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**APPENDIX A - CONDITIONS OF APPROVAL****1. APPLICATION DETAILS**

Application No: MCU15/0291 & OPW15/0787  
Street Address: 55 Caloundra Road LITTLE MOUNTAIN  
Real Property Description: Lot 1 RP 97821  
Planning Scheme: Sunshine Coast Planning Scheme (3 August 2015)

**2. DECISION DETAILS**

The following type of approval has been issued:

Development Permit for Material Change of Use of Premises (Service Station)  
Development Permit for Operational Work (Engineering Works – Stormwater, Earthworks)  
Development Permit for Operational Works (Advertising Devices)

**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. INFRASTRUCTURE**

Where conditions relate to the provision of infrastructure, these are non-trunk infrastructure conditions unless specifically nominated as a “necessary infrastructure condition” for the provision of trunk infrastructure as defined under chapter 8 of the Sustainable Planning Action 2009.

**5. ASSESSMENT MANAGER CONDITIONS****DEVELOPMENT PERMIT FOR MATERIAL CHANGE OF USE OF PREMISES (SERVICE STATION)****PLANNING****When conditions must be complied with**

1. Unless otherwise stated, all conditions of this decision notice must be complied with prior to the use commencing, 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. The approved plans must be amended to incorporate the amendments listed within this decision notice and resubmitted to council prior to the issue of any development permit for Building Works\*.

\*(Refer to Advisory Note)

### **Nature and Extent of Approved Use**

3. The approved use is for a Service Station with ancillary facilities including a shop with a gross floor area of 100m<sup>2</sup>.
4. At all times while the use continues, the shop must remain an ancillary component of the approved use.
5. The approved use must not operate outside the hours of 7am to 10pm Monday to Sunday. The requirements of this condition must be included in any lease, community management statement, or any body corporate for the subject site. It shall be the responsibility of the site management entity to ensure that this condition is adhered to at all times.
6. All buildings and structures must be setback at least 5m from the side and rear property boundaries.

### **Building Height**

7. The maximum height of the development must be as per the approved plans and must not exceed 8.5m above natural ground level.

### **Street Identification**

8. 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.

### **Public Safety**

9. All shopfront glazing must be protected against unlawful entry by the use of a form of safety glass such as toughened or laminated glass. All other windows provided at the ground floor must include toughened or laminated glass, or security screens.
10. Vandal proof materials and anti-graffiti paint must be used in the building construction.
11. Signs must be provided and located to direct staff and customers to entries and exits and to parking spaces within the site. Public parking areas must be clearly designated as such and have clearly defined access points.
12. During operating hours, all building entrances, parking areas, pedestrian areas and loading docks must be well lit with vandal resistant lighting and with intensities to satisfy the requirements of AS1158 - *Lighting for Roads and Public Spaces* and the Sunshine Coast Public Lighting Plan. Lighting must be directed onto the site or building and away from neighbouring sites. Lighting must be designed to reduce the contrast between shadows and well lit areas.

### **Renewable Energy (Sustainable Design Code)**

13. The development must implement the use of solar power or other non-polluting, renewable energy sources to supply part or all of the development's energy needs.

## ENGINEERING

### Property Access and Driveways

14. A sealed access driveway must be provided from Caloundra Road and Latcham Drive to all parking and manoeuvring areas of the development. The works must include in particular:
  - (a) a driveway crossover in accordance with IPWEAQ standard drawing RS-051 Type B, to both accesses
  - (b) a driveway width of 9.0m to Caloundra Road (left in only) and 8.0m to Latcham Drive
15. Approval from the Department of Transport and Main Roads for the final design of the site access and driveway works from Caloundra Road must be submitted in writing to Council prior to the commencement of works.

### Car Parking

16. A minimum of 7 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 include in particular:
  - (a) 1 disabled parking space within the total
  - (b) crossfalls and gradients in accordance with Australian Standard AS2890: *Parking Facilities*
17. All car 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.

### Paving Treatment of Vehicle Movement Areas

18. Alternative materials, patterns, or threshold treatments must be used to articulate the pavement treatment of vehicle movement areas.

### Service Vehicles

19. Service vehicle parking, manoeuvring and standing spaces must be provided on the site. The works must include in particular:
  - (a) 1 Van space; and
  - (b) occasional access for an AV.

