Moreton Bay Regional Council

Enquiries: Julie Stokman
Direct Phone: 07 5433 2778
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Our Ref: DA/28178/2013/V2D
Your Ref: -
Date: 9 October 2013

Interface Projects
PO Box 751
COORPAROO QLD 4151

Dear Sir/Madam

Re: DECISION NOTICE
Sustainable Planning Act 2009 S334 & S335
Development Application No.: DA/28178/2013/V2D
Property Location: 3 Ebb Drive, Bellmere
Property Description: Lot 11 SP 213436
Development Type: Material Change of Use - Development Permit (Dual Occupancy)

Please be advised that on 8 October 2013 the above development application was approved by Council's delegate. The conditions relevant to this approval are attached.

Details of Approval

The following type of approval has been issued:

APPLICATION TYPE	Development Permit	Preliminary Approval
Material Change of Use for Dual Occupancy	☑	☐

The Relevant Period of Approval

The relevant period stated in section 341 of the *Sustainable Planning Act 2009* apply to each aspect of development in this approval, as outlined below:

- Material Change of Use – 4 years.

Section 331 Deemed Approval

Not applicable.

Superseded Planning Scheme

Not applicable.

Preliminary Approval Overriding the Planning Scheme

Not applicable.

Conditions of Approval

The Conditions relevant to this approval are listed below:

CONDITION		**TIMING**
DEVELOPMENT PLANNING		
PLANS AND DOCUMENTS		
1.	**DS2 Approved Plans**	
	Undertake development generally in accordance with the approved plans. These plans will form part of the approval, unless otherwise amended by conditions of this approval.	Prior to commencement of use and to be maintained at all times.
MATERIAL CHANGE OF USE - GENERAL		
AMENITY		
2.	**DP16 Amenity of the Area**	
	Carry out the use so that there is no detrimental effect on the amenity of any person or property, resulting from the emission of noise, vibration, odour, air pollutants, glare, waste water, waste products, grit, oil or otherwise.	At all times.
3.	**DP145 Street Numbers and Mail Boxes**	
	Install unit and street numbering and lockable mail boxes conveniently located at the road frontage of the site.	Prior to commencement of use or Council's endorsement of any Community Management Statement, whichever occurs first.

FENCING		
4.	**DP31 Front Fencing (Residential)**	
	Ensure that any front fencing is constructed to the height listed on the approved plans.	Prior to commencement of use or Council's endorsement of any Community Management Statement, whichever occurs first.
WASTE MANAGEMENT		
5.	**DP147 Waste Management**	
	Manage waste in accordance with Council's Policy - "*General Waste and Recyclable Waste Storage and Collection for Residential and Commercial Developments Moreton Bay District (Policy No: 48-2150-041)".*	Prior to commencement of use or Council's endorsement of any Community Management Statement, whichever occurs first.
LANDSCAPING		
6.	**DP149 Landscaping Dual Occupancy**	
	(a) Provide landscaping in accordance with the Landscaping Code in the planning scheme to both dwelling units that is to include as a minimum: (i) Top dressing and turf to all areas that are not landscaped or paved; and (ii) A minimum 2.0 metre wide landscape strip along the street frontage as shown on the approved plan; and (iii) If the existing street tree is less than 0.5 metres to the proposed driveways, relocate the existing street tree a minimum distance of 1.5 metres clear of the proposed driveways. Where the street tree is not able to be relocated or dies as a result of the relocation, a new street tree of the same species and size before it was damaged is to be planted instead; (b) Maintain landscaping to the same standard as when it was installed and in the locations shown on the approved plan.	(a) Prior to lodging a request for Compliance Assessment of subdivision plans whichever occurs first. (b) At all times.

7.	**DP47 On Site Services**	
	Ensure garbage bin areas, rainwater tanks, hot water tanks, gas bottles and air conditioners are; (i) located in the rear setback; or (ii) located in the side setbacks and include screening (e.g. fencing or landscaping) from view of any road frontage; or (iii) entirely underground where located in the front setback. **Note:** Rainwater tanks are not permitted within easements.	Prior to commencement of use or Council's endorsement of any Community Management Statement, whichever occurs first.
TELECOMMUNICATIONS – MATERIAL CHANGE OF USE		
8.	**DP130 Telecommunications External Infrastructure – Material Change of Use**	
	Ensure that any radio transceivers, satellite dishes and the like that are installed external to the building are limited to a maximum of one (1) per building.	
9.	**DP159 Infrastructure to the Site – MCU – Single**	
	(a) Provide Fibre-Ready telecommunications infrastructure (Internal and External conduit paths) in accordance with NBN Co Guideline New Developments or NBN Co. Preparation and Installation Guide for SDUs and MDUs as amended, that: (i) Extends the service drop conduit from the property boundary to the external Premises Connection Device (PCD) or the likely location of the PCD; and (ii) Extends a communications conduit with drawstring from the external PCD or the likely location of the PCD to the internal Fibre Wall Outlet (FWO) or the likely location of the FWO. (b) Provide certification to Council from the installer or an RPEQ engineer (electrical engineer) that the works and infrastructure required in (a) above has been done. **Note:** A template for certification is available from council for the purpose of this condition.	Prior to commencement of use or Council's endorsement of any Community Management Statement, whichever occurs first.
10.	**DP161 Internal Wiring – Material Change of Use**	
	(a) Install internal wiring (Category 6 or better) within each Dual Occupancy from the expected location of any future Network Termination Device (NTD) for High Speed Broadband (based on the recommended locational criteria in the NBN Co Guideline (*MDU Building Design Guide for New Developments or NBN Co. Preparation and Installation Guide for SDUs and MDUs*) to the same connection points in the Dual Occupancy that would	(a) Prior to commencement of use or Council's endorsement of any Community Management Statement,

	have been or have been installed for telephone and television connections; including but not limited to bedrooms, family/living rooms, and study/office. (b) Provide certification from the installer or an RPEQ engineer (electrical engineering) that the wiring required in (a) above has been done. **Note:** A template for certification is available from Council for the purpose of this condition. **Note:** Installers are recommended to be a registered cabler.	whichever occurs first. (b) Prior to commencement of use or Council's endorsement of any Community Management Statement, whichever occurs first.
DEVELOPMENT ENGINEERING		
11.	**DE302 Replace Existing Council Infrastructure**	
	Replace existing Council infrastructure (including but not limited to street trees and footpaths) to a standard acceptable to Council's Director – Strategic, Planning and Development should this infrastructure be damaged as part of construction works.	At each stage of development prior to lodging a request for compliance assessment of subdivision plans or commencement of the use for other than subdivision.
12.	**DE303 Alterations and Relocation of Existing Services**	
	Any alteration or relocation in connection with or arising from the development to any service, installation, plant, equipment or other item belonging to or under the control of the telecommunications authority, electricity authorities, the Council or other person engaged in the provision of public utility services is to be carried with the development and at no cost to Council.	At each stage of development prior to lodging a request for compliance assessment of subdivision plans or commencement of the use for other than subdivision.
13.	**DEU Dual Accommodation (Duplex) Driveway Cross Overs**	
	Design and construct driveway crossovers from the constructed road to the site in accordance with Council Caboolture District Standard Driveway Crossover Drawing No. 01-43 Residential and Multi-Residential Crossings. The location and construction of the driveways must not compromise or impact upon the existing stormwater pit fronting the lot. Notes: The internal access works must be designed to ensure the correct line, level and layout is achieved for the driveway crossover.	Prior to lodging a request for compliance assessment of subdivision plans or commencement of the use (whichever occurs first)

14.	**DE801 Service Connections**	
	The development must be connected to the following services: (a) Reticulated (Drinking) Water Supply; (b) Reticulated Sewerage; and (c) Reticulated Electricity.	Prior to lodging a request for compliance assessment of subdivision plans or commencement of the use (whichever occurs first).
15.	**DEU Stormwater Drainage**	
	Stormwater drainage discharge from the development must not adversely impact adjoining lots or cause nuisance and annoyance to any person.	To be maintained at all times.
UNITYWATER		
16.	**UW20 Connect to Water Supply & Sewerage Systems**	
	Connect the proposed development to Unitywater's reticulated water supply and sewerage systems.	Prior to lodging a request for compliance assessment of subdivision plans or commencement of the use (whichever occurs first).
17.	**UW24 Building Over Sewer**	
	Obtain 'Building over or adjacent asset' approval to ensure any building or structure within proximity of the existing Ø150mm sewer main traversing the site comply with Unitywater's requirements.	Prior to the issue of a development permit for Building Works for any structure within proximity of the existing Ø150mm sewer main on the site.
ADVICE		
ASSESSMENT CODES AND POLICIES		
1.	**DPA1 Aboriginal Cultural Heritage Act 2003**	
	The *Aboriginal Cultural Heritage Act 2003* commenced in Queensland on April 16, 2004. Under the Act, indigenous parties are key in assessing cultural heritage significance.	

