

#### Lockyer Valley Regional Council

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#### **DECISION NOTICE**

Planning Act 2016

Application ID: OW2025/0036
Enquiries: Tammy Thomas
Contact: 5462 0687

16 October 2025

Park Lake Adare Pty Ltd TTE
Park Lake Adare Unit Trust
C/- BPlanned & Surveyed Pty Ltd
Po Box 58
CAMP HILL QLD 4152

Dear Daniel

#### DEVELOPMENT PERMIT - OPERATIONAL WORKS FOR LANDSCAPING (PARK LAKE - STAGE 7)

I wish to advise that on 16 October 2025, the application described below was approved subject to conditions.

#### **Application Details**

Description of Development: Development Permit for Operational Works for Landscaping (Park

Lake - Stage 7)

Street Address: 63 Redbank Creek Road, Adare

Real Property Description: Lot 907 SP 329589

#### **Conditions of Approval**

The conditions of approval are attached.

Unless otherwise specified, all assessment manager conditions of this development approval relating to the provision of infrastructure are non-trunk infrastructure conditions for Chapter 4 of the *Planning Act 2016*.

#### **Currency Period**

The currency period for this Development Permit is two (2) years starting the day this Development Permit takes effect (refer to Section 85 of the *Planning Act 2016*). The Approval will lapse unless the works are substantially started within the currency period.

#### **Representations and Rights of Appeal**

You are entitled to appeal this decision or make representations in relation to the conditions of approval.

Within your appeal period (i.e. 20 business days after the Decision Notice is given), you may suspend your appeal period and make written representations to Council about the conditions of approval. If Council agrees with any of the representations, a Negotiated Decision Notice will be given. Only one Negotiated Decision Notice may be given. If a Negotiated Decision Notice is given, your 20 business day appeal period will commence again.

The rights of applicants to appeal to a tribunal or the Planning and Environment Court against decisions about development applications are set out in chapter 6, part 1 of the *Planning Act 2016*. Attached is an extract from the *Planning Act 2016* which details your appeal rights.

#### **Commencement of Approval**

This approval takes effect in accordance with section 71 of the *Planning Act 2016*.

Yours faithfully

#### Michael Dargusch

#### **COORDINATOR DEVELOPMENT ASSESSMENT**

Attach: Schedule 1 – Lockyer Valley Regional Council's conditions of approval and advisory notes

Approved Plans/Documents

Appeal Rights (extracts from the Planning Act 2016)

CC: Urban Utilities

Development@urbanutilities.com.au

## Schedule 1 – Lockyer Valley Regional Council's Conditions of Approval and Advisory Notes

## APPROVED PLANS

| The following plans prepared by Seed Landscape Design are Approved without amendments: |      |                       |          |
|--|------|-----------------------|----------|
| Plan No.   | Rev. | Plan Name             | Date     |
| -  | Α    | Cover Sheet – Content | 3/8/25   |
| 230802 31  | Α    | Specifications        | Aug 2025 |
| 230802 33  | Α    | Landscape Plan        | Aug 2025 |
| 230802 34  | Α    | Planting Plan         | Aug 2025 |

| ASSESSMENT MANAGER CONDITIONS |   |   |  |
|-------------------------------|---|---|--|
| No.                           | Condition   | Timing  |  |
| GENI                          | GENERAL   |   |  |
| 1.                            | Undertake all approved works in accordance with the approved plans as listed within this decision notice and any works required by conditions of this approval at no cost to Council.   | At all times.                                       |  |
| 2.                            | A Works on a Road Reserve Permit must be obtained for any works involving closing of Council roads or working on or adjacent to existing roads or road reserves.  Advice Note: Refer to Council's website for information about how to apply.   | Prior to Pre-Start<br>Meeting.                      |  |
| 3.                            | Install any new or reinstated signage in accordance with the IPWEAQ standard drawing no. RS 131. All new signage shall be coated with Class 1 retro-reflective material in accordance with AS1743: Road signs – Specifications.   | At all times.                                       |  |
| BON                           | DS AND SECURITIES   |   |  |
| 4.                            | <ul> <li>MAINTENANCE BOND – LANDSCAPE WORKS</li> <li>Submit the following to Council: <ul> <li>a. Priced Bill of Quantities prepared and certified by a Registered Professional Engineer Queensland (RPEQ) or Registered Landscape Architect (RLA) for all landscape works that are to be contributed to Council.</li> <li>b. Maintenance Bond – Landscape Works equivalent to at least 10% of the value of the landscape works which are to be contributed to Council or \$5,000 (whichever is greater). The Maintenance Bond – Landscape Works is a security to ensure the works are maintained during the maintenance period.</li> </ul> </li> </ul> | Prior to acceptance<br>of works On-<br>Maintenance. |  |
|                               | <b>Advice Note:</b> The Maintenance Bond – Landscape Works will be released after the project is accepted off-maintenance.  |   |  |

