

Sunshine Coast Council

MINUTES

ORDINARY MEETING

Wednesday 27 October 2010

Council Chambers, Cnr Currie and Bury Streets, Nambour



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1 DECLARATION OF OPENING

The Chair declared the meeting open at 9.35am.

2 RECORD OF ATTENDANCE AND LEAVE OF ABSENCE**COUNCILLORS**

Councillor R Abbot	Mayor (Chair)
Councillor A Grosskreutz	Division 1
Councillor J McKay	Division 5
Councillor C Dickson	Division 6
Councillor E Hungerford	Division 7
Councillor D Blumel	Division 8 (Absent Item 1 – (PSC) Item 4.1.1)
Councillor V Griffin	Division 9
Councillor P Tatton	Division 10
Councillor R Green	Division 11
Councillor L Brennan	Division 12

EXECUTIVE LEADERSHIP TEAM

Mr J Knaggs	Chief Executive Officer
Mr E Moes	Acting Executive Director Community Services
Mr A Ryan	Executive Director Infrastructure Services
Mr W Bunker	Executive Director Regional Strategy and Planning
Ms R Cheales	Executive Director Organisation Performance

APOLOGIES

Councillor T Dwyer	Division 2
Councillor K Jones	Division 3
Councillor C Thompson	Division 4

COUNCIL OFFICERS

Ms P Gordon	Manager Creative Communities
Ms C Ballinger	Creative Planning and Programs Manager
Ms J Edwards	Director Development Services
Mr D Rundle	Principal Development Planner
Mr M Cornell	Principal Development Planner

ATTENDEES

Nil

3 RECEIPT AND CONFIRMATION OF MINUTES

3.1 CONFIRMATION OF MINUTES

3.1.1 ORDINARY MEETING HELD ON 6 OCTOBER 2010

Moved: Councillor E Hungerford
Seconded: Councillor R Abbot

That the minutes of the Council meeting held on 6 October 2010 be received and confirmed.

Carried unanimously.

3.1.2 SPECIAL MEETING (STRUCTURE PLANS) HELD ON 21 OCTOBER 2010

Moved: Councillor R Green
Seconded: Councillor C Dickson

That the minutes of the Special Meeting (Structure Plans) held on 21 October 2010, be received and confirmed.

Carried unanimously.

4 OBLIGATIONS OF COUNCILLORS**4.1 DECLARATION OF MATERIAL PERSONAL INTEREST ON ANY ITEM OF BUSINESS**

Pursuant to Section 172 of the *Local Government Act 2009*, no declarations of Material Personal Interest were made during this meeting.

4.2 DECLARATION OF CONFLICT OF INTEREST ON ANY ITEM OF BUSINESS

Pursuant to Section 173 (2) of the *Local Government Act 2009*, Councillor J McKay informed the meeting of her interest in relation to (PSC) item 4.2.1 as Council's appointed delegate to the executive committee of the Sunshine Coast Sister Cities Community Association.

5 MAYORAL MINUTE

Nil.

6 PRESENTATIONS**6.1 PRESENTATION – FRIENDSHIP FORCE**

Moved: Councillor D Blumel
Seconded: Councillor E Hungerford

Council Resolution (OM10/278)

That Council receive a presentation by Councillor D Blumel of a calendar and commemorative material from the Friendship Force of the Sunshine Coast Incorporated, thanking council for its support of The Friendship Park Tree Planting ceremony.

Carried unanimously.

(Item 6.1 was considered following Item 11.3).

7 REPORTS DIRECT TO COUNCIL

Nil.

8 PERFORMANCE AND SERVICE COMMITTEE RECOMMENDATIONS

(PSC) ITEM 4.1.1 SEPTEMBER QUARTER INVESTMENT PERFORMANCE REPORT

Council Resolution (OM10/279)

That Council receive and note the report titled "September Quarter Investment Performance Report" for the three months ended 30 September 2010.

(PSC) ITEM 4.2.1 INTERNATIONAL RELATIONS REVIEW

Council Resolution (OM10/280)

Moved: Councillor L Brennan

Seconded: Councillor E Hungerford

That Council:

- (a) *note the report titled "International Relations Review";*
 - (b) *establish an International Relations Panel to support the achievement of Council's corporate plan strategies by:*
 - (i) *sharing information and knowledge on activities being undertaken individually which contribute to one or more of the above strategies;*
 - (ii) *providing input, expertise and support to activities ; and*
 - (iii) *exploring opportunities for leveraging and adding value to the activities of others;*
 - (c) *nominate relevant portfolio councillors, namely Councillor J McKay and Councillor L Brennan, to the International Relations Panel;*
 - (d) *extend membership of the International Relations Panel to:*
 - (i) *Regional universities, including Sunshine Coast, Central Queensland and others as appropriate;*
 - (ii) *Sunshine Coast Destination Limited;*
 - (iii) *Regional education providers;*
 - (iv) *State – Dept of Employment, Economic Development and Innovation (DEEDI) and Department of Sport and Recreation;*
 - (v) *Queensland Education/TAFE;*
 - (vi) *Sunshine Coast Sister Cities Association Incorporated;*
 - (vii) *Sunshine Coast Chamber of Commerce;*
-

- (viii) others as deemed appropriate by the Chief Executive Officer;*
- (e) delegate authority to the Chief Executive Officer to:*
 - (i) nominate relevant officers as members of the International Relations Panel;*
 - (ii) develop an appropriate charter/terms of reference for the International Relations Panel; and*
 - (iii) negotiate changes to existing formal government-to-government relationships with Fenland, Tatebayashi, Xiamen, Alotau and Mont Dore to reflect a friendship arrangement based on arts and cultural activities;*
- (f) extend its appreciation to the Sunshine Coast Sister Cities Community Association for their effort and commitment to international relationships in the past;*
- (g) invite the Sunshine Coast Sister Cities Community Association to apply for funding under the community partnerships funding program;*
- (h) investigate the inclusion of international cultural relations in the forthcoming review of the community grants policy; and*
- (i) inform the Sunshine Coast Sister Cities Community Association that automatic recurrent funding will not be included in the 2011/2012 budget.*

Carried unanimously.

Pursuant to Section 173 (2) of the Local Government Act 2009, Councillor J McKay informed the meeting of her interest in relation to (PSC) item 4.2.1 as Council's appointed delegate to the executive committee of the Sunshine Coast Sister Cities Community Association. As this is not a conflict of interest Councillor J McKay remained in the meeting whilst the matter was discussed and voted on.

(PSC) ITEM 4.3.1 NOOSA SPIT EROSION PROTECTION**Council Resolution** (OM10/281)**Moved:** Councillor R Green**Seconded:** Councillor E Hungerford*That Council:*

- (a) *note the report titled "Noosa Spit Erosion Protection";*
- (b) *adopt Option E which is the combination option outlined in the International Coastal Management Report to protect the Dog beach with geotextile sand filled mega containers, namely:*
- (i) a revetment wall at the upstream end of Noosa Spit to control ongoing erosion;*
 - (ii) an upstream training wall approximately 80 metres long;*
 - (iii) a submerged "closure" in the vicinity of Dog Beach;*
 - (iv) two groynes; and*
 - (v) foreshore nourishment;*
- (c) *note that work will continue to develop the shoreline erosion management plan for this locality for presentation to Council before December 2010 and progress the investigation and design of the Alexandra Headlands / Maroochydore Beach dunal protection wall, which will be subject to a future report to Council, including a full estimate of costs, project activities and timing; and*
- (d) *reallocate funds totalling \$950,000 from the projects outlined as follows to the Noosa Spit Erosion Project (Stage 1) and be placed into a financial reserve for access in the 2011/2012 financial year:*

Project	Description	Program	Approved 2010/2011 Budget \$	Forecast End of 2010/2011 Year Expenditure \$	Surplus Funds to be reallocated \$
A5881	Noosa Main Beach Slurry Sand System	Waterways & Coastal	\$1,661,600	\$1,600,000	\$ 61,600
A5834	Respite Centre Extensions	Buildings and Facilities	\$ 339,677	\$ 1,602	\$ 338,075
A6364	Sunshine Beach – Upgrade Beach Access	Parks, Gardens & Reserves	\$ 470,325	\$ 400,000	\$ 70,325
A5239	Pontoons & Jetties Safety Upgrades	Parks, Gardens & Reserves	\$ 56,847	\$ 6,847	\$ 50,000
A6600	Munna Point Noosa Bridge Construction	Transportation	\$1,000,000	\$ 570,000	\$ 430,000
TOTAL					\$ 950,000

Carried unanimously.

(Councillor R Green raised a point of order that Councillor E Hungerford had digressed from the motion put before the Council. The Chair ruled that the point of order be upheld).

(PSC) ITEM 4.4.1 PARK NAMING PROPOSALS**Council Resolution** (OM10/282)

That Council:

- (a) receive and note the report titled "Park Naming Proposals"; and*
 - (b) endorse the assessment outcomes of the park naming panel for park naming proposals received in the former Maroochy Shire local government area detailed in the attachment to this report (Appendix A).*
-

(PSC) ITEM 4.4.2 EVENTS POLICY, COMMUNITY EVENTS AND CELEBRATIONS STRATEGY AND FESTIVE SEASON STRATEGY**Council Resolution** (OM10/283)

Moved: Councillor V Griffin

Seconded: Councillor J McKay

That Council:

- (a) receive and note the report titled "Events Policy, Community Events and Celebrations Strategy; and Festive Season Strategy";*
- (b) adopt the Events Policy (Appendix A as amended);*
- (c) endorse the Community Events and Celebrations Strategy (Appendix B as amended);*
- (d) endorse the Festive Season Strategy (Appendix C as amended); and*
- (e) refer the Additional Budget Requirements (Appendix D as amended) funding request of \$337,000 to the 2010/2011 Budget Review 2; and*
- (f) acknowledge the significant range of celebratory and festive events supported by community associations and businesses.*

Carried unanimously.

(PSC) ITEM 4.5.1 PLACE MAKING CHARTER**Council Resolution** (OM10/284)

That Council:

- (a) receive and note the report titled "Place Making Charter"; and*
 - (b) adopt the Place Making Charter (Appendix A).*
-

(PSC) ITEM 4.5.2 SOCIAL PLANNING FRAMEWORK AND LOCALITY SNAPSHOTS**Council Resolution** (OM10/285)

That Council:

- (a) note the report titled "Social Planning Framework and Locality Snapshots";*
 - (b) endorse the "Draft Social Planning Foundation Paper" (Appendix A) and the "Draft Social Directions Fact Sheet" (Appendix B) for purpose of targeted external consultation; and*
 - (c) approve the "Community Neighbourhood Survey Report" (Appendix C) and "Locality Snapshots" (Appendix D) for release to the community.*
-

(PSC) ITEM 4.5.3 PLACES – PRIORITISATION METHODOLOGY**Council Resolution** (OM10/286)

That Council:

- (a) note the report titled "Places - Prioritisation Methodology";*
 - (b) defer a decision on this report and the Prioritisation Methodology and refer the matter to a workshop process with Councillors; and*
 - (c) bring a further report back to council with a community engagement strategy.*
-

(PSC) ITEM 4.5.4 STREETSCAPING CAPITAL WORKS - FUNDING ALTERNATIVES**Council Resolution** (OM10/287)

That Council:

- (a) *note the report titled "Streetscaping Capital Works – Funding Alternatives" regarding discussion of funding options for the delivery of the streetscape capital works program; and*
 - (b) *refer the report and its recommendations to 2011/2012 budget process for consideration.*
-

PERFORMANCE AND SERVICE COMMITTEE

Moved: **Councillor C Dickson**

Seconded: **Councillor L Brennan**

That Council adopt the recommendations of the Performance and Service Committee Meeting of 20 and 21 October 2010, except where dealt with separately by Council.

Carried unanimously.

9 STRATEGY AND PLANNING COMMITTEE RECOMMENDATIONS

(SPC) ITEM 4.1.1 DEVELOPMENT APPLICATION FOR MATERIAL CHANGE OF USE (SHOP) AT 347 MONS ROAD, FOREST GLEN**Motion****Moved: Councillor E Hungerford****Seconded: Councillor D Blumel**

That Council refuse Application No. MCU10/0014 for a Material Change of Use (Shop) situated at 347 Mons Road Forest Glen for the following reasons:

1. The application is contrary to the draft planning scheme amendments No. 20 Forest Glen; and
2. The application is not identified as a preferred use in the table of development assessment volume 1 of Maroochy Plan 2000.

For: Councillor E Hungerford.**Against: Councillor V Griffin; Councillor P Tatton; Councillor C Dickson; Councillor D Blumel; Councillor A Grosskreutz; Councillor L Brennan; Councillor J McKay; Councillor R Green and Councillor R Abbot.****Lost.****Council Resolution (OM10/288)**

That Council APPROVE WITH CONDITIONS Application No. MCU10/0014 and grant a Development Permit for a Material Change of Use (Shop) situated at 347 Mons Road Forest Glen in accordance with the conditions of approval outlined in Appendix A.

(SPC) ITEM 4.1.2 REQUEST FOR NEGOTIATED DECISION NOTICE FOR MATERIAL CHANGE OF USE FOR EXTENSIONS TO ST ANDREWS ANGLICAN COLLEGE, PEREGIAN SPRINGS DRIVE, PEREGIAN SPRINGS

Council Resolution (OM10/289)

Moved: Councillor V Griffin

Seconded: Councillor R Green

That Council ISSUE A NEGOTIATED DECISION NOTICE in relation to Development Permit and Preliminary Approval (Overriding the Planning Scheme) MCU06/0102 & MCU08/0089 granted to St Andrews Anglican College for Material Change of Use of Premises (Extensions to Educational Establishment) in accordance with the modified conditions identified in Appendix A (as amended) namely:

- A. Approve a change to conditions 3, 11, 13, 16, 20, 21, 24, 25, 32, 33, 36, 37, 39, 40, 44, 46, 48, 64 to read as follows:-
- 3 Unless otherwise stated, the applicant must comply with all conditions of this approval prior to the sooner of the following occurring:
- (a) student enrolments exceed 1070; or
 - (b) commencement of the 2011 school year
- 11 The applicant must provide to Council amended plans and documents which incorporate the amendments listed within this Decision Notice
- 13 The performing arts centre identified as Building "P" on the Approved Plan: Proposed College Master Plan – Future Buildings, and also that part of Building "E" which is immediately attached to the existing Building "E", may exceed the height limit set by the preceding condition, provided that the overall height of the building does not exceed 10 metres at any point (relative to natural ground level)
- 16 The applicant must register easements in favour of Council over all wetland access paths shown on the Approved Plans, to secure access rights to Council for maintenance purposes
- 20 Activities associated with all outdoor sports facilities (with the exception of the junior oval at the southern end of the site) must not operate outside the hours of 7.00am to 7.00pm Monday to Saturday. No activity is to be conducted on Sunday or any public holiday
- 21 A Complaints Management Procedure to address all noise and light complaints during the life of the school must be submitted for Council approval. The Procedure must include the following:
- (a) a contact person with whom complaints can be lodged;
 - (b) a clearly defined procedure for responding to and investigating complaints including Council notification;
 - (c) notification to all complainants of the outcome of complaint investigations; and
 - (d) a record of complaints and investigation results to be maintained at all times and available for inspection

- 24 *RPEQ certification must be provided to Council which certifies that the requirements of the preceding two conditions relating to construction of a new acoustic barrier and the upgrade and repairs of the existing fence have been complied with*
- 25 *Certification by an appropriately qualified expert must be submitted which certifies that the existing lighting associated with the tennis and basketball courts, swimming pool and the road and carpark are of the appropriate type, and positioned to ensure spill and obtrusive light does not exceed the recommended maximum values of AS 4282-1997 Control of the obtrusive effects of outdoor lighting Table 2.1 & 2.2 (Level 1 control) in regard to internal and surrounding residential uses*
- 32 *A School Evacuation Plan must be prepared by a suitably qualified person in accordance with Appendix 8 of the State Planning Policy 1/03: Mitigating the Adverse Impacts of Flood, Bushfire and Landslide and submitted to Council. The School Evacuation Plan must be amended to include the recommendations from Section 2.7 of the Approved Document: Bushfire Management Plan, and must be designed to enable occupants to get to a safe location. The Plan must also address the following:*
- (a) The nature of the facility, number of occupants, layout etc*
 - (b) Purpose and objectives of the plan*
 - (c) Roles and responsibilities of fire wardens*
 - (d) Triggers for evacuation*
 - (e) Consultation with emergency services*
 - (f) Safe refuge / evacuation venues*
 - (g) Transportation for evacuation*
 - (h) Designated assembly points*
 - (i) Accounting for persons*
 - (j) Security of premises following evacuation*
 - (k) Evacuation procedures*
 - (l) Community / occupant education program – training drills etc*
 - (m) Recovery arrangements*
 - (n) Maintenance arrangements*
 - (o) Conclusions*
- 33 *A copy of both the School Evacuation Plan and the Bushfire Management Plan must be provided to the nearest fire brigade. The applicant must submit to Council evidence that the fire brigade have received the School Evacuation Plan and Bushfire Management Plan*
- 36 *The applicant must lodge an application for Operational Works for landscape works. The application must include the following:*
- (a) A 3 metre wide landscape buffer to the adjoining retirement village property generally as shown on the Approved Plans*
 - (b) Fencing and acoustic treatments*
 - (c) Landscaping and maintenance of areas adjacent to bushfire prone land in accordance with the Approved Document: Bushfire Management Plan*
 - (d) Emergency accesses for Queensland Fire and Rescue Service and Council vehicles*

