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8 August 2013

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21-JUL-2026
APPLICATION REF
A007073728

COUNCIL DELEGATE
DECISION MADE ON

08/08/2013

COPY OF SPA
EXTRACT SENT
WITH LETTER

Asi Planning
326 Albany Creek Road
BRIDGEMAN DOWNS QLD 4035

Application Reference: A003659482
Address of Site: 16 NETTLETON CRES MOOROOKA QLD 4105

Dear Asi Planning,

RE: Decision Notice pursuant to *Section 334* of the *Sustainable Planning Act 2009*

I am pleased to inform you that your Development Application has been approved as indicated in the attached Decision Notice. This approval must be carried out in accordance with the attached Development Approval Package.

Infrastructure Charges Notices may have been issued for the approved development pursuant to the *Brisbane Adopted Infrastructure Charges Resolution (No. 3) 2013*, as detailed below:

Brisbane City Council has not levied infrastructure charges. There will be no Infrastructure Charges Notice attached to the Decision Notice.

AND

The Central SEQ Distributor Retailer Authority trading as Queensland Urban Utilities has not levied infrastructure charges. There will be no Infrastructure Charges Notice attached to the Decision Notice.

Included is an extract from the *Sustainable Planning Act 2009* advising you of your right to appeal to the Planning and Environment Court or Building and Development Committee.

Please phone me on telephone number below during normal business hours if you have any queries regarding this matter.

Yours faithfully,

A handwritten signature in black ink, appearing to read 'Dalina', with a large loop at the start and a long horizontal stroke at the end.

Dalina Howden
Paratechnical Urban Planner, Development Assessment
Development Assessment RiskSMART
Phone: 3403 6850
Email: dalina.howden@brisbane.qld.gov.au
Development Assessment Branch
Brisbane City Council

Decision Notice

(Section 334 of the Sustainable Planning Act 2009)

INTRODUCTION

This is a decision notice given for a development application (Distributor-Retailer) as defined by Section 755A of the *Sustainable Planning Act 2009*. The decision to approve the application on 8 August 2013 was made by the Senior Urban Planner, Development Assessment as the delegate appointed by the Council to determine the application and as the sub-delegate of the Central SEQ Distributor-Retailer Authority.

APPLICATION DETAILS

Application Reference Number: A003659482

Properly Made Date: 10 July 2013

DETAILS OF APPLICATION SOUGHT

Aspect of Development: DA - SPA - Carry out Building Work (ref DABW281440513)

Nature Application: Preliminary Approval under s241

Activity: House in DCP - Partial Demolition

Description of Proposal: House in DCP (Partial Demolition)

Aspect of Development: DA - SPA - Carry out Building Work (ref DABW281574913)

Nature Application: Preliminary Approval under s241

Activity: House in DCP and Extension

Description of Proposal: House in DCP (Extension)

Aspect of Development: DA - SPA - Material Change of Use (ref DAMC281440613)

Nature Application: Development Permit

Activity: House in DCP and Extension

Description of Proposal: House in DCP (Extension)

APPLICANT DETAILS

Name of Applicant: Asi Planning

Applicant Address: Asi Planning
326 Albany Creek Road
BRIDGEMAN DOWNS QLD 4035

SITE DETAILS

Address of Site: 16 NETTLETON CRES MOOROOKA QLD 4105

Real Property Description: L17 RP.865631

City Plan Area Classification: CP-LR

Owner: Mr Mohd Zubair Sulieman Deen & Mrs Kiran Nabila Deen

Ward: Moorooka

TYPE OF APPROVAL

- ☐ DA - Carry out Building Work – Preliminary Approval under s241 (ref DABW281440513)
- ☐ DA - Carry out Building Work – Preliminary Approval under s241 (ref DABW281574913)
- ☐ DA - Material Change of Use – Development Permit (ref DAMC281440613)

Please note that this Preliminary Approval for Carrying Out Building Work (ref DABW281440513) does not include assessment against the Building Code of Australia.

Please note that this Preliminary Approval for Carrying Out Building Work (ref DABW281574913) does not include assessment against the Building Code of Australia.