### Pedestrian and Bicycle Facilities

20. Pedestrian and bicycle facilities must be provided for the development. The works must include a total of 4 class C bicycle parking spaces as per Table 1.1 of AS2890.3:2015.

### Stormwater Drainage

21. 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 the Queensland Urban Drainage Manual, and must include in particular:
  - (a) the works shown on the Approved Plans, with the exception of the following:
    - (i) the invert level of the field inlet in the Biobasin and the connection to the

existing gully pit are to be amended as per the amended plan.

- (b) collection and discharge of stormwater to the gully pit in Latcham Drive
- (c) the use of gravity stormwater drainage and not surcharge pits.

### **Stormwater Quality Management**

- 22. A stormwater quality treatment system must be provided for the development. The works must include stormwater quality treatment devices of a size and location generally in accordance with those shown in section 5 of the of the Engineering Report & Stormwater Management Plan listed in this Decision Notice
- 23. All stormwater quality treatment devices must be maintained in accordance with the Water by Design (2009) - *Maintaining Vegetated Stormwater Assets* (Version 1). A copy of this document must be retained on the site together with the approved Operational Works drawings for the stormwater quality treatment system and a detailed life cycle costing of the system attached as an addendum. Records of all maintenance activities undertaken must be kept and made available to Council upon request.

### **Electricity and Telecommunication Services**

- 24. Underground reticulated electricity and telecommunication services must be provided to the development in accordance with the standards and requirements of the relevant service provider.
- 25. 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.
- 26. Certification must be submitted to Council from all relevant service providers which certifies that the development has met the requirements of this Decision Notice and all applicable legislation at the time of construction.

### **Water and Sewerage Services**

- 27. An underground connection to reticulated water and sewerage must be provided to the development site in accordance with the standards and requirements of Northern SEQ Distributor-Retailer Authority (Unitywater).
- 28. A Certificate of Completion from the Northern SEQ Distributor-Retailer Authority (Unitywater) must be submitted to Council that certifies an underground connection to reticulated water and sewerage has been provided to the development site at the time of commencement of use.

## **LANDSCAPING**

### **Landscaping Works**

- 29. The development site must be landscaped. The works must be undertaken in accordance with the Operational Works approval included in this Decision Notice and in accordance with the requirements of the Caloundra West Local Plan Code, the Specialised Centre Zone Code, the Service Station Code, the Scenic Amenity Overlay Code and the Landscape Code. Works must include in particular:

- (a) a minimum 2 metre wide landscaping strip along each road frontage of the subject site, exclusive of the access driveways, generally uncompromised by infrastructure items.
  - (b) vegetated screening of the acoustic barrier in accordance with the conditions of this Decision Notice.
  - (c) vegetated screening of any electrical transformers, bin storage areas and the like from the road frontage.
  - (d) a landscape concept and proposed planting schedule that integrates plantings within the bioretention device and amenity planting areas demonstrating the assimilation of the device within the landscape design.
  - (e) provision of 5 street trees within the road reserves, located subject to line of sight requirements and infrastructure setbacks.
30. All landscape works must be established and maintained in accordance with the approved design for the life of the development, and in a manner that ensures healthy and sustained plant growth. All plant material must be allowed to grow to full form and be refurbished when its life expectancy is reached.

## ENVIRONMENTAL HEALTH

### Waste Management

31. Refuse storage, removal and collection facilities must be provided in accordance with the following:
- (a) provision of a minimum bulk bin volume of 1.1m<sup>3</sup> for general waste, and 1.1m<sup>3</sup> for recycle waste for the site.
  - (b) collection by service vehicles on site in a safe, efficient and unobstructed manner.
  - (c) provision of a communal hardstand impervious area for the permanent storage location of all refuse bins.
  - (d) provision of a 1.8m high purpose built enclosure to the communal bin store, which is screened from the street and adjoining properties by landscaping or fencing
  - (e) 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 1m<sup>2</sup>.

