



In the Planning and Environment Court
Held at: Brisbane

Appeal No. 2916 of 2024

Between:

DAVID MANTEIT

Appellant

And:

BRISBANE CITY COUNCIL

Respondent

JUDGMENT

Before: His Honour Judge Williamson KC

Date of Hearing: 6 May 2025

Date of Order: 6 May 2025

THIS MATTER HAVING on this day come on for hearing by way of appeal against the decision of the Respondent to approve, subject to development conditions, a development application for a development permit for reconfiguring a lot (1 into 2) (**Development Application**) with respect to land at 128 Ashridge Road, Darra, described at Lot 2 on RP117157.

IT IS ORDERED WITH THE CONSENT OF THE PARTIES THAT:

1. The appeal is allowed in part.
2. The Development Application is approved, subject to the conditions in the development approval package attached hereto as Annexure A, contained at pages 3 to 23.

Filed on: 6 May 2025

Filed by: City Legal – Brisbane City Council

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Registrar

Annexure A

Disclaimer: This document has no force or effect unless it is endorsed with a seal of the Court.

APPLICATION DETAILS

This package relates to the application detailed below

Address of Site:	128 ASHRIDGE RD DARRA QLD 4076
Real Property Description of Site:	L2 RP.117157
Aspects of development and type of approval:	DA - PA - Reconfiguring a Lot Development Permit - Subdivision of Land
Council File Reference:	A006565555 Permit Reference Number/s: DARL452133624.
Package Status:	CONSENT ORDER - Version 2
Package Generated:	02/05/2025

PROJECT TEAM

The assessment of this application has been undertaken by:

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DRAWINGS AND DOCUMENTS

The term 'drawings and documents' or similar expressions mean:

Drawing or Document	Number	Plan Date
Plan of Subdivision	SK01 (Amended In Red 01-MAY-2025)	10-JUL-2024 (Received)

Advice

Please see the attached document(s) for any advices.

APPROVAL CONDITIONS

Permit to Which These Conditions Relate:	DA - PA - Reconfiguring a Lot
Activity(ies):	Subdivision of Land
Stage:	Reconfiguring a lot (1 into 2 lots)

General/Planning Requirements

	Timing
1) Maintain the Approved Development Maintain the approved development generally in accordance with the approved DRAWINGS AND DOCUMENTS, and any other relevant Council approval required by the conditions.	At all times
2) Approved Drawings and Documents A legible copy of the Council approved DRAWINGS AND DOCUMENTS and the Development Approval Package must be maintained on site and kept available for inspection by site workers and Council officers. Note: This condition is imposed to ensure compliance with the conditions of development approval.	While site/operational/building work is occurring
3) Carry Out the Approved Development Carry out the approved development in accordance with the approved DRAWINGS AND DOCUMENTS. Note: This approval does not imply permission to enter neighbouring properties to carry out the construction (including, but not limited to, associated drainage and earthworks). Permission to enter neighbouring properties must be obtained from the relevant property owners.	While site/operational/building work is occurring
4) Complete All Operational Work Complete all operational work associated with this development approval, including work required by any of the conditions included in the Development Approval Package. Such operational work must be carried out in accordance with the approved DRAWINGS AND DOCUMENTS or, if requiring a further approval from the Council, in accordance with the relevant further approval(s).	Prior to Council's notation on the plan of subdivision and then to be maintained

Landscape Architecture and Open Space Planning

	Timing
5) Retain and Protect Existing Street Tree(s)	At all times

Identify, retain and protect the existing street trees including the roots unless otherwise agreed in writing with Program Planning and Integration (PPI Arb).

Note: Street trees are protected under the Natural Assets Local Law. Street trees must not be removed or pruned without prior approval from PPI Arb.

Where driveway crossovers occur within the Tree Protection Zone (TPZ) of existing street trees, seek approval from the Arboricultural Team in Program Planning and Integration, City Standards for the final driveway crossover design and construction methodology to ensure the successful retention of the existing street tree(s)

PROOF OF FULFILMENT

Contextual photographic evidence that the tree has been retained in equal or greater health than before development commenced. OR, evidence in writing from Program Planning and Integration Arboriculture that an alternative arrangement has been made.

