

Amendment Instrument

Development Control Plan 1 Kawana Waters (Qualified State Interest Amendment) No. 16 – Kawana Waters Town Centre

Made under the *Planning Act 2016*, section 316 (Development control plans) and section 20 (Amending planning schemes under Minister's rules)

This amendment has effect on and from 19 October 2018



1. Short title

This amendment instrument may be cited as the *Development Control Plan 1 Kawana Waters (Qualified State Interest Amendment) No. 16 – Kawana Waters Town Centre*.

2. Commencement

This amendment instrument has effect on and from 19 October 2018.

3. Purpose

The purpose of this amendment instrument is to make the following amendments to *Development Control Plan 1 Kawana Waters* to which section 86(4) (Planning schemes for particular local governments) and section 857 (Development control plans under repealed *Local Government (Planning and Environment) Act 1990*) of the repealed *Sustainable Planning Act 2009* continue to apply under section 316 (Development control plans) of the *Planning Act 2016*:-

- (a) amends minor typographical and grammatical errors throughout the Development Control Plan;
- (b) defines new terminology to reflect the proposed development;
- (c) removes all references to the Transit Precinct;
- (d) renumbers sections of the Development Control Plan;
- (e) amends the Open Space (Recreation) Summary requirements for the Detailed Planning Area 13 (DPA 13) – Town Centre;
- (f) clarifies that the Community facility adjacent to the Regional Hospital may be developed for a Community Purpose;
- (g) reflects revised land uses for Precinct 6 of Detailed Planning Area 9 (DPA 9);
- (h) clarifies the intent for street activation of development sites with frontage to the Central Spine – Birtinya Island and situated across from the Village Park in Detailed Planning Area 11 (DPA 11) – Birtinya Island;
- (i) clarifies the intent of the Town Centre in the Detailed Planning Area 13 (DPA 13) – Town Centre;
- (j) reflects revised land use locations, densities, road layouts and future public transport corridors in the Detailed Planning Area 13 (DPA 13) – Town Centre;
- (k) amends the main street network throughout the Town Centre East Precinct and the Town Centre West Precinct in accordance with the traffic modelling undertaken for these precincts;
- (l) identifies and protects the bikeways and pedestrian paths for each of the Detailed Planning Areas;
- (m) identifies and protects the Public Transport Corridor along Kawana Way; and
- (n) implements mapping amendments to reflect the above changes.

4. Amendment table

This amendment instrument amends the component of the *Development Control Plan 1 Kawana Waters* stated in Table 1, Column 1, in respect of the provisions stated in Table 1, Column 2, in the manner stated in Table 1, Column 3.

Table 1 **Amendment table**

Column 1	Column 2	Column 3
Development Control Plan 1 – Kawana Waters component	Development Control Plan 1 – Kawana Waters provision	Amendment
Part A Introduction	Section 1.1 (The DCP Area)	Amend as shown in Appendix A
	Section 2.2(a) (Construction)	Amend as shown in Appendix A

Column 1	Column 2	Column 3
Development Control Plan 1 – Kawana Waters component	Development Control Plan 1 – Kawana Waters provision	Amendment
Part A Interpretation and Definitions	Section 2.3 (Definitions)	Amend as shown in Appendix A
Part A Land Use Elements	Section 3.4.1 (Town Centre)	Amend as shown in Appendix A
	Section 3.4.4 (Transit Precinct)	Omit as shown in Appendix A
	Section 3.7 (Detailed Planning Areas (DPAs))	Amend as shown in Appendix A
	Section 3.8.1 (State Controlled Roads)	Amend as shown in Appendix A
Part A Land Use Elements – Intent and Implementation Criteria	Section 4.2.2(b)(v) (Implementation)	Amend as shown in Appendix A
	Section 4.2.2(c) (Implementation)	Amend as shown in Appendix A
	Table 4.2 (Open space (Recreation) – Summary Requirements)	Amend as shown in Appendix A
	Section 4.4.1 (Intent)	Amend as shown in Appendix A
	Section 4.4.2(a) (Implementation)	Amend as shown in Appendix A
	Section 4.4.2(b) (Implementation)	Amend as shown in Appendix A
	Section 4.5.2(b)(i) (Implementation)	Amend as shown in Appendix A
	Section 4.5.2(c) (Implementation)	Amend as shown in Appendix A
	Section 4.6 (Transit Precinct)	Omit as shown in Appendix A
	Section 4.7.2(c)(i) (Implementation)	Amend as shown in Appendix A
	Section 4.7.2(e) (Implementation)	Amend as shown in Appendix A
	Section 4.8.2(b) (Implementation)	Amend as shown in Appendix A
	Section 4.10.1 (Intent)	Amend as shown in Appendix A
	Section 4.10.2(a) (Implementation)	Amend as shown in Appendix A
Section 4.10.2(b) (Detailed Planning Area 1 (DPA 1))	Amend as shown in Appendix A	
Section 4.10.2(b)(ii) (Detailed Planning Area 1 (DPA 1))	Amend as shown in Appendix A	