	The *Aboriginal Cultural Heritage Act 2003* establishes a Duty of Care for indigenous cultural heritage. This applies on all land and water, including freehold land. The Cultural Heritage Duty of Care lies with the person or entity conducting the activity. Penalty provisions apply for failing to fulfill the Cultural Heritage Duty of Care. Those proposing an activity that involves additional surface disturbance beyond that which has already occurred on the proposed site need to be mindful of the Duty of Care requirement. Details of how to fulfill the Duty of Care are outlined in the Duty of Care Guidelines gazetted with the Act. Council strongly advises that you contact the relevant state agency to obtain a copy of the Duty of Care Guidelines and further information on the responsibilities of developer under the terms of the *Aboriginal Cultural Heritage Act 2003*.
2.	**DPA30 Adopted Infrastructure Charges**
	Payment of Infrastructure Charges in accordance with Council's Adopted Infrastructure Charges Resolution (minute page 11/1229 of 28 June 2011) apply to this development permit. Payment of Adopted Infrastructure Charges is to be in accordance with the Adopted Infrastructure Charges Notice issued with this permit.

The Approved Plans

The approved plans and/or documents for this development approval are listed in the following table:

Approved Plans and Documents			
Plan Name	**Reference Number**	**Prepared By**	**Dated**
Site Plan	10-3743/B DA Sheet 1 of 15	Spatial Building Design	20 September, 2013
Ground Floor	10-3743/A DA Sheet 2 of 15	Neo Building Design	21 August, 2013
First Floor	10-3743/A DA Sheet 3 of 15	Neo Building Design	21 August, 2013
North & East Elevation	10-3743/A DA Sheet 4 of 15	Neo Building Design	21 August, 2013
South & West Elevation	10-3743/A DA Sheet 5 of 15	Neo Building Design	21 August, 2013

Other Necessary Permits

Listed below are other permit/s that are necessary to allow the development to be carried out:

- Building Works – Development Permit.

Codes for Self Assessable Development

Not applicable.

Conflict with Laws and Policies and Reasons for the Decision Despite the Conflict

Not applicable.

IDAS Referral Agencies

There are no Referral Agencies.

Submissions

Not applicable.

Appeal Rights

Attached is an extract from the *Sustainable Planning Act 2009* which details your appeal rights and the appeal rights of any submitters, if applicable, regarding this decision.

When the Development Approval takes Effect

This development approval takes effect:

From the time the Decision Notice is given, if there is no submitter and the applicant does not appeal the decision to the court or building and development committee.

OR

If there is a submitter and the applicant does not appeal the decision to the court or building and development committee, the earlier date of either:

- when the submitter's appeal period ends; or
- the day the last submitter gives the assessment manager written notice that the submitter will not be appealing the decision.

OR

Subject to the decision of the court or a building and development committee, when the appeal is finally decided or withdrawn – if an appeal is made to the court or a building and development committee.

When the Development Approval Lapses

This approval will lapse if:

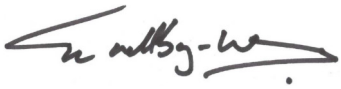
- for a material change of use, the first change of use under the approval does not start within the relevant period stated previously in this Decision Notice;
- for a reconfiguration, a plan for the reconfiguration is not given to the local government within the relevant period stated previously in this Decision Notice;
- for a development approval other that a material change of use or reconfiguration, the development does not substantially start within the relevant period stated previously in this Decision Notice.

Note that in the case of a development approval for a material change of use or for reconfiguring a lot, if there is one (1) or more subsequent related approvals the relevant period for the material change of use or reconfiguration will restart from the date of the related approval taking effect. Please refer to section 341 of the *Sustainable Planning Act 2009* for further information.

If this application was submitted as a result of an application for building works it is the applicant's responsibility to provide a copy of this document to the entity undertaking the building approval.

Should you require any further information about this matter, please contact Julie Stokman as referenced above.

Yours faithfully



Tina Maltby-Wells
Principal Development Planner
Development Services

Enclosures.

Cc Unitywater
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460 Evidence of local planning instruments or master plans

(1) If a chief executive officer of a local government is satisfied a document is a true copy of a local planning instrument or master plan, or a part of the local planning instrument or master plan, in force for the local government at a time stated in the document, the chief executive officer may so certify the document.

(2) In a proceeding, a document certified under subsection (1) is admissible in evidence as if it were the original local planning instrument or master plan, or part of the instrument or plan.

Division 8 Appeals to court relating to development applications and approvals

461 Appeals by applicants

(1) An applicant for a development application may appeal to the court against any of the following—

(a) the refusal, or the refusal in part, of the development application;

(b) any condition of a development approval, another matter stated in a development approval and the identification or inclusion of a code under section 242;

(c) the decision to give a preliminary approval when a development permit was applied for;

(d) the length of a period mentioned in section 341;

(e) a deemed refusal of the development application.

(2) An appeal under subsection (1)(a), (b), (c) or (d) must be started within 20 business days (the ***applicant's appeal period***) after—

(a) if a decision notice or negotiated decision notice is given—the day the decision notice or negotiated decision notice is given to the applicant; or

(b) otherwise—the day a decision notice was required to be given to the applicant.

(3) An appeal under subsection (1)(e) may be started at any time after the last day a decision on the matter should have been made.

462 Appeals by submitters—general

(1) A submitter for a development application may appeal to the court only against—

(a) the part of the approval relating to the assessment manager's decision about any part of the application requiring impact assessment under section 314; or

(b) the part of the approval relating to the assessment manager's decision under section 327.

(2) To the extent an appeal may be made under subsection (1), the appeal may be against 1 or more of the following—

(a) the giving of a development approval;

(b) any provision of the approval including—

(i) a condition of, or lack of condition for, the approval; or

(ii) the length of a period mentioned in section 341 for the approval.

(3) However, a submitter may not appeal if the submitter—

(a) withdraws the submission before the application is decided; or

(b) has given the assessment manager a notice under section 339(1)(b)(ii).

(4) The appeal must be started within 20 business days (the ***submitter's appeal period***) after the decision notice or negotiated decision notice is given to the submitter.

463 Additional and extended appeal rights for submitters for particular development applications

(1) This section applies to a development application to which chapter 9, part 7 applies.

(2) A submitter of a properly made submission for the application may appeal to the court about a referral agency's response made by a prescribed concurrence agency for the application.

(3) However, the submitter may only appeal against a referral agency's response to the extent it relates to—

(a) if the prescribed concurrence agency is the chief executive (environment)—development for an aquacultural ERA; or

(b) if the prescribed concurrence agency is the chief executive (fisheries)—development that is—

(i) a material change of use of premises for aquaculture; or

(ii) operational work that is the removal, damage or destruction of a marine plant.

(4) Despite section 462(1), the submitter may appeal against the following matters for the application even if the matters relate to code assessment—

(a) a decision about a matter mentioned in section 462(2) if it is a decision of the chief executive (fisheries);

(b) a referral agency's response mentioned in subsection (2).

464 Appeals by advice agency submitters

(1) Subsection (2) applies if an advice agency, in its response for an application, told the assessment manager to treat the response as a properly made submission.

(2) The advice agency may, within the limits of its jurisdiction, appeal to the court about—

(a) any part of the approval relating to the assessment manager's decision about any part of the application requiring impact assessment under section 314; or

(b) any part of the approval relating to the assessment manager's decision under section 327.

(3) The appeal must be started within 20 business days after the day the decision notice or negotiated decision notice is given to the advice agency as a submitter.

(4) However, if the advice agency has given the assessment manager a notice under section 339(1)(b)(ii), the advice agency may not appeal the decision.

465 Appeals about decisions relating to extensions for approvals

(1) For a development approval given for a development application, a person to whom a notice is given under section 389, other than a notice for a decision under section 386(2), may appeal to the court against the decision in the notice.

(2) The appeal must be started within 20 business days after the day the notice of the decision is given to the person.

(3) Also, a person who has made a request under section 383 may appeal to the court against a deemed refusal of the request.

(4) An appeal under subsection (3) may be started at any time after the last day the decision on the matter should have been made.

466 Appeals about decisions relating to permissible changes

(1) For a development approval given for a development application, the following persons may appeal to the court against a decision on a request to make a permissible change to the approval—

(a) if the responsible entity for making the change is the assessment manager for the application—

(i) the person who made the request; or

(ii) an entity that gave a notice under section 373 or a pre-request response notice about the request;

(b) if the responsible entity for making the change is a concurrence agency for the application—the person who made the request.