5(a) Implement Protection Measures

Install tree protection measures in accordance with Australian Standard - AS4970 Retention of Trees on Development Site.

There must be no excavation, filling or storage of materials or plant within the drip line of the tree(s).

Where works are within the canopy drip line of existing street trees, contact PPI Arb Coordinator in relation to the required provision of protection measures.

Note: If fencing is to protect street trees, a permit to temporarily occupy the footway will be required from Compliance and Regulatory Services.

Timing: Prior to site/operational work occurring.

As indicated

5(b) Maintain Protection Measures

Maintain protection measures while development is occurring and remove protection measures prior to commencement of the use.

Timing: While to site/operational work is occurring.

As indicated

PROOF OF FULFILMENT

Contextual photographic evidence to demonstrate the installation of protection measures prior to building works commencing.

6) Street Tree Replacement

Provide for replacement planting of the existing street tree(s) fronting the development site required to be removed to site the new shared driveway crossover.

Prior to Council's notation on the plan of subdivision

Engineering

5/20

Submit to, and obtain approval from, Development Services, a plan of subdivision showing the easement and the necessary easement documentation to demonstrate compliance with the requirements of this condition.

Note: Easements not in favour of the Brisbane City Council must have the necessary documentation prepared by the applicant's private solicitors.

Timing: As part of the submission of the request pursuant to Schedule 18 of the Planning Regulation 2017 for Council's notation on the plan of subdivision necessary to comply with this condition or give effect to this approval.

7(c) Lodge Notated Plan and Documentation

Lodge the plan of subdivision notated by Council pursuant to Schedule 18 of the Planning Regulation 2017 and the necessary easement documentation with the Registrar of Titles for the relevant Queensland State Government Authority.

Timing: As part of the registration of the plan of subdivision notated by Council.

As indicated

PROOF OF FULFILMENT

Evidence of the registration of the necessary easement documentation. Timing: Within one month of the registration of the easement documentation.

8) On-site Erosion (Medium Risk)

Manage on-site erosion and the release of sediment or sediment laden water from the site at all times by implementing best industry practice for sediment and erosion control as per the International Erosion Control Association, Best Practice Erosion and Sediment Control documents (2008 or later version).

As indicated

Timing: Prior to commencement of any land disturbing activities and until all exposed soil areas are permanently stabilised against erosion

8(a) Manage earth disturbance on-site

As indicated

(i) Drainage control measures must be implemented and maintained to minimise water flow onto areas of exposed earth.

(ii) Sediment and erosion control measures must be implemented and maintained to prevent soil loss from earth disturbance areas and prevent deposition beyond earth disturbance areas.

(iii) No release of contaminants to land beyond on-site area of earth disturbance other than releases that achieve water pollutant concentration release limits of: A. 50mg/L TSS (Total Suspended Solids)

B. Turbidity, Nephelometric Turbidity Units (NTU) value less than 10% above background, 75 NTU's, or as agreed in writing by an Officer from Councils Erosion and Sediment Control (ESC) Team in Compliance and Regulatory Services;

C. pH between 6.5 and 8.5 at all times.

(iv) Maintain a written record to demonstrate that water discharges from the site, including any dewatering operations, meet the release limits as detailed in (iii) for water discharge(s) from the site that occur during or immediately after a rainfall event, and during normal business hours. The water quality of the discharge flows must be measured at each discharge point from the site, including but not limited to sediment basin outlets, other applicable sediment control devices, the site water drainage system, and recorded against the release limits at least once on each calendar day until such discharge stops.

Timing: Prior to commencement of any earth disturbing activities and until all exposed soil areas are permanently stabilised against erosion.

8(b) Provide Land Occupier Notification to Council

(i) Notify Council's ESC Team of proposed land occupier/s by sending an email to CARS-ESC@Brisbane.qld.gov.au

(ii) If the land is to be occupied by any person other than the registered landowner then advice must be provided to Council that confirms the name, contact information and the duration of any proposed occupation of the land.