| PRE- | START MEETING REQUIREMENTS   |                 |
|------|--|-----------------|
| 5.   | Prior to any work commencing on the site, a Pre-Start Meeting is to be   | Prior to        |
|      | held onsite with Council's delegated officer, the Supervising Engineer   | commencement of |
|      | (RPEQ) and the Principal Contractor in attendance.   | works.          |
|      |  |                 |
|      | A written request is to be submitted to Council requesting Council's   |                 |
|      | delegated officer's attendance at the Pre-Start Meeting. The written   |                 |
|      | request must include at a minimum the following details:   |                 |
|      | <ul> <li>The Supervising Engineer (RPEQ), the Principal Contractor,<br/>including the name and contact details during and outside of</li> </ul>        |                 |
|      | construction hours.  |                 |
|      | b. The supervising engineer's office and after hours contact details.  |                 |
|      | c. Date of commencement of works and expected duration   |                 |
|      | (programme of works).  |                 |
|      | d. Proposed haul route during construction works.  |                 |
|      | e. Pre- construction dilapidation report on existing Council   |                 |
|      | infrastructure for identified local section of the haul route during   |                 |
|      | construction works.  |                 |
|      | f. Proposed access locations for trucks and other heavy machinery  |                 |
|      | during construction phase.   |                 |
|      | g. Erosion and sediment control plans.   |                 |
|      | h. A set of "Issued for Construction" drawings, amended if required  |                 |
|      | by the conditions of this approval.  |                 |
|      | i. Evidence of possession of site by contractor.   |                 |
|      | <ul> <li>j. Public Liability Insurance to a limit of \$20,000,000 with a notation<br/>with the Local Government as an Insured Party that is</li> </ul> |                 |
|      | current/valid for the full duration of works.  |                 |
|      | k. Workers' Compensation Insurance.  |                 |
|      | I. Evidence of Bond Payment(s) as per relevant conditions.   |                 |
|      | The Pre-Start Meeting date and time will be confirmed by Council's   |                 |
|      | delegated officer.   |                 |
| DEVE | LOPMENT WORKS  |                 |
| 6.   | All works associated with this approval must occur within the following  | At all times.   |
|      | times, unless otherwise approved in writing by the assessment manager:   |                 |
|      | Monday to Saturday (inclusive) - 6:30am to 6:30pm  |                 |
|      | No work is permitted on Sunday and Public Holidays.  |                 |
| 7.   | Carry out works to ensure compliance with Work Health and Safety   | At all times.   |
| ' '  | legislative requirements.  | At all times.   |
| 8.   | Ensure all work sites are maintained in a clean, orderly state at all times.   | At all times.   |
| 9.   | Manage all waste in accordance with the relevant legislation and   | At all times.   |
|      | regulations and dispose of regulated waste at a licensed facility by a   |                 |
|      | licensed regulated waste disposal contractor.  |                 |
| 10.  | Ensure the re-location and protection of any Council and public utility  | At all times.   |
|      | services infrastructure and assets that may be impacted on during  |                 |
|      | construction of the development.   |                 |
|      |  |                 |