- 37 The applicant must provide a 3 metre wide landscape buffer to the adjoining retirement village which includes the following works:
- (a) Replacement of any existing trees not that are not healthy or capable of growing to approximately 1000mm above the acoustic fence
 - (b) Widening of the existing garden bed to 3 metres, and replanting and re-mulching as required
 - (c) Refurbishment, soil aeration and amelioration of the existing garden bed
 - (d) Inclusion of new species that will grow to approximately 1000mm above the acoustic fence
- The buffer may be established over two stages in accordance with the Approved Plan: Landscape Buffer Staging Plan, provided that:
- (a) Stage 1 occurs prior to student enrolments exceeding 1070 students or the commencement of the 2011 school year, whichever happens first; and
 - (b) Stage 2 occurs prior to student enrolments exceeding 1100 students or construction of either the pool or senior oval, whichever happens first.
- 39 The applicant must enter into the management agreement required by Condition 21 of Part C of the Consent Order dated 25 March 2002 relating to Appeal No. 3446 of 2001
- 40 The applicant must construct an all-weather maintenance access for Council vehicles to the northern part of the bushland reserve from the car park turnaround generally as shown on the Approved Plan: Proposed College Master Plan – Future Buildings. Such access must have a stabilised surface capable of being traversed by Queensland Fire and Rescue Service and Council vehicles. A lockable gate must be installed into the existing fencing at the point where the maintenance access meets the bushland reserve
- 44 Prior to enrolments exceeding 1070 students or prior to the end of 2011, whichever occurs sooner, the applicant must construct the following works, referenced in conceptual form on the Approved Plan: St Andrews Anglican College – Internal Road & Circulation Improvements:
- (a) Convert the mid-block site entry driveway from Peregrin Springs Drive to a two-lane one-way roadway from Peregrin Springs Drive to the internal east-west roadway. The eastern lane of the two-lane roadway must be marked as the continuous lane from the existing left-turn lane on Peregrin Springs Drive
 - (b) Modify the intersection between the internal north-south roadway and the internal east-west roadway to give priority to vehicles turning right into the internal east-west roadway
 - (c) Widen the western vehicle access intersection between the internal east-west roadway and the car park adjacent to Peregrin Springs Drive as necessary to allow a vehicle to turn right into the car park from the internal east-west roadway while a vehicle is waiting to turn right into the internal east-west roadway from the car park
 - (d) Extend the passenger set-down area on the eastern side of the internal north-south roadway for the full length of the section between the 24 space car park and the intersection with the internal east-west roadway. A concrete footpath, at least 2 metres wide, must be constructed along this section of the internal north-south roadway and link with existing concrete footpaths on the northern side of the internal east-west roadway

- (e) *Modify and extend as necessary the existing passenger set-down area on the northern side of the internal east-west roadway such that it extends between the internal north-south roadway and the existing roundabout on the internal east-west roadway. A concrete footpath, at least 2 metres wide, must be constructed on the northern side of the internal east-west roadway for the full length of the passenger set-down areas*
 - (f) *Construct a raised zebra crossing, at least 4 metres wide, across the internal east-west roadway and adjacent car park, in line with the major north-south pedestrian spine through the site, and provide a concrete footpath connection, at least 2.5 metres wide, between the pedestrian spine and the indented bus bays required by the DTMR on Peregrin Springs Drive*
- 46 *No parking spaces on the overall site south of Building E, except for up to two spaces adjacent to the administration building, up to three spaces at the western end of Building E, and up to ten spaces adjacent to the child care centre, are to be utilised by staff associated with the school or the child care centre prior to the standard school student morning commencement time(s) or within 30 minutes of the standard school student afternoon finish time(s). It must be made clear through signage and awareness campaigns that no exclusions apply to parking spaces on the site, including those along the western boundary of the site, for the purpose of picking-up school students during the afternoon school peak period*
- 48 *The applicant must submit to Council a "Green Travel Plan" which identifies methods for reducing car dependency by staff and students travelling to the site through encouraging alternative modes of travel (such as public transport, walking/cycling and car pooling). The Green Travel Plan must nominate ongoing strategies, actions and practical initiatives for reducing car dependency and detail methods of implementation, progress made to date, and timeframes and targets for future progress*
- 64 *On site car parking facilities must be designed and constructed in accordance with Section 9 of Planning Scheme Policy No. 6 – Transport Traffic and Parking and generally in accordance with Approved Plans (as amended). The facilities must include the following:*
- (a) *Minimum number of bays specified in the following condition, complying with AS2890.1 Class 3 restricted to staff and users of the development*
 - (b) *A minimum of 3 of the bays required by (a) above must be Class 4 bays for use by disabled persons and must be clearly designated and provided in accordance with AS 1428 and AS2890.1*
 - (c) *All bays must be un-allocated and un-gated and available at all times the premises are in use, unless otherwise stated in this Decision Notice*
 - (d) *Directional signage must be provided to the ingress and egress points of the public car park*
 - (e) *Car parking spaces and access driveways are sealed and linemarked*
 - (f) *All on site circulation, turning areas and driveways comply with AS 2890.1-2004 and AS 2890.2-2002*
 - (g) *Employee and customer parking must be provided with appropriate directional signage and line-marking*

- B. Refuse to change Conditions 22 and 23, but amend to clarify as follows:-
- 22 The entire existing fence on the common boundary must be, where necessary, repaired and upgraded (for example, replace damaged palings and remove all openings, gaps or spaces in the fencing) to enhance the acoustic integrity
- 23 The section of boundary fence which extends from the southern end of the carpark adjacent to Building "K" on the Approved Plan: Existing College Master Plan 2010 to the northern extent of the turnaround area must be upgraded to an acoustic barrier with a height of 2.2 metres from the finished ground level. The barrier must be returned at both ends to an extent that maintains the acoustic effectiveness of the barrier or, alternatively, be affixed to any existing acoustic barrier. The barrier must be constructed of a material with a surface density not less than 12.5 kg/m² and be of an aesthetically pleasing weather-resistant material such as suitable timber, fibre cement or brick. Any proposed openings must have returns or have a second barrier behind the opening to prohibit line of sight from the retirement village to the noise source. The Queensland Main Roads Specification MRS11.15 Noise Barriers March 2005 (as amended) should be consulted for achieving compliance with this condition
- C. Amend Condition 20b as follows:-
- 20b The applicant must ensure that, after 7.00 pm on any day, no vehicle is permitted to access the carpark area located north of Building "G" on the Approved Plan: Existing College Master Plan 2010, except for in the following circumstances:
- (a) for access by security vehicles and emergency vehicles
 - (b) for access by any vehicle for no more than 5 whole-of-school events per year
- The applicant must erect signage on the internal roadway advising motorists of the requirement of this condition. This condition extends to the vacating of any already parked vehicles by 7.00 pm
- D. Amend the list of Approved Plans and Documents to include the following additional plan:-

Plan	Rev.	Plan Name	Date
MCU06/0102.plan		Landscape Buffer Staging Plan, prepared by Middap Ditchfield Architects and annotated by Sunshine Coast Regional Council	27/10/10

Carried unanimously.

(SPC) ITEM 4.1.3 DEVELOPMENT APPLICATION FOR RECONFIGURATION OF A LOT (3 INTO 79 LOTS) AT 33 SILVERWOOD DRIVE AND 11 BURNSIDE ROAD, BURNSIDE - LOT 102 SP172896, LOT 2 RP885232 AND LOT 996 SP14888

Council Resolution (OM10/290)

Moved: Councillor P Tatton
Seconded: Councillor J McKay

That Council:

- (a) *approve Application REC07/0082 by Swift Properties (Gold Coast) Pty Ltd and grant a Development Permit to Reconfigure a Lot (3 into 80 Lots at 11 Burnside Road and 33 Silverwood Drive Burnside described as Lot 102 SP 172896, Lot 2 RP 885232 and Lot 996 SP 148888 subject to the conditions of approval as outlined in Appendix A (as amended) namely:*

A *Delete Condition 5 A and Insert new Conditions 12A, 81, 82, 83 and 84 as follows:*

12A *In lieu of the Public Parks Infrastructure contribution, a credit can be applied for where the embellishment of a local park is constructed in accordance with condition 81. The maximum credit available in this regard is \$213,287. To gain such credits, the Applicant must submit financial guarantees/bonds equal to the above amount. Following the completion of park works, the Applicant may apply for the release of these bonds. Where the cost of the embellishment of the park exceeds this amount, no further credit will be given*

LOCAL RECREATION PARK

81 *The Applicant must provide a local recreation park generally in accordance with Landgraphics, December 2007, Drawing LP 01 issue D and include the following embellishments:*

- (a) *shaded playground including*
 - (i) *one climbing frame/fort*
 - (ii) *one double swing*
 - (iii) *one rocking or spinning element*
 - (iv) *drained soft-fall including edging*
- (b) *one park shelter with table and bench seats*
- (c) *two seats for general park use*
- (d) *kick and throw area*
- (e) *one water bubbler*
- (f) *one rubbish bin*
- (g) *2000mm wide concrete path connected to the local street pedestrian network*
- (h) *Landscaping including the provision of shade trees*
- (i) *Revegetation adjacent to the proposed future road extension of Silverwood Drive and all cut/fill batters greater than 1:4*
- (j) *Pool style fencing to separate the playground from the adjacent WSUD device*

- (k) *Revegetation of all residual areas adjacent to Whalleys Creek following the completion of road works*

Land Dedication and Completion of Works

- 82 *The Applicant must dedicate at no cost to Council, land noted as Lot 88 and Lot 901 on drawing Y30753.PO5 issue D*
- 83 *As part of the dedication of new park and road reserve and at no cost to Council, the Applicant must survey new boundaries to amalgamate the combined Park Reserve, and dedicate new Drainage Reserve and Road Reserve*
- 84 *All park works and the dedication of additional park must be completed prior to plan seal of the 48th allotment*

B Replace condition 55 with the following:

55. *The scope of an Operational Works - Landscaping application must address the following:*
- (a) All works within the existing Park and proposed new Park*
 - (b) Vegetation and landscape works associated with all WSUD devices and overland flow paths*
 - (c) Street trees must be installed at a rate of one per allotment*
 - (d) Street trees must be installed at a rate of one per 10 metres on roads fronting existing or proposed park*
 - (e) Fencing on the boundary of adjacent allotments adjoining existing or proposed park. Such fencing must be permeable and allow passive surveillance*
 - (f) Grading works to the existing park to provide a flat kick and throw area of approximately 30 x 40 metres*
 - (g) Any other works proposed to be undertaken by the proponent with the existing or proposed park*
 - (h) All park and streetscape works must be maintained for a minimum 12 month period*
 - (i) All revegetation works must be maintained for a minimum 36 month period*
 - (j) a rehabilitation plan must be included for the bushland park adjacent to Whalleys Creek as identified upon the approved Landscape Concept (Overall Layout) Plan. The rehabilitation plan must be in accordance with Planning Scheme Policy No. 3 - Rehabilitation Plans and include the following:*
 - (i) A species palette incorporating the numbers of each species to be used within the re-vegetation of the buffer area that is floristically and structurally similar to the local Regional Ecosystem 12.3.2.*
 - (ii) Minimum planting density for groundcover (0.5 to 1.0m centres), shrub and tree species (1.5 to 2 metre centres)*

- (iii) *Measurable and achievable criteria on which the performance of the floristic component and structural component of the re-vegetation strategy can be assessed annually over 3 years. Minimum annual performance must be in accordance with council's operational works rehabilitation performance requirements, refer advisory note*
- (iv) *The plan must include a total bond amount commensurate with the cost per hectare, multiplied by 1.5, for the rehabilitation works to achieve the performance criteria over the 3 year period and including the annual performance triggers for release of the bond.*

Carried unanimously.

AMENDMENT

Moved: Councillor V Griffin

Seconded: Councillor R Green

That Council:

- (a) approve Application REC07/0082 by Swift Properties (Gold Coast) Pty Ltd and grant a Development Permit to Reconfigure a Lot (3 into 80 Lots at 11 Burnside Road and 33 Silverwood Drive Burnside described as Lot 102 SP 172896, Lot 2 RP 885232 and Lot 996 SP 148888 subject to the conditions of approval as outlined in Appendix A (as amended) namely:

A Insert new Conditions 12A, 81, 82, 83 and 84 as follows:

- 12A In lieu of the Public Parks Infrastructure contribution, a credit can be applied for where the embellishment of a local park is constructed in accordance with condition 81. The maximum credit available in this regard is \$213,287. To gain such credits, the Applicant must submit financial guarantees/bonds equal to the above amount. Following the completion of park works, the Applicant may apply for the release of these bonds. Where the cost of the embellishment of the park exceeds this amount, no further credit will be given

LOCAL RECREATION PARK

- 81 The Applicant must provide a local recreation park generally in accordance with Landgraphics, December 2007, Drawing LP 01 issue D and include the following embellishments:

- (a) shaded playground including
 - (i) one climbing frame/fort
 - (ii) one double swing
 - (iii) one rocking or spinning element
 - (iv) drained soft-fall including edging
- (b) one park shelter with table and bench seats
- (c) two seats for general park use
- (d) kick and throw area
- (e) one water bubbler

- (f) one rubbish bin
- (g) 2000mm wide concrete path connected to the local street pedestrian network
- (h) Landscaping including the provision of shade trees
- (i) Revegetation adjacent to the proposed future road extension of Silverwood Drive and all cut/fill batters greater than 1:4
- (j) Pool style fencing to separate the playground from the adjacent WSUD device
- (k) Revegetation of all residual areas adjacent to Whalleys Creek following the completion of road works

Land Dedication and Completion of Works

- 82 The Applicant must dedicate at no cost to Council, land noted as Lot 88 and Lot 901 on drawing Y30753.PO5 issue D
- 83 As part of the dedication of new park and road reserve and at no cost to Council, the Applicant must survey new boundaries to amalgamate the combined Park Reserve, and dedicate new Drainage Reserve and Road Reserve
- 84 All park works and the dedication of additional park must be completed prior to plan seal of the 48th allotment

B Replace condition 55 with the following:

- 55. The scope of an Operational Works - Landscaping application must address the following:
 - (a) All works within the existing Park and proposed new Park
 - (b) Vegetation and landscape works associated with all WSUD devices and overland flow paths
 - (c) Street trees must be installed at a rate of one per allotment
 - (d) Street trees must be installed at a rate of one per 10 metres on roads fronting existing or proposed park
 - (e) Fencing on the boundary of adjacent allotments adjoining existing or proposed park. Such fencing must be permeable and allow passive surveillance
 - (f) Grading works to the existing park to provide a flat kick and throw area of approximately 30 x 40 metres
 - (g) Any other works proposed to be undertaken by the proponent with the existing or proposed park
 - (h) All park and streetscape works must be maintained for a minimum 12 month period
 - (i) All revegetation works must be maintained for a minimum 36 month period
 - (j) a rehabilitation plan must be included for the bushland park adjacent to Whalleys Creek as identified upon the approved Landscape Concept (Overall Layout) Plan. The rehabilitation plan must be in accordance with Planning Scheme Policy No. 3 - Rehabilitation Plans and include the following:

- (v) A species palette incorporating the numbers of each species to be used within the re-vegetation of the buffer area that is floristically and structurally similar to the local Regional Ecosystem 12.3.2.
 - (vi) Minimum planting density for groundcover (0.5 to 1.0m centres), shrub and tree species (1.5 to 2 metre centres)
 - (vii) Measurable and achievable criteria on which the performance of the floristic component and structural component of the re-vegetation strategy can be assessed annually over 3 years. Minimum annual performance must be in accordance with council's operational works rehabilitation performance requirements, refer advisory note
 - (viii) The plan must include a total bond amount commensurate with the cost per hectare, multiplied by 1.5, for the rehabilitation works to achieve the performance criteria over the 3 year period and including the annual performance triggers for release of the bond; and
- (b) refuse the application by the developer to embellish the park, instead of paying open space contributions, and refer the future embellishment to the Chief Executive Officer for consideration in the forward Budgets.

For: Councillor V Griffin; Councillor E Hungerford and Councillor R Green.

Against: Councillor P Tatton; Councillor C Dickson; Councillor D Blumel; Councillor A Grosskreutz; Councillor L Brennan; Councillor J McKay and Councillor R Abbot.

Lost.