Column 1	Column 2	Column 3
Development Control Plan 1 – Kawana Waters component	Development Control Plan 1 – Kawana Waters provision	Amendment
	Section 4.10.2(b)(vi)(B) (Detailed Planning Area 1 (DPA 1))	Amend as shown in Appendix A
	Section 4.10.2(b)(vi)(G) (Detailed Planning Area 1 (DPA 1))	Amend as shown in Appendix A
	Section 4.10.2(b)(vi)(H) (Detailed Planning Area 1 (DPA 1))	Amend as shown in Appendix A
	Section 4.10.2(b)(vii) (Detailed Planning Area 1 (DPA 1))	Amend as shown in Appendix A
	Section 4.10.2(b)(x) (Detailed Planning Area 1 (DPA 1))	Amend as shown in Appendix A
	Section 4.10.2(c)(i) (Detailed Planning Area 2 (DPA 2))	Amend as shown in Appendix A
	Section 4.10.2(c)(ii) (Detailed Planning Area 2 (DPA 2))	Amend as shown in Appendix A
	Section 4.10.2(e) (Detailed Planning Area 4 (DPA 4))	Amend as shown in Appendix A
	Section 4.10.2(e)(v)(A) (Detailed Planning Area 4 (DPA 4))	Amend as shown in Appendix A
	Section 4.10.2(e)(v)(B) (Detailed Planning Area 4 (DPA 4))	Amend as shown in Appendix A
	Section 4.10.2(e)(v)(E) (Detailed Planning Area 4 (DPA 4))	Amend as shown in Appendix A
	Section 4.10.2(e)(v)(G) (Detailed Planning Area 4 (DPA 4))	Amend as shown in Appendix A
	Section 4.10.2(e)(vii) (Detailed Planning Area 4 (DPA 4))	Amend as shown in Appendix A
	Section 4.10.2(h) (Detailed Planning Area 7 (DPA 7))	Amend as shown in Appendix A
	Section 4.10.2(j) (Detailed Planning Area 9 (DPA 9))	Amend as shown in Appendix A
	Table 4.10.2(j) (Detailed Planning Area 9)	Amend as shown in Appendix A
	Section 4.10.2(k) (Detailed Planning Area 10 (DPA 10))	Amend as shown in Appendix A
	Section 4.10.2(k)(ii) (Detailed Planning Area 10 (DPA 10))	Amend as shown in Appendix A

Column 1	Column 2	Column 3
Development Control Plan 1 – Kawana Waters component	Development Control Plan 1 – Kawana Waters provision	Amendment
	Section 4.10.2(k)(iii) (Detailed Planning Area 10 (DPA 10))	Amend as shown in Appendix A
	Section 4.10.2(k)(v) (Detailed Planning Area 10 (DPA 10))	Amend as shown in Appendix A
	Section 4.10.2(l)(v) (Detailed Planning Area 11 (DPA 11) – Birtinya Island)	Amend as shown in Appendix A
	Section 4.10.2(l)(vi) (Detailed Planning Area 11 (DPA 11) – Birtinya Island)	Amend as shown in Appendix A
	Section 4.10.2(n) (Detailed Planning Area 13 (DPA 13) – Town Centre)	Amend as shown in Appendix A
	Section 4.10.2(n)(i) (Detailed Planning Area 13 (DPA 13) – Town Centre)	Amend as shown in Appendix A
	Section 4.10.2(n)(ii) (Detailed Planning Area 13 (DPA 13) – Town Centre)	Amend as shown in Appendix A
	Section 4.10.2(n)(iv) (Detailed Planning Area 13 (DPA 13) – Town Centre)	Omit and insert as shown in Appendix A
	Section 4.10.2(n)(v) (Detailed Planning Area 13 (DPA 13) – Town Centre)	Omit and insert as shown in Appendix A
	Section 4.10.2(n)(vi) (Detailed Planning Area 13 (DPA 13) – Town Centre)	Omit and insert as shown in Appendix A
	Section 4.10.2(n)(vii) (Detailed Planning Area 13 (DPA 13) – Town Centre)	Omit and insert as shown in Appendix A
	Section 4.10.2(n)(viii) (Detailed Planning Area 13 (DPA 13) – Town Centre)	Omit and insert as shown in Appendix A
	Section 4.10.2(n)(ix) (Detailed Planning Area 13 (DPA 13) – Town Centre)	Omit as shown in Appendix A
	Section 4.10.2(n)(x) (Detailed Planning Area 13 (DPA13) – Town Centre)	Renumber
	Section 4.10.2(p)(v) (Detailed Planning Area 15 (DPA 15) – Birtinya Island East)	Amend as shown in Appendix A
	Section 5.1.1 (Intent)	Amend as shown in Appendix A

Column 1	Column 2	Column 3
Development Control Plan 1 – Kawana Waters component	Development Control Plan 1 – Kawana Waters provision	Amendment
Part A Circulation Network – Intent and Implementation Criteria	Section 5.2.2(b)(i) (Implementation)	Amend as shown in Appendix A
	Section 5.2.2(e) (Implementation)	Amend as shown in Appendix A
	Section 5.3.2(b) (Implementation)	Amend as shown in Appendix A
	Section 5.5 (Town Centre Main Streets)	Amend as shown in Appendix A
	Section 5.5.1 (Intent)	Amend as shown in Appendix A
	Section 5.5.2 (Implementation)	Omit and insert as shown in Appendix A
	Section 5.6.2(a) (Implementation)	Amend as shown in Appendix A
	Section 5.7.1 (Intent)	Amend as shown in Appendix A
	Section 5.7.2(b) (Implementation)	Amend as shown in Appendix A
	Section 5.7.2(c) (Implementation)	Amend as shown in Appendix A
	Section 5.7.2(d) (Implementation)	Insert as shown in Appendix A
Part A Miscellaneous provisions applying throughout the DCP Area	Section 6.1(b)(iv) (Landscaping to Sub-Arterial Roads and Waterways)	Amend as shown in Appendix A
	Section 6.5 (SEQEB Transmission Line Easement)	Amend as shown in Appendix A
Part A Master Planned Community Development Process	Section 7.1.1(b) (Rationale)	Amend as shown in Appendix A
	Section 7.1.2 (Application)	Amend as shown in Appendix A
	Section 7.1.3 (Vision Statement)	Amend as shown in Appendix A
	Section 7.1.3(a) (Vision Statement)	Amend as shown in Appendix A
	Section 7.1.3(c)(viii) (Vision Statement)	Amend as shown in Appendix A
	Section 7.1.4.1 (Implementation)	Amend as shown in Appendix A
	Section 7.1.4.2 (Implementation)	Amend as shown in Appendix A
	Section 7.2.1 (Development Rights)	Amend as shown in Appendix A