(2) The appeal must be started within 20 business days after the day the person is given notice of the decision on the request under section 376.

(3) Also, a person who has made a request under section 369 may appeal to the court against a deemed refusal of the request.

(4) An appeal under subsection (3) may be started at any time after the last day the decision on the matter should have been made.

467 Appeals about changing or cancelling conditions imposed by assessment manager or concurrence agency

(1) A person to whom a notice under section 378(9)(b) giving a decision to change or cancel a condition of a development approval has been given may appeal to the court against the decision in the notice.

(2) The appeal must be started within 20 business days after the day the notice of the decision is given to the person.

Division 9 Appeals to court about compliance assessment

468 Appeals against decision on request for compliance assessment

(1) A person to whom an action notice has been given under section 405(5) about a request for compliance assessment of development, a document or work may appeal to the court against the decision in the notice.

(2) The appeal must be started within 20 business days after the notice is given to the person.

469 Appeals against condition imposed on compliance permit or certificate

(1) A person who is given a compliance permit or compliance certificate subject to any conditions may appeal to the court against the decision to impose the condition.

(2) The appeal must be started within 20 business days after the day the compliance permit or compliance certificate is given to the person.

470 Appeals against particular decisions about compliance assessment

(1) A person to whom any of the following notices have been given may appeal to the court against the decision in the notice—

(a) a notice of a decision on a request to change or withdraw an action notice;

(b) a notice under section 413(2)(c) about a decision to refuse a request to change a compliance permit or compliance certificate.

(2) The appeal must be started within 20 business days after the day the notice is given to the person.

Division 10 Appeals to court about other matters

471 Appeal by applicant for approval of a proposed master plan

(1) A person who has applied for an approval of a proposed master plan may appeal to the court against—

(a) the refusal, or the refusal in part, to give the approval; or

(b) a matter stated in the notice of decision about the application; or

(c) a deemed refusal of the master plan application.

(2) An appeal under subsection (1)(a) or (b) must be started within 20 business days (the ***applicant's appeal period***) after the day the applicant is given notice of the decision.

(3) An appeal under subsection (1)(c) may be started at any time after the last day a decision on the matter should have been made.

472 Appeal about extension of period under s 98

(1) A person who has requested an extension under section 98(2) may appeal to the court against a refusal of the request.

(2) An appeal under subsection (1) must be started within 20 business days after the day the person is given notice of the refusal.

(3) Also, a person who has made a request under section 98(2) may appeal to the court against a deemed refusal of the request.

(4) An appeal under subsection (3) may be started at any time after the last day the decision on the matter should have been made.

(5) However, an appeal under this section may only be about whether the refusal is so unreasonable that no reasonable relevant local government could have refused the request.

473 Appeals against enforcement notices

(1) A person who is given an enforcement notice may appeal to the court against the giving of the notice.

(2) The appeal must be started within 20 business days after the day notice is given to the person.

474 Stay of operation of enforcement notice

(1) The lodging of a notice of appeal about an enforcement notice stays the operation of the enforcement notice until—

(a) the court, on the application of the entity issuing the notice, decides otherwise; or

(b) the appeal is withdrawn; or

(c) the appeal is dismissed.

(2) However, subsection (1) does not apply if the enforcement notice is about—

(a) a work, if the enforcement notice states the entity believes the work is a danger to persons or a risk to public health; or

(b) stopping the demolition of a work; or

(c) clearing vegetation on freehold land; or

(d) the removal of quarry material allocated under the *Water Act 2000*; or

(e) extracting clay, gravel, rock, sand or soil, not mentioned in paragraph (d), from Queensland waters; or

(f) development the assessing authority reasonably believes is causing erosion or sedimentation; or

(g) development the assessing authority reasonably believes is causing an environmental nuisance.

475 Appeals against local laws

(1) This section applies if—

(a) an applicant is dissatisfied with a decision of a local government or the conditions applied under a local law about the use of premises or the erection of a building or other structure; and

(b) the use is not prohibited development under the planning scheme or a temporary local planning instrument for the planning scheme area.

(2) The applicant may appeal to the court against the decision or the conditions applied.

(3) The appeal must be started within 20 business days after the day notice of the decision is given to the applicant.

475A Appeals against decisions under ch 8A

(1) A person who has been given an information notice for a decision of the Minister under chapter 8A, part 3 may appeal to the court against the decision.

(2) An appeal under subsection (1) must be started within 20 business days after the day the information notice is given.

(3) If the Minister decides, under chapter 8A, part 3, to register premises or to renew the registration of premises, a relevant person for the premises who is dissatisfied with the decision may appeal to the court against the decision.

(4) An appeal under subsection (3) must be started within 20 business days after the day notice about the registration or renewal is published under section 680Y.

(5) In this section—

relevant person, for premises, means any owner or occupier of land in the affected area for the premises.

476 Appeals against decisions on compensation claims

(1) A person who is dissatisfied with a decision under section 710 or 716 for the payment of compensation may appeal to the court against—

(a) the decision; or

(b) a deemed refusal of the claim.

(2) An appeal under subsection (1)(a) must be started within 20 business days after the day notice of the decision is given to the person.

(3) An appeal under subsection (1)(b) may be started at any time after the last day a decision on the matter should have been made.

477 Appeals against decisions on requests to acquire designated land under hardship

(1) A person who is dissatisfied with a designator's decision to refuse a request made by the person under section 222 may appeal to the court against—

(a) the decision; or

(b) a deemed refusal of the request.

(2) An appeal under subsection (1)(a) must be started within 20 business days after the day notice of the decision is given to the person.

(3) An appeal under subsection (1)(b) may be started at any time after the last day a decision on the matter should have been made.

478 Appeals about particular charges for infrastructure

(1) This section applies to a person who has been given, and is dissatisfied with—

(a) an infrastructure charges notice, regulated infrastructure charges notice, adopted infrastructure charges notice or regulated State infrastructure charges notice; or

(b) a negotiated infrastructure charges notice, negotiated regulated infrastructure charges notice, negotiated adopted infrastructure charges notice or negotiated regulated State infrastructure charges notice.

(2) The person may appeal to the court against the notice.

(3) An appeal against a notice mentioned in subsection (1) must be started within 20 business days after the day the notice is given to the person.

(4) An appeal under this section may only be about—

(a) whether a charge in the notice is so unreasonable that no reasonable relevant local government, State infrastructure provider or coordinating agency could have imposed it; or

(b) an error in the calculation of the charge.

(5) To remove any doubt, it is declared that an appeal under this section can not be about the methodology used to establish an adopted infrastructure charge or the charge in a relevant infrastructure charges schedule, regulated infrastructure charges schedule or regulated State infrastructure charges schedule.

479 Appeals from building and development committees

(1) A party to a proceeding decided by a building and development committee may appeal to the court against the committee's decision, but only on the ground—

(a) of an error or mistake in law on the part of the committee; or

(b) that the committee had no jurisdiction to make the decision or exceeded its jurisdiction in making the decision.

(2) An appeal against a building and development committee's decision must be started within 20 business days after the day notice of the committee's decision is given to the party.

480 Court may remit matter to building and development committee

If an appeal includes a matter within the jurisdiction of a building and development committee and the court is satisfied the matter should be dealt with by a building and development committee, the court must remit the matter to the committee for decision.

Division 11 Making an appeal to court

481 How appeals to the court are started

(1) An appeal is started by lodging written notice of appeal with the registrar of the court.

(2) The notice of appeal must state the grounds of the appeal.

(3) The person starting the appeal must also comply with the rules of the court applying to the appeal.

(4) However, the court may hear and decide an appeal even if the person has not complied with subsection (3).

482 Notice of appeal to other parties—development applications and approvals

(1) An appellant under division 8 must give written notice of the appeal to—

(a) if the appellant is an applicant—

(i) the chief executive; and

(ii) the assessment manager; and

(iii) any concurrence agency; and

(iv) any principal submitter whose submission has not been withdrawn; and

(v) any advice agency treated as a submitter whose submission has not been withdrawn; or

(b) if the appellant is a submitter or an advice agency whose response to the development application is treated as a submission for an appeal—

(i) the chief executive; and

(ii) the assessment manager; and

(iii) any referral agency; and

(iv) the applicant; or

(c) if the appellant is a person to whom a notice mentioned in section 465(1) has been given—

(i) the chief executive; and

(ii) the assessment manager for the development application to which the notice relates; and

(iii) any entity that was a concurrence agency for the development application to which the notice relates; and

(iv) the person who made the request under section 383 to which the notice relates, if the person is not the appellant; or

(d) if the appellant is a person mentioned in section 466(1)—

(i) the chief executive; and

(ii) the responsible entity for making the change to which the appeal relates; and

(iii) the person who made the request to which the appeal relates under section 369, if the person is not the appellant; and

(iv) if the responsible entity is the assessment manager—any entity that was a concurrence agency for the development application to which the notice of the decision on the request relates; or

(e) if the appellant is a person to whom a notice mentioned in section 467 has been given—the entity that gave the notice.

