

Sunshine Coast Council

MINUTES

ORDINARY MEETING

31 January 2012

Nambour Council Chambers, corner Currie and Bury Streets, Nambour

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Please Note: The resolutions as shown in *italics* throughout these minutes are the resolutions carried by the Council.

1 DECLARATION OF OPENING

The Chair declared the meeting open at 9.30am.

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

Councillor R Abbot	Mayor (Chair)
Councillor A Grosskreutz	Division 1
Councillor T Dwyer	Division 2
Councillor K Jones	Division 3
Councillor J McKay	Division 5
Councillor C Dickson	Division 6
Councillor E Hungerford	Division 7
Councillor D Blumel	Division 8
Councillor V Griffin	Division 9
Councillor P Tatton	Division 10
Councillor R Green	Division 11
Councillor L Brennan	Division 12

EXECUTIVE LEADERSHIP TEAM

Chief Executive Officer
Executive Director Finance and Business
Executive Director Infrastructure Services
Executive Director Community Services
Executive Director Regional Strategy and Planning

APOLOGIES

Councillor C Thompson Division 4

COUNCIL OFFICERS

Project Director Partnerships and Engagement
Tourism, Events and Reporting Manager

ATTENDEES

Urban Land Development Authority, Alex Plusnin
Urban Land Development Authority, Morgana Prior
Ranbury Consulting, Greg Chemello

3 RECEIPT AND CONFIRMATION OF MINUTES**3.1 CONFIRMATION OF MINUTES****3.1.1 ORDINARY MEETING HELD ON 7 DECEMBER 2011****Council Resolution** (OM12/01)

Moved: Councillor J McKay
Seconded: Councillor E Hungerford

That the minutes of the Ordinary Meeting held on 7 December 2011 be received and amended noting that Councillor E Hungerford voted against both Performance & Service and Strategy & Planning Committee recommendations and the minutes be amended accordingly.

Carried unanimously.

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

Pursuant to Section 172 (3) 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*, no declarations of conflict of interest were made during this meeting.

5 MAYORAL MINUTE

Nil.

6 PRESENTATIONS**6.1 PRESENTATION – URBAN LAND DEVELOPMENT AUTHORITY - MY PLACE PROGRAM****Council Resolution** (OM12/02)

Moved: Councillor A Grosskreutz
Seconded: Councillor E Hungerford

That Council note the presentation by the Urban Land Development Authority – My Place Program.

Carried unanimously.

6.2 PRESENTATION – "EXTENSION OF GLENFIELDS BOULEVARD 2007/2009/2011 SURVEY REPORT, PRODUCED BY NEIL WHITEMAN"**Council Resolution** (OM12/03)

Moved: Councillor C Dickson
Seconded: Councillor T Dwyer

That Council receive with gratitude a copy of "Extension of Glenfields Boulevard Survey Report", produced by Neil Whiteman and forward to the Chief Executive Officer for appropriate action.

Carried unanimously.

7 REPORTS DIRECT TO COUNCIL**PROCEDURAL MOTION**

Moved: Councillor R Abbot
Seconded: Councillor V Griffin

That Council allow an introduction of a new confidential item of business into the Agenda for the Ordinary Meeting held on 31 January 2012, namely "Confidential – Not for Public Release – Quad Park Corporation Constitution and Governance".

Carried unanimously.

**8 PERFORMANCE AND SERVICE COMMITTEE
RECOMMENDATIONS**

(PSC) ITEM 4.1.1 DECEMBER 2011 FINANCIAL PERFORMANCE REPORT**Council Resolution** (OM12/04)

That Council:

- (a) *receive and note the report titled "December 2011 Financial Performance Report";*
- (b) *approve the minor budget reallocations for both operating and capital outlines in December 2011 Financial Performance report (Appendix A as amended); and*
- (c) *approve the write off of debtor's account 12306.*

(PSC) ITEM 4.1.2 INVESTMENT PERFORMANCE 31 DECEMBER 2011**Council Resolution** (OM12/05)

That Council receive and note the report entitled "Investment Performance 31 December 2011".

(PSC) ITEM 4.1.3 ANNUAL RESOLUTION TO AUTHORISE COUNCILLOR PAYMENTS**Council Resolution** (OM12/06)

That Council:

- (a) *receive and note the report titled "Annual Resolution to Authorise Councillor Payments";*
- (b) *in accordance with section 42 of the Local Government (Operations) Regulation 2010:*
 - (i) *consider the remuneration schedule for Councillors as set by the State Government appointed Local Government Remuneration and Discipline Tribunal for a Category 8 Council and that, accordingly, the following payments be authorised in accordance with the determination in the remuneration schedule set by the Tribunal:*
 - (1) *the Mayor be remunerated at 140% of the salary payable to a Member of the Queensland Legislative Assembly;*

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- (2) *the Deputy Mayor be remunerated at 97% of the salary payable to a Member of the Queensland Legislative Assembly;*
 - (3) *each Councillor be remunerated at 85% of the salary payable to a Member of the Queensland Legislative Assembly; and*
 - (ii) *note that the amalgamation loading is payable to the Mayor, Deputy Mayor and each Councillor from 1 January 2012 until the conclusion of the 2012 Local Government elections;*
 - (iii) *note that the purpose of the remuneration is to cover:*
 - (1) *the cost of attendance (excluding expenses) at Council Business (as defined in the Guidelines of Council's Reimbursement of Expenses and Provision of Facilities for Mayor and Councillors); and*
 - (2) *the cost of attendance and expenses at any non-Council Business as part of the role of Councillor; and*
 - (iv) *note the remuneration be payable per annum in accordance with the remuneration schedule from 1 January 2012; and*
 - (c) *in accordance with section 226 of the Local Government Act 2009, authorise the payment of superannuation contributions for Councillors of up to 12% on the condition that Councillors:*
 - (i) *contribute 50% of the payment amount, as nominated above, from their salaries, that is, Councillors will contribute up to 6% of their salary and Council will contribute up to 12% to a nominated superannuation fund;*
 - (ii) *make contributions through a salary sacrifice arrangement under section 226 of the Local Government Act 2009 by way of formal request to Council; and*
 - (iii) *nominate the preferred superannuation fund and, where no nomination has occurred, the superannuation payments be made to LG Super.*

(PSC) ITEM 4.2.1 SUNSHINE COAST COUNCIL ALTERNATIVE WASTE TECHNOLOGY OPTIONS REVIEW**Council Resolution** (OM12/07)**Moved:** Councillor K Jones**Seconded:** Councillor V Griffin*That Council:*

- (a) *receive and note the report titled "Sunshine Coast Alternative Waste Technology Options Review"; and*
- (b) *request the Chief Executive Officer to establish an Alternative Waste Treatment Working Group, comprising of Councillors Jones, Brennan, Blumel, Green, Dwyer and Dickson (current councillor portfolios of Environment, Economic Development & Entrepreneurship, Major Projects, Statutory and Regional Planning, Corporate Planning and Performance and Community Engagement and Governance) to 28 April 2012, with the Mayor as ex-officio member and relevant staff from across Council departments to:*
 - (i) *review the Alternative Waste Treatment scenarios examined in this report;*
 - (ii) *develop a short list of preferred Alternative Waste Treatment technology and collection configuration scenarios;*
 - (iii) *prepare a business case and implementation plan that compares the short listed preferred scenarios and provides a whole of life financial evaluation and triple bottom line assessment to be used for Council decision making; and*
 - (iv) *report back to Council by July 2012 to allow a decision to be made on the preferred Alternative Waste Treatment model and bin collection configuration.*

For: Councillor A Grosskreutz; Councillor D Blumel; Councillor J McKay; Councillor P Tatton; Councillor C Dickson; Councillor K Jones; Councillor T Dwyer; Councillor V Griffin; Councillor L Brennan; Councillor R Green and Councillor R Abbot.

Against: Councillor E Hungerford.

Carried.

(PSC) ITEM 4.2.2 SHEPPERSONS LANE CONSTRUCTION**Motion**

Moved: Councillor L Brennan
Seconded: Councillor T Dwyer

That Council:

- (a) receive and note the report titled "Sheppersons Lane Construction"; and
- (b) subject to council approving the forthcoming quarry management plan, and confirmation of the quarry operations commencement date, accept the offer from Neilsen's Quality Gravels Pty Ltd (Appendix A) to contribute towards the construction of Sheppersons Lane Kin Kin; and
- (c) consider the approval of the sum of \$500,000 as part of the 2012/2013 Transportation Capital Program in the Gravel Roads sub-program as Councils contribution toward the works.

AMENDMENT

Moved: Councillor J McKay
Seconded: Councillor P Tatton

That Council:

- (a) receive and note the report titled "Sheppersons Lane Construction"; and
- (b) defer this matter until the approvals are in place for the environmental management plan.

For: Councillor A Grosskreutz; Councillor D Blumel; Councillor J McKay and Councillor P Tatton.

Against: Councillor C Dickson; Councillor K Jones; Councillor T Dwyer; Councillor V Griffin; Councillor E Hungerford; Councillor L Brennan; Councillor R Green and Councillor R Abbot.

Lost.

AMENDMENT

Moved: Councillor D Blumel
Seconded: Councillor J McKay

That Council:

- (a) receive and note the report titled "Sheppersons Lane Construction"; and
- (b) subject to council approving the forthcoming quarry management plan and confirmation of the quarry operations commencement date that Council consider the approval of the sum of \$500,000 as part of the 2012/2013 Transportation Capital Program as Councils contribution toward the works.

For: Councillor D Blumel and Councillor R Abbot.

Against: Councillor A Grosskreutz; Councillor J McKay; Councillor P Tatton; Councillor C Dickson; Councillor K Jones; Councillor T Dwyer; Councillor V Griffin; Councillor E Hungerford; Councillor L Brennan and Councillor R Green.

Lost.

AMENDMENT

Council Resolution (OM12/08)

Moved: Councillor R Abbot
Seconded: Councillor D Blumel

That Council:

- (a) *receive and note the report titled "Sheppersons Lane Construction"; and*
- (b) *request the Chief Executive Officer to notify Neilsen's of Council's conditional acceptance of their offer subject to:*
 - (i) *Council approving the forthcoming revised quarry management plan;*
 - (ii) *confirmation of the quarry operations commencement date;*
 - (iii) *Council's consideration and inclusion of the sum of \$500,000 as part of the 2012/2013 budget, as its contribution to the road upgrade project.*

For: Councillor A Grosskreutz; Councillor D Blumel; Councillor P Tatton; Councillor C Dickson; Councillor K Jones; Councillor T Dwyer; Councillor V Griffin; Councillor E Hungerford; Councillor L Brennan; Councillor R Green and Councillor R Abbot.

Against: Councillor J McKay.

Carried.

The amendment became the motion and was put.

For: Councillor A Grosskreutz; Councillor D Blumel; Councillor P Tatton; Councillor C Dickson; Councillor K Jones; Councillor T Dwyer; Councillor V Griffin; Councillor E Hungerford; Councillor L Brennan; Councillor R Green and Councillor R Abbot.

Against: Councillor J McKay.

Carried.

Councillor L Brennan raised a point of order in relation to Councillor D Blumel speaking to the motion. The Chair upheld the point of order.