**(SPC) ITEM 4.1.4 DEVELOPMENT APPLICATION FOR MATERIAL CHANGE OF USE
- SERVICE & UTILITY - TYPE 3 TELECOMMUNICATIONS TOWER
AT 18 THOMAS STREET, NOOSAVILLE**

Council Resolution (OM10/291)

That Council:

- (a) *approve application 2010/0657 by Optus Mobile Pty Ltd and grant a Development Permit for Material Change of Use (Service & Utility Type 3 - Telecommunication Tower) at 18 Thomas Street, Noosaville, described as Lot 0 on GTP101849 subject to the conditions in Appendix A; and*
- (b) *find the following grounds sufficient to approve the application despite the conflict with the Planning Scheme:*
 - (i) *the proposal meets Planning Scheme Policy 23 - Telecommunications Towers, which supports the proposal within the Business Centre zone, with the tower meeting the 20 metre maximum height limit prescribed in the Infrastructure Uses Code;*
 - (ii) *the proposal will not significantly impact on the visual or residential amenity of the locality as it is to be centrally located within the middle of the site and screened by existing buildings; and*
 - (iii) *the telecommunications facility will provide infrastructure coverage for the 3G network, allowing for the delivery of higher speed data to mobile phones and laptops in the Noosaville area.*

**(SPC) ITEM 4.1.5 APPLICATION FOR A DEVELOPMENT PERMIT FOR MATERIAL
CHANGE OF USE (42 MULTIPLE DWELLING UNITS) - 25-31
MALTMAN STREET, KINGS BEACH**

Council Resolution (OM10/292)

That Council APPROVE Application 2009/50-00029 by Secpter Holdings Pty Ltd and grant a Material Change of Use to Establish Multiple Dwelling Units (42 Units) and Preliminary Approval for Building Works at 25 – 31 Maltman Street South, described as Lot 1 RP112522, Lot 1 RP94599, Lot 1 RP107532 & Lot 1-3 RP118550, subject to the conditions in Appendix A.

(SPC) ITEM 4.1.6 DEVELOPMENT APPLICATION FOR RECONFIGURATION OF A LOT (2 LOTS INTO 63 LOTS) AT COONOWRIN ROAD, GLASSHOUSE MOUNTAINS KNOWN AS LOT 10 RP182273 AND LOT 2 RP7643

Motion

Moved: Councillor V Griffin
Seconded: Councillor R Abbot

That Council defer a decision on Application 2007/52-00037 at Coonowrin Road, Glasshouse Mountains, described as Lot 10 RP182273 and Lot 2 RP7643 until it has considered public submissions on the town planning amendment to the Caloundra City Plan 2004 to change the designation of the subject allotment from Rural Residential Settlement to Township Residential.

For: Councillor V Griffin; Councillor R Green and Councillor R Abbot.

Against: Councillor P Tatton; Councillor C Dickson; Councillor D Blumel; Councillor E Hungerford; Councillor A Grosskreutz; Councillor L Brennan and Councillor J McKay.

Lost.

Council Resolution (OM10/293)

Moved: Councillor A Grosskreutz
Seconded: Councillor E Hungerford

That Council:

- (a) *grant a Preliminary Approval for Reconfiguration of a Lot (2 into 63 lots) for Application 2007/52-00037 at Coonowrin Road, Glasshouse Mountains, described as Lot 10 RP182273 and Lot 2 RP7643, subject to the conditions in Appendix A (as amended) namely:*
 - (i) *Insert additional Condition 1 (f) - Provision of Pedestrian Access linking the development to Fullertons Road between Lots 25 and 26 consistent with Caloundra City Plan 2004;*
- (b) *find the following are sufficient planning grounds to justify the decision despite the conflict with the Planning Scheme:*
 - (i) *council resolved in December 2009 to amend the Caloundra City Plan 2004 to change the designation of the subject allotment from Rural Residential Settlement to Township Residential;*
 - (ii) *the site is located between existing Township Residential and Rural Residential Settlement development;*
 - (iii) *the proposal complies substantially with the minimum lot size and intent of the Township Residential Precinct designation;*

- (iv) *the constraints on the site can be appropriately managed through the layout and design of development;*
- (v) *the site can be connected to all urban services as required; and*
- (vi) *the primary school being within easy walking distance of the site.*

For: Councillor P Tatton; Councillor C Dickson; Councillor D Blumel;
Councillor E Hungerford; Councillor A Grosskreutz; Councillor L
Brennan and Councillor J McKay.

Against: Councillor V Griffin; Councillor R Green and Councillor R Abbot.

Carried.

(SPC) ITEM 4.1.7 UPCOMING SIGNIFICANT DEVELOPMENT APPLICATIONS**Council Resolution** (OM10/294)

That Council:

- (a) *receive and note the report titled 'Upcoming Significant Development Applications'; and*
- (b) *note the List of Upcoming Significant Development Applications (Appendix A).*

(SPC) ITEM 4.2.1 ENDORSEMENT OF NOOSA BIOSPHERE GOVERNANCE DIRECTORS**Council Resolution** (OM10/295)

That Council:

- (a) *receive and note the report titled 'Endorsement of Noosa Biosphere Governance Directors';*
- (b) *endorse the appointment of two new Directors, Geoffrey Walters (Community) and Peter Schofield (Social);*
- (c) *endorse the appointment of the following Category 2 Directors (Community) and Category 3 Directors (Sector Board representatives) to form the next Noosa Biosphere Governance Board, as recommended by the Noosa Biosphere Working Group and the respective Sector Boards:*
 - (i) *Michael Donovan (Community);*
 - (ii) *Phillip Moran (Community);*
 - (iii) *Geoffrey Walters (Community);*
 - (iv) *Tony Haslam (Environment);*
 - (v) *Varina Nissen (Economic);*
 - (vi) *Peter Homan (Cultural);*
 - (vii) *Peter Schofield (Social);*
 - (viii) *John Sereni (Education Research and Development Board); and*

- (d) *delegate to the Chief Executive Officer the authority to appoint the Tourism Noosa Director as a Category 3 Director to the next Noosa Biosphere Governance Board, following receipt of a nomination to the position from Tourism Noosa.*
-

(SPC) ITEM 4.2.2 SUBMISSION TO THE COORDINATOR-GENERAL ON THE SUPPLEMENTARY ENVIRONMENTAL IMPACT STATEMENT FOR THE LANDSBOROUGH TO NAMBOUR RAIL PROJECT (AUGUST 2010)

Council Resolution (OM10/296)

Moved: Councillor J McKay

Seconded: Councillor P Tatton

That Council:

- (a) *note the report titled "Submission to the Coordinator-General on the Supplementary Environmental Impact Statement for the Landsborough to Nambour Rail Project (August 2010)";*
- (b) *authorise the Chief Executive Officer to finalise and forward a submission to the Coordinator-General outlining Council's comments on the Landsborough to Nambour Rail Project – Supplementary Environmental Impact Statement;*
- (c) *make the submission publicly available on its website, once the submission has been forwarded to the Coordinator-General;*
- (d) *incorporate the outcomes to date of this project relating to towns and adjacent land impacts of the rail corridor realignment into the New Planning Scheme;*
- (e) *direct that future planning processes take account of the effects of this major State project; and*
- (f) *request the Chief Executive Officer write to the Department of Transport and Main Roads and propose a partnered approach in programming the staged works, potential joint studies, early infrastructure works and community facility relocation to enable a properly informed position by both parties; and*
- (g) *acknowledge the time and dedication that staff have made in submissions to State Government in relation to this project.*

Carried unanimously.

(SPC) ITEM 5.1.1 **CONFIDENTIAL – NOT FOR PUBLIC RELEASE - BUNNINGS WAREHOUSE APPEALS – 178 EUMUNDI NOOSA RD, NOOSAVILLE – APPEAL NOS. 2378 & 2379 OF 2009**

Council Resolution (OM10/297)

That Council authorise the Chief Executive Officer to attempt to settle the appeal.

(SPC) ITEM 5.2.1 **CONFIDENTIAL – NOT FOR PUBLIC RELEASE - MAHASIDE PTY LTD (NINDERRY)**

Council Resolution (OM10/298)

That Council delegate to the Chief Executive Officer authority to negotiate with Mahaside Pty Ltd.

STRATEGY AND PLANNING COMMITTEE

Moved: Councillor R Green
Seconded: Councillor V Griffin

That Council adopt the recommendations of the Strategy and Planning Committee Meeting of 20 October 2010, except where dealt with separately by Council.

Carried unanimously.

10 NOTIFIED MOTIONS

10.1 NOTICES OF RECISSION

Nil.

10.2 NOTICE OF MOTION

Nil.

10.3 FORESHADOWED NOTICE OF MOTION

Nil.

11 TABLING OF PETITIONS**11.1 PETITION – REQUEST FOR PEDESTRIAN REFUGE – FARRELL STREET, YANDINA**

Council Resolution (OM10/299)

Moved: Councillor P Tatton
Seconded: Councillor C Dickson

That Council resolve the petition tabled by Councillor P Tatton in relation to a request for a pedestrian refuge, Farrell Street, Yandina, be received and referred to the Chief Executive Officer to determine appropriate action.

Carried unanimously.

11.2 PETITION – REQUEST FOR CONSIDERATION OF FOOTPATH – SWIFT DRIVE, COOROY

Council Resolution (OM10/300)

Moved: Councillor L Brennan
Seconded: Councillor J McKay

That Council resolve the petition tabled by Councillor L Brennan in relation to a request for a footpath in Swift Drive, Cooroy, be received and referred to the Chief Executive Officer to determine appropriate action.

Carried unanimously.

11.3 PETITION – SUPPORT FOR LOCAL BUSINESS – 9B PAGET STREET, MOOLOOLAH**Council Resolution** (OM10/301)**Moved:** Councillor J McKay
Seconded: Councillor L Brennan

That Council resolve the petition tabled by Councillor J McKay in relation to support of the continuation of a local business situated at 9B Paget Street, Mooloolah, be received and referred to the Chief Executive Officer to determine appropriate action.

Carried unanimously.

12 CONFIDENTIAL SESSION

Nil.

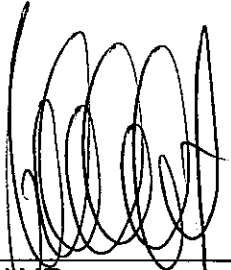
13 NEXT MEETING

The next Ordinary meeting of Council will be held on Wednesday, 17 November 2010 in the Council Chambers, 9 Pelican Street, Tewantin, commencing at 9.30 am.

14 MEETING CLOSURE

The meeting closed at 11.26am

Confirmed this 17th day of November 2010



CHAIR

15 APPENDICES

15.1 PERFORMANCE AND SERVICE COMMITTEE

(PSC) ITEM 4.4.1 PARK NAMING PROPOSALS – APPENDIX A – BACKGROUND INFORMATION NAMING PANEL RECOMMENDATIONS

http://www.sunshinecoast.qld.gov.au/addfiles/agendaAttachments/psc_201010/Attach18.pdf

(PSC) ITEM 4.4.2 EVENTS POLICY, COMMUNITY EVENTS AND CELEBRATIONS STRATEGY AND FESTIVE SEASON STRATEGY – APPENDIX A (AS AMENDED) – EVENTS POLICY

<http://www.sunshinecoast.qld.gov.au/addfiles/agendaAttachments/om271010/Attach1.pdf>

(PSC) ITEM 4.4.2 EVENTS POLICY, COMMUNITY EVENTS AND CELEBRATIONS STRATEGY AND FESTIVE SEASON STRATEGY – APPENDIX B (AS AMENDED) – COMMUNITY EVENTS AND CELEBRATIONS STRATEGY

<http://www.sunshinecoast.qld.gov.au/addfiles/agendaAttachments/om271010/Attach2.pdf>

(PSC) ITEM 4.4.2 EVENTS POLICY, COMMUNITY EVENTS AND CELEBRATIONS STRATEGY AND FESTIVE SEASON STRATEGY – APPENDIX C (AS AMENDED) – FESTIVE SEASON STRATEGY

<http://www.sunshinecoast.qld.gov.au/addfiles/agendaAttachments/om271010/Attach3.pdf>

(PSC) ITEM 4.4.2 EVENTS POLICY, COMMUNITY EVENTS AND CELEBRATIONS STRATEGY AND FESTIVE SEASON STRATEGY – APPENDIX D (AS AMENDED) – ADDITIONAL BUDGET REQUIREMENTS

<http://www.sunshinecoast.qld.gov.au/addfiles/agendaAttachments/om271010/Attach4.pdf>

(PSC) ITEM 4.5.1 PLACE MAKING CHARTER – APPENDIX A – PLACEMAKING CHARTER

http://www.sunshinecoast.qld.gov.au/addfiles/agendaAttachments/psc_201010/Attach23.pdf

(PSC) ITEM 4.5.2 SOCIAL PLANNING FRAMEWORK AND LOCALITY SNAPSHOTS – APPENDIX A – DRAFT SOCIAL PLANNING FOUNDATION PAPER

http://www.sunshinecoast.qld.gov.au/addfiles/agendaAttachments/psc_201010/Attach25.pdf

(PSC) ITEM 4.5.2 SOCIAL PLANNING FRAMEWORK AND LOCALITY SNAPSHOTS – APPENDIX B – DRAFT SOCIAL DIRECTIONS FACT SHEET

http://www.sunshinecoast.qld.gov.au/addfiles/agendaAttachments/psc_201010/Attach26.pdf

**(PSC) ITEM 4.5.2 SOCIAL PLANNING FRAMEWORK AND LOCALITY SNAPSHOTS –
APPENDIX C – COMMUNITY NEIGHBOURHOOD SURVEY
REPORT**

http://www.sunshinecoast.qld.gov.au/addfiles/agendaAttachments/psc_201010/Attach27.pdf

**(PSC) ITEM 4.5.2 SOCIAL PLANNING FRAMEWORK AND LOCALITY SNAPSHOTS –
APPENDIX D – LOCALITY SNAPSHOTS**

Due to the size of this document an electronic link has not been provided.

15.2 STRATEGY AND PLANNING COMMITTEE

(SPC) ITEM 4.1.1 DEVELOPMENT APPLICATION FOR MATERIAL CHANGE OF USE (SHOP) AT 347 MONS ROAD, FOREST GLEN – APPENDIX A – CONDITIONS OF APPROVAL

Development Application Number MCU10/0014

DEVELOPMENT APPROVAL DETAILS

Extent of Approval: in full with conditions as specified in the Conditions Section contained herein.

Type of Approval Issued

- Development Permit for Material Change of Use of Premises (Shop)

Relevant Period

The relevant period of this development approval is 4 years from the date that this development approval takes effect.

ASSESSMENT MANAGER CONDITIONS

This development approval is subject to compliance with the following assessment manager conditions:

DEVELOPMENT PERMIT FOR MATERIAL CHANGE OF USE OF PREMISES – SHOP (135m² GFA)

GENERAL

- 1 The applicant must comply with all of the conditions of this Development Permit for Material Change of Use (Shop), prior to the commencement of use, unless otherwise stated
- 2 Development must be generally in accordance with the approved plans

APPROVED USE

- 3 The approved development is a Material Change of Use (Shop) within tenancy 2 as shown in yellow on the approved plans in accordance with the definitions within Maroochy Plan 2000

SCALE OF DEVELOPMENT

- 4 The gross floor area of the retail component of the Shop must not exceed a maximum of 135m²
- 5 The height of the building must be maintained at one storey

CAR PARKING

- 6 The applicant must ensure the existing 20 car parking bays, 2 motorcycle bays and the SRV loading bay are maintained (in the common property area) on the site for staff and customer use. Parking bays must be un-allocated and un-gated and available at all times

DEVELOPMENT CONTRIBUTIONS

- 7 The applicant must pay contributions towards infrastructure in accordance with the following Planning Scheme Policies:
- (a) Planning Scheme Policy DC 1 - *Water Supply and Sewerage Infrastructure*
 - (b) Planning Scheme Policy DC 2 - *Provision of Bikeways and Bicycle Facilities*
 - (c) Planning Scheme Policy DC 3 - *Roads Infrastructure*
 - (d) Planning Scheme Policy DC 4 - *Stormwater Quality*
 - (e) Planning Scheme Policy DC 5 - *Public Parks Infrastructure*
 - (f) Planning Scheme Policy DC 6 - *Land for Community Facilities*

The contributions must be paid prior to the commencement of the use. The actual amount of the contribution must be in accordance with the relevant Policy at the time of payment.

LANDSCAPING

- 8 Landscaping areas must be maintained in accordance with horticultural best practice

REFERRAL AGENCIES

The referral agencies applicable to this application are:

Referral Trigger	Referral Status	Referral Agency	Referral Address
State Related Road Matters	Concurrence	Department Of Main Roads North Coast (Gympie)	PO Box 183 GYMPIE QLD 4570

A copy of any referral agency response is attached .

PLANS / DOCUMENTS

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

APPROVED PLANS

Plan	Rev.	Plan Name	Date
Plan A	-	Proposed Ground Floor Plan prepared by Design Construction Industries	30/09/10

ADVISORY NOTES

These Advisory Notes do not form part of this approval or the conditions attached thereto. The following Advisory Notes are intended to provide guidance to the applicant where necessary and inform the applicant of actions that Council may take with respect to the development site or the approval:

Equitable Access and Facilities

The plans for the proposed building work have NOT been assessed for compliance with the requirements of the Building Code of Australia – Part D3 as they relate to people with disabilities. Your attention is also directed to the fact that in addition to the requirements of the Building Code of Australia – Part D3 as they relate to people with disabilities, one or both of the following may impact on the proposed building work:

- (a) The *Disability Discrimination Act 1992* (Commonwealth)
- (b) *Anti-Discrimination Act 1991* (Queensland)

Sunshine Coast Regional Council recommends that the following matters be considered to address equitable access and facilities in the building:

- (a) The building and environs should be designed to meet the requirements of the Human Rights and Equal Opportunity Commission "Advisory Notes on Access to Premises" and AS 1428.2
- (b) Applicants should be aware that a "Disability Standard on Access to premises" is currently being developed and most likely will impose changes on the Building Code of Australia
- (c) Any services and facilities in the building complex should allow independent, dignified and equitable use of the services and facilities for all people.