### Acoustic Amenity

32. Acoustic measures and treatments must be incorporated into the development in accordance with section 6 of the *Environmental Noise Impact Report* listed within this Decision Notice, with the exception of the following:
- (a) The 3m high section of the acoustic barrier must be extended west along the northern boundary for the full length of the building, where it must connect to the 4m high section.
  - (b) The surface mass of all acoustic barriers must be a minimum of 12.5kg/m<sup>2</sup>.
33. Where complaints (other than frivolous or vexatious) are made to council about noise from the approved use, council may require the site management entity to:
- (a) Submit a Noise Impact Assessment prepared by a suitably qualified acoustic consultant in accordance with the Sunshine Coast Planning Scheme 2014 Nuisance Code Policy, and/or

- (b) Undertake further noise amelioration measures, install volume limiting devices or barriers and/or shield or relocate mechanical plant and equipment and have such measures certified by a qualified person\*.

\*(Refer to Advisory Note)

34. Certification must be submitted to Council from a qualified person\* which certifies that the development has been constructed in accordance with section 6 of the *Environmental Noise Impact Report* and the Acoustic Amenity conditions within this Decision Notice.

\*(Refer to Advisory Note)

### **Lighting Devices**

35. Lighting associated with the use must be designed, sited, installed and tested to comply with Table 2.1 & 2.2 of Australian Standard AS4282-1997 "*Control of the obtrusive effects of outdoor lighting*" using a control level of 1.

36. Certification must be submitted to Council from a qualified person\* which certifies that all outdoor lighting devices comply with the requirements of this Decision Notice.

\*(Refer to Advisory Note)

### **Air Quality**

37. 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.

38. The petroleum product storage vent stack must be located in accordance with the conclusions and recommendations in section 6 of the Air Quality Assessment Report listed within this decision notice.

### **Vapour Recovery**

39. Stage 1 Vapour Recovery Systems (VR1) must be installed for all tanks used for the storage of motor spirit on the site to return displaced vapour to the delivery vehicle during filling of the underground petroleum storage system. The Vapour Recovery System must be designed and installed in compliance with AS4897-2008 "*the design, installation and operation of underground petroleum storage systems*"

- (a) mixing of product must be prevented in pipework common to more than one tank;
- (b) spring-loaded vapour return adaptor, which closes when the hose is disconnected, must be installed in the top of the riser; and
- (c) the vapour recovery point must be located within 2 metres of the respective fill point.

### **Underground Petroleum Storage System**

40. The design, installation and operation of the site and associated underground petroleum product storage system must be in accordance with the following:

- (a) AS4897-2008 "*the design, installation and operation of underground petroleum storage systems,*" for an Equipment Level 1 Underground Petroleum Storage System.

(b) AS1940-2004 *"The storage and handling of flammable and combustible liquids"* for an Underground Petroleum Storage System.

Certification must be submitted to Council from a qualified person\* which certifies that the design, installation and operation of the site is in accordance with this condition of approval.

*\*(Refer to Advisory Note)*

41. All inlets to bulk fuel storage tanks must be located to ensure that fuel delivery trucks can stand wholly within the site while discharging fuel.

#### **Fuel Dispensing Area**

42. All ground surfaces within the Fuel Dispensing Area are to be constructed of impermeable materials free of gaps and/or cracks. Suitable materials include waterproofed, reinforced concrete or an approved equivalent.
43. The Fuel Dispensing Area is to be clearly demarcated from the outer forecourt area, access roads, general parking bays and all other areas to clearly delineate the higher contamination risk area from lower risk areas. Acceptable demarcation methods include a painted line on the ground, roll-over bunds, drainage lines or different coloured impermeable material.
44. The Fuel Dispensing Area must be graded to a suitable underground containment vessel\* (i.e. Spelceptor) compatible with petroleum products and other likely chemicals.  
*\*(Refer to Advisory Note)*
45. The Underground Containment Vessel\* is to have a capacity to hold a volume equivalent to at least that of the largest tanker compartment likely to be delivering fuel to the site.  
*\*(Refer to Advisory Note)*
46. A liquid-tight dispenser sump is to be installed under each dispensing unit. It is to be designed to house all pipework joins and fittings and to collect and contain any leak from contaminating the surrounding soil/groundwater.
47. Drainage inlets located in the vicinity of the general forecourt area must be provided with signage indicating the fate of flow such as "flows to treatment system" or "flows to containment sump".
48. All reasonable and practicable measures\* must be taken to prevent or minimise environmental harm\* that may be caused by the use.  
*\*(Refer to Advisory Note)*
49. Certification must be submitted to Council from a Qualified Person\* which certifies that the installed equipment associated with the underground storage and the dispensing of Flammable and Combustible Liquids complies with the requirements of this Decision Notice.  
*\*(Refer Advisory Note)*

### **Environmental Performance**

50. Grease and oil arrestors or other infrastructure must be provided to prevent the movement of contaminants from the site.
  
