

8 January 2013

ULDA Ref. No: DEV2012/376

Michael Johnston  
John Gatley Building Designs  
PO Box 1530  
BUNDABERG QLD 4670

Dear Michael

**RE: SECTION 75(1) CHANGE TO A UDA DEVELOPMENT APPROVAL FOR A UDA DEVELOPMENT PERMIT FOR A MATERIAL CHANGE OF USE FOR MULTIPLE RESIDENTIAL (7 DWELLING UNITS) AND ASSOCIATED OPERATIONAL WORKS AT 73 ACACIA STREET, BLACKWATER DESCRIBED AS LOT 29 ON B33779**

On 8 January 2013 the ULDA approved the application to change the UDA development approval pursuant to s. 75 of the *Urban Land Development Authority Act 2007*. The Urban Land Development Authority (ULDA) has decided to grant all of the change to the UDA development approval applied for subject to UDA development conditions set out in the attached UDA Development Approval Package.

The UDA development application and the decision notice can also be viewed in the ULDA Development Approvals Register via the ULDA website [www.ulda.qld.gov.au](http://www.ulda.qld.gov.au).

Should you have any queries in relation to the decision notice, please do not hesitate to contact Brianna Fyffe on 07 3174 0206.

Yours sincerely



Matt Toon  
PRINCIPAL PLANNER

## UDA Decision Notice – Approval

| Site information                                                                                                                                                |                                      |                                                                                                                                                           |                      |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------|
| Name of urban development area (UDA)                                                                                                                            |                                      | Blackwater                                                                                                                                                |                      |
| Site address                                                                                                                                                    |                                      | 73 Acacia Street, Blackwater                                                                                                                              |                      |
| Lot on plan description                                                                                                                                         | Lot number                           |                                                                                                                                                           | Lot description      |
|                                                                                                                                                                 | Lot 29                               |                                                                                                                                                           | B33779               |
|                                                                                                                                                                 |                                      |                                                                                                                                                           |                      |
|                                                                                                                                                                 |                                      |                                                                                                                                                           |                      |
| UDA development application details                                                                                                                             |                                      |                                                                                                                                                           |                      |
| ULDA reference number                                                                                                                                           |                                      | DEV2012/376                                                                                                                                               |                      |
| Lodgement date                                                                                                                                                  |                                      | 24 October 2012                                                                                                                                           |                      |
| Type of application                                                                                                                                             |                                      | <input type="checkbox"/> Changing a UDA development approval                                                                                              |                      |
| Description of proposal applied for                                                                                                                             |                                      | Development Permit for Material Change of Use for Staged development for Multiple Residential (7 dwelling units) and associated operational works         |                      |
| UDA development approval details                                                                                                                                |                                      |                                                                                                                                                           |                      |
| Decision of the ULDA                                                                                                                                            |                                      | The ULDA has decided to grant all of the UDA development approval applied for, subject to UDA development conditions forming part of this decision notice |                      |
| Original Decision date                                                                                                                                          |                                      | 29 November 2012                                                                                                                                          |                      |
| Change to approval date                                                                                                                                         |                                      | 8 January 2013                                                                                                                                            |                      |
| Currency period                                                                                                                                                 |                                      | 4 Years from Decision Date                                                                                                                                |                      |
| Plans and specification                                                                                                                                         |                                      |                                                                                                                                                           |                      |
| The plans and specifications approved by the ULDA and referred to in the UDA development conditions concerning the UDA development approval are detailed below. |                                      |                                                                                                                                                           |                      |
| Approved plans, reports and specifications                                                                                                                      |                                      | Number (if applicable)                                                                                                                                    | Date (if applicable) |
| 1.                                                                                                                                                              | Site Plan                            | 1498-01 Revision A                                                                                                                                        | 01/11/2012           |
| 2.                                                                                                                                                              | Lower Floor Plan (units 1, 2 & 3)    | 1498-02 Revision A                                                                                                                                        | 01/11/2012           |
| 3.                                                                                                                                                              | Upper Floor Plan (units 1, 2 & 3)    | 1498-03 Revision A                                                                                                                                        | 01/11/2012           |
| 4.                                                                                                                                                              | Lower Floor Plan (units 4, 5, 6 & 7) | 1498-04 Revision A                                                                                                                                        | 01/11/2012           |