Aboriginal Cultural Heritage Act 2003

There may be a requirement to establish a Cultural Heritage Management Plan and/or obtain approvals pursuant to the *Aboriginal Cultural Heritage Act 2003*.

The ACH Act establishes a cultural heritage duty of care which provides that: "*A person who carries out an activity must take all reasonable and practicable measures to ensure the activity does not harm Aboriginal cultural heritage.*" It is an offence to fail to comply with the duty of care. Substantial monetary penalties may apply to individuals or corporations breaching this duty of care. Injunctions may also be issued by the Land and Resources Tribunal, and the Minister administering the Act can also issue stop orders for an activity that is harming or is likely to harm Aboriginal cultural heritage or the cultural heritage value of Aboriginal cultural heritage.

You should contact the Cultural Heritage Co-ordination Unit on 07 3238 3838 to discuss any obligations under the *ACH Act*.

PROPERTY RECORD NOTATIONS

Not Applicable

PRELIMINARY APPROVAL OVERRIDING SCHEME

Not Applicable

FURTHER DEVELOPMENT PERMITS REQUIRED

Not Applicable

APPLICABLE CODES

The applicant must comply with the following codes for self-assessable development related to this development approval:

- Code for the Design and Siting of Advertising Signs

REASONS FOR APPROVAL DESPITE CONFLICTS IN ACCORDANCE WITH S3.5.15(2)

Not applicable

REASONS FOR REFUSAL

Not applicable

(SPC) ITEM 4.1.2 **REQUEST FOR NEGOTIATED DECISION NOTICE FOR MATERIAL CHANGE OF USE FOR EXTENSIONS TO ST ANDREWS ANGLICAN COLLEGE, PEREGIAN SPRINGS DRIVE, PEREGIAN SPRINGS – APPENDIX A – DETAILS FOR NEGOTIATED DECISION NOTICE**

APPENDIX A – DETAILS FOR NEGOTIATED DECISION NOTICE

- A. Approve a change to conditions 3, 11, 13, 16, 20, 21, 24, 25, 32, 33, 36, 37, 39, 40, 44, 46, 48, 64 to read as follows:**
- 3 Unless otherwise stated, the applicant must comply with all conditions of this approval prior to the sooner of the following occurring:
- (a) student enrolments exceed 1070; or
 - (b) commencement of the 2011 school year
- 11 The applicant must provide to Council amended plans and documents which incorporate the amendments listed within this Decision Notice
- 13 The performing arts centre identified as Building “P” on the Approved Plan: *Proposed College Master Plan – Future Buildings*, and also that part of Building “E” which is immediately attached to the existing Building “E”, may exceed the height limit set by the preceding condition, provided that the overall height of the building does not exceed 10 metres at any point (relative to natural ground level)
- 16 The applicant must register easements in favour of Council over all wetland access paths shown on the Approved Plans, to secure access rights to Council for maintenance purposes
- 20 Activities associated with all outdoor sports facilities (with the exception of the junior oval at the southern end of the site) must not operate outside the hours of 7.00am to 7.00pm Monday to Saturday. No activity is to be conducted on Sunday or any public holiday
- 21 A Complaints Management Procedure to address all noise and light complaints during the life of the school must be submitted for Council approval. The Procedure must include the following:
- (a) a contact person with whom complaints can be lodged;
 - (b) a clearly defined procedure for responding to and investigating complaints including Council notification;
 - (c) notification to all complainants of the outcome of complaint investigations; and
 - (d) a record of complaints and investigation results to be maintained at all times and available for inspection
- 24 RPEQ certification must be provided to Council which certifies that the requirements of the preceding two conditions relating to construction of a new acoustic barrier and the upgrade and repairs of the existing fence have been complied with

- 25 Certification by an appropriately qualified expert must be submitted which certifies that the existing lighting associated with the tennis and basketball courts, swimming pool and the road and carpark are of the appropriate type, and positioned to ensure spill and obtrusive light does not exceed the recommended maximum values of AS 4282-1997 *Control of the obtrusive effects of outdoor lighting* Table 2.1 & 2.2 (Level 1 control) in regard to internal and surrounding residential uses
- 32 A School Evacuation Plan must be prepared by a suitably qualified person in accordance with Appendix 8 of the State Planning Policy 1/03: *Mitigating the Adverse Impacts of Flood, Bushfire and Landslide* and submitted to Council. The School Evacuation Plan must be amended to include the recommendations from Section 2.7 of the Approved Document: *Bushfire Management Plan*, and must be designed to enable occupants to get to a safe location. The Plan must also address the following:
- (p) The nature of the facility, number of occupants, layout etc
 - (q) Purpose and objectives of the plan
 - (r) Roles and responsibilities of fire wardens
 - (s) Triggers for evacuation
 - (t) Consultation with emergency services
 - (u) Safe refuge / evacuation venues
 - (v) Transportation for evacuation
 - (w) Designated assembly points
 - (x) Accounting for persons
 - (y) Security of premises following evacuation
 - (z) Evacuation procedures
 - (aa) Community / occupant education program – training drills etc
 - (bb) Recovery arrangements
 - (cc) Maintenance arrangements
 - (dd) Conclusions
- 33 A copy of both the School Evacuation Plan and the Bushfire Management Plan must be provided to the nearest fire brigade. The applicant must submit to Council evidence that the fire brigade have received the School Evacuation Plan and Bushfire Management Plan
- 36 The applicant must lodge an application for Operational Works for landscape works. The application must include the following:
- (e) A 3 metre wide landscape buffer to the adjoining retirement village property generally as shown on the Approved Plans
 - (f) Fencing and acoustic treatments
 - (g) Landscaping and maintenance of areas adjacent to bushfire prone land in accordance with the Approved Document: *Bushfire Management Plan*
 - (h) Emergency accesses for Queensland Fire and Rescue Service and Council vehicles
- 37 The applicant must provide a 3 metre wide landscape buffer to the adjoining retirement village which includes the following works:
- (e) Replacement of any existing trees not that are not healthy or capable of growing to approximately 1000mm above the acoustic fence
 - (f) Widening of the existing garden bed to 3 metres, and replanting and re-mulching as required

- (g) Refurbishment, soil aeration and amelioration of the existing garden bed
- (h) Inclusion of new species that will grow to approximately 1000mm above the acoustic fence

The buffer may be established over two stages in accordance with the Approved Plan: *Landscape Buffer Staging Plan*, provided that:

- (c) Stage 1 occurs prior to student enrolments exceeding 1070 students or the commencement of the 2011 school year, whichever happens first; and
- (d) Stage 2 occurs prior to student enrolments exceeding 1100 students or construction of either the pool or senior oval, whichever happens first.

- 39 The applicant must enter into the management agreement required by Condition 21 of Part C of the Consent Order dated 25 March 2002 relating to Appeal No. 3446 of 2001
- 40 The applicant must construct an all-weather maintenance access for Council vehicles to the northern part of the bushland reserve from the car park turnaround generally as shown on the Approved Plan: *Proposed College Master Plan – Future Buildings*. Such access must have a stabilised surface capable of being traversed by Queensland Fire and Rescue Service and Council vehicles. A lockable gate must be installed into the existing fencing at the point where the maintenance access meets the bushland reserve
- 44 Prior to enrolments exceeding 1070 students or prior to the end of 2011, whichever occurs sooner, the applicant must construct the following works, referenced in conceptual form on the Approved Plan: *St Andrews Anglican College – Internal Road & Circulation Improvements*:
- (a) Convert the mid-block site entry driveway from Peregian Springs Drive to a two-lane one-way roadway from Peregian Springs Drive to the internal east-west roadway. The eastern lane of the two-lane roadway must be marked as the continuous lane from the existing left-turn lane on Peregian Springs Drive
 - (b) Modify the intersection between the internal north-south roadway and the internal east-west roadway to give priority to vehicles turning right into the internal east-west roadway
 - (c) Widen the western vehicle access intersection between the internal east-west roadway and the car park adjacent to Peregian Springs Drive as necessary to allow a vehicle to turn right into the car park from the internal east-west roadway while a vehicle is waiting to turn right into the internal east-west roadway from the car park
 - (d) Extend the passenger set-down area on the eastern side of the internal north-south roadway for the full length of the section between the 24 space car park and the intersection with the internal east-west roadway. A concrete footpath, at least 2 metres wide, must be constructed along this section of the internal north-south roadway and link with existing concrete footpaths on the northern side of the internal east-west roadway
 - (e) Modify and extend as necessary the existing passenger set-down area on the northern side of the internal east-west roadway such that it extends between the internal north-south roadway and the existing roundabout on the internal east-west roadway. A concrete footpath, at least 2 metres wide, must be constructed on the northern side of the internal east-west roadway for the full length of the passenger set-down areas

- (f) Construct a raised zebra crossing, at least 4 metres wide, across the internal east-west roadway and adjacent car park, in line with the major north-south pedestrian spine through the site, and provide a concrete footpath connection, at least 2.5 metres wide, between the pedestrian spine and the indented bus bays required by the DTMR on Peregrine Springs Drive
- 46 No parking spaces on the overall site south of Building E, except for up to two spaces adjacent to the administration building, up to three spaces at the western end of Building E, and up to ten spaces adjacent to the child care centre, are to be utilised by staff associated with the school or the child care centre prior to the standard school student morning commencement time(s) or within 30 minutes of the standard school student afternoon finish time(s). It must be made clear through signage and awareness campaigns that no exclusions apply to parking spaces on the site, including those along the western boundary of the site, for the purpose of picking-up school students during the afternoon school peak period
- 48 The applicant must submit to Council a "Green Travel Plan" which identifies methods for reducing car dependency by staff and students travelling to the site through encouraging alternative modes of travel (such as public transport, walking/cycling and car pooling). The Green Travel Plan must nominate ongoing strategies, actions and practical initiatives for reducing car dependency and detail methods of implementation, progress made to date, and timeframes and targets for future progress
- 64 On site car parking facilities must be designed and constructed in accordance with Section 9 of Planning Scheme Policy No. 6 – Transport Traffic and Parking and generally in accordance with Approved Plans (as amended). The facilities must include the following:
 - (h) Minimum number of bays specified in the following condition, complying with AS2890.1 Class 3 restricted to staff and users of the development
 - (i) A minimum of 3 of the bays required by (a) above must be Class 4 bays for use by disabled persons and must be clearly designated and provided in accordance with AS 1428 and AS2890.1
 - (j) All bays must be un-allocated and un-gated and available at all times the premises are in use, unless otherwise stated in this Decision Notice
 - (k) Directional signage must be provided to the ingress and egress points of the public car park
 - (l) Car parking spaces and access driveways are sealed and linemarked
 - (m) All on site circulation, turning areas and driveways comply with AS 2890.1-2004 and AS 2890.2-2002
 - (n) Employee and customer parking must be provided with appropriate directional signage and line-marking

B. Refuse to change Conditions 22 and 23, but amend to clarify as follows:-

- 22 The entire existing fence on the common boundary must be, where necessary, repaired and upgraded (for example, replace damaged palings and remove all openings, gaps or spaces in the fencing) to enhance the acoustic integrity

- 23 The section of boundary fence which extends from the southern end of the carpark adjacent to Building "K" on the Approved Plan: *Existing College Master Plan 2010* to the northern extent of the turnaround area must be upgraded to an acoustic barrier with a height of 2.2 metres from the finished ground level. The barrier must be returned at both ends to an extent that maintains the acoustic effectiveness of the barrier or, alternatively, be affixed to any existing acoustic barrier. The barrier must be constructed of a material with a surface density not less than 12.5 kg/m² and be of an aesthetically pleasing weather-resistant material such as suitable timber, fibre cement or brick. Any proposed openings must have returns or have a second barrier behind the opening to prohibit line of sight from the retirement village to the noise source. The Queensland Main Roads Specification MRS11.15 Noise Barriers March 2005 (as amended) should be consulted for achieving compliance with this condition

C. Delete Condition 20b

- D. Amend the list of Approved Plans and Documents to include the following additional plan:-**

Plan	Rev.	Plan Name	Date
MCU06/0102.plan		<i>Landscape Buffer Staging Plan</i> , prepared by Middap Ditchfield Architects and annotated by Sunshine Coast Regional Council	27/10/10

(SPC) ITEM 4.1.3 DEVELOPMENT APPLICATION FOR RECONFIGURATION OF A LOT (3 INTO 79 LOTS) AT 33 SILVERWOOD DRIVE AND 11 BURNSIDE ROAD, BURNSIDE - LOT 102 SP172896, LOT 2 RP885232 AND LOT 996 SP14888 – APPENDIX A – CONDITIONS OF APPROVAL

Development Application Number REC07/0082

DEVELOPMENT APPROVAL DETAILS

Extent of Approval: in full with conditions as specified in the Conditions Section contained herein.

Type of Approval Issued

- Development Permit to Reconfigure a Lot (3 Lots into 79 Residential Lots)

Relevant Period

The relevant period of this Development Permit is 4 years from the date that this Development Permit takes effect.

APPROVED PLANS

The approved plans for this development approval are:

- (i) the plans referred to in the List of Approved Plans (including the amendments that are required to be made to those plans); and
- (ii) where the amended version of the plans referred to in the List of Approved Plans have been approved by Council, the amended version of those plans.

List of Approved Plans

Plan No.	Y30753.P05 amendment D dated August 2008
Description	Gosfield – Stages 4-7 - 79 Residential Lots for Swift Properties (Gold Coast) P/L by Downes Survey Group

Amendments Required

1. Land for the bushland park purposes adjacent to Whalleys Creek as indicated on the approved Landscape Concept (Overall Layout) Plan must be delineated within a separate lot on the lot layout plan
2. Lots 104 – 106, 109-111 and 114-116 shall be a minimum of 600 m²

APPROVED DOCUMENTS

The approved documents for this development approval are:

- (i) the documents referred to in the List of Approved Documents (including the amendments that are required to be made to those documents); and
- (ii) where the amended version of the documents referred to in the List of Approved Documents have been approved by Council, the amended version of those documents.

List of Approved Documents

Document No. R07212/D1959/rev.0/2.12.07
Description: Environmental Traffic Noise Level Study for Proposed Residential Subdivision, Gosfield Stages 4 to 7, Burnside Road, Perwillowen-David Moore & Associates P/L for Swift Properties P/L

REFERRAL AGENCIES

Not Applicable

FURTHER DEVELOPMENT PERMITS REQUIRED

Development Permit for Operational Work (Civil Works)
Development Permit for Operational Works (Landscaping, including Waterway Rehabilitation)
Development Permit for Building Work (Detached Dwellings)

APPLICABLE CODES

The applicant must comply with the following codes for self-assessable development related to this development approval:

Code for Display Homes and Detached Houses

ASSESSMENT MANAGER CONDITIONS

This development approval is subject to compliance with the following assessment manager conditions:

PLANNING**General**

1. Unless otherwise stated, all conditions must be completed prior to the endorsement of the survey plan
2. The proposed development must be carried out generally in accordance with the approved plans and approved documents (subject to the required amendments). The numbering for all approved lots must remain as indicated on the approved plans (unless otherwise amended/approved by Council)
3. Site development works including earthworks, roadworks, stormwater drainage, water supply and sewerage infrastructure, electrical reticulation, lighting, landscaping, revegetation and other relevant services must be designed and constructed in accordance with the Codes and Policies of the Maroochy Plan 2000 unless specifically directed otherwise in the conditions contained herein
4. Pursuant to s342 of the *Sustainable Planning Act 2009*, this development approval lapses if the whole of the approved development has not happened within 4 years of the date that the approval takes effect

Plan Amendments

5. Prior to approval of any Operational Works application, provide to Council amended plans and documents which incorporate the amendments listed below
 - (a) Lots 104 – 106, 109-111 and 114-116 shall be a minimum of 600 m²
 - (b) Land for the bushland park purposes adjacent to Whalleys Creek as indicated on the approved Landscape Concept (Overall Layout) Plan must be delineated within a separate lot on the lot layout plan

Subdivision Staging

6. The subdivision may be staged in accordance with the Approved Plans
7. Comply with all of the conditions of this Development Permit applicable to each stage prior to the submission of the Plan of Survey for Council's endorsement for the respective stage, unless otherwise stated

Survey

8. Provide certification by a Licensed Surveyor that:
 - (a) The constructed access and roadworks are fully contained within a dedicated reserve/registered easement
 - (b) All utility services (including on-site effluent disposal areas) are located within the allotment they serve or are alternatively located within an easement
 - (c) Retaining walls and structures are fully contained within the lot they retain (or road reserve if retaining road works)
 - (d) The boundary clearances for any buildings comply with:
 - (i) The development approval
 - (ii) The Code for the Development of Detached Houses and Display Homes
 - (iii) The *Standard Building Regulation 1993* where a boundary clearance is not specified in this development approval or Maroochy Plan 2000
9. Easement(s) for access and public utilities and other necessary easements must be registered (by the developer) with the Lands Titles Office. Easement plans and documents must be lodged with Council for checking prior to Council's endorsement of the Survey Plan
10. Where public utility services traverse private property, a minimum 3 metre wide easement must be provided over the infrastructure in favour of the applicable service provider

Road Naming

11. Road names must be approved by Council before a plan for final subdivision is lodged with Council for signing

INFRASTRUCTURE CONTRIBUTIONS

12. The applicant must pay contributions towards trunk infrastructure in accordance with the following Planning Scheme Policies:
 - (a) Planning Scheme Policy DC1 - Water Supply and Sewerage Infrastructure;
 - (b) Planning Scheme Policy DC2 - Provision of Bikeways and Bicycle Facilities;
 - (c) Planning Scheme Policy DC3 - Roads Infrastructure;
 - (d) Planning Scheme Policy DC4 - Stormwater Quality;
 - (e) Planning Scheme Policy DC 5 - Public Parks Infrastructure;
 - (f) Planning Scheme Policy DC6 - Land for Community Facilities;
 - (g) Planning Scheme Policy DCA – Administration.