Column 1	Column 2	Column 3
Development Control Plan 1 – Kawana Waters component	Development Control Plan 1 – Kawana Waters provision	Amendment
	Section 7.2.2(b) (Permitted, Conditional Permitted and Permissible Development)	Amend as shown in Appendix A
	Section 7.2.2(d) (Permitted, Conditional Permitted and Permissible Development)	Amend as shown in Appendix A
	Section 7.3.1(d)(ii) (Freehold Land)	Amend as shown in Appendix A
	Section 7.4.1.1 (Structure Plan)	Amend as shown in Appendix A
	Section 7.4.1.2(b)(iv) (Structure Plan)	Amend as shown in Appendix A
	Section 7.4.1.2(c) (Structure Plan)	Omit as shown in Appendix A
	Section 7.4.1.2(d) (Structure Plan)	Re-number
	Section 7.4.1.2(d)(viii) (Structure Plan)	Omit as shown in Appendix A
	Section 7.4.1.2(e) (Structure Plan)	Re-number
	Section 7.4.1.2(f) (Structure Plan)	Re-number
	Section 7.4.2.2(b)(iii) (Neighbourhood/Village Plan)	Amend as shown in Appendix A
	Section 7.4.5.1(b) (Site Development Plan)	Amend as shown in Appendix A
	Section 7.4.5.1(c) (Site Development Plan)	Omit as shown in Appendix A
	Section 7.4.5.2 (Site Development Plan)	Amend as shown in Appendix A
	Section 7.4.5.2(c) (Site Development Plan)	Amend as shown in Appendix A
	Section 7.4.5.2(d)(vi) (Site Development Plan)	Amend as shown in Appendix A
	Section 7.5.1 (Requirement to Apply)	Amend as shown in Appendix A
	Section 7.5.3 (Form of Application)	Amend as shown in Appendix A
	Section 7.5.3(a) (Form of Application)	Amend as shown in Appendix A

Column 1	Column 2	Column 3
Development Control Plan 1 – Kawana Waters component	Development Control Plan 1 – Kawana Waters provision	Amendment
	Section 7.5.3(c) (Form of Application)	Amend as shown in Appendix A
	Section 7.5.3(d) (Form of Application)	Amend as shown in Appendix A
	Section 7.5.3(e) (Form of Application)	Amend as shown in Appendix A
	Section 7.5.3(f) (Form of Application)	Amend as shown in Appendix A
	Section 7.6.4(d)(ii) (Timing of Determination)	Amend as shown in Appendix A
	Appendix 1 (Community Recreation & Open Space Model 1) – Precinct Parks	Amend as shown in Appendix A
	Appendix 1 (Community Recreation & Open Space Model 1) – Neighbourhood Parks	Amend as shown in Appendix A
	Appendix 1 (Community Recreation & Open Space Model 1) – District Parks	Amend as shown in Appendix A
	Appendix 1 (Community Recreation & Open Space Model 1) – Regional Parks	Amend as shown in Appendix A
Part B	DCP 1 Map 1 (Preferred Land Use)	Amend as shown in Appendix A
	DCP 1 Map 2 (Preferred Open Space Circulation Network Community Facilities)	Amend as shown in Appendix A
	DCP 1 Map 3 (Detailed Planning Area)	Amend as shown in Appendix A
	DCP 1 Map 6 (Map of Birtinya DPA, Bokarina Beach DPA, Town Centre DPA, Health Hub DPA, Birtinya Peninsula DPA and Birtinya Island East DPA)	Amend as shown in Appendix A
	DCP 1 Map 7 (Future Public Transport Corridor Lake Kawana Boulevard to Regional Hospital)	Amend as shown in Appendix A

DEVELOPMENT CONTROL

PLAN 1

KAWANA WATERS

Gazetted - 13th December 1996

Amended - 19th October 2018

DCP 1 - KAWANA WATERS

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1.0 INTRODUCTION

1.1 The DCP Area

The DCP Area comprises that part of the planning scheme area of ~~the Council Caloundra City Plan 2004~~ which is the subject of the ~~Kawana Waters~~ Development Agreement as shown on ~~Map CCCC1 of Caloundra City Plan 2004 and~~ DCP 1 Map 1.

1.2 The intent of DCP

The provisions of the DCP are intended to:-

- (a) guide the nature and extent of future Development in the DCP Area in a manner that is consistent with the objectives and general implementation provisions of the Strategic Plan of the Planning Scheme; and
- (b) control the planning, Subdivision and Development of the DPAs and areas designated Urban under the DCP through the MPCDP set out in section 7 of the DCP; and
- (c) be considered in the assessment of applications for a decision in respect of:-
 - (i) Subdivision; and
 - (ii) Development; and
 - (iii) Building works; and
 - (iv) a Master Plan in accordance with the MPCDP in section 7 of the DCP.

1.3 Structure of DCP

The DCP consists of three parts:-

Part A - A written document which:-

- (a) identifies preferred land uses throughout the DCP Area (section 3); and
- (b) provides detailed statements of intent for each land use element and the means of implementation through which those intents will be achieved (section 4); and
- (c) provides more detailed planning guidelines for each DPA (section 4); and
- (d) identifies the major components of an integrated circulation network throughout the DCP Area and the means by which the overall network will be implemented (section 5); and
- (e) identifies general Development requirements which are to apply throughout the DCP Area (section 6); and
- (f) specifies the MPCDP by which the DPAs and the Urban designated area within the DCP Area are to be planned, Subdivided and Developed (section 7); and

Part B - Maps being:-

- (a) DCP 1 Map 1 - which identifies the preferred land use; and
- (b) DCP 1 Map 2 - which identifies the preferred open space and circulation network and the preferred location of community facilities; and
- (c) DCP 1 Map 3 - which identifies each DPA; and
- (d) DCP 1 Map 4 - which identifies population thresholds; and
- (e) DCP 1 Map 5 - which identifies the structure of DPA 9; and
- (f) DCP 1 Map 6 - which identifies the structure of DPA 2, DPA 11, DPA 12, DPA 13, DPA 14 and DPA 15; and
- (g) DCP 1 Map 7 - which identifies the future public transport corridor.

Part C - Planning Study which sets out the basis for the written document and the maps.

