

# DECISION BY DELEGATE

2011 / 01  
COUNCIL'S  
DELEGATE

SUBMISSION BY ROBERT IMRIE

28 DECEMBER 2000

## INTRODUCTION

<b>SITE:</b> Address of Site: <b>196 Toombul Rd, Northgate Qld 4013</b> Real Property Description: <b>Lot 1 on RP 220052 and Lots 2 &amp; 3 on RP910932, Parish of Toombul</b> Area of Site: <b>4466</b> Existing Zone: <b>Residential "A"</b> Name of Owner: Name of Ward: <b>Northgate</b>	<b>APPLICATION:</b> Aspects of development: <b>Carrying out Building Work – Preliminary Approval</b> <b>Material Change of Use – Development Permit</b> Description/Purpose of Proposal: <b>Demolition of a building in the Heritage and Character Building Area and Extension to a Motel</b> Applicant: <b>Kenlynn Hospitality Pty Ltd</b> Application No.: <b>DRS/USE-730582</b> Project No.: <b>DRS/PRO-58839</b> Lodgement Date: <b>4 October 2000</b>
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## DECISION


Having considered the application detailed above, the matters set out in the submission to the Delegate and the recommendation of the officer, I am satisfied that the application accords with relevant standards and the *Integrated Planning Act 1997* where applicable and as such determine that:

1. The application be approved in accordance with proposal plan 970503 DA 090 C, 970503 DA 100 H amended in red 27 December 2000, 970503 DA 101 C, 970503 DA 200 B, 970503 DA 201 B, 970503 DA 300 C, dated September 2000, and Palmer Acoustics Report No 1190 Issue 1 dated 17 November 2000 and subject to the attached conditions: and
2. That the applicant be advised of the delegate's decision in this matter.

Dated the

4<sup>th</sup>

day of January 2001

  
Milena Mog  
Development Assessment Team North  
**Development and Regulatory Services**  
**Customer and Community Service**  
**AS DELEGATE OF THE COUNCIL**

**PLANS AND DOCUMENTS**  
referred to in the  
**DEVELOPMENT APPROVAL**

Issued: 04/01/2001

Minor change: 10/06/2026



## BRISBANE CITY COUNCIL'S DEVELOPMENT APPROVAL PACKAGE

### DEVELOPMENT APPLICATION DETAILS

This Development Approval package relates to the development application detailed below:

<b>Address of site:</b>	196 TOOMBUL RD, NORTHGATE QLD 4013
<b>Real property description of site:</b>	RP220052/L1 TOOMBUL RP910932/L2 TOOMBUL RP910932/L3 TOOMBUL
<b>Aspects of development and type of approval:</b>	1. Material Change of Use and Carrying Out Building Work (Development Permit and Preliminary Approval) - Extension to Motel
<b>Description of proposal:</b>	Demolition/removal of a building and Extension to Motel
<b>Purpose under the Town Plan:</b>	Motel
<b>Council File Reference:</b>	DRS/USE/H00-730582
<b>Printed on:</b>	3rd of January, 2001

### PROJECT TEAM

The assessment of this application has been undertaken by:

**ROBERT IMRIE**  
ASSESSMENT MANAGER  
Development Assessment Team  
NORTH  
Development and Regulatory  
Services  
Phone: 3403 4249

**IAN KENNEDY**  
Engineering Officer  
Development Assessment Team  
NORTH  
Development and Regulatory  
Services  
Phone: 3403 6850

**PAT SHEEHAN**  
Engineering Officer  
Development Assessment Team  
NORTH  
Development and Regulatory  
Services  
Phone: 3403 5689

**RAY TAN**  
Engineering Officer  
Development Assessment Team  
NORTH  
Development and Regulatory  
Services  
Phone: 3403 5634

**MELISSA GASPIC**  
Pollution Officer  
Development Assessment Team  
NORTH  
Development and Regulatory  
Services  
Phone: 3403 5835

**JOANNE LOVE**  
Landscape Architect  
Development Assessment Team  
NORTH  
Development and Regulatory  
Services  
Phone: 3403 6546

### APPROVED DRAWINGS AND DOCUMENTS

The term 'approved drawings and documents', or similar expressions, means:

Drawing or Document	Number	Plan Date
Site Plan	970503 DA 090 C	01-SEP-2000 (Plan Date)
Site Plan - detailed new work	970503 DA 100 H (as amended in red)	01-SEP-2000 (Plan Date)
Site Cover- roof plan	970503 DA101 C	01-SEP-2000 (Plan Date)
Elevations	970503DA 300 C	01-SEP-2000 (Plan Date)
Palmer Acoustics Report	1190 ISSUE 1	17-NOV-2000 (Plan Date)
Floor Plans - building 1-3	970503 DA 200 B	01-SEP-2000 (Plan Date)
Northgate Airport Motel alterations	970503 DA 201 B	01-SEP-2000 (Plan Date)

### ADVICE

Please see the attached document for any advices.



## DEVELOPMENT APPROVAL CONDITIONS

Section of Approval to Which These Conditions Relate:

### 1. Material Change of Use and Carrying Out Building Work (Development Permit and Preliminary Approval)

Section Name:

#### Extension to Motel

#### GENERAL/PLANNING REQUIREMENTS

CONDITIONS	CONDITION TIMING
<p><b>1)</b> Carry out the approved development generally in accordance with the approved drawing(s) and/or document(s).</p> <p><i>GUIDELINE</i>  <i>This condition refers to the approved plans, drawings and documents to which the approval relates and is the primary means of defining the extent of the approval. Approved plans, drawings and documents are stamped PLANS and DOCUMENTS referred to in the APPROVAL and are dated to reflect the date of approval of the application by Council's Delegate.</i></p>	<p>While development is occurring on site and then to be maintained</p>
<p><b>2)</b> Complete all building work associated with this development approval, including work required by any of the following conditions. Such building work is to be carried out generally in accordance with the approved plans, drawing(s), and/or documents and, where the building work is assessable development, in accordance with a current development permit.</p> <p><i>GUIDELINE</i>  <i>This condition is imposed to ensure all building work associated with the use are in place before the use commences. It is not appropriate that the site be used without such work being completed. Please note that the work referred to in this condition involves operational work and may therefore constitute 'assessable development'. The Council informs you therefore that this condition does not authorise assessable development to occur and a development permit may therefore be necessary. Please refer to the Council's information sheets. For any enquiries about this condition, please contact the Assessment Manager.</i></p>	<p>Prior to the commencement of the use</p>
<p><b>3)</b> Complete all detailed design work associated with this development approval, including work required by any of the following conditions. Such work is to be carried out generally in accordance with the approved plans, drawing(s), and/or documents or, if requiring a further approval from the Council, in accordance with the relevant approval(s).</p> <p><i>GUIDELINE</i>  <i>This condition is imposed to ensure all detailed design works associated with the use are completed before the use commences. It is not appropriate that the site be used without such work being completed in accordance with any detailed design approvals. Please note that the work referred to in this condition may constitute 'assessable development'. The Council informs you therefore that this condition does not authorise assessable development to occur and a development permit may therefore be necessary. Please refer to the Council's information sheets. For any enquiries about this condition, please contact the Assessment Manager.</i></p>	<p>Prior to the commencement of the use</p>

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<p>4) 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 Council engineering or other approval required by the conditions.</p> <p><b>GUIDELINE</b>  <i>This condition restricts changes that can be made to the approved development. Approved plans and documents are stamped PLANS and DOCUMENTS referred to in the APPROVAL and are dated to reflect the date of determination of the application by the Council's delegate. The extent to which plans can be modified is constrained by the definition of 'minor change' in schedule 10 and the requirements of section 3.5.24 of the "Integrated Planning Act 1997". It will be necessary to make a new application if the change is not a minor change. For any enquires about this condition, please contact the Assessment Manager.</i></p>	<p>To be maintained</p>
<p>5) Erect a screen fence along the residential boundaries of the site as shown on the approved plans. Unless an alternative design for the fence is agreed to with the owner of adjoining land, the screen fence is to be 1.8 metres in height and be constructed from timber.</p> <p><b>GUIDELINE</b>  <i>This condition is imposed to ensure visual privacy between the development and adjoining properties.</i></p>	<p>Prior to the commencement of the use</p>