(PSC) ITEM 4.3.1 MERIDAN FIELDS SPORTS GROUNDS REVISED MASTER PLAN**Council Resolution** (OM12/09)

That Council:

- (a) *receive and note the report titled "Meridan Fields Sports Grounds Revised Master Plan";*
 - (b) *adopt the Meridan Fields Sports Grounds Revised Master Plan (Appendix A) and implement future stages of development for the Meridan Fields Sports Ground in accordance with the revised master plan, subsequent development priorities as outlined within this report and councils annual budget process including ten year capital works program;*
 - (c) *inform Energex that council is seeking an alternative high voltage powerline alignment which does not impact the Meridan Fields Sports Grounds site; and*
 - (d) *confirm that the revised master plan and prioritised staged implementation can be utilised to guide the relevant sporting groups in co-ordinating management agreements with council and in seeking external funding opportunities to supplement council's capital costs.*
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(PSC) ITEM 4.4.1 STATE EMERGENCY SERVICE OPERATIONS ON THE SUNSHINE COAST IN 2011**Council Resolution** (OM12/10)

Moved: Councillor T Dwyer
Seconded: Councillor J McKay

That Council:

- (a) *receive and note the report titled 'State Emergency Service Operations on the Sunshine Coast in 2011';*
- (b) *formally acknowledge and thank the Sunshine Coast SES volunteers for their hard work and ongoing contribution and dedication to the community in 2011;*
- (c) *agree in principle to sign off the Memorandum of Agreement (Appendix A) between the Department of Community Safety and the Sunshine Coast Council which sets out the responsibilities of both the State and Council regarding the management of the SES based on the requirements of both parties under the Disaster Management Act 2003;*
- (d) *delegate authority to the Chief Executive Officer to negotiate and finalise the contents of Schedule A (Appendix B) of the Memorandum of Agreement with the Department of Community Safety by 30 June 2012, noting that there is no requirement for any increase in operational resourcing above current levels; and*
- (e) *request the Chief Executive Officer to report to the council post March 2012 on the outcome of the Memorandum of Agreement and the obligations and responsibilities of the parties and for council to formally endorse the Memorandum of Agreement.*

Carried unanimously.

(PSC) ITEM 5.1.1 CONFIDENTIAL - NOT FOR PUBLIC RELEASE – THREE-YEAR FUNDING AND PERFORMANCE DEED WITH SUNSHINE COAST DESTINATION LIMITED

Council Resolution (OM12/11)

Moved: Councillor V Griffin

Seconded: Councillor T Dwyer

That Council delegate authority to the Chief Executive Officer to finalise and execute the Funding and Performance Deed, as amended, with Sunshine Coast Destination Limited.

Carried unanimously.

Due to his association with Sunshine Coast Destination Limited, the Executive Director Finance and Business left the room for the duration of this item.

**(PSC) ITEM 5.1.2 CONFIDENTIAL - NOT FOR PUBLIC RELEASE -
FEASIBILITY STUDY INTO A SUNSHINE COAST ENTERTAINMENT AND
CONVENTION AND EXHIBITION CENTRE**

Council Resolution (OM12/12)

Moved: Councillor D Blumel

Seconded: Councillor R Abbot

That Council note the gazettal of the Horton Park Golf Club acquisition by Council and make available the Feasibility Study reports associated with the Sunshine Coast Entertainment, Convention and Exhibition Centre.

Carried unanimously.

Council Resolution (OM12/13)

Moved: Councillor V Griffin

Seconded: Councillor L Brennan

That Council:

- (a) *agree, subject to Governor in Council's gazettal of the acquisition of the Horton Park Golf Club, to make publicly available the Feasibility Study into a Sunshine Coast Entertainment, Convention and Exhibition Centre Report and the following appendices:*
- (i) *Sunshine Coast Entertainment, Convention and Exhibition Centre Feasibility Report October 2011 (Ranbury) Appendix A;*
 - (ii) *Sunshine Coast Entertainment, Convention and Exhibition Centre Implementation Strategy October 2011 (Ranbury) Appendix B;*
 - (iii) *Sunshine Coast Entertainment, Convention and Exhibition Centre and surrounding Precinct Design Report (Ranbury) Appendix C;*
- (b) *request the Chief Executive Officer to prepare for consideration by council prior to 31 March 2013 a funding and delivery strategy for major region building projects across the region which includes the Sunshine Coast Entertainment, Convention and Exhibition Centre, taking account of:*
- (i) *council's long term financial plan;*
 - (ii) *the need for organisational changes to deliver the strategy;*
 - (iii) *the likelihood, opportunity and timing of securing funds from other levels of government and/or the private sector and methods for building stronger intergovernmental relationships;*
 - (iv) *the level of business and community support for such projects and methods for building unified support for such projects;*

- (v) *the optimal timing for the delivery of the projects taking into consideration the relative contribution to the economic, social and environmental future of the Sunshine Coast; and*
- (vi) *refer consideration of funds for (b) above to the 2012/2013 budget process.*

Carried unanimously.

Councillor T Dwyer declared that he is a Director on the Board of the Sunshine Coast Events Centre.

PERFORMANCE AND SERVICE COMMITTEE

Council Resolution

Moved: Councillor P Tatton
Seconded: Councillor C Dickson

That Council adopt the recommendations of the Performance and Service Committee Meeting of 24 January 2012, 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 RETIREMENT VILLAGE & COMMUNITY FACILITIES, 336 OLD BRUCE HIGHWAY TANAWHA**Council Resolution** (OM12/14)**Moved: Councillor V Griffin****Seconded: Councillor R Green***That Council:*

(a) *issue a PRELIMINARY APPROVAL in respect of Application No. MCU08/0059 for a Material Change of Use for a Retirement Village & Community Facilities located at 336 Old Bruce Highway Tanawha, in accordance with Appendix A as amended, namely;*

(i) *Add new condition 37 to Appendix A.*

ENERGY EFFICIENCY

37. *at the time of seeking Development Permit for the Material Change of Use, provide details of energy efficiency initiatives proposed to be implemented in the development. Such initiatives must include, but not be limited to, the following:*

(a) *a solar hot water system for the Community Centre and each unit installed to achieve optimum performance in accordance with the manufacturer's recommendations.*

(b) *a solar power system on the Community Centre and each unit that is maintained for the life of the development.*

(c) *a solar recharging system for mobility scooters located at the community centre that is maintained for the life of the development.*

(d) *where air-conditioning units are proposed to be installed within the development demonstrate that they will meet a minimum 3.4 star energy efficiency rating (or equivalent national energy efficiency standard) for both heating and cooling; and*

(b) *find the following are sufficient planning grounds to justify the decision despite the conflict with the Planning Scheme:*

(i) *the proposed land use can be integrated with the existing natural character of the locality and not detrimentally impact upon nearby residential uses, existing traffic and access arrangements or amenity;*

(ii) *design parameters can be provided to ensure the proposed use will not impact upon environmental values associated with the site;*

- (iii) *a Flood Management Report and Integrated Water Management Plan can be provided with further development permit applications;*
- (iv) *the site has access to all necessary infrastructure and there is existing network capacity for the proposal;*
- (v) *the land use can incorporate on-site community facilities and provide for private transport services sufficient to off-set the distance to the nearest town centre (Sippy Downs);*
- (vi) *there is sufficient community, planning and economic need for the proposed facility in the proposed location and the facility will provide a community benefit in addressing that need; and*
- (vii) *the proposed land use does not present serious conflict with the Strategic Plan when considered in the context of the Planning Scheme as a whole.*

Carried unanimously.

(SPC) ITEM 4.1.2 DEVELOPMENT APPLICATION FOR MATERIAL CHANGE OF USE FOR AN ENVIRONMENTALLY ASSESSABLE INDUSTRY (ASPHALT BATCHING PLANT) AT 66-110 COONEY ROAD, BLI BLI

Council Resolution (OM12/15)

That Council APPROVE WITH CONDITIONS Application MCU10/2096 by Downer Edi Works Pty Ltd and grant a Development Permit for Material Change of Use for an Environmentally Assessable Industry (Asphalt Batching Plant) at 66-110 Cooney Road, Bli Bli, described as Lot 4 SP 193049, subject to the conditions of approval as outlined in Appendix A.

(SPC) ITEM 4.1.3 DEVELOPMENT APPLICATION FOR A PRELIMINARY APPROVAL FOR A MATERIAL CHANGE OF USE OF PREMISES – EXTENSIONS TO AN EDUCATIONAL ESTABLISHMENT AT 372 MONS RD, FOREST GLEN

Council Resolution (OM12/16)

That Council APPROVE WITH CONDITIONS Application MCU07/0031 by Sunshine Coast Grammar School, Forest Glen and grant a Preliminary Approval Overriding the Planning Scheme for a Material Change of Use of Premises – Extensions to Educational Establishment, described as Lot 16 SP 169831 and Lot 1 SP 169832, subject to the conditions of approval as outlined in Appendix A.

(SPC) ITEM 4.2.1 SUNSHINE COAST RECREATION TRAIL PLAN 2012

Council Resolution (OM12/17)

That Council:

- (a) receive and note the report titled 'Sunshine Coast Recreation Trail Plan 2012';*
 - (b) endorse the Sunshine Coast Recreation Trail Plan 2012 (Appendix A as amended) to guide Council and the community in trail planning, management and decision making, including the Capital Works Program subject to consideration in annual budget processes; and*
 - (c) authorise the Chief Executive Officer to finalise the mapping to clearly indicate those trails that are at planning stage (indicative only) to enable further planning to proceed.*
-

**(SPC) ITEM 5.1.1 CONFIDENTIAL – NOT FOR PUBLIC RELEASE -
TEMPORARY LOCAL PLANNING INSTRUMENT FOR VEGETATION
PROTECTION**

Council Resolution (OM12/18)

That Council:

- (a) *resolve, in accordance with Statutory Guideline 02/09 - Making and amending local planning instruments, to forward a copy of the Temporary Local Planning Instrument No. 1 (Protected Vegetation Overlay) 2012 to the Minister for consideration and request the Minister's permission to adopt the proposed Temporary Local Planning Instrument; and*
- (b) *subject to receiving permission from the Minister to adopt the proposed Temporary Local Planning Instrument, delegate authority to the Chief Executive Officer to, in accordance with the Statutory Guideline 02/09 - Making and amending local planning instruments:*
 - (i) *adopt the proposed Temporary Local Planning Instrument with or without conditions as determined by the Minister;*
 - (ii) *undertake public notification of the adoption of the proposed Temporary Local Planning Instrument;*
 - (iii) *undertake all actions for the making and implementation of the Temporary Local Planning Instrument including where necessary interpretive statements in council documents; and*
- (c) *request the Chief Executive Officer and the Mayor to meet with the Minister to outline the benefits and disbenefits of using only the planning system for vegetation protection, the increased complexity caused by it and the desirability of continuing with vegetation protection through the Local Law process to be consistent with the governments stated policy to reduce red tape.*

**(SPC) ITEM 5.1.2 CONFIDENTIAL – NOT FOR PUBLIC RELEASE –
PALMVIEW STRUCTURE PLAN AND ASSOCIATED MATTERS**

Council Resolution (OM12/19)

That Council delegate approval to the Chief Executive Officer to proceed in accordance with discussions held in confidential session.

**(SPC) ITEM 5.1.3 CONFIDENTIAL – NOT FOR PUBLIC RELEASE – UPDATE
– STRATEGIC OPERATIONS**

Council Resolution (OM12/20)

That Council note the discussions held in confidential session.

STRATEGY AND PLANNING COMMITTEE

Council Resolution

Moved: Councillor L Brennan
Seconded: Councillor V Griffin

That Council adopt the recommendations of the Strategy and Planning Committee Meeting of 25 January 2012, except where dealt with separately by Council.

Carried unanimously.