2.0 **INTERPRETATION AND DEFINITIONS****2.1** **Relationship with Planning Scheme**

- 2.1.1 The provisions contained in the DCP are additional to those contained in the remainder of the Planning Scheme and as such are to be read in conjunction with the other Planning Scheme documents.
- 2.1.2 To the extent that there is any inconsistency between the DCP and the remainder of the Planning Scheme, the DCP shall prevail.

2.2 **Construction**

Unless the context otherwise indicates or requires:-

- (a) the terms defined in section 2.3 have the meanings ~~respectively~~respectfully assigned to them; and
- (b) any term used in the DCP which is not defined in section 2.3 but is defined in the Act, or the Planning Scheme, shall have the meaning assigned to it by the Act, or the Planning Scheme for the purposes of the DCP; and
- (c) words importing:-
 - (i) the singular include the plural and vice versa; and
 - (ii) any gender includes the other gender; and
- (d) if a word or phrase is defined, cognate words and phrases have corresponding definitions.

2.3 **Definitions**

"Act" means the *Local Government (Planning and Environment) Act 1990*.

"**Appointed Day**" means the day upon which the Order in Council notifying that the Governor in Council has approved the DCP as published in the Government Gazette.

"**Carparking Management Plan**" means a written document which is prepared and approved in accordance with the Development Agreement.

"**Conditional Permitted Development**" means Development for a purpose specified in column 4 of the applicable Table of Development.

"**Community Centre pedestrian access bridge**" means the pedestrian access bridge between the Lake Kawana Community Centre and the Town Centre DPA which is designed and approved in accordance with the Development Agreement.

"**Community Development Strategy**" has the meaning ascribed to it in the Development Agreement.

"**Community Purpose**" means the use of land:

- (a) undertaken by a government entity or agency, a charitable organisation or a not-for-profit community organisation; and
- (b) for a purpose to the benefit of the community or a part of the community, including for example the provision of support services for the sick or needy or their families or the operation of a community biobank.

"**Council**" means the Sunshine Coast Regional Council and includes its successors and permitted assigns.

"**DCP**" means the Kawana Waters Development Control Plan.

"**DCP Area**" see section 1.1.

"**Detailed Planning Area Plan**" means a plan prepared pursuant to section 7.4.3.

"**Development**" means the:-

- (a) Use of Premises; or
- (b) erection of Buildings or Structures.

"**Development Agreement**" means the Development Agreement between the Council, the Master Developer and the Minister dated 6th September 1996 which is intended to constitute an infrastructure agreement under Part 6 of the Act.

"**Development Criteria**" means the parameters, performance standards or requirements that control the general or particular standard of Development as set out in the DCP, the Planning Scheme or a Master Plan.

"**Development Documents**" means:-

- (a) Development Lease No 2; and
- (b) the DCP and the Planning Scheme; and
- (c) the Transport Infrastructure Agreement; and
- (d) the Development Agreement; and

(e) the Infrastructure Agreement.

"**Development Lease No 2**" has the meaning ascribed to it in the Development Agreement and includes the Development Lease No 2 Amendments and Development Lease No 2 Extension as defined in the Development Agreement.

"**Development Lines**" has the meaning ascribed to it in the Development Agreement.

"**DPA**" means the Detailed Planning Areas shown on DCP 1 Map 3.

"**Existing Use**" means Development which lawfully existed at the Appointed Day.

"**Freehold Land**" means the land which was freehold at the Appointed Day.

"**Freeholded Lease Land**" means land comprised in Development Lease No 2 within the DCP Area which is freeholded after the Appointed Day.

"**Health Industry**" means a use of Premises for health care industry research and development.

The term includes the design, manufacture, assembly, testing, maintenance or storage of health care industry products and an associated office. The term does not include a Health Care Premises or Hospital.

"**Infrastructure Agreement**" means the Infrastructure Agreement with respect to the Regional Hospital Land between the Council, the Master Developer, the Minister and State of Queensland acting through Queensland Health dated 18 May 2007 which is intended to constitute an infrastructure agreement under the *Integrated Planning Act 1997*.

"**Kawana Waters Community Development Area**" means that part of the DCP Area designated Urban or DPA on DCP 1 Maps 1 and 3.

"**Kawana Waters Locality**" means the land shown on DCP 1 Map 1 as the Kawana Waters locality.

"**Master Developer**" means Kawana Estates Pty Ltd (ACN 009693556) and Buddina Estates Pty Ltd (ACN 009682384) which are parties to the Development Agreement and includes their successors, substitutes (including but not limited to persons taking by a novation) and permitted assigns.

"**Master Plan**" means any of the following plans:-

- (a) Structure Plan; and
- (b) Neighbourhood/Village Plan; and
- (c) Detailed Planning Area Plan; and
- (d) Precinct/Estate Plan; and
- (e) Site Development Plan.

"**Minister**" means the Minister having responsibility for the administration of Development Lease No. 2.

"**MPCDP**" means the master planned community development process which is an integrated approach to the planning, Subdivision and Development of part of the DCP Area set out in section 7 of the DCP.

"Multi-Modal Transport Corridor" means the multi-modal transport corridor set out in the Transport Infrastructure Agreement.

"Neighbourhood/Village Plan" means a plan prepared pursuant to section 7.4.2.

"Permitted Development" means a Development for a purpose specified in column 3 of the applicable Table of Development.

"Permissible Development" means a Development for a purpose specified in column 5 of the applicable Table of Development.

"Planning Scheme" means the Planning Scheme of the City of Caloundra gazetted on 2 August 1996.

"Planning Study" means the planning study prepared under the Act in respect of the Kawana Waters Development Control Plan.

"Precinct/Estate Plan" means a plan prepared pursuant to section 7.4.4.

"Prescribed Fee" means the fee prescribed by the Council unless otherwise set out in the Development Agreement.

"Prescribed Form" means the form prescribed by the Council.

"Prohibited Development" means Development for a purpose specified in column 6 of the applicable Table of Development.