**MONETARY CONTRIBUTIONS & SECURITIES**

CONDITIONS	CONDITION TIMING
<p>6) Pay to Council any outstanding charges or expenses levied by the Council over the subject land.</p> <p><b>GUIDELINE</b>  <i>This condition is imposed to ensure that there are no outstanding charges existing over the subject site, including outstanding rates. If there are outstanding monies, they must be paid prior to commencement of the use.</i></p>	<p>Prior to the commencement of the use</p>
<p>7) Pay to Council a monetary contribution towards the cost of water supply head works at the rate prevailing at the time when payment is made. The contribution is currently calculated at \$190.00 per unit less the deemed previous contribution towards water supply treatment head works of \$766.00 based on the subject area of 0.1237 hectare(s), at the rate of \$6,190.00 per hectare. The amount payable is currently assessed at \$1,514.00 for a total of 12 units.</p> <ul style="list-style-type: none"> <li>• Treatment Head works component \$1,514.00;</li> <li>• Distribution Head works component NIL; and</li> <li>• Total contribution \$1,514.00.</li> </ul> <p><b>GUIDELINE</b>  <i>This condition is imposed to require the payment of a proportional contribution towards a satisfactory water supply treatment system to the site. For any enquiries about this condition, please contact the Engineering Officer.</i></p>	<p>Prior to the commencement of the use</p>

<p>8) Pay to Council a monetary contribution towards the cost of sewerage headworks at the rate prevailing at the time when payment is made. The contribution is currently calculated at \$330.00 per unit less the deemed previous contribution towards sewerage treatment head works of \$581.00 based on the subject area of 0.1237 hectare/s, at the rate of \$4,700.00 per hectare. The amount payable is currently assessed at \$3,379.00 for a total of 12 units.</p> <ul style="list-style-type: none"> <li>• Treatment Head works component \$3,379.00;</li> <li>• System Head works component NIL; and</li> <li>• Total contribution \$3,379.00.</li> </ul> <p><i>GUIDELINE</i>  <i>This condition is imposed to require the payment of a proportional contribution towards a satisfactory sewerage treatment system within the locality of the site. For any enquiries about this condition, please contact the Engineering Officer.</i></p>	<p>Prior to the commencement of the use</p>
<p>9) Pay to Council a monetary contribution towards the provision of parkland at the rate applicable at the time of payment. The amount is currently calculated at \$1.50 per square metre of gross floor area. The required contribution currently totals \$1230.00</p>	<p>Prior to the commencement of the use</p>



**ENVIRONMENTAL IMPACT MANAGEMENT**

CONDITIONS	CONDITION TIMING
<p>11) Erect a 2.0 metre high acoustic barrier as shown on the approved plan of layout No. 1190 of Palmer Acoustics (Australia) P/L Road Traffic Noise Impact Assessment No 1190. The acoustic barrier must:</p> <ul style="list-style-type: none"> <li>• Be constructed of a material with a surface density not less than 10 kg/m<sup>2</sup>;</li> <li>• Be of an aesthetically pleasing weather-resistant material such as earth, fibre cement, timber or brick; and,</li> <li>• Be constructed free of gaps.</li> </ul> <p><i>GUIDELINE</i>  <i>This condition is imposed where the achievement of acceptable noise levels is dependent on the erection of an acoustic barrier.</i></p>	<p>Prior to the commencement of the use &amp; then to be maintained</p>
<p>12) Each building component of the motel rooms are to be constructed with materials having at least the following sound transmission class:-</p> <p><u>Unit 1</u>            Sliding Doors and Window Room 1.1 - STC 30            Walls - STC 45</p> <p><u>Unit 2</u>            Windows Room 2.2 - STC 40            South West and East Walls - STC 45            West Wall - STC 37            Roof/Ceiling - STC 44</p> <p><u>Unit 3 - 9</u>            Sliding Doors and Windows - STC 23            Windows Room 2 - STC 40            Walls - STC 45            Roof/Ceiling - STC 44</p> <p><u>Units 10 &amp; 11</u>            Sliding Door Room 1 - STC 25            Roof/Ceiling Room 1 - STC 39            Sliding Door Room 2 - STC 35            Roof/Ceiling Room 2 - STC 44            External Walls - STC 45</p> <p><i>GUIDELINE</i>  <i>This condition is imposed where a minimum level of noise attenuation is required to ensure acceptable indoor noise levels are achieved. For further information in regards to this condition, please contact the Pollution Assessment Officer</i></p>	<p>To be maintained</p>

