

IN THE PLANNING AND ENVIRONMENT COURT

HELD AT BRISBANE

QUEENSLAND

L.G.A. No. 77 of 1985

BETWEEN:

VON INVESTMENTS PTY LTD

Appellant

AND:

COUNCIL OF THE SHIRE OF REDLAND

Respondent

BEFORE HIS HONOUR JUDGE

Row

THE 14th DAY OF OCTOBER, 1992

JUDGMENT

filed on behalf of
(the Appellant)

This matter is an appeal against the whole of the decision of the Respondent in refusing the Application of the Appellant to exclude the following land from the Rural Zone and to include it in the Special Facilities zone as per Plan of Development entitled "Bushland Residential No. Rev "A"6" Zone, namely Portion 372 and Sub-Division 2 of Portion 142 and Lot 1 on Registered Plan No. 152467 in the County of Stanley Parish of Redland containing 113.7 hectares and situated at Mount Cotton Road, Mount Cotton, which decision was notified by the Respondent Shire Clerk by letter dated the 4th day of March, 1985 received on the 11th day of March, 1985

PRIMROSE COOPER
CRONIN RUCKIN

Solicitors

35-39 Scarborough

Street

SOUTHPORT

Tel: (07) 5531 1111

Ref: 5/92/1831

UPON HEARING the Solicitor for the Appellant and the Solicitor for the Respondent

BY CONSENT IT IS ORDERED that the said Appeal be allowed and that the Application be approved whereby



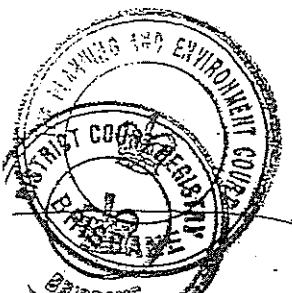
the subject land is to be included in the above special facilities zone subject to compliance by the Appellant with the following conditions:-

1. The development shall be carried out in accordance with the Plan of Development Reference No. Rev "A" 6 (job No. 7.474.A477) of Bennett and Bennett, Consulting Surveyors, dated 30.6.91, or as required or agreed in writing by the Council. All conditions of approval are applicable to the site, with the exception of proposed Lot 110 only. Lot 110 will not be included as part of the development plan.

2. The Council and any other appropriate authority shall be paid the cost of any alterations necessary to public utility mains, services or installation involved in the construction of any works required pursuant to any condition of rezoning or works carried out in connection with the proposed development.

3. All statutory and any other applicable requirements of a Commonwealth or State Government Department, Statutory Authority and other Body Corporate acting under the authority of a statute shall be complied with by the Applicant provided that where any such requirements other than a mandatory statutory requirement conflicts with any requirement of the Council, it shall be determined by the Council which requirements shall prevail or what other action shall be taken.

4. All relevant Council By-laws, Regulations



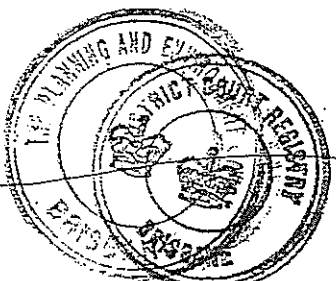
and Policies shall be complied with fully and to the complete satisfaction of the Council.

5. The Applicant shall construct:-

5.1 electricity reticulation to each allotment; and

5.2 street lighting in each existing road frontage on which street lighting is not provided and each new road in accordance with Australian Standard AS1158.1, to the standards required by the South East Queensland Electricity Board and the Council prior to the Council being required to sign and seal the first plan of survey prepared in connection with the proposed development. This provision does not apply along the unmade road to Heinemann Road.

6. The Applicant shall pay to the Council a contribution towards the augmentation of water supply headworks, in accordance with the Council's adopted policy in that regard, prior to the Council being required to seal and release any plan of subdivision of the said land following gazettal of the proposed rezoning at the rate per additional lot created from the said land current under that policy in respect of the proposed development at the time of payment. The Applicant acknowledges that this contribution does not cover the cost of water



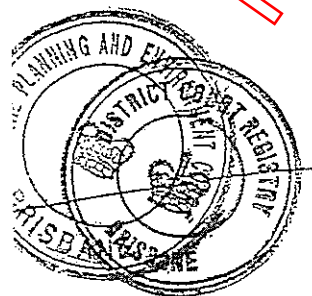
reticulation to individual allotments in connection of the said land to the Council's water supply system and that all such costs are the responsibility of the Applicant.

7. A Staged Plan shall be provided upon submission of a subdivision application indicating the proposed staging of the development for approval.

8. All land indicated as "Park" or "Pathway" on the plan of development shall be dedicated to Council in fee simple prior to Council being required to sign and seal any plan of subdivision.

9. All buildings and other improvements including septic and sullage transpiration beds and absorption trenches in individual allotments shall be located entirely within the pre-selected dwelling house sites indicated on the Plan of Development, such site disposing of sullage to be in accordance with the adopted Council policies.

10. Any tree clearing of the site shall be permitted only within the area of a pre-selected dwelling house site and where necessitated by the construction of roadworks, services and access to pre-selected dwelling house sites. Except as provided for by this approval and any associated town planning consent, building or subdivision approval, the provisions of Chapter 56 -Tree Protection of Council's Bylaws under which the subject land is included within Tree Protection Area 4 shall remain applicable and the provisions



contained therein shall be read in conjunction with this condition.

11. For the purposes of the Table of Zones for the Special Facilities Zone the following uses shall be considered to form part of the Plan of Development and represent purposes indicated on the Scheme Map and shall not require further town planning approvals where erected or conducted within the area of a pre-selected dwelling house site:

- (i) Dwelling houses not exceeding two (2) storeys in height.
- (ii) Relatives apartments except where exceeding forty (40) square metres in floor area or where detached from dwelling house.
- (iii) Domestic pets other than cats, dogs or any other animal likely in the opinion of Council to pose a threat to native wildlife.

Any proposal to amend the location, orientation or shape of a pre-selected dwelling house site shall require separate application and approval. The Council shall not give favourable consideration to any such application to amend a pre-selected dwelling house site which increases the area of the site beyond 2000 square metres, or alternatively causes loss of fauna habitat above that which would have occurred on the original site.

Any development outside of a pre-selected dwelling house site or amended dwelling house site approved



by the Council shall be prohibited development. Notwithstanding sub-clause (iii) above domestic dogs will be permitted provided they are registered and provided they are retained or restrained within the prescribed development area when those prescribed development areas are fenced in a manner acceptable to the Council.

12. With respect to any amendment to pre-selected dwelling sites:

(i) no amendment shall be permitted after clearing of the original 2000 square metre site has occurred.

(ii) no amendment shall be allowed that subdivides individual sites into smaller groups, or alters the shape of the site from a regular, contiguous shape.

13. The design and construction of roads shall include a method of controlling traffic speed at points where prime habitat corridors cross roads. Such traffic control devices may include pavement alignment deviation or narrowing, pavement surface material changes, humps, raised platforms, signage and/or linemarking and shall be designed and constructed to the satisfaction of the Shire Engineer. Domestic driveways may be constructed without prior Council approval.

14. The design and construction of roads and drainage shall utilise techniques approved by the Shire Engineer which have the following



characteristics:

- (i) retain existing trees located within proposed road reserves and drainage paths wherever possible.
- (ii) avoid the need for major earthworks and concrete drainage structures except in circumstances where no other solution is practicable.
- (iii) provide finished carriageways of a width and on a vertical and horizontal alignment which clearly indicate to road users that the roads perform a residential access function only and are not through routes.

15. Gravel tracks for emergency access and egress shall be provided from the southern end of the major spine road to the southern boundary of the subject land and from the nearest point of the easternmost cul-de-sac (between proposed Lots 39 and 40) to the road reserve to the east.

16. Roadworks and lighting to the satisfaction of the Shire Engineer and the Department of Transport shall be undertaken at the point of access to Mount Cotton Road to provide sight-lines and vehicle stopping distances to accepted traffic engineering standards.

17. Access to proposed lots 1 to 5 shall be provided in such a manner that the tree-lined section of the gully shall not be crossed by



individual access easements except where indicated on Plan of Development Reference No. Rev "A" 6 Job No. 7.474.A477 when providing such access to the proposed lots 1 to 5.

18. Building approval for the construction of dwelling houses by slab-on-ground methods requiring cut and fill earthworks will not be approved on pre-selected dwelling house sites with a grade exceeding 1 in 4 or on any other site on which, in the opinion of the Council, such construction methods would result in unacceptable bank instability, create drainage and erosion problems, or detrimentally affect the visual character of the site on the locality generally.

19. Any fencing of individual allotments shall occur only around or within the pre-selected dwelling house sites or amended dwelling house sites approved by the Council. Fencing shall not be erected on allotment boundaries unless such fencing is such that it does not impede fauna movement and as such can be described as fauna friendly fencing.

20. The plan shall be amended to accommodate the requirements of the Rural Fire Board recommendations.

21. There shall be provided by the developer in respect of each allotment where the building platform exceeds RL86 metres separate reticulated water supply system through agreed means such as booster facilities through a variable speed pump from the Council's reservoir.



22. Council be not prepared to approve of septic and sullage disposal except in accordance with current Council policies.

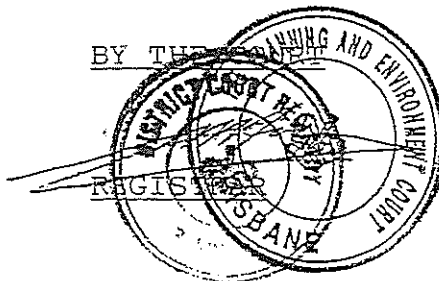
23. Notwithstanding any prior Order of the Court, each of the parties to this appeal shall bear its own costs in relation hereto.

24. The Respondent shall make application to the Minister for Housing and Local Government to amend the Town Planning Scheme for the Shire of Redland by deleting the said land from the Rural Zone and including it in the Special Facilities Zone as per Plan of Development entitled "Bushland Residential No. Rev "A6" Zone"

25. The Respondent shall within sixty (60) days from the payment by the Appellant of any sum (other than the sums payable under clause 6 hereof) to the Respondent required pursuant to the terms of the Order commence to take and do the steps and things prescribed by Section 33(7) of the Local Government Act to be done and taken by it in respect of the Application.

IT IS FURTHER ORDERED that each party shall have liberty to apply.

BY THE COURT



REDLAND SHIRE COUNCIL

DATE: 5th February 1993 **FILE REF:** S3317 DDK:kam
TO: DEVELOPMENT SERVICES MANAGER
FROM: SUPERVISOR DEVELOPMENT SERVICES - OFFICE
SUBJECT: PROPOSED STAGED SUBDIVISION
LOT 2 ON S1 4259, LOT 372 ON S31 2752, LOT 1 ON RP152467,
PARISH OF REDLAND - VON INVESTMENTS PTY LTD
MOUNT COTTON - STAGE 1

Background

An application has been submitted to Council for approval of the proposed staged subdivision of Lot 2 on S1 4259, Lot 372 on S31 2752, Lot 1 on RP152467, Parish of Redland.