RELEVANT PERIOD FOR THE APPROVAL

DA - Carry out Building Work (ref DABW281440513) - Preliminary Approval under s241 - 48 months

DA - Carry out Building Work (ref DABW281574913) - Preliminary Approval under s241 - 48 months

DA - Material Change of Use (ref DAMC281440613) - Development Permit - 48 months

FURTHER DEVELOPMENT PERMITS AND COMPLIANCE PERMITS

The following Development and/or Compliance Permit/s are required for the purposes of assessment of compliance with conditions of this development that require a document and/or works to be approved by Council, or where further development permits are required to carry out the development.

- ☐ Carry Out Building Work – Development Permit

COMPLIANCE ASSESSMENT

There no requirements for compliance assessment for this development

REFERRAL AGENCIES

No referral agencies were identified for this application.

CONDITIONS

This approval is subject to the Assessment Manager's conditions included in the attached Development Approval Package which identifies conditions:

- ☐ Imposed by Council as Assessment Manager
- ☐ Imposed from Council exercising the Concurrence Agency functions of the Central SEQ Distributor-Retailer Authority delegated to Council pursuant to *Section 53 of the South-East Queensland Water (Distribution and Retail Restructuring) Act 2009*.

SUBMISSIONS

Submissions were received for this application during the notification stage. However, for Code or Code Notifiable applications submitters do not have appeal rights.

APPEAL RIGHTS

In accordance with *Section 335(1)(o) of the Sustainable Planning Act 2009*, the rights of appeal must be stated for the applicant and any submitters. Attached is an extract from the *Sustainable Planning Act 2009* that details your appeal rights and the appeal rights of any submitters.



BRISBANE CITY COUNCIL'S APPROVAL PACKAGE.

APPLICATION DETAILS

This package relates to the application detailed below

Address of Site:	16 NETTLETON CRES MOOROOKA QLD 4105
Real Property Description of Site:	L17 RP.865631
Aspects of development and type of approval:	DA - SPA - Carry out Building Work Preliminary Approval under s241 - House in DCP - Partial Demolition DA - SPA - Carry out Building Work Preliminary Approval under s241 - House in DCP, Extension DA - SPA - Material Change of Use Development Permit - House in DCP, Extension
Council File Reference:	A003659482 Permit Reference Number/s: DABW281440513; DABW281574913; DAMC281440613.
Package Status:	APPROVED - Version 1 (8th of August, 2013 11:57:13 AM)
Package Generated:	08/08/2013

PROJECT TEAM

The assessment of this application has been undertaken by:

Dalina HOWDEN Paratechnical Urban Planner, Development Assessment Development Assessment RiskSMART dalina.howden@brisbane.qld.gov.au 3403 6850	Shiri RAJU Principal Engineer, Development Assessment Development Assessment RiskSMART shiri.raju@brisbane.qld.gov.au 3403 6544	Rebecca OWENS Senior Urban Planner Development Assessment RiskSMART rebecca.owens@brisbane.qld.gov.au (07) 3178 5196
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DRAWINGS AND DOCUMENTS

The term 'drawings and documents' or similar expressions mean:

Drawing or Document	Number	Plan Date
Site Plan	Sheet: 03 Issue BA 13/05/2013	02-AUG-2013 (Received)
Existing Floor Plan	Sheet 04 Issue BA 13/05/2013	02-AUG-2013 (Received)
Existing Elevations	Sheet 05 Issue BA 13/05/2013	02-AUG-2013 (Received)
Existing Elevations	Sheet 06 Issue BA 13/05/2013	02-AUG-2013 (Received)
Proposed Floor Plan	Sheet 07 Issue BA 13/05/2013	02-AUG-2013 (Received)
Proposed Elevations	Sheet 08 Issue BA 13/05/2013	02-AUG-2013 (Received)
Proposed Elevations	Sheet 09 Issue BA 13/05/2013	02-AUG-2013 (Received)
Sections + Sub Floor	Sheet 10 Issue BA 13/05/2013	02-AUG-2013 (Received)

Advice

Please see the attached document(s) for any advices.