51. The collection, treatment and disposal of solid and liquid wastes must ensure that:
  - (a) off-site releases of contaminants do not occur; and
  - (b) measures to minimise waste generation and to maximise recycling are implemented.



**DEVELOPMENT PERMIT FOR OPERATIONAL WORK (ENGINEERING WORKS & LANDSCAPING)****ENGINEERING****Earthworks and Retaining Walls**

52. All fill and associated batters must be contained entirely within the subject site unless written permission from the respective landowner(s) is provided to Council. All earthworks must be undertaken in accordance with the provisions of Australian Standard AS3798: *Guidelines on Earthworks for Commercial and Residential Developments*.
53. All retaining walls must be designed and constructed in accordance with the planning scheme and must be certified by an RPEQ where exceeding 1.0m in height. All retaining walls that are publicly accessible and exceed 1.0m in height must be fitted with a commercial grade safety fence.

**PRIOR TO COMMENCEMENT OF WORKS**

54. Prior to requesting a prestart meeting:
- (a) receipt of amended plans approval
  - (b) a condition report of the drainage system must be completed for agreement at the prestart meeting. The condition report is to include a CCTV inspection of the existing pipe must be include at least 50m upstream and downstream of all works
  - (c) all necessary approvals from external service providers (eg Unitywater) and external parties on which the development works are proposed have been obtained and a copy supplied to council.
55. A prestart meeting must be organised with council's delegate by calling 5475 9866 (giving at least five (5) business days notice). The applicant must organise for the relevant parties to be in attendance at the meeting including those responsible for:
- (a) civil engineering works
  - (b) erosion and sediment control works
  - (c) other relevant parties.
56. A condition report including photographs of the frontage of the site must be completed and submitted to council at the prestart meeting.
57. Any conflict between the development and an existing or proposed service must be referred to the relevant service authority for determination prior to commencement of works.

**Erosion and Sediment Control**

58. An erosion and sediment control plan and a completed design certificate for erosion and sediment control must be provided to council's delegate in accordance with the requirements of the *Planning scheme policy for development works* prior to the onsite prestart meeting and prior to works commencing.

## DURING CONSTRUCTION

### General

59. Where damage occurs to any council asset as a result of the development works, it must be repaired immediately where it creates a hazard that presents risk to person or property. Other damage must be repaired prior to completion of works.
60. A Registered Professional Engineer, Queensland (RPEQ) must undertake the necessary supervision, inspections, testing and or auditing of the works to enable them to certify that all works conform to the Operational Works approval and current engineering standards. Where municipal works are involved, such confirmation must be submitted for the respective hold points prior to any site inspection by council officers.
61. All works must be constructed and work procedure undertaken in accordance with:
- the approved plans/documents and conditions detailed in this decision notice
  - all relevant council planning scheme policies, standard drawings, standard specifications and guidelines
  - the latest version of *Water Sensitive Urban Design Technical Design Guidelines for South East Queensland* (Healthy Waterways) for all water quality devices to be constructed on site.

### Erosion and Sediment Control

62. Information is to be provided and all works undertaken in accordance with the requirements of the *Planning scheme policy for development works* (SC6.14.6.5 Protecting waters from the impacts of developments) at all times from when land disturbing activities commence until such time as the site is effectively stabilised. This is to include, but is not limited to, the following specific actions in accordance with the *Planning scheme policy for development works*:
- inspection certification is to be provided in the form and frequency specified in the *Planning scheme policy for development works*
  - all actions are to be taken to avoid and minimise releases, flow and discharges of prescribed water contaminants in accordance with the requirements of the *Planning scheme policy for development works*
  - prior to the sealing of the plan of survey for the subdivision OR prior to the commencement of use, the site is required to be effectively stabilised.

### Pavement Design and Construction

63. Pavement design for privately owned works must be undertaken in accordance with the relevant standards. Structural integrity of the driveway and car park areas will remain the responsibility of the property owner/developer and must be certified by an RPEQ.

### Works within Road Reserve/Reinstatement

64. Safe pedestrian access on all streets in the vicinity of the development must be maintained at all times. Should footpath/road closures be necessary to carry out construction works, council's Engineering Officer must be notified prior to the proposed closure and all requirements complied with.

