

Appendix A – Conditions of Approval

APPLICATION DETAILS

Application No:	MCU18/0311
Street Address:	2312 Steve Irwin Way LANDSBOROUGH
Real Property Description:	Lot 2 RP 180434
Planning Scheme:	Sunshine Coast Planning Scheme 2014 (19 October 2018)

APPROVAL DETAILS

Nature of Approval:	Approval with conditions
Type of Approval:	Development Permit for a Material Change of Use of Premises to Establish Animal Keeping

CURRENCY PERIOD OF APPROVAL

Unless extended, the currency period for this development approval is 6 years starting the day that this development approval first took effect (Refer to Section 85 “Lapsing of approval at end of currency period” of the *Planning Act 2016*).

The currency period for this approval is subject to any further extension of time declared by the State government for the “COVID-19 emergency applicable event” pursuant to s275E of the *Planning Act 2016*.

INFRASTRUCTURE

Unless otherwise specified, all assessment manager conditions of this development approval relating to the provision of infrastructure are non-trunk infrastructure conditions for Chapter 4 of the *Planning Act 2016*.

ASSESSMENT MANAGER CONDITIONS

PLANNING

When Conditions Must Be Complied With

1. Unless otherwise stated, all conditions of this decision notice as relevant to each particular stage of the approved use as described in this decision notice must be complied with prior to commencement of the particular stage, and then compliance maintained at all times while the use continues.

Approved Plans

2. Development authorised by this approval must be undertaken generally in accordance with the approved plans listed within this decision notice.

Building Height

3. The maximum height of the development must not exceed 8.5m above natural ground level.

Street Identification

4. The street address of the development must be clearly visible and discernible from the primary frontage of the site by the provision of a street number and, where appropriate, the name of the facility.

Development Staging

5. The development may be staged in accordance with the stage boundaries shown on the Approved Plans. If staged, the development need not be completed sequentially in the stage order indicated on the Approved Plans provided that any vehicle access, onsite manoeuvring, car parking and infrastructure services required to service the particular stage are constructed with that stage.

Sunset Date for Completion of Approved Development

6. Pursuant to s88 of the *Planning Act 2016*, the uncompleted aspects of this development approval lapse if the whole of the approved use has not happened by 14 October 2027.

Nature and Extent of Approved Use

7. A minimum of one employee must be present on the site at any one time.
8. The maximum number of dogs on site must not exceed 108 dogs excluding puppies, consisting of:
 - (a) Maximum of 60 adult dogs for breeding on site
 - (b) Maximum of 48 dogs boarding on site.
9. The maximum number of cats on site must not exceed 20 cats.
10. All stored equipment, goods or materials used in association with the approved use must be located within a building or screened from public view at all times.
11. Any sales of goods from the premises must remain ancillary to the approved use and restricted to dog, grooming and health supplies. The sales and display area must be wholly contained within the existing building and must not exceed 20m² in area.
12. Drop off and pick up operating hours must be between 7am to 6pm, unless otherwise made by appointment for an out of hours time.
13. Hours of use of outdoor run areas must be between 7am to 6pm.
14. Between 6pm to 7am dogs must be housed within kennel buildings with external façade elements closed.
15. Each common dog run must be limited to a maximum of 5 animals per play area at any one time and to be supervised by staff at all times.

ENVIRONMENTAL HEALTH

Acoustics

16. At all times, the development must comply with the noise criteria outlined in Section 3.1 of the RoadPro report of 5 August 2021 listed in this development approval. This applies to all noise from the development including dog barking, car movements, car parking, mechanical plant and equipment and service and delivery activities.
17. Mechanical ventilation/air conditioning must be supplied to all internal kennel areas housing dogs.
18. 2.5 metre high acoustic barriers must be established and maintained to MRTS15 specification, as shown on the Approved Plans.
19. The acoustic absorptive treatment proposed in the outdoor run areas must achieve a minimum noise reduction coefficient (NRC) 0.7.
20. The acoustic absorptive lining to the underside of the internal kennel ceilings with the lining must achieve a minimum NRC 0.6.
21. Kennel construction must be consistent with the RoadPro Report listed in this development approval and in accordance with the Approved Plans.
22. A Sound Level Meter (not a phone application) for the purpose of noise measurements as recommended in the Noise Management Plan must be provided on site.
23. A Noise Management Plan must be approved by Council prior to the commencement of use. The Noise Management Plan must include relevant approval conditions relevant to noise and operating hours within the Noise Management Plan and the setting of noise levels to be used in assessing overall noise compliance when measured at nominated locations on the project site.
24. The use must operate with the approved Noise Management Plan.
25. Post construction certification by qualified acoustic consultant that the development incorporates all of the required noise mitigation measures and complies with the numerical noise conditions must be provided prior to the commencement of use.