For material change of use of premises approvals the contributions must be paid prior to the commencement of use, for reconfiguring a lot approval contributions must be paid prior to Council approval of the plan of subdivision.

The actual amount of the contribution must be calculated and paid in accordance with the Planning Scheme Policies and variations due to indexation current at the time of payment.

UTILITIES

13. The applicant is responsible for the alteration, relocation or re-instatement of public utility services, stormwater drainage structures, driveways, landscaping and other features affected by the development works. Any alterations or repairs of existing infrastructure required as a result of the development are to be completed at no expense to Council or the service provider
14. Where public utility services traverse private property, a minimum three metre wide easement must be provided over the infrastructure in favour of the applicable service provider
15. Electricity reticulation and street lighting must be provided in accordance with Planning Scheme Policy No. 5 – Operational Works and must be designed by a Registered Professional Engineer of Queensland (RPEQ) experienced in electrical reticulation engineering. In particular, the works must include:
 - (a) Provision of underground electricity reticulation within the development
 - (b) All underground power located on Council's standard alignment as shown in Standard Drawings SEQ R-100 and R-101 and constructed in accordance with the associated specification
 - (c) Street lighting along the frontage of the site designed for the specific road hierarchy. Where applicable, street lighting shall be installed on the same side of the road as concrete footpaths
16. Electricity/telecommunication drawings must be co-ordinated with the civil engineering design details to ensure that service clashes are avoided

CONSTRUCTION MANAGEMENT PLAN

17. In conjunction with an application for Operational Works, a Construction Management Plan must be submitted in accordance with Section 6 of Planning Scheme Policy No. 5 - Operational Works. The Construction Management Plan must specifically address the requirements of Section 6.1.1 as well as the following:
 - (a) Traffic management during all aspects of the construct phase including:
 - (i) A Traffic Management Control Plan in accordance with the Manual of Uniform Traffic Control Devices (MUTCD) detailing all temporary signage and traffic control measures prior to construction
 - (ii) Maintenance of safe pedestrian access across the frontage of the site both during daily construction and after daily construction has ceased
 - (iii) Proposed fencing to the site during the construction phase of the development
 - (iv) Approval of the Traffic Management Control Plan by the Department of Main Roads (DMR) for any works on State controlled roads
 - (b) Maintenance and protection of water quality and existing drainage lines through the construction site, through the implementation of appropriate erosion and sediment control measures
 - (c) Works programme identifying key components of the works and their respective durations
 - (d) Establishment of a communication protocol with the general public, adjoining owners, emergency services and local businesses to advise of agreed construction times, impacts on traffic and services and other relevant issues

- (e) Identification of complaint management procedures including:
 - (i) Contact details for the on-site manager
 - (ii) Dispute resolution procedures

EROSION AND SEDIMENT CONTROL

- 18. In conjunction with the application for Operational Works approval, provide an Erosion and Sediment Control Plan which incorporates a suite of measures designed to ensure that no sediment-laden or turbid water exceeding natural background levels at the time flow to any waters or drainage line leading to waters. For clarity of intention, there is deemed to be compliance with this condition if there is no release or flow from the site throughout the earthworks and construction period to any waterway, stormwater drain or drainage line leading to a waterway or area of native vegetation containing a concentration in excess of 50 milligrams per litre of total suspended solids (refer to Advisory Notes). This Plan is to be prepared in accordance with the requirements of Planning Scheme Policy No. 14, the Manual for Erosion and Sediment Control (Maroochy Shire Council, 2008) and the noted Preliminary Sediment Basin Calculations and Sediment and Erosion Control Plans Stages 4-7
- 19. In conjunction with the development application for Operational Works, provide the completed Erosion and Sediment Control Design Compliance Certificate required by Planning Scheme Policy No. 14 Section 9.4

EXCAVATION AND FILLING

- 20. All earthworks shall be undertaken in accordance with the provisions of AS 3798 'Guidelines on Earthworks for Commercial and Residential Developments', with geotechnical testing undertaken in accordance with Section 8 of the Standard, and to a minimum of 'Level 1' as defined in Appendix B. Test results as required by AS 3798 and a certificate of quality and uniformity of fill shall be provided by a RPEQ and submitted to Council prior to Council signing the Plan of Survey
- 21. The proposed allotments are to be shaped to be free-draining with minimum surface levels in accordance with the Maroochy Plan 2000 Code 2.5 - Operational Works. The allotments are also to be shaped to fall to the respective street frontage. The provision of allotments grading back from a road reserve as part of a 'greenfields' development is only accepted where it is a topographical necessity, ie, allotments physically cannot be graded to the street frontage
- 22. All fill, including fill batters, must be contained within properties comprising the development application. Fill cannot be placed on adjacent properties without providing Council with written permission from the respective landowner(s)
- 23. Where the development involves excavation or filling over, or adjacent to, water supply or sewerage infrastructure, all access chamber surface levels must be adjusted to provide a freeboard of 100mm above the finished ground surface level
- 24. In conjunction with an Operational Works application to Council, the following must be addressed:
 - (a) Details of the location of any material to be sourced for fill, including the volume of fill to be moved from any particular source site
 - (b) Details of the final location for any material to be exported from the site from excavations
 - (c) The haulage route/s that will be used. Approval for the haulage truck sizes and the final haul route(s) is to be obtained prior to works commencing
 - (d) The proposed source of fill and haulage route must be approved by Council prior to the commencement of bulk earthworks. This matter shall be addressed as part of the Operational Works application
 - (e) Details identifying the source and disposal site(s) for material imported/exported as part of the development. The site(s) must have a

- current development approval enabling them to export/accept any material if they are located within the area previously known as the Maroochy Shire
25. Cut, fill and other stored material must be:
- (a) Contained wholly within the site
 - (b) Located in an area which does not impact on a waterway or drainage line and is located at least ten metres from a property boundary

GEOTECHNICAL

26. In conjunction with an application for Operational Works, geotechnical design certification which addresses the requirements of Sections 3.1 and 3.4 of Council's Planning Scheme Policy No. 4 - Preparation of Geotechnical Reports must be submitted
27. Upon completion of the works and in conjunction with the lodgement of a Survey Plan application with Council, geotechnical engineer's certification must be submitted in accordance with Sections 3.1 and 3.2.1 of Council's Planning Scheme Policy No. 4 - Preparation of Geotechnical Reports

Retaining Walls

28. Structural design certification is to be provided for all retaining walls by an experienced and qualified civil engineer
29. All retaining walls are to be designed and constructed in accordance with the requirements of Council's Planning Scheme Policy No. 5 – Operational Works
30. Fencing and barriers must be installed in accordance with AS1926 and the Maroochy Plan 2000 for any change of grade greater than one metre and behind retaining walls within all road reserves
31. All batter slopes, retaining walls or other structures that are created to achieve the road formation must be located within the road reserve. All structures that are created to correct/adjust levels on private land must be located within the lot they are supporting

INTEGRATED WATER MANAGEMENT

32. Concurrent with any application for Operational Works, the applicant must submit detailed calculations and supporting plans/documentation prepared by a suitably experienced Registered Professional Engineer of Queensland (RPEQ) to demonstrate that the development site is adequately drained, and stormwater is intercepted and lawfully discharged in accordance with the requirements of the Queensland Urban Drainage Manual (QUDM) and Maroochy Plan 2000 without causing an annoyance or nuisance to any person or property. The following requirements must be addressed as part of any submission:
- (a) The incorporation of Water Sensitive Urban Design into all development site drainage
 - (b) Suitable access for maintenance vehicles to service water quality treatment devices
 - (c) Extension of the drainage system through the development site to cater for all external catchments

- (d) Cut off drains where necessary to protect the development site from overland flows from upstream sources, and to protect downstream property from flow developed on the site
 - (e) Registration of drainage easements over all drainage structures and concentrated flow paths on private land, including on adjoining land where required to connect to a legal point of discharge as defined in QUDM
 - (f) Lodgement with Council of written permission to discharge stormwater onto any adjoining property and the establishment of drainage easements where required
 - (g) Construction of conventional stormwater drainage systems in accordance with Section 4.7 of Planning Scheme Policy No.5 – Operational Works
33. Concurrent with any application for Operational Works, the final design details of the site's Integrated Water Management Strategy must be prepared and submitted by a suitably experienced Registered Professional Engineer of Queensland (RPEQ) or equivalent for Council's approval. All water management and drainage systems must be designed in accordance with the recommendations of the approved document Stormwater Management Plan for Proposed Residential Subdivision Report Number 41003Rpt Project No, 05542 By Covey & Associates Dated December 2007 and demonstrate compliance with:
- (a) The Code for Integrated Water Management
 - (b) Planning Scheme Policy No. 5 - Operational Works, Sections 2.2 and 7
 - (c) The latest Water Sensitive Urban Design Technical Design Guidelines for South East Queensland published by Healthy Waterways
 - (d) Queensland Urban Drainage Manual
 - (e) Australian Runoff Quality
34. An Operational Management and Maintenance Report must be prepared as a separable section of the Integrated Water Management Strategy to provide an outline of the proposed long term operational and maintenance requirements of the stormwater system on the site. As a guide, the Report must cover all aspects of on-site facilities associated with the management of stormwater quantity and quality, including any rainwater tanks, on-site detention tanks and stormwater quality improvement devices. The Operational Management and Maintenance Report must include:
- (a) A plan showing the location of the individual components of the system (for lots less than 2000m², an ISO A3 plan will be considered adequate)
 - (b) Manufacturer's data and product information sheets for any proprietary products
 - (c) Location of inspection and monitoring points shown clearly on the plan
 - (d) A summary of the design water quality target acceptable criteria
 - (e) A schedule or timetable for the proposed regular inspection and monitoring of the devices. (Council recommends a visual inspection at least three times per year with more frequent inspections to occur no more than three months apart between October and May. Inspection should be made not less than 24 hours and not more than 72 hours after the cessation of rainfall if the total rainfall on any day exceeds 30mm)
 - (f) Proposed action if inspection reveals the presence of water ponded within bio-filters twenty-four hours after the cessation of rain
 - (g) Records to be logged and kept for verification of compliance with this condition on a needs basis

- (h) Name and contact details of relevant person responsible for the design of stormwater system

Interallotment Drainage

35. An interallotment drainage system must be designed and installed in accordance with Section 4.7.2 of Planning Scheme Policy No. 5 – Operational Works. In particular, residential interallotment drainage systems must be designed to Level 2 in accordance with QUDM
36. Water quality swales used to convey interallotment drainage must not be located within residential allotments

Bioretention Basins

37. In conjunction with the submission for an application for Operational Works approval, an applicant must provide detailed engineering design drawings and supporting calculation for each stormwater treatment device proposed in the endorsed Integrated Water Management Plan. Detailed design is to be undertaken in accordance with Planning Scheme Policy No. 5 and the Water Sensitive Urban Design Technical Design Guidelines for South East Queensland (Healthy Waterways, 2006) and is to include submission of a completed calculation summary sheet and completed design checklist as per the templates in the guidelines mentioned above
38. All vegetated stormwater quality treatment devices are to be designed so as to allow early plant establishment without unacceptably high risk of damage from sediment loads associated with either subdivisional or building work. Details of the designs and proposed triggers for “on/off maintenance” are to be submitted in conjunction with the application for Operational Works approval
39. Detailed engineering design for all bioretention devices is to be undertaken in accordance with Planning Scheme Policy No. 5 and the Water Sensitive Urban Design Technical Design Guidelines for South East Queensland (Healthy Waterways, 2006) and is specifically required to incorporate the following design elements:
- (a) A suitable sediment forebay with maintenance access shall be designed for each basin in accordance with Section 5.3.3.2 of the Water Sensitive Urban Design Technical Design Guidelines for South East Queensland
 - (b) A high-flow bypass shall be incorporated into the design of each basin to ensure that flows which exceed the treatment capacity of the basin are bypassed in order to avoid damaging the filter media or subjecting the media to excessive sediment loads.

Flooding

40. Minimum allotment levels and building floor levels are to be accordance with the results of Council’s latest flood study. This information is to be sought from Council’s Integrated Water Management Team. All allotments (except drainage reserve) are to be provided with surface levels above both the local and regional 100 year ARI flood level including freeboard to QUDM and Council requirements

MOVEMENT NETWORKS**New Roadworks**

41. Intersections of all internal roads must be designed to accommodate the swept path of a Sunshine Coast Regional Council Waste Collection Vehicle
42. All new roads must be designed and constructed in accordance with Planning Scheme Policies No. 5 - Operational Works and No. 6 - Transport Traffic and Parking
43. Footpaths must be co-ordinated with street lighting and designed in accordance with Section 7 of Planning Scheme Policy No. 6 - Transport Traffic and Parking except that the minimum footpath width shall be 1.8 metres

44. All streets, except cul-de-sacs serving fewer than 15 dwellings, must be provided with a footpath on at least one side
45. Collector streets or above must be provided with paths on both sides and these pathways are to be provided with extensive shading through intensive street tree planting, designed to give 80% shade cover to the pathway at maturity
46. The residential driveway and crossover to Lots 60, 61, 62, 63 65 and 66 must be constructed in accordance with Council Standard Drawing SEQ R-050 to ensure that standard verge profiles are maintained

Driveway Construction for Hatchet Lots

47. A driveway must be constructed from the carriageway for the full length of the access strip for hatchet shaped lots. The driveway must be constructed in accordance with Section 4.2.5.4 of Planning Scheme Policy No. 5 – Operational Works

Access

48. No direct vehicle access is permitted between Burnside Road and proposed lots with a boundary on Burnside Road.
49. No direct vehicle access is permitted between Perwillowen Road and proposed lots with a boundary on Perwillowen Road

EXTERNAL ROAD WORKS

50. Prior to the release of the plan of survey for the proposed development, the applicant must construct road widening, kerb and channel and associated drainage works and verge profiling along the Burnside Road frontage of the site, generally in accordance with Drawing Project No 05542, Sheet P12 of 20, Issue A, dated 23 November 2007, by Covey and Associates Pty Ltd. Street lighting and a concrete footpath, at least 1.8 metres wide, must also be provided on the Burnside Road frontage.
51. Prior to the release of the plan of survey for the proposed development, the applicant must construct road widening and kerb and channel as necessary to extend the existing kerb and channel on the northern side of Perwillowen Road to the western end of the Perwillowen Road site frontage. The width of the northern carriageway on Perwillowen Road, between the existing marked road centre line and the proposed face of kerb, should be at least 4.5 metres. Drainage inlet pits and associated longitudinal drainage must be constructed as necessary along the full Perwillowen Road frontage of the site, including for the length of the existing and proposed kerb and channel. Street lighting and a concrete footpath must be constructed along the road frontage. The footpath width should be at least 1.8 metres. Verge earthworks and profiling must be carried out to accommodate the pavement and footpath works.
52. Prior to the release of the plan of survey for the proposed development, the applicant must construct a roundabout at the intersection of Silverwood Drive and Road 1. The roundabout must be designed to accommodate turns by articulated vehicles and be designed in accordance with the requirements of Main Roads' Road Planning and Design Manual. The roundabout diameter should be at least 30 metres. Raised concrete splitter islands must be incorporated into all roundabout legs.

The splitter island on the western leg must incorporate a pedestrian refuge island, with a gap for pedestrians at least 2.5 metres wide, 6 metres from the roundabout holding line. Kerb ramps are to be installed across all roundabout legs, with concrete footpaths constructed on the verge around each intersection corner between each kerb ramp. The roundabout design is to allow for the future construction of a northern leg to the roundabout, on an alignment to the satisfaction of Council, to connect with Windsor Road.

53. Prior to the release of the plan of survey for the proposed development, the applicant must construct Burnside Boulevard through the site from the roundabout at the intersection of Silverwood Drive and Road 1 to the western site boundary. A temporary vehicle turn around area is to be constructed adjacent to the site boundary at the end of the constructed Burnside Boulevard pavement. The area and boundaries of the proposed lots with frontage to Burnside Boulevard must be amended, and Drawing Project No 05542, Sheet P14 of 20, Issue A, dated 23 November 2007 by Covey and Associates Pty Ltd must also be amended, so that Burnside Boulevard through the site is constructed with the following typical requirements:
- (a) A 14 metre wide pavement, with barrier kerb and channel constructed on both sides, incorporating a 9 metre wide carriageway with a 2.5 metre wide parking lane on each side;
 - (b) A 5 metre wide verge on the southern side;
 - (c) A concrete footpath, with a minimum width of 1.8 metres, on the southern side and a 2.5 metre wide shared concrete path on the northern side. A concrete footpath connection, at least 1.8 metres wide, is to be provided from the eastern end of the 2.5 metre shared path to the existing concrete footpath on the northern side of Silverwood Drive.
54. Prior to the release of the plan of survey for the proposed development, the applicant must construct a concrete shared pedestrian / bicycle pathway, designed to also accommodate emergency vehicles, between Robertson Road and the western end of Burnside Boulevard within the site. The shared concrete pathway should have a minimum width of 2.5 metres within a formation at least 5 metres wide. At its eastern end, the concrete pathway is to connect to both the vehicle turnaround at the end of the constructed Burnside Boulevard road pavement and directly to the 2.5 metre wide shared path to be constructed on the northern side of Burnside Boulevard within the site.