10 NOTIFIED MOTIONS**10.1 NOTICE OF MOTION****10.1.1 NOTICE OF MOTION – KAWANA PARK EAGLES JUNIOR AUSTRALIAN FOOTBALL CLUB FUNDING**

File No: ECM 31 January 2012
Author: Division 3 Councillor, Keryn Jones
Notices of Motion

Council Resolution (OM12/21)

Moved: Councillor K Jones
Seconded: Councillor C Dickson

That Council:

- (a) *receive and note the request from Kawana Park Eagles Junior Australian Football Club Inc for funding assistance to enable completion of the player amenity building at the club grounds located at Kawana State College”;*
- (b) *endorse a contribution of \$20,000 towards the amenities building being built at the Kawana State College conditional upon:*
 - (i) *written agreement by Education Queensland (through Kawana Waters State College), that the two existing Memorandums of Understandings (with Quad Park Corporation and Education Queensland), will also extend to the new amenities building, and*
 - (ii) *Kawana Park Eagles Junior Australian Football Club Inc acknowledging council support in all press releases and promotional material associated with the amenities building;*
- (c) *request the Chief Executive Officer allow the required funding to come from the Division 3 Councillor Emergent Capital Works and Minor Operational Works allocation (\$10,000) and the Division 6 Emergent Capital Works and Minor Operational Works allocation (\$10,000); and*
- (d) *request the Chief Executive Officer to write to Education Queensland (through Kawana Waters State College), Kawana Park Eagles Junior Australian Football Club Inc and Quad Park Corporation Pty Ltd outlining the recommendations in (b) and (c) above.*

Carried unanimously.

10.1.2 NOTICE OF MOTION - SUNCOAST JUNIOR MOTORCROSS CLUB

File No: ECM 31 January 2012
Author: Division 9 Councillor, Vivien Griffin
Notices of Motion

Council Resolution (OM12/22)

Moved: Councillor V Griffin
Seconded: Councillor T Dwyer

That Council:

- (a) *request the Chief Executive Officer when finalising the Master Plan for Sustainability Park that positive consideration be given to the inclusion of an area for the relocation of the Suncoast Junior Motocross club;*
- (b) *if the potential to relocate the Suncoast Junior Motor Cycle Club to the Sustainability Park is deemed unavailable due to the preferred use of the site for waste facility and Industrial uses, then the Chief Executive Officer be delegated to negotiate with the State Government and Forestry Plantations Queensland to identify an appropriate site for the relocation of the Suncoast Junior Motocross club prior to the end of the existing lease in 2013; and*
- (c) *with regard to the future location of the Sunshine Coast Model Flyers Inc, the Chief Executive Officer be delegated to enter into negotiation to lease a portion of the Council's West Coolum land referred to as Lot 2 and 3 RP 48478 South Coolum Road to the Model Flyers subject to obtaining the appropriate aeronautical approvals from Air Service Australia, Sunshine Coast Airport, Civil Aviation and Safety Authority and nominated stakeholders and subject to a further report being provided to Council before finalisation of any such lease.*

Carried unanimously.

Councillor V Griffin declared her interest as patron of Sunshine Coast Model Flyers Inc and remained in the meeting for the duration of debate and vote on this item.

10.2 FORESHADOWED NOTICE OF MOTION

Nil.

11 TABLING OF PETITIONS**11.1 PETITION – REQUEST FOR ROAD TO BE SEALED - KANES ROAD, BRIDGES****Council Resolution** (OM12/23)

Moved: Councillor P Tatton
Seconded: Councillor J McKay

That Council receive the petition tabled by Councillor P Tatton in relation to a request from local residents for Council to seal Kanes Road, be received and referred to the Chief Executive Officer to determine appropriate action.

Carried unanimously.

11.2 PETITION – DEMOLITION OF TOILET BLOCK, COOLUM CARAVAN PARK**Council Resolution** (OM12/24)

Moved: Councillor V Griffin
Seconded: Councillor K Jones

That Council receive the petition tabled by Councillor V Griffin in relation to a request from local residents against the demolition of the toilet block in the caravan park, be received and referred to the Chief Executive Officer to determine appropriate action.

Carried unanimously.

12 CONFIDENTIAL SESSION**CLOSURE OF THE MEETING TO THE PUBLIC**

Moved: Councillor T Dwyer
Seconded: Councillor R Green

That the meeting be closed to the public pursuant to section 72 (1) (h) of the Local Government (Operations) Regulation 2010 to consider the following items:

12.1.1 Confidential – Not for Public Release – Quad Park Corporation Constitution and Governance

Carried unanimously.

RE-OPENING OF THE MEETING TO THE PUBLIC

Moved: Councillor V Griffin
Seconded: Councillor L Brennan

That the meeting be re-opened to the public.

Carried unanimously.

12.1 FINANCE AND BUSINESS**12.1.1 CONFIDENTIAL – NOT FOR PUBLIC RELEASE – QUAD PARK CORPORATION CONSTITUTION AND GOVERNANCE**

File No: ECM 31 January 2012
Author: Executive Director Finance & Business
Finance and Business

Council Resolution (OM12/25)

Moved: Councillor V Griffin
Seconded: Councillor L Brennan

That Council delegate to the Chief Executive Officer, in accordance with discussions held in confidential session, changes relating to Quad Park Corporation.

Carried unanimously.

13 NEXT MEETING

The next Ordinary Meeting will be held on Wednesday 22 February 2012 in the Tewantin Council Chambers, 9 Pelican Street, Tewantin.

14 MEETING CLOSURE

The meeting closed at 2:54pm.

Confirmed this 22nd day of February 2012.



CHAIR

15 APPENDICES**15.1 PERFORMANCE AND SERVICE DELIVERY COMMITTEE**

(PSC) ITEM 4.1.1 DECEMBER 2011 FINANCIAL PERFORMANCE REPORT – APPENDIX A – PERFORMANCE REPORT - AMENDED

(PSC) ITEM 4.2.2 SHEPPERSONS LANE CONSTRUCTION – APPENDIX A – LETTER NEILSEN GROUP

(PSC) ITEM 4.3.1 MERIDAN FIELDS SPORTS GROUNDS REVISED MASTER PLAN – APPENDIX A – MASTER PLAN

(PSC) ITEM 4.4.1 STATE EMERGENCY SERVICE OPERATIONS ON THE SUNSHINE COAST IN 2011 – APPENDIX A – MEMORANDUM OF AGREEMENT

(PSC) ITEM 4.4.1 STATE EMERGENCY SERVICE OPERATIONS ON THE SUNSHINE COAST IN 2011 – APPENDIX B – SCHEDULE A

(PSC) ITEM 5.1.2 CONFIDENTIAL - NOT FOR PUBLIC RELEASE – FEASIBILITY STUDY INTO A SUNSHINE COAST ENTERTAINMENT AND CONVENTION AND EXHIBITION CENTRE – APPENDIX A

(PSC) ITEM 5.1.2 CONFIDENTIAL - NOT FOR PUBLIC RELEASE – FEASIBILITY STUDY INTO A SUNSHINE COAST ENTERTAINMENT AND CONVENTION AND EXHIBITION CENTRE – APPENDIX B

(PSC) ITEM 5.1.2 CONFIDENTIAL - NOT FOR PUBLIC RELEASE – FEASIBILITY STUDY INTO A SUNSHINE COAST ENTERTAINMENT AND CONVENTION AND EXHIBITION CENTRE – APPENDIX C PART 1

(PSC) ITEM 5.1.2 CONFIDENTIAL - NOT FOR PUBLIC RELEASE – FEASIBILITY STUDY INTO A SUNSHINE COAST ENTERTAINMENT AND CONVENTION AND EXHIBITION CENTRE – APPENDIX C PART 2

15.2 STRATEGY AND PLANNING COMMITTEE

(SPC) ITEM 4.1.1 DEVELOPMENT APPLICATION FOR MATERIAL CHANGE OF USE RETIREMENT VILLAGE & COMMUNITY FACILITIES, 336 OLD BRUCE HIGHWAY TANAWHA - APPENDIX A - CONDITIONS OF APPROVAL

1. APPLICATION DETAILS

Application No:	MCU08/0059
Street Address:	336 Old Bruce Highway Tanawha
Real Property Description:	Lot 5 RP 183544
Planning Scheme:	Maroochy Plan 2000 (21 April 2008)

2. DECISION DETAILS

The following type of approval has been issued:
Preliminary Approval for Material Change of Use (Retirement Village)

This approval does not authorise development to occur. A Development Permit must be obtained prior to the issue of any subsequent approvals.

3. RELEVANT PERIOD OF APPROVAL

The relevant period for this development approval is 4 years starting the day that this development approval takes effect.

This Preliminary Approval lapses if the whole of the approved use has not happened within 6 years of the date that the approval takes effect

4. ASSESSMENT MANAGER CONDITIONS

PLANNING

General

1. The applicant must comply with all of the conditions of this Preliminary Approval unless otherwise stated.

Site layout/Development footprint

2. The maximum height of 2 storey buildings is limited to 8.5m from natural ground level.
3. Building setbacks from vegetation on the site should be 1.5 x the tree height, or as otherwise approved by Council under a further development permit.
4. The overall development footprint should be generally about 40%, subject to further assessment after flood management issues are resolved to the satisfaction of Council and within other development parameters as conditioned herein.

5. Proposed buildings or units shall be clustered in groups with open space and passive recreational areas provided between buildings.
6. A mix of single and two storey units or buildings should be provided, with a maximum of 50% for two storey dwelling units.
7. The predominant built form closest to the Tanawha Tourist Drive/Old Bruce Highway frontage shall consist of single storey dwellings.
8. The entrance to the development must be located generally at the mid point of the frontage to Tanawha Road. Access to the development from Tanawha Tourist Drive is not permitted.
9. The internal roadway may cross the waterway/dam located at the eastern part of the site. The roadway may only cross the waterway once.

Village Community Centre and Bus Services

10. A community centre/facilities area is to be provided generally at the entrance of the development, and may be provided in conjunction with administration offices or a manager's residence. Detailed plans must be provided demonstrating the available use areas and types of facilities within the community centre building. At a minimum, the centre should provide an active recreational space (such as a pool or bowling green) as well as BBQ and/or kitchen facilities, covered passive recreational or meeting areas outside, a large internal meeting area or hall, and at least two smaller rooms suitable for use as consulting rooms by visiting health providers or for smaller craft or resident's groups.
11. The development must be provided with a courtesy bus service, which is to be maintained for the benefit of all occupants and staff of the development. The bus service must provide regular services (at least daily) to higher order shopping and medical facilities, including at least to Nambour and Sippy Downs town centres, and at least bi-weekly services to additional centres such as Maroochydore or Caloundra. The bus services should also provide direct transport to the nearest Council library on at least a weekly basis.
12. At the time of seeking a Development Permit, the applicant must provide details pertaining to the level of services provided in the community centre and the proposed operation of the village shuttle bus (including an on site parking space for the bus), by way of a Village Management Plan or similar document. This document must be sufficiently detailed to be able to be provided to any resident or potential resident of the development. Further details as to the expected level of information to be provided is contained within the advice notes to this approval.
13. This Management Plan or similar document must demonstrate that sufficient access to social, retail, commercial and medical services or facilities can be provided to satisfy the intent of the relevant planning scheme and policies of Council, at the time of the Development Permit being sought.

Buffer Vegetation

14. The development must provide a minimum 10m wide vegetated screen buffer along all road frontages. The buffer is to be provided wholly within the boundaries of the site and does not include vegetation located within the road reserves. No buildings, courtyards/private open space, fences, internal roads or infrastructure of any kind is to be located within the 10m buffer.
15. The 10m wide vegetated buffer referred to above must comprise of all the existing native species and other appropriate species at a planting density to provide an effective screen buffer to the development.