"Public Recreation Lake" means that part of the DCP Area identified as the public recreation lake on DCP 1 Map 1.

"Public Transport Corridor" means the future public transport corridor set out in the Development Agreement.

"Regional Hospital" means a use of premises for a hospital as defined in the Planning Scheme and may include the following uses, as defined in the Planning Scheme, where associated with and ancillary to the hospital:-

- (a) accommodation building;
- (b) child care centres;
- (c) commercial premises;
- (d) educational establishment;
- (e) food outlet;
- (f) health care premises;
- (g) public purpose;
- (h) restaurant; and
- (i) shop.

"Site Development Plan" means a plan prepared pursuant to section 7.4.5.

"Site Development Plan Design Parameters" means the site design parameters specified in a Neighbourhood/Village Plan or Detailed Planning Area Plan to control Development the subject of a Site Development Plan.

"Southbank Park pedestrian and bicycle access bridge" means the pedestrian access bridge between the Village Park in the North Birtinya Precinct and the Town Centre East Precinct across the Birtinya Canal which is designed and approved in accordance with the Development Agreement.

"Structure" has the meaning ascribed to it in the Act.

"Structure Plan" means a plan prepared pursuant to section 7.4.1.

"Subdivision" has the meaning ascribed to it in the Act and in addition includes the division of Premises in accordance with Building Units and Group Titles Act 1980, the Mixed Use Development Act 1993 and any other statute which provides for the division of Premises.

"Supplementary Table of Development" means the table of development specified in a Site Development Plan that complies with the principles in Table 4.10.

"Table of Development" means the table of development applicable to the relevant zone as specified in the Planning Scheme.

"Terrace House" means a dwelling house on a lot with a frontage not greater than 8.5 metres which is built to the side boundaries of the lot and which together with dwelling houses on adjoining lots gives the appearance of a continuous built form along the frontage of the lots.

~~**"Transit Precinct"** means the area west of Kawana Way and east of Detailed Planning Area 4 and comprises land intended to be used for high density mixed use, residential, educational and commercial development.~~

"Transport Infrastructure Agreement" has the meaning ascribed to it in the Development Agreement.

"Urban Design Performance Criteria" means the urban design performance criteria and acceptable solutions which are specified in:-

- (a) a Neighbourhood/Village Plan to control Development within a Precinct/Estate plan; and
- (b) a Detailed Planning Area Plan to control Development in a Site Development Plan.

"Use" means those purposes described in columns 3, 4, 5 or 6 of the Table of Development.

"Water Pollution Control Plant Buffer Area" means the land within a separation distance of 800 metres from the current inlet structure of the Water Pollution Control Plant within which:

- (a) residential or other uses which require people to remain on the site for extended periods of time is not permitted; and
- (b) uses of an industrial or recreational nature are permitted.

3.0 LAND USE ELEMENTS

The DCP indicates preferred land uses and major elements of the circulation network within the DCP Area. The preferred land use elements of the DCP are identified in DCP 1 Maps 1-4 and described below.

3.1 Preferred Land Use Elements

The Strategic Plan designates the preferred dominant land use for land within the DCP Area as Urban.

3.2 Residential Elements

3.2.1 Urban

This designation is intended to accommodate a variety of housing forms and compatible non-residential uses comprehensively planned and Developed to provide an integrated urban fabric which caters for a variety of urban lifestyle choices. The detailed planning, Subdivision and Development of these areas will be undertaken in accordance with the MPCDP as set out in section 7 of the DCP.

3.3 Open Space Elements

3.3.1 Open Space - Recreation

This designation covers major active and passive open space areas providing recreational opportunities for residents and visitors to the DCP Area and the other parts of the Kawana Waters Locality. The designation incorporates all levels of open space provision from those meeting regional requirements to local parks.

3.3.2 Open Space - Conservation

This designation covers areas of environmental significance and/or scenic value which should be preserved in their natural state. Controlled public access and appropriate management is considered desirable in these areas.

3.4 Business Elements

3.4.1 Town Centre

This designation provides for the Development of a mix of high density land uses including business, residential, ~~business~~, cultural, government, community and employment focus (including retail, commercial and ~~Health~~ Industry uses) to serve the sub-regional population catchment. This designation is intended to maximise opportunities associated with the Public Transport Corridor, Transit Station and close proximity to the Regional Hospital.

3.4.2 Village Centre

This designation provides for centres that provide a limited range of retailing services to serve a population of up to 10,000 persons in discrete neighbourhoods. Such Village Centres would normally be about 5,000m² site area. Village Centres are intended to provide a focal point for the community by integrating the neighbourhood commercial facilities, with a range of community facilities and the Village Park System.

3.4.3 Neighbourhood Centre

This designation covers small existing or approved local shopping centres.

~~3.4.4 Transit Precinct~~

~~This designation provides for a mix of high density land uses including commercial, residential and educational/government to maximise opportunities associated with the close proximity of the public transport corridor and Transit Station.~~

3.5 Community Facilities Elements

This designation represents the major community facilities and includes the following existing and proposed uses:-

- (a) Schools;
- (b) Regional Hospital;
- (c) Churches;
- (d) Major Public Utility Installations;
- (e) Child Care Centres/Kindergarten;
- (f) Community Halls;
- (g) Community Centres;
- (h) Non-Government Organisation Community Facility;
- (i) Neighbourhood House;
- (j) Branch Library/Learning Centre;
- (k) Cultural Centre;
- (l) Surf Life Saving Club;
- (m) Lifeguard Facilities;
- (n) Public Access Club Facilities;
- (o) State Emergency Service;
- (p) Public Domain (Mall); and
- (q) other recommended community facility requirements detailed in the Community Development Strategy.

3.6 Tourism Development

This designation indicates areas intended to be Developed as focal points for tourist activities providing a range of services including accommodation, entertainment, recreation or similar facilities for use mainly by visitors holidaying in or passing through the DCP Area and the other parts of the Kawana Waters Locality.