| 11.  | Repair all damages incurred to Council and public utility services infrastructure and assets to relevant authority's standards as a result of     | At all times.                    |
|------|---|----------------------------------|
|      | the proposed development, immediately should hazards exist for public   |                                  |
|      | health and safety or vehicular safety. Otherwise, repair all damage immediately upon completion of works associated with the                      |                                  |
|      | development.  |                                  |
| 12.  | Ensure that development works on the subject land do not lead to  | At all times.                    |
|      | ponding of stormwater or cause actionable nuisance to adjoining properties.   |                                  |
| 13.  | Protect nearby property owners from dust pollution arising from   | At all times.                    |
|      | construction and maintenance of the works required by this approval in  |                                  |
|      | accordance with requirements of the <i>Environmental Protection Act 1994</i> .  |                                  |
| 14.  | In the event that bona fide complaints are received by Council in relation  | At all times.                    |
|      | to dust emissions from the site or Council notices that a non-compliance exists, dust mitigation measures must be undertaken as directed by the   |                                  |
|      | Council.  |                                  |
| 15.  | Provide a minimum 100mm capping layer of good quality, non-dispersive   | Prior to acceptance              |
|      | soil on all areas disturbed during the earthworks.  | on-maintenance.                  |
| 16.  | VERGES All verges are to be:  | Prior to acceptance of works On- |
|      | a. Topsoiled to a depth of at least 100mm, using topsoil free of  | Maintenance.                     |
|      | stones and deleterious matter, and lightly compacted.   | Wallice Hallee.                  |
|      | b. Provided with a continuous turf strip behind all new kerb and  |                                  |
|      | channel and any footpaths.  |                                  |
|      | c. Fully turfed or grassed.   |                                  |
|      | Advice Note: Specifications are detailed in the Lockyer Valley Planning   |                                  |
|      | Scheme, Planning Scheme Policy 6 Infrastructure Design.   |                                  |
| 17.  | Disturbed areas on newly created lots and balance areas (including road   | Prior to acceptance              |
|      | verge) must be seeded to achieve a minimum of 80% grass coverage, prior   | on-maintenance.                  |
| FROS | to on maintenance. SION AND SEDIMENT CONTROL  |                                  |
|      | Implement erosion and sediment control generally in accordance with   | At all times.                    |
|      | the approved drawings and the Best Practice Erosion and Sediment  |                                  |
|      | Control guidelines by the International Erosion Control Association   |                                  |
|      | Australasia. Where the drawings and the guidelines are conflicting, the   |                                  |
| 19.  | requirements of the guidelines take precedence.  The supervising engineer must undertake inspections of the erosion and                           | At all times.                    |
| 19.  | sediment control devices after all significant rain events. Where   | At all tilles.                   |
|      | necessary, the devices will be modified, repaired or improved to prevent  |                                  |
|      | any erosion or sediment discharge from the development in future rain   |                                  |
|      | events.   |                                  |
| 20.  | Implement and maintain measures to prevent the tracking of sediment   | At all times during              |
|      | to and from the site onto the adjoining street network for the duration of the construction period. Any sediment discharging from the site to the | construction.                    |
|      | road network must be cleaned immediately at the expense of the  |                                  |
|      | developer.  |                                  |
|      |   |                                  |