(2) The notice must be given within—

(a) if the appellant is a submitter or advice agency whose response to the development application is treated as a submission for an appeal—2 business days after the appeal is started; or

(b) otherwise—10 business days after the appeal is started.

(3) The notice must state—

(a) the grounds of the appeal; and

(b) if the person given the notice is not the respondent or a co-respondent under section 485—that the person may, within 10 business days after the notice is given, elect to become a co-respondent to the appeal by filing in the court a notice of election in the approved form.

483 Notice of appeals to other parties—compliance assessment

(1) An appellant under division 9 must, within 10 business days after the day the appeal is started, give written notice of the appeal to—

(a) if the appellant is a person to whom an action notice, compliance permit or compliance certificate has been given—

(i) the compliance assessor who gave the notice, permit or certificate; and

(ii) if the compliance assessor was a nominated entity of a local government and a copy of the request for compliance assessment was given to the local government under section 402—the local government; or

(b) if the appellant is a person to whom a notice mentioned in section 470(1) has been given—

(i) the entity that gave the notice; and

(ii) if the entity that gave the notice was a nominated entity of a local government and the written agreement of the local government was required to give the notice—the local government.

(2) The notice must state the grounds of the appeal.

484 Notice of appeal to other parties—other matters

(1) An appellant under division 10 must, within 10 business days after the day the appeal is started, give written notice of the appeal to—

(a) if the appeal is under section 471—the local government and coordinating agency for the application for approval of the master plan; or

(b) if the appeal is under section 472 or 475—the local government; or

(c) if the appeal is under section 475A(1)—the Minister; or

(d) if the appeal is under section 475A(3)—the Minister and the owner of the registered premises; or

(e) if the appeal is under section 478—the entity that gave the notice the subject of the appeal; or

(f) if the appellant is a person to whom an enforcement notice is given—the entity that gave the notice and if the

entity is not the local government, the local government; or

(g) if the appellant is a person dissatisfied with a decision about compensation—the local government that decided the claim; or

(h) if the appellant is a person dissatisfied with a decision about acquiring designated land—the designator; or

(i) if the appellant is a party to a proceeding decided by a building and development committee—the other party to the proceeding.

(2) The notice must state the grounds of the appeal.

485 Respondent and co-respondents for appeals under div 8

(1) Subsections (2) to (8) apply for appeals under sections 461 to 464.

(2) The assessment manager is the respondent for the appeal.

(3) If the appeal is started by a submitter, the applicant is a co-respondent for the appeal.

(4) Any submitter may elect to become a co-respondent for the appeal.

(5) If the appeal is about a concurrence agency's response, the concurrence agency is a co-respondent for the appeal.

(6) If the appeal is only about a concurrence agency's response, the assessment manager may apply to the court to withdraw from the appeal.

(7) The respondent and any co-respondents for an appeal are entitled to be heard in the appeal as a party to the appeal.

(8) A person to whom a notice of appeal is required to be given under section 482 and who is not the respondent or a co-respondent for the appeal may elect to be a co-respondent.

(9) For an appeal under section 465—

(a) the assessment manager is the respondent; and

(b) if the appeal is started by a concurrence agency that gave the assessment manager a notice under section 385—the person asking for the extension the subject of the appeal is a co-respondent; and

(c) any other person given notice of the appeal may elect to become a co-respondent.

(10) For an appeal under section 466—

(a) the responsible entity for making the change to which the appeal relates is the respondent; and

(b) if the responsible entity is the assessment manager—

(i) if the appeal is started by a person who gave a notice under section 373 or a pre-request response notice—the person who made the request for the change is a co-respondent; and

(ii) any other person given notice of the appeal may elect to become a co-respondent.

(11) For an appeal under section 467, the respondent is the entity given notice of the appeal.

486 Respondent and co-respondents for appeals under div 9

(1) For an appeal under section 468 or 469—

(a) the compliance assessor is the respondent; and

(b) if the compliance assessor is a nominated entity of a local government and the appeal relates to a matter required by a local government—the local government is a co-respondent.

(2) However, if the appeal is only about a matter required by the local government, the compliance assessor may apply to the court to withdraw from the appeal.

(3) For an appeal under section 470—

(a) the entity that gave the notice to which the appeal relates is the respondent; and

(b) if the entity mentioned in paragraph (a) is a nominated entity of a local government and the local government did not agree to the request mentioned in section 470(1)—the local government is a co-respondent.

(4) However, if the appeal is only about the local government's refusal of the request, the entity that gave the notice to which the appeal relates may apply to the court to withdraw from the appeal.

487 Respondent and co-respondents for appeals under div 10

(1) This section applies if an entity is required under section 484 to be given a notice of an appeal.

(2) The entity given notice is the respondent for the appeal.

(3) However, if under a provision of the section more than 1 entity is required to be given notice, only the first entity mentioned in the provision is the respondent.

(4) The second entity mentioned in the provision may elect to be a co-respondent.

488 How an entity may elect to be a co-respondent

An entity that is entitled to elect to be a co-respondent to an appeal may do so, within 10 business days after notice of the appeal is given to the entity, by following the rules of court for the election.

489 Minister entitled to be party to an appeal involving a State interest

If the Minister is satisfied an appeal involves a State interest, the Minister may, at any time before the appeal is decided, elect to be a party to the appeal by filing in the court a notice of election in the approved form.

490 Lodging appeal stops particular actions

(1) If an appeal, other than an appeal under section 465, 466 or 467, is started under division 8, the development must not be started until the appeal is decided or withdrawn.

(2) If an appeal is about a condition imposed on a compliance permit, the development must not be started until the appeal is decided or withdrawn.

(3) Despite subsections (1) and (2), if the court is satisfied the outcome of the appeal would not be affected if the development or part of the development is started before the appeal is decided, the court may allow the development or part of the development to start before the appeal is decided.

Division 12 Alternative dispute resolution

491 ADR process applies to proceedings started under this part

(1) The *District Court of Queensland Act 1967*, part 7 and the *Uniform Civil Procedure Rules 1999*, chapter 9, part 4, other than section 321, (together, the ***ADR provisions***), apply to proceedings started under this part.

(2) To the extent there is any inconsistency between the cost provisions of the ADR provisions and the cost provisions of this Act, the cost provisions of the ADR provisions prevail.