3.7 Detailed Planning Areas (DPAs)

This designation covers a number of significant areas which by virtue of their location, site or other attributes warrant more detailed planning consideration. There are 15 DPAs identified on DCP 1 Map 3 as DPAs 1-15 of which DPA 1, DPA 2, DPA 4, DPA 7, DPA 9, DPA 10, DPA 11, DPA 12, DPA 13, DPA 14 and DPA 15 are within the DCP Area and subject to the DCP. The detailed planning and Development of the DPAs in the DCP Area is to be undertaken in accordance with the MPCDP and associated planning and design guidelines set out in the DCP.

3.8 Circulation Network Elements

3.8.1 State Controlled Roads

This designation identifies existing and proposed arterial roads which serve a State and regional function and pass through the DCP Area and the other parts of the Kawana Waters Locality. The designation is limited to the existing Nicklin Way and the proposed Multi-Modal Transport Corridor (MMTC). The MMTC is a multi-modal transport corridor and includes a public transport facility and a regional road facility connecting Caloundra Road and the Sunshine Motorway and a local road facility that directly services the future Development within the DCP Area and the other parts of the Kawana Waters Locality.

3.8.2 Sub-Arterial Roads

This designation identifies existing and proposed sub-arterial roads which serve a sub-regional or local function. Sub-arterial roads link to arterial roads and provide access from them into the DCP Area and the other parts of the Kawana Waters Locality.

3.8.3 Trunk Collector Streets

Trunk Collector Streets link to higher order roads and are the main traffic routes into and through areas of residential and other forms of Development.

3.8.4 Collector Streets

This symbol identifies the location of streets which are intended to provide for local access and local traffic movement.

3.8.5 Bikeways/Pedestrian Links

This designation indicates the major pedestrian and bikeway linkages which are intended to be incorporated in the planning and Development of an area.

4.0 LAND USE ELEMENTS - INTENT AND IMPLEMENTATION CRITERIA

4.1 Urban

4.1.1 Intent

The intent of this designation is to identify those large undeveloped areas within the DCP Area which are intended to be Developed predominantly for residential purposes. These areas are intended to provide a variety of housing forms ranging from detached housing at traditional densities to medium density housing up to 8 storeys in height in strategic locations identified through the MPCDP. The designated areas are intended to be comprehensively planned and designed to result in an integrated residential community incorporating compatible non-residential uses to meet the needs of the community.

4.1.2 Implementation

- (a) The detailed planning, Subdivision and Development of these areas will be undertaken in accordance with the MPCDP set out in section 7 of the DCP. Development will not be permitted unless it is in accordance with the Master Plans required by this DCP.

A particular area has an Urban designation but has special characteristics namely the area referred to as the Perrins Highland. The Perrins Highland area has been particularly identified and is addressed in section 4.10.2(k) as Detailed Planning Area 10.

- (b) The planning and design of the Urban designated areas shall comply with the following objectives and guidelines:-
- (i) Provision of a variety of housing forms and densities integrated throughout the residential areas to meet the changing needs for more diverse residential accommodation choices, and to assist in making more efficient use of finite land resources and urban infrastructure.
 - (ii) Residential Development will be predominantly of one and two storeys with three and four storey forms acceptable in appropriate locations to provide scale and variation and enhance residential amenity and choice.
 - (iii) Mid-rise residential Development up to 8 storeys will be acceptable in strategic locations as identified through the MPCDP to achieve diversity to the landscape.

- (iv) Uses which are ancillary to the predominant residential uses and intended to serve the needs of the community at the regional, district, village, neighbourhood, precinct or estate level, are intended to be permitted in this designation where they are in accordance with the provisions of the appropriate Master Plan and designed to ensure their compatibility with nearby residential development.
- (v) A Village Centre is intended to be provided as the focal point for the Urban communities at Parrearra and Birtinya. Due to the lower population, however and necessarily linear nature of Parrearra and Birtinya these centres will fall between a Village Centre and a Neighbourhood Centre in scale and function. Neighbourhood Centres offering limited commercial and community facilities, subject to population catchment size, are intended to be Developed in that part of the DCP Area referred to as the Perrins Highland. These Centres will integrate neighbourhood commercial and community facilities and be highly accessible to the surrounding residential area for pedestrians and cyclists as well as vehicles.

4.2 Open Space - Recreation

4.2.1 Intent

This designation is intended to identify land required to satisfy the recreational and open space needs of the local community and visitors to the DCP Area and the other parts of the Kawana Waters Locality. The Open Space Recreation areas are intended to form part of a linked, hierarchical open space network providing for a range of activities and uses including:-

- (a) public access to Community Facilities and other areas of "public" attraction or activity;
- (b) recreational opportunities, both land and water based, matching the needs of existing and future residents and visitors;
- (c) visual amenity and promotion of a "sense of place" and different character throughout the DCP Area and the other parts of the Kawana Waters Locality; and
- (d) environmental protection and landscape amenity improvement.

4.2.2 Implementation

- (a) DCP 1 Map 2 identifies the preferred network of higher-order Open Space Recreation areas in the DCP Area. This network is integrated with the existing open space facilities in other parts of the Kawana Waters Locality.

The Council will ensure that Open Space Recreation is provided generally in conformance with this preferred network and in accordance with the open space planning and design criteria set out below and as summarised in Table 4.2 and the more detailed planning and design criteria set out in the Community Recreational & Open Space Model included in the DCP as Appendix 1.

- (b) Open Space Recreation provision will be assessed in accordance with the following general performance criteria:-
 - (i) Wherever possible Open Space Recreation should be provided in such a fashion as to maximise its visibility to the community it services, and be recognised as open space offering access to recreational opportunities for both the resident and visiting population.