Complaints

26. The operator must prepare a complaints management procedure and submit to Council for approval prior to commencement of use. The complaints management procedure must include the following:
 - (a) a contact person with whom complaints can be lodged
 - (b) a clearly defined procedure for responding to and investigating complaints
 - (c) a notification protocol to all complainants of the outcome of complaint investigations.
27. A record of all complaints and investigation results including corrective actions must be maintained and made available for inspection at any time upon request by council.
28. The use must operate in accordance with the approved complaints management procedure.

29. Where complaints (other than frivolous or vexatious) are made to council about noise from the site, that have not been otherwise resolved via the complaints management procedure, council may require the operator to:
- (a) Engage a qualified person* to attend the site and monitor noise emissions from the site to confirm compliance or otherwise with the noise conditions of this development approval, and
 - (b) Where non-compliance with conditions is confirmed recommend measures to achieve compliance, and
 - (c) Carry out the recommended measures to achieve compliance.
- *(Refer to Advisory Note)

Waste Management

30. Refuse storage, removal and collection facilities must be provided in accordance with the Approved Plans and the following:
- (a) All general and recyclable waste material arising from the development must be collected and disposed to approved waste containers for service by council's waste removal contractor.
 - (b) A screened and adequately sized hardstand area for the on-site storage of all waste containers (general and recyclable material bins) must be provided.
 - (c) All dog faecal matter from the approved use must be disposed of to an approved on-site wastewater treatment system, or otherwise bagged and regularly disposed of to an approved waste disposal facility.
31. Where regulated waste is removed from the site, records must be kept of the following:
- (a) the date, quantity and type of waste removed;
 - (b) the name of the waste transporter and/or disposal operator that removed the waste; and
 - (c) the intended treatment/disposal destination of the waste.
32. A contaminant (including a waste) must not:
- (a) be buried onsite; or
 - (b) burned onsite; or
 - (c) be in contact with soil at the site; or
 - (d) directly or indirectly seep or penetrate into the soil or groundwater at the site.
33. All wastewater and liquid waste generated from the wash down of kennels and/or plant and equipment, must be directed to an approved onsite wastewater treatment system, sized to accommodate the required wastewater flows commensurate with the use, or removed offsite by a licensed regulated waste transporter.

Lighting Devices

34. Lighting associated with the use must be designed, sited, installed and tested to comply with Tables 3.2 & 3.3 for Zone A3 of AS 4282 - *Control of the obtrusive effects of outdoor lighting*.

Potable Water

35. The development must be provided with a safe and adequate potable water supply system having a capacity sufficient for the use.

Air Quality

36. The release of noxious or offensive odours or any other noxious or offensive airborne contaminants resulting from the use must not cause a nuisance at any nuisance sensitive or commercial place.
37. No particulate matter or visible contaminant, including dust, smoke, fumes and aerosols likely to cause environmental harm is to emanate beyond the boundaries of the site.