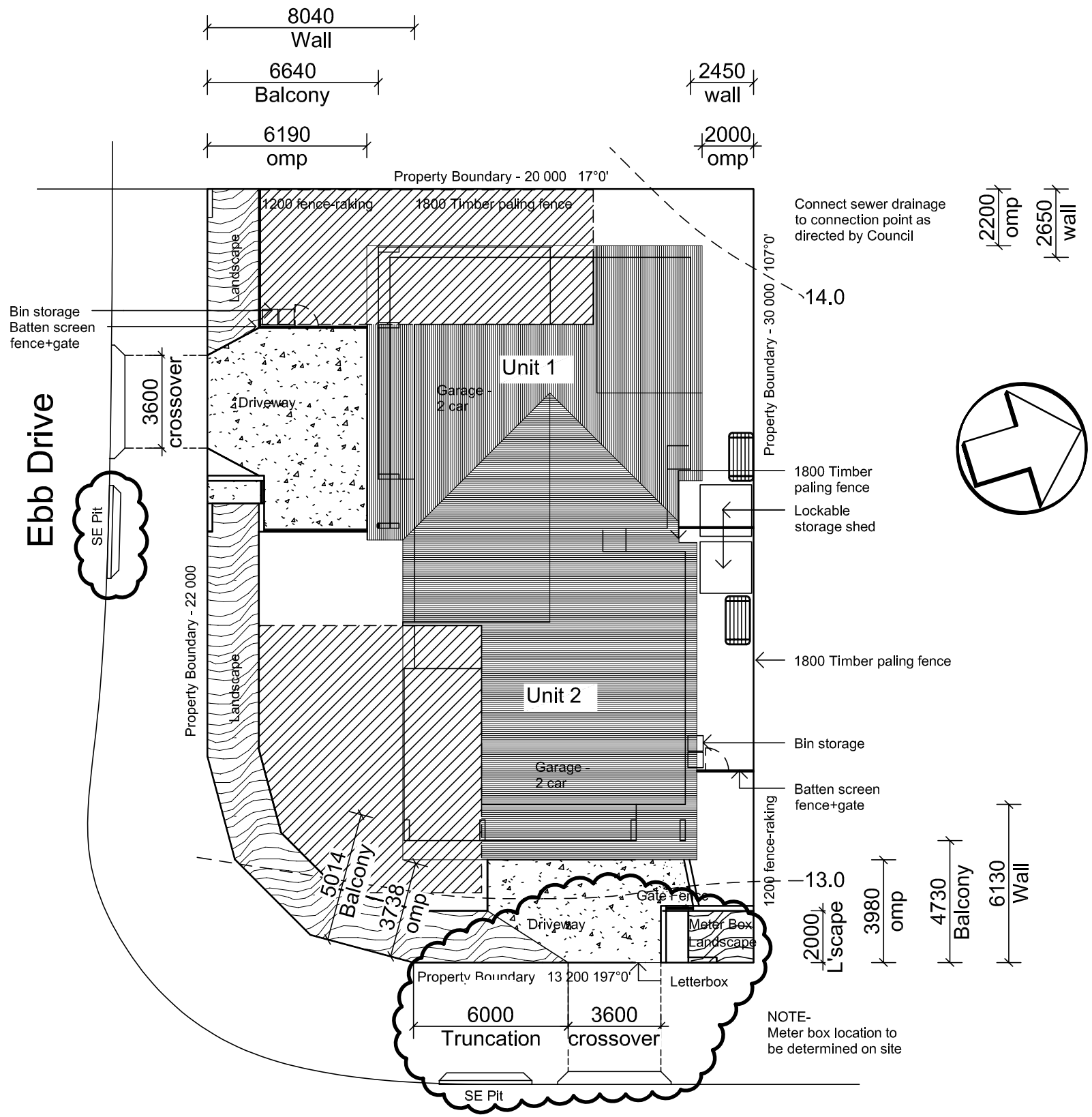
(3) If a dispute in a proceeding under this part is referred to a dispute resolution process under the ADR provisions—

(a) the proceeding is not stayed unless the court orders otherwise; and

(b) the court must not decide the proceeding until the dispute resolution process under the ADR provisions has been finalised.

(4) In applying the ADR provisions to a proceeding under this part—

This building shall be constructed in accordance with the Qld. Building Act, the NCC, all relevant Australian Standards and the manufactures instructions for relevant elements. Any substitution of any structural members or variations of any part of the design will void any responsibilities of the draftsperson for structural integrity and performance of the building/structure.
All plans are copyright and may not be reproduced in whole or and part without written permission from Neo Building Design. Do not scale. Confirm all dimensions & levels before commencing construction, Any discrepancies to be reported to the draftsperson immediately. **Notes to be read in conjunction with General Notes page.**



Existing contours plotted from Council records

Site Plan

1 : 200

Area Schedule-Each Unit	
Name	Area
Ground Floor	
Entry	91.64
	91.64
First Floor	
Unit 1 - Living	96.79
Unit 2 - Living	96.79
Unit 2 - Balcony	28.42
Unit 1 - Balcony	28.42
	250.41
Grand total	342.05

Lot No.	11
Description.	SP213346
Parish.	Canning
County.	Canning
Council	Moreton Bay Regional Council

Block Area	620m2
Footprint Area	250.42m2
Site Coverage %	40%
P.O.S Required -	35m² each unit
P.O.S Achieved -	67m² Unit 1 83m² Unit 2
P.O.S Required - (Above Ground)	8m² each unit
P.O.S Achieved - (Above Ground)	28m² each unit

Spatial Building Design

REVISION B HAS BEEN CARRIED OUT BY SPATIAL BUILDING DESIGN

B	Driveway crossover adjusted.	20.09.13	
A	Development Approval		
Amendments			

www.neobuildingdesign.com.au
Level 2 / 329 Logan Road
Greenslopes Qld 4120
PO Box 8394
Sunnybank Qld 4109
Telephone: (07) 3182 1488
Email: Info@neobuildingdesign.com.au

A3

Project.
Proposed Unit Development for Interface at Lot 11 Verge Place Bellmere

Drawn.	Date.
mike	21.8.13

Project No.	Issue.	Sheet..
10-3743	DA	1 of 15

Moreton Bay Regional Council

Approved Subject to Conditions of Decision Notice DA/28178/2013/V2D

08/10/2013

This building shall be constructed in accordance with the Qld. Building Act, the NCC, all relevant Australian Standards and the manufactures instructions for relevant elements. Any substitution of any structural members or variations of any part of the design will void any responsibilities of the draftsperson for structural integrity and performance of the building/structure.
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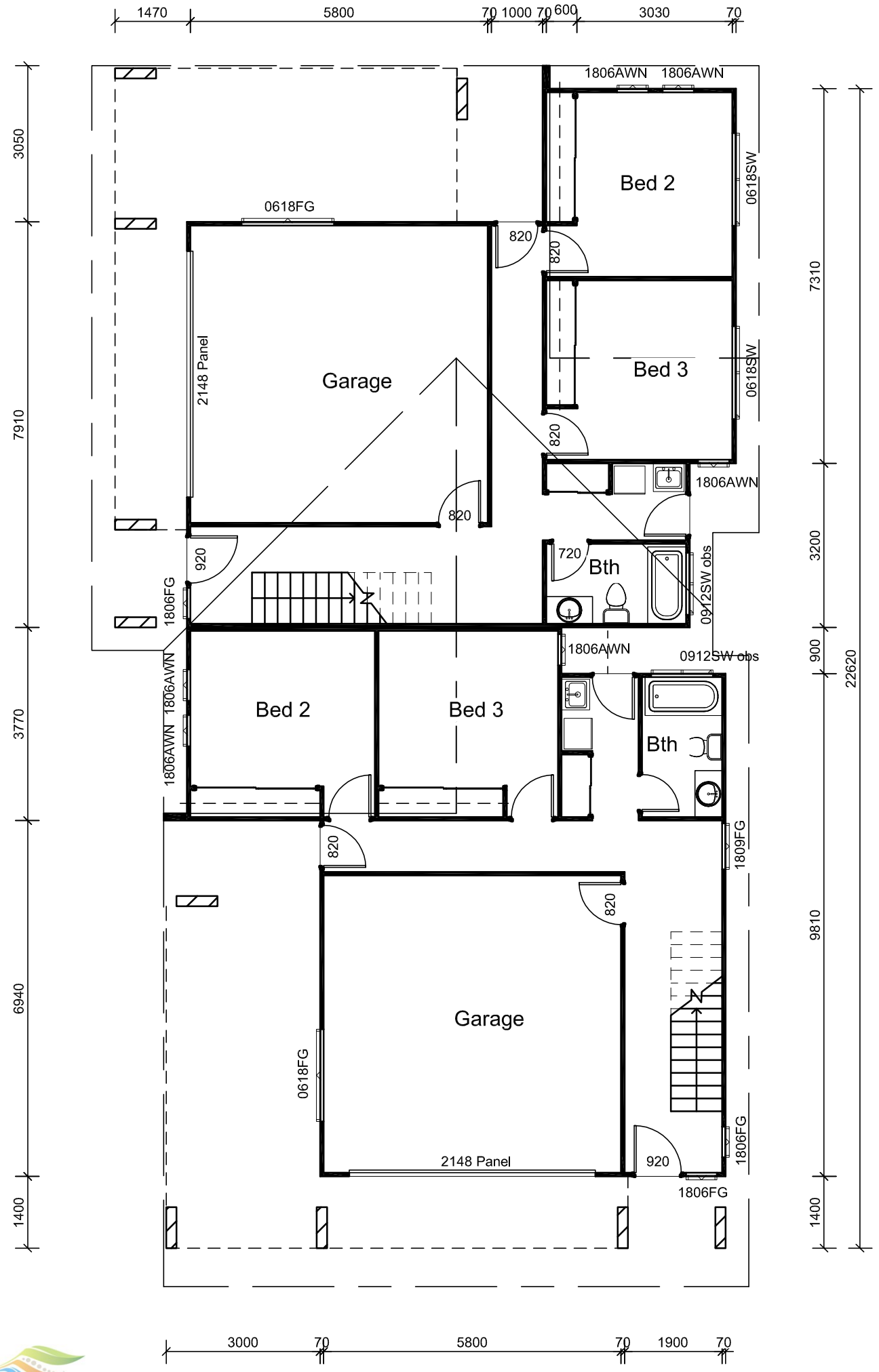

