

DELEGATED REPORT

SUBJECT: Atherton Tablelands Hockey Association - Operational Works for Earthworks – 27-47 Grau Street Atherton, QLD - OPW19/0017

**REPORT AUTHOR/
OFFICER'S TITLE:** LUKE SPEARE PROJECT ENGINEER - DEVELOPMENT

APPLICATION DETAILS

Applicant:	Atherton Tablelands Hockey Association PO Box 419 ATHERTON QLD 4883
Proposal:	Development Permit – Earthworks
Properly Made Date:	31 July 2019
Street Address:	27-47 Grau Street ATHERTON QLD 4883
RP Description:	Lot 310 SP 300434
Planning Area:	Atherton
Assessment Type:	Code
Number of Submissions:	Not Applicable – Code Assessable
State Referral Agencies:	Nil
Referred Internal Specialists:	<ul style="list-style-type: none"> Development Engineer

ATTACHMENTS: 1. Proposal Plan - Atherton Hockey Grounds amended

PROPOSAL:

The application seeks approval for Operational Works Permit for earthworks to level surface of future sports fields.

The following table describes the key development parameters for the proposal:

OPERATIONAL WORKS	DEVELOPMENT PARAMETERS
Earthworks	FNQROC Standards

SITE DETAILS:

SITE AND LOCALITY DESCRIPTION	
Land Area:	50,305m ²
Existing Use of Land:	Sports Facilities
Road Frontage:	Grau Street
Significant Site Features:	Nil
Topography:	Generally levelled surface gently falling towards the South-Western corner
Surrounding Land Uses:	Education

	Low Density Residential
--	-------------------------

Background / Site History

APPLICATION NO.	DECISION AND DATE

ASSESSMENT:

Framework for Assessment

Categorising Instruments for Statutory Assessment

For the *Planning Act 2016*, the following Categorising Instruments may contain Assessment Benchmarks applicable to development applications:

- the *Planning Regulation 2017*
- the Planning Scheme for the local government area
- any Temporary Local Planning Instrument
- any Variation Approval

Of these, the planning instruments relevant to this application are discussed in this report.

Assessment Benchmarks Pertaining to the *Planning Regulation 2017*

The following Assessment Benchmarks from the *Planning Regulation 2017* are applicable to this application:

PLANNING REGULATION 2017 DETAILS	
Assessment Benchmarks:	Nil.

Assessment Benchmarks Pertaining to the Planning Scheme

The applicable planning scheme for the application is Tablelands Regional Council 2016 (v3). The following sections relate to the provisions of the Planning Scheme.

Planning Scheme:	Tablelands Regional Council 2016 (v3)
Strategic Framework Land Use Category	Residential
Local Plan Area:	Atherton
Zone:	Recreational and Open Space
Consistent/Inconsistent Use:	Not Applicable
Assessment Benchmarks:	FNQROC Development Manual Earthworks Code

Strategic Framework

The Strategic Framework considers the following matters:

- Settlement Pattern
- Economic Development
- Transport

- Infrastructure and Services
- Natural Environment
- Community Identity, Character and Social Inclusion
- Natural Resources
- Natural Hazards

The Strategic Framework does not form part of the Assessment Benchmarks. The *Planning Act 2016* requires that code assessable applications must only be assessed against the Assessment Benchmarks.

Assessment Benchmarks – Planning Scheme Codes

The application has been assessed against each of the applicable codes and found to be compliant with, or can be conditioned to comply with, each. The pertinent issues arising out of assessment against the codes are discussed below:

Development Codes

Assessment Benchmarks Pertaining to a Variation Approval

Not Applicable.

Assessment Benchmarks Pertaining to a Temporary Local Planning Instrument

Not Applicable.

CONSULTATION:

Referral Agencies

Not Applicable

Public Notification

The application was code assessable and did not require public notification in accordance with the *Planning Act 2016*.

CONCLUSION:

The proposed development generally complies with the requirements of the planning scheme and does not raise any significant issues that cannot be addressed by reasonable and relevant conditions. The application is therefore recommended for approval.

RECOMMENDATION

APPROVE WITH CONDITIONS Application No. OPW19/0017 for a [Proposal] situated at 27-47 Grau Street AHERTON QLD 4883[Other Street Address] as identified in the attached details recommended for the Decision Notice.

Date Prepared: 31/07/2019

OFFICER'S RECOMMENDATION

- (A) That Council resolve that the application does not conflict with a relevant instrument.
- (B) That Council approve a Development Permit for earthworks on land described as Lot 310 SP 300434 and located at 27-47 Grau Street ATHERTON QLD 4883, subject to the following:

APPROVED PLANS/DOCUMENTS:

Plan/Document Number	Plan/Document Title	Prepared by	Dated
-	Atherton Hockey Grounds amended	Atherton Tablelands Hockey Association	22/02/2018

ASSESSMENT MANAGER'S CONDITIONS (COUNCIL)

General

- 1) All operational works must be designed and constructed in accordance with the procedures as set out in the FNQROC Development Manual.
- 2) Development must be carried out substantially in accordance with the approved plans and the facts and circumstances of the use as submitted with the application, and subject to any alterations:
 - found necessary by the Council's Delegated Officer during construction of the development because of particular engineering requirements;
 - to ensure the works comply in all respects with the requirements and procedures of the FNQROC Development Manual and good engineering practice;
 - to ensure compliance with the following conditions of approval.
- 3) Council's examination of the documents should not be taken to mean that the documents have been checked in detail and Council takes no responsibility for their accuracy. If during construction, inadequacies of the design are discovered, it is the responsibility of the Applicant to rectify the inadequacy and resubmit amended plans to Council for approval and rectify the works accordingly.