|     |                                                                                          |                    |                                         |
|-----|------------------------------------------------------------------------------------------|--------------------|-----------------------------------------|
| 5.  | Upper Floor Plan (units 4, 5, 6 & 7)                                                     | 1498-05 Revision A | 01/11/2012                              |
| 6.  | Elevations (units 1, 2 & 3)                                                              | 1498-06 Revision A | 01/11/2012, Amended in Red 12/11/2012   |
| 7.  | Elevations (units 1, 2 & 3)                                                              | 1498-07 Revision A | 01/11/2012, Amended in Red 12/11/2012   |
| 8.  | Elevations (units 4, 5, 6 & 7)                                                           | 1498-08 Revision A | 01/11/2012, Amended in Red 12/11/2012   |
| 9.  | Elevations (units 4, 5, 6 & 7)                                                           | 1498-09 Revision A | 01/11/2012                              |
| 10. | Detail Landscape Plan, prepared by Greenscape Design                                     | SH02, Issue B      | October 2012, Amended in Red 12/11/2012 |
| 11. | Plant Schedule & Construction Details, prepared by Greenscape Design                     | SH03, Issue B      | October 2012                            |
| 12. | Specification, prepared by Greenscape Design                                             | SH04, Issue B      | October 2012                            |
| 13. | Hydraulic Services Cover Sheet, prepared by Aqualogical                                  | A120915 H-001 B    | 12.10.2012                              |
| 14. | Site Plan, Stormwater, Sanitary Drainage, Water Services, prepared by Aqualogical        | A120915 H-002 B    | 12.10.2012, Amended in Red 12/11/2012   |
| 15. | Units 4, 5, 6 & 7 Floor Layouts – Stormwater, Sanitary Drainage, prepared by Aqualogical | A120915 H-101 B    | 12.10.2012                              |
| 16. | Units 1, 2 & 3 Floor Layouts – Stormwater, Sanitary Drainage, prepared by Aqualogical    | A120915 H-102 B    | 12.10.2012                              |
| 17. | Units 1, 2 & 3 Floor Layouts – Water Services, Gas Services, prepared by Aqualogical     | A120915 H-201 B    | 12.10.2012                              |
| 18. | Units 4, 5, 6 & 7 Floor Layouts – Water Services, Gas Services, prepared by Aqualogical  | A120915 H-202 B    | 12.10.2012                              |

#### UDA Development Conditions

|    |                                                                                                                                                                                                                                                                                           |                                                                         |
|----|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------|
| 1. | <b>Carry out the approved development</b><br><br>Carry out the development generally in accordance with the approved plan/s. drawing/s and document/s.                                                                                                                                    | Prior to commencement of use of the relevant Stage and to be maintained |
| 2. | <b>Complete all Operational Works</b><br><br>Complete all operational work associated with this development approval, including work required by any of the following conditions. Such operational work is to be carried out generally in accordance with the approved plans.             | Prior to commencement of use of the relevant Stage                      |
| 3. | <b>Maintain the Approved Development</b><br><br>Maintain the approved development (including landscaping, parking, driveways and other external spaces) in accordance with the approved drawing(s) and /or documents, and any relevant ULDA or other approval required by the conditions. | To be maintained                                                        |
| 4. | <b>Construction Management Plan</b><br><br>Submit to the ULDA Principal Engineer – Development Assessment a                                                                                                                                                                               | Prior to commencement of                                                |