Environmental Performance

38. A Site Based Management Plan must developed and implemented that addresses the management of the environmental impacts of the development that includes:
 - (a) operating procedures to comply with conditions of this development approval, and to prevent or minimise potential environmental harm;
 - (b) maintenance practices and procedures;
 - (c) contingency plans to deal with foreseeable risks and hazards including corrective responses to prevent and minimise environmental harm;
 - (d) emergency procedures;
 - (e) communication of procedures, plans, incidents, potential environmental problems and results;
 - (f) handling of environmental complaints
 - (g) keeping and production of environmental records and reports;
 - (h) monitoring of the release of contaminants into the environment;
 - (i) staff training and awareness of environmental issues.
39. The site management entity must ensure that the activities at the premises comply with the Site Based Management Plan.
40. Contaminants or contaminated water must not be directly or indirectly released from the premises or to the ground or groundwater at the premises except for:
 - (a) uncontaminated overland stormwater flow;
 - (b) uncontaminated stormwater to a stormwater system;
41. The site management entity must ensure that:
 - (a) maintenance and cleaning of equipment (including vehicles and plant) is carried out in an area where contaminants cannot be released into stormwater drainage, a roadside gutter, a water or onto unsealed ground;
 - (b) any spillage of contaminants is cleaned up immediately by a method other than hosing, sweeping or otherwise releasing the contaminants into stormwater drainage, a roadside gutter or a water.
 - (c) incident rainfall and overland flow of stormwater does not contact contaminants (for example, kennel areas with contaminants should be roofed and be protected by diversion drains).
42. All chemical drum storage (including, but not limited to, cleaning solvents and sanitising agents) must be stored within a bunded area so that the capacity of the bund is sufficient to contain at least one hundred percent (100%) of the largest container plus twenty-five percent (25%) of the total storage capacity.

ENGINEERING

Property Access and Driveways

43. An access driveway must be provided from Steve Irwin Way to all parking and manoeuvring areas of the development. The works must be undertaken in accordance

with an operational works approval and, unless otherwise agreed with Council, must include in particular:

- (a) Upgrading of the existing access road driveway to an *all-weather* gravel road standard from the end of the Big Kart car park to the development car parking as indicated on the plans referenced with this development approval.
- (b) a driveway width of 3.5m with applicable curve road widening
- (c) passing bays 5.5m wide at intervals as indicated on the plans referenced with this development approval
- (d) a 3.5m wide *all weather* gravel emergency evacuation track from proposed car park area to the Amigh Way road reserve boundary fence including a 3m wide gate with lock.
- (e) Provision of a suitable turning area for an Articulated service vehicle near to the buildings and serving vehicle bay.

44. Approval from the Department of Transport and Main Roads (DTMR) for the final design of the site access and driveway works must be submitted in writing to Council prior to the issue of any development permit for operational works.

On-site Parking

45. A minimum of 11 car parking spaces must be provided and marked on the site and made available and accessible at all times while the use is open for business. The works must be undertaken in accordance with an operational works approval and must include in particular:
 - (a) pedestrian routes in accordance with the conditions of this development approval
 - (b) provision of vandal resistant public lighting with intensities to satisfy the requirements of *AS 1158 – Lighting for roads and public spaces*.
 - (c) parking spaces for people with disabilities must satisfy the current requirements of the *National Construction Code*.
 - (d) dimensions, crossfalls and gradients in accordance with *AS 2890 - Parking facilities*.
46. All on-site parking areas and access driveways must be maintained exclusively for vehicle parking and manoeuvring and kept in a tidy and safe condition at all times.
47. Directional signage must be provided to direct visitors and customers to the car parking spaces provided on-site.

Service Vehicles

48. Service vehicle parking, manoeuvring and standing spaces must be provided on the site. The works must be undertaken in accordance with an operational works approval and *AS 2890.2 - Off-street commercial vehicle facilities* and must include in particular:
 - (a) a minimum 1 Articulated Vehicle AV space with Type A Access.
 - (b) a minimum 1 WCV spaces (Type A Access)

Earthworks and Retaining Walls

49. All fill and associated batters 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.
50. All retaining walls must be designed and constructed in accordance with the planning scheme and must be certified by a Registered Professional Engineer of Queensland (RPEQ) where exceeding 1m in height.

51. Safety barriers must be implemented where steep slope or fall hazards exist naturally or are created by the design. The barrier type must be assessed and designed by a RPEQ as being appropriate for each location and the anticipated risks during construction, establishment, maintenance and end use, in accordance with the following criteria and standards:
- (a) Where located on public roadways, vehicle barriers must be designed in accordance with *Austroads* and the *DTMR* design guidelines.
 - (b) Where located adjacent to vehicle manoeuvring areas, vehicle barriers must be designed in accordance with *AS 2890.1 – Off-street Parking*
 - (c) Where located near publicly accessible paths, pedestrian and cycle barriers must be designed in accordance with *Austroads Guide to Road Design – Part 6A Paths for Walking and Cycling*.
 - (d) Where located in areas with limited access, pedestrian barrier selection must be based on a suitable risk assessment method e.g. *AS 2156.2 Walking Tracks*.
 - (e) All barriers must be certified to the appropriate load conditions from *AS 1170 - Structural Design Actions* by either the manufacturer or engineering calculations.