- (ii) Open Space Recreation must be convenient to its intended users, both in terms of ease of access and in meeting the user's recreational and amenity needs.
- (iii) Wherever possible the larger areas of Open Space Recreation should be planned and designed for multi-functional usage, affording a range of recreational opportunities to cater for a wider user population, and provide flexibility to meet changes in future usage.
- (iv) Open Space Recreation should be used as a protective buffer to environmental conservation areas, or as a buffer between incompatible land uses provided it satisfies the performance criteria related to its recreational function.
- (v) Recognition of the significance of the waterways in providing recreational opportunities, particularly the northern Birtinya waterway, on the basis that public use of such areas isare maximised through the provision of visible and accessible areas and facilities for public access.

In this context it is further recognised that to satisfy the residential amenity intent public access to the Birtinya Lake system should be limited to a Public Recreation Lake component of that lake system. Consequently it is therefore recognised that the other elements of the Birtinya Lake system would be principally accessible to Village residents only rather than the general public and in some cases this may be further restricted to the neighbourhood or property resident only.

- (vi) Recognition of the significance of privately provided and operated recreation facilities, where such are available for use by residents of the community in meeting part of the recreational and Open Space needs of the community.
- (vii) Subdivision design adjacent to the esplanades in Parrearra North (to the River) and Birtinya South (to the North Arm of Currimundi Creek) shall provide for 50% street frontage to these esplanades. However the Council may give favourable consideration to an alternative design providing for a lesser proportion of street frontage where the design is better and meets the other criteria in this section.

- (c) The Public Recreation Lake will accommodate a variety of water-related activities including a substantial part of a 2km long rowing course. To its edge within the Urban designated area appropriately located uses would occur that not only integrate with the urban uses proposed under the MPCDP referred to in section 7 of the DCP but also the focal nature of the Public Recreation Lake. Development of areas for urban activities adjacent to the Public Recreation Lake isare to accommodate a continuous public access promenade. However, in some locations, such a promenade may not directly abut the lake edge but, in those limited circumstances, the pedestrian and cyclist corridor will be designed to maintain a continuous link around the Public Recreation Lake.

Along the western edge of the Public Recreation Lake it may be appropriate to Develop a hard edge treatment (in contrast to the soft edge treatment proposed in DPA 1) to enhance the experience at focal nodes and complement the adjoining land uses.

TABLE 4.2: OPEN SPACE (RECREATION) - SUMMARY REQUIREMENTS

FUNCTION	CATCHMENT	MINIMUM TOTAL AREA REQUIREMENT *	COMMENT
Linear Park	N.A. These parks link or connect focal parkland areas	11.1ha	To be principally located:- <ul style="list-style-type: none"> • along the Development Lines but outside of the area to be Developed; • along the edges of and through the flood storage area (approx 4.0ha); • along the edges of the active recreation lake at Regatta North (approx 6.01ha). Provide separation of two types - Public Recreation Lake access (3.76ha) - community/neighbourhood access (2.25ha)
Precinct Park Neighbourhood/ Village Park	1 per Precinct Area 1 per Neighbourhood Area, or when a Neighbourhood is upgraded to a Village, a Village Park in preference to a Neighbourhood Park	15.35ha +5.6ha	These parks can be provided outside the Development Lines provided all other performance and design criteria can be met.
Focus Area	Focus area for DCP Area	5.9ha	Public access land in DPA 2 at Bokarina to provide a focal point and beach access Refer 4.10.2(c) for details
District Park/Regional Park	Normally 1 per district but dependant upon the characteristics of area	12.0ha	Provision for expansion of the Kawana Sports Complex to the west to accommodate a range of district and regional level community and recreational facilities. Assumes land of equal area and zoning can be obtained in exchange along the present eastern boundary of the flood plain.
* Exclusive of areas set aside for environmental and conservation purposes adjacent to natural waterways, and non-integrated bikeways and pedestrian routes.			

4.3 Open Space - Conservation

4.3.1 Intent

The intent of this designation is to identify those portions of the DCP Area which are considered to have significant environmental value and which should be retained in their natural state as part of a linked network of natural Open Space Conservation within the DCP Area and the other parts of the Kawana Waters Locality.

4.3.2 Implementation

- (a) DCP 1 Map 1 identifies the areas which fall under this designation and which the Council intends to protect through the Development control process.

In respect of the preparation of the Master Plans for DPA 4 provision is to be made for an esplanade along the full frontage of the Mooloolah River for a minimum width of 30m and to extend in width up to the existing tree line as identified in the Master Plans for DPA 4 provided however that dual fairways and additional clearing are to be accommodated.

- (b) Most of the areas identified in the DCP as being of environmental significance are under the ownership or control of the Master Developer.
- (c) The limit of Development Lines for the new development areas have been determined for areas adjacent to natural waterways and reflected in the zoning maps for the respective areas. These include conservation areas (including esplanades) as shown on DCP 1 Map 1 and Linear Park provision.

Progressively through the MPCDP these areas will become part of the public open space system.

- (d) In addition to the areas of high conservation value designated as Open Space - Conservation in the DCP, the Mooloolah River floodplain contains additional areas of melaleuca quinquenervia wetlands and heathlands of some conservation value, together with extensive cleared areas formerly used for farming purposes. The floodplain is also significant for flood storage purposes. However portions of the floodplain may be suitable for low impact nature based recreational activities which are compatible with its flood storage function and with the preservation of areas of high conservation value. In particular the Council is keen to ensure that convenient access is provided to the "borrow pit" lake area which has particular recreation potential. Accordingly, Council would be unlikely to favourably consider any application for Development in the floodplain which might result in any diminution of flood storage capacity or adverse impact on the nature conservation values of the area eg. vegetation clearance. Any Development and Subdivision applications over this area must be accompanied by appropriate environmental and engineering studies.

4.4 Town Centre

4.4.1 Intent

The intent of this designation is to identify the area where the consolidation of land uses ~~isare~~ designed to complement a community identity and focus and strengthen the employment opportunities for the region.