.Ground Floor

1 : 100

Area Schedule-Each Unit

Name	Area
Ground Floor	
Entry	91.64
	91.64
First Floor	
Unit 1 - Living	96.79
Unit 2 - Living	96.79
Unit 2 - Balcony	28.42
Unit 1 - Balcony	28.42
	250.41
Grand total	342.05

NEO BUILDING DESIGN PTY LTD A.C.N.110 830 656 BSA Lic no 1092700

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Project.
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Drawn.	Date.
mike	21.8.13

Project No.	Issue.	Sheet..
10-3743	DA	2 of 15

Moreton Bay Regional Council

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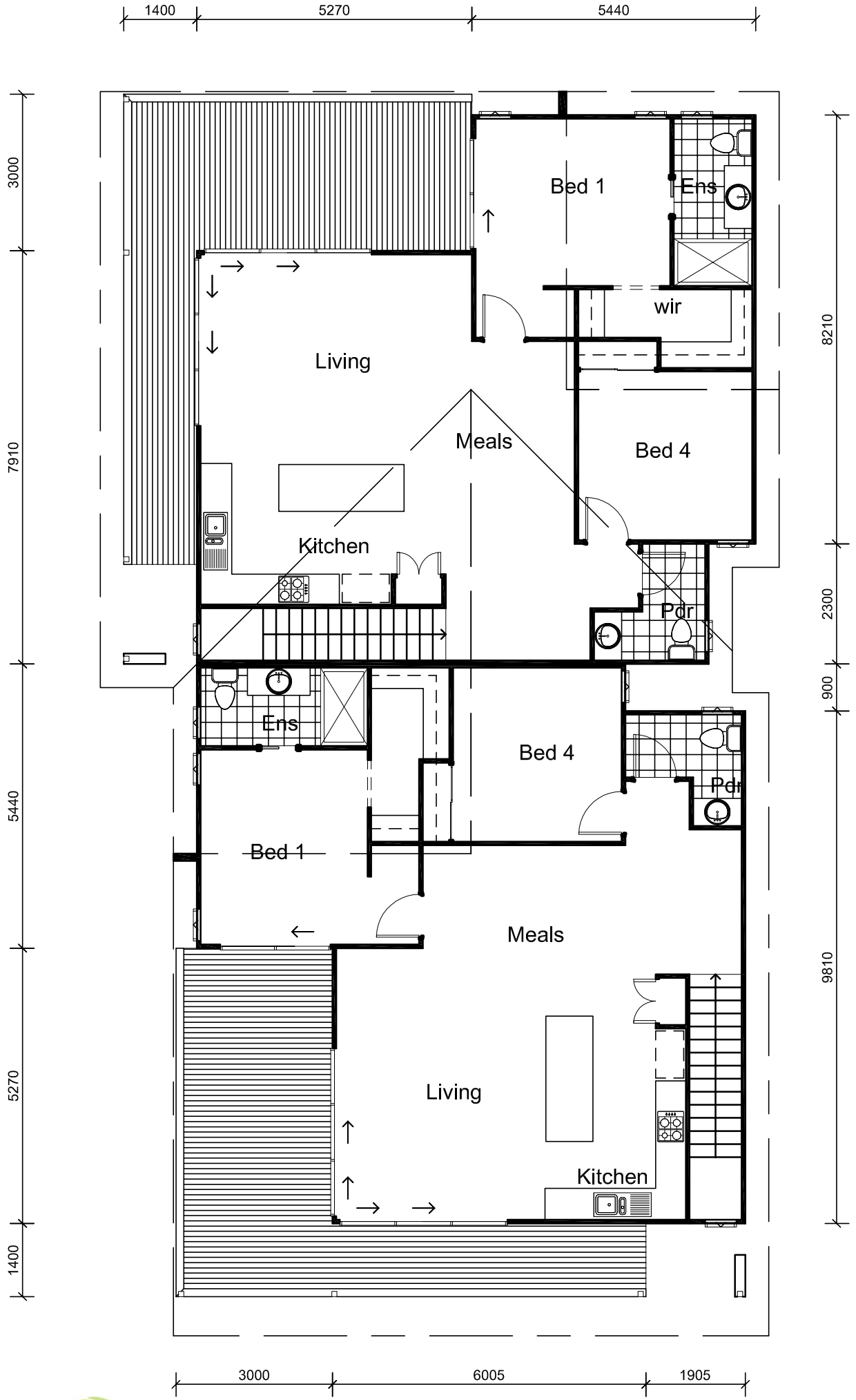

.First Floor

1 : 100

Area Schedule-Each Unit	
Name	Area
Ground Floor	
Entry	91.64
	91.64
First Floor	
Unit 1 - Living	96.79
Unit 2 - Living	96.79
Unit 2 - Balcony	28.42
Unit 1 - Balcony	28.42
	250.41
Grand total	342.05

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A3

Project.
Proposed Unit Development
for Interface at
Lot 11 Verge Place
Bellmere

Drawn. mike
Date. 21.8.13
Project No. 10-3743
Issue. A
Sheet.. 3 of 15

Moreton Bay Regional Council
Approved Subject to Conditions of Decision Notice DA/28178/2013/V2D
08/10/2013

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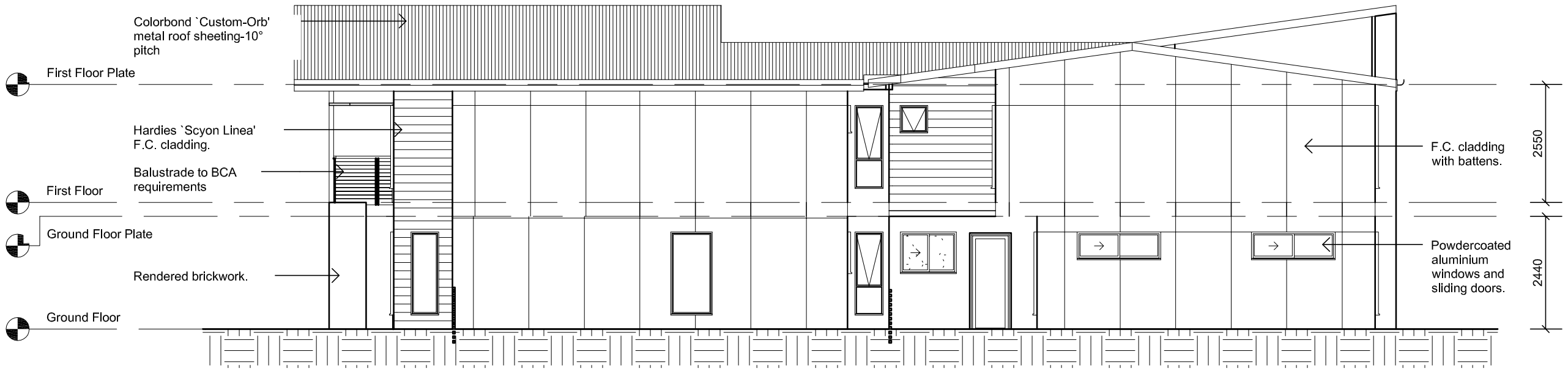
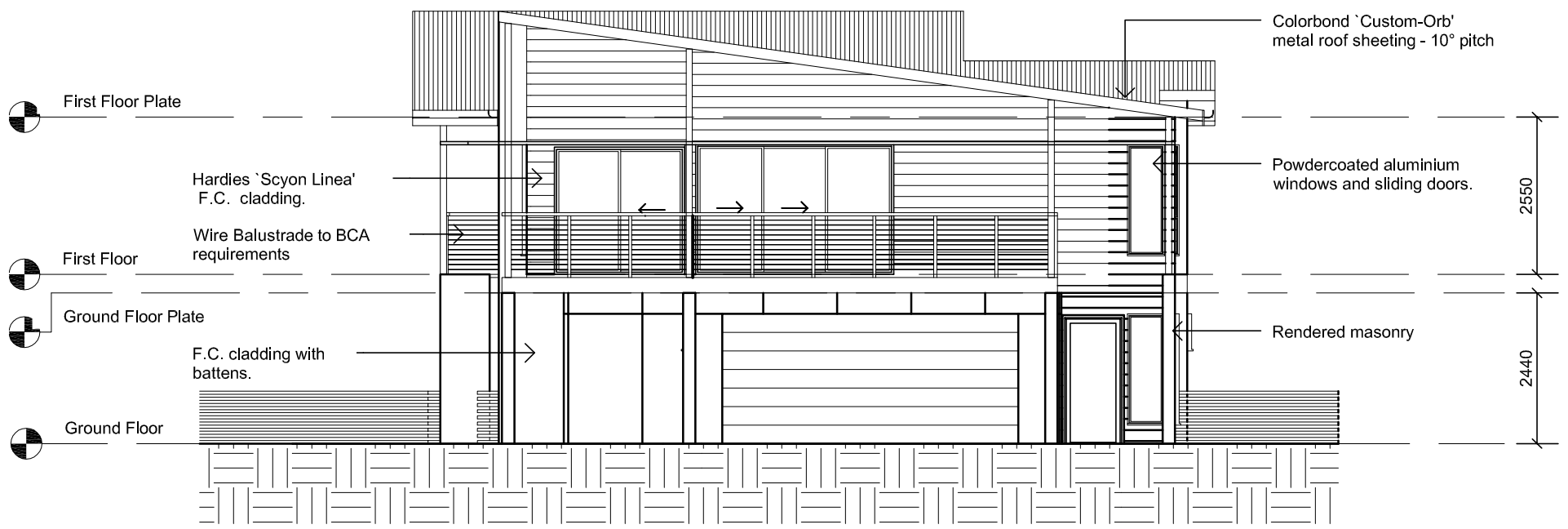