Stormwater Drainage

52. Works associated with this permit must not adversely impact on the existing drainage conditions on other properties (e.g. by blocking or interfering with natural overland flows)

Stormwater Quality Management

53. Stormwater quality treatment must be provided for the development. The works must be undertaken in accordance with an operational works approval and must incorporate the 'Alternative Management Measures for Stormwater Quality Management' specified in *Council's Planning scheme policy for development works* and specifically include the following:
- (c) Provide a rainwater harvesting and re-use system with a minimum of 80% of roof area connected to a rainwater tank in accordance with Section SC6.14.3.7 (Design requirements – stormwater quality). The tank capacity must be not less than 15 litres per square metre of total roof area.
 - (d) grade all impervious runoff to landscaped areas, buffers or swales prior to discharge.

Easements

54. Unless otherwise agreed in writing by the relevant service provider, any public or third party infrastructure located on the subject site must be placed within an easement registered against the title of the property.
55. 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. Draft easement documentation must be submitted to Council for endorsement.
56. All works must be kept clear of any existing or proposed easements on the subject land, unless agreed otherwise in writing by the Grantee.

ECOLOGY

Ecological Preservation

57. A vegetation protection covenant must be registered against the title – Lot 2 on RP180434, prior to the use commencing, over the area annotated on Attachment One of the Approved Plans pursuant to Section 97A(3)(b) 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. The covenant document must:
- incorporate the requirements of this development approval
 - include Sunshine Coast Council as Covenantee
 - reference Queensland Land Registry Standard Terms Document No. 715219876.
58. 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.
59. The following activities must not be carried out on site, whether within or outside the vegetation protection covenant.
- clearing, cutting down, poisoning, lopping or pruning of native vegetation which is indigenous to, or planted within, the covenant
 - soil/spoil dumping and/or compacting
 - soil excavation, other than for planting indigenous native plants.

The following exceptions apply:

- invasive plants listed in the *Biosecurity Act 2014*, and any council listed environmental weeds, exotic grasses and other plants identified in writing by council
- indigenous native trees which pose a well-founded threat to persons or property as approved in writing by council
- controlled bushfire burns to maintain ecological processes and protect existing and proposed infrastructure.
- all vegetation (native and exotic) within 20 metres of the existing residence

Works within Protected Land

60. The following works must be undertaken within the land to be covered by the vegetation protection covenant prior to the use commencing:
- Permanent survey markers in the form of “capped” star pickets 1.2 metres out of ground at 20 metre intervals.

Bushfire Management

61. All works must be carried out in accordance with the bushfire management plan prepared by Wollemi Eco-Logical Pty Ltd Project Reference: 20027 dated 6th March 2020 and listed in this development approval. A copy of the bushfire management plan for the development must be provided to the nearest fire authority.
62. Certification must be submitted to council from a qualified person* which certifies that the development has been constructed in accordance with the bushfire management conditions of this development approval.
63. A bushfire evacuation plan for the site must be prepared by a qualified person* and submitted to council prior to the use commencing. A copy of the bushfire evacuation plan for the development must be provided to the nearest fire authority

64. All future buildings and associated infrastructure on Lot 2 RP180434 must be sited and constructed in accordance with any building siting and construction requirements contained within the bushfire management plan for the development.