- 13)** Minimise on-site erosion and the release of sediment or sediment-laden stormwater from the site at all times through compliance with an approved Erosion and Sediment Control (ESC) Program for the site.
- (a) Submit an Erosion and Sediment Control (ESC) Program which complies with Council's *Erosion and Sediment Control Standard (Version 8 or later)* , and receive approval from the Delegate, Major Projects, prior to the commencement of land-disturbing activities;
- (b) Implement and modify as necessary the approved ESC Program to maintain compliance with the *Erosion and Sediment Control Standard (Version 8 or later)* at all times during the period from when land-disturbing activities begin to when responsibility for the site no longer lies with the applicant.

Prior to site works commencing (ie. any land-disturbing development)

While site works (eg. operational works, building works) are occurring and until exposed soil areas are permanently stabilised (eg. turfed, concreted)

**GUIDELINE**

*This condition is imposed where the land-disturbing development (as defined in the current version of Council's Erosion and Sediment Control Standard) involves site works that could lead to significant erosion and loss of sediment from the site. The ESC Program must be prepared in accordance with Council's Erosion and Sediment Control Standard (Version 8 or later), and may include detailed plans, descriptions of control measures, monitoring programs and maintenance procedures. Please note that the work referred to in this condition involves operational work and therefore requires an operational works application to be submitted. Relevant guidelines to assist in the preparation of ESC Programs include the: "Soil Erosion and Sediment Control - Engineering Guidelines for Queensland Construction Sites" The Institute of Engineers, Australia (Qld), 1996 (or later version); "Sediment Basin Design Guidelines", Brisbane City Council, February 2000 (or later version); and "Best Practice Guidelines for the Control of Stormwater Pollution from Building Sites" and accompanying fact sheets, Brisbane City Council and Gold Coast City Council, 2000 (or later version). NB. The ESC Program may form part of a Site Based Stormwater Management Plan (that addresses short and long-term stormwater management from a quality and quantity perspective) or an Environmental Management Plan (EMP). For any enquiries about this condition, please contact the Erosion and Sediment Control Officer, Development and Regulatory Services on telephone 3403 4735.*

**ENGINEERING MANAGEMENT**

CONDITIONS	CONDITION TIMING
<p><b>14)</b> Construct and delineate or sign (as required) the following requirements as indicated on the approved plan(s) of layout:</p> <ul style="list-style-type: none"> <li>(a) Construct a 7.0 metre wide type B2 permanent vehicular crossover to Toombul Road frontage(s) of the site in accordance with an approved detailed design;</li> <li>(b) Construct a pavement of minimum Type A standard and surface with an impervious material (including associated drainage) to the area on which motor vehicles will be driven and/or parked. [Construction of such pavement is to be certified by a Registered Professional Engineer of Queensland (RPEQ)];</li> <li>(c) The driveways at grades shown on the approved plans and documents (or if not shown at grades not greater than those set out in Transitional Planning Policy 18.06);</li> <li>(d) Manoeuvring on site for a Small Rigid Vehicle and for the loading and unloading of the vehicle(s);</li> <li>(e) Parking on the site for a total of 43 cars including an additional 21 cars and for the loading and unloading of vehicles within the site;</li> <li>(f) 1 of the above parking space(s) are to be provided for people with disabilities;</li> <li>(g) A minimum 2.3 metres height clearance to all undercover car parking areas (Note, The minimum clear height shall be measured to the lowest appurtenance on the ceiling - ie. fire sprinklers, services, lighting fixtures, signs etc.);</li> <li>(h) A height clearance sign located at the entrance(s) to undercover car parking areas;</li> <li>(i) Unrestricted access for bona fide visitors to any visitor bay;</li> <li>(j) An appropriate area for the storage and collection of refuse, including recyclables, in a position which is accessible to service vehicles on the site;</li> </ul> <p><b>GUIDELINE</b>  <i>The Transitional Planning Scheme requires adequate on-site provision of parking, servicing and manoeuvring areas. This condition specifies detailed design requirements as indicated on the approved drawings and documents to which the approval relates (see the first condition). The assessment of the approved plans of layout has adequately considered these requirements.</i></p>	<p>Prior to the commencement of the use</p>