APPROVAL CONDITIONS

Permit to Which These Conditions Relate:	DA - SPA - Carry out Building Work
Activity(ies):	House in DCP - Partial Demolition
Stage:	

Architecture

	Timing
1) Partial or Minor Demolition of Building Any lawful demolition resulting from the approval is to be in accordance with the approved drawings. In addition, any building work must also maintain the following: 1(a) Adequate Bracing Adequate bracing must be provided from the commencement of any demolition work and throughout the demolition and construction phases of the project, to ensure that all parts of the building not specially designated for demolition on the approved drawings are retained and protected. 1(b) Retain Original Fabric Retain all existing original fabric in the sections of the building which are not being demolished. This will include, but is not limited to, existing decorative detailing, balustrading, wall cladding, windows, doors, stairs and roof sheeting.	While site/operational/building work is occurring and then to be maintained While site/operational/building work is occurring While site/operational/building work is occurring and then to be maintained

Standard Advice

	Timing
2) Further Development Permit required This Preliminary Approval (Carry Out Building Works) does not include assessment against the Building Act and does not permit building work to occur. Prior to the commencement of any building work, Development Permit(s) for Carrying Out Building Work will be required.	As indicated

Permit to Which These Conditions Relate:	DA - SPA - Carry out Building Work
Activity(ies):	House in DCP Extension
Stage:	

Standard Advice

	Timing
3) Further Development Permit required This Preliminary Approval (Carry Out Building Works) does not include assessment against the Building Act and does not permit building work to occur. Prior to the commencement of any building work, Development Permit(s) for Carrying Out Building Work will be required.	As indicated

Permit to Which These Conditions Relate:	DA - SPA - Material Change of Use
Activity(ies):	House in DCP Extension
Stage:	

General/Planning Requirements

	Timing
4) Approved Drawings & Documents A legible copy of the approved drawings and documents bearing "Council Approval" and the Development Approval Conditions package is to be available on site. Note. This condition is imposed to ensure compliance with the development conditions of approval. The copy of the conditions and drawings should be located in any site management office or with the site foreman. Any copies of conditions or drawings that are illegible shall be deemed to be non compliance with this condition of approval.	While site/operational/building work is occurring
5) Carry Out The Approved Development Carry out the approved development generally in accordance with the approved drawing(s) and/or document(s). Note. This development approval may include the location of fences, retaining walls and/or external walls of buildings on the boundary of a lot. This approval does not constitute permission to enter neighbouring properties to carry out the construction (including associated drainage and earthworks) or maintenance activities. Permission to enter neighbouring properties must be obtained from relevant property owners.	While site/operational/building work is occurring and then to be maintained
6) Complete All Building Work Complete all building work associated with this development approval, including work required by any of the conditions included in the Conditions Package. Such building work is to be carried out generally in accordance with the approved drawing(s), and/or documents and, where the building work is assessable development, in accordance with a current development permit.	Prior to issue of Certificate of Classification/Final Inspection Certificate or prior to commencement of use, whichever comes first (MCU or BW), or prior to Council's notation of the plan of subdivision (ROL), and then to be maintained
7) Maintain the Approved Development Maintain the approved development (including landscaping, parking, driveways and other external spaces) generally in accordance with the approved drawing(s) and/or documents, and any relevant Council engineering or other approval required by the conditions. Note. This condition restricts changes that can be made to the approved development (approved drawings, documents and conditions to which the approval relates). The extent to which the approved development may be modified is constrained by the requirements of the relevant planning legislation. It will be necessary to make a new application if the change does not meet the specifications of the relevant planning legislation.	To be maintained

	Timing
8) External Details External details of the building, facade treatment and external materials, colours and finishes are to be generally consistent with the approved drawings.	Prior to issue of Certificate of Classification/Final Inspection Certificate or prior to commencement of use, whichever comes first, and then to be maintained