|    |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |                                                                                                                                                                          |
|----|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|    | <p>site based construction management plan that will include but not be limited to:</p> <ol style="list-style-type: none"> <li>provision for the management of traffic around and through the site during and outside of construction work hours;</li> <li>provision for parking and materials delivery during and outside of construction hours of work;</li> <li>management of sedimentation, erosion and dust generated from the site during and outside construction work hours; and</li> <li>management of groundwater and surface water collection, treatment and disposal to accepted environmental standards.</li> </ol> <p>The construction management plan shall be prepared in consultation with the professionals responsible for individual site related management plans to ensure that all aspects of the construction and environmental management are included. The construction management plan shall be reviewed and approved by the principal consultant overseeing and certifying the construction works.</p> <p>All work shall be undertaken in accordance with the construction management plan which must be current and available on site at all times during the construction period.</p> | works of the relevant Stage                                                                                                                                              |
| 5. | <p><b>Energy Efficiency</b></p> <ol style="list-style-type: none"> <li>Submit to the ULDA Principal Engineer – Development Assessment, a report outlining the energy efficient features employed in the building which is to include but is not limited to: <ul style="list-style-type: none"> <li>energy efficient plant and equipment (ensure appliances are rated at the highest relevant National Minimum Energy Performance Standards (MEPS))</li> <li>use of gas, solar or heat pump hot water systems as standard with insulated pipes and</li> <li>energy efficient lighting.</li> </ul> </li> <li>Submit to the ULDA Principal Engineer – Development Assessment written certification that the completed building complies with part a) of this condition.</li> </ol>                                                                                                                                                                                                                                                                                                                                                                                                                                     | <ol style="list-style-type: none"> <li>Prior to approval for Building Works of the relevant Stage</li> <li>Prior to commencement of use of the relevant Stage</li> </ol> |
| 6. | <p><b>Landscaping and Fencing</b></p> <ol style="list-style-type: none"> <li>Construct the development in accordance with the endorsed Landscape Plans SH02, Issue B, dated October 2012 and Amended in Red 12/11/2012, SH03, Issue B, dated October 2012 and SH04, Issue B, dated October 2012, prepared by Greenscape Design and the Development Design Code of the <i>Duaringa Shire Planning Scheme 2007</i>.</li> </ol> <p>Landscaping is to ensure:</p> <ul style="list-style-type: none"> <li>Selected species and fencing does not block visual surveillance to adjacent footpaths</li> <li>Trees and shrubs shall have a mature height of between 2m and 6m; and</li> <li>Selected species are drought tolerant and low maintenance.</li> </ul> <ol style="list-style-type: none"> <li>On completion of the landscape works, submit to the ULDA Manager – Development Assessment written certification from a suitably qualified landscape professional that the completed landscaping complies with part a) of this condition.</li> </ol>                                                                                                                                                                 | <ol style="list-style-type: none"> <li>Prior to commencement of use of the relevant Stage</li> <li>Prior to commencement of use of the relevant Stage</li> </ol>         |

|            |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |                                                                              |
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| <b>7.</b>  | <b>Street Trees</b><br><br>Plant street trees in the road reserve between the site and the kerb of Acacia Street at a spacing of one (1) tree per 7.5m. Trees are not to be located within 10m of the access to the site. The species must be fast growing with a dense crown, and sited in accordance with Ergon Energy's <i>Plant Smart</i> document for the Central Highlands Regional Council area. The plantings must not impact upon sewerage or water infrastructure.                                                                                                                                                           | Prior to commencement of use of the relevant Stage and to be maintained      |
| <b>8.</b>  | <b>Erosion and Sediment Control</b><br><br>Implement erosion and sediment control measures on site generally in accordance with the Capricorn Municipal Development Guidelines.                                                                                                                                                                                                                                                                                                                                                                                                                                                        | At all times during construction works                                       |
| <b>9.</b>  | <b>Finished floor level</b><br><br>Construct the development to provide a minimum finished floor level of 300mm above the Top of Kerb Level or 300mm above the centreline of Acacia Street, whichever is the higher.                                                                                                                                                                                                                                                                                                                                                                                                                   | Prior to commencement of use of the relevant Stage and to be maintained      |
| <b>10.</b> | <b>Outdoor Lighting</b><br><br>Minimise outdoor lighting to reduce light spill in the adjacent residential properties to be in accordance with AS 4282:1997 <i>Control of the Obtrusive Effects of Outdoor Lighting</i> .                                                                                                                                                                                                                                                                                                                                                                                                              | Prior to commencement of use of the relevant Stage and to be maintained      |
| <b>11.</b> | <b>Car parking and access driveway</b><br><br>Internal driveway is to be constructed, sealed and line marked in accordance with AS2890.1:2004 <i>Parking Facilities – Off-street car parking</i> .                                                                                                                                                                                                                                                                                                                                                                                                                                     | Prior to commencement of use of Stage 1 and to be maintained                 |
| <b>12.</b> | <b>Refuse Collection<br/>Central Highlands Regional Council (CHRC) – Nominated Assessing Authority</b><br><br>a. Enter into an agreement with the Central Highlands Regional Council to provide a waste collection service to the development.<br><br>b. Provide sufficient storage onsite for a refuse and recyclables bin for each unit. Include a waste management component within any CMS.                                                                                                                                                                                                                                        | Prior to commencement of use of the relevant Stage and to be maintained      |
| <b>13.</b> | <b>Stormwater Drainage (Quantity &amp; Quality)</b><br><br>a. Submit to the ULDA Principal Engineer – Development Assessment detailed stormwater drainage plans certified by a Registered Professional Engineer Queensland (RPEQ) generally in accordance with the endorsed Units 4, 5, 6 & 7 Floor Layouts – Stormwater, Sanitary Drainage, A120915 H-101 B, dated 12.10.2012 and Units 1, 2 & 3 Floor Layouts – Stormwater, Sanitary Drainage, A120915 H-102 B, dated 12.10.2012, prepared by Aqualogical and the Capricorn Municipal Development Guidelines.<br><br>b. Construct the works in accordance with the endorsed plans to | a. Prior to commencement of works of Stage 1<br><br>b. Prior to commencement |