Approval of the Council is also sought to the staging of the development into 6 stages and for the detailed approval of stage 1 as per the plan submitted.

The applicant would submit detail plans to Council for approval of future stages as required.

Synopsis

This application is referred to the Environment, Planning and Development Committee for consideration.

Consultation

Environment and Planning Services were consulted prior to writing this report.

Discussion and Conclusion

The subject land is zoned Special Facilities.

The submission is for a 6 staged development. Stage 1 proposes to create lot 110 as a retention area of 3.30 hectares for the present owners, [REDACTED] with access initially being by way of the existing access of Mount Cotton Road but with access from within the estate being provided from within the estate during development of the estate.

The Department of Transport has been consulted on the above proposal. The slip lane proposals submitted to D.O.T. adversely affect access provisions for the adjacent Mount Cotton State School and it is recommended that a high entry angle left turn slip lane which accords with the provisions of AUSTROADS document "Intersections at Grade" should be considered in this regard.

It is also envisaged that D.O.T. may have certain requirements for widening of Mount Cotton Road Reserve on parts of the frontage of the estate. D.O.T. has to be further consulted on this matter.

Access to Council's reservoir constructed on Lot 1 - RP147834 is to be provided by way of a 6 metre easement over part of proposed lot 9 from the proposed cul-de-sac.

No decision has been made on the choice of estate street names and the applicant is awaiting Council instructions on this matter.

The subdivisional layout and road location proposed have been based on planning requirements and the general topograph of the site. The final location and alignment of the roads may well require modification to satisfy engineering, traffic and environmental requirements and this is to be done following a detailed site survey.

The following are proposed road design criteria:

Access roads and cul-de-sacs (serving less than 20 allotments)

i)	road reserve width	15 m
ii)	pavement width	7 m
iii)	design speed	< 40 km/hr
iv)	maximum grade	15%

Collector Road

i)	road reserve width	20 m
ii)	pavement width	8 m
iii)	design speed	60 km/hr
iv)	maximum grade	12%

In addition to Engineering Design Standards the design and construction of the roads will incorporate methods of controlling traffic speed especially through the proposed collector road. Such speed control devices shall include pavement alignment deviation or narrowing, alternative pavement surface materials or other devices that may be approved by the Council.

Stormwater Drainage

Stormwater drainage within the development may include open natural water courses within allotments where such will remain stable, fully piped drainage within road reserves, with:-

- i) kerb and channel on both sides of all roads
- ii) gully pits at locations such that the flow in the channel does not exceed specified limits
- iii) fully piped drainage from all gully pits to approved outfalls
- iv) pipe or concrete box culverts at road crossings of natural water courses, extended beyond the limits of the road reserve to an approved outfall.

Electricity Reticulation, Street Lighting and Telecom Services

It is the developers intention to provide an underground electricity supply system throughout the estate. This presumably means that Telecom services will also be underground.

Recommendation

That the application for stage 1 of the subdivision of,

Lot 2 on S1 4259
Lot 372 on S1 752
Lot 1 on RP 152467

Parish of Redland

in accordance with the layout shown on Plan 6 Rev C dated 30th May, 1991, submitted by Bennett and Bennett Consulting Surveyors be approved subject to:

1. Compliance with the condition of the rezoning as per the Court Order L.G.A. No 77 of 1985 of the Planning and Environment Court.
2. Compliance with the Department of Transport requirements in relation to,
 - a) Design and construction of intersection and provision of slip lanes on Mount Cotton Road including any necessary street lighting.
 - b) Widening of Mount Cotton Road reserve on parts of the frontage of the estate.
3. Provision of booster pumps to ensure that all lots are supplied with water at a minimum pressure head of 22 m at the centre of the building envelope for the lot.
4. The Easement Document relating to Easement 'A' on RP147834 shall be amended to include a statement regarding the need to obtain vehicular access through the boundary fencing from one allotment to the next along the line of the easement.
5. Design and construction of the Collector Road within a 20 metre reserve to a safe design speed of 60 kph and to the following standards:-
 - a) footpath earthworks, topsoil and grassing to Council standards,
 - b) concrete kerb and channel on an alignment of 6 metres,
 - c) underground drainage to Council standards, discharging to approved outfalls,
 - d) road construction including bitumen surfacing between proposed concrete channels,
 - e) existing trees within the proposed footpaths are to be retained unless approved to be removed,
6. Construction of the Cul-de-Sac to Council standards 7 metres between kerbs.

7. Provision of underground electricity reticulation to each lot and street lighting to Australian Standard A.S.1158.1 and the requirements of SEQEB and Council.
8. Installation of underground telephone conduits to service each lot.
9. Provision of water supply reticulation to each lot.
10. Contribution to water supply augmentation in accordance with Council policies at rates applicable at the time of signing and sealing subdivision plans. (Contributions are reviewed annually on 1st July. Current rate \$3450 per Lot of 6000 m².)
11. Contribution to street tree planting in accordance with Council policies at rates applicable at the time of signing and sealing subdivision plans (currently \$50 per lot).
12. Construction of access to lots 2-5, 7 and 9 to be minimum standard concrete car tracks to a length of 50 metres and thereafter may be bitumen surface tracks. Any car tracks that are through a gully to be full width concrete tracks.

Access to the Council Reservoir site to be via an industrial crossing Type B of width 6 metres, depth 175 mm with F82 mesh and concrete access 3 metres width, depth 150 mm with F82 mesh, upto 50 m from the invert crossing.

Access to lot 9 to be minimum standard concrete car tracks beyond the reservoir access.
13. Corner truncation on lots 6 and 11.
14. Provision of minimum 6 metres by 3 chord truncations at the corners of lots 1 and 109, or as the design of the intersection may dictate.
15. Submission from a geotechnical engineer that all areas that have been disturbed are compacted to Council requirements.
16. No filling shall be placed in parks except for filling of minor depressions without approval of the Parks Director.


SUPERVISOR DEVELOPMENT SERVICES - OFFICE

Approved.


REDLAND SHIRE COUNCIL

DATE: 10TH FEBRUARY, 1993 **FILE REF:** 3317 SC:ld
TO: DIRECTOR - ENVIRONMENT, PLANNING & DEVELOPMENT
FROM: PLANNING OFFICER
SUBJECT: PROPOSED STAGE 1 SUBDIVISION: LOTS 1-12, 103-108,
109-111 & 116 - MOUNT COTTON ROAD; MT. COTTON FOR
VON INVESTMENTS PTY. LTD.

**PROPOSED STAGE 1 SUBDIVISION: LOTS 1-12, 103 -108, 109-111 &
116. MOUNT COTTON ROAD; MT. COTTON FOR VON INVESTMENTS
PTY. LTD.**
(3317)

Application has been made to subdivide the abovementioned site into Stage 1 consisting of twenty (20) allotments and parkland in accordance with Job No. 7.474.A477 - Bennett & Bennett Consulting Surveyors. A further six stages have been indicated.

The site is zoned Rural Non Urban. The land is the subject of a Court Order, which specifies the terms of development approval. The rezoning application has been referred to the Minister for Gazettal.

The proposed subdivision is in accordance with that approved in association with the rezoning application and basically involves the establishment of allotments in the size range 6000 square metres to 1.6 hectares. Each allotment has been given a 2000 square metre pre-selected dwelling house site, in accordance with conditions specified in the Court Order. 6.89 hectares of park is to be dedicated to Council in association with Stage 1 approval -

Access to Council's reservoir constructed on Lot 1 - RP. 147834 is to be provided by way of a six (6) metre easement over part of proposed Lot 9 from the proposed cul-de-sac.

The final location and alignment of the roads may well require modification to satisfy engineering, traffic and environmental requirements specified in the rezoning application.

Advice is also required from the Department of Transport, with respect to access and road widening requirements from Mt. Cotton Road.

The following names have been provided for the new roads:

Road "A" - first choice - PARKLANDS DRIVE
- second choice - SANCTUARY DRIVE

Road "B" - first choice - TALLOW WOOD COURT (or PLACE)
- second choice - GREY GUM COURT (or PLACE)

Council already has nine roads in the Shire which use the prefix "Park". It is suggested that "Sanctuary Drive" is more in keeping with the spirit of the rezoning and subdivision.

"Tallow Wood" Court does not exist elsewhere in the Shire and is therefore considered acceptable.

Recommendation.