4.4.2 Implementation

- (a) The preferred location for the Town Centre within the DCP Area is indicated diagrammatically on DCP 1 Maps 1, 2, 6 and 7.
- (b) The Town Centre is expected to be comprehensively planned through the MPCDP process set out in section 7 of the DCP. The planning of this area is to provide for the planning characteristics of mixed use Development or consolidation of land uses including residential, retail, commercial, cultural, government, community and Health & Industry complying with transit oriented development principles particularly in respect of densities. The planning for this area however will be required to comply with the principles outlined in the South East Queensland Regional Plan 2009-2031—goals, elements and strategies outlined in ShapingSEQ where Maroochydore is identified as the Principal Regional Activity Centre for the Sunshine Coast and the Town Centre is the Major Regional Activity Centre in Kawana. The planning, Development and Subdivision of this area is to ensure the efficiency and safety of the transport infrastructure network.

4.5 Village Centres

4.5.1 Intent

The intent of this designation is to identify existing Village Centres and appropriate locations for future Village Centres which are intended to provide a limited range of retailing services at the neighbourhood catchment level of up to 10,000 persons.

4.5.2 Implementation

- (a) The preferred location for a Village Centre within the DCP Area is indicated diagrammatically on DCP 1 Map 2.
- (b) A site proposed for Development as a Village Centre should satisfy the following locational criteria:-
 - (i) the site should have its primary frontage to a collector street/road; and
 - (ii) the site should be directly accessible from the pedestrian/bikeway network; and
 - (iii) the Development will not have any undue adverse impacts on existing or likely future surrounding land uses.
- (c) Village Centres are expected to be comprehensively planned through the MPCDP set out in section 7 of the DCP. The planning of the Village Centres is to provide for an appropriate range of Community Facilities including a neighbourhood house, community hall, child care centre, and Village Park system to form a comprehensively planned Village Centre. The Council will work with the Master & Developer to identify and co-ordinate the detailed requirements for the Community Facilities.

4.6 ~~Transit Precinct~~ This section has been deleted – intentionally left blank

~~4.6.1 Intent~~

- ~~(a) — The intent for the Transit Precinct is to provide opportunity for high density mixed use residential, commercial, education (TAFE) and government land uses to take advantage of the close proximity to the public transport corridor and Transit Station.~~
- ~~(b) — The Transit Precinct is to contain key infrastructure associated with the Transit Station and provide key connectivity to the town centre core precinct and Regional Hospital.~~

~~4.6.2 Implementation~~

- ~~(a) — The Transit Precinct is to contain provision for bus set down and lay by areas adjacent to the Transit Station.~~
- ~~(b) — The Transit Precinct is to contain mid block connections to facilitate a high degree of permeability for pedestrian and cycle movement to and from the Transit Station.~~
- ~~(c) — The Transit Precinct is to contain provision for a 5000 sqm site for a Council car park.~~
- ~~(d) — Car parking is to be located, designed and provided at a rate that supports active and public transport.~~
- ~~(e) — The Transit Precinct is to make provision for a “green spine” complying with the following criteria:
 - ~~(i) — having a minimum width of 15m;~~
 - ~~(ii) — extending from the Transit Station to Kawana Way, aligned to connect directly across Kawana Way through to the Main Street in the town centre core; and~~
 - ~~(iii) — containing separate dedicated pedestrian and bicycle paths.~~~~
- ~~(f) — Buildings fronting the “green spine” should contain active uses at the ground level activating and addressing the “green spine”.~~
- ~~(g) — Buildings within the Transit Precinct are not to exceed 10 storeys in height.~~

4.7 Community Facilities

4.7.1 Intent

DCP 1 Map 2 indicates by various symbols the preferred location of additional community facilities which are expected to be required to meet the demands of the growing community of the Kawana Waters Locality as Development proceeds.

The proposed facilities have been indicated to ensure that their future provision is taken into consideration during the detailed planning and Subdivision of future Development areas in the DCP Area. Community Facilities should be so located as to optimise their efficiency and benefit to the public.

4.7.2 Implementation

- (a) The proponent of any application to Develop an area which contains, or is adjacent to, the location for a Community Facility as indicated on DCP 1 Map 2 shall be required to liaise with the appropriate provider agency and the Council to ensure that their detailed site and locational criteria are met.

- (b) In considering any particular planning or Subdivision application, the Council may, at its discretion, require the applicant to provide an overall conceptual layout plan of a broader area indicating the proposed locations of any required Community Facilities and the proposed linkages from the area of the subject application to the proposed Community Facilities.
- (c) In general the Council will require the site of a proposed Community Facility to comply with the following locational criteria:-
 - (i) have at least one frontage to a collector streetroad; and
 - (ii) be conveniently linked to the surrounding area's pedestrian/bikeway network; and
 - (iii) be co-located with other activity generating activities such as parkland and neighbourhood shops.
- (d) Where the preferred location of the Community Facilities is in an area under the control of the Master Developer, the Council will ensure that the Community Facilities are appropriately integrated into the urban fabric through the MPCDP.
- (e) The Development of an area is to comply with the Community Development Strategy including the recommended community facility requirements, except in the case of the Community Facilities which is adjacent to the Regional Hospital that may be Developed for a Community Purpose.

4.8 Regional Hospital

4.8.1 Intent

The intent of this designation is to identify the area where the Regional Hospital will be located.

4.8.2 Implementation

- (a) A trunk collector is to be provided on the eastern frontage of the Regional Hospital.
- (b) The Regional Hospital is to be connected, before the commencement of the use of the Regional Hospital, to the Nicklin Way in the east and to Kawana Way in the Multi-Modal Transport Corridor in the west.
- (c) The Regional Hospital is to be linked to the Town Centre and the Transit Facility within the Public Transport Corridor.
- (d) The Regional Hospital is to be linked to the pedestrian/bikeway network.
- (e) The Regional Hospital is designed to be sympathetic and integrated into the surrounding development.

4.9 Tourism Development

4.9.1 Intent

The Council desires to take advantage of the natural and man-made attractions within the DCP Area and the other parts of the Kawana Waters Locality by the expansion of tourism related activities. This designation is intended to identify that area in the DCP Area in which tourism Development will be encouraged by the

Council. Appropriate activities in this area include but are not limited to tourist accommodation and related commercial activities and