|     |                                                                                                                                                                                                                                                                                                                                                                                                                                         |                                                                                                  |
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|     | <p>CHRC standards.</p> <p>c. Submit to the ULDA Principal Engineer – Development Assessment 'as-constructed' plans and certification from an RPEQ that the works have been completed in accordance with part a. of this condition.</p>                                                                                                                                                                                                  | <p>of use of the relevant Stage</p> <p>c. Prior to commencement of use of the relevant Stage</p> |
| 14. | <p><b>Water Connection</b></p> <p>Make application to the Central Highlands Regional Council (CHRC) as the nominated assessing authority and connect the development to the CHRC water reticulation network at no cost to the Council in accordance with all Council requirements. Individual water meters with a 20mm diameter are to be provided to each unit with only one connection point to Council's main to CHRC standards.</p> | <p>Prior to commencement of use of the relevant Stage</p>                                        |
| 15. | <p><b>Sewer Connection</b></p> <p>Make application to the Central Highlands Regional Council (CHRC) as the nominated assessing authority and connect the development to the CHRC sewerage reticulation network at no cost to the Council in accordance with all Council requirements.</p>                                                                                                                                               | <p>Prior to commencement of use of the relevant Stage</p>                                        |
| 16. | <p><b>Service Conduits &amp; Mains</b><br/><b>Central Highlands Regional Council (CHRC) – Nominated Assessing Authority</b></p> <p>Supply and install all service conduits and meet the cost of any alterations to public utility mains, existing mains, services or installations required in connection with the approved development.</p>                                                                                            | <p>Prior to commencement of use of the relevant Stage</p>                                        |
| 17. | <p><b>Footpath</b></p> <p>a. Construct a footpath in Acacia Street along the frontage of Lot 29 with the path width to be endorsed by the Central Highlands Regional Council as the nominated assessing authority in accordance with CHRC standards.</p> <p>b. Submit to the ULDA Principal Engineer – Development Assessment 'as-constructed' plans of the footpath works</p>                                                          | <p>Prior to commencement of use of the relevant Stage</p>                                        |
| 18. | <p><b>Vehicle Crossover</b></p> <p>Design and construct a vehicular crossover slab between the kerb and channel and the property boundary generally in accordance with <i>Capricorn Municipal Development Guidelines</i> standard drawing CMDG-R-042.</p>                                                                                                                                                                               | <p>Prior to commencement of use of Stage 1</p>                                                   |
| 19. | <p><b>Damage and Repairs</b><br/><b>Central Highlands Regional Council (CHRC) – Nominated Assessing Authority</b></p> <p>Repair any damage to existing kerb and channel, footpath or roadway (including removal of concrete slurry from footways, roads, kerb and channel and stormwater gullies and drainlines) that may occur during any works carried out in association with the approved development.</p>                          | <p>Prior to commencement of use of the relevant Stage</p>                                        |