North Elevation

1 : 100



East Elevation

1 : 100

NEO BUILDING DESIGN PTY LTD
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BSA Lic no 1092700

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A3

Project.
Proposed Unit Development for Interface at Lot 11 Verge Place Bellmere

Drawn. mike
Date. 21.8.13

Project No. 10-3743
Issue. A
Sheet.. 4 of 15

Moreton Bay Regional Council
Approved Subject to Conditions of Decision Notice DA/28178/2013/V2D
08/10/2013

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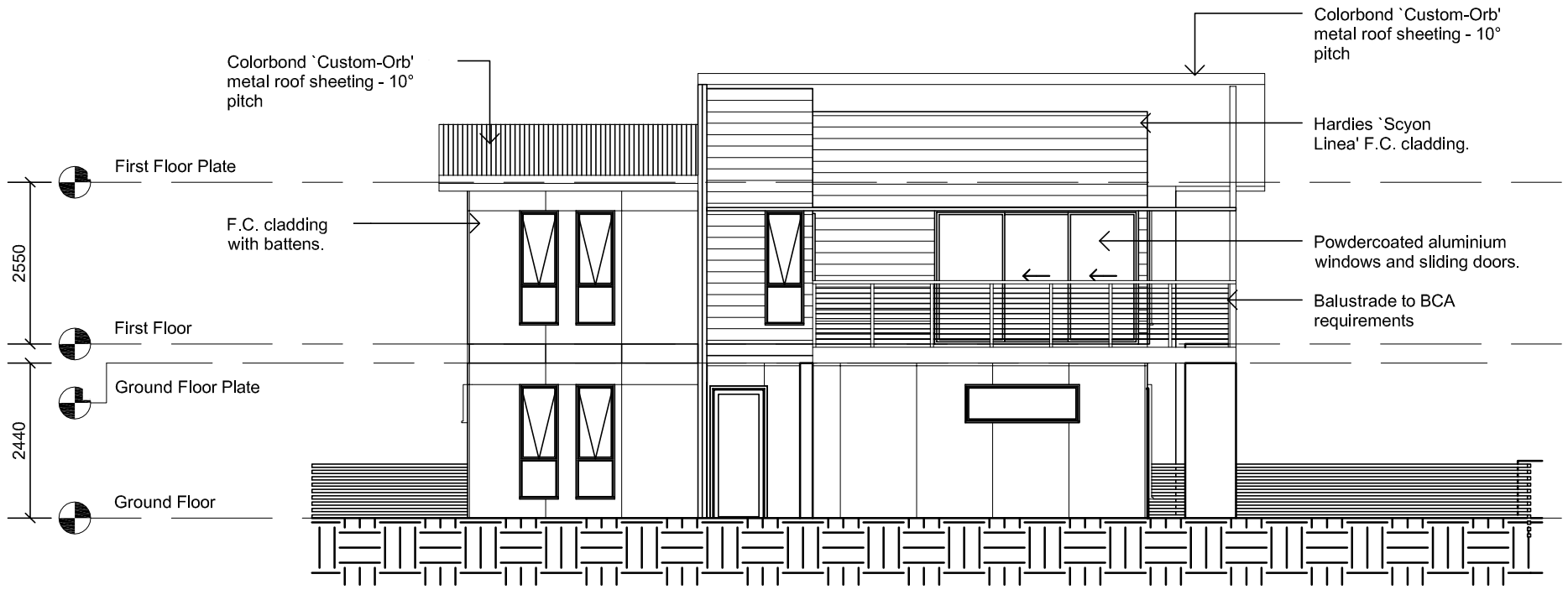
South Elevation

1 : 100



West Elevation

1 : 100

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A3

Project.
Proposed Unit Development for Interface at Lot 11 Verge Place Bellmere

Drawn.	Date.
mike	21.8.13

Project No.	Issue.	Sheet..
10-3743	A	5 of 15

Moreton Bay Regional Council

Approved Subject to Conditions of Decision Notice DA/28178/2013/V2D

08/10/2013

Adopted Infrastructure Charges Notice

Moreton Bay Regional Council
Caboolture Office, 2 Hasking Street, Caboolture Qld 4500
PO Box 159, CABOOLTURE QLD 4500

ABN 92 967 232 136

Reference Number: 7161E

Application Summary

Pathways Application No:	DA/28178/2013/V2D	**Applicant:**	Interface Projects
Description:	Dual Occupancy 4 + 4 bedroom	**Applicant Address:**	PO Box 751 COORPAROO QLD 4151
Issue Date:	1/10/2013	**Owner:**	Mrs Kusum Madhoji and Mr Arun Madhoji
		Owner Address:	10 Chelsea Road CASTLE HILL NSW 2154
Version:	Std Charge - Caboolture	**Date Charges Payable:**	In accordance with Section 648H of the Sustainable Planning Act 2009
Total Charges:	$16,800.00		

Please Note: A fee of 0.74% applies to all developer contribution charges paid by Visa or Mastercard. The fee will be calculated and applied at the time of payment.

Property Details

Property Addresses	Real Property Descriptions
3 Ebb Drive, BELLMERE QLD 4510	Lot 11 SP 213436 Parish Canning

Network Demand Details

Land Use Category	Land Use	Land Use Item	Demand Parameter	Demand Factor	Demand Units
A-Std Charge-Residential Network					
Existing Demand: Dual Occupancy 4 + 4 bedroom					
Residential	Residential => 3 Bedrooms	Total No of Dwelling Units	1 Dwelling Units	1	-1 Dwelling Units
Proposed Demand: Dual Occupancy 4 + 4 bedroom					
Residential	Residential => 3 Bedrooms	Total No of Dwelling Units	1 Dwelling Units	1	1 Dwelling Units
Residential	Residential => 3 Bedrooms	Total No of Dwelling Units	1 Dwelling Units	1	1 Dwelling Units
Default Demand Charged for Network					**1 Dwelling Units**

Charge Details

Transaction	Description	Demand Units	Charge Rate	Total
A-Std Charge-Residential				
Administration and Developer Contributions				**$0.00**
Administration Fee (inc GST)			$0.00	$0.00
Residential => 3 Bedrooms - MORETON BAY REGIONAL COUNCIL				**$16,800.00**
EXISTING DEMAND	Dual Occupancy 4 + 4 bedroom	-1	$16,800.00	-$16,800.00
CHARGE	Dual Occupancy 4 + 4 bedroom	1	$16,800.00	$16,800.00
EXISTING DEMAND		0	$16,800.00	$0.00
CHARGE	Dual Occupancy 4 + 4 bedroom	1	$16,800.00	$16,800.00
NETWORK TOTAL				**$16,800.00**
TOTAL GST				**$0.00**
GRAND TOTAL				**$16,800.00**

TO WHOM THE CHARGE MUST BE PAID:

Payment of the Charge must be made payable to MORETON BAY REGIONAL COUNCIL via Customer Service or Development Services, PO Box 159, Caboolture Qld 4500

The Infrastructure Charge has been calculated in accordance with the charges stated in Council's Adopted Infrastructure Charges Resolution. This notice will be escalated to time of payment to the extent permitted under legislation in force at that time.

PAYMENT DUE BY:

In accordance with Section 648H of the Sustainable Planning Act 2009 - extract as follows:
An adopted infrastructure charge is payable -
(a) if the charge applies to reconfiguring a lot that is assessable development or development requirement compliance assessment - before the local government approves the plan of subdivision for the reconfiguration;
or
(b) if the charge applies to building work that is assessable development or development requiring compliance assessment - before the certification of classification for the building work is issued;
or
(c) if the charge applies to a material change of use - before the change happens;
or
(d) otherwise - on the day stated in the adopted infrastructure charges notice or negotiated adopted infrastructure charges notice.