As indicated

Timing: Prior to commencement of any earth disturbing activities.

8(c) Prepare Erosion and Sediment Control Plan

As indicated

Prepare an Erosion and Sediment Control Plan (ESCP) in accordance with best industry practice for sediment and erosion control as per the International Erosion Control Association, Best Practice Erosion and Sediment Control documents (2008 or later version) and, to the extent of any inconsistency, relevant Brisbane Planning Scheme Codes and Policies.

Obtain a design certificate in accordance with the relevant Brisbane Planning Scheme Codes and Policies.

The ESCP and design certificate must be certified by a Certified Professional in Erosion and Sediment Control (CPESC) or a Registered Professional Engineer Qld (RPEQ) with suitable qualifications and experience in erosion and sediment control.

Documentary evidence demonstrating appropriate qualifications in erosion and sediment control must be

provided to the Council upon request.

Timing: Prior to the commencement of any earth disturbing activities.

8(d) Attend a pre-start meeting

Arrange and attend a pre-start meeting for ESC with an Officer from Councils ESC Team in Compliance and Regulatory Services (CARS).

Note: To request a pre-start meeting from Council's ESC Team send an email to CARS-ESC@Brisbane.qld.gov.au. All relevant documentation, including both the certified ESCP and the certified design certificate, must be attached to this email. Please allow up to 10 business days for your request to be processed.

As indicated

Timing: Attend the pre-start meeting prior to the commencement of any earth disturbing activities.

8(e) Implement Certified Erosion and Sediment Control Plan

Implement the certified ESCP and maintain all ESC measures in accordance with best industry practice for sediment and erosion control as per the International Erosion Control Association, Best Practice Erosion and Sediment Control documents (2008 or later version) and, to the extent of any inconsistency, relevant Brisbane Planning Scheme Codes and Policies.

The ESCP and design certificate must be available on site at all times for inspection by Council officers. Any alteration to supplementary or Type 3 ESC measures must be reflected in the certified ESCP. Any alteration to Type 2 or Type 1 ESC measures will require a revised ESCP and design certificate that has been certified by either the CPESC or RPEQ.

As indicated

Timing: While earth disturbing activities are occurring and until all exposed soil areas are permanently stabilised against erosion.

9) Information Signage

As indicated

Erect an information sign on the subject property in accordance with Council's general requirements for signage and in accordance with the requirements outlined below:

a) The sign should provide a brief description of the development proposed;

b) The sign is to list the name, postal and/or email address and a contact telephone number for the following parties (where relevant) that are undertaking work on the site:

- Developer;
- Project Coordinator;
- Architect/Building Designer;
- Builder;
- Civil Engineer;
- Civil Contractor/s; and
- Landscape Architect;

c) The lettering on the sign is to be at least 25 millimetres in height, be of regular weight and in sentence case;

d) The sign is to be a minimum size of 1,200 millimetres by 900 millimetres;

e) The maximum area of the sign is to be 2.0m²;

f) The sign is to be positioned as follows:

- located centrally along each road frontage of the site to Ashridge Road;
- located on or within 1.5 metres of the road frontage;
- mounted at least 300 millimetres above ground level; and
- clearly visible from the street for a pedestrian;

g) The sign is to contain no commercial or corporate advertising other than the name, logo or slogan of the parties outlined in part (b) of this condition;

h) The sign is to be non-illuminated; and

i) Both the sign and the supporting structure are to be made of weatherproof material and to be properly maintained at all times.

Timing: Prior to site works commencing and then to be maintained until completion of the development for all stages.

10) Construction Management Plan (Minor)

Carry out development in a method consistent with a Construction Management Plan (Minor) prepared in accordance with the requirements of this condition.