LANDSCAPING

General

55. The scope of an Operational Works - Landscaping application must address the following:
- (a) Vegetation and landscape works associated with all WSUD devices and overland flow paths
 - (b) Street trees must be installed at a rate of one per allotment
 - (c) Street trees must be installed at a rate of one per 10 metres on roads fronting existing or proposed park
 - (d) Fencing proposed to be installed by the proponent adjacent to existing or proposed park. Such fencing must be permeable and allow passive surveillance
 - (e) Grading works to the existing park to provide a flat kick and throw area of approximately 30 x 40 metres
 - (f) Any other works proposed to be undertaken by the proponent with the existing or proposed park

- (g) a rehabilitation plan must be included for the bushland park adjacent to Whalleys Creek as identified upon the approved Landscape Concept (Overall Layout) Plan. The rehabilitation plan must be in accordance with Planning Scheme Policy No. 3 - Rehabilitation Plans and include the following:
 - (ix) A species palette incorporating the numbers of each species to be used within the re-vegetation of the buffer area that is floristically and structurally similar to the local Regional Ecosystem 12.3.2.
 - (x) Minimum planting density for groundcover (0.5 to 1.0m centres), shrub and tree species (1.5 to 2 metre centres)
 - (xi) Measurable and achievable criteria on which the performance of the floristic component and structural component of the re-vegetation strategy can be assessed annually over 3 years. Minimum annual performance must be in accordance with council's operational works rehabilitation performance requirements, refer advisory note
 - (xii) The plan must include a total bond amount commensurate with the cost per hectare, multiplied by 1.5, for the rehabilitation works to achieve the performance criteria over the 3 year period and including the annual performance triggers for release of the bond
- 56. An Arborist Report is required for all mature trees greater than 100mm in trunk diameter when measured 1200mm from ground level, retained on site. The report must address
 - (a) Tree protection measures to be implemented for all retained trees in accordance with arborist recommendations
 - (b) Removal of any existing mature trees on site or on road reserve
 - (c) Hazard assessment and reduction of trees associated with adjacent property boundaries
 - (d) All works must be certified complete by the Applicant prior to survey plan release
- 57. All weeds species as listed in the following are to be removed:
 - (a) Declared plants under the Land Protection (Pest and Stock Route Management) Act 2002 and sub-ordinate Regulation 2003
 - (b) Maroochy Pest Management Plan 2006-2010 pest species of significance in Group 1, Group 2 and Group 6
- 58. All landscape works must be completed prior to survey plan release

Landscaping of New Roads

- 59. The landscaped overland flow path/s detailed on the drawings must not compromise the hydraulic capacity of this area to convey the nominated storm event. The hydraulic capacity and shape of the overland flow path must be approved as part of the Operational Works design drawings. Bark mulch shall not be used within designated overland flow paths
- 60. Landscaping and planting works in medians and roundabouts must be undertaken so that there will be no interference with required sight lines or required minimum sight distances both while plants are growing and when they are fully grown
- 61. Entry statements must be located entirely within privately owned land

ROAD TRAFFIC NOISE

62. A covenant must be registered against the titles for all road traffic noise affected lots 55, 69, 70, 71, 89, 90, 91, 92, 121, 122, 123, 133 and 134 in accordance with the conclusions and recommendations of the approved Environmental Traffic Noise Level Study. The covenant must be lodged with the survey plan prior to endorsement of approval. The covenant must include Sunshine Coast Regional Council as covenantee and be in the form satisfactory to Council that enables registration of a covenant pursuant to Section 97A 3 (a) (i) of the *Land Title Act 1994*
63. Acoustic treatments must be incorporated into the construction of detached or dual occupancy dwellings via the application of a covenant using the Department of Natural Resources Standard Terms Document No. 712386947
64. Prior to the release of survey plan, the specific requirements to be submitted by the applicant from the approved Environmental Traffic Noise Level Study and described on an Acoustic Covenant Plan are:
- (a) The lot number
 - (b) The finished ground floor level not to be exceeded
 - (c) The traffic noise level ($L_{Aeq,T}$) over the respective lot
 - (d) The construction category in accordance with Appendix A of AS 3671-1989 'Acoustics – Road traffic noise intrusion – Building siting and construction' required to achieve the indoor sound levels recommended as satisfactory in AS 2107:2000 'Acoustics – Recommended design sound levels and reverberation times for building interiors'
 - (e) The required setback for the closet wall of a low-set dwelling.

TRANSFER OF LAND TO COUNCIL**Bushland Park**

65. The applicant must transfer at the time of registration of the endorsed survey plan to Council in fee simple on trust, land for the bushland park purposes adjacent to Whalleys Creek as indicated on the approved Landscape Concept (Overall Layout) Plan.

Road Reserve Dedications

66. Prior to the release of the plan of survey for the proposed development, the applicant must dedicate land as road reserve from the subject site, at no cost to Council, at the following locations:
- (a) A strip of land, at least 2 metres wide, along the Burnside Road frontage of the site;
 - (b) A corridor of land having a width of at least 24 metres or to the base of future road earthworks batters, whichever is the greater, between the northern site boundary and the proposed roundabout at the intersection of Silverwood Drive and Road 1. The corridor alignment is to be agreed with Council. The road reserve corridor is to accommodate a future road and shared path connection between the roundabout and Windsor Road;
 - (c) A single chord land truncation at the existing change in direction of the Perwillowen Road site boundary adjacent to proposed Lot 70. The single chord length should be at least 20 metres and each end of the chord should intersect with the existing site boundary a similar distance each side of the existing point of change in boundary direction. The area and boundaries of proposed Lot 70 and Lot 71 must be amended accordingly.

General

67. The applicant is responsible for all costs associated with the transfer of the land to Council. This includes a requirement of the applicant to obtain a valuation for the land from a registered property valuer and for the applicant to pay all stamp duty payable to the Department of Natural Resources upon the transfer of the land
68. One original signed and 'stamped' Queensland Land Registry Transfer of Ownership and Forms 1, 24 and 20 for each lot that is to be transferred to Council in fee simple on trust, together with a copy of the land valuation, must be lodged with the survey plans prior to endorsement of approval
69. The land is to be identified as a lot on the approved survey plan for the purpose for which it relates. No other annotation of the purpose of the allotment is to be made on the survey plan
70. The applicant must ensure that all areas transferred for their respective purpose will not be encumbered by services such as pump stations, services easements or similar operational uses, unless otherwise approved by the conditions of this approval

PRIOR TO SEALING THE PLAN OF SURVEY

71. The approved rehabilitation plan for the bushland park adjacent to Whalleys Creek must be in progress to the extent of:
 - (a) Site soil preparation and weed removal
 - (b) Planting in accordance with the approved species palette incorporating the numbers of each species to be used within the re-vegetation of the area
 - (c) General management and maintenance that includes mulching, watering and replacement of failed stock
72. A performance bond must be lodged for the remaining rehabilitation works for the bushland park over the minimum three years "On Maintenance" period in accordance with the approved Operational Works (Landscaping) Plan.

WATER SUPPLY AND SEWERAGE INFRASTRUCTURE

73. The applicant must provide reticulated water to each lot within the proposed development, in accordance with Maroochy Plan 2000. This must include:
 - (a) Extension of the 250mm diameter water main in Burnside Road for the full frontage of the development site.
 - (b) Provision of 150mm diameter watermain within Perwillowen Road from below the PRV to connect into the water main in Warabi Place.
 - (c) Provision of a 150mm diameter water main connection across Perwillowen Road to connect to internal system through three metre wide easement in proposed lot 70.
74. The applicant must provide written approval, to enter and construct, from all property owners through which external watermain will traverse. This must be submitted with the associated development application for Operational Work
75. The applicant must provide three metre wide easements over watermain located within private property. Easements must be located centrally over the main.
76. The applicant must provide reticulated sewerage to each lot within the proposed development, in accordance with Maroochy Plan 2000. This must include:
 - (a) Provision of sewerage infrastructure to the upstream property boundaries to enable future mains extensions, as required
 - (b) Location of the sewerage connection point for each lot clear of any proposed driveway
 - (c) Location of sewers a minimum of 1.5 metres clear of all approved building envelopes for each lot.

77. The applicant must provide written approval, to enter and construct, from all property owners through which external sewers will traverse. This must be submitted with the associated development application for Operational Work
78. The applicant must provide 4 metre wide easements over Unitywater sewers in excess of 3 metres deep (where approved by Unitywater). Easements must be located centrally over the main
79. The applicant must provide 3 metre wide easements over all Unitywater sewers located in private property. Easements must be located centrally over the main
80. The applicant must ensure that on-site stormwater treatment tanks, soakage trenches, and gross pollutant traps maintain a minimum of 1.5 metres clearance from Unitywater's water supply and sewerage infrastructure. Compliance with this condition must be submitted with the associated development application for Operational Work

REASONS FOR REFUSAL

Not Applicable

REFERRAL AGENCY CONDITIONS

Not Applicable

REASONS FOR APPROVAL DESPITE CONFLICTS IN ACCORDANCE WITH S3.5.15(2)

Not Applicable

PROPERTY RECORD NOTATIONS**Acoustic Covenant Property Notation – Lots 55, 69, 70, 71, 89, 90, 91, 92, 121, 122, 123, 133 and 134**

The property owner or purchaser is advised that a Statutory Covenant is registered over the land for the purpose of ensuring the land is used for the construction of a noise sensitive residential dwelling. The property owner or purchaser should familiarise themselves with the requirements of the covenant and ensure they have been met prior to resale or purchase of the land.

ADVISORY NOTES

These Advisory Notes do not form part of this approval or the conditions attached thereto. The following Advisory Notes are intended to provide guidance to the applicant where necessary and inform the applicant of actions that Council may take with respect to the development site or the approval:

Infrastructure Contributions

1. An advice notice outlining the estimated infrastructure contributions payable and the basis for their calculation under the current Planning Scheme Policies is attached with this Development Approval.
2. Please contact Council's Infrastructure Charges Officer (email: icinfo@sunshinecoast.qld.gov.au) a minimum of 5 business days prior to payment of the infrastructure contributions so a payment advice detailing the amounts applicable at the time of payment may be issued to accompany the payment.
3. Payment of infrastructure contributions will not be accepted by credit card transaction.

Amended Plans for Future Operational Works Applications

4. The following plans require amendment upon lodgement of an application for Operational Works

Plan	Rev.	Plan Name	Date
05542 – P05	A	Road 1 Cross Sections – Sheet 2 of 2 – Residential Subdivision Gosfield Estate Stage 4 by Covey & Associates	23/11/07
05542 – P07	A	Road 2 Cross Sections – Residential Subdivision Gosfield Estate Stage 4 by Covey & Associates	23/11/07
05542 – P09	A	Road 4 Long Section and Cross Sections – Residential Subdivision Gosfield Estate Stage 4 by Covey & Associates	23/11/07
05542 – P10	A	Road 5 Long Section and Cross Sections – Residential Subdivision Gosfield Estate Stage 4 by Covey & Associates	23/11/07

Plan	Rev.	Plan Name	Date
05542 – P14	A	Burnside Boulevard Long Section and Cross Sections – Residential Subdivision Gosfield Estate Stage 4 by Covey & Associates	23/11/07
Amendments		Amend cross-sections to incorporate the following typical requirements: <ul style="list-style-type: none"> • A 14 metre wide pavement, with barrier kerb and channel constructed on both sides, incorporating a 9 metre wide carriageway with a 2.5 metre wide parking lane on each side. • A 5 metre wide verge on the southern side • A concrete footpath, with a minimum width of 1.8 metres, on the southern side and a 2.5 metre wide shared concrete path on the northern side 	

General

5. From 1 January 2000, the Building and Construction Industry (Portable Long Service Leave) Levy must be paid prior to the issue of a development permit where one is required for the 'Building and Construction Industry'. This applies to Building Works, Operational Works and Plumbing and Drainage Works applications, as defined under the Integrated Planning Act 1997, where the works are \$80,000 or more and matching the definition of 'Building and Construction Industry' under the *Building and Construction Industry (Portable Long Service Leave) Act 1991*.

Council will not be able to issue a Decision Notice without receipt of details that the Levy has been paid. Should you require clarification in regard to the amendments to the *Building and Construction Industry (Portable Long Service Leave) Act 1991*, you should contact QLeave on 1800 803 481 (free call) or (07) 3212 6855

Integrated Water Management

6. The applicant is advised that when addressing the requirements of Council's Integrated Water Management Code and Section 7 of Planning Scheme Policy No. 5 - Operational Works, reference should also be made to Council's Integrated Water Management Guidelines for further guidance on stormwater management outcomes

Erosion and Sediment Control

7. Soil management and erosion and sediment control must be carried out by a person qualified as a Registered Professional Engineer (Queensland), and holding a Certificate in Soil Erosion and Sediment Control, Hydrology and Stormwater for Designers, issued by the International Erosion Control Association, or equivalent
8. Mass movement/slip potential must be carried out by a Registered Professional Engineer (Queensland) who is skilled and experienced in geotechnical surveys
9. An acceptable Site Erosion and Sediment Hazard Evaluation Report which addresses compliance with water quality objectives, can be based on the method of the New South Wales Landcom Managing Urban Stormwater, 2004 or equivalent is to be submitted
10. Any significant change to the natural hydrologic regime is likely to cause detrimental waterway impacts. These result from increased flow velocities and volumes (causing stream bed and bank scouring, sedimentary infilling of riffle zones and deep holes, and smothering of benthic organisms), and from increased run-off event frequencies (which disrupt the life cycle of aquatic organisms). Predicted impacts on existing hydrologic regime and hydraulic radius of susceptible streams should be described
11. The permissible water quality limit for any water released from a sediment basin is 50 milligrams litre (mg/L) of Total Suspended Solids (TSS) as a maximum concentration. This is the recognised 'best practice limit' (refer Queensland Department of Natural Resources/Environmental Protection Agency Stormwater Quality Control Guidelines for Local Government, 1998, Brisbane City Council Best Practice Discharge Guidelines, and Soils and Construction, and New South Wales Landcom 2004). It has been demonstrated that the TSS limit of 50 mg/L can be consistently achieved provided that control measure design, operation and maintenance are adequate

The limit will not be applied to any basin release which the applicant can substantiate occurred as a consequence of a storm event of a magnitude beyond the sediment basin design operational capacity.

- The water quality design goal for any water flowing from any part of the site not served by a sediment basin, is a maximum of 50 milligrams litre (mg/L) of Total Suspended Solids (TSS). Where any release exceeds this goal, enforcement action will follow only where all reasonable and practical measures to prevent environmental harm have not been adopted
12. Acceptable site planning procedures, and soil erosion and sediment control measures for achieving an effective 'treatment train' for complying with the required water quality objectives, can be obtained from Maroochy Manual for Erosion and Sediment Control 2007
 13. The programme must involve co-ordination with trunk drainage and other design concept investigations. The requirements of various design concept factors will modify the planning for the others, so that soil and water management needs must be clearly integrated into the development process
 14. The general environment duty of the *Environmental Protection Act 1994* may extend to managerial responsibility for ensuring all persons working on a site (including employees, agents and contractors) whose activities may result in environmental harm, receive appropriate training, and are made aware of the relevant legal requirements
 15. For operational cost effectiveness and convenience, where the responsible person is satisfied that the turbidity/TSS measurement correlation has been obtained for the site, turbidity measurement could conveniently be used instead of TSS (for performance self-assessment only). Simple, inexpensive non-electronic turbidity measurement devices are available

Environment Protection and Biodiversity Conservation Act 1999

16. The applicant should be aware that it may be required to seek approval from the Commonwealth Government in relation to the proposal. The *Environment Protection and Biodiversity Conservation Act 1999*, which came into operation in July 2000, relates to actions that may have a significant impact on matters of national environmental significance (NES) or the environment generally if on Commonwealth land. These matters of NES include nationally listed threatened and migratory species, Ramsar wetlands, World Heritage, Commonwealth marine and nuclear actions
17. The *EPBC Act* provides that a person must not take an action that has, will have or is likely to have a significant impact on matters of NES, without the approval of the Commonwealth Environment Minister. Such actions should be referred to the Minister for a decision on whether or not approval is required under the *EPBC Act*
18. The applicant may wish to contact the Community Information Unit at the Commonwealth Department of Environment and Heritage on 1800 803 772 to discuss any obligations under the *EPBC Act*

Water Quality

19. Discharges of water pollutants, wastewater or stormwater from the site must not cause measured levels of water pollutants in the receiving waters to fall outside the acceptable ranges specified in the 'Australian Water Quality Guidelines for Fresh and Marine Waters', Australian and New Zealand Environment and Conservation Council (ANZECC) 2000

Works within a Watercourse

20. The applicant is advised that the proposal may involve works within a watercourse which will require referral to the Department of Natural Resources under the *Water Act 2000* and *Sustainable Planning Act 2009* at the time of making an application for operation works

Aboriginal Cultural Heritage Act 2003

21. There may be a requirement to establish a Cultural Heritage Management Plan and/or obtain approvals pursuant to the *Aboriginal Cultural Heritage Act 2003*.