	Timing
9) Protect Existing Infrastructure Where there is existing infrastructure in the vicinity of the proposed work, then the new work must not damage or compromise the working ability of the existing infrastructure. Should it be required to provide alterations to public utility mains, existing mains, services or installations, then the developer is required to meet the costs of the alteration/s, which is to be carried out in accordance with the relevant Brisbane Planning Scheme Codes/Policies. 9(a) As Constructed Drawings Submit to Development Assessment "As Constructed" drawings including an asset register, showing all new and/or rectification works required by this condition. These works must be certified by a Registered Professional Engineer of Queensland-Civil that they are in accordance with the relevant Brisbane Planning Scheme Codes/Policies and any other relevant infrastructure requirements.	While site works are occurring and then to be maintained Prior to issue of Certificate of Classification/Final Inspection Certificate or prior to commencement of use, whichever comes first, and then to be maintained
10) On-site Erosion (Low Risk) Minimise on-site erosion and the release of sediment or sediment-laden stormwater from the site at all times. 10(a) Prepare an Erosion and Sediment Control (ESC) Management Plan - On-site Erosion (Low Risk) Prepare an Erosion and Sediment Control (ESC) Management Plan for the site in accordance with the Healthy Waterways document <i>Controlling Stormwater Pollution on Your Building Site 2006</i> (or later version) and in accordance with the relevant Brisbane Planning Scheme Codes/Policies. Note. An Erosion and Sediment Control Management plan is not required to be submitted for Council endorsement. 10(b) Implement and Maintain the ESC Management Plan - On-site Erosion (low Risk) Implement and maintain the ESC Management Plan on-site for the duration of the operational or building works, and until all exposed soil areas are permanently stabilised (e.g. turfed, hydro-mulched, concreted, landscaped). The prepared ESC Management Plan must be available on-site for inspection by Council Officers during these works.	While site/operational/building work is occurring Prior to site/operational/building work commencing While site/operational/building work is occurring

11) Filling and excavation (Minor) Undertake the works on the site in accordance with the relevant Brisbane Planning Scheme Codes/Policies. 11(a) Prepare Earthworks Plan A suitably qualified person is to prepare earthworks drawings in accordance with the relevant Brisbane Planning Scheme Codes/Policies. The drawings are to ensure the following: - maintenance of access roads to and from the site such that they remain free of all fill material and are cleaned as necessary - preservation of all drainage structures from the effects of structural loading generated by the earthworks - protection of adjoining properties and roads from ponding or nuisance from stormwater 11(b) Implement and Maintain the Earthworks Plan Implement and maintain the earthworks plan in accordance with the relevant Brisbane Planning Scheme Codes/Policies. A copy of the Earthworks Plan must be available on-site for inspection by Council Officers during these works.	Prior to issue of Certificate of Classification/Final Inspection Certificate or prior to commencement of use, whichever comes first (MCU or BW), or prior to Council's notation of the plan of subdivision (ROL) Prior to site/operational/building work commencing While site/operational/building work is occurring and then to be maintained
12) Retaining Walls Design and construct all retaining walls and associated fences, in accordance with the relevant Brisbane Planning Scheme Codes/Policies and to ensure the following: - All retaining walls including the footing structure, must be located wholly within the property boundary of the site where works are occurring. - Retaining walls to stabilise excavation are to be set back off property boundaries to accommodate subsoil drainage without encroachment into the neighbouring property. This set back may vary depending on the height, structure and design of the retaining wall, including loadings from neighbouring properties, and to provide a surface drain along the top of the retaining wall. - Retaining walls that retain fill and are greater than 1.5m in height are to be vertically and horizontally tiered by a dimension of half of the height of the retaining wall unless an alternative has been approved by Council. - Runoff from surface drains and subsoil drainage associated with the retaining wall is to be collected and conveyed to a lawful point of discharge and must not cause any ponding, nuisance or disturbance to adjacent property owners. - Retaining walls in excess of 1.0m in height are to be designed and certified by a Registered Professional Engineer of Queensland - Retaining walls facing onto Council property (including the road reserve and parkland) must not be constructed from timber.	Prior to issue of Certificate of Classification/Final Inspection Certificate or prior to commencement of use, whichever comes first (MCU or BW), or prior to Council's notation of the plan of subdivision (ROL)