65. All frontage works must match neatly with existing road and verge/footpath features. Additional works beyond the frontage may be required to provide an acceptable transition to existing road and verge/footpath profiles.
66. Electrical conduits, water, sewerage or other services proposed to be installed under existing sealed carriageways, concrete pathways or concrete/sealed driveways must be installed by underboring. Trenching is not permitted, unless specifically approved by council.
67. The applicant is fully responsible for all costs associated with the development works including alterations, rectification or removal of public utility as well as any unforeseen or unplanned costs necessary to fulfil the requirements of this approval.
68. All works associated with the construction of water and sewerage services within existing road reserves must be undertaken in accordance with a Unitywater approval/s, council's standard engineering drawing SEQ R-100 *Typical service corridors and alignments* and with the conditions of this approval including traffic/construction management and rectification works.

#### **Site Access and Driveways**

69. Driveway crossovers must be constructed in accordance with IPWEAQ Standard Drawing RS-051.
70. Any existing unnecessary or redundant property access must be removed, and the kerb, footpath and verge area reinstated to match the existing footpath and/or verge treatments. Grassed verge areas to be reinstated must be provided with 100mm topsoil and grass seed or turf, and must be maintained by the developer until established.
71. The following must be complied with during the construction of the required crossover/driveway:
  - (a) the driveway surfacing must consist of either an approved hot mixed asphaltic concrete or patterned/plain concrete
  - (b) the driveway must be constructed so as not to concentrate stormwater runoff onto neighbouring properties
  - (c) underground service conduits for water supply, electricity and any other services must be provided as part of the access driveway
  - (d) where there is an existing pedestrian path, a matching crossfall must be provided for the driveway on the alignment of the path, for the full width of the path
72. The property access must be located a minimum of 1m clear of existing power poles, streetlights or other signage. The applicant is responsible for any necessary relocation of existing services to provide this clearance and must contact the relevant service authorities and comply with their requirements in relation to these works.

#### **Stormwater Drainage**

73. Appropriate scour protection must be provided at the outlet of all stormwater pipes including temporary outlets.
74. Works associated with this permit must not adversely impact on the existing drainage conditions on other properties (eg by blocking or interfering with natural overland flows).

75. Construction of all internal stormwater drainage works must comply with the relevant section/s of AS 3500 - *Erosion and Sediment Control*.

## **FOLLOWING CONSTRUCTION**

### **Supervision/Certification**

76. Upon completion of the work a certificate must be issued by an RPEQ certifying that the works have been constructed in accordance with the Operational Works approval.
77. A secondary CCTV inspection is to be completed for the same extent as required prior to the commencement of works, prior to the works commencing. Any damage identified must be fully rectified at the applicant's cost.

## **LANDSCAPING**

### **PRIOR TO COMMENCEMENT OF WORKS**

78. Prior to requesting a prestart meeting submit a receipt of amended plans approval.
79. A prestart meeting must be organised with council's delegate by calling 5475 9866 (giving at least five business days notice). The prestart meeting must be attended by the responsible persons for:
- (a) Civil engineering works.
  - (b) Water and sewer reticulation works.
  - (c) Erosion and sediment control works.
  - (d) Landscape works.
  - (e) Electrical reticulation works.
  - (f) Other relevant parties.

### **DURING CONSTRUCTION**

80. Where damage occurs to any council asset as a result of the development works, it must be repaired immediately where it creates a hazard that presents risk to person or property. Other damage must be repaired prior to completion of works.
81. All works must be constructed and work procedure undertaken in accordance with:
- (a) The approved plans/documents and conditions detailed in this Decision Notice.
  - (b) The relevant conditions of the higher order Material Change of Use approval viz. MCU15/0291 to which this approval relates.
  - (c) All relevant council Planning Scheme Policies, standard drawings, standard specifications and guidelines.
  - (d) The latest version of *Water Sensitive Urban Design Technical Design Guidelines for South East Queensland (Healthy Waterways)* for all water quality devices to be constructed on site.