While site/operational/building work is occurring

10(a) Construction Management Plan (Minor) - Prepare Plan

As indicated

Prepare a detailed Construction Management Plan (CMP) for the construction phase of the approved development. The Construction Management Plan must be in accordance with the relevant Brisbane Planning Scheme Codes and address the following:

(i) Provision for pedestrian management including alternative pedestrian routes (adjacent to or surrounding the site);

(ii) Existing and proposed kerbside allocation signs and line marking (such as bus stops, loading zones and parking meters and/or ticket dispensers);

- (iii) Location of and impacts to any Council or other public utility or local authority's assets on or within or external to the site;
- (iv) Location and design of temporary vehicular construction access points, including frequency of use;
- (v) Management and mitigation strategies for the impact of dust, noise and vibration upon adjoining and nearby properties;
- (vi) Provision for loading and unloading of materials including the location of any remote loading sites;
- (vii) Location of materials, structures, plant and equipment to be stored or placed on the construction site;
- (viii) Location of proposed external hoardings or gantries, including clearances to the impacts of this on existing street furniture and other footpath assets located within the verge as well as impacts on any existing advertising signage located either along or adjacent to the site frontage this includes any potential obstruction of sight lines for such advertising (e.g. 'CityCycle' bicycle stations or bus stops with advertising);
- (ix) Location of proposed employee and visitor parking areas;
- (x) Anticipated staging and programming;
- (xi) Impacts of any actions proposed to address any of the above items or any actions resulting from construction of the development that will impact on existing street trees;
- (xii) Complaint management processes to be implemented; and
- (xiii) Compliance with the Management Plans Planning Scheme Policy and other relevant Planning Scheme Policies.

The Construction Management Plan must be supported by "approval in principle" or written approvals from the relevant Council sections or other governing bodies responsible for any potentially impacted infrastructure.

The list of relevant infrastructure and contacts is available on Council's website - Search "Constructions Management Plan".

Note: The Construction Management Plan is not required to be approved by Development Services.

Timing: Prior to site/operational work commencing.

10(b) Construction Management Plan (Minor) - Submit Plan

As indicated

Submit a copy of the Construction Management Plan to Council's Development Services Branch at the following mailbox: engineering@brisbane.qld.gov.au quoting the BCC planning development approval reference number.

Timing: At least 10 days prior to site works commencing

10(c) Construction Management Plan (Minor) - Documentation on Site

Legible copies of the Construction Management Plan and current permits must be kept on site and be made available on request by Council at all times.

The requirements of the CMP must be included in all induction of principal and subcontractors utilised in the development. An outline of the induction provided to contractors may be requested by Council to confirm compliance with this condition.

Timing: While site/operational work is occurring.

As indicated

10(d) Construction Management Plan - Works to be Performed Out of Hours

Obtain an approval from Development Services for any work that is proposed to be undertaken outside of normal business hours - 6:30am to 6:30pm, Monday to Saturday.

Timing: Prior to site/operational/building work commencing.

As indicated

10(e) Implement Construction Management Plan (Minor)

Carry out the development in accordance with the submitted Construction Management Plan.

While site/operational/building work is occurring

11) Protect Existing Infrastructure

Where there is existing infrastructure in the vicinity of the proposed work, the new work must not damage or compromise the working ability of the existing infrastructure.

Where alterations to public utility mains, existing mains, services or installations are necessitated by the development, prior to alterations commencing, the developer must notify Council or the relevant infrastructure provider and obtain agreement to the alterations.

The developer must meet the costs of the alterations. The alterations must be carried out in accordance with the relevant Brisbane Planning Scheme Codes or infrastructure providers requirements.

While site/operational/building work is occurring

11(a) As Constructed Drawings - Alterations to Existing Infrastructure

As indicated

Submit to Development Services As Constructed drawings showing all new and/or rectification works and an asset register, prepared and certified by a Registered Professional Engineer Queensland.

Timing: Prior to Council's notation on the plan of subdivision.

PROOF OF FULFILMENT

Certification from a Registered Professional Engineer Queensland, confirming that the alterations have been completed in accordance with the relevant Brisbane Planning Scheme Codes and any other relevant infrastructure requirements.