PLUMBING

Wastewater Treatment and Effluent Disposal

65. New or existing development must be provided with an On-Site Wastewater Treatment and Effluent Disposal System having a capacity sufficient for the use.
66. A plumbing application must be provided for a Plumbing Permit for the plumbing and drainage including fixtures being installed consisting of a Form 1. *Plumbing and Drainage Act 2018 Part 3 s66 and Plumbing and Drainage Regulation 2019 s44 (1) (a) and 52(2)*. Hydraulic drawings from an accredited Queensland Building and Construction Commission (QBCC) plumbing design consultancy firm must be submitted with the application. A QBCC accredited onsite evaluators report and design for the waste water flow generated on site must be provided with the application.
67. All wastewater generated on site must be treated to a minimum secondary standard to reduce any potential environmental impacts.
68. The Land Application Area (LAA) must be designed in accordance with those contained within the *Queensland Plumbing and Wastewater Code* and Table 3 of the SEQ Water Guidelines. SEQ Water - Land Use Planner must provide feedback at time of submission/assessment for a Plumbing Permit.
69. The size of the proposed LAA must provide space for a 100% reserve area on the site.

SEQWATER CONDITIONS

70. A Site and Soil Evaluation compliant with the Seqwater Development Guidelines for Water Quality Management in Drinking Water Catchments 2017 and the Land Use Risk Tool is provided to Seqwater for review and approval, prior to commencement of the use. The report must be generally in accordance with the Land Suitability Assessment (prepared by Future Plus Environmental, dated 31/10/2018) and must address and resolve concerns relating to the atypical wastewater generated by the development and treatment capability by a domestic wastewater treatment plant. The report must be prepared by a suitably qualified, QBCC licenced wastewater consultant ('Site Classifier' and/or 'Hydraulic Services Design' licence class).
71. The effluent land application area must be located above the 1%AEP flood level.
72. The disposal of treated effluent to land must not be by way of surface spray or covered surface drip irrigation, but instead, by a sub-surface method.
73. Wastewater diverted to any on-site wastewater treatment facility must be treated to a minimum advanced secondary standard.
74. Any on-site wastewater treatment facility, as well as pipelines and disposal areas must be maintained appropriately, being inspected and repaired as necessary, in accordance with the manufacturer's recommendations or at least twice yearly.
75. All use areas, buildings, wastewater treatment facility and effluent disposal area must be set back a minimum of 400m to the Full Supply Level of Ewen Maddock dam, located at 25.38m

AHD. A survey plan demonstrating this must be submitted and signed off by Council prior to commencement of the use.

76. All use areas, buildings, wastewater treatment facility and effluent disposal area must be set back a minimum of 50m to any Stream Order 1-3 watercourses on or near the subject site.
77. All faecal solids are to be collected from the exercise / activity yards and kennels of both the accommodation and breeding facilities daily. Faecal solids are to be placed into sealed receptacles and stored appropriately (bundled, impervious surface and covered / weatherproof) for regular collection by a licenced waste contractor for appropriate disposal off site. The waste contractor must be certified to deliver the waste to a municipal wastewater treatment facility. Waste must not be disposed of in landfill. Suitable arrangements for this process must be confirmed prior to commencement of the use.
78. Disposal of dog and kennel washdown wastewater must be directed to a designated sump point, diverted to sewer or the on-site wastewater treatment system.
79. A filtration device is to be provided for the purpose of removing hair and other solid wastes from wastewater prior to diversion to the treatment system. The device must be regularly cleaned out and collected solids placed in the faecal solids containment vessels.
80. Pesticides, cleaning / disinfecting / antibacterial products must be stored in a weatherproof structure on a bunded handstand surface, in quantities not exceeding 200L / kg. Any spills must be cleaned up and appropriately disposed of immediately. A spill kit must be made available to facilitate this.
81. All cleaning and other products used in the facility must be safe for discharge to the on-site wastewater treatment system and used in the lowest possible quantities.
82. No earthworks or vegetation clearing shall occur within 25m of a Stream Order 1-3 watercourse, or on a gradient exceeding 15%.
83. All vehicular and pedestrian movement paths and parking areas must be either sealed or a gravel surface. All paths and driveways must be maintained so as to prevent stormwater erosion and sedimentation of local watercourses and Ewen Maddock dam.