It is recommended that Council

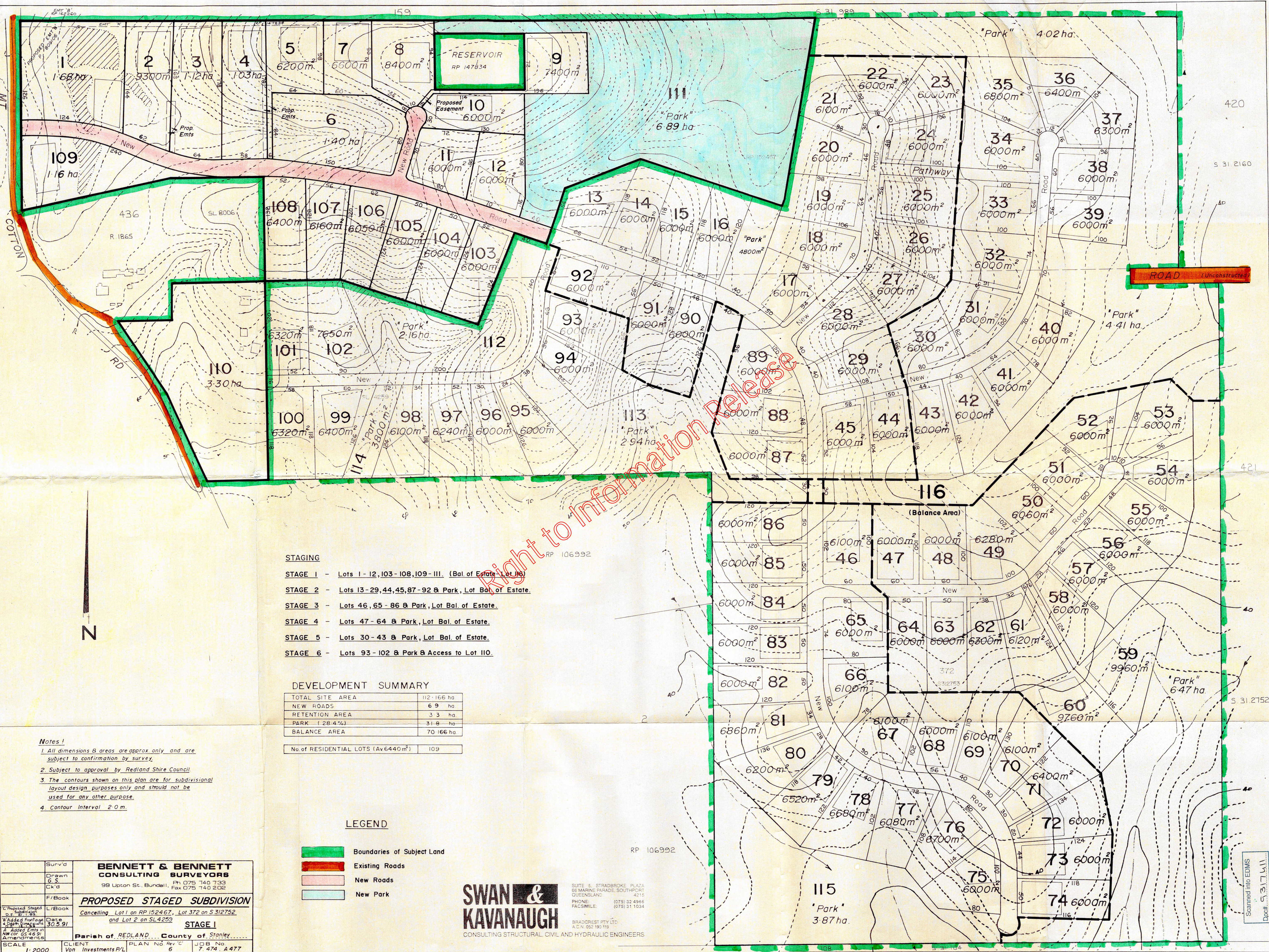
1. Approve the proposed development of the site in six stages as indicated on Drawing Ref: 7.474.A477 Rev C - Bennett & Bennett Consulting Surveyors.
2. Approve the proposed Stage 1 subdivision into twenty (20) allotments and park as indicated on Drawing Ref: 7.474.A477 Rev C - Bennett & Bennett Consulting Surveyors subject to:
 - (i) Gazettal of the subject property to 'Special Facilities'
 - (ii) Compliance with conditions of rezoning as specified in the Court ord L.G.A. No.77 of 1985 of the Planning and Environment Court.
 - (iii) Incorporation of the requirements of the Department of Transport.
3. That Council accept the names "Sanctuary Drive" and "Tallow Wood Court" for the two new roads within Stage 1.
4. CONDITIONS SPECIFIED BY THE DEVELOPMENT SERVICES DEPARTMENT.



(Planning Officer)

Noted - Agreed.





- STAGING
- STAGE 1 - Lots 1 - 12, 103 - 108, 109 - 111. (Bal. of Estate Lot 106)
 - STAGE 2 - Lots 13 - 29, 44, 45, 87 - 92 & Park, Lot Bal. of Estate.
 - STAGE 3 - Lots 46, 65 - 86 & Park, Lot Bal. of Estate.
 - STAGE 4 - Lots 47 - 64 & Park, Lot Bal. of Estate.
 - STAGE 5 - Lots 30 - 43 & Park, Lot Bal. of Estate.
 - STAGE 6 - Lots 93 - 102 & Park & Access to Lot 110.

DEVELOPMENT SUMMARY	
TOTAL SITE AREA	112.166 ha
NEW ROADS	6.9 ha
RETENTION AREA	3.3 ha
PARK (28.4%)	31.8 ha
BALANCE AREA	70.166 ha
No. of RESIDENTIAL LOTS (Av. 6440m ²)	
109	

- Notes:
- All dimensions & areas are approx. only and are subject to confirmation by survey.
 - Subject to approval by Redland Shire Council.
 - The contours shown on this plan are for subdivisional layout design purposes only and should not be used for any other purpose.
 - Contour Interval 2.0 m.

LEGEND

- Boundaries of Subject Land
- Existing Roads
- New Roads
- New Park

Surv'd
Drawn
G.S.
Ck'd
F/Book
L/Book
Date
30.5.91
Scale
1:2000

BENNETT & BENNETT
CONSULTING SURVEYORS
99 Upton St., Bundall, Ph 075 740 733
Fax 075 740 202

PROPOSED STAGED SUBDIVISION
Cancelling Lot 1 on RP 152467, Lot 372 on S 312752
and Lot 2 on SL 4253
STAGE 1
Parish of REDLAND, County of Stanley

CLIENT
Von Investments P/L

PLAN No. Rev. C
6

JOB No.
7.474. A 477

SWAN & KAVANAUGH
CONSULTING STRUCTURAL, CIVIL AND HYDRAULIC ENGINEERS

SUITE 6, STRADBROKE PLAZA
68 MARINE PARADE, SOUTHPORT
QUEENSLAND 4215
PHONE: (075) 32 4966
FACSIMILE: (075) 31 1934
BRADCREST PTY LTD
A.C.N. 052 190 119

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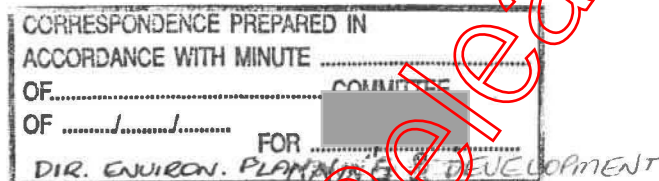


B/C Town Planning
Map Room

Your Ref:- 7.474.A477
Our Ref:- 3317 EG/JK
Contact:- Development Services

Bennett & Bennett
Consulting Surveyors
P O Box 5021
GOLD COAST MAIL CENTRE QLD 4217

24th February, 1993



Dear Sirs,

Re: Von Investments Pty. Ltd. Proposed Subdivision Lots 1-12, 103-108 & 109-111 (Stage 1) cancelling Part of Lot 2 on S14259, Lot 372 on S312752 and Lot 1 on RP 152467, Parish of Redland, Mt. Cotton Road, Mt. Cotton

Reference is made to your letter dated 22nd January, 1993, submitting application to subdivide the above property into 19 Special Facilities lots, and your facsimile dated 3rd February, 1993, submitting street names for the new streets created within the development.

These matters were considered at a recent meeting of Council and you are advised that the application for Stage 1 of the subdivision of Lot 2 on SL 4259, Lot 372 on S312752 and Lot 1 on RP 152467, Parish of Redland into 19 Special Facilities lots in accordance with the layout shown on Plan 6 Rev C dated 30th May, 1991, is approved subject to prior gazettal of the rezoning and the following conditions:-

1. Compliance with the condition of the rezoning as per the Court Order L.G.A. No 77 of 1985 of the Planning and Environment Court.
2. Compliance with the Department of Transport requirements in relation to:-
 - a) Design and construction of intersection and provision of slip lanes on Mount Cotton Road including any necessary street lighting.
 - b) Widening of Mount Cotton Road reserve on parts of the frontage of the estate.
3. Provision of booster pumps to ensure that all lots are supplied with water at a minimum pressure head of 22 m at the centre of the building envelope for the lot.
4. The Easement Document relating to Easement 'A' on RP147834 shall be amended to include a statement regarding the need to obtain vehicular access through the boundary fencing from one allotment to the next along the line of the easement.

PUNCHED
31 MAR 1993

REDLAND SHIRE COUNCIL

Box 21 Cleveland 4163 Queensland
Phone 286 8686 Fax 286 8765

5. Design and construction of the Collector Road within a 20 metre reserve to a safe design speed of 60 kph and to the following standards:-
 - a) footpath earthworks, topsoil and grassing to Council standards,
 - b) concrete kerb and channel on an alignment of 6 metres,
 - c) underground drainage to Council standards, discharging to approved outfalls,
 - d) road construction including bitumen surfacing between proposed concrete channels,
 - e) existing trees within the proposed footpaths are to be retained unless approved to be removed,
6. Construction of the Cul-de-Sac to Council standards 7 metres between kerbs.
7. Provision of underground electricity reticulation to each lot and street lighting to Australian Standard A.S.1158.1 and the requirements of SEQEB and Council.
8. Installation of underground telephone conduits to service each lot.
9. Provision of water supply reticulation to each lot.
10. Contribution to water supply augmentation in accordance with Council policies at rates applicable at the time of signing and sealing subdivision plans. (Contributions are reviewed annually on 1st July. Current rate \$3450 x 19 lots).
11. Contribution to street tree planting in accordance with Council policies at rates applicable at the time of signing and sealing subdivision plans (currently \$50 x 19 lots).
12. Construction of access to lots 2-5, 7 and 9 to be minimum standard concrete car tracks to a length of 50 metres and thereafter may be bitumen surface tracks. Any car tracks that are through a gully to be full width concrete tracks.

Access to the Council Reservoir site to be via an industrial crossing Type B of width 6 metres, depth 175 mm with F82 mesh and concrete access 3 metres width, depth 150 mm with F82 mesh, upto 50 m from the invert crossing.

Access to lot 9 to be minimum standard concrete car tracks beyond the reservoir access.
13. Corner truncation on Lots 4, 6 and 11.

14. Provision of truncations at the corners of Lots 1 and 109 as required by the design of the intersection may dictate.
15. Submission from a geotechnical engineer that all areas that have been disturbed are compacted to Council requirements.
16. No filling shall be placed in parks except for filling of minor depressions without approval of the Parks Director.

You are further advised that Council accepts the names "Sanctuary Drive" and "Tallowood Court" for the two new roads within Stage 1.

In accordance with Section 5.3(3) (b) of the Local Government (Planning and Environment) Act 1990, no subdivision plan will be approved until rates and charges are paid in full.

The above conditional approval will remain valid in accordance with By-Laws 9 and 10 of Chapter 25 of Council's Subdivision By-Laws.

Yours faithfully,

Robert Mackie,
CHIEF EXECUTIVE OFFICER/SHIRE CLERK.

Right to Information released

REDLAND SHIRE COUNCIL

DATE: 6th July 1993 **FILE REF** S3317 DDK:kam
TO: ENVIRONMENT, PLANNING AND DEVELOPMENT COMMITTEE
FROM: MANAGER DEVELOPMENT SERVICES
SUBJECT: PROPOSED STAGED SUBDIVISION - LOT 2 ON S1 4259 AND
S31 2752, LOT 1 ON RP.152467, PARISH OF REDLAND
VON INVESTMENTS PTY LTD - MOUNT COTTON - STAGE 1

Background

An application has been submitted to Council for approval of Stage 2 of the proposed staged subdivision of Lot 2 on S1 4259, Lot 372 on S31 2752, Lot 1 on RP.152467, Parish of Redland.

Synopsis

This matter is referred to Committee for consideration in accordance with the requirements of the Town Planning Scheme, Subdivision of Land By-Laws and the Local Government (Planning & Environment) Act, 1990/92.

Consultation

Planning and Environmental Services were consulted prior to writing this report.