Protection and Rehabilitation of Waterways

16. The waterways and riparian vegetation on the site must be retained and enhanced in accordance with Planning Scheme Policy No. 3 - Rehabilitation Plans.
17. Any modifications to the existing streams must be designed to comply with the BCC Natural Channel Design Guidelines such that they create a natural looking and functioning waterway.
18. All development, including the provision of services and infrastructure, must remain clear of the waterways and achieve setbacks as per the Code for Waterways and Wetlands (being 25m setback from the top of bank for the order 3 stream and 10m setback from top of bank for the order 1 stream).
19. The provision of walking tracks and seating are permitted within the areas surrounding the site's waterways, provided such facilities do not compromise the protection of vegetation and do not take up more than 5% of the dry area.

Tree Fall Management Plan

20. At the time of seeking a development permit for the Material Change of Use, a Tree Fall Management Plan must be provided indicating how the safety of dwelling occupants will be maintained over time. The Plan must demonstrate the required setback of buildings from the Regional Ecosystem vegetation located in the south-east corner of the site, which is to be at least 1.5 times the height of the vegetation, or another distance approved by Council.

Ecological Assessment

21. At the time of seeking a development permit for the Material Change of Use, provide an updated Ecological Assessment of the existing waterways and vegetation on the site as described in Appendix A and C of Planning Scheme Policy No. 2 – Flora and Fauna Assessment. The report must determine the potential impacts resulting from the proposed site works and be consistent with the findings of the required flood study.

Vegetation Covenant

22. A vegetation covenant must be established over the existing vegetation and required buffer vegetation, and must include the following areas:
 - (a) the revegetation in the south-eastern part of the site, in accordance with the requirements of the Department of Environment and Resource Management;
 - (b) the waterways and their setbacks of 25m and 10m; and
 - (c) the 10m wide vegetated buffer required to the road frontages of the site.

Acoustics

23. At the time of seeking a development permit for the Material Change of Use, provide an Acoustic Assessment demonstrating how residents' amenity will be protected from external vehicular traffic noise. Any acoustic barrier required must be located between the buffer vegetation and the development and not on the site boundary.

Fencing

24. Fencing details must be provided at the time of seeking a Development Permit. The location and design of any fencing must not detract from the purpose of the buffer vegetation to provide a visual screen.

Urban Design

25. All buildings on the site must be constructed of materials, finishes and colours that reduce the visual impact of the development as far as practicable.
26. Passive cooling techniques must be used to assist in the cooling of all buildings.

Car Parking

27. On site car parking must be provided in accordance with the relevant planning scheme.

External works

28. Works external to the site must be constructed in accordance with a future Development Permit for Material Change of Use, including, but not limited to, kerb and channel, with formed verge and concrete footpath to Tanawha Road (southern frontage) and Mannikin Road frontages. The frontage works must extend, as a minimum, from the proposed entrance to the development to the Mannikin Road/Tanawha Tourist Drive intersection.
29. The intersection of Tanawha Tourist Drive and Mannikin Road must be upgraded to create at a minimum, a Type CHR(S) right turn treatment.

HYDRAULICS AND WATER QUALITY

30. At the time of seeking a Development Permit for the Material Change of Use, provide a revised and consolidated Integrated Water Management Plan (IWMP) which demonstrates compliance with the Code for Integrated Water Management and is prepared in accordance with the requirements of Section 7 of Planning Scheme Policy No. 5 and the Integrated Water Management Guidelines (MSC, 2006), or the equivalent provisions of the planning scheme in operation at the time. The IWMP is to accurately reflect the proposed development layout and is to be a self-contained document incorporating all revisions and addendums. The IWMP is to specifically incorporate the following elements:
 - (a) A Flood Assessment Report (refer to advice notes) which includes:
 - i) a sensitivity analysis demonstrating floor levels will not be exceeded should the culverts within and downstream of the site become fully blocked; and
 - ii) a residual flood risk assessment which demonstrates residents can either safely evacuate or take refuge for events exceeding the 1 in 100 year ARI flood level, such that people's safety is not compromised.
 - (b) A Water Quality Management Plan, demonstrating how stormwater quality treatment devices are incorporated within the layout and the required pollutant load reduction targets are achieved.

Safety and Security

31. An Emergency Evacuation Plan will be required for the development and is to be provided to residents and clearly displayed for the benefit of visitors. This is to be provided to Council at the time of seeking a Development Permit for the Material Change of Use.

UNITYWATER

32. Reticulated water supply and sewerage services must be provided to the development site in accordance with the relevant planning scheme.
33. The applicant must provide written approval from Council's Parks and Gardens Branch for the sewerage rising main to be located in the Council

- owned park. This approval must be submitted prior to the Operational Works application.
34. The applicant must provide written approval from the property owner of either Lot 5 RP 218739 or Lot 1 RP 817448 for the sewerage rising main to be located within either Lot 5 or Lot 1. This approval must be submitted prior to the Operational Works application.
35. The applicant shall provide unequivocal written approval from Department of Transport and Main Roads for the sewerage rising main to be located in the state controlled road reserve. This approval must be submitted prior to the Operational Works application.

Infrastructure Agreement

36. At the time of seeking a development permit for the Material Change of Use, an Infrastructure Agreement must be entered into with Unitywater for the provision of sewerage works and contributions.

5. REFERRAL AGENCIES

The referral agencies applicable to this application are:

Referral Trigger	Referral Status	Referral Agency and Address
Vegetation Clearing	Concurrence	Dept of Environment & Resource Management PO Box 573 Nambour QLD 4560
Wetlands	Advice	Dept of Environment & Resource Management PO Box 573 Nambour QLD 4560

A copy of any referral agency conditions is attached.

6. APPROVED PLANS/DOCUMENTS

Approved Plans

Nil

Approved Documents

Nil

7. PLANS/DOCUMENTS REQUIRING AMENDMENT

Nil

8. ADVISORY NOTES

Extent of Approval

1. This approval grants preliminary approval only, and does not constitute a development permit. A development permit for Material Change of Use must be granted prior to any progression of this development.

Density

2. The maximum number of units to be provided on the site will be conditioned as part of a further development permit approval and will be determined by reference to the developable area of the site/development footprint (excluding all infrastructure, buffers, vegetation covenant areas and in response to the findings of an approved flood study) and any other development parameters established by these approval conditions.

Contributions

3. Any future development permit issued will trigger a "Notice of Financial Contribution" to be issued in accordance with an executed Infrastructure Agreement for sewer works and contributions.
4. This development permit may trigger an "Adopted Infrastructure Charge Notice" (if applicable) to be issued in accordance with Councils "Adopted Infrastructure Charges Resolution (No.2) 2011" under the *State Planning Regulatory Provision (Adopted Charges)* and the *Integrated Planning Act 1997*.

Village Management Plan

5. This document should detail the level and type of activities or services intended to be provided by management within the community centre building and how the facilities or activities are to be provided. For example what rooms and facilities will be available, whether management intends to organise visiting services or activities or whether the use of the centre is intended to be "self-managed" by interested groups in the village. The Management Plan should document whether any sharing arrangements of additional facilities are proposed between the village and any nearby villages and transport arrangements to be provided to make use of any such arrangements.
6. The document should detail how the proposed village shuttle bus is to be operated. Details as to the regularity of service to main centres (and which centres/locations) should be provided and also whether provision will be made for additional or irregular trips on request of the applicants, for example if a group of residents wished to access social or sporting facilities outside nominated locations or transport times, and how such requests will be assessed or decided (for example, based upon distance, operating hours or minimum persons per trip). It is noted that the requirement for direct access to a Council library is not in order to enable loans access (which may be supplemented via the available bulk loans arrangements and mobile libraries), but rather to enable access to social, learning and community events and services run through the various libraries programs.
7. The primary intent of this document is to ensure that the social needs of residents are adequately satisfied in accordance with the relevant policies of Council, as well as sufficient access to retail, commercial and medical services under the requirements of the relevant planning scheme, for the purpose of approval of a Development Permit.
8. The secondary intent of the document is to ensure adequate information is able to be provided to residents or potential residents such that these persons can make an informed choice about the standard of living, support and services to be provided by the village management.
9. It is noted that the level of access to services is a significant matter in the justification of the proposal in the given location, and in consideration of the relatively small size of the proposed development.

Hydrology

10. The technical issues with the previously provided flood study information which will need to be resolved as part of any resubmission include:
- (a) The critical case event for flooding at the site is likely to occur if the culverts under the Old Bruce Highway are fully blocked. As such, provide calculations to demonstrate that, under a worse case scenario, building floor levels will not be compromised and can be preserved. Further details to be provided include sections along the Old Bruce Highway including weir profiles as well as associated weir flow calculations and depths to demonstrate that building floor levels are appropriate.
 - (b) An assessment of the sensitivity of flood levels at the site should be made with due consideration of flood level impacts associated with inaccuracies in hydrological and hydraulic modelling works. Possible sensitivity assessments include an increase in catchment flows (especially given difference between the URBS versus MIKE11 model flows), channel roughness as well as full blockage of the internal road culverts. Ultimately, demonstrate that building floor levels will not be compromised.
 - (c) Several of the MIKE11 model cross sections for the various development cases do not fully contain the anticipated extent of flooding at the site. It is noted that detailed survey information is available at the site and the flood extents prepared illustrate flooding to be contained within the waterways and channels. Clarification is, therefore, sought on why the model cross sections have not been sufficiently extended to fully contain flooding at the site and what the associated impacts are to flood levels at the site given the approach undertaken.
 - (d) The flood extent for the developed condition illustrates a slightly larger extent in the western channel area that appears to be greater than the existing case extent as well as encroaching into the road verge along the Old Bruce Highway. Clarification is sought on the flood extent in this area.
 - (e) Non-worsening of upstream flood levels is questionable, especially associated with the western crossing of Tanawha Road associated with considerable physical changes in the waterway (ie. re-direction of culvert location, downstream filling, reduced conveyance areas, etc). Provide further details on the representation of the changes made in the model in this location, as well as clearly defining the change in flood levels, widths of flooding and associated characteristics and to ensure non-worsening conditions are achieved.
 - (f) Submit an electronic copy of all model files to assist Council in undertaking a comprehensive review of the technical models prepared.

Unitywater

11. The rising main shall be privately owned and maintained from the development site to the discharge point to Unitywater's sewerage infrastructure.

Equitable Access and Facilities

12. 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); and
- (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; and
- (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

13. 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*.

9. PROPERTY NOTES

Nil

10. PRELIMINARY APPROVAL OVERRIDING PLANNING SCHEME

Not Applicable.

11. FURTHER DEVELOPMENT PERMITS REQUIRED

Development Permit for Material Change of Use (Retirement Village)

12. SELF ASSESSABLE CODES

Not Applicable.

13. SUBMISSIONS

There were 26 properly made submissions about the application. In accordance with *Integrated Planning Act 1997*, the name and address of the principal submitter for each properly made submission is provided and attached.

14. REASONS/GROUNDS FOR APPROVAL DESPITE CONFLICT WITH SCHEME

The Assessment Manager considers the decision conflicts with the planning scheme and the following are sufficient grounds to justify the decision despite the conflict:

1. The proposed land use can be integrated with the existing natural character of the locality and not detrimentally impact upon nearby residential uses, existing traffic and access arrangements or amenity.
2. Design parameters can be provided to ensure the proposed use will not impact upon environmental values associated with the site.
3. A Flood Management Report and Integrated Water Management Plan can be provided with further development permit applications.
4. The site has access to all necessary infrastructure and there is existing network capacity for the proposal.
5. The land use can incorporate on-site community facilities and provide for private transport services sufficient to off-set the distance to the nearest town centre (Sippy Downs).
6. There is sufficient community, planning and economic need for the proposed facility in the proposed location and the facility will provide a community benefit in addressing that need.
7. The proposed land use does not present serious conflict with the Strategic Plan when considered in the context of the Planning Scheme as a whole.