12(a) Certification of Retaining Walls For retaining walls over 1.0 metre in height, provide certification from a Registered Professional Engineer Queensland that the design and construction of the retaining wall and ancillary drainage comply with this condition.	Prior to issue of Certificate of Classification/Final Inspection Certificate or prior to commencement of use, whichever comes first (MCU or BW), or prior to Council's notation of the plan of subdivision (ROL)
13) Repair Damage To Kerb, Footpath Or Road 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) and re-instatement existing traffic signs and pavement markings that have been removed or damaged during any works carried out in association with the approved development.	Prior to issue of Certificate of Classification/Final Inspection Certificate or prior to commencement of use, whichever comes first (MCU or BW), or prior to Council's notation of the plan of subdivision (ROL)
14) On site drainage - Minor Provide a stormwater connection to all new or existing allotments and provide drainage infrastructure to ensure stormwater run-off from all roof and developed surface areas will be collected internally and piped in accordance with the relevant Brisbane Planning Scheme Codes/Policies to a lawful point of discharge. Note: A lawful point of discharge is defined in the relevant Brisbane Planning Scheme Codes/Policies. A soakage pit certified by a Registered Professional Engineer of Queensland-Civil (RPEQ-Civil) may only be considered as an acceptable alternative point of discharge for single detached dwellings on existing lots. If roofwater reticulation is required for a reconfiguration, provide "As Constructed" plans prepared by an RPEQ or Registered Surveyor.	Prior to issue of Certificate of Classification/Final Inspection Certificate or prior to commencement of use, whichever comes first (MCU or BW), or prior to Council's notation of the plan of subdivision (ROL), and then to be maintained
15) Construct Permanent Vehicle Crossover Provide a 4.5 metre wide Type A permanent vehicular crossover to the Nettleton Crescent frontage of the site in accordance with the relevant Brisbane Planning Scheme Codes/Policies and Standard Drawings and located as shown on the approved drawings. Note: No further development permits are required to carry out the crossover works. Street trees must not be removed or pruned without prior approval from Council's Asset Services Branch.	Prior to issue of Certificate of Classification/Final Inspection Certificate or prior to commencement of use, whichever comes first (MCU or BW), or prior to Council's notation of the plan of subdivision (ROL)
16) Remove Redundant Crossover Remove the existing vehicular crossing(s) on the frontage(s) of the site and reinstate the kerb and channel, road pavement, footways and footpaths in accordance with the relevant Brisbane Planning Scheme Codes/Policies.	Prior to issue of Certificate of Classification/Final Inspection Certificate or prior to commencement of use, whichever comes first (MCU or BW), or prior to Council's notation of the plan of subdivision (ROL)

Standard Advice

	Timing
17) Standard Building Regulations This approval does not include assessment against the siting requirements of the Queensland Development Code. Should the approved development require a siting relaxation against the Queensland Development Code, an application for a Siting Variation (Relaxation) must be lodged with and approved by Brisbane City Council. Note. This development approval does not commit Council's Building Officer to approving any setbacks shown on the approved drawings.	As indicated
18) Construction Noise and Dust Emissions Pursuant to the <i>Environmental Protection Act 1994</i>, all development involving the emission of noise and dust from building and/or construction activities, must ensure that the emission are accordance with the requirements of the Act. The <i>Environmental Protection Act 1994</i> prescribes that: (1) A person must not carry out building work in a way that makes an audible noise— (a) on a business day or Saturday, before 6.30a.m. or after 6.30p.m; or (b) on any other day, at any time. (2) The reference in subsection (1) to a person carrying out building work— (a) includes a person carrying out building work under an owner-builder permit; and (b) otherwise does not include a person carrying out building work at premises used by the person only for residential purposes.	As indicated