The ACH Act establishes a cultural heritage duty of care which provides that: “A person who carries out an activity must take all reasonable and practicable measures to ensure the activity does not harm Aboriginal cultural heritage.” It is an offence to fail to comply with the duty of care. Substantial monetary penalties may apply to individuals or corporations breaching this duty of care. Injunctions may also be issued by the Land and Resources Tribunal, and the Minister administering the Act can also issue stop orders for an activity that is harming or is likely to harm Aboriginal cultural heritage or the cultural heritage value of Aboriginal cultural heritage.

You should contact the Cultural Heritage Co-ordination Unit on 07 3239 3647 to discuss any obligations under the *ACH Act*.

**(SPC) ITEM 4.1.4 DEVELOPMENT APPLICATION FOR MATERIAL CHANGE OF USE
- SERVICE & UTILITY - TYPE 3 TELECOMMUNICATIONS TOWER
AT 18 THOMAS STREET, NOOSAVILLE - APPENDIX A -
CONDITIONS OF APPROVAL**

Planning Assessment

Approved Plans

1. Development undertaken in accordance with this approval must generally comply with the approved plans of development. The approved plans are listed in the following table and may be amended by these conditions.

Plan No.	Rev.	Plan / Document Name	Date
B8831-P2	01	Overall Site Layout - <i>aurecon</i>	6 November 2009
B8831-P3	02	Site Layout - <i>aurecon</i>	16 July 2010
B8831-P4	02	Site Elevation - <i>aurecon</i>	16 July 2010

General

2. The development must be undertaken and operated in a manner that causes no detrimental effect upon the amenity of the neighbourhood by reason of the creation of excessive noise, lighting nuisance or other emissions.
3. The requirements of this development approval are to be effected, prior to the use commencing.
4. Existing trees on the site and within road reserves shall be retained.

Relevant Period

5. The Development Permit for a material change of use lapses if the use has not happened by 28 October 2014, unless an application to extend the relevant period is approved by Council.

Colours & Finishes

6. The monopole and associated panels shall be finished in colours that blend in visually into the landscape. To this end, the applicant shall provide Council with details as to the colour of the tower, prior to the issue of a Building Works Approval.
7. No lights are to be attached to the tower.

Maximum Height

8. The monopole tower shall not exceed a maximum height of 20 metres above natural and finished ground level.

9. A verification survey of the building is to be carried out by a Licensed Surveyor and a certificate lodged with Council at completion of work confirming compliance with the maximum allowable tower height.

Health & Safety

10. Annual certification of EME levels emitted from the tower shall be provided to Council, by the carrier of the infrastructure. The certification shall demonstrate the tower is not resulting in human exposure to radiofrequency electromagnetic radiation of more than the ARPANSA regulations current at the time of measurement. The electromagnetic radiation shall be measured from any surrounding residential areas. The certification shall be carried out at a time of full power usage and assume maximum down tilt of the antennae.
11. Warning information signs and security fencing are to be provided on the site to prevent unauthorised entry.

Flooding Risk

12. The area is within a flood hazard area subject to minimum floor heights. Any hazardous materials or equipment must be stored above the required minimum floor height for the location.

Cessation of Use

13. The applicant must remove the telecommunications facility from the site upon cessation of the use.

Infrastructure Contributions

14. The applicant must pay contributions towards trunk infrastructure in accordance with the following Planning Scheme Policies and Council Policies:
 - (a) Planning Scheme Policy 12 – Public Open Space Contributions;
 - (b) Planning Scheme Policy 13 – Contributions in Lieu of Off Street Parking;
 - (c) Planning Scheme Policy 16 – Sewerage Headworks Contributions;
 - (d) Planning Scheme Policy 17 – Water Supply Headworks Contributions;
 - (e) Planning Scheme Policy 20 – Pathway Trunk Network Contributions;
 - (f) Council Policy – Rural Roadworks Contributions;
 - (g) Council Policy – Master Drainage Contributions.

For material change of use of premises approvals the contributions must be paid prior to the commencement of use, for reconfiguring a lot approval contributions must be paid prior to Council approval of the plan of subdivision.

The actual amount of the contribution must be calculated and paid in accordance with the Planning Scheme Policies and variations due to indexation current at the time of payment.

Further Development Permits Required

15. Prior to the commencement of development, a Development Permit for Building Works must be obtained.

THE FOLLOWING ADVICES ARE FOR INFORMATION PURPOSES ONLY AND DO NOT FORM CONDITIONS OF APPROVAL

Infrastructure Contributions and Infrastructure Charge

16. An advice notice outlining the estimated infrastructure contributions payable and the basis for their calculation under the current Planning Scheme Policies and Council Policies is attached with this Development Permit.
17. The applicant is informed that this development permit will trigger an Infrastructure Charge in accordance with the Coastal Major Road Network Infrastructure Charges Plan for the estimated amount of \$1,802.00 and is subject to variations in the Consumer Price Index, All Groups Brisbane from June 2010 until the date of payment. An Infrastructure Charge Notice will be issued in accordance with Chapter 5 of the of the Sustainable Planning Act 2009.
18. Please contact Council's Infrastructure Charges Officer (email: icinfo@sunshinecoast.qld.gov.au) a minimum of 5 business days prior to payment of the infrastructure contributions and/or charge notice so a payment advice detailing the amounts applicable at the time of payment may be issued to accompany the payment.
19. Payment of infrastructure contributions and/or infrastructure charge notices will not be accepted by credit card transaction.

(SPC) ITEM 4.1.5 **APPLICATION FOR A DEVELOPMENT PERMIT FOR MATERIAL CHANGE OF USE (42 MULTIPLE DWELLING UNITS) - 25-31 MALTMAN STREET, KINGS BEACH – APPENDIX A – CONDITIONS OF APPROVAL**

APPENDIX A - CONDITIONS OF APPROVAL

PLANNING

1. The site is to be developed generally in accordance with the approved plans (except where varied by conditions of approval);
2. Provision of on-site parking to accommodate a minimum of 75 cars in accordance with City Plan 2004. 63 of these bays are to be dedicated and clearly marked for resident use, 11 are to be dedicated and clearly marked as visitor spaces, one must be dedicated and marked as a car washing bay, and provision for 55 bicycles;
3. Access to car parking spaces, bicycle spaces, vehicle loading and manoeuvring areas and driveways is to remain unobstructed and available at all times;
4. Provision of a 1.8 metre high screen fence along all boundaries except for along the site frontage of Maltman Street South and the pedestrian access to Arthur Street;
5. Provide a certificate from a licensed surveyor certifying that no part of the building structure exceeds the height limit of 30 metres above ground level. All levels must be provided to Australian height datum (AHD);

The licensed surveyor's certificate shall be submitted at two stages of the building construction, these being:-
 - (a) at completion of the basement level to demonstrate that the building complies with the approved plans at that stage; and
 - (b) prior to issue of the Certificate of Classification to demonstrate that the highest point of the building complies with the approved plans;
6. The building and other works must be designed and constructed so that the interface between the building and the road reserve, and from the property boundary to the kerb line, provides non-discriminatory access for persons with special needs, in accordance with AS 1428;
7. Prior to the commencement of the use, Lot 1 RP112522, Lot 1 RP94599, Lot 1 RP107532 Lot 1 RP118550 Lot 2 RP118550 & Lot 3 RP118550 are to be amalgamated into a single parcel, and the plan of subdivision is to be registered with the Department of Environment and Resource Management;
8. The use of the premises for the purpose of '*multiple dwelling*' shall at all times accord with the criteria set out within the '*multiple dwelling*' definition in Part 3 of City Plan 2004;
9. The building name shall be clearly visible and discernible from the primary frontage of the site;

10. The building shall incorporate variation in the use of building materials, colours, and textures to distinguish the lower levels (street level and podium level) from higher levels;
11. Alternative materials, patterns, or threshold treatments shall be used to break up vehicle movement areas. Paving treatments shall be varied on main driveway systems, visitor car parking bays, multiple dwelling unit forecourts, and entry to the development site from Maltman Street South;
12. Access ways and car parking areas shall not be constructed of highly reflective and easily stained plain concrete. The design shall incorporate a selection of paving materials including brick, clay or concrete pavers, exposed aggregate, stamped pigmented concrete or bitumen, constructed to specified standards;
13. Services, structures and mechanical plants (including individual air conditioning equipment for dwelling units) are visually integrated into the design and finish of the building or effectively screened from view;
14. One or more outdoor clothes drying areas are provided in an accessible location, with a minimum area of 15m² to a maximum area of 60m² equipped with robust clothes lines;
15. A single group of mailboxes is provided along the street frontage of the site, and are incorporated into a pedestrian entry feature that complements the design of the building and is accessible by motor bike;

ENGINEERING

16. A 1.8 wide footpath must be constructed along the property's frontage of Maltman Street. All footpaths must be co-ordinated with street lighting and designed in accordance with Council's Development Design Planning Scheme Policy
17. Where required due to any conflict with the proposed access, the existing stormwater gully pit located in the Maltman Street South road reserve at the front of the site must be relocated with engineering details to be submitted in the operational works application;
18. The proposed site excavation of the rock must be in accordance with sound engineering practice and relevant standards. This includes stability and amenity to the neighbouring properties;
19. All necessary alterations to public utility mains and services arising from construction of external works associated with the development must be undertaken at no cost to the service provider;
20. The access driveway and stormwater drainage works must be designed to ensure that basement carparking areas are not inundated during local flooding or significant rainfall events. To this end, the entrance to the basement car parking and any external openings to the basement carparking areas, including vents, stairwell egress and any other such infrastructure, must have adequate freeboard above this level in accordance with QUDM;

21. Lighting must be provided to pedestrian paths, building entries, public foyer areas, driveways and parking areas in accordance with the requirements of the design for safety code;
22. The driveway and basement car parks must be designed, constructed, sealed, line marked and drained in accordance with Council's Development Design Planning Scheme Policy and AS2890. The basement car park must be amended as follows:
 - (a) Remove the dividing wall between the basement level of Block A and B;
 - (b) Provide a one way circulation system using security gates in specific locations to direct traffic in the correct manner to avoid traffic conflict;
 - (c) Consideration must be given to the location and use of keys/access cards to open security gates
 - (d) Remove car parks 1 and 2 in Block A Basement Level;
 - (e) Remove car parks 1 – 4 in Block B Basement Level;
 - (f) Use of line marking (such as "Stop" and "Give Way" line marking) and directional arrows/signage to reinforce one way movement and to ensure vehicles using the basement parking levels do not cause traffic conflict;
 - (g) Use of convex mirrors at suitable locations to ensure visibility of other vehicles using the car parking area;
 - (h) Visitor bays compliant with Council's Development Design Planning Scheme Policy and AS2890 (in particular, bay dimensions and crossfalls adjacent to ramp entry)
 - (i) Consistent with condition 2 of this approval.
23. The driveway across the verge must have a minimum sealed or concreted width of 5.5 metres at the property line, and is to be constructed in accordance with the IPWEA standard drawing r-0051;
24. The applicant must ensure that barricades constructed on the footpath do not impede the access of Unitywater or fire brigade personnel to vital control structures (e.g. Valves, fire hydrants and sewer access chambers);
25. The fire fighting water supply demand on reticulation system from this development must not exceed 15 litres per second;
26. The applicant must supply the development site with reticulated water via a single primary water meter located immediately inside the property boundary. For a community title or sub-lease scheme additional water meters must be installed for each separate title. These meters must be supplied and installed in accordance with Unitywater requirements;
27. A separate metered domestic main and bypass fire main must be provided within the development in accordance with Unitywater standard drawing SCW 370;
28. Buildings, basements and other structures must maintain a minimum clearance of 1.5 metres from sewer mains and 1.0 metre from sewer manhole chambers and inspection openings;
29. Stormwater bioretention systems and gross pollutant traps must maintain a minimum clearance of 1.5 metres from water supply and sewerage infrastructure;

30. Stormwater pipes greater than 225mm diameter must maintain a minimum of 1.0 metre separation from sewer mains;
31. Landscaping plants within 1.5 metres of sewerage infrastructure shall be low growing when mature and be suitable council approved varieties;
32. A 3.0 metre wide easement must be provided over all sewers located in private property. A 4.0 metre wide easement must be provided over sewers greater than 3.0 metres deep (where approved by Unitywater). Easements must be located centrally over the main;
33. Any construction works to be undertaken in the vicinity of existing water supply or sewerage infrastructure must not adversely affect the integrity of the infrastructure. All costs associated with repair, replacement or alteration of existing infrastructure must be met by the applicant;

HYDROLOGY ENGINEERING

34. Stormwater shall be collected and lawfully discharged from the development site and from works associated with the development in accordance with Council's Development Design Planning Scheme Policy and QUDM;
35. At the time an application is made for Operational Works, an Erosion and Sediment Control Plan (E&SCP) shall be submitted. The E&SCP is to be prepared in accordance with the *Sunshine Coast Regional Council Manual for Erosion and Sediment Control Version 1.2* based on the results of site-specific soil sampling and laboratory testing. The E&SCP must demonstrate how the stormwater release limit of 50 mg/L of TSS will be achieved for all rainfall events up to and including the 80th percentile 5 day rainfall event during all stages of construction;
36. The Development shall be provided with a Stormwater Quality Improvement Devices (SQIDS) treatment train that is planned, designed and constructed in accordance with Council's Development Design Planning Scheme Policy, the *Water Sensitive Urban Design Technical Design Guidelines for South East Queensland* (Healthy Waterways, 2006) and generally in accordance with the approved water quality drawings prepared by Tate Professional Engineers;
37. In conjunction with the submission for an application for Operational Works approval, provide detailed engineering design drawings for the bioretention swale in the approved water quality drawings prepared by Tate Professional Engineers. Detailed design is to be undertaken in accordance with the *Water Sensitive Urban Design Technical Design Guidelines for South East Queensland* (Healthy Waterways, 2006) and the Development Design Planning Scheme Policy;
38. All stormwater treatment devices are to be maintained for the life of the development in accordance with the provisions of the endorsed Maintenance Manual. The material extracted from the device when being serviced and cleaned out is to be removed from the site and disposed of by either a licensed waste removal contractor or by other lawful means. Records of maintenance activities undertaken are to be kept and made available to Council Officers upon request;

39. In conjunction with the submission of an application for Operational Works Approval for the subject site, provide and have endorsed by Council's Delegate a detailed Maintenance Manual for all stormwater treatment devices proposed to be located on the subject site. The maintenance manual shall comply with the requirements of the Development Design Planning Scheme Policy and the maintenance plan provisions of the *WSUD Technical Design Guidelines for South East Queensland* (Healthy Waterways, 2006);
40. The development shall be provided with a bioretention swale that is located, designed and installed so as to provide for safe and unobstructed access for service and maintenance. The extended detention depth of 0.2m shall be maintained over the entire length of the proposed bioretention swale filter media. The drainage layer of the proposed bioretention swale shall be a minimum of 200mm thick;
41. The development shall be provided with approved *Permanent* signage, in relation to water quality, which shall be erected educating the public of the function of the bioretention swale. In conjunction with the submission of an application for operational works approval, provide detailed drawings showing the design of the signage. The dimensions, standard and presentation of construction, and locations of such signage shall be detailed on the drawings;
42. The proposed buildings shall be provided with an operating rainwater collection tank collecting rainwater from a minimum of 80% of the roof area. Rainwater harvested in the tank shall be re-used for internal non potable uses and outdoor uses. In conjunction with the submission for an application for Operational Works approval, provide detailed engineering design drawings for all proposed rainwater tanks;

ENVIRONMENT

43. Prior to or at the time application is made for Operational Works, an Environmental Management Plan shall be submitted to Council for endorsement. This plan is to be prepared by a suitably qualified person in accordance with section 2.0 of the Council's Development Design Planning Scheme Policy and is to address, as a minimum, the following:
 - (a) air quality and dust control – including specific requirements for dust screens (and rubbish chutes where applicable) to be fitted to all building floor level scaffolds during construction;
 - (b) acid sulfate soils and dewatering procedures
 - (c) sediment and erosion control – linked to stage specific erosion and sediment control engineering drawings
 - (d) flora and fauna
 - (e) hazardous substance management
 - (f) light management
 - (g) mosquito and biting midge control
 - (h) noise control (including the hours of operation detailed in section 440R of the *Environmental Protection Act 1994*)
 - (i) site management
 - (j) stormwater management
 - (k) traffic management – linked to a Traffic Management Plan