## **FOLLOWING CONSTRUCTION**

### **Supervision/Certification**

82. Prior to commencement of use the following (prepared by respective qualified persons\* and certifying compliance with approvals) must be submitted to council:

- (a) Landscaping certification confirming all works have been constructed in accordance with conditions of approval.
  - (b) NATSPEC certification (Specifying Trees: a guide to assessment of tree quality addressing each specimen).
- (\* Refer to Advisory Note)

## ENVIRONMENTAL HEALTH

### Work Hours

83. Construction and earthworks (including the entry and departure of heavy vehicles) must only occur between the hours of 6:30am to 6:30pm Monday to Saturday with no work on Sunday or Public Holidays.

### Air Emissions

84. Visible emissions of dust must not occur beyond the boundaries of the subject site Monday to Sunday.
85. A perceptible odour associated with earthworks, excavations or dewatering must not be evident beyond the boundaries of the subject site Monday to Sunday.

### Construction Materials, Equipment and Waste

86. Construction materials, equipment and waste (waste\* as defined by the Environmental Protection Act 1994) resulting from the approved works must be retained wholly within the subject works alignment in accordance with the approved plans. Any waste generated as a result of the works must be disposed only to a facility for waste disposal approved in accordance with the Environmental Protection Act 1994, for example a council operated Waste Facility.
- (\* Refer to Advisory Note)

**DEVELOPMENT PERMIT FOR OPERATIONAL WORK (ADVERTISING DEVICES)****When conditions must be complied with**

1. Unless otherwise stated, all conditions of this Decision Notice must be complied with 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.
3. This approval authorises 7 advertising devices comprising 2x pylon signs, 2x directional signs, 2x façade signs and 1x awning face sign as shown on the Approved Plans.
4. The approved advertising devices must be positioned wholly within the property boundaries of the subject site.
5. The Pylon signs must be setback at least 2 metres from the road reserve.
6. The signage must not exceed the heights nominated in the approved plans and
  - (a) All signage on site must be below 8m in height.
  - (b) The primary pylon sign must not exceed 7m in height.
  - (c) The secondary pylon sign must not exceed 3.5m in height.

**Illumination**

7. The approved advertising device must not incorporate flashing lights nor involve illumination by any means other than an internal light source.
8. Where the advertising device is illuminated:
  - (a) it has a maximum luminance of 350 candelas per m<sup>2</sup>;
  - (b) does not incorporate flashing lights or digital displays; and
  - (c) is switched off between 10.00pm and 7am the following day or at any time the business is not operating between these hours.
9. All conduits, wiring, switches or other electrical apparatus installed on an advertising device must be concealed from general view.

**Maintenance**

10. The approved advertising device must be properly maintained by the owner of the property to ensure the sign continues to comply with the Approved Plans and conditions of this Decision Notice.

## 6. REFERRAL AGENCIES

The referral agencies applicable to this application are:

Referral Status	Referral Agency and Address	Referral Trigger	Response
Concurrence	SARA at DILGP South East Queensland (North) Regional Office PO Box 1129 MAROOCHYDORE QLD 4558 Mydas (at www.dilgp.qld.gov.au) Email:SeqnorthSARA @DILGP Qld Gov Au	Schedule 7, Table 3, Item 1 (State- controlled road)	The agency provided its response on 24 March 2016 (Reference No. SDA-0116-027129). A copy of the response is attached.

A copy of any referral agency conditions is attached.

## 7. APPROVED PLANS

The following plans are Approved Plans for the development:

### Approved Plans

Plan No.	Rev.	Plan Name	Date
15061 DA02	D	<i>Prop. Site Plan</i> (as amended), prepared by Verve Building Design & Concepts	Nov 2015
15061 DA10	A	<i>Signage Details</i> , prepared by Verve Building Design & Concepts	Nov 2015
15239 C100	A	<i>Earthworks Plan and Details</i> , prepared by VT Consulting Engineers	26/02/16
15239 C101	A	<i>Retaining Wall Details</i> , prepared by VT Consulting Engineers	26/02/16

The following plans require amendment prior to becoming Approved Plans for the development:

### Plans Requiring Amendment

Plan No.	Rev.	Plan Name	Date
15061 DA03	B	<i>Prop. Floor Plan</i> , prepared by Verve Building Design and Concepts	Nov 2015
<b>Amendments</b>		1. The setback to the side and rear boundaries must be at least 5m.	
15061 DA04	B	<i>Prop. Building Elevations</i> , prepared by Verve Building Design and Concepts	Nov 2015

