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**DECISION NOTICE OF MINISTERIAL CALL IN OF  
DEVELOPMENT APPLICATION MADE UNDER THE  
*SUSTAINABLE PLANNING ACT 2009***

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**Application Reference No – PA11048**

Pursuant to the Sustainable Planning Act 2009, I give the decision notice regarding the Ministerial call in I exercised on 8 June 2011 to assess and decide the development application made by BM Alliance Coal Operations Pty Ltd to Isaac Regional Council on 18 March 2011 for a development permit for operational works (earthworks and clearing vegetation).

This decision notice is one of the three decision notices issued in respect of the development of the Buffel Park Accommodation Village. Application Reference Numbers PA10120 and PA11050 were also called in on 8 June 2011 and decision notices have been given for those applications.

Development Application

**Applicant:** BM Alliance Coal Operations Pty Ltd

**Owner:** BM Alliance Coal Operations Pty Ltd

**Application Number:** PA11048

**Address:** Peak Downs Highway, Moranbah

**Property Description:** Lot 12 on RP151669

**Proposal:** Application for a development permit for operational works  
(earthworks and clearing vegetation)

**Local Government Area:** Isaac Regional Council

I have assessed and decided the development application and on 2 September 2011, I approved the development application subject to the conditions set out in Schedule 1.

The following provides details of this decision:

**1. Referral Agencies**

Nil

**2. Conditions**

The Assessment Manager's conditions are set out in Schedule 1.

**3. Approval Type**

Development permit for operational works.

**4. Any other development permits or compliance permits necessary to allow the development to be carried out.**

Carrying out building work

Carrying out plumbing work

**5. Rights of Appeal**

There is no right of appeal by virtue of section 427(5) of the Sustainable Planning Act 2009.



**Andrew Fraser**

**Treasurer and Minister for State Development and Trade**

Date

1. 9. 11

## **SCHEDULE 1**

### **GENERAL**

1. The Development Approval takes effect at the time of the Decision Notice.
2. All works shall be in accordance with the Construction Village Site Based Stormwater Management Plan and Infrastructure Servicing Plan PHCVM03-7311-CC-RP-0001\_A and approved engineering drawings as per the Drawing Schedule on Drawing PHCVM03-7311-CC-DG-2007 Rev. A.
3. All works shall be in accordance with the related development approval conditions.
4. Any deviation from the decision notice or approved engineering drawings will require the written consent from the Isaac Regional Council's Executive Director Technical and Civil Services. The written consent is to be provided within 10 business days of the request for deviation being made to Council. Any proposed significant changes will require that amended engineering drawings are submitted to and approved by the Council.
5. Isaac Regional Council shall be informed of commencement date prior to commencement of operational work.
6. Hours of construction unless otherwise approved in writing by the Isaac Regional Council's Executive Director Technical and Civil Services will occur between the hours of 5:30am to 6:30pm.
7. A Construction Management Plan, including a Construction Program, shall be submitted to the Isaac Regional Council prior to the commencement of the operational works.
8. This approval should not be taken to mean that the drawings have been checked in detail and the Isaac Regional Council accepts no responsibility for the survey

information, the design or for the accuracy of any information or detail contained in the drawings and specifications. The approval is issued with reliance upon the Engineer's certification and that any aspect of the design not specified by the Council policy has been undertaken with due professional diligence to accepted industry standards.

9. The Isaac Regional Council's approval of the design is not an approval to enter into private property or easements to undertake works. Separate approval is to be obtained from all Property Owners before entering the private property and written confirmation of the Property Owner's approval of the completed works within their property is to be submitted to the Council.
10. Traffic control shall be provided for all works within a public road in accordance with Queensland Department of Main Roads - Manual of Uniform Traffic control Devices Part 3 (Work on Roads) and Main Roads Specification (MRS 02) Provision for Traffic.
11. All works shall be undertaken to comply with the provisions of the *Workplace Health and Safety Act 1995*.
12. The costs of all development works, including any necessary alteration or relocation of services, public utility mains or installations, shall be borne by the Developer whose responsibility it shall be to ascertain the exact location of these services prior to commencement of work.
13. The Site Superintendent will provide site engineering supervision and issue the RPEQ certified Statement of Compliance of completed works confirming that all necessary inspection, testing has been carried out during the works and compliance with the design and specifications.
14. The new drainage infrastructure must have a CCTV record prepared on CD upon completion with the CD provided to the Isaac Regional Council's Inspector for assessment under the Plumbing and Drainage Act.

## **GEOTECHNICAL**

15. A detailed site specific geotechnical investigation is to be undertaken and submitted to the Isaac Regional Council for approval prior to commencement of works. This report will clearly identify the suitability of the site and include recommendations for pavements, foundations, drainage, site stability, erosion control and any remediation required for the extent of the proposed development.

## **BULK EARTHWORKS**

16. All works shall be carried out in accordance with the Construction Village Site Based Stormwater Management Plan and the Infrastructure Servicing Plan and the approved Engineering Drawings.
17. All reasonable methods are to be used to reduce nuisance from dust, noise, vibration and material tracked onto public roads from hauling and filling operations in accordance with the Isaac Regional Council's Bylaws/Local Laws.
18. All batters are to be stabilised within 10 days of the completion of bulk earthworks. Stabilisation techniques may include hydro mulching, returfing and erosion resistant blankets etc.

## **SEDIMENT AND EROSION CONTROL**

19. Sediment and Erosion control measures shall be undertaken in accordance with Best Practice Erosion and Sediment Control Guidelines published by the International Erosion Control Association, Nov 2008.
20. Appropriate measures shall be undertaken to prevent any scouring on site from stormwater flows resulting from the development works. The Applicant shall be responsible for and undertake any works necessary to rectify and prevent any further scouring of the land until the site has been stabilised.
21. A shake down area shall be provided at all accesses to prevent the tracking of material onto the roadway by construction traffic.

22. The surrounding carriageways are to be kept clean of any material carried onto the roadway by construction vehicles from the site.

#### **ENVIRONMENTAL MANAGEMENT**

23. All vegetation which is required to be removed to facilitate development shall be mulched, stockpiled and conditioned for reuse on site for use in the site landscaping works. Any excess mulch not required by the developer for use as part of this development is to be made available to the Isaac Regional Council for revegetation works on and off the site. Other alternative methods of vegetation removal shall be approved by the Council prior to the commencement of the works.

24. Any damage to property (including pavement damage) is to be rectified to the satisfaction of the Isaac Regional Council or the applicable authority prior to the issuing of the certificate of practical completion.

#### **PRACTICAL COMPLETION**

25. Immediately after completion of the works associated with this approval, the Isaac Regional Council shall be notified.

#### **LAPSING PERIOD**

26. This approval shall lapse at the expiration of 2 years from the date of this approval taking effect.

**End of Schedule 1 Conditions**