Pre-Start Meeting and Construction Monitoring Fee

- 4) A Pre-Start Meeting is to be held on site prior to the commencement of work conforming to the requirements of Clauses CP1.07, CP1.08 and CP1.09 of the FNQROC Development Manual. Prior to the meeting the prescribed Construction Monitoring Fee as set out in Council's Schedule of Fees must be paid. Please contact Council's Delegated Officer, John Breen, on 40892357 to arrange this meeting.

Inspections

- 5) Inspections are to be carried out as detailed in the FNQROC Manual unless advised otherwise at the Pre-Start meeting.

Construction Security Bond and Defects Liability Bond

- 6) In addition to Clauses CP1.06 and CP1.20 of the FNQROC Development Manual; the Construction Security Bond and Defects Liability Bond must be lodged with Council and the Bank Guarantee shall have no termination date.

- 7) During the 12 months Defects Liability period, it is the responsibility of the developer to rectify any works found to be defective due to design faults and or found to exhibit faults attributed to the performance of the construction activities in terms of quality and conformance with design and specifications. The Bond will be returned on satisfactory correction of any defective work and after expiration of the maintenance period. Failure to comply with a Council issued instruction to correct defective work may result in the call up of the Bond to have the work completed.

Hours of Work

- 8) Work involving the operation of construction plant and equipment of any description, must only be carried out on site during the following times:
 - 7.00am to 6.00pm, Monday to Friday;
 - 7.00am to 1.00pm Saturdays;
 - No work is permitted on Sundays or Public Holidays.

No variation to the above working hours is allowed unless otherwise agreed in writing by Council.

As Constructed Information

- 9) In addition to Clause CP1.21 of the FNQROC Development Manual; the As-Constructed Plans must be checked on site to confirm accuracy, and lodged with Council, prior to the 'On-Maintenance' inspection.

Transportation of Soil

- 10) All soil transported to or from the site must be covered to prevent dust or spillage during transport. If soil is tracked or spilt onto the road pavement from works on the subject land, it must be removed no later than at the end of each working day. Sediment must not enter Council's stormwater drainage network.

Erosion and Sediment Control Management

- 11) All works must be in accordance with Section CP1.13 and D5 of the FNQROC Development Manual, and must comply with the following;
 - A copy of the contractors Erosion and Sediment Control Plan (ESCP) that must be prepared or approved by a suitably qualified person. The ESC Plan must address Clauses CP1.05, CP1.13 and D5.10 of FNQROC Development Manual.
 - The ESC Plan must be relevant to all phases of the construction and be updated where necessary as works progress.
 - During the construction period, the Consulting Engineer shall randomly audit and inspect ESC measures for compliance with the approved Contractors ESC Plan, derived from the Engineers ESC Strategy (As per FNQROC CP1 Appendix A).
 - It is the Contractors responsibility to ensure that the ESC Plan is updated and amended to reflect any changes in the construction methodology. All such amendments shall be approved by a suitably qualified person or CPESC and presented to Council.
 - The developer shall be held responsible for any rectification works required to clean up dust, pollutants and sediments that may leave the site as a result of construction activities.

- The developer or their representative shall be responsible for communicating with third parties affected by any dust, pollutants or sediment leaving the site as a result of any construction activity that is associated with the project site.

Control of Dust

The risk of dust nuisance to existing nearby residents is considered high. The contractor must prepare a "Dust Control Measures Plan". The dust control measures must be implemented and undertaken on the site, as required, to ensure that nearby residents are not inconvenienced by dust generated from the works site.

CONCURRENCE AGENCY CONDITIONS

Not Applicable

CURRENCY PERIOD

The currency period for this development approval is two (2) years starting the day that this development approval takes effect. (Refer to Section 85 "Lapsing of approval at end of currency period" of the *Planning Act 2016*.)

OTHER NECESSARY DEVELOPMENT PERMITS AND/OR COMPLIANCE PERMITS

- Nil

OTHER APPROVALS REQUIRED FROM COUNCIL

- Nil


The Manager Planning & Regulatory Services has the delegated power to approve this application.

DECISION BY DELEGATE

DECISION

Having considered the Planning Officer's report detailed above, I approve, as delegate of Council, the application subject to the conditions listed in the report.

Dated the 1st day of August 2019



TUDOR TANASE
MANAGER PLANNING & REGULATORY SERVICES
TABLELANDS REGIONAL COUNCIL
AS DELEGATE OF THE COUNCIL

Atherton Tablelands Hockey Association



©2019 Tablelands Regional Council (TRC). Based on or contains data provided by TRC and the State of Queensland Department of Natural Resources & Mines (DNRM) (2018) in consideration of these agencies permitting use of this data, you acknowledge and agree that these agencies give no warranty in relation to the data (including accuracy, reliability, completeness, currency or suitability) and accept no liability (including without limitation, liability in negligence) for direct, indirect or consequential damage or loss of any kind (including loss of data) arising from or in connection with the use of the data. Data must not be used for direct marketing or be used in breach of the privacy laws.

Scale 1cm = 10m at A4
 Map Grid of Australia Zone 55 (GDA94)