Notice is hereby given that the abovementioned infrastructure charges levied by Moreton Bay Regional Council in compliance with the Sustainable Planning Act 2009, Chapters 8 and 9 on land described for the period described, and such charges are DUE AND PAYABLE BY THE TIME STIPULATED IN THIS NOTICE. These charges plus any arrears and interest thereon may be recovered by legal process without further notice if unpaid after the time stipulated in this notice.

Adopted Infrastructure Charges Notice: IMPORTANT INFORMATION

PAYMENT

This notice is due and payable by the due time shown. Cheques, money orders or postal notes should be made payable to MORETON BAY REGIONAL COUNCIL and crossed "Not Negotiable". Change cannot be given on cheque payments. Property owners will be liable for any dishonour fees.

OVERSEAS PAYEES

Please forward your infrastructure charges payment by way of a bank draft for the required amount in Australian dollars.

GOODS AND SERVICES TAX

GST is not applicable to the Infrastructure Charges contained in this Notice.

INFRASTRUCTURE CHARGE IS SUBJECT TO PRICE VARIATION

This notice will be escalated to time of payment to the extent permitted under legislation in force at that time..

PLEASE CONTACT DEVELOPMENT SERVICES BEFORE MAKING PAYMENT.

INFRASTRUCTURE CHARGE ENQUIRIES

Enquiries regarding this infrastructure charge notice should be directed to MORETON BAY REGIONAL COUNCIL, Development Services, Caboolture Office, during office hours, Monday to Friday on phone (07) 3205 0555.

METHODS OF PAYMENT

PAYMENT BY MAIL	PAYMENT AT COUNCIL OFFICES	PAYMENT MADE BY CREDIT CARD
Confirm the current Infrastructure Charge applicable and obtain an updated payment notice from Council's Development Services.	Confirm the current Infrastructure Charge applicalbe and obtain an updated payment notice from Council's Website.	Credit Cards accepted: Mastercard or Visa
Mail this updated payment notice immediately with your payment to: MORETON BAY REGIONAL COUNCIL, PO Box 159, Caboolture Qld 4510	Present this updated payment notice with your payment to Moreton Bay Regional Council at the Customer Service Counters.	A fee of 0.74% applies to all developer contribution charges paid by Visa or Mastercard. The fee will be calculated and applied at the time of payment.
NOTE: Cheques must be made payable to MORETON BAY REGIONAL COUNCIL	**NOTE: Cheques must be made payable to MORETON BAY REGIONAL COUNCIL**	

Adopted Infrastructure Charges Notice

C/- Moreton Bay Regional Council
Caboolture Office, 2 Hasking Street, Caboolture Qld 4500
PO Box 159, CABOOLTURE QLD 4500

ABN 89 701 717 472

ICR No: 7161E

Issued by Moreton Bay Regional Council on behalf of Unitywater

Application Summary

Pathways Application No:	DA/28178/2013/V2D	**Applicant:**	Interface Projects
Description:	Dual Occupancy 4 + 4 bedroom	**Applicant Address:**	PO Box 751 COORPAROO QLD 4151
Issue Date:	1/10/2013	**Owner:**	Mrs Kusum Madhoji and Mr Arun Madhoji
		Owner Address:	10 Chelsea Road CASTLE HILL NSW 2154
Version:	Std Charge - Caboolture	**Date Charges Payable:**	In accordance with Section 648H of the Sustainable Planning Act 2009
Total Charges:	$11,200.00		

Please Note: A fee of 0.74% applies to all developer contribution charges paid by Visa or Mastercard. The fee will be calculated and applied at the time of payment.

Property Details

Property Addresses	Real Property Descriptions
3 Ebb Drive, BELLMERE QLD 4510	Lot 11 SP 213436 Parish Canning

Network Demand Details

Land Use Category	Land Use	Land Use Item	Demand Parameter	Demand Factor	Demand Units
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Existing Demand: Dual Occupancy 4 + 4 bedroom					
Residential	Residential => 3 Bedrooms	Total No of Dwelling Units	1 Dwelling Units	1	-1 Dwelling Units
Proposed Demand: Dual Occupancy 4 + 4 bedroom					
Residential	Residential => 3 Bedrooms	Total No of Dwelling Units	1 Dwelling Units	1	1 Dwelling Units
Residential	Residential => 3 Bedrooms	Total No of Dwelling Units	1 Dwelling Units	1	1 Dwelling Units
Default Demand Charged for Network					**1 Dwelling Units**

Charge Details

Transaction	Description	Demand Units	Charge Rate	Total
A-Std Charge-Residential				
Administration and Developer Contributions				**$0.00**
Administration Fee (inc GST)			$0.00	$0.00
Residential => 3 Bedrooms - MORETON BAY REGIONAL COUNCIL				**$11,200.00**
EXISTING DEMAND	Dual Occupancy 4 + 4 bedroom	-1	$11,200.00	-$11,200.00
CHARGE	Dual Occupancy 4 + 4 bedroom	1	$11,200.00	$11,200.00
EXISTING DEMAND		0	$11,200.00	$0.00
CHARGE	Dual Occupancy 4 + 4 bedroom	1	$11,200.00	$11,200.00
NETWORK TOTAL				**$11,200.00**
TOTAL GST				**$0.00**
GRAND TOTAL				**$11,200.00**

TO WHOM THE CHARGE MUST BE PAID:

Payment of the Charge must be made payable to MORETON BAY REGIONAL COUNCIL via Customer Service or Development Services, PO Box 159, Caboolture Qld 4500

NOTE:

* **Compound interest at 11% calculated daily will be applied on all overdue charges.**

The Infrastructure Charge has been calculated in accordance with the charges stated in Council's Adopted Infrastructure Charges Resolution. This notice will be escalated to time of payment to the extent permitted under legislation in force at that time.

PAYMENT DUE BY:

In accordance with Section 648H of the Sustainable Planning Act 2009
The applicable development permit triggering the charge refers to: MCU
Payment is due by: prior to commencement of use

Notice is hereby given that the abovementioned infrastructure charges levied by Unitywater in compliance with the Sustainable Planning Act 2009, Chapters 8 and 9 on land described for the period described, and such charges are DUE AND PAYABLE BY THE TIME STIPULATED IN THIS NOTICE. These charges plus any arrears and interest thereon may be recovered by legal process without further notice if unpaid after the time stipulated in this notice.

Adopted Infrastructure Charges Notice: IMPORTANT INFORMATION

PAYMENT

This notice is due and payable by the due time shown. Cheques, money orders or postal notes should be made payable to MORETON BAY REGIONAL COUNCIL and crossed "Not Negotiable". Change cannot be given on cheque payments. Property owners will be liable for any dishonour fees.

INTEREST

Compound Interest at 11% calculated daily will be applied on all overdue infrastructure charges outstanding after the due time for payment shown on this charge notice.

OVERSEAS PAYEES

Please forward your infrastructure charges payment by way of a bank draft for the required amount in Australian dollars.

GOODS AND SERVICES TAX

No GST has been included in this Infrastructure Charges Notice.

INFRASTRUCTURE CHARGE IS SUBJECT TO PRICE VARIATION

This notice will be escalated to time of payment to the extent permitted under legislation in force at that time..

PLEASE CONTACT DEVELOPMENT SERVICES BEFORE MAKING PAYMENT.

INFRASTRUCTURE CHARGE ENQUIRIES

Enquiries regarding this infrastructure charge notice should be directed to MORETON BAY REGIONAL COUNCIL, Development Services, Caboolture Office, during office hours, Monday to Friday on phone (07) 3205 0555.

METHODS OF PAYMENT

PAYMENT BY MAIL	PAYMENT AT COUNCIL OFFICES	PAYMENT MADE BY CREDIT CARD
Confirm the current Infrastructure Charge applicable and obtain an updated payment notice from Council's Development Services.	Confirm the current Infrastructure Charge applicalbe and obtain an updated payment notice from Council's Website.	Credit Cards accepted: Mastercard or Visa
Mail this updated payment notice immediately with your payment to: MORETON BAY REGIONAL COUNCIL, PO Box 159, Caboolture Qld 4510	Present this updated payment notice with your payment to Moreton Bay Regional Council at the Customer Service Counters.	A fee of 0.74% applies to all developer contribution charges paid by Visa or Mastercard. The fee will be calculated and applied at the time of payment.
NOTE: Cheques must be made payable to MORETON BAY REGIONAL COUNCIL	**NOTE: Cheques must be made payable to MORETON BAY REGIONAL COUNCIL**	