Discussion and Conclusion

The subject land is zoned Special Facilities.

The subdivisional layout and road location proposed have been based on planning requirements and the general topography of the site. The final location and alignment of the roads may well require modification to satisfy engineering, traffic and environmental requirements and this is to be done following a detailed site survey.

The following are proposed road design criteria:

Access roads and cul-de-sacs (serving less than 20 allotments)

i)	road reserve width	15 m
ii)	pavement width	7 m
iii)	design speed	< 40 km/hr
iv)	maximum grade	16%

Collector Road

i)	road reserve width	20 m
ii)	pavement width	8 m
iii)	design speed	60 km/hr
iv)	maximum grade	12%

It is not practical to maintain a design speed of 60 kph at the highest crest between Stages 1 and 2, and a design speed of 50 kph may be used with appropriate road widening, signage and line marking in this section.

In addition to Engineering Design Standards the design and construction of the roads will incorporate methods of controlling traffic speed especially through the proposed collector road. Such speed control devices shall include pavement alignment deviation or narrowing, alternative pavement surface materials or other devices that may be approved by the Council.

Stormwater Drainage

Stormwater drainage within the development may include open natural water courses within allotments where such will remain stable, fully piped drainage within road reserves, with:-

- i) kerb and channel on both sides of all roads
- ii) gully pits at locations such that the flow in the channel does not exceed specified limits
- iii) fully piped drainage from all gully pits to approved outfalls
- iv) pipe or concrete box culverts at road crossings of natural water courses, extended beyond the limits of the road reserve to an approved outfall.

The proposed new road is a downhill cul-de-sac and shall require a minimum of 10 metres width drainage reserve/pathway both to satisfy Council subdivisional requirements for overland flow drainage purposes and to act as an emergency escape route during bush fire.

Electricity Reticulation, Street Lighting and Telecom Services

It is the developers intention to provide an underground electricity supply system throughout the estate. This presumably means that Telecom services will be underground.

Recommendation

That the application for Stage 2 of the subdivision of,

Lot 2 on S1 4259
Lot 372 on S1 752
Lot 1 on RP 152467

Parish of Redland

into 25 - Park Residential lots in accordance with the layout shown on Plan 6 Rev D dated 30th May 1991, submitted by Bennett and Bennett Consulting Surveyors be approved subject to:

1. Compliance with the condition of the rezoning as per the Court Order L.G.A. No 77 of 1985 of the Planning and Environment Court.
2. Provision of booster pumps to ensure that all lots are supplied with water at a minimum pressure head of 22 m at the centre of the building envelope for the lot.

3. Design and construction of the Collector road within a 20 metre road reserve to a safe design speed of 60 kph and to the following standards:-
 - a) footpath earthworks, topsoil and grassing to Council standards,
 - b) concrete kerb and channel on an alignment of 6 metres,
 - c) underground drainage to Council standards, discharging to approved outfalls,
 - d) road construction including bitumen surfacing between proposed concrete channels,
 - e) existing trees within the proposed footpaths are to be retained unless approved to be removed.
 - f) In sections such as the crest between Stages 1 and 2 a design speed of 50 kph may be used with appropriate road widening, signage and line marking to Council approval.
4. Construction of the cul-de-sac to Council standards and at 7 metres between kerbs.
5. The lot layout to be amended to accommodate a pathway of 10 metres width, at the head of the cul-de-sac.
6. Provision of underground electricity reticulation to each lot and street lighting to Australian Standard A.S.1158.1 and the requirements of SEQEB and Council.
7. Installation of underground telephone conduits to service each lot.
8. Provision of water supply reticulation to each lot.
9. Contribution to water supply augmentation in accordance with Council policies at rates applicable at the time of signing and sealing subdivision plans. (Contributions are reviewed annually on 1st July. Current rate \$3600 per lot of 6000 m²).
10. Contribution to street tree planting in accordance with Council policies at rates applicable at the time of signing and sealing subdivision plans (currently \$50 per lot).
11. Dedication of all land indicated as park or pathway within Stage 2 to Council in fee simple for park (Town Planning) purposes.
12. Provision of minimum 6 metres by 3 chord truncations at the corners of lots 17, 28, 29 and 45.
13. Submission from a geotechnical engineer that all areas that have been disturbed are compacted to Council requirements.

14. No filling shall be placed parks except for filling of minor depressions without approval of the Parks Director.



MANAGER DEVELOPMENT SERVICES

Right to Information Release

Date: 5th July, 1993

File: 3317/R679

To: Manager Planning & Environmental Services

From: Supervisor Planning Services

Subject: Proposed Stage 2 Subdivision Von Investments - Mount
Cotton Road, Mount Cotton

I refer to the application to subdivide land described as Lot 2 on S14259, Lot 372 on S12752 and Lot 1 on RP 162467, Parish of Redland into twenty seven (27) allotments representing Stage 2 of the Von Investments Development.

The proposed layout complies with that approved in association with the Court settlement. There are no Town Planning problems foreseen in re-positioning the pathway between Lots 22 and 23 as indicated.

Recommendation

That Stage 2 as indicated in Drawing Ref: 7.474. A477 Rev.D be approved subject to compliance with all rezoning conditions and the dedication of all land indicated as Park within Stage 2 to Council in fee simple for Park (Town Planning) purposes.

or
Pathway

(Supervisor Planning Services)

Noted + Agreed



Your Ref:-
Our Ref:- S3317 DDK:kam
Contact:- Development Services

Environmental Design Group
PO Box 974
BROADBEACH QLD 4218

93. 30908.

FOR THE ATTENTION OF [REDACTED]

27th July 1993

Dear Sir,

Von Investments - Mount Cotton Road Subdivision

With reference to your letter of 14th June 1993, your revised entry statement concept plan (9314-01, May 1993) submitted to Council and Queensland Department of Transport are generally in accordance with Queensland Transport Guidelines and Council requirements.

Your submission is approved subject to the following conditions:

1. No tree planting within the declared road reserve, including the possible future resumption boundary.
2. Any vegetation in the entry median, in front of the proposed entry sign, is to be less than 500 mm mature height. The Council would consider the use of mature trees planted inside the property boundary, but in the Safe Intersection Site distance triangles (to be determined by your client's Consultant Design Engineers), if those mature trees have appropriately narrow trunks and a lower branch level well exceeding driver eye height of 1.15 m. The uses of these trees within the property alignment only, and only in the entry median, would have to be approved by the Shire Council.
3. The use of turf in the median splitter islands is preferred.

Yours faithfully,



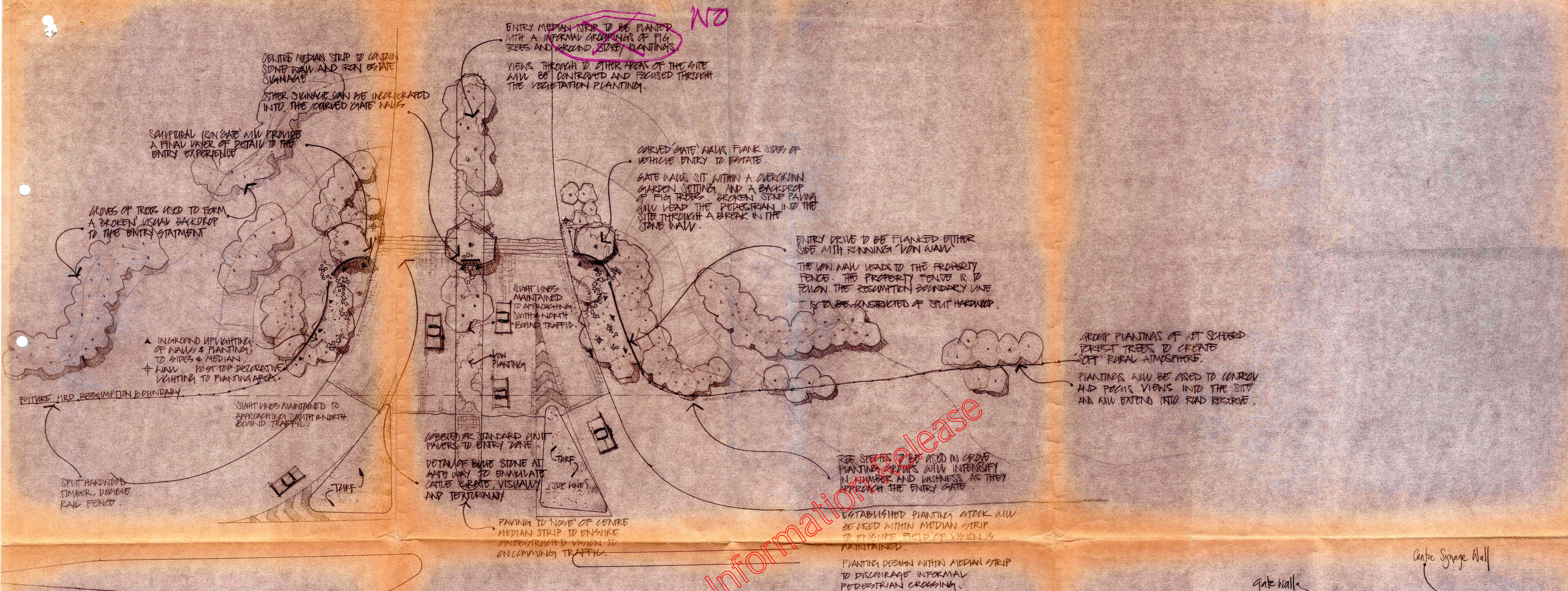
Director
Environment, Planning & Development

PUNCHED
30 JUL 1993

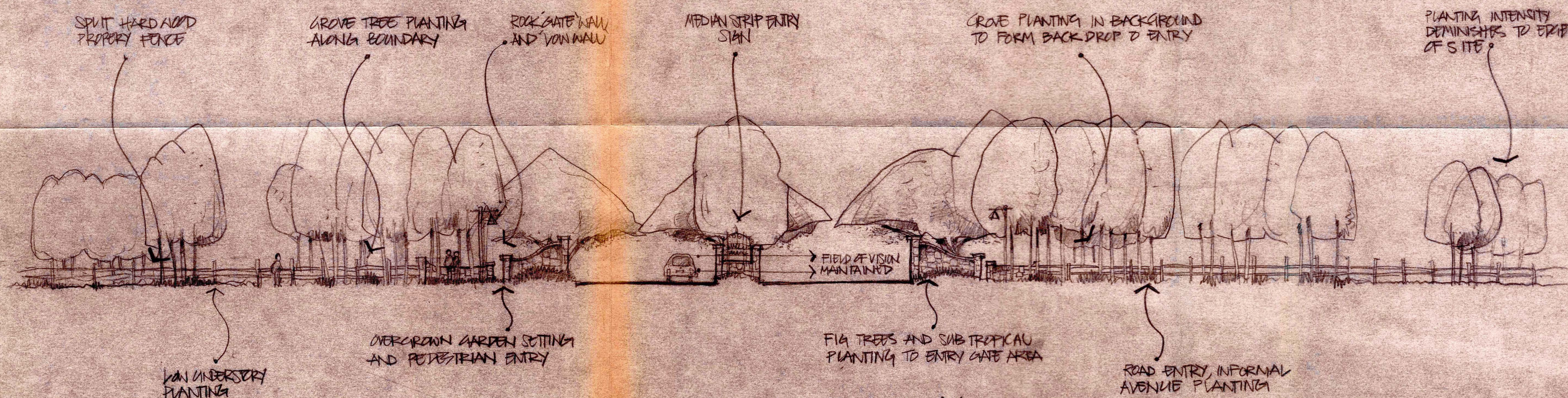
"Working Together for Our Future"