<b>Amendments</b>	2. The setback to the side and rear boundaries must be at least 5m.		
15061 DA05	B	<i>Prop. Building Elevations &amp; Perspectives</i> , prepared by Verve Building Design and Concepts	Nov 2015
<b>Amendments</b>	1. The setback to the side and rear boundaries must be at least 5m.		
15061 DA06	B	<i>Prop. Building Elevations &amp; Perspectives</i> , prepared by Verve Building Design and Concepts	Nov 2015
<b>Amendments</b>	1. The setback to the side and rear boundaries must be at least 5m.		
15061	B	<i>Prop. Building Perspectives</i> , prepared by Verve Building Design and Concepts	Nov 2015
<b>Amendments</b>	1. The setback to the side and rear boundaries must be at least 5m.		
15061 DA09	B	<i>Signage Plan</i> , prepared by Verve Building Design and Concepts	Nov 2015
<b>Amendments</b>	1. The setback to the side and rear boundaries must be at least 5m.		
15061 DA11	A	<i>Tanker Swept Path</i> , prepared by Verve Building Design and Concepts	Nov 2015
<b>Amendments</b>	1. The setback to the side and rear boundaries must be at least 5m.		
15239 C200	A	<i>Civil Services Plan and Details</i> , prepared by VT Consulting Engineers	26/02/16
<b>Amendments</b>	1. The invert level of the field inlet in the biobasin must be 700mm lower than the surface level of the filter material (RL12.95m) and the invert level of the connection to the existing gully pit lowered comparatively.		
16.028 A1.LP.1	A	<i>Landscape Plan</i> , prepared by Andrew Gold Landscape Architecture	25/02/16
<b>Amendments</b>	1. Amend as per conditions of approval		
16.028 A1.LP.2	A	<i>Landscape Elevations</i> , prepared by Andrew Gold Landscape Architecture	25/02/16
<b>Amendments</b>	1. Amend as per conditions of approval		
16.028 A1.LP.3	A	<i>Notes, Schedule and Details</i> prepared by Andrew Gold Landscape Architecture	25/02/16
<b>Amendments</b>	1. Amend as per conditions of approval		



## 8. REFERENCED DOCUMENTS

The following documents are referenced in the assessment manager conditions:

### Referenced Documents

Document No.	Rev.	Document Name	Date
15239-ENG-01	B	<i>Engineering Report &amp; Stormwater Management Plan</i> , prepared by VT Consulting Engineers	26/02/16
0115-R1-01	R1	<i>Air Quality Assessment Report</i> , prepared by MRG Environmental	29/2/16
15178		<i>Environmental Noise Impact Report</i> , prepared by CRG Acoustics Pty Ltd	22/2/16

## 9. ADVISORY NOTES

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

### PLANNING

#### Equitable Access and Facilities

1. 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); and
  - (c) the Disability (Access to Premises – Buildings) Standards.

#### 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 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*.

## UNITYWATER

### Water and Sewerage Services

3. From the 1 July 2014, water and sewerage infrastructure associated with new developments will be assessed and approved by Unitywater under the *South-East Queensland Water (Distribution and Retail Restructuring) Act 2009* and their applicable technical standards. It is the certifying Registered Professional Engineers of Queensland's (RPEQ) responsibility to ensure that the necessary Unitywater approval/s has/have been obtained for any water and sewerage infrastructure required as part of the development and that such approval/s and works have been coordinated with all other infrastructure and works required by the development.
4. 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*. 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.

## ENGINEERING

### Easements and Future Works over External Land

5. Should the conditions of this Decision Notice 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 Branch and note that compensation may be payable.

### Bioretention Basin Educational Signage

6. Suggested wording for the permanent educational signage required by this Decision Notice is as follows:

*"BIORETENTION BASIN - This bioretention basin reduces the pollution of our waterways by reducing the amount of heavy metals, litter, suspended solids, and nutrients discharged to (insert name of receiving waters)".*

### General advisory notes

7. Council has undertaken an audit check of the Operational Works drawings in relations to the proposed works. A detailed check of the calculations and drawings has not been undertaken, as they have been certified by a RPEQ. The RPEQ bears full responsibility for all aspects of the engineering design. Council reserves the right to require further amendments and/or additions at a later date should design errors become apparent.

### Prestart, On and Off Maintenance Inspections Request

8. Contact council on 5475 9866 to arrange a prestart or an inspection giving a minimum of five (5) business days' notice of preferred inspection time.