12) Retaining Walls

Design and construct all retaining walls and associated fences, in accordance with the relevant Brisbane Planning Scheme Codes and the following:

- All retaining walls including the footings, must be located wholly within the property boundaries of the site where works are occurring
- Runoff from surface drains and subsoil drainage associated with the retaining walls must be collected and connected to a lawful point of discharge (LPD) where possible. If no LPD is available the surface drains and sub-soil drainage must be designed, installed and discharged to ensure there is no ponding, nuisance or concentration of stormwater discharge to adjacent properties.
- Retaining walls to stabilise excavation must be set back from property boundaries to accommodate subsoil drainage without encroachment into the neighbouring property. This set back may vary depending on the height, structure and design of the retaining wall, surcharge loadings from neighbouring properties, and to provide a surface drain along the top of the retaining wall
- For retaining walls in excess of 1.0m in height:
 - walls must be vertically and horizontally tiered by a ratio of 1:1 unless an alternative has been approved by Development Services
 - walls must be designed and certified by a Registered Professional Engineer Queensland
 - walls facing onto Council property (including the road reserve and parkland) must not be constructed from timber.

NOTE: Refer to City Plan 2014; Infrastructure Design Planning Scheme Policy (IDPSP) for Council's definition of a LPD.

12(a) Certification of Retaining Walls

For retaining walls over 1.0m in height, obtain certification from a Registered Professional Engineer Queensland that the design and construction of the retaining walls and ancillary drainage are in accordance with the requirements of this condition.

Prior to Council's notation on the plan of subdivision

As indicated

Timing: Prior to Council notation on the plan of subdivision.	
<p>13) Repair Damage to Kerb, Footpath or Road</p> <p>Repair any damage to the existing kerb and channel, footpath or roadway (including removal of concrete slurry from footways, roads, kerb and channel, stormwater gullies and drainlines) and re-instate existing traffic signs and pavement markings that have been removed or damaged during any works carried out in association with the approved development.</p> <p>13(a) Interim Repairs</p> <p>If at any time during the construction phase of the approved development, damage to the existing kerb and channel, footpath or roadway creates unsafe, unreasonable and/or not fit for purpose conditions as assessed by Council, interim repairs must be undertaken as directed by Program Planning and Integration.</p> <p>Note: Any interim repairs required to be undertaken shall not be considered to satisfy the requirements of this condition for the permanent repair of the infrastructure prior to Council's notation on the plan of subdivision.</p> <p>Timing: While site/operational works is occurring</p>	<p>Prior to Council's notation on the plan of subdivision</p> <p>As indicated</p>
<p>14) Remove Redundant Drainage Outlets</p> <p>Remove any redundant drainage outlets from the kerb and channel including any associated pipe work across the footway and reinstate the kerb and channel and the footway area in accordance with the relevant Brisbane Planning Scheme Codes.</p> <p>Note: Guidance for the preparation of drawings and/or documents to comply with this condition is provided in the Brisbane Planning Scheme Policies.</p>	<p>Prior to Council's notation on the plan of subdivision</p>
<p>15) Ponding of Stormwater</p> <p>Carry out the approved development to ensure that adjoining properties and roads are protected from ponding or nuisance from stormwater during construction.</p> <p>Notes: If remedial works are necessary to comply with this condition, prior approval must be obtained from Development Services.</p>	<p>Prior to Council's notation on the plan of subdivision</p>
<p>16) On Site Drainage - Minor</p> <p>Provide a stormwater connection to all new or existing allotments and provide drainage infrastructure to ensure stormwater run-off from all roof and developed surface areas will be collected internally and piped in accordance with the</p>	<p>Prior to Council's notation on the plan of subdivision</p>

relevant Brisbane Planning Scheme Codes to the existing kerb and channel in Ashridge Road. The lawful point of discharge must not be achieved via pumping or other mechanical means or a charged system.