15. RIGHTS OF APPEAL

You are entitled to appeal against this decision. A copy of the relevant appeal provisions from the *Integrated Planning Act 1997* is attached.

During the appeal period, you as the applicant may suspend your appeal period and make written representations to Council about the conditions contained within the development approval. If Council agrees or agrees in part with the representations, a "negotiated decision notice" will be issued. Only one "negotiated decision notice" may be given. Taking this step will defer your appeal period, which will commence again from the start the day after you receive a "negotiated decision notice".

16. OTHER DETAILS

If you wish to obtain more information about Council's decision, electronic copies are available on line at www.sunshinecoast.qld.gov.au or at Council Offices.



(SPC) ITEM 4.1.2 DEVELOPMENT APPLICATION FOR MATERIAL CHANGE OF USE FOR AN ENVIRONMENTALLY ASSESSABLE INDUSTRY (ASPHALT BATCHING PLANT) AT 66-110 COONEY ROAD, BLI BLI - APPENDIX A - CONDITIONS OF APPROVAL

1. APPLICATION DETAILS

Application No:	MCU10/2096
Street Address:	66 - 110 Cooney Rd BLI BLI QLD 4560
Real Property Description:	Lot 3 SP 193049, Lot 4 SP 193049
Planning Scheme:	Maroochy Plan 2000 (5 Nov 2010)

2. DECISION DETAILS

The following type of approval has been issued:

- Development Permit for Material Change of Use of Premises to establish an Environmentally Assessable Industry (Heavy Industry - Asphalt Manufacturing Plant)
- Development Permit for Material Change of Premises for an Environmentally Relevant Activity 6(b) - Asphalt Manufacturing,
- Development Permit for Material Change of Premises for an Environmentally Relevant Activity 8(3a) Chemical Storage, inclusive of ERA 15 - Fuel Burning

3. RELEVANT PERIOD OF APPROVAL

The relevant period for this development approval is 4 years starting the day that this development approval takes effect.

4. ASSESSMENT MANAGER CONDITIONS

PLANNING

General

1. Unless otherwise stated, all development works required by the conditions of this Decision Notice must be completed prior to the use commencing.
2. Development must be carried out in accordance with the approved plans and documents.
3. At the time of application for a Development Permit for Operational Works required by this Permit, all aspects of the works must be included in one (1) application and be in accordance with the requirements of Section 2.1.2 of Planning Scheme Policy No. 5 – Operational Works.

Approved Use

4. The asphalt plant's maximum production capacity must not exceed 240 tonnes per hour.

5. The existing asphalt plant at the site must be fully decommissioned immediately upon commencement of use of the new plant. All existing buildings, structured associated with the existing asphalt plant must be removed, the site remediated and the area turfed.
6. The refinement of bitumen must not be undertaken onsite and the use must be limited to the mixing of bitumen and aggregate to produce asphalt.

Building Works

7. The applicant must ensure that buildings and structures are:
 - (a) Constructed with brick, masonry, glass, colorbond or similar materials; and
 - (b) Coloured with greens, blues, greys or similar earth tones; and
 - (c) Have external walls with a modern high quality appearance.

CIVIL ENGINEERING

Utilities

8. 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.
9. 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.
10. An underground connection to reticulated electricity and telecommunication services must be provided to the development in accordance with the requirements of the relevant service provider.
11. 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.

External Works

12. The applicant must remove and reinstate the surface of Cooney Road where there is excess rutting or the surface is inferior between the site entrance and the driveway to council's transfer station. The extent of the resurfacing works must be agreed with the council at the pre-start meeting. The re-instated asphalt that must be inline with Department of Transport and Main Roads standards.

Site Access

13. The applicant must ensure that site access is constructed in accordance with Section 5 of Planning Scheme Policy No. 6 – *Traffic, Transport and Parking*.
14. The applicant must protect the integrity of Cooney Road from erosion which may result from the adjacent drainage channel and modify the existing drainage channel as required to ensure erosion does not affect the long term stability of the road.

Carparking

15. On site car parking facilities must be design and constructed in accordance with Section 9 of Planning Scheme Policy No. 6 - *Transport Traffic and Parking*. The facilities must include the following:
- (a) A minimum of 24 bays complying with AS2890.1 Class 3 restricted to staff and customers of the development un-allocated and un-gated and available at all times
 - (b) A disabled parking bay clearly designated and provided in accordance with AS 1428 and AS2890.1
 - (c) Directional signage to the ingress/egress points of the public car park
 - (d) Car parking spaces and access driveways that are sealed and line-marked
 - (e) All on site circulation, turning areas and driveways comply with AS 2890.1-2004 and AS 2890.2-2002
- (a) Staff car parking clearly signed and line-marked.
16. Prior to the commencement of the use, all parking facilities and associated access and drainage works must be constructed, marked, signed, lit and maintained in accordance with the requirements of Australian Standard AS2890.1 and must be made available at all times for the use by the proprietors, staff and customers.
17. The applicant must ensure that car parking areas and access driveway are maintained in a tidy, proper and safe condition at all times.

Service Vehicles

18. Service vehicle parking and manoeuvring facilities must be provided and maintained on the site, complying with Section 10 of Planning Scheme Policy No. 6 - *Transport Traffic and Parking*. This must include adequate gradients of the driveway, which may require upgrading of the existing construction. The facilities must include provision for 1 AV (regular access). Vehicle definitions, space dimensions and swept paths must comply with AS 2890.2-2002.

Cyclist Facilities

19. Bicycle parking facilities must be provided and maintained on the site, in accordance with Schedule 1 of the Code for Transport, Traffic and Parking and Section 8 of Planning Scheme Policy No. 6 – *Transport Traffic and Parking* and must include 10 Class 2 spaces for staff use.

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 2' as defined in Appendix B. Test results as required by AS 3798, and a certificate of quality and uniformity of fill must be provided by a RPEQ and submitted to council prior to the commencement of use.
21. Where the development involves excavation or filling over of, 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.

Retaining Walls

22. Structural design certification must be provided for all retaining walls exceeding 1m in height by an experienced and qualified civil engineer.

23. All retaining walls must be designed and constructed in accordance with the requirements of Council's Planning Scheme Policy No. 5 – *Operational Works*.
24. Fencing/barriers must be installed in accordance with AS1926 and the Maroochy Plan 2000 for any change of grade greater than one metre.

Construction Management Plan

25. 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 be approved by council prior to the commencement of works, and must specifically address the requirements of Section 6.1.1 as well as traffic management during all aspects of the construct phase including:
 - (a) 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.
 - (b) Maintenance of safe pedestrian access across the frontage of the site both during daily construction and after daily construction has ceased.
 - (c) Proposed fencing to the site during the construction phase of the development.
 - (d) Approval of the Traffic Management Control Plan by the Department of Main Roads (DMR) for any works on State controlled roads.

HYDRAULICS & WATER QUALITY

Stormwater Management

26. A stormwater quality treatment system must be provided for the development without causing worsening to adjoining properties. The works must be undertaken in accordance with an Operational Works approval and the latest version of the *Water Sensitive Urban Design Technical Design Guidelines for South East Queensland*, and must include:
 - (a) Stormwater quality treatment devices of a size and location generally in accordance with those shown on the Site Plan attached to the Stormwater Quality management plan (JT Environmental Pty Ltd, Stormwater Quality management plan - 110211, JT0901, Oct 2011) listed in this Decision Notice.
 - (b) The bioretention devices must:
 - (i) Be designed generally in accordance with IPWEQA Standard Drawing No. WSUD-001;
 - (ii) Incorporate a coarse sediment forebay (in addition to the required filter media surface area), which is sized in accordance with the latest version of the *Water Sensitive Urban Design Technical Design Guidelines for South East Queensland* and designed generally in accordance with IPWEQA Standard Drawing No. WSUD-005;
 - (iii) Have easements over all flowpaths and extension of the site stormwater system to accommodate stormwater external to the site, including registration of drainage easements;
 - (iv) Have safe, unobstructed and all weather access from the road frontage for maintenance purposes, particularly for the coarse sediment forebay;
 - (v) Be provided with a high flow bypass to ensure that flows which exceed the treatment capacity of the device are bypassed in

- order to avoid damaging of the filter media or subjecting the filter media to excessive sediment loads; and
- (vi) Be provided with a free-draining outlet from the sub-soil drainage system.
27. All proprietary stormwater quality treatment devices (i.e. must be routinely checked, serviced and cleaned in accordance with the manufacturer's recommendations. Records of all maintenance activities undertaken must be kept and made available to council upon request.

Rainwater Harvesting

28. Operating rainwater collection tanks must be provided for the development. The tanks must be provided in accordance with an Operational Works approval and must include in particular:
- (a) A total tank capacity of 40,000 litres; and
- (b) Re-use of harvested rainwater for internal non-potable uses and outdoor uses.
29. Certification must be submitted from a qualified person which certifies that the rainwater collection tank/s and associated reticulation has been installed in accordance with the requirements of this Decision Notice.

Bioretention Basin Vegetation

30. Landscape plans to be submitted with Operational Works (landscaping) must include a mixture of at least five (5) of the following species for planting in the bioretention basin surface at a minimum density of 8 plants/m² (higher density is preferred for faster establishment): *Carex appressa*, *Carex fascicularis*, *Ficinia nodosa*, *Juncus usitatis*, *Lomandra longifolia*, *Ghania sieberiana*.
31. Landscape plans to be submitted with Operational Works (landscaping) must include a mixture of following species for planting in the bioretention basin batters at a suitable density and ensuring the species that are taller and/ or have longer denser leaf growth are planted towards the top of the batter (e.g. *Lomandra* and *Ghania*) to minimise shading of the treatment area. *Carex appressa*, *Carex fascicularis*, *Ficinia nodosa*, *Juncus usitatis*, *Lomandra longifolia*, *Ghania sieberiana*, *Banksia robur*, *Dianella brevipedunculata*, *Themada triandra*, *Cymbopogon refractus*, *Melaleuca thymifolia*.
32. Trees must not be planted in or on the batters of the bioretention basin/s to prevent loss of treatment area, damage to related components (e.g. subsurface drainage) and ongoing maintenance issues, unless otherwise directed by a representative of council's hydraulics and water quality unit.
33. Where landscaping/garden beds are proposed adjacent to the bioretention basin, a 900mm deep root barrier must be shown on plan, between the landscape/garden area and the bioretention basin/swale.

Flooding

34. In conjunction with the development application for Operational Works, provide a revised Flooding Assessment based generally on the "*Lot 3 SP193049 Flooding Assessment*" by SKM dated 12 October 2011, which demonstrates no off-site flood impacts, reflects the final design of the site earthworks and channel upgrade works and which addresses the following issues:
- (a) The channels must be represented as 1-Dimensional model elements;
- (b) Assumed roughness values must be revised consistent with the final landscape finished proposed for the channels.

35. The proposed development area must be generally filled to be above the 1 in 100 year ARI flood level and the minimum floor level of all buildings must be at least 0.4m above the 1 in 100 year ARI flood level based on the required revised Flooding Assessment.
36. An easement for drainage purposes must be registered against the titles of the properties in favour of council over the land area identified as being below the 1 in 100 year ARI flood level on the subject site within the drainage channels.
37. In conjunction with the development application for Operational Works, provide a stormwater drainage design for the site that accommodates flows from the balance of Lot 4 SP193049, which currently flows through the site of the proposed asphalt plant works. The drainage design must ensure non-worsening on either the balance of Lot 4 SP193049 or downstream Lot 3 SP193049.