- (l) waste management – recycling initiatives
 - (m) water quality and sampling (including a detailed basement excavation de-watering procedure)
 - (n) off-site impacts associated with trucks and machinery, i.e. sediment and soil deposition on roads and dust control;
44. The development is to be carried out in accordance with the provisions of the submitted Environmental Management Plan (in its most recently endorsed draft);
- The site supervisor shall be responsible for notifying those persons responsible for implementation of, and compliance with the EMP (in its most recently endorsed draft), and of their environmental responsibilities as detailed in the EMP;
45. The basement must be designed and constructed:
- (a) as a water excluding structure. (i.e. be able to withstand hydrostatic pressure, be 'fully tanked' and sealed including control joints to prevent groundwater infiltration, and contain no permanent or post-construction sub-surface drainage); or.
 - (b) such that any water (i.e. groundwater or subsurface water) discharged from the basement complies with the following stormwater release criteria for the life of the development:
 - (i) < 50mg/L total suspended solids;
 - (ii) < 0.3mg/L total iron;
 - (iii) < 0.2mg/L total aluminium;
 - (iv) $6.5 < \text{pH} < 8.5$
 - (v) No visual plume
46. Where groundwater or subsurface water is discharged from the basement to stormwater, certification that the discharge is in accordance with the above release criteria shall be provided to council's delegate for endorsement prior to the commencement of the use, or at any time requested by Council's delegate during the operational phase of the development;
47. Lighting devices to be installed on the site, i.e. Security lights etc, are to be appropriately designed, sited, installed and tested in accordance with Australian Standard AS4282-1997 "Control of the obtrusive effects of outdoor lighting". Prior to the use commencing, certification shall be provided to Council from a RPEQ certified Electrical Engineer, to demonstrate that the above requirements have been met;
48. The layout and design of this development shall comply with the road traffic noise limits specified in the City Plan 2004 Nuisance Code. Prior to or at the time application is made for operational works, a road traffic noise impact assessment must be undertaken and submitted to Council for endorsement, prepared in accordance with the Department of Main Roads *Road Traffic Noise Management Code of Practice* (the Code), to determine the current and future predicted road noise impacts on the development. Where the current and/or predicted road noise impact is measured and/or predicted to exceed the criteria in the Code, then the development shall be designed and constructed to mitigate the impacts of road traffic noise in accordance with the building design standard (AS3671 & AS2107) stipulated in the Code;
49. Prior to the use commencing, the services of a suitably qualified acoustic consultant shall be engaged to conduct compliance verification testing for road traffic noise

affected dwellings or rooms on the site to demonstrate that road traffic noise levels are in accordance with Council's City Plan 2004 Nuisance Code. A report prepared by the consultant shall be provided to Council demonstrating that measured levels comply with the City Plan 2004 Nuisance Code noise limits. This condition does not apply where road traffic noise is not predicted and/or measured to exceed the criteria in the City Plan 2004 Nuisance Code;

50. Prior to the use commencing, the services of a suitably qualified acoustic consultant shall be engaged to conduct operational noise compliance verification testing to demonstrate that the noise limits set in table 9.6 of the City Plan 2004 Nuisance Code have been complied with. A report, prepared by the acoustic consultant, shall be submitted to Council for endorsement demonstrating that the measured levels comply with the City Plan 2004 Nuisance Code noise limits. This condition does not apply to operational fixed plant & equipment that does not emit audible noise beyond the boundary of the premises;
51. The vehicle wash bay is to be provided generally in accordance with the approved plan and. The wash bay shall be lawfully drained to sewer and drain directly to the adjacent grassed swale area when not in use. The vehicle wash bay catchment area shall be at least 2.6m wide x 5.4m long, preferably 3.2m wide x 6.0m long. The vehicle wash bay catchment area shall be clearly line marked;
52. Vehicle wash bay drainage shall be subject to Council's Trade Waste Policy. Prior to commencement of the use, the occupier shall obtain a trade waste approval from Council's Trade Waste Officer. The Body Corporate shall be responsible for maintaining the diversion system in proper working order and in accordance with the manufacturers' specifications;
53. The premises must be provided with a refuse container storage area for both general and recyclable waste, located generally in accordance with the approved plan. This area is to be:
 - (a) contained within an enclosed room and ventilated in accordance with the approved plans;
 - (b) adequate in size for general refuse bins and recycling bins;
 - (c) imperviously sealed (e.g. concrete, bitumen, etc) and provided with a washdown pit lawfully directed to sewer;
 - (d) provided with a hose cock either in or adjacent to the wash down area;
 - (e) provided with signage in a conspicuous location adjacent to the washdown pit with letters at least 50mm high and 30mm wide stating "bin washdown waste only disposal of any other liquid or waste is prohibited"; and
 - (f) constructed in accordance with Section 2 of Council's Development Design Planning Scheme Policy;
54. A bulk bin pad shall be constructed on the site. This area shall be clear of the footpath to allow pedestrian thoroughfare. A continuous level and smooth concrete path must be provided and maintained for the movement of bulk bins from the pad to the collection point located at street level. At the time application is made for operational works design plans of the bin pad and pathway grades shall be submitted to council for endorsement;
55. Refuse bins must be kept within their designated storage areas at all times, with the exception of when being placed out for servicing, or when being washed in the designated wash area;

56. Prior to the use commencing, an on-site tow vehicle or other mechanical means shall be provided to haul bulk bins from the basement refuse storage area to the collection point located at street level. The site manager or body corporate shall be responsible for the cost of bulk bin modifications for use with the tow vehicle;
57. Prior to the commencement of use, a site waste management plan (WMP) shall be developed and submitted to council for endorsement. This plan shall:
- (a) appoint person(s)/entity(s) responsible for administering the plan;
 - (b) require that all solid wastes generated on site be disposed of within refuse containers stored at the approved refuse container storage area (the storage area) detailed on the approved plans;
 - (c) appoint person(s)/entity(s) responsible for the transportation of refuse containers to and from the storage area and the collection point; and
 - (d) appoint the person(s)/entity(s) responsible for cleaning bins on-site and maintaining the storage area and pick up point in a clean and tidy state;
58. The WMP shall be included into any tenancies management agreement, site by-laws document, community management statement or equivalent document;

LANDSCAPING

59. Landscaping works are to be undertaken in accordance with the Landscape Concept Master Plan prepared by Young Architects, Drawing No DA 2221 dated 19 July 2010;
60. The subsequent development application for Operational Works Civil and Landscaping is to include detailed landscape plans in accordance with the Caloundra City Plan Landscaping Code and Policy and the Multi Unit Code (landscaping requirements);

CONTRIBUTIONS

61. The applicant must pay contributions towards trunk infrastructure in accordance with the following Planning Scheme Policies:
- (a) PSP No. 11.19 (Infrastructure Contributions for Bike Lane, Pathway, Footpath and Coastal Path Infrastructure) 2005;
 - (b) PSP No. 11.21 (Infrastructure Contributions for Community Facility Infrastructure) 2005;
 - (c) PSP No. 11.22 (Infrastructure Contributions for Road Transport Infrastructure in Respect of the Maleny Township Planning Area and Maleny Plateau Planning Area) 2005;
 - (d) PSP No. 11.24 (Infrastructure Contributions for Open Space Infrastructure) 2005a;
 - (e) PSP No. 11.25 (Infrastructure Contributions for Public Transport Infrastructure) 2005;
 - (f) PSP No. 11.27 (Infrastructure Contributions for Water Supply and Sewerage Infrastructure) 2005;

For material change of use of premises approvals the contributions must be paid prior to the commencement of use.

The actual amount of the contribution must be calculated and paid in accordance with the Planning Scheme Policies above and variations due to indexation at the time of payment.

GENERAL

62. Unless otherwise stated, all of the conditions of this development approval are to be complied with prior to the use commencing on the site;

APPROVED PLANS/DRAWINGS/DOCUMENTS

Plan/Drawing Number	Plan/Drawing Name	Date
Drawing Number DA - 2000	Site Plan Level 3 prepared by Young Architects	28 July 2010
Drawing Number DA – 2202	Block A and B Level 2 Floor Plan prepared by Young Architects	28 July 2010
Drawing Number DA – 2203	Block A and B Level 3 – 6 (Typical) Plan prepared by Young Architects	28 July 2010
Drawing Number DA – 2204	Block A and B Level 7 Floor Plan prepared by Young Architects	28 July 2010
Drawing Number DA – 2205	Block A and B Level 8 Floor Plan prepared by Young Architects	28 July 2010
Drawing Number DA – 2206	Block A and B Level 9 Floor Plan prepared by Young Architects	28 July 2010
Drawing Number DA – 2207	Block A and B Level 10 Floor Plan prepared by Young Architects	28 July 2010
Drawing Number DA – 2208	Block C Parking Level 1 Floor Plan	28 July 2010
Drawing Number DA – 2209	Block C Level 2 (Podium) Floor Plan	28 July 2010
Drawing Number DA – 2210	Block C Levels 3 – 6 Floor Plan	28 July 2010
Drawing Number DA – 2214	West Elevation prepared by Young Architects	19 July 2010
Drawing Number DA – 2215	East Elevation prepared by Young Architects	19 July 2010
Drawing Number DA – 2216	South Elevation prepared by Young Architects	19 July 2010
Drawing Number DA – 22	North Elevation prepared by Young Architects	19 July 2010

Plans Requiring Amendment

Plan/Drawing Number	Plan/Drawing Name	Date
Drawing Number DA - 2200	Block A and B Basement Level Car Park prepared by Young Architects	28 July 2010
Drawing Number DA - 2201	Block A-B Ground Level Floor Plan prepared by Young Architects	28 July 2010
Amendments Required: Amend in accordance with the conditions of this approval, specifically condition 22		

ADVISORY NOTES

- (a) prior to the use and works commencing on-site and prior to the issue of a Development Permit for Building Works, separate application for a Development Permit for Operational Works will be required to be submitted and approved;
- (b) prior to commencement of the use, the applicant shall contact Council's delegate to arrange a Planning Development Compliance Inspection;
- (c) the **relevant period** for the development approval (material change of use) shall be **four (4) years** starting the day the approval is granted or takes effect. The development approval for material change of use lapses if the first change of use under the approval does not happen within the abovementioned **relevant period**. However, if there are one or more **related approvals** for the development approval for material change of use, the **relevant period** is taken to have started on the day the latest related approval takes effect.

An applicant may request Council to extend the **relevant period** provided that such request is made before the development approval lapses;

- (d) the Preliminary Approval for Building Works has been granted following assessment of the proposed buildings against the relevant provisions of Council's Planning Scheme. The buildings have not been assessed for compliance with the Building Code of Australia, Standard Building Regulations 1993 and applicable standards. Such assessment will be undertaken following receipt of an application for a Development Permit for Building Works;
- (e) Equitable Access & Facilities, your attention is drawn to the fact that either or both of the *Disability Discrimination Act 1992 (Commonwealth)* and the *Anti Discrimination Act 1991 (Queensland)* may impact on the proposed building work. Sunshine Coast Regional Council recommends that the following matters be considered to address equitable access and facilities in the building:
 - (i) the building and environs should be designed to meet the intent of the Human Rights and Equal Opportunity Commission "Advisory Notes on access to premises" and AS 1428.3;
 - (ii) Any services and facilities in the building complex must allow independent, dignified and equitable use of the services and facilities for all people;
- (f) The *Environmental Protection Act 1994* states that a person must not carry out any activity that causes, or is likely to cause, environmental harm unless the person takes

all reasonable and practicable measures to prevent or minimise the harm. Environmental harm includes environmental nuisance. In this regard persons and entities, involved in the civil, earthworks and construction phases of this development, are to adhere to their 'general environmental duty' to minimise the risk of causing environmental harm.

Environmental harm is defined by the Act as any adverse affect, or potential adverse affect whether temporary or permanent and of whatever magnitude, duration or frequency on an environmental value and includes environmental nuisance. Therefore, no person should cause any interference with the environment or amenity of the area by reason of the emission of noise, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit, sediment, oil or otherwise, or cause hazards likely in the opinion of the administering authority to cause undue disturbance or annoyance to persons or affect property not connected with the use;

- (g) Trade waste generated on-site shall be subject to Council's Trade Waste Policy and the *Water Act 2000*. Prior to an application being made for building approval for the site the applicant is advised to contact Council's Trade Waste Officer on 07 5420 8200 to determine Council's trade waste requirements;
- (h) in accordance with the *Public Health Act 2005*, rainwater tanks must be constructed with mosquito proof screens (made from either brass, copper, aluminium or stainless steel), and constructed with a mesh size of no more than 1mm, and must be installed in a way that does not accelerate corrosion. Tanks that contain flap valves must be installed so that when closed, mosquitoes cannot pass through the valve. It is unlawful under the *Public Health Act 2005* to construct, install or be in possession of a tank that does not comply with these requirements;
- (i) Council's Compliance staff will avail themselves to inspect driveways prior to pouring to ensure compliance with approved profiles;
- (j) an Operational Works application is required for the proposed sewer diversion works;
- (k) Council has existing AC water mains located within the road boundaries fronting the development site. Construction works, heavy traffic crossing the main, excessive vibration and excavation close to a main may cause damage to the pipe and therefore extreme care is required when working close to this infrastructure. All costs associated with repair, replacement or alteration of the Council water main must be met by the developer;
- (l) Please contact Council's Infrastructure Charges Officer (email: icinfo@sunshinecoast.qld.gov.au) a minimum of 5 business days prior to payment of the infrastructure contributions so a payment advice detailing the amounts applicable at the time of payment may be issued to accompany the payment;
- (m) Payment of infrastructure contributions will not be accepted by credit card transaction;

PROPERTY NOTES

- (i) Road traffic noise from the CBD may from time to time have an impact on residential amenity most likely to be noticed in the bedrooms or balconies of dwellings on this lot.
 - (ii) This site is provided with stormwater treatment devices which capture and store pollutants from stormwater runoff generated on the site. These devices are required to be routinely checked and serviced/cleaned out as per the endorsed maintenance manual. Records of maintenance activities undertaken are to be kept and made available to Council Officers upon request.
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(SPC) ITEM 4.1.6 DEVELOPMENT APPLICATION FOR RECONFIGURATION OF A LOT (2 LOTS INTO 63 LOTS) AT COONOWRIN ROAD, GLASSHOUSE MOUNTAINS KNOWN AS LOT 10 RP182273 AND LOT 2 RP7643 – APPENDIX A – CONDITIONS OF APPROVAL

APPENDIX A - CONDITIONS OF Preliminary APPROVAL

DEVELOPMENT APPROVAL DETAILS

Type of Approval Issued

Preliminary Approval to Reconfigure a Lot

Relevant Period

The relevant period of this Development Permit is 4 years from the date that this Development Permit takes effect.

APPROVED PLANS

Nil

REFERRAL AGENCIES

Not applicable

FURTHER DEVELOPMENT PERMITS REQUIRED

Reconfiguration of a Lot

APPLICABLE CODES FOR SELF ASSESSABLE DEVELOPMENT

Not Applicable

ASSESSMENT MANAGER CONDITIONS

This development approval is subject to compliance with the following assessment manager conditions:

PLANNING

1. Submit an amended plan for reconfiguration of a lot, generally in accordance with Drawing Number 7417 – PRO-10 Rev C drawn by Definium dated 10 March 2008, showing the following:
 - (a) A 10 metre buffer inside the property boundary from Coonowrin Road
 - (b) A 5 metre buffer inside the property boundary from Fullertons Road
 - (c) All lots having a minimum lot size of 650 m²
 - (d) A park area of 3,730 m² in a similar location to that shown on the above plan
 - (e) a suitable Drainage Reserve to service the development

Any such plan is to be generally consistent with the Caloundra City Plan codes and policies.

REFERRAL AGENCY CONDITIONS

Not applicable

PROPERTY RECORD NOTATIONS

Not Applicable

ADVISORY NOTES

These Advisory Notes do not form part of this approval or the conditions attached thereto. The following Advisory Notes are intended to provide guidance to the applicant where necessary and inform the applicant of actions that Council may take with respect to the development site or the approval:

Environmental Harm

1. The *Environmental Protection Act 1994* states that a person must not carry out any activity that causes, or is likely to cause, environmental harm unless the person takes all reasonable and practicable measures to prevent or minimise the harm. Environmental harm includes environmental nuisance. In this regard persons and entities, involved in the civil, earthworks and construction phases of this development, are to adhere to their 'general environmental duty' to minimise the risk of causing environmental harm.

Environmental harm is defined by the Act as any adverse affect, or potential adverse affect whether temporary or permanent and of whatever magnitude, duration or frequency on an environmental value and includes environmental nuisance. Therefore, no person should cause any interference with the environment or amenity of the area by reason of the emission of noise, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit, sediment, oil or otherwise, or cause hazards likely in the opinion of the administering authority to cause undue disturbance or annoyance to persons or affect property not connected with the use.

Aboriginal Cultural Heritage Act 2003

2. There may be a requirement to establish a Cultural Heritage Management Plan and/or obtain approvals pursuant to the *Aboriginal Cultural Heritage Act 2003*.

The ACH Act establishes a cultural heritage duty of care which provides that: "A person who carries out an activity must take all reasonable and practicable measures to ensure the activity does not harm Aboriginal cultural heritage." It is an offence to fail to comply with the duty of care. Substantial monetary penalties may apply to individuals or corporations breaching this duty of care. Injunctions may also be issued by the Land and Resources Tribunal, and the Minister administering the Act can also issue stop orders for an activity that is harming or is likely to harm Aboriginal cultural heritage or the cultural heritage value of Aboriginal cultural heritage.

You should contact the Cultural Heritage Co-ordination Unit on 07 3238 3838 to discuss any obligations under the *ACH Act*.

**(SPC) ITEM 4.1.7 UPCOMING SIGNIFICANT DEVELOPMENT APPLICATIONS –
APPENDIX A – LIST UPCOMING SIGNIFICANT DEVELOPMENT
APPLICATIONS**

<http://www.sunshinecoast.qld.gov.au/addfiles/agendaAttachments/SPC201010/Attach17.pdf>