| MAN  | IDATORY COUNCIL INSPECTIONS   |                                      |
|------|---|--------------------------------------|
| 21.  | The following inspections must be attended by Council's delegated officer, the supervising engineer (a suitably qualified RPEQ) and the Principal Contractor:  a. Prestart meeting;  b. Prior to backfilling of any stormwater drainage works;  c. Structural steel inspection prior to pouring of any structural concrete.  A minimum two (2) business days' written notice must be provided to Council requesting attendance for above inspections.  d. On Maintenance inspection (refer to on-maintenance requirements);  e. Off Maintenance inspection (further to a minimum 12 months defects liability period);  A minimum five (5) business days' written notice must be provided to | At all times.                        |
| ONLA | Council requesting attendance for maintenance inspections.  |                                      |
| 22.  | AAINTENANCE REQUIREMENTS  Ensure that following works will be completed prior to On-maintenance inspection:   | Prior to request for on-maintenance. |
|      | <ul> <li>a. Stabilise adequately all unstable or disturbed soil surfaces against erosion (minimum 80% stabilised).</li> <li>b. Cover all dispersible soils exposed during soil disturbing activities with a minimum 100mm layer of non-dispersible soil before being covered with vegetation, mulch, erosion control blankets or infrastructure.</li> <li>c. All approved landscaping works have been completed.</li> </ul>   |                                      |
| 23.  | <ul> <li>Submit the following to Council prior to the on-maintenance inspection:</li> <li>a. Completed Inspection Check Lists (ITP) and all inspection and test data in its entirety;</li> <li>b. Originals of relevant test results;</li> <li>c. Certification from a suitably qualified Registered Professional Engineer Queensland (RPEQ) stating that works have been undertaken in accordance with the approved plans, approval conditions and any agreed variations;</li> <li>d. CCTV footage and an inspection report for underground stormwater drainage works along with a letter from a suitably qualified and experienced RPEQ stating that CCTV inspection report</li> </ul>    | Prior to request for on-maintenance. |
|      | <ul> <li>and video had been reviewed and rectification works were successful and satisfactory.</li> <li>e. Geotechnical and structural certificates (where applicable);</li> <li>f. Payment of any outstanding Fees and Permits;</li> <li>g. Any other relevant document that may be required by Council;</li> <li>h. Certification from a suitably qualified Registered Professional Engineer Queensland (RPEQ) that stormwater drainage works as a part of development works for the subdivision has been constructed to enable slab on ground construction for residential dwellings in lots and areas of lot established above Q100 flood line</li> </ul>                               |                                      |

|       | (provide a layout plan indicating building envelopes, if required for clarity).  |                     |
|-------|--|---------------------|
|       | i. "As Constructed" data for [stormwater drainage, roadworks and   |                     |
|       | earthworks where applicable]:  |                     |
|       | i. In digital format all construction details compatible with the  |                     |
|       | current version of IPWEAQ's Asset Design and As Constructed (ADAC) specification with all details and values (e.g. survey                                    |                     |
|       | levels, material types) matching the associated As-Constructed   |                     |
|       | drawing(s). The electronic file will conform to the ADAC   |                     |
|       | requirements including an electronic signature by a suitably   |                     |
|       | qualified RPEQ / Registered Cadastral Surveyor where   |                     |
|       | appropriate. The levels and positions of infrastructure must be  |                     |
|       | referenced to Map Grid of Australia (MGA Zone 56 – GDA 94 or   |                     |
|       | GDA2020 coordinates and AHD.   |                     |
|       | <ul><li>ii. A full set of approved drawings in PDF format that are clear and<br/>legible when printed at A3 scale with red-lined marked-up (strike</li></ul> |                     |
|       | through the original design data where applicable) showing   |                     |
|       | changes to construction materials, design levels, locational   |                     |
|       | details and other amendments from approved design that may   |                     |
|       | have approved during the construction of approved Operational  |                     |
|       | Works.   |                     |
|       | iii. Each drawing marked as 'As Constructed' and signed by a   |                     |
|       | suitably qualified RPEQ/ Registered Cadastral Surveyor.  iv. A written confirmation from a Registered Cadastral Surveyor                                     |                     |
|       | verifying the accuracy of the locational details, relative levels,   |                     |
|       | boundaries and alignments as shown on the drawing(s).  |                     |
|       | v. Details are to include any redundant and/or removed assets as   |                     |
|       | well as the details of the immediate existing infrastructure   |                     |
|       | where new works connect to an existing stormwater network.   |                     |
| 24.   | Submit to Council, a written request for an on-maintenance inspection  | Prior to acceptance |
|       | issued by the developer's certifying Engineer (RPEQ) stating that all approved works have been completed and are ready for Council                           | on-maintenance.     |
|       | inspection.  |                     |
| 25.   | Rectify any defects identified by Council during the on-maintenance  | Prior to acceptance |
|       | period. Defects must be remedied under the direction of the supervising  | off-maintenance.    |
|       | engineer (RPEQ).   |                     |
| 26.   | Upon completion of the remedial works, the supervising engineer must   | Prior to acceptance |
| NAAIN | request Council for another inspection of remedied works.  NTENANCE PERIOD   | off-maintenance.    |
| 27.   | The works that will become Council's infrastructure will be subject to a   | Prior to acceptance |
| ۷1.   | minimum twelve (12) month maintenance period, commencing from the  | off-maintenance.    |
|       | On-Maintenance date stipulated by the assessment manager in 'On  |                     |
|       | Maintenance' correspondence.   |                     |
|       | OFF MAINTENANCE  |                     |
| 28.   | Undertake any further inspections, testing or analysis required, due to  | At all times.       |
|       | failure of work to meet specifications or where the testing previously   |                     |
|       | provided is considered insufficient on behalf of the Principal Contractor  |                     |