Water and Wastewater Services - Concurrence Agency Requirements

	Timing
19) Build Over Sewer (BOS) Obtain written permission from Development Assessment, to build over or near sewer infrastructure. GUIDELINE <i>This condition has been imposed to ensure proposed building works or structures do not adversely impact on the operation or structural performance of the sewer. The proposed works cannot be assessed and certified by a person with BSA or RPEQ accreditation, due to the nature of the proposed works or the existing sewer infrastructure. This condition has been imposed on behalf of Central SEQ Distribution - Retailer Authority, Queensland Urban Utilities, under the delegated concurrence agency agreement. For any enquiries about this condition, please contact the Water and Sewerage Assessment Team, Development Assessment.</i> PROOF OF FULFILMENT <i>Permission to "Build Over Sewer" granted Building works comply with conditions of approval</i>	Prior to site/operational/building work commencing
20) General Requirements for Water and Sewerage Works	Prior to issue of Certificate of Classification/Final Inspection

The following requirements may apply to this development. It is the developer's responsibility to determine where these requirements apply, and meet the cost of any resulting works.

1) Construct and/or alter public utilities mains, existing water and sewerage mains, services or installations required in connection with the approved development in accordance with the current Central SEQ Distribution - Retailer Authority, Queensland Urban Utilities (Incorporating WSAA) Standards (formerly BCC Standards).

This includes the relocation of any water meter, fire hydrant, scours and/or valves and sewer connections from within the limits of the development's vehicular footway crossings.

Certificate or prior to commencement of use, whichever comes first (MCU or BW), or prior to Council's notation of the plan of subdivision (ROL), and then to be maintained

2) Where an existing sewerage property connection is located under a driveway (in the road reserve) and is unable to be relocated, a 1m x 1m removable slab with suitable lifting arrangements is to be located centrally over the connection with the Delegate's, Development Assessment written agreement.

3) Where existing or new sewerage property connections will be located under reinforced concrete slabs on private property, a 1m x 1m removable slab with suitable lifting arrangements is to be located centrally over the connection with the Delegate's, Development Assessment written agreement.

4) Where a proposed structure is within 2.000 metres of an existing sewer, Permission to Build over/near the sewer will have to be obtained from a private certifier where the sewer is 225mm diameter or less. Greater than 225 mm diameter sewer needs approval from Council. Structures are not to be located over manholes or sewer property connections.

5) Where existing sewerage maintenance holes do not have the current standard top slab, cover and frame, or there are changes to the surface levels or there are changes to the loading conditions, the maintenance holes are to be modified in accordance with the current Central SEQ Distribution - Retailer Authority, Queensland Urban Utilities (Incorporating WSAA) Standards (formerly BCC Standards).

6) Existing water mains and sewers are to be relocated or raised/lowered to the current Central SEQ Distribution - Retailer Authority, Queensland Urban Utilities (Incorporating WSAA) Standards (formerly BCC Standards), if development related works change the depth of cover on these works.

7) Where a new road opening or widening is required and an existing water main is located in the footpath which will become new roadway, the existing main is to be relocated clear of the proposed carriage way to the

depth specified in the current Central SEQ Distribution - Retailer Authority, Queensland Urban Utilities (Incorporating WSAA) Standards (formerly BCC Standards).

- 8) Clear, unobstructed, 24 hour access from the street frontage is to be maintained to any sewerage maintenance holes and property connections, on the development site.
- 9) Where the property is encumbered by a combined drain, replacement of the existing combined drain may be a requirement of the plumbing Approval. It is recommended that contact be made with the Plumbing Services Group to determine any requirements.
- 10) Where a building is demolished on a site the existing sewer property connection is to be sealed and capped. The existing water service and meter is to be sealed off and removed if not required for the future development of the site.
- 11) Where a dwelling is located in a declared sewerage area then the dwelling is to be provided with an individual water service and meter and sewerage property connection.

GUIDELINE

This condition is imposed to ensure that water and sewer infrastructure is accessible, is protected and can be operated and maintained. The condition also ensures footpaths are kept in a safe condition. This condition has been imposed on behalf of Central SEQ Distribution - Retailer Authority, Queensland Urban Utilities, under the delegated concurrence agency agreement. For any enquiries about this condition, please contact the Water and Sewerage Assessment Team, Development Assessment.

PROOF OF FULFILMENT

Requirements of this condition are complied with to the satisfaction of the Delegate, Development assessment.

**** End of Package ****