NOTE:

- Guidance for the preparation of drawings and/or documents to comply with this condition is provided in the Brisbane Planning Scheme Policies.
- Queensland Building and Construction Commission licensed hydraulic consultants may design the stormwater system for sites less than 2000m² with an upstream catchment servicing no more than 4 residential lots.
- Where external works are required and infrastructure will be handed over to Council (e.g. Stormwater pipes 375mm or greater and/or manholes within the road reserve, etc), the applicant will be required to request a Pre-Start with Council and ensure all future owned Council assets follow the On/Off Maintenance process in accordance with Councils Infrastructure Installation & Construction Requirements Manual.
- Guidance for requesting a pre-start and co-ordinating the On/Off Maintenance process can be found on Council's website (<https://www.brisbane.qld.gov.au/planning-and-building/applying-and-post-approval/on-and-off-maintenance-approvals>)

16(a) Submit As Constructed Drawings

Submit to Development Services As Constructed drawings prepared and certified by a Registered Professional Engineer Queensland or a Queensland Building and Construction Commission licensed hydraulic consultant (where applicable).

Timing: Prior to Council's notation on the plan of subdivision.

As indicated

17) Up Stream Stormwater Drainage Connection - Minor

Provide a stormwater drainage connection for Lot(s) 97, 98 and 99 on RP29723 designed for ultimate developed catchment conditions and connected to the existing kerb and channel in Ashridge Road being the lawful point of discharge. The lawful point of discharge must not be achieved via pumping or other mechanical means or a charged system.

Note:

- All upslope stormwater connections to existing private properties must extend to the property boundary of the relevant property being ultimately serviced by that connection.

Prior to Council's notation on the plan of subdivision

PROOF OF FULFILMENT

Certification from a Registered Professional Engineer Queensland or a Queensland Building and Construction Commission licensed hydraulic consultant (where applicable), confirming that the works have been completed in accordance with the above stormwater drawings.

17(a) Prepare Stormwater Drawings

Prepare stormwater drawings and engineering calculations, certified by a Registered Professional Engineer Queensland in accordance with the relevant Brisbane Planning Scheme Codes, and submit to Council for approval.

Note:

- Queensland Building and Construction Commission licensed hydraulic consultants may design the stormwater system for sites less than 2000m² with an upstream catchment servicing no more than 4 residential lots.
- Guidance for the preparation of drawings and/or documents to comply with this condition is provided in the Brisbane Planning Scheme Policies
- A 225mm diameter pipe is the minimum size required to service an upstream development of any kind.

As indicated

Timing: Prior to site/operational work commencing.

17(b) Implement Certified Stormwater Drawings

Carry out the works in accordance with the above stormwater drawings.

As indicated

Timing: Prior to Council's notation on the plan of subdivision and after approval is obtained from Council about the stormwater drawings.

17(c) Submit As Constructed Drawings

As indicated

Submit to Development Services As Constructed drawings prepared and certified by a Registered Professional Engineer Queensland or a Queensland Building and Construction Commission licensed hydraulic consultant (where applicable).

Note: To be submitted via DA-ComplianceEngineering@brisbane.qld.gov.au and include the site address, A00 reference and Condition number in the subject line.

Timing: Prior to Council's notation on the plan of subdivision.

PROOF OF FULFILMENT

Certification from a Registered Professional Engineer Queensland or a Queensland Building and Construction Commission licensed hydraulic consultant (where applicable),

confirming that the works have been completed in accordance with the above stormwater drawings.

18) Service Conduits and Mains

Provide and install all service conduits and meet the cost of any alterations to public utility mains, existing mains, services, street lighting or installations that are required to carry out the approved development. These works must be in accordance with the relevant Brisbane Planning Scheme Codes, and include the following, where applicable:

- the provision of all services and/or conduits along the full length of any rear allotment access or access easement.
- the breaking and/or relocation of any existing sewer combine drains.
- the relocation of any fire hydrant and/or valves from the development's vehicular footway crossings.
- the retention and/or relocation of any existing foul water lines that currently exist within the site.
- any new or existing installations of electrical pillar boxes, pad mounted transformers (PMTs), water reticulation mains, water meters and the like, must be installed/relocated to their ultimate alignment relative to the new property boundary and clear of the usable footpath areas irrespective of the alignment of the existing services/conduits.