|       | L ALATA   |                                       |
|-------|---|---------------------------------------|
|       | by a NATA accredited entity, as directed by the Council further to the initial on/off-maintenance inspection.   |                                       |
| 29.   | Provide a letter from a suitably qualified and experienced RPEQ stating that report and test results had been reviewed and proposed rectification works for Council approval.   | At all times.                         |
| 30.   | Undertake any rectification works further to a written approval from the Council.   | At all times.                         |
| 31.   | Council is not liable for the rectification of or compensation for any damage caused in the testing or analysis process should work be found to be not constructed to specification or of poor quality and not satisfactory by Council.   | At all times.                         |
| 32.   | The applicant and supervising engineer are responsible and liable for the rectification of defects, materials and works.  | At all times.                         |
| 33.   | The Council reserves the right to call on the applicant or supervising engineer to rectify any works that have been found to not comply with the Certificates received or for the safety or health of the community or protection of infrastructure where Council deems it necessary.   | At all times.                         |
| OFF I | MAINTENANCE   |                                       |
| 34.   | The Council reserves the right to extend the maintenance period for up to a further twelve (12) months or a period determined by the Council pending the performance of the Council infrastructure, landscaping, erosion and sediment control and earthworks during the initial maintenance period. The above performance monitoring process to continue until any matters are resolved to Council's satisfaction.  The Council reserves the right to extend the maintenance period to allow establishment of approved landscaping works and grass coverage (of                                       | At all times.  At all times.          |
|       | <ul> <li>80% except in areas that has dispersible or erosive soils characteristics) or request to provide an alternative permanent erosion control measure acceptable to Council for affected areas;</li> <li>a. in the event it is proposed to provide grass seeding or hydro mulching at off-maintenance inspection to address any grass coverage issues to allow establishment.</li> <li>b. in the event the region is experiencing an unfavourable climate conditions for the establishment of approved landscaping works or grass coverage at the time of off-maintenance inspection.</li> </ul> |                                       |
| 36.   | <ul> <li>Comply with the following conditions prior to Off-maintenance inspection:</li> <li>a. Fill and grade the remaining unsealed verge area or reinstate any areas subject to erosion and must be either fully turfed or grassed to achieve 80% grass coverage.</li> <li>b. All the other areas disturbed during construction works (including areas where water management works are constructed) must be either fully turfed or grassed to achieve 80% grass coverage.</li> </ul>   | Prior to request for off-maintenance. |
| 37.   | Submit to Council a Closed Circuit Television camera (CCTV) inspection undertaken for underground stormwater drainage works no more than 2 weeks prior to the off maintenance inspection along with a letter from   | Prior to request for off-maintenance. |