REDLAND SHIRE COUNCIL

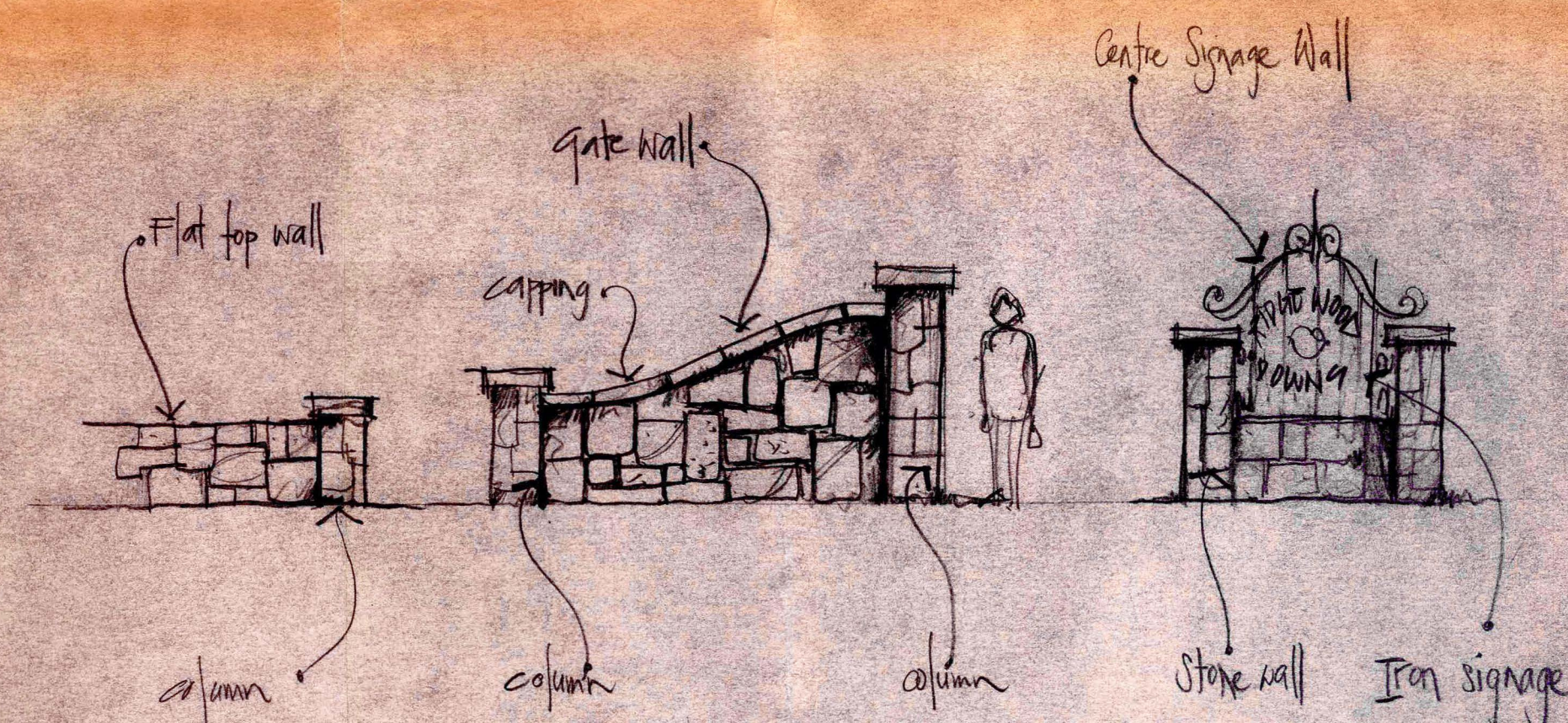
Box 21 Cleveland 4163 Queensland
Phone 286 8686 Fax 286 8765



ESTATE ENTRY
PLAN VIEW 1:200



ESTATE ENTRY
ELEVATION 1:200



ISSUE B - AMENDMENT FOR MRD 4/6/93
ISSUE A - APPROVAL

environmental
design
group
architecture • landscape architecture • planning

GREG O'SHEA landscape architect ph. (075) 703 953

CLIENT: VON INVESTMENTS
PTY. LTD.
PROJECT: MT DOTAN SUBDIVISION

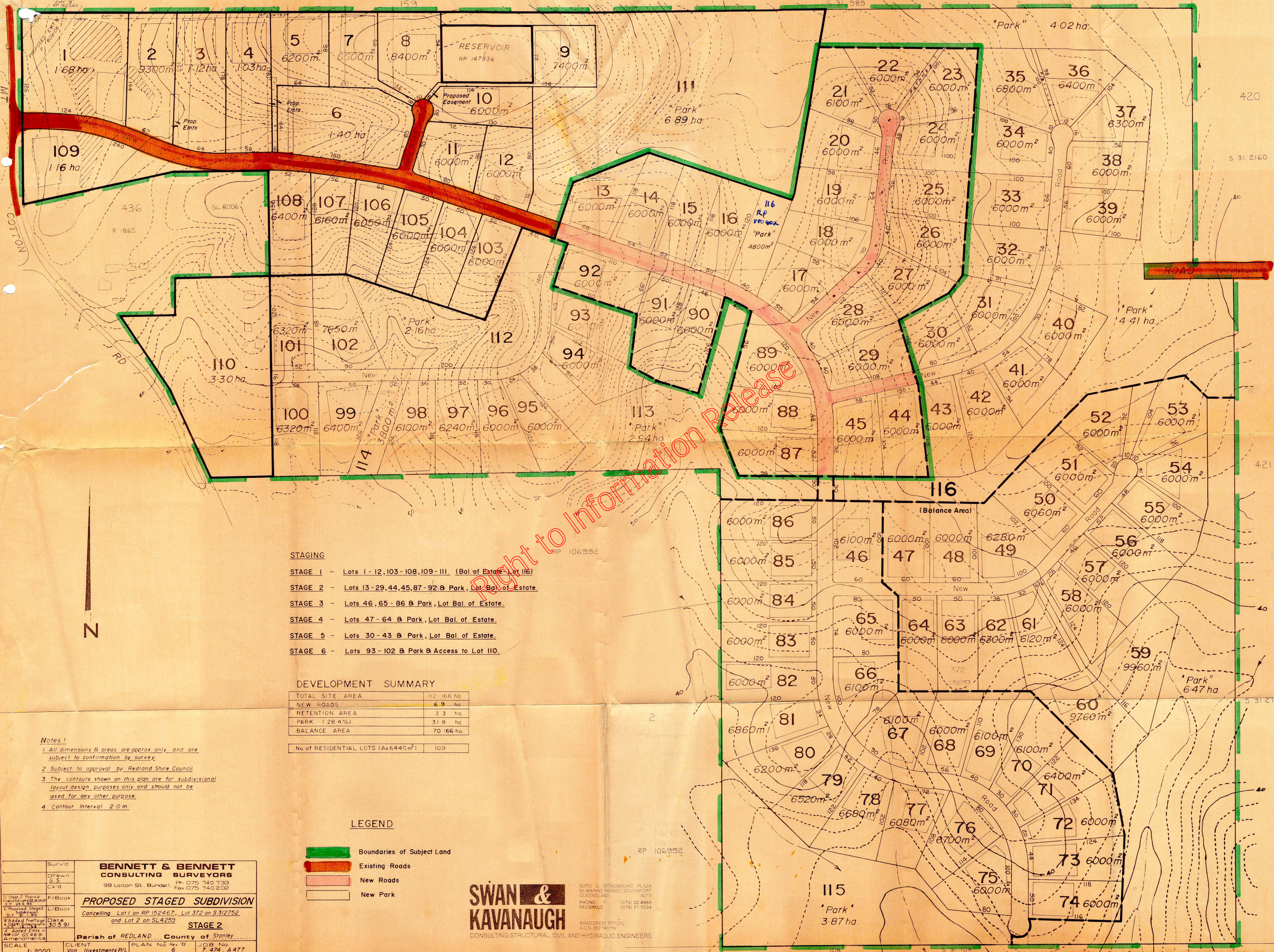
ENTRY STATEMENT CONCEPT PLAN

SCALE: 1:200

DATE: MAY 93

DRAWN: JIS

PROJ. NO. 0814/01



- STAGING**
- STAGE 1 - Lots 1 - 12, 103 - 108, 109 - III. (Bal of Estate Lot 116)
 - STAGE 2 - Lots 13 - 29, 44, 45, 87 - 92 & Park, Lot Bal of Estate.
 - STAGE 3 - Lots 46, 65 - 86 & Park, Lot Bal of Estate.
 - STAGE 4 - Lots 47 - 64 & Park, Lot Bal of Estate.
 - STAGE 5 - Lots 30 - 43 & Park, Lot Bal of Estate.
 - STAGE 6 - Lots 93 - 102 & Park & Access to Lot 110.

DEVELOPMENT SUMMARY

TOTAL SITE AREA	112.166 ha
NEW ROADS	6.9 ha
RETENTION AREA	3.3 ha
PARK (28.4%)	31.8 ha
BALANCE AREA	70.166 ha

No of RESIDENTIAL LOTS (Av 6440m²)	109
------------------------------------	-----

- Notes 1**
- 1. All dimensions & areas are approx only and are subject to confirmation by survey.
 - 2. Subject to approval by Redland Shire Council.
 - 3. The contours shown on this plan are for subdivisional layout design purposes only and should not be used for any other purpose.
 - 4. Contour Interval 2.0m.