REFERRAL AGENCIES

The referral agencies applicable to this application are:

Referral Status	Referral Agency and Address	Referral Trigger	Response
Concurrence	SARA at DSDILGP South East Qld (North) Regional Office PO Box 1129 Maroochydore QLD 4558 Mydas2 at (https://prod2.dev-assess.qld.gov.au/suite/) Email: segnorthsara@dsdmip.qld.gov.au	Schedule 10, Part 9, Division 4, Subdivision 2, Table 4 (Planning Regulation 2017): Development application for a material change of use within 25 metres of a	The agency provided its response on 24 February 2020 (Reference No. 1811-8443 SRA).

		state-controlled road.	
--	--	------------------------	--

DEVELOPMENT PLANS

The following development plans are Approved Plans for the development:

Approved Plans

Plan No.	Rev.	Plan Name	Date
-		<i>Drawing Schedule, Proposed Animal Keeping 2312 Steve Irwin Way Landsborough, prepared by Jim Moehead Building Design & Drafting</i>	-
180606 – SK1	C	<i>Site Plan, Proposed Animal Keeping 2312 Steve Irwin Way Landsborough, prepared by Jim Moehead Building Design & Drafting</i>	30/7/21
180606 – SK2	D	<i>Part Site Plan, Proposed Animal Keeping 2312 Steve Irwin Way Landsborough, prepared by Jim Moehead Building Design & Drafting</i>	30/7/21
180606 – SK3	B	<i>Parking Areas, Proposed Animal Keeping 2312 Steve Irwin Way Landsborough, prepared by Jim Moehead Building Design & Drafting</i>	30/7/21
180606 – SK4	B	<i>Boarding Kennels/Admin/Office, Proposed Animal Keeping 2312 Steve Irwin Way Landsborough, prepared by Jim Moehead Building Design & Drafting</i>	30/7/21
180606 – SK5	B	<i>Office/Admin Layout, Proposed Animal Keeping 2312 Steve Irwin Way Landsborough, prepared by Jim Moehead Building Design & Drafting</i>	30/7/21
180606 – SK6	B	<i>Boarding Kennels/Admin/Office – Elevations, Proposed Animal Keeping 2312 Steve Irwin Way Landsborough, prepared by Jim Moehead Building Design & Drafting</i>	30/7/21
180606 – SK7	C	<i>Breeding Kennels - Layout, Proposed Animal Keeping 2312 Steve Irwin Way Landsborough, prepared by Jim Moehead Building Design & Drafting</i>	30/7/21
180606 – SK8	C	<i>Breeding Kennels – Elevations, Proposed Animal Keeping 2312 Steve Irwin Way Landsborough, prepared by Jim Moehead Building Design & Drafting</i>	30/7/21
180606 – SK9	B	<i>Existing Residence – Plan & Elevations, Proposed Animal Keeping 2312 Steve Irwin Way Landsborough, prepared by Jim Moehead Building Design & Drafting</i>	30/7/21
-		<i>Attachment One Vegetation Protection Covenant, prepared by Sunshine Coast Council</i>	September 2021

REFERENCED DOCUMENTS

The following documents are referenced in the assessment manager conditions:

Referenced Documents

Document No.	Rev.	Document Name	Date
1177R1-R2	2	<i>Environmental Noise Assessment Animal Keeping Facility</i> , prepared by RoadPro	5 August 2021
2019006-rpt001	A	<i>Stormwater Management Plan</i> prepared by 360 Civil Consulting	14/2/20
P02	A	<i>Development Layout Plan</i> prepared by 360 Civil Consulting	29/01/20
P04		<i>Passing Bays 1 & 2</i> prepared by 360 Civil Consulting	March 19
P05		<i>Passing Bays 3 & 4</i> prepared by 360 Civil Consulting	March 19
P06		<i>Boarding Kennel Parking</i> prepared by 360 Civil Consulting	March 19
P07		<i>Typical Sections</i> prepared by 360 Civil Consulting	March 19
P09		<i>Preliminary Earthworks Plan</i> prepared by 360 Civil Consulting	March 19
Project Reference:20027		<i>Bushfire Management Plan – 2312 Steve Irwin Way Landsborough Lot2 on RP180434 AS</i> , prepared by Wollemi Eco-Logical Pty LTD	6/03/2020

ADVISORY NOTES

The following notes are included for guidance and information purposes only and do not form part of the assessment manager conditions:

Infrastructure Charges

1. Infrastructure Charges, determined in accordance with Council's Infrastructure Charges Resolution, apply to this development approval. The Infrastructure Charges Notice, for council's proportion of the infrastructure charge, has been issued. Unitywater may issue an infrastructure charges notice for their proportion of the infrastructure charge.