9. If council officers are required to undertake additional inspections of the same works, a re-inspection fee will be applicable in accordance with council's fees and charges register applicable at the time.

## LANDSCAPING

### Qualified Person

10. Qualified Person, for the purpose of:
- Supervising landscape works and preparing a landscape certification, is considered to be a landscape architect, landscape designer or horticulturist with a minimum of three years current experience in the field of landscape design.
  - Undertaking landscape construction and establishment works is considered to be a person with five years current experience in commercial landscape construction projects.
  - Undertaking, supervising tree works and preparing arboriculture certification, is considered to be a person with a minimum three years current experience in tree protection, hazard identification/mitigation and *Specifying Trees – a guide to assessment of tree quality* (NATSPEC) assessment and either:
    - International Society of Arboriculture (ISA) certification; or
    - A Diploma of Arboriculture.

## ENVIRONMENTAL HEALTH

### Qualified Person

11. For the purpose of certifying acoustic matters, treatments and barriers for the development, a qualified person is considered to be either:
- a Registered Professional Engineer of Queensland;
  - an environmental consultant with a minimum of 3 years current experience in the field of acoustics.
12. For the purpose of certifying lighting devices for the development, a qualified person is considered to be either:
- a Registered Professional Engineer of Queensland;
  - an environmental or electrical design consultant with a minimum of 3 years current experience in the field of outdoor lighting.
13. For the purposes of certifying underground petroleum product storage systems and Flammable and Combustible Liquids, a qualified person is considered to be:
- a Registered Professional Engineer of Queensland (RPEQ) and;
  - a minimum of 5 years experience in the field of installation of underground petroleum storage systems, and is affiliated with the Australian Petroleum Industry Contractors & Suppliers Association.

### Underground Spill Containment Vessel - Management and Maintenance

14. With regard to the underground spill containment vessel the following advice applies:
- A site management plan must be developed to provide guidance on the reasonable and practicable measures and written procedures that must be taken to prevent or minimise environmental harm that may be caused by the use.

- (b) Environmental harm is defined in the *Environmental Protection Act 1994*.
- (c) General Environmental Duty under the *Environmental Protection Act 1994*: 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.
- (d) Appropriately qualified person(s): means a person or persons who has professional qualifications, training, skills and experience relevant to the written procedures and can give authoritative assessment, advice and analysis in relation to the procedures using the relevant protocols, standards, methods or literature stated within the procedures.

### **Environmental Harm**

15. The Environmental Protection Act 1994 states that a person must not carry out any activity that causes, or is likely to cause, environmental harm unless the person takes all reasonable and practicable measures to prevent or minimise the harm. Refer to the Environmental Protection Act 1994 for more information

### **Tradewaste**

16. Trade waste generated on-site must be subject to Unitywater's Trade Waste Policy. The applicant is advised to contact Unitywater's Trade Waste Officer to determine trade waste requirements.

### **Noise**

17. 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 (e.g. air-conditioning condenser units, refrigeration plant and mechanical exhaust discharge) are suitably located and/or shielded to avoid nuisance being caused by any noise from the plant and equipment.

### **Food Premise**

18. Where the approved use includes a food premise, the premises must be licensed in accordance with the *Food Act 2006* and the *Food Standards Code*. Please Contact Council's Healthy Places Unit via the Customer Service Centre for further information in respect of registration and a licence.

### **Waste**

19. Waste includes anything, other than a resource approved (ie recyclable) under the *Waste Reduction and Recycling Act 2011* (chapter 8) that is:
- (a) Left over, or an unwanted by-product, from an industrial, commercial, domestic or other activity; or
  - (b) Surplus to the industrial, commercial, domestic or other activity generating the waste.

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## **10. PROPERTY NOTES**

Not Applicable.

**11. PRELIMINARY APPROVAL OVERRIDING PLANNING SCHEME**

Not Applicable.

**12. FURTHER DEVELOPMENT PERMITS REQUIRED**

- Development Permit for Building Work

**13. SELF ASSESSABLE CODES**

Not Applicable.

**14. SUBMISSIONS**

Not Applicable.

**15. REASONS / GROUNDS FOR APPROVAL DESPITE CONFLICT WITH SCHEME**

Not Applicable.

**16. 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”.

**17. 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](http://www.sunshinecoast.qld.gov.au), or at Council Offices.

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