LEGEND

- Boundaries of Subject Land
- Existing Roads
- New Roads
- New Park

BENNETT & BENNETT CONSULTING SURVEYORS
99 Upton St. Bundall, Ph 075 740 733
Fax 075 740 202

PROPOSED STAGED SUBDIVISION
Cancelling Lot 1 on RP 152467, Lot 372 on S312752 and Lot 2 on SL4259

STAGE 2
Parish of REDLAND, County of Stanley

CLIENT Von Investments P/L
PLAN No Rev D 6
JOB No 7 474 A 477

SWAN & KAVANAUGH
CONSULTING STRUCTURAL, CIVIL AND HYDRAULIC ENGINEERS
SUITE 5, STRADBROKE PLAZA
66 MARINE PARADE, SOUTHPORT
QUEENSLAND 4215
PHONE: (075) 32 4966
FACSIMILE: (075) 31 1034
BRADCREST PTY LTD
A.C.N. 052 190 116



Your Ref:- 7.474.A477:WLB:pb
Our Ref:- 3317 EG/JK
Contact:- Development Services

Bennett & Bennett
Surveyors
P O Box 5021
GOLD COAST MAIL CENTRE QLD 4217

93.27441

RESPONSE PREPARED IN	
ACCORDANCE WITH MINUTE	6
OF E.P.&D.	COMMITTEE
OF 20/7/93	FOR
DIRECTOR ENVIRONMENT PLANNING & DEVELOPMENT	

29th July, 1993

Dear Sirs,

Re: Von Investments Pty. Ltd. Proposed Subdivision Lots 13-29, 44, 45, 87-92
cancelling Part of Lot 2 on SL4259, Part of Lot 372 on S312752 and Part of
Lot 1 on RP 152467, Parish of Redland. Mt. Cotton Road, Mt. Cotton

Reference is made to your letter dated 26th June 1993, submitting application to subdivide the above property as Stage 2 of the development, into 25 lots.

This matter was considered at a recent meeting of Council and you are advised that the application for subdivision of Stage 2 into 25 lots in accordance with the layout shown on Plan 6 Rev D dated 30th May 1991, is approved subject to:-

1. Compliance with the conditions of rezoning as per the Court Order L.G.A. No 77 of 1985 of the Planning and Environment Court.
2. Provision of booster pumps to ensure that all lots are supplied with water at a minimum pressure head of 22 m at the centre of the building envelope for the lot.
3. Design and construction of the Collector road within a 20 metre road reserve to a safe design speed of 60 kph and to the following standards:-
 - a) footpath earthworks, topsoil and grassing to Council standards,
 - b) concrete kerb and channel on an alignment of 6 metres,
 - c) underground drainage to Council standards, discharging to approved outfalls,
 - d) road construction including bitumen surfacing between proposed concrete channels,
 - e) existing trees within the proposed footpaths are to be retained unless approved to be removed.

PUNCHED
E3 AUG 1993

REDLAND SHIRE COUNCIL

Box 21 Cleveland 4163 Queensland
Phone 286 8686 Fax 286 8765

- f) In sections such as the crest between Stages 1 and 2 a design speed of 50 kph may be used with appropriate road widening, signage and line marking to Council approval.
4. Construction of the cul-de-sac to Council standards and at 7 metres between kerbs.
 5. The lot layout to be amended to accommodate a pathway of 10 metres width, at the head of the cul-de-sac.
 6. Provision of underground electricity reticulation to each lot and street lighting to Australian Standard A.S.1158.1 and the requirements of SEQEB and Council.
 7. Installation of underground telephone conduits to service each lot.
 8. Provision of water supply reticulation to each lot.
 9. Contribution to water supply augmentation in accordance with Council policies at rates applicable at the time of signing and sealing subdivision plans. (Contributions are reviewed annually on 1st July. Current rate \$3600 x 25 lots).
 10. Contribution to street tree planting in accordance with Council policies at rates applicable at the time of signing and sealing subdivision plans (currently \$50 x 25 lots).
 11. Dedication of all land indicated as park or pathway within Stage 2 to Council in fee simple for Town Planning (Park) purposes.
 12. Provision of minimum 6 metres by 3 chord truncations at the corners of lots 17, 28, 29 and 45.
 13. Submission from a geotechnical engineer that all areas that have been disturbed are compacted to Council requirements.
 14. No filling shall be placed in the parks except for filling of minor depressions without approval of the Parks Director.
 15. Provision of a gravel walking track within the pathway between Lots 22 and 23 and the park to an agreed alignment to provide an escape route in the event of fire.

In accordance with Section 5.3(3) (b) of the Local Government (Planning and Environment) Act 1990, no subdivision plan will be approved until rates and charges are paid in full.

The above conditional approval will remain valid in accordance with By-Laws 9 and 10 of Chapter 25 of Council's Subdivision By-Laws.

In order to expedite the processing of survey plans, we have enclosed a check list for your convenience which should be attached to the original survey plans when submitted to Council for signing and sealing.

Yours faithfully,


DIRECTOR OF ENVIRONMENT, PLANNING & DEVELOPMENT

B/C Von Investments Pty. Ltd.

Right to Information Release

Please file X

DECISIONS UNDER DELEGATED POWERS

(Development Services - File Reference No. SB404207)

DATE: 8/6/99

TO: Chairman Development Assessment Committee
& Councillor... Bowler

FROM: Manager Development Services

Please be advised that the attached report has been processed through T.A.G. for a decision under Delegated Powers.

Please advise [redacted] on Extension [redacted] by Thurs 10/6 if there are any issues you wish to raise prior to Council's decision being issued to the applicant.

Thank You.

TAG OUTCOME

Date: 7/6/99 Time: start 2 am/pm finish : am/pm

Development Application Number:

DA/MCU/OP/SB... 404207

Attendees/TAG Representatives

- ☒ Manager Development Services
- ☒ Manager Planning & Envir Services
- ☒ Manager Strategic Planning
- ☐ Manager
- ☐ Manager

Signature

Decision:

- ☒ Officers' recommendation be accepted and application approved under delegated authority.
- ☐ Officers' recommendation be accepted and application referred to Committee for determination.
- ☐ Officers' recommendation not be accepted and application is referred to Team DA1/DA2/Land Development for further discussion/consideration. Referral back to TAG on
- ☐ Application deferred, the following to be completed:

Special Requirements/Exceptions

Add to Condition 5: "Provision of a truck turning area would not apply if Sanctuary Drive is extended to property south.
 Council request additional advice as to the applicant's assessment of provisions for the egress from the extremities of the estate roads.

Assessment Manager/
Delegated Officer

Approval of Decision

Director
Environment, Planning & Development

TAG 7/6/99
Date

REPORT



Date: 2nd June, 1999
File: SB404207
To: Development Assessment Committee
From: Land Development Team
Subject: RIDGEWOOD DOWNS ESTATE - STAGE 7
SANCTUARY DRIVE, MOUNT COTTON

Background

An application has been received for the reconfiguration of proposed Lots 69 to 76 cancelling Lot 905 on SP112133, Parish of Redland and situated at Sanctuary Drive Mount Cotton. The proposed subdivision is the extension of Sanctuary Drive, Mount Cotton. The land is included in the Special Facilities Zone.

Purpose

Referred to T.A.G. for consideration as permitted under Policy Statement - Delegation Authority EN08.

Consultation

Land Development Team.

Discussion and Conclusion

The proposal is to subdivide Stage 7 of the development, being part of Lot 905 on SP112133 into eight (8) Park Residential allotments of an average size of 6,000 square metres.

The 2000 square metre building envelopes have not been indicated on the proposed plan for reconfiguration. This matter has been discussed with Council's Environmental Strategies Implementation Unit previously with the development of Stages 4 & 5 of the development and they advise that prior to commencement of engineering designs the developer would stake all the proposed allotments and building envelopes and make necessary amendments to the allotment layout to ensure that the allotments and the building envelopes are clear of drainage paths and clear of the trees to be retained.

(a) Corporate/Program Plan Implications

This application is consistent with Council's goals and strategies dealing with the environment and the legislation, By-Laws, policies and standards dealing with subdivision of land.

(b) Financial Implications

There are no financial costs to Council and Council will receive contributions to the augmentation of water supply as a result of this application and the applicant will provide serviced allotments and dedicate land for parks and recreation purposes in accordance with the development agreement.

(c) Policy Implications

No Policy Implications have been identified.

Officer's Recommendation

That the application for the reconfiguration of proposed Lots 69 to 76 cancelling Lot 905 on SP112133, Parish of Redland and situated at Sanctuary Drive Mount Cotton to be developed as Stage 7 of the development, in accordance with Bennett & Bennett Plan 57 dated 27/5/99 be approved subject to:

1. A development permit for operational works associated with this development is required. Those operational works, in the first instance in the form of engineering designs, will be reviewed in accordance with relevant codes including Council's Design Standards for Developments.
2. Compliance with the conditions of rezoning as per the Court Order L.G.A. No 77 of 1985 of the Planning and Environment Court.
3. Providing of water supply to each allotment. Those lots which are not able to obtain a minimum water supply pressure head of twenty two (22) metres at the centre of the building envelopes for the lot are to be provided with a water supply from the existing high level pump system within the estate. In the event that the existing pumps do not have sufficient capacity for this instance, the applicant shall replace the existing pumps to satisfy this requirement.

The developer shall install water meters to each allotment in the development. The water meters shall be supplied by Council to the developer at approved rates, and the water service, including meters, shall be installed in accordance with relevant Council standards.

Hydrants shall be located such that the centre of every Park Residential allotment is less than 90 metres from a hydrant. The fire main shall be designed to be capable of delivering a flow of fifteen litres per second at a minimum head of 22 metres. Allowance shall be made for domestic flow of 0.07 litres per second per unit if the main is combined with the domestic supply.

4. Prior to Council being required to approve Engineering Designs for the subject proposal, the applicant shall identify building envelopes of 2000 square metres in area in each of the allotments clear of trees to be retained within the environmental area identified by Council Officers and clear of storm water overland flow paths. If such building envelopes cannot be contained within the proposed allotments due to topographical, drainage and environmental constraints then the developer shall readjust the allotment boundaries to satisfy such requirements.
5. If the dispersal of the major storm event cannot be contained within the area dedicated as park, the applicant shall be required to obtain an easement in favour of the Council from the down stream property.

A truck turnaround area shall be provided at the end of Sanctuary Drive.

6. Provision of underground electricity reticulation to each lot and street lighting to Australian Standard AS/NZ 1158 and the requirements of ENERGEX and Council.
7. Installation of underground telephone conduits to service each lot in accordance with requirements of Australian Standards to accommodate carriers and submission of documentary evidence that an agreement has been entered into with a carrier for the provision of such a service to each lot prior to release of survey plans by Council.
8. Contribution to water supply augmentation in accordance with Council policies at rates applicable at the time of signing and sealing subdivision plans. (Contributions are reviewed annually in July. Rates for 1998/99 is \$5530 x 8 lots.

9. Where existing trees are to be retained within proposed dedications of road reserve(s) and land for town planning (park) purposes, all dead wood and potentially dangerous tree(s)/tree limbs are to be removed. Where construction works impact on the health of a tree to initiate deterioration and/or death to the whole or part of the tree during the period of construction, the applicant is to attend to the removal of that tree or part thereof to the satisfaction of the Manager Parks and Reserves.