Equitable Access and Facilities

2. The plans for the proposed building work have NOT been assessed for compliance with the requirements of the *National Construction Code - Building Code of Australia (Volume 1)* as they relate to people with disabilities. Your attention is also directed to the fact that in addition to the requirements of the National Construction Code as they relate to people with disabilities, one or more of the following may impact on the proposed building work:
 - (a) *the Disability Discrimination Act 1992 (Commonwealth)*
 - (b) *the Anti-Discrimination Act 1991 (Queensland)*

(c) *the Disability (Access to Premises – Buildings) Standards.*

Aboriginal Cultural Heritage Act 2003

3. 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 Court, 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 Unit on 07 3247 6212 to discuss any obligations under the *ACH Act*.

Easements and Future Works over External Land

4. Should the conditions of this development approval require easements or works to be undertaken over land external to the site, council recommends that easement and works requirements are negotiated with the relevant land owner/s prior to advancing to detailed design stages of the development to avoid unexpected costs or delays. To discuss easement or works requirements over council owned or controlled land, please liaise directly with council’s Property Management Unit and note that compensation may be payable.

Other Laws and Requirements

5. This approval relates to development requiring approval under the *Planning Act 2016* only. It is the applicant’s responsibility to obtain any other necessary approvals, licences or permits required under State and Commonwealth legislation or council local law, prior to carrying out the development. Information with respect to other council approvals, licences or permits may be found on the Sunshine Coast Council website (www.sunshinecoast.qld.gov.au). For information about State and Commonwealth requirements please consult with these agencies directly.

Restriction on Building Approval until all other Permits are Effective

6. Pursuant to the statutory provisions of the Building Act, a private building certifier must not grant any building development approval related to this development until all necessary development permits for the development (including, for example, operational works approvals) have taken effect under the *Planning Act 2016*. This legislative requirement is critical to ensure that a private certifier’s approval about a component of the development is consistent with the assessment managers’ decisions on other aspects of the overall development.

Development Compliance Inspection

7. Prior to the commencement of the use, please contact council's Development Audit & Response Unit to arrange a development compliance inspection.

Pre-Design Meeting Services

8. Council offers a free pre-design meeting service specifically for operational works applications. Applicants are encouraged to utilise this service prior to the submission of their operational works application to ensure that their application is not held up by avoidable design issues. It is anticipated that the pre-design meeting will ultimately assist in fast tracking the assessment of an operational works application once it is lodged with Council as a result of design and application issues being resolved or substantially resolved prior to the application being submitted. For more information on this service or to book a pre-design meeting please visit Council's website or contact (07) 5475 PLAN.

Building and Construction Industry (Portable Long Service Leave) Levy ("Qleave")

9. The QLeave levy must be paid prior to the issue of a Development Permit for Operational Works where required. Council will not be able to issue a development approval for operational works without receipt of details that the Levy has been paid. QLeave contact: 1800 803 491 (free call) or (07) 3212 6844.

Co-ordination of Operational Works

10. Additional application fees apply to operational work 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.

Unitywater – Water and Sewerage Services

11. Where water and sewerage infrastructure is proposed to be constructed within an existing road reserve controlled by Council, a further consent approval for the alignment and extent of works will be required under Section 75 of the *Local Government Act 2009*. This consent must be obtained prior to any water and sewerage related works occurring within the road reserve. The consent request must be submitted in the approved form to Council's Infrastructure Services Department.
12. Where water and sewerage infrastructure is proposed to be constructed within an existing park or reserve controlled or owned by Council, consent approval from Council, as owner of the land, is required for the alignment and extent of works. This consent must be obtained prior to any water and sewerage related works occurring within the park or reserve. The consent request must be submitted in the approved form to Council's Land Management Unit.

Preparation of a Preliminary Construction Management Plan

13. A preliminary construction management plan must be submitted with the Operational Works application and must 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 for the areas affected by the works during and after daily construction has ceased.
 - (iii) proposed fencing to the site during the construction phase of the development.