|     | a suitably qualified and experienced RPEQ stating that CCTV inspection       |               |
|-----|--|---------------|
|     | report and video had been reviewed and identifying any issues.               |               |
| 38. | The works will be accepted Off Maintenance only where the works have         | At all times. |
|     | been suitably maintained to engineer or manufacturer's specifications        |               |
|     | and any rectification works approved by the Council has been completed       |               |
|     | to Council's satisfaction and Council standards.                             |               |
| 39. | All works must be fully completed to RPEQ Certified design and               | At all times. |
|     | specifications, and the assessment manager must be satisfied that the        |               |
|     | works have been properly completed and landscaping and grass cover           |               |
|     | established.   |               |
| 40. | The maintenance bond will be entirely forfeited to Council should there      | At all times. |
|     | be any failure by the applicant to undertake any such works considered       |               |
|     | by Council as necessary, to rectify any non-compliant works and to           |               |
|     | protect public safety. In the event that the bond is insufficient to address |               |
|     | the non-compliant works, Council reserves the right to seek restitution.     |               |
|     | After expiration of the maintenance period and where required                |               |
|     | maintenance is suitably undertaken to Council's satisfaction, the bond       |               |
|     | will be returned accordingly, after the project is accepted off-             |               |
|     | maintenance.   |               |
| 41. | Undertake any necessary maintenance or repairs to defects and/or             | At all times. |
|     | damage to any works undertaken in relation to this approval, even where      |               |
|     | damage has resulted from a third-party activity prior to Council accepting   |               |
|     | work off-maintenance.  |               |

#### **ADVISORY NOTES**

- (i) All works associated with this approval may not start until all subsequent approvals have been obtained, and its conditions complied with.
- (ii) Any additions or modifications to the approved use (not covered in this approval) may be subject to further application for development approval.
- (iii) The maintenance bond will be entirely forfeited to Council should there be any failure by the applicant to undertake any such works considered by Council as necessary, to rectify any noncompliant works and to protect public safety. If the bond is insufficient to address the noncompliant works, Council reserves the right to seek restitution.

#### (iv) Fire ants

Development must be undertaken in a manner that manages fire ant risks throughout all stages of development, including pre-lodgement, construction and post-approval stages. The *Biosecurity Regulation 2016* specifies how materials such as soil, mulch, turf, potted plants, quarry and mining materials originating from fire ant biosecurity zones must be handled. Other fire ant-safe practices include:

- Reporting any sighting or suspicion of fire ants within 24 hours to Biosecurity Queensland on 13 25 23;
- Ensuring contactors and workers are aware of their General Biosecurity Obligation;
- Cleaning machinery, vehicles and equipment before arriving at or leaving sites;

- Complying with treatment requirements where sites are within the suppression treatment area;
- Reviewing fire ant biosecurity zones monthly.

Visit <u>fireants.org.au</u> for more information.

#### (v) Biosecurity

Ensure all prohibited and restricted biosecurity matter under the Biosecurity Act 2014 are removed appropriately prior to conducting any works on the site.

Everyone is obligated under the *Biosecurity Act 2014* to take all reasonable and practical steps to minimise the risks associated with invasive plants under their control. More information on restricted and invasive plants as well as your general biosecurity obligation (GBO) can be viewed on the Business Queensland website.

#### (vi) Cultural heritage

The Aboriginal Cultural Heritage Act 2003 requires anyone who carries out a land use activity to exercise a duty of care. Further information on cultural heritage duty of care is available on the <u>Department of Aboriginal and Torres Strait Islander Partnerships</u> (DATSIP) website:

The DATSIP has established a <u>register and database</u> of recorded cultural heritage matters, which is also available on the Department's website:

Should any aboriginal, archaeological or historic sites, items or places be identified, located or exposed during construction or operation of the development, the *Aboriginal Cultural Heritage Act 2003* requires all activities to cease. Please contact DATSIP for further information.

#### **Advice for Urban Utilities**

On 1 July 2014, Urban Utilities became the assessment manager for the water and wastewater aspects of development applications. An application will need to be made directly to Urban Utilities for water supply connections for the proposed development.

## **Appeal Rights**

Extract from the Planning Act 2016

#### **Chapter 6 Dispute resolution**

#### Part 1 Appeal rights

#### 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 us 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
  - (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
    - 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, table 1, item 1 each principal submitter for the development application; and
  - (d) for and appeal about a change application under schedule 1, table 1, item 2 each principal submitter for the change application; and
  - (e) each person who may elect to become a co-respondent for the appeal, other than an eligible submitter who is not a principal submitter in an appeal under paragraph (c) or (d); 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 has 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 by filing a notice of election, in the approved form, within 10 business days after the notice of appeal is given to the person.

#### 231 Other appeals

- (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 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, a tribunal or another entity; and
- (c) is not subject to any declaratory, injunctive or other order of the Supreme Court, another court, a 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 the rules of the P&E Court.