LANDSCAPE & ECOLOGY

General

38. The development must be landscaped in accordance with the planning scheme, conditions of this decision notice and the approved landscape plans.
39. The applicant must establish and maintain landscaping areas in accordance with horticultural best industry practice for the life of the approval.

Landscaping

40. Landscaping of the subject site must be in accordance with the Code for Landscaping Design and the approved Landscape Plans.
41. The applicant must remove all weeds species as listed in the following:
 - (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;
 - (c) Removal of all environmental weeds.
42. The applicant must establish a minimum 4m wide landscape buffer along the southern boundary of the site generally in accordance with the Landscape Plans, high and dense enough to achieve substantial screening of the development.
43. The applicant must establish a minimum 1m wide landscape buffer along western edge of the site between the development and Cooney Road.
44. The applicant must establish a screening buffer of *Ficus microcarpa var. hillii* (Hill's Weeping Fig). adjacent to the asphalt plant on the western side of Cooney Road to reduce the penetration of light and dust into the Parklands Forest Reserve and provide an additional food source for the flying foxes.

ENVIRONMENTAL HEALTH

Environmental Performance

45. If post-commissioning emissions testing required within 3 months of commissioning indicates non-compliance with emission limits identified in Table 1 of DERM Permit Number SPCE01520411, emissions must be mitigated or ceased within a timeframe specified by DERM to rectify the situation and demonstrate compliance.

Flying Foxes

46. Prior to undertaking any works on the site, the applicant must contact DERM to discuss the location and status of any flying foxes that may be roosting in the Parklands roost site.
47. Prior to undertaking any works on the site, the applicant must develop and implement a monitoring plan to monitor any disturbance to the flying foxes roosting in the adjacent Parklands Reserve. The plan must contain actions to address any negative impacts of development on the colony.

Acid Sulphate Soils

48. Prior to an application for operational works, the applicant must complete an ASS investigation in accordance with State Planning Policy 2/02 Guideline 3.
49. Based on the results of the ASS investigation, the applicant must formulate an ASS Environmental Management Plan (ASS EM Plan) for approval by council consistent with Appendix 4 of the State Planning Policy 2/02 Guideline and the Management Principles of the latest version of the *Queensland Acid Sulfate Soil Technical Manual, Soil Management Guidelines*.
50. Development must comply with the approved ASS Environmental Management Plan.

Waste Management

51. Waste storage must be undertaken entirely on the subject land.
52. A screened, adequately sized hardstand area for the storage of waste containers must be provided, which will minimise the movement of containers for servicing and the impacts on adjoining neighbours.
53. The waste container storage area must include a washdown area designed in accordance with council's standards and connected to sewer.
54. A waste service point must be provided that:
 - (a) Does not impede the traffic flow during servicing;
 - (b) Is clearly separated from a car parking bay and other similar areas;
 - (c) Is of a sufficient height to allow for the servicing of a wheelie bin;
 - (d) Is clear of any overhanging branches, roofs or other similar structures at or below the height of the waste collection vehicle;
 - (e) Allows unobstructed access to and from the service point;
 - (f) Provides clear, unimpeded vision for the driver of the waste collection vehicle;
 - (g) Ensures that the noise associated with servicing is minimised for the living areas of an adjoining premises;
 - (h) Enables the collection vehicle to remain entirely on the site during servicing.
55. The waste storage area must be designed for the provision of two side by side 3m³ galvanised industrial waste bins (2040mm x 1450mm), allow access for waste disposal and servicing, and be in a screened refuse area. Full details of the bin location and servicing requirements including a demonstration of onsite manoeuvring must be provided in conjunction with the Operational Works application.

Outdoor Lighting

56. Lighting must be of the appropriate type, and positioned to ensure spill and obtrusive light does not exceed 1 lux at the boundary of the adjacent Parklands Conservation Land. For all other land the recommended maximum values of AS 4282-1997 '*Control of the obtrusive effects of outdoor lighting*' must not be exceeded.

UNITYWATER

57. Reticulated water supply must be provided to the development.
58. The fire-fighting demand on Unitywater's water supply system from the development must not exceed 30 litres per second.
59. A new 150mm diameter watermain must be constructed from the existing 100mm diameter watermain in Cooney Road to the access easement serving Lot 4 SP193049.
60. A single Unitywater installed primary water meter must be provided immediately inside the access easement boundary. Additional water meters must be installed for each title of a community title or sub-lease scheme. Meters must be Unitywater approved, installed in accordance with Unitywater requirements and remain accessible at all times for reading and maintenance purposes.
61. Reticulated sewerage must be provided to the development.
62. The 150mm diameter sewer located on the eastern boundary of the council waste transfer station must be extended to the development site and to the northern boundary of Lot 4.
63. A 3.0 metre wide easement must be provided over all Unitywater sewers located within the development site. Easements must be located centrally over the main.
64. Stormwater retention systems and gross pollutant traps must maintain a minimum clearance of 1.5 metres from Unitywater water supply and sewerage infrastructure.
65. Written approval to enter and construct must be provided from property owners through which external sewers will traverse. This must be submitted with lodgement of the associated development application for Operational Works.
66. Tree plantings must maintain a minimum horizontal clearance of 1.0 metre from Unitywater water mains and 1.5 metres from Unitywater sewerage mains. Landscaping plants within these clearances must be low growing when mature and suitable approved varieties.
67. Construction works undertaken in the vicinity of Unitywater water supply or sewerage infrastructure must not adversely affect the integrity of the infrastructure. All costs associated with repair, replacement or alteration of infrastructure must be met by the applicant.

5. REFERRAL AGENCIES

The referral agencies applicable to this application are:

Reason for Referral	Referral Type	Referral Agency	Agency Address
<i>State-Controlled Road Matters</i>	Concurrence	Department of Transport And Main Roads	PO Box 1600 Sunshine Plaza Postal Shop MAROOCHYDORE QLD 4558
<i>Environmentally Relevant Activity</i>	Concurrence	Dept of Environment & Resource Management	GPO Box 2454 BRISBANE QLD 4001

Reason for Referral	Referral Type	Referral Agency	Agency Address
<i>Contaminated Land</i>	Concurrence	Dept of Environment & Resource Management	GPO Box 2454 BRISBANE QLD 4001
<i>Wetlands</i>	Advice	Dept of Environment & Resource Management	GPO Box 2454 BRISBANE QLD 4001
<i>Conservation Estate</i>	Advice	Dept of Environment & Resource Management	GPO Box 2454 BRISBANE QLD 4001
<i>Acid Sulphate Soils</i>	Advice	Dept of Environment & Resource Management	GPO Box 2454 BRISBANE QLD 4001

6. PLANS/DOCUMENTS

Approved Plans

Plan No.	Rev.	Plan Name	Date
DA-100	5	<i>Site Plan</i> prepared by WG Architects	September 2010
DA-300	5	<i>Elevations – Site</i> prepared by WG Architects	September 2010
DA-310	5	<i>Elevations – Office Building</i> prepared by WG Architects	September 2010
DA-320	4	<i>Elevations –Lab Building</i> prepared by WG Architects	September 2010
L_DD_100	02	<i>Coversheet</i> drawn by GG of Lat 27	14/03/2011
L_DD_101	02	<i>Landscape Planting Plan</i> drawn by GG of Lat 27	14/03/2011
L_DD_102	02	<i>Landscape Details 1</i> , drawn by GG of Lat 27	14/03/2011
L_DD_103	02	<i>Landscape Details 2</i> , drawn by GG of Lat 27	14/03/2011

Referenced Documents

Document No.	Rev.	Document Name	Date
Final	0	<i>Lot 3 SP193049 Flooding Assessment</i> prepared by SKM	12/10/11

8. ADVISORY NOTES**Unitywater**

1. As of 1 January 2008, sub-metering of new non-residential premises is a mandatory requirement under the Queensland Development Code (QDC). Refer to the following website for more information – <http://www.lgp.qld.gov.au/planning/?id=7035>.
2. Connection to Unitywater live water mains and the Unitywater live sewer system must be undertaken by Unitywater at the applicants cost.
3. A Trade Waste permit is required prior to any stormwater, groundwater or sump pump discharge into Unitywater's sewerage system.

Infrastructure Charges

4. This development permit may trigger an "Adopted Infrastructure Charge Notice" (if applicable) to be issued in accordance with councils "Adopted Infrastructure Charges Resolution (No.2) 2011" under the State Planning Regulatory Provision (Adopted Charges) and the "Sustainable Planning Act 2009".

Operational Works Applications

5. To assist council to undertake an integrated assessment of the operational works application, all aspects of the works must be included in one (1) application combined (Engineering & Landscaping) and be in accordance with Councils Planning Scheme Policy No.5.

Engineering

6. 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 SPA 2009, 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

Hydraulics & Water Quality

7. For the purpose of certifying the design of rainwater collection tanks, a qualified person is considered to be a Registered Professional Engineer of Queensland (RPEQ).
8. Integrated Water Management Guidelines. 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.

Landscaping

9. An application for a Development Permit for Operational Works Landscaping must be submitted for the subject site. This must include:
- (a) 3 x A3 size hardcopies of a detailed Landscape Plan.
 - (b) The landscaping plan must be prepared by a suitably qualified consultant (in the field of Landscape Architecture, Landscape Design and/or Horticulture).
 - (c) Plans must be a minimum scale of 1:200 (details at 1:10 or 1:20).
 - (d) All existing and proposed services including overhead power, drainage, water and sewerage must be shown in relation to the proposed development.
 - (e) Important spot levels and/or contours.
 - (f) Contextual information of the site including adjoining roads, land uses and photographs of site
 - (g) Extent and type of works including hard surfaces, landscape structures, signage, amenity lighting, fencing, edging, plantings and turf.
 - (h) A plant schedule with the following information: botanic names, common names, total plant numbers, and pot sizes at the time of planting.
 - (i) Landscape works for the full frontage of the development site including street trees, edging, footpath and turf.
 - (j) A north point, scale and legend as well as the name, contact details of the landscape consultant who prepared the plan.
10. Council reserves the right to instruct the applicant to remove any plantings that are not healthy, established or providing their desired function of strong visual screening to the development. Replacement planting and establishment will be at the applicant's cost.

Equitable Access and Facilities

11. 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); and
 - (b) *Anti-Discrimination Act 1991* (Queensland).
12. 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; and
 - (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

13. 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*.

9. PROPERTY NOTES

Not Applicable.

11. FURTHER DEVELOPMENT PERMITS REQUIRED

- Development Permit for Operational Work (Engineering Works & Landscaping)
- Development Permit for Building Work

12. SELF ASSESSABLE CODES

N/A

13. SUBMISSIONS

There was 1 properly made submission about the application. In accordance with *Sustainable Planning Act 2009*, the name and address of the principal submitter for each properly made submission is provided and attached.

14. REASONS / GROUNDS FOR APPROVAL DESPITE CONFLICT WITH SCHEME

Not Applicable.

15. RIGHTS OF APPEAL

You are entitled to appeal against this decision. A copy of the relevant appeal provisions from the *Sustainable Planning Act 2009* is attached. During the appeal period, you as the applicant may suspend your appeal period and make written representations to council about the conditions contained within the development approval. If council agrees or agrees in part with the representations, a "negotiated decision notice" will be issued. Only one "negotiated decision notice" may be given. Taking this step will defer your appeal period, which commences from the start the day after you receive a "negotiated decision notice".

16. OTHER DETAILS

If you wish to obtain more information about council's decision, electronic copies are available on line at www.sunshinecoast.qld.gov.au, or at council offices.