This work is to be carried out prior to site construction works being accepted On-maintenance, in consultation with the Manager Parks and Reserves and to AS 4373-1996."

Log bollard fencing shall be installed to the full frontage of the park where abutting road reserves.

10. If any of the allotments were to be filled in excess of 300mm and/or if any part of the allotment were to be suspected of having any contaminants and/or uncontrolled filling a report shall be submitted from a qualified geotechnical consultant that all unsuitable material has been removed from site and that all areas that have been disturbed have been compacted to Council requirements and to A.S.3798. All filling in excess of 800mm in future residential/commercial allotments shall be to a level 1 responsibility as per A.S.3798.

11. Road base reporting actual soluble sulphate in excess of 250mg/kg SO₄ and/or total sulphate after oxidation by peroxide of 2000 mg/kg SO₄ is regarded as having substantial potential for causing damage to asphalt by sulphate induced blistering.

Prior to the use of road base material, the developer shall submit certified evidence from a qualified geotechnical consultant that the proposed unbound material to be used does not contain sulphate amounts in excess of quantities that may induce sulphate blistering in the bitumen seal.

12. If the development of the subject property requires soil to be imported or exported, the applicant shall identify the allotments which would be used for borrowing or filling and shall obtain Council approval for such works in addition to engineering approval for the development. In this regard, the applicant shall obtain Council approval for the route of transport, the period and time of transport during the construction phase of the development. A sum of \$2,000 shall be bonded with Council, prior to prestart meeting, to be used to clean up public roads as a result of spillage of material where not promptly cleaned up.

Council reserves the right to require the applicant to provide a report from a qualified consultant to determine the impact the material placement and removal may have on the environment at the fill and the borrowing sites.

13. The disposal of cleared vegetation shall be carried out in an environmentally acceptable manner and in accordance with relevant local laws, Council policies and State Government legislation.

14. Survey control information to establish AHD, co-ordinate systems and location of permanent survey marks shall be provided by Council. Survey information shall be supplied to Council in association with engineering designs and as constructed drawings as per Chapter 2 Section D of Council's Interim Design Standards for Developments.

15. At the time of submission of a plan of survey for signing and sealing by Council, the applicant shall also provide Digital Cadastral Survey Information in accordance with Chapter 2 Section D of Council's Interim Design Standards for Developments.

16. Erosion and Sediment Control

- a) During the construction phase of this development the applicant shall be responsible for the installation and maintenance of erosion and sediment management facilities until the development has been accepted as completed by Council.
 - b) The applicant shall submit details of erosion and sediment management procedures for approval by Council at the same time as engineering drawings for each stage of the development. The silt management plans shall include a schedule detailing the stages at which various management techniques would be in place.
 - c) Recommended erosion control techniques include:
 - * soil disturbance, particularly within nominated building envelopes, should be restricted to a minimum;
 - * runoff should be diverted away from disturbed areas;
 - * disturbed areas should be stabilised using mulches (straw, forest mulch, etc.) or other techniques.
 - d) Sediment control shall include but not be limited to the provision of gross pollutant traps, cut off drains, silt fences, hay bales and turfing.
 - e) Council reserves the right to enter the site for the purposes of rectifying any erosion and sediment management facilities which are inadequate, improperly maintained or not operating in a satisfactory manner, in accordance with the approved plan.
 - f) The applicant shall be responsible for the restoration of the site and any adjoining affected lands where sediment deposition has occurred as a consequence of the development. Such restoration shall be completed in a reasonable time determined by the Manager Development Services.
 - g) Prior to commencement of construction the applicant shall submit a program of works for the control of dust on the development site and on roads for the approval of the Manager Development Services.
17. Construction shall comply with the Environmental Protection Act, Policies and Guidelines to prevent or minimise either environmental harm or nuisance.
18. The applicant shall contribute \$21.00 per allotment to Council for the purpose of paying the State Government Split Valuation Fees. Such amount shall be paid prior to signing and sealing of the Plan of Survey and be for each allotment contained on the Plan of Survey.

Signed by Land Development Team

[Redacted Signature]

Engineer, Land Development Team

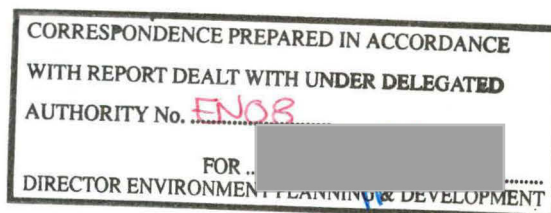
[Redacted Signature]

Planner, Land Development Team

Environmental Strategies Unit

Parks & Recreation Directorate

10 June, 1999



PUNCHED
15 JUN 1999
(2)

Redland Shire Council

Cnr Bloomfield & Middle Sts
Cleveland Qld 4163

PO Box 21
Cleveland Qld 4163

Telephone (07) 3286 8686
Facsimile (07) 3286 8765

E-Mail: redland@redland.qld.gov.au
Homepage: <http://www.redland.net.au>

Your Ref: 744:A477-RMCA:lp

Our Ref: DDK:jmh

File No: **SB404207**

Contact: Development Services
Email: landdev@redland.qld.gov.au

Bennett & Bennett Surveyors Pty Ltd
PO Box 5021
Gold Coast Mail Centre Q 9726

Development Application Decision Notice

Dear Applicant

Registered Owner/Developer: Von Investments Pty Ltd
Proposed Development: Reconfiguration
Application Reference No: SB404207
Site Description: Lot 905 on SP112133
Sanctuary Drive, Mt Cotton

The Development Application for Standard Format was assessed and after considering all relevant matters has been **approved** with conditions.

The following schedule provides all the relevant details.

1. **Referral Agencies:** Not ☒ Yes ☐
Applicable See below

2. **Conditions:** (If applicable)
Assessment Manager's
Conditions

This matter was considered by Council under Delegated Authority and you are advised that the application for the reconfiguration of proposed Lots 69 to 76 cancelling Lot 905 on SP112133, and situated at Sanctuary Drive Mount Cotton, to be developed as Stage 7 of Ridgewood Downs Estate, in accordance with Plan No.57 dated 27 May 1999, is approved subject to:

1. A development permit for operational works associated with this development is required. Those operational works, in the first instance in the form of engineering designs, will be reviewed in accordance with relevant codes including Council's Design Standards for Developments.

2. Compliance with the conditions of rezoning as per the Court Order L.G.A. No 77 of 1985 of the Planning and Environment Court.
3. Providing of water supply to each allotment. Those lots which are not able to obtain a minimum water supply pressure head of twenty two (22) metres at the centre of the building envelopes for the lot are to be provided with a water supply from the existing high level pump system within the estate. In the event that the existing pumps do not have sufficient capacity for this instance, the applicant shall replace the existing pumps to satisfy this requirement.

The developer shall install water meters to each allotment in the development. The water meters shall be supplied by Council to the developer at approved rates, and the water service, including meters, shall be installed in accordance with relevant Council standards.

Hydrants shall be located such that the centre of every Park Residential allotment is less than 90 metres from a hydrant. The fire main shall be designed to be capable of delivering a flow of fifteen litres per second at a minimum head of 22 metres. Allowance shall be made for domestic flow of 0.07 litres per second per unit if the main is combined with the domestic supply.

4. Prior to Council being required to approve Engineering Designs for the subject proposal, the applicant shall identify building envelopes of 2000 square metres in area in each of the allotments clear of trees to be retained within the environmental area identified by Council Officers and clear of storm water overland flow paths. If such building envelopes cannot be contained within the proposed allotments due to topographical, drainage and environmental constraints then the developer shall readjust the allotment boundaries to satisfy such requirements.
5. If the dispersal of the major storm event cannot be contained within the area dedicated as park, the applicant shall be required to obtain an easement in favour of the Council from the down stream property.

A truck turnaround area shall be provided at the end of Sanctuary Drive. Provision of a truck turning area would not apply if Sanctuary Drive is extended to properties to the south.

6. Provision of underground electricity reticulation to each lot and street lighting to Australian Standard AS/NZ 1158 and the requirements of ENERGEX and Council.
7. Installation of underground telephone conduits to service each lot in accordance with requirements of Australian Standards to accommodate carriers and submission of documentary evidence that an agreement has been entered into with a carrier for the provision of such a service to each lot prior to release of survey plans by Council.
8. Contribution to water supply augmentation in accordance with Council policies at rates applicable at the time of signing and sealing subdivision plans. (Contributions are reviewed annually in July. Rate for 1998/99 is \$5530 x 8 lots.

9. Where existing trees are to be retained within proposed dedications of road reserve(s) and land for town planning (park) purposes, all dead wood and potentially dangerous tree(s)/tree limbs are to be removed. Where construction works impact on the health of a tree to initiate deterioration and/or death to the whole or part of the tree during the period of construction, the applicant is to attend to the removal of that tree or part thereof to the satisfaction of the Manager Parks and Reserves.

This work is to be carried out prior to site construction works being accepted On-maintenance, in consultation with the Manager Parks and Reserves and to AS 4373-1996."

Log bollard fencing shall be installed to the full frontage of the park where abutting road reserves.

10. If any of the allotments were to be filled in excess of 300mm and/or if any part of the allotment were to be suspected of having any contaminants and/or uncontrolled filling a report shall be submitted from a qualified geotechnical consultant that all unsuitable material has been removed from site and that all areas that have been disturbed have been compacted to Council requirements and to A.S.3798. All filling in excess of 800mm in future residential/commercial allotments shall be to a level 1 responsibility as per A.S.3798.

11. Road base reporting actual soluble sulphate in excess of 250mg/kg SO₄ and/or total sulphate after oxidation by peroxide of 2000 mg/kg SO₄ is regarded as having substantial potential for causing damage to asphalt by sulphate induced blistering.

Prior to the use of road base material, the developer shall submit certified evidence from a qualified geotechnical consultant that the proposed unbound material to be used does not contain sulphate amounts in excess of quantities that may induce sulphate blistering in the bitumen seal.

12. If the development of the subject property requires soil to be imported or exported, the applicant shall identify the allotments which would be used for borrowing or filling and shall obtain Council approval for such works in addition to engineering approval for the development. In this regard, the applicant shall obtain Council approval for the route of transport, the period and time of transport during the construction phase of the development. A sum of \$2,000 shall be bonded with Council, prior to prestart meeting, to be used to clean up public roads as a result of spillage of material where not promptly cleaned up.

Council reserves the right to require the applicant to provide a report from a qualified consultant to determine the impact the material placement and removal may have on the environment at the fill and the borrowing sites.

13. The disposal of cleared vegetation shall be carried out in an environmentally acceptable manner and in accordance with relevant local laws, Council policies and State Government legislation.