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# PARKLAKE ADARE

Stage 7 Park Facilities

63 Redbank Creek Road, Adare QLD 4343

SUBDIVISION DEVELOPMENT - OP WORKS - LANDSCAPE

## CONTENT

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#### **GENERAL**

All works to be performed by a licensed Contractor familiar with landscape construction of this nature. The Contractor shall verify the location of utilities on site prior to the commencement of construction, and ensure that they will not have an effect on the works. The Landscape Contractor is advised to visit the site to satisfy themselves as to local conditions, accessibility, storage space, the full extent and character of the works and the site, the nature of the ground, the supply of materials and water and the execution of the contract generally. No claim will be allowed for any alleged inadequacy of the description herein. Should there be any conflict, the Contractor shall notify the Landscape Architect

Establish exact locations of services. drains, sewers and water supply lines and points prior to commencing works protected for loading and in transit. and ensure their protection during the

Figured dimensions shall take precedence over scale measurements and large scale drawings over small scale. Unless otherwise specified the Drawings and Specification shall include everything reasonable for the proper and entire completion of the

Verify discrepancies between Specification and Drawings with the Landscape Architect before proceeding with the particular work. Failure to do so will not be taken as a reason to claim for extra work.

Convey soils, earth, sand, loose debris and the like to or from the site in a manner that will prevent dropping of materials on streets, public and private areas. Ensure that the wheels, tracks and body surfaces of all vehicles the Contract, other than that forming and plant leaving the site are free of mud and that mud is not carried onto adjacent paved streets or other areas. Restrict dust caused by the Works to a minimum. Take all practicable steps to minimise noise resulting from the

Check all delivery tickets, labels, identification marks and, the goods themselves to ensure that all products comply with the project documents. Where different types of any product are specified, check to ensure that the correct type is being used in each location. In particular, check that:-All stock has been adequately

The sources, types, qualities, finishes and colours are correct, and match any approved samples The correct species, cultivars, pot sizes, plant height, girth or spread have been supplied for each consignment from the supplier. All materials should be clean. undamaged and otherwise in good

Ensure adequate provision is made for the protection and storage of deliveries. In particular ensure that:-Materials which may deteriorate with storage must not be stockpiled on site Adequate and appropriate provision is made for storage prior to deliveries arriving on site. ALL materials in storage are to be suitably protected from physical damage and extremes of weather. Keep storage areas neat



#### **EXCAVATION AND EARTHWORKS**

Unless otherwise specified, reinstate

all existing surfaces, items, structures

and anything disturbed or damaged by

the performance of the works, to its

condition at the commencement of

part of or directly modified by the new

Remove and cart away debris, spoil

and surplus building materials from

exception of those works associated

The Landscape Subcontractor is to

measures, inspections and safeguards

to ensure Fire Ants do not enter the

allow to carry out all necessary

materials and plant stock.

the site and buildings, with the

with others prior to practical

Fire Ant Control

Inspect the site and ascertain the nature of excavation required and the working conditions that will be encountered prior to the commencement of work. The location of topsoil stockpiles, roadway and cut embankment profiles and water connection points must be taken into account.

Surface drainage shall be diverted clear of excavations and covers shall be provided where necessary for safety. Ensure that run-off is not concentrated onto adjoining properties and does not cause a uisance thereto. Finished surfaces shall be graded in accordance with Construction Plans.

Erect barriers as required to prevent excavated material and rocks from intruding onto adjoining



#### **CULTIVATION & SUBSURFACE**

The Landscape Subcontractor is to provide for sufficient surface and sub-surface drainage to garden and grass areas to ensure adequately drained soft landscaped areas free from surface ponding water and heavy/ waterlogged soils. Surface and sub-surface drainage is to aid in the healthy growth and continued thriving of all plant stock and grass

DRAINAGE

Comply with the relevant Australian Standards to the extent that they are relevant and not over-ridden by the

Cultivate sub-grade to a minimum depth of 150mm prior to placing topsoil to all planting and turf areas on ground.