(SPC) ITEM 4.1.3 DEVELOPMENT APPLICATION FOR A PRELIMINARY APPROVAL FOR A MATERIAL CHANGE OF USE OF PREMISES – EXTENSIONS TO AN EDUCATIONAL ESTABLISHMENT AT 372 MONS RD, FOREST GLEN - APPENDIX A - CONDITIONS OF APPROVAL

1. APPLICATION DETAILS

Application No: MCU07/0031
 Street Address: 372 Mons Road FOREST GLEN
 Real Property Description: Lot 16 SP 169831 & Lot 1 SP 169832
 Planning Scheme: Maroochy Plan 2000 (2 December 2006)

2. DECISION DETAILS

The following type of approval has been issued:

- Preliminary Approval Overriding the Planning Scheme for Material Change of Use of Premises (Extensions to an Educational Establishment).

3. RELEVANT PERIOD OF APPROVAL

The relevant period for this development approval is 4 years starting the day that this development approval takes effect.

4. ASSESSMENT MANAGER CONDITIONS

PLANNING

Approved Use

- 1 Preliminary Approval (Overriding the Planning Scheme) is granted for a Material Change of Use for Extensions to an Educational Establishment (being the future buildings, facilities and works shown on the approved master plan drawing – as amended) up to a limit of 1,500 students.
- 2 This approval overrides the applicable planning scheme pursuant to Section 3.1.6 of the *Integrated Planning Act 1997* for the life of the approval to the extent that:
 - (a) The Referenced Document: *Supplementary Table of Assessment for Sunshine Coast Grammar School Master Plan* replaces the planning scheme in declaring the level of assessment for development to the extent stated within that document.
- 3 This approval does not authorise, indicate support, nor alter the level of assessment declared by the planning scheme for any future development not identified on the approved master plan (as amended).
- 4 Unless otherwise stated, the applicant must comply with all conditions of this approval prior to the sooner of the following occurring:
 - (a) Student enrolments exceeding 1,350, or

- (b) The submission of the first application for a Development Permit for a Material Change of Use of Premises for any building or facility shown on the approved master plan (as amended).
- 5 Development must be sited and constructed generally in accordance with the approved master plan (as amended).

Maximum Number of Students

- 6 Subject to Condition 7, the total number of enrolled students for the school (excluding the child care centre) must not exceed 1,500.
- 7 Student numbers must not exceed 1,333 until an alternative vehicular and pedestrian access point that is acceptable to council is available and operational to the site, provided that such an access is not from Gardenia Place. Council's acceptance of any such alternative access point must be obtained in writing prior to any increase in enrolments above 1,333.
- 8 From the date the approval takes effect, access to the site via Gardenia Place is restricted to emergency service vehicles only. This access must not be used on a daily basis for regular student/staff vehicular or pedestrian access to the school grounds.
- 9 The existing security fence across the Gardenia Place frontage of the site must be maintained and must be fitted with the standard equipment required to comply with evacuation and emergency procedures as per Australian Standards. The gate must be locked and the key kept with an appropriate representative of the school.

Annual Enrolment Advice

- 10 From the date this approval takes effect, the applicant must, on or around 31 January each year, provide to council an accurate statement of student enrolment numbers for the forthcoming year. The statement must be certified in writing by the school principal.

Amendments to Approved Plans

- 11 The applicant must provide to council amended plans which incorporate the amendments listed within this Decision Notice.

Building Height

- 12 Subject to the following condition, the maximum building height of any building on the subject site must not exceed 2 storeys and 8.5 metres.
- 13 Building 26 on the proposed master plan, the Gymnasium and Amenities Building, may extend to a height of not more than 10 metres, provided it is integrated with, and directly joined to, the existing Multipurpose Hall.

Sunset Clause for Completion of Approved Development

- 14 Pursuant to Section 3.5.21A of the *Integrated Planning Act 1997*, this development approval lapses if the whole of the approved use has not happened within 10 years of the date that the approval takes effect.

TRAFFIC AND TRANSPORT

- 15 From the date the approval takes effect, the applicant must manage traffic access, egress, and on-site vehicle parking and circulation as necessary such that queued vehicles do not extend beyond the western site boundary onto Mons Road.

Green Travel Plan

- 16 The applicant must submit to council, within 3 months of the taking effect of this approval, 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 school buses and 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

ENVIRONMENTAL HEALTH**Noise**

- 17 From the date this approval takes effect, activities associated with all outdoor sports facilities must not operate outside the hours of 7.00am to 6.00pm Monday to Saturday. No activity is to be conducted on Sunday or any public holiday.
- 18 Within 3 months of the taking effect of this approval, a complaints management procedure addressing all noise complaints during the operational phase must be submitted to council. It 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;
 - (c) notification to all complainants of the outcome of complaint investigations;
 - (d) A record of complaints and investigation results including corrective actions is to be maintained at all times and available for inspection; and
 - (e) A method of preventing crowds congregating on the northern sidelines of the northernmost playing fields on the site.

Lighting

- 19 Lighting, including outdoor lighting of sports fields and tennis courts, must be 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.
- 20 Within 3 months of the taking effect of this approval, certification by an appropriately qualified expert must be submitted, which certifies that any existing outdoor lights associated with sports facilities, internal roads and car parks 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.

Waste Management

- 21 Refuse storage, removal and collection facilities must be provided as follows:
- (a) Provision of separate bins for general and recyclable waste for the site, with an equal number of each being provided;
 - (b) Collection by service vehicles from within the site only, and not from the kerbside;
 - (c) Provision of a hardstand impervious area within for the permanent storage location and service collection of all bulk bins, having minimum dimensions of 1.5 m² (1100mm x 1300mm) per bin and

- located no closer than 3m to the site frontage and 1.5m to any other boundary; and
- (d) Provision of a wash-down area in the vicinity of the permanent storage location fitted with a hosecock and a drain connected to the sewer that has a stormwater catchment area of no more than 1m².

CIVIL ENGINEERING

Car Parking

- 22 On site car parking must be provided in accordance with the following and an Operational Works approval:
- (a) Prior to student enrolments exceeding 1,400, a total of 373 car parking spaces must be provided and marked on site, excluding those for the child care centre.
- (b) Prior to student enrolments exceeding 1,500, a total of 396 car parking spaces must be provided and marked on site, excluding those for the child care centre.

Pedestrian and Bicycle Facilities

- 23 Pedestrian and bicycle facilities must be provided for the development. The works must be undertaken in accordance with an Operational Works approval and must include in particular:
- (a) Adequate separation of all specific pedestrian routes from vehicle access and manoeuvring areas, and clear demarcation by pavement marking, signposts or changes in surface materials or levels;
- (b) Signage and lighting at strategic locations to direct people to building entries and public toilet facilities; and
- (c) A total of 200 class 3 bicycle parking spaces for student use.

Stormwater Drainage

- 24 The site must be provided with a stormwater drainage system connecting to a lawful point of discharge. The works must be undertaken in accordance with an Operational Works approval and the Queensland Urban Drainage Manual.

Electricity and Telecommunication Services

- 25 A connection to reticulated electricity and telecommunication services must be provided to the development in accordance with an approval for Operational Works and the standards and requirements of the relevant service provider.
- 26 Unless otherwise stipulated by telecommunications legislation at the time of construction, the development must be provided with all necessary conduits, pits and pipes to accommodate the future connection of optic fibre technology telecommunications.
- 27 Certification must be submitted from all relevant service providers which certify that the development has met the requirements of this Decision Notice and all applicable legislation at the time of construction.

Easements

- 28 Unless otherwise agreed in writing by the relevant service provider, any public or third party infrastructure located on the subject site including all land area identified as being below the 1 in 100 year ARI flood level on the subject site must be placed within an easement, registered against the title of the property. All easements must be designed in accordance with the planning

scheme and granted at no cost to the Grantee. Where the Grantee is council or a service authority, the easement documentation must be in accordance with the Grantee's standard easement terms.

- 29 Draft easement documentation must be submitted to council for endorsement.
30 All works must be kept clear of any existing or proposed easements on the subject land, unless agreed otherwise in writing by the Grantee.

Earthworks and Retaining Walls

- 31 All fill and associated batters must be must be undertaken in accordance with an Operational Works approval and contained entirely within the subject site unless written permission from the respective landowner(s) is provided to council.

Damage to Services and Assets

- 32 Any damage caused to existing services and assets above or below the ground must be repaired:
- (a) Where the damage would cause a hazard to pedestrian or vehicle safety, immediately; or
 - (b) Where otherwise, upon completion of the works associated with the development, and
 - (c) Any repair work which proposes to alter the alignment or level of existing services and assets must first be referred to the relevant service authority for approval.

HYDRAULICS & WATER QUALITY

Stormwater Quality Management

- 33 A stormwater quality treatment system must be provided for the development. The works must be undertaken in accordance with an Operational Works approval and the latest version of the *Water Sensitive Urban Design Technical Design Guidelines for South East Queensland*, and must include in particular:
- (a) bioretention devices which:
 - (i) are designed generally in accordance with IPWEQA Standard Drawing No. WSUD-001;
 - (ii) incorporate a coarse sediment forebay (in addition to the required filter media surface area), which is sized in accordance with the latest version of the *Water Sensitive Urban Design Technical Design Guidelines for South East Queensland* and designed generally in accordance with IPWEQA Standard Drawing No. WSUD-005;
 - (iii) have safe, unobstructed and all weather access from the road frontage for maintenance purposes, particularly for the coarse sediment forebay;
 - (iv) are provided with a high flow bypass to ensure that flows which exceed the treatment capacity of the device are bypassed in order to avoid damaging of the filter media or subjecting the filter media to excessive sediment loads; and
 - (v) are provided with a free-draining outlet from the sub-soil drainage system.
- 34 All stormwater quality treatment devices must be maintained in accordance with a Maintenance Manual prepared for the development by a qualified person and referenced in a Development Permit for Operational Works. The Maintenance Manual must include:

- (a) a plan showing the location of the individual components of the system;
- (b) manufacturer's data and product information sheets for any proprietary products;
- (c) location of inspection and monitoring points shown clearly on the plan; and
- (d) a schedule or timetable for the proposed regular inspection, maintenance and monitoring of the devices.

Records of all maintenance activities undertaken must be kept and made available to council upon request.

35 All proprietary stormwater quality treatment devices must be routinely checked, serviced and cleaned in accordance with the manufacturer's recommendations. Records of all maintenance activities undertaken must be kept and made available to council upon request.

36 Permanent educational signage must be erected to educate the visitors to the development about the function of the bioretention devices. The dimensions, standard, presentation and location of the educational signage must be in accordance with an Operational Works approval.

Flood Immunity

37 Minimum building floor levels and public car parking levels must be above both the local and regional 1 in 100 year ARI flood level (whichever higher) including freeboard to QUDM and the requirements of the relevant instrument applicable at the time of the development works taking place.

Filling in floodplain

38 Concurrent with any application for Operational Works, the applicant must submit detailed calculations and supporting plans and documentation prepared by a suitably experienced Registered Professional Engineer of Queensland (RPEQ) to demonstrate that the development site is provided with compensatory earthworks to the extent required so as to achieve no net loss in floodplain storage at the site. The following must be provided:

- (a) Detailed earthworks plans and sections identifying all cut and fill earthworks proposed at the site;
- (b) Earthworks summaries of cut and fill quantities. The summaries shall include overall summaries in addition with itemised cut and fill quantities against reduced level to demonstrate that the overall floodplain storage profile in terms of cut and fill balances has been maintained; and
- (c) Final earthworks levels that consider overall finished levels and not simply bulk earthworks design levels (i.e. Include full allowances for filling associated with topsoil and finishing earthworks, etc).

LANDSCAPE & ECOLOGY

Bushfire Management

39 All works must be carried out in accordance with a Bushfire Management Plan for the development prepared by a qualified person and submitted to council for approval within 3 months of the taking effect of this approval.