| 20.                      | <p><b>Electricity</b></p> <p>Submit to the ULDA Principal Engineer – Development Assessment either:</p> <p>a. Written evidence demonstrating that existing underground low-voltage electricity supply is available to the existing lot; or</p> <p>b. Written evidence that the applicant has entered into an agreement with an authorised electricity supplier (e.g. Ergon) to provide underground electricity services.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | Prior to commencement of use of the relevant Stage                                                                                                                                     |                  |                               |              |                    |   |          |           |                         |   |             |           |                    |  |  |                  |                                                    |
|--------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------|-------------------------------|--------------|--------------------|---|----------|-----------|-------------------------|---|-------------|-----------|--------------------|--|--|------------------|----------------------------------------------------|
| 21.                      | <p><b>Telecommunications</b></p> <p>a. Submit to the ULDA documentation from an authorised telecommunications service provider to confirm that satisfactory agreements have been made for the provision of underground telecommunications to each new dwelling/lot within the proposed development.</p> <p>b. Where new infrastructure is to be installed to bring telecommunications to the site, install infrastructure to accommodate NBN services in accordance with NBN Co Ltd 'New Developments: Deployment of the NBN Co Conduit and Pipe Network – Guidelines for Developers' (April 2011 or later)</p> <p>c. Install the infrastructure within the development to accommodate future Broadband services in accordance with Communications Alliance Ltd "National Broadband Network End User Premises Handbook" (August 2010 or later).</p>                                                                                                                                                                                                  | <p>a. Prior to commencement of use of the relevant Stage</p> <p>b. Prior to commencement of use of the relevant Stage</p> <p>c. Prior to commencement of use of the relevant Stage</p> |                  |                               |              |                    |   |          |           |                         |   |             |           |                    |  |  |                  |                                                    |
| 22.                      | <p><b>Infrastructure Contributions</b></p> <p>Pay to the Urban Land Development Authority a monetary contribution towards the cost of the provision of essential infrastructure at the rate applicable at the time of payment.</p> <p><i>The contribution, calculated at the time of payment will be equivalent to the charge that applies to the development under the Central Highlands Regional Council's Infrastructure Charges, reviewed on 1 July each year and increased by the three year rolling average of the Queensland Roads and Bridges Index.</i></p> <p>The current contribution is as follows:</p> <p>Stage 1</p> <table><tr><th>Development type/product</th><th>No. of units</th><th>Adopted Infrastructure Charge</th><th>Contribution</th></tr><tr><td>3 bedroom dwelling</td><td>4</td><td>\$25,000</td><td>\$100,000</td></tr><tr><td>Credit for existing lot</td><td>1</td><td>\$25,000.00</td><td>-\$25,000</td></tr><tr><td><b>STAGE TOTAL</b></td><td></td><td></td><td><b>\$75,000*</b></td></tr></table> <p>Stage 2</p> | Development type/product                                                                                                                                                               | No. of units     | Adopted Infrastructure Charge | Contribution | 3 bedroom dwelling | 4 | \$25,000 | \$100,000 | Credit for existing lot | 1 | \$25,000.00 | -\$25,000 | <b>STAGE TOTAL</b> |  |  | <b>\$75,000*</b> | Prior to commencement of use of the relevant Stage |
| Development type/product | No. of units                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | Adopted Infrastructure Charge                                                                                                                                                          | Contribution     |                               |              |                    |   |          |           |                         |   |             |           |                    |  |  |                  |                                                    |
| 3 bedroom dwelling       | 4                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    | \$25,000                                                                                                                                                                               | \$100,000        |                               |              |                    |   |          |           |                         |   |             |           |                    |  |  |                  |                                                    |
| Credit for existing lot  | 1                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    | \$25,000.00                                                                                                                                                                            | -\$25,000        |                               |              |                    |   |          |           |                         |   |             |           |                    |  |  |                  |                                                    |
| <b>STAGE TOTAL</b>       |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |                                                                                                                                                                                        | <b>\$75,000*</b> |                               |              |                    |   |          |           |                         |   |             |           |                    |  |  |                  |                                                    |

| Development type/product | No. of units | Adopted Infrastructure Charge | Contribution     |
|--------------------------|--------------|-------------------------------|------------------|
| 2 bedroom dwelling       | 1            | \$14,500                      | \$14,500         |
| 3 bedroom dwelling       | 2            | \$25,000                      | \$50,000         |
| <b>STAGE TOTAL</b>       |              |                               | <b>\$64,500*</b> |

\*The developer contributions will be adjusted each financial year for three year rolling average of the Queensland Roads and Bridges Index.

## STANDARD ADVICE

Please note that in order to lawfully undertake development, it may be necessary to obtain approvals other than this UDA development approval, some specific advices are outlined below. Other advices may include other approvals under the *Urban Land Development Authority Act 2007* as well as the *Sustainable Planning Act 2009* (e.g. for building work), the *Plumbing and Drainage Act 2002* and the *Commonwealth Environmental Protection and Biodiversity Act 1999*. Carrying out development may also be subject to 'duty of care' legislation such as the *Aboriginal Cultural Heritage Act 2003*. For advice on other approvals that may be necessary in relation to your proposal, please seek professional advice.

### Central Highlands Regional Council (CHRC) as the Nominated Assessing Authority

For any conditions in this package that require the consideration of Central Highlands Regional Council (CHRC), you will need to submit the relevant forms, plans and/or reports and fee to the entity nominated in the condition/s. When satisfied that the condition has been met, the applicable entity will issue a response in the manner required by the condition/s (e.g. a letter of endorsement or authorisation or a permit). No costs will be incurred by the ULDA or CHRC. For all enquiries regarding these conditions please contact the CHRC.

*Please note: The above information has been provided to the applicant as an advice only, and does not form part of the development approval conditions. This advice has been provided to the applicant to inform them of other obligations they may have to comply with (under state legislation or local laws) prior to their activity commencing.*