Note:

- The cost of moving services, utilities and assets is the responsibility of the Developer. The permission of the service, utility or asset owner will be required. Council permission is required if street trees, stormwater gullies/drains, and swales are affected. Urban Utilities permission is required if water supply and sewerage services are affected.
- Standard utility alignments may be found on Council's 'Brisbane Standard Drawings' 1013 to 1016 inclusive.
- Applicants must liaise with the appropriate service authorities. Typical underground services and/or conduits to be constructed include power, phone, telecommunications, sewer (including private combine drains) stormwater and gas, if applicable.

PROOF OF FULFILMENT

Certification from a Registered Professional Engineer Queensland, confirming that the works have been completed in accordance with the requirements of this condition. Note: Civil works are to be certified by a RPEQ(Civil) and electrical works are to be certified by a RPEQ (Electrical)

Prior to Council's notation on the plan of subdivision

18(a) Submit As Constructed Drawings

Submit to Development Services As Constructed drawings, including an asset register, prepared by a Registered Professional Engineer Queensland.

Timing: Prior to Council's notation of the plan of subdivision.

As indicated

<p>PROOF OF FULFILMENT <i>Certification from a Registered Professional Engineer Queensland, confirming that the works have been completed in accordance with the requirements of this condition. Note: Civil works are to be certified by a RPEQ(Civil) and electrical works are to be certified by a RPEQ (Electrical)</i></p>	
<p>19) Telecommunications</p> <p>Submit to Development Services, evidence of an agreement with a telecommunication carrier to provide underground telecommunication services within and adjacent to the proposed development in accordance with the relevant Brisbane Planning Scheme Codes.</p>	<p>Prior to Council's notation on the plan of subdivision</p>
<p>20) Agreement with Electricity Supplier</p> <p>Submit to Development Services, evidence of an agreement with an electricity supplier to provide necessary services to the development in accordance with the relevant Brisbane Planning Scheme Codes.</p> <p>Where development is within an established area of overhead electricity supply and the electricity supplier determines that a property pole is the appropriate solution to supply electricity to the development, the developer must be responsible for the installation of the property pole(s).</p> <p>In the above circumstances, submit to Development Services, certification from the developer's electrical consultant confirming that the above installation has been completed in accordance with the relevant AS/NZS Standards and the Queensland Electricity Connection Manual (QECM) and Queensland Electricity Metering Manual (QEMM).</p>	<p>Prior to Council's notation on the plan of subdivision</p>
<p>21) Water and Wastewater</p> <p>Pursuant to Schedule 18 of the Planning Regulation 2017 submit to Development Services, documentary evidence, issued by the relevant distributor-retailer, to verify that the conditions of any necessary connection certificate under the South-East Queensland Water (Distribution and Retail Restructuring) Act 2009, have been complied with.</p>	<p>Prior to Council's notation on the plan of subdivision</p>
<p>22) Re-connect the existing house</p> <p>Re-connect the existing house sanitary drainage and water supply plumbing to the new sewerage connection(s)/and water service(s), to ensure drainage is located within the lot it serves.</p>	<p>Prior to Council's notation on the plan of subdivision</p>

<p>23) Permanent Driveway Crossover</p> <p>Provide a 8.0 metre wide Residential Type shared permanent driveway crossover to the Ashridge Road frontage(s) of the site in accordance with the relevant Brisbane Planning Scheme Codes and located as shown on the approved DRAWINGS AND DOCUMENTS.</p> <p>Written consent must be obtained from Program, Planning and Integration Arboriculture (PPI Arb) prior to any works occurring that will either impact on or require removal of a street tree (this includes pruning, excavation or fill within the root zone/canopy of the tree)</p> <p>At all times during construction of the crossover, safe pedestrian access along the site frontage must be maintained.</p> <p>Note: No further driveway permit is required however additional footway permits or lane closure permits may be required for footpath/verge closures and/or lane closures. These permits must be obtained prior to construction of the crossover.</p>	<p>Prior to Council's notation on the plan of subdivision</p>
<p>24) Redundant Driveway Crossover</p> <p>Remove the redundant existing driveway crossover(s) on the frontage(s) of the site and reinstate the kerb and channel, road pavement, footways and footpaths in accordance with the relevant Brisbane Planning Scheme Codes.</p> <p>Note: For kerb and channel reinstatement, the existing channel is required to be removed and the kerb and channel reinstated in one pour. Additional footway permits or lane closure permits may be required for footpath/verge closures and/or lane closures. These permits must be obtained prior to construction of the crossover.</p>	<p>Prior to Council's notation on the plan of subdivision</p>