40 The Bushfire Management Plan must incorporate the recommendations of the Bushfire Hazard Assessment listed within this Decision Notice and must include the following:

- (a) Vehicular access for fire-fighting purposes;
- (b) Bushfire hazard buffers around all buildings; and

- (c) New buildings constructed adjacent to bushfire prone areas be constructed in accordance with *Australian Standard AS3959 – 2009 Construction of buildings in bushfire-prone areas*.
- 41 A copy of the Bushfire Management Plan for the development must be provided to the nearest fire authority immediately upon conformation of endorsement by council.
- 42 Certification must be submitted to council from a qualified person which certifies that the requirements of the Bushfire Management Plan and bushfire management conditions of this approval have been implemented.

Vegetation Protection Covenant

- 43 Within 3 months of the taking effect of this approval, a vegetation protection covenant must be registered against the titles of the properties over the land area defined as B1 and B2 on DERM's Concurrence Agency Response (Vegetation) Plan RARP 2010/004266 and existing vegetation located along the waterway to the north of the Middle School Classrooms and Science Centre pursuant to Section 97A of the *Land Title Act 1994*. The covenant document and a survey plan must be submitted to council for endorsement prior to lodgement with the relevant titles authority for registration of title. The covenant document must:
- (a) Incorporate the requirements of this Decision Notice;
 - (b) Include Sunshine Coast Regional Council as Covenantee; and
 - (c) Reference Queensland Land Title Registry Standard Terms Document No. 713966030.
- 44 The vegetation protection covenant does not preclude clearing of vegetation for essential management as defined under the *Sustainable Planning Regulation 2009*.
- 45 If a provision included in the covenant document is requisitioned or refused registration by the relevant titles authority, a substitute provision must be included in the document which as nearly as practicable addresses the objective sought by the requisitioned or refused provision. The wording of the substitute provision must be agreed by council.
- 46 The obligations of the registered covenant must be complied with by the applicant and all successors in title.

Natural Hazard Evacuation Strategy

- 47 A bushfire/flood evacuation plan for the site must be prepared by a qualified person and submitted to council within 3 months of the taking effect of this approval.
- 48 A copy of the evacuation plan for the development must be provided to the nearest local fire authority immediately upon conformation of endorsement by council.

UNITYWATER

- 49 Construction activities must not impede the access of Unitywater or Fire Brigade personnel to vital infrastructure (e.g. valves, fire hydrants and sewer access chambers).
- 50 The fire-fighting demand on Unitywater's water supply system from the development must not exceed 30 litres per second.
- 51 A single Unitywater installed primary water meter must be provided immediately inside the property boundary. Additional water meters must be installed for each title of a community title or sub-lease scheme. Meters must

- be Unitywater approved, installed in accordance with Unitywater requirements and remain accessible at all times for reading and maintenance purposes.
- 52 Buildings and other structures must maintain a minimum clearance of 1.5 metres from Unitywater sewer mains, and 1.0 metre from sewer manhole chambers and inspection openings .
- 53 Storm water retention systems and gross pollutant traps must maintain a minimum clearance of 1.5 metres from Unitywater water supply and sewerage infrastructure.
- 54 Tree plantings must maintain a minimum horizontal clearance of 1.0 metre from Unitywater water mains and 1.5 metres from Unitywater sewerage mains. Landscaping plants within these clearances must be low growing when mature and suitable approved varieties.
- 55 Construction works undertaken in the vicinity of Unitywater water supply or sewerage infrastructure must not adversely affect the integrity of the infrastructure. All costs associated with repair, replacement or alteration of infrastructure must be met by the applicant.

5. REFERRAL AGENCIES

The referral agencies applicable to this application are:

Referral Trigger	Referral Status	Referral Agency and Address
Proximity to State Controlled Road Network, Public Passenger Transit and Railways	Concurrence	Department of Transport & Main Roads PO Box 1600 Sunshine Plaza Postal Shop MAROOCHYDORE QLD 4558
Vegetation Clearing	Concurrence	Dept of Environment & Resource Management GPO Box 2454 BRISBANE QLD 4001

A copy of any referral agency conditions is attached.

6. APPROVED PLANS

Approved Plans

Plan	Rev.	Plan Name	Date
051056_A	A	<i>Sunshine Coast Grammar School – Master Plan, prepared by BVG of Core Architecture</i>	09/01/2012

7. REFERENCED DOCUMENTS

Document No.	Rev.	Document Name	Date
MCU07/0031 TODA	– 1	<i>Supplementary Table of Assessment for Sunshine Coast Grammar School Master Plan</i>	January 2012
0198SMP	A	<i>Integrated Water Management Plan – Proposed Building Extensions</i> , prepared by Contour Consulting Engineers	30 July 2010
25499	2	<i>Grammar School Master Plan Sunshine Coast Grammar School Forest Glen - Addendum Traffic Engineering Report</i> , prepared by TTM	June 2010
51325	RO1	<i>Sunshine Coast Grammar School Proposed Expansion Mons Road, Forest Glen - Acoustic Report</i> , prepared by TTM	8 May 2009
2006-21 SCGS	1.0	<i>Bushfire Hazard Assessment – Sunshine Coast Grammar School</i> , prepared by Lioria Consulting	7 May 2009

8. ADVISORY NOTES**PLANNING****Equitable Access and Facilities**

1. 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); and
 - (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; and
- (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

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 3239 3647 to discuss any obligations under the *ACH Act*.

INFRASTRUCTURE POLICY**Infrastructure Charges**

3. Infrastructure charges associated with future applications for development permits arising from this Preliminary Approval must be paid in accordance with the relevant instrument applicable at the time of subsequent approval/s and indexed until the time payment.

CIVIL ENGINEERING**Building and Construction Industry (Portable Long Service Leave) Levy**

4. 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 *Sustainable Planning Act 2009*, 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.

Co-ordination of Operational Works Assessment

5. To assist council to undertake an integrated assessment of the operational works application, all aspects of the works must be included in one (1) application and be in accordance with council's planning scheme. Additional application fees apply to applications where the different aspects of the works are lodged separately. Significant savings in application fees will result if all works are lodged in a single application.

Preparation of a Preliminary Construction Management Plan

6. The works identified in this Decision Notice will be required to be carried out in accordance with a Construction Management Plan endorsed by council through an approval for Operational Works. To ensure expedient assessment of any Operational Works application, the applicant is advised to

submit a preliminary Construction Management Plan that addresses the requirements of the planning scheme. In particular, the preliminary Construction Management Plan should address the following:

- (a) Traffic management during all aspects of the construction 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; and
 - (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; and
 - (ii) dispute resolution procedures.
- (f) Details on the location of external fill sites/sources, the haulage route, type of vehicle to be utilised during filling operations and frequency of usage. NB any damage to the existing road system as a result of haulage operations shall be fully repaired at the applicant's expense; and
- (g) It is acknowledged that the Construction Management Plan will be a draft document requiring finalisation upon appointment of the Principal Contractor employed to construct the works and a final document will be required to be submitted at the Pre-Start Meeting for the project.

HYDRAULICS & WATER QUALITY

Co-ordination of Operational Works Assessment

7. To assist council to undertake an integrated assessment of the operational works application, it is our preference that all aspects of the works be included in one (1) application and be in accordance with council's planning scheme. Additional application fees apply to applications where the different aspects of the works are lodged separately. Significant savings in application fees will result if all works are lodged in a single application.

Qualified Person

8. For the purpose of preparing a Maintenance Manual for stormwater quality treatment devices, a qualified person is considered to be a Registered Professional Engineer of Queensland (RPEQ).

Integrated Water Management Guidelines

9. 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.

Lawful Point of Discharge

10. The applicant is advised that a lawful point of discharge for the development will need to be determined and demonstrated as part of a detailed design solution included with the Operational Works application.

LANDSCAPE AND ECOLOGY**Water Feature**

11. Queensland pool safety standards apply to indoor and outdoor pools that are deeper than 300mm (30cm) when filled with water. To promote safety, council strongly recommends that the water feature depth is reduced or measures taken to ensure that children are not exposed to drowning or injury risk as a result of this water feature being located within the communal open space area.

Existing trees on adjoining properties

12. council notes that the neighbouring property to the south has vegetation planted along the boundary. Should excavation or construction works within this development unearth roots from the vegetation it is recommended that a qualified arborist be consulted and retained by the applicant to implement measures to ensure the health and longevity of the neighbouring vegetation.

Prestart, On and Off Maintenance Meetings and Inspections Request

13. Contact council's delegate via 5475 9866 to arrange a prestart meeting or for On or Off Maintenance inspections. Please note that the landscape works are not subject to an On Maintenance period, however are expected to be maintained in good order for the life of the development.

UNITYWATER

14. Connection to Unitywater live water mains and the Unitywater live sewer system must be undertaken by Unitywater at the applicants cost.
15. A Trade Waste permit is required prior to any stormwater, groundwater or sump pump discharge into Unitywater's sewerage system.
16. Connection of the proposed works to existing water supply and sewerage reticulation can only be performed by Unitywater. A quotation for such works will be prepared upon request.
17. Unitywater currently requires the installation of Elster PSM 50100/39 dual check meters. Water meters may be purchased direct from "Elster" and installed by the developer, or Unitywater can provide the meters and undertake the works.
18. Where connection to the existing reticulation system is required, the depth of the existing pipework must be determined prior to initiation of works to ensure that the connection can be made without the use of vertical bends. Approval from Unitywater must be obtained where minimum pipe cover cannot be maintained.

19. Unitywater is not responsible for alterations to existing services that may be required when Unitywater is connecting new water mains to the live water network. This may involve negotiations with other service authorities.

9. PROPERTY NOTES

The following property notes will be placed against the subject property in council's property record system:

"Stormwater Quality Treatment Devices

This site is provided with stormwater quality 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 (council reference: MCU07/0031".

10. PRELIMINARY APPROVAL OVERRIDING PLANNING SCHEME

Not Applicable.

11. FURTHER DEVELOPMENT PERMITS REQUIRED

- Development Permit for Material Change of Use of Premises (Extension to Educational Establishment – including new sportsfields and outdoor lighting of existing sports facilities)
- Development Permit for Operational Works (Bulk Earthworks and Retaining Walls, Carparking, Driveways and Stormwater Drainage Works, Landscaping)
- Development Permit for Building Work
- Development Permit for Plumbing and Drainage Work

12. SELF ASSESSABLE CODES

Not Applicable.

13. SUBMISSIONS

There were 42 properly made submissions about the application. In accordance with *Sustainable Planning Act 2009*, the name and address of the principal submitter for each properly made submission is provided and attached.

14. REASONS / GROUNDS FOR APPROVAL DESPITE CONFLICT WITH SCHEME

Not Applicable.

15. RIGHTS OF APPEAL

You are entitled to appeal against this decision. A copy of the relevant appeal provisions from the *Sustainable Planning Act 2009* is attached.

During the appeal period, you as the applicant may suspend your appeal period and make written representations to council about the conditions contained within the development approval. If council agrees or agrees in part with the representations, a "negotiated decision notice" will be issued. Only one "negotiated decision notice" may be given. Taking this step will defer your appeal period, which will commence again from the start the day after you receive a "negotiated decision notice".

16. OTHER DETAILS

If you wish to obtain more information about council's decision, electronic copies are available on line at www.sunshinecoast.qld.gov.au, or at council Offices.

**(SPC) ITEM 4.2.1 SUNSHINE COAST RECREATION TRAIL PLAN 2012 –
APPENDIX A – RECREATION TRAIL PLAN 2012 – AS AMENDED**

Not provided due to size of this document.