<p>15) Submit to the Engineering Delegate, Major Projects written consent to a lawful point of discharge from the owners of properties affected by any stormwater discharge from the site. Such consent may require supporting engineering plans and calculations.</p> <p>This condition may be addressed through discharge of stormwater to the existing kerb and channel in Toombul Rd in a manner which will evenly disperse the stormwater so as not to create a hazard to vehicles.</p> <p><b>GUIDELINE</b>  <i>This condition is imposed where it is necessary to obtain a lawful point of discharge for a drainage outlet and/or authority to pipe across adjacent properties to the lawful point of discharge. The downstream property owners should be made aware that piped drainage is preferable in the event of pump failure if a lawful point of discharge is not granted. The detailed design application seeking engineering approval in respect of this work should show the drainage outlet and/or the drainage across adjacent properties to the lawful point of discharge. Works necessitated by this condition must be carried out in accordance with the relevant detailed design approval. Evidence of a lawful point of discharge should be provided in the form of a signed letter from the affected property owner(s) agreeing to the point of discharge. For any enquiries about this condition, please contact the Engineering Officer.</i></p>	<p>Prior to lodging a development permit for building works</p>
<p>16) Run off from roof and developed surface areas of the site, and any run off onto the site from adjacent areas, are to be collected internally and piped in accordance with Council's "Subdivision and Development Guidelines" to a lawful point of discharge.</p> <p>(a) Submit drainage plans and engineering calculations in accordance with Council's "Subdivision and Development Guidelines" showing the design of the drainage of the roof and developed surfaces. Obtain approval from the Engineering Delegate, Major Projects. Such plans are to show adequate survey information on areas adjoining the site with particular attention to ponding of water or any nuisance or annoyance to adjoining property owners.</p> <p>Such drainage plans must demonstrate that any stormwater discharge to kerb and channel will be sufficiently dispersed so as not to create a hazard for vehicles.</p> <p>(b) Complete the works in accordance with the approved engineering plans; and</p> <p>(c) Submit "As Constructed" plans approved by a Registered Professional Engineer of Queensland (RPEQ) (to a standard specified in Council's "Subdivision and Development Guidelines") certifying that the works have been completed in accordance with the approved design and any approved modifications.</p> <p><b>GUIDELINE</b>  <i>The purpose of this condition is to ensure that stormwater run off from the site and adjacent properties will be handled adequately. Disposal by gravity pipeline is required if practical. Use of pumps for disposal of stormwater may be approved only if the applicant can show evidence to Council of having taken all reasonable steps to obtain written permission from adjacent property owners for construction of a gravity pipeline, and of this being unobtainable. For any enquiries about this condition, please contact the Engineering Officer.</i></p>	<p>Prior to site works commencing (ie. any land-disturbing development)</p> <p>Prior to undertaking the works</p> <p>Prior to the commencement of the use</p> <p>Prior to the commencement of the use</p>

<p><b>17)</b> Adjoining properties and roads are to be protected from ponding or nuisance from stormwater runoff. Special attention is to be given to properties fronting Day Rd which may be affected as a result of the proposed filling and sufficient survey is to be provided to demonstrate that this condition has been complied with.</p> <p>(a) Adjoining properties and roads are to be protected from ponding or nuisance from stormwater as a result of the proposed works and filling;</p> <p>(b) Rectify all damage resulting from the ponding of stormwater or nuisance from discharge of stormwater from the site to adjacent properties.</p> <p><b>GUIDELINE</b>  <i>This condition is imposed to ensure that the developer is aware that they are responsible for all remedial works required as a result of any site works and, that they must protect neighbouring properties and roads from ponding and nuisance water from the proposed development. Where this rectification work involved drainage, plans are to be lodged showing the manner in which it is intended to rectify the site drainage. These plans must be approved by the Engineering Delegate, Major Projects, Development and Regulatory Services. For any enquiries about this condition, please contact the Engineering Officer.</i></p>	<p>Prior to the commencement of the use</p> <p>While site/operational works/building works is occurring</p>
<p><b>18)</b> Remove any redundant drainage outlets from the kerb and channel including any associated pipe work across the footway and reinstate the kerb and channel and the footway area in accordance with Council's "Subdivision and Development Guidelines" .</p> <p><b>GUIDELINE</b>  <i>This condition is imposed to ensure that obsolete drainage outlets are removed from the kerb and footway area. For any enquiries about this condition, please contact the Engineering Delegate, Licensing and Compliance, Development and Regulatory Services.</i></p>	<p>Prior to the commencement of the use</p>
<p><b>19)</b> 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. This includes the relocation of any fire hydrants and valves from within the limits of the development's vehicular footway crossings if applicable.</p> <p>(a) Complete the works required by this condition;</p> <p><b>GUIDELINE</b>  <i>This condition is imposed when additions, alterations or extensions to service conduits, mains and other services are required as a result of the approved development. Applicants should liaise with the appropriate service authorities. For any enquiries about this condition, please contact the Engineering Officer (regarding advise on traffic signal conduits, stormwater, water supply and sewerage mains etc.) or the relevant public utility authorities (for advice on other services).</i></p>	<p>Prior to the commencement of the use</p>