14. Survey control information to establish AHD, co-ordinate systems and location of permanent survey marks shall be provided by Council. Survey information shall be supplied to Council in association with engineering designs and as constructed drawings as per Chapter 2 Section D of Council's Interim Design Standards for Developments.
15. At the time of submission of a plan of survey for signing and sealing by Council, the applicant shall also provide Digital Cadastral Survey information in accordance with Chapter 2 Section D of Council's Interim Design Standards for Developments.
16. Erosion and Sediment Control
 - a) During the construction phase of this development the applicant shall be responsible for the installation and maintenance of erosion and sediment management facilities until the development has been accepted as completed by Council.
 - b) The applicant shall submit details of erosion and sediment management procedures for approval by Council at the same time as engineering drawings for each stage of the development. The silt management plans shall include a schedule detailing the stages at which various management techniques would be in place.
 - c) Recommended erosion control techniques include:
 - * soil disturbance, particularly within nominated building envelopes, should be restricted to a minimum;
 - * runoff should be diverted away from disturbed areas;
 - * disturbed areas should be stabilised using mulches (straw, forest mulch, etc.) or other techniques.
 - d) Sediment control shall include but not be limited to the provision of gross pollutant traps, cut off drains, silt fences, hay bales and turfing.
 - e) Council reserves the right to enter the site for the purposes of rectifying any erosion and sediment management facilities which are inadequate, improperly maintained or not operating in a satisfactory manner, in accordance with the approved plan.
 - f) The applicant shall be responsible for the restoration of the site and any adjoining affected lands where sediment deposition has occurred as a consequence of the development. Such restoration shall be completed in a reasonable time determined by the Manager Development Services.
 - g) Prior to commencement of construction the applicant shall submit a program of works for the control of dust on the development site and on roads for the approval of the Manager Development Services.
17. Construction shall comply with the Environmental Protection Act, Policies and Guidelines to prevent or minimise either environmental harm or nuisance.

Right to Information Release

18. The applicant shall contribute \$21.00 per allotment to Council for the purpose of paying the State Government Split Valuation Fees. Such amount shall be paid prior to signing and sealing of the Plan of Survey and be for each allotment contained on the Plan of Survey.

You are further required to advise Council as to the assessment of provisions for fire egress from the extremities of the estate roads.

3. **Reasons for Refusal:** (not applicable)

4. **Approval Type:**

	Development Permit	Preliminary Approval
Building works	<input type="checkbox"/>	<input type="checkbox"/>
Plumbing or Drainage Works	<input type="checkbox"/>	<input type="checkbox"/>
Operational Works	<input type="checkbox"/>	<input type="checkbox"/>
Reconfiguring a Lot	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Material Change of Use	<input type="checkbox"/>	<input type="checkbox"/>

5. **Further Development Permits Required:**

- ♦ A development permit for operational works associated with this development is required. Those operational works, in the first instance in the form of engineering designs, will be reviewed in accordance with relevant codes including Council's Design Standards for Developments.

6. **Rights of Appeal:**

A copy of the rights of appeal under Section 4.1.27 and Section 4.1.28 of the Act for Applicants and Submitters are appended, together with Division 10 Part 1 (Chapter 4) of the Act which deals with the making of an Appeal to the Planning and Environment Court.

7. **In addition to the above information, I advise that:**

(a) **Written Notice:**

The Applicant may wish to give the Assessment Manager (Council) written notice of its intention not to make representations on conditions of this approval (decided by Council) in advance of the ending of the Applicant's Appeal period; so that further action(s) can be initiated by the Assessment Manager (Council).

In order to expedite the processing of survey plans, we have enclosed a check list for your convenience which should be attached to the original survey plans when submitted to Council for signing and sealing.

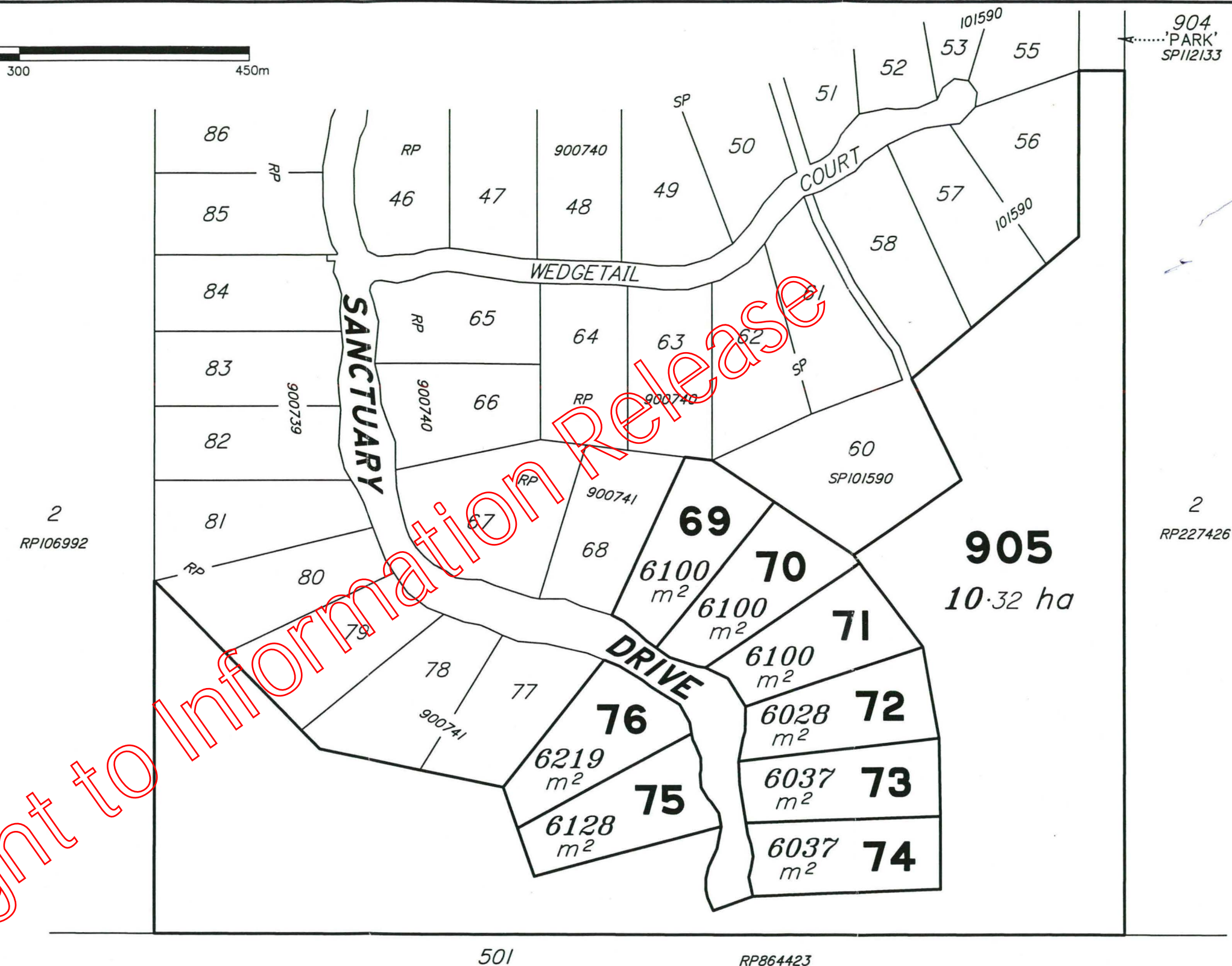
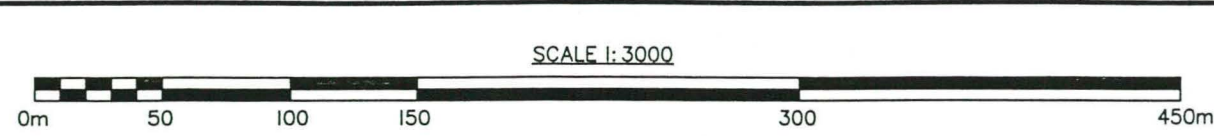
In accordance with Section 3.7.3 of the Integrated Planning Act 1997, no subdivision plan will be approved until rates and charges are paid in full.

Yours faithfully,


Director
Environment, Planning and Development

B/C - Von Investments Pty Ltd

Right to Information Release



Total Area of Subdivision
15.76 ha

NOTES! 1. <u>All dimensions & areas are approximate only & subject to confirmation by survey.</u> 2. <u>Subject to approval by Redland Shire Council & registration of a plan of survey in the Dept.of Natural Resources.</u> 3. <u>Drawn to Scale on A3 sheet.</u> 4. <u>Registered Owner.....Von Investments</u>	BENNETT & BENNETT CONSULTING SURVEYORS BBH Pty. Ltd. A.C.N. 010 427 531 99 Upton Street, Bundall P.O.Box 5021 G.C.M.C. 4217 Ph. (07) 55 740733 Fax (07) 55 740202	Surv'd	F/Book	AMENDMENTS	
		Drawn DJ	L/Book	-----	
		Ck'd	ACAD Dwg.File 2474PR2	Local Authority REDLAND SHIRE COUNCIL	
	SCALE 1: 3000		PLAN No. 57		
	JOB No. 87.474.A477		DATE 27.5.99		
	CLIENT VON INVESTMENTS				
<u>Plan of Proposed Lots 69–76, 905 & New Road</u> <u>Cancelling Lot 905 on SPII2133</u> <u>Stage 7 – RIDGEWOOD DOWNS</u> Parish of REDLAND County of Ward					

5

VON INVESTMENTS PTY LTD. (SB404207)

Council received an application for reconfiguration of Lot 905 on SP.1121333, Parish of Capalaba and situated at Sanctuary Drive, Mount Cotton into 8 standard allotments (Special Facilities – 15.76 hectares). Under Delegated Authority, Reference EN08, the applicant was advised that Council had approved the application subject to conditions.

The approval of this application was submitted to the Divisional Councillor for comment.

Officer's Recommendation

That the above report be noted.

Committee Recommendation

That the Officer's Recommendation be accepted.

Crs Elliott, Bucknall and Murray were not present in the Committee Room when this decision was made.

Subject to Adoption
Right to Information Released
General Meeting



SB404207

Von Investments Pty Ltd

Plan No. SP126120 Lots 69-76 & 905
(Reconfiguration) cancelling Lot 905 on
SP.112133, Parish of Redland. Sanctuary
Drive, Mt Cotton. (8 Special Facilities Lots).



Right to Information Release

SB404207

Brittwood
Construction
Pty LtdSanctuary Drive,
Mount Cotton
Ridgewood Downs
Estate Stage 7Road Opening &
Road Cleaning

\$2,375

Officer's Recommendation

That the above report be noted.

Committee Recommendation

That the Officer's Recommendation be accepted.

6. SURVEY PLANS APPROVED

Approval of survey plans has been left in the hands of the Chief Executive Officer. The following plans have been signed and sealed following satisfactory reports from the Manager Assessment Services.