- (iv) approval of the traffic management control plan by the Department of Transport and Main Roads (TMR) for any works on State-controlled roads.
- (v) provision for worker car parking.
- (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, services and other relevant issues.
- (e) identification of complaint management procedures including:
 - (vi) contact details for the on-site manager.
 - (vii) 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. NOTE: any damage to the existing road system as a result of haulage operations shall be fully repaired at the applicant's expense.

It is acknowledged that the preliminary 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.

Qualified Person

14. For the purpose of certifying acoustic matters or treatments for the development, a qualified person is considered to be either:
- (a) a Registered Professional Engineer of Queensland (RPEQ);
 - (b) an environmental consultant with a minimum of three (3) years current experience in the field of acoustics.

Noise – Fixed Plant and Equipment

15. For the building design and construction of the approved use, the direction of a qualified acoustic consultant will ensure the installation of fixed plant and equipment (eg air-conditioning condenser units, refrigeration plant and mechanical exhaust discharge) is suitably located and/or shielded to avoid nuisance being caused by any noise from the plant and equipment.

Potable Water

16. The use has been approved in an area that is not currently connected to the municipal water supply. In accordance with the *Public Health Act 2005*, the development must be provided with a safe, adequate and potable water supply. Tank water must be treated to a potable standard and fitted with an appropriate sanitation system such that water is safe to drink. It is recommended that prior to commencement of use, testing certification be undertaken in order to ensure water is safe for consumption.

On Site Effluent Treatment and Disposal

17. The establishment of a waste water treatment and disposal system for the site requires a compliance permit to be obtained from Council under the *Plumbing and Drainage Act 2002*. The system must be designed in accordance with the *Queensland Plumbing and Wastewater Code* (Department of State Development and Infrastructure & Planning,

2007) and AS1547 - On-site Domestic Wastewater Management. Where an effluent disposal system's design capacity exceeds twenty-one (21) or more Equivalent Persons, an Environmental Authority is required to be obtained from the Department of Environment & Science.

18. The establishment of any Wastewater Treatment and Disposal System new or existing for the site requires a Plumbing Compliance Permit to be obtained from Council under the *Plumbing and Drainage Act 2018 and Regulation 2019*. The system must be designed in accordance with the *Queensland Plumbing and Wastewater Code* and Australian Standard AS/NZS1547:2012 "*On-site Domestic Wastewater Management*".

Environmental Harm

19. *The Environmental Protection Act 1994* requires that a person must not carry out any activity that causes, or is likely to cause, environmental harm unless the person takes all reasonable and practicable measures to prevent or minimise the harm. Contact Council or the Department of Environment & Science for further information with respect to *Environmental Protection Act 1994* requirements.

PROPERTY NOTES

MCU18/0311 – Vegetation Protection Covenant

1. The following notation applies to Lot 2 on RP180434:

A Vegetation Protection Covenant applies to this property. No clearing of vegetation is to occur within the covenanted area, except where in accordance with the terms of the covenant.

MCU18/0311 – Bushfire Management

2. The following notation applies to Lot 2 on RP180434:

To ensure the safety of people and property on this lot is maintained, all buildings, structures and infrastructure must be sited and/or constructed in accordance with the bushfire management conditions of Council approval MCU18/0311..

VARIATION APPROVAL

Not applicable.

FURTHER DEVELOPMENT PERMITS REQUIRED

- Development Permit for Operational Work
- Development Permit for Building Work

SUBMISSIONS

There were 104 properly made submissions about the application. In accordance with the *Planning Act 2016*, the name, residential or business address, and electronic address of the principal submitter for each properly made submission will be provided.

INCONSISTENCY WITH EARLIER APPROVAL

Not applicable.

ENVIRONMENTAL AUTHORITY

Not applicable.

RIGHTS OF APPEAL

You are entitled to appeal against this decision. A copy of the relevant appeal provisions from the *Planning Act 2016* is attached.

OTHER DETAILS

If you wish to obtain more information about council's decision, please refer to the approval package for the application on Council's Development.i webpage at www.sunshinecoast.qld.gov.au, using the application number referenced herein.