Standard Advice

	Timing
<p>25) Standard Advice Disclaimer</p> <p>The following information is provided to the applicant as advice only and does not form part of the development approval conditions. This advice has been provided to inform the applicant of other obligations they may be required to comply with (under state legislation or local laws) prior to the approved activity commencing.</p>	<p>As indicated</p>
<p>26) Currency Period</p> <p>The currency period for this development approval is stated in the Decision Notice and is expressed as a date.</p>	<p>As indicated</p>

<p>This development approval lapses at the end of the currency period (the date stated in the decision notice) pursuant to section 85 of the <i>Planning Act 2016</i>.</p>	
<p>27) Damage to Trees on Adjoining Land</p> <p>Please note that any damage caused to vegetation on adjoining land as a result of exercising this development approval may result in an offence under other legislation (e.g. Natural Assets Local Law) and/or civil action.</p>	<p>As indicated</p>
<p>28) Fire Ant Movement Controls</p> <p>To prevent the spread of fire ants, the Queensland Government has implemented improvement controls in areas of Queensland (biosecurity zones) where this pest species has been detected.</p> <p>These controls apply to individuals and commercial operators and restrict the movement of materials that could carry fire ants which include soil, turf, potted plants, mulch, baled hay or straw, animal manures, mining or quarry products.</p> <p>Breaches of these controls can potentially impact the community, economy and the environment. Penalties for non-compliance with movement controls within fire ant biosecurity zones apply under the <i>Biosecurity Act 2014</i>.</p> <p>For further information contact the relevant Queensland State Government department on 13 QGOV.</p>	<p>As indicated</p>
<p>29) Cultural Heritage</p> <p>Aboriginal cultural heritage is protected under the <i>Aboriginal Cultural Heritage Act 2003</i>. This Act establishes a cultural heritage duty of care and in section 23(1) mandates that a person who carries out an activity must take all reasonable and practicable measures for ensuring activities are managed to avoid or minimise harm to Aboriginal cultural heritage.</p> <p>The Duty of Care Guidelines gazetted pursuant to the <i>Aboriginal Cultural Heritage Act 2003</i> provide guidance on identifying and protecting Aboriginal cultural heritage to fulfil the duty of care.</p> <p>For further information contact the relevant Queensland State Government Department (Department of Aboriginal and Torres Strait Islander Partnerships).</p>	<p>As indicated</p>

**** End of Package ****

APPROVED PLAN
Planning and Environment Court Decision
Appeal Number
PEA 2916/2024

APPROVED PLAN
Planning and Environment Court Decision
Appeal Number
PEA 2916/2024

AMENDED IN RED
1 May 2025

AMENDED IN RED
1 May 2025

BCC DS
LODGED
10/07/2024
APPLICATION REF
A006565555

Drawing Title: Plan of Subdivision
Drawing Number: SK01

Plan of Subdivision
128 Ashridge Rd
Darra 4076
~~Lot 2 on RP 117157~~

L97 RP29723

THIS APPROVAL SHOULD NOT BE
TAKEN TO CONSTITUTE PERMISSION
TO ENTER NEIGHBOURING
PROPERTIES TO CONSTRUCT
(INCLUDING ASSOCIATED WORKS
SUCH AS DRAINAGE AND EXCAVATION)
ANY BUILT TO BOUNDARY WALL OR
FENCES. PERMISSION MUST BE
OBTAINED FROM RELEVANT
PROPERTY OWNERS.

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