e) for an appeal about a deemed approval of a development application for which a decision notice has not been given—30 business days after the applicant gives the deemed approval notice to the assessment manager; or
- (f) for an appeal relating to the Plumbing and Drainage Act 2018—
- (i) for an appeal against an enforcement notice given because of a belief mentioned in the Plumbing and Drainage Act 2018, section 143(2)(a)(i), (b) or (c)—5 business days after the day the notice is given; or
- (ii) for an appeal against a decision of a local government or an inspector to give an action notice under the Plumbing and Drainage Act 2018—5 business days after the notice is given; or
- (iii) otherwise—20 business days after the day the notice is given; or
- (g) for any other appeal—20 business days after a notice of the decision for the matter, including an enforcement notice, is given to the person.
- Note— See the P&E Court Act for the court's power to extend the appeal period.
- (4) Each respondent and co-respondent for an appeal may be heard in the appeal.
- (5) If an appeal is only about a referral agency's response, the assessment manager may apply to the tribunal or P&E Court to withdraw from the appeal.
- (6) To remove any doubt, it is declared that an appeal against an infrastructure charges notice must not be about—
- (a) the adopted charge itself; or
- (b) for a decision about an offset or refund—
- (i) the establishment cost of trunk infrastructure identified in a LGIP; or
- (ii) the cost of infrastructure decided using the method included in the local government's charges resolution.

**230 Notice of appeal**

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

- (c) for an appeal about a development application under schedule 1, section 1, table 1, item 1—each principal submitter for the application whose submission has not been withdrawn; and
- (d) for an appeal about a change application under schedule 1, section 1, table 1, item 2—each principal submitter for the application whose submission has not been withdrawn; and
- (e) each person who may elect to be a co-respondent for the appeal other than an eligible submitter for a development application or change application the subject of the appeal; and
- (f) for an appeal to the P&E Court—the chief executive; and
- (g) for an appeal to a tribunal under another Act—any other person who the registrar considers appropriate.
- (4) The service period is—
- (a) if a submitter or advice agency started the appeal in the P&E Court—2 business days after the appeal is started; or
- (b) otherwise—10 business days after the appeal is started.
- (5) A notice of appeal given to a person who may elect to be a co-respondent must state the effect of subsection (6).
- (6) A person elects to be a co-respondent to an appeal by filing a notice of election in the approved form—
- (a) if a copy of the notice of appeal is given to the person—within 10 business days after the copy is given to the person; or
- (b) otherwise—within 15 business days after the notice of appeal is lodged with the registrar of the tribunal or the P&E Court.
- (7) Despite any other Act or rules of court to the contrary, a copy of a notice of appeal may be given to the chief executive by emailing the copy to the chief executive at the email address stated on the department's website for this purpose.

**231 Non-appealable decisions and matters**

- (1) Subject to this chapter, section 316(2) schedule 1 and the P&E Court Act, unless the Supreme Court decides a decision or other matter under this Act is affected by jurisdictional error, the decision or matter is non-appealable.
- (2) The *Judicial Review Act 1991*, part 5 applies to the decision or matter to the extent it is affected by jurisdictional error.
- (3) A person who, but for subsection (1) could have made an application under the *Judicial Review Act 1991* in relation to the decision or matter, may apply under part 4 of that Act for a statement of reasons in relation to the decision or matter.
- (4) In this section—
- decision includes—
- (a) conduct engaged in for the purpose of making a decision; and
- (b) other conduct that relates to the making of a decision; and
- (c) the making of a decision or the failure to make a decision; and
- (d) a purported decision; and
- (e) a deemed refusal.

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

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

**232 Rules of the P&E Court**

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