Minimum cross falls of 1:50 on planting and pathways to drainage collection points and overflow points. Planting areas should not



#### FILL & TOPSOIL

Fill and subsoil material used to make up levels shall be re-used from previous earthworks operations on site where possible which is composed of natural site subsoils but free from stones, sticks, roots rubbish and material toxic to plant

Supply and install imported topsoil where necessary that complies with Australian Standards to all turf (100mm) and garden (300mm) areas as shown on drawings unless otherwise specified. Ensure modified site soil is free from stones, sticks, roots, rubbish and material toxic to plant growth. Modified topsoil shall have a friable structure with good drainage and high organic content



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

PLANT SUPPLY

The Landscape Contractor shall

supply plants as specified in the

planting schedule. Plants shall be

disease and fungal infection.

Architect.

prior consent of the Landscape

Ensure that trunks and branches

sunburn and secretions. Trunk and

branches are to be evenly tapered

and textured typical of the specie.

Plant material is to be matured

enough to support themselves

are free of dieback, cavities,

delivered on site true to pot size,

species and type, and free of weeds,

Substitutes will not be made without

The Landscape Contractor shall ensure measures to minimise erosion and situation. Take all precautions necessary to prevent erosion, contamination and sedimentation of the site, surrounding areas, water and drainage systems, in accordance with the Environmental Protection (Water) Policy 1997.

Methods of protection shall include but not be limited to the following:

- Construction of temporary surface swales;
- Diversion and dispersal of concentrated flows to point where the water can pass through the site without damage:
- Construction and maintenance of silt traps (eg hay bales) to prevent the discharge of scoured materials to downstream areas;
- Progressive restoration of disturbed areas:
- Construction of temporary siltation fencing.

Any erosion damage reinstatement or cleanup as a result of the contractor not adequately protecting the site, materials or the works shall be the responsibility of the landscape contractor

Remove temporary erosion control measures when they are no longer



#### **FERTILISER**

Provide proprietary fertilisers. delivered to the site in sealed bags marked to show manufacturer or vendor, weight, fertiliser type, N:P:K ratio, recommended uses and application rates. Store in a dry secure environment. Apply according to manufacturer's (rate/reapplication/watering)



#### MAINTENANCE/ **ESTABLISHMENT PERIOD**

**EXISTING TREES** 

trees and surroundings.

prevent regrowth.

Protect all existing vegetation unless

otherwise specified. All vegetation

and weed removal is to be carried

out using industry standard accepted

safety procedures and equipment to

ensure personal and environmental

protection. Avoid damage to nearby

75mm diameter to a minimum depth

of 500mm below sub-grade. Stumps

less than 75mm diameter shall be

Completely remove woody weeds

within the extent of works.

cut off at ground level and treated to

Grub out stumps and roots over

Maintenance of all landscape works is to be carried out by the Contracto until completion of the landscape

Maintenance includes replacement of dead and/or diseased plant stock, removal of weeds and rubbish, weed spraying and mowing



#### **ENVIRONMENTAL** PROTECTION

The Landscape Contractor should consider in every instance whether the use of chemicals is strictly necessary before application, and assess the product, site conditions and species to ensure minimum risk to his employees, other users of the site and the environment, and take appropriate safety precautions in accordance with all current statutory



### **TURFING**

Supply and install A-grade turf (variety specified on drawings) to areas shown on drawings. Finishing levels should be flush with adjacent surfaces unless otherwise detailed. Spread topsoil and grade surface to ensure a level finished surface. which drains to nominated field

Turf to be free from nutgrass or other noxious weeds or any other naterial deleterious to plant growth.

Deliver the turf within 24 hours of cutting, and lay it within 36 hours of cutting. Prevent it from drying out between cutting and laying



Supply and install organic mulch to a minimum of 100mm and gravel mulch to a minimum of 50mm Ensure mulch meets Australian Standards and is free from deleterious matter, fungi and disease. Mulch shall finish 25mm below adjacent surfaces.

PROJECT

230802 PARKLAKE ADARE Park 63 redbank creek road,

adare gld 4343

stage 7 park | specifications

aug 2025 a



parklake adare