<p><b>20)</b> Provide underground electricity services in accordance with an approved electricity reticulation plan and the Council's Guidelines for the "Provision of Underground Electricity in New Subdivisions".</p> <p>(a) Lodge electricity reticulation plans showing the proposed electricity services for the development and obtain approval from the City Lighting Unit, Local Asset Services Central District;</p> <p>(b) Enter into an agreement with an electricity supplier to provide underground electricity services in accordance with the above approved electricity reticulation plans; and</p> <p>(c) Forward a copy of the agreement to the Engineering Delegate, Licensing and Compliance Team North, Development and Regulatory Services.</p> <p><b>GUIDELINE</b>  <i>This condition is imposed when a proposed development would require the provision of electricity services in accordance with Council's "Guidelines for the Provision of Underground Electricity". Please refer to the Council's information sheet on lodging detailed design applications. For any enquiries about this condition, please contact the City Lighting Unit (pH 3403 0307) regarding electricity reticulation plans or Energex (pH: 131 253) regarding electricity supply.</i></p>	<p>Prior to the commencement of the use</p> <p>Prior to undertaking the works</p>
<p><b>21)</b> Provide underground telecommunication services for the proposed development</p> <p>(a) Enter into an agreement with a telecommunication company to provide underground telecommunication services within and adjacent to the proposed development; and</p> <p>(b) Forward a copy of the agreement to the Engineering Delegate, Licensing and Compliance Team North.</p> <p><b>GUIDELINE</b>  <i>This condition is imposed to ensure that the provision of essential communication services are provided to the development. For any enquiries about this condition, please contact relevant service carriers regarding communications or Telstra (pH 132 200).</i></p>	<p>Prior to the commencement of the use</p> <p>Prior to undertaking the works</p>
<p><b>22)</b> Close all existing redundant vehicular crossing(s) not shown on the approved plans that are associated with the development, and reinstate the kerb and channel, road pavement, footways and footpaths, in accordance with Council's "Subdivision and Development Guidelines"</p> <p><b>GUIDELINE</b>  <i>This condition is imposed when existing crossovers become redundant as a result of the new development.</i></p>	<p>Prior to the commencement of the use</p>
<p><b>23)</b> 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 in association with the approved development.</p> <p><b>GUIDELINE</b>  <i>The intention of this condition is to ensure that any works undertaken as part of the approved development do not damage Council assets or leave Council assets in an unacceptable and unsightly manner. For any enquiries about this condition please contact the Engineering Delegate, Licensing and Compliance Team North.</i></p>	<p>Prior to the commencement of the use</p>

24) Provide a screened bin corral and locate as indicated on the approved plans for the storage of a minimum of 8 bins. This storage area is to cater for a minimum of 6 general refuse bins and 4 recycle bins which are all required to be shared between all tenants and presented kerbside for collection.

Prior to the commencement of the use & then to be maintained

**GUIDELINE**

*This condition is imposed to ensure that adequate arrangements are made for the storage of refuse and recycle bins in accordance with Council's Guidelines.*

**\*\* End of Conditions \*\***

## ADVICES

A builder or building contractor must not carry out building work on a building site in a way that makes or causes audible noise to be made from the building work -

(a) on a Sunday or public holiday, at any time; or

(b) on a Saturday or business day, before 6.30 am or after 6.30 pm.

No visible dust emissions must occur at the boundaries of the site during earthworks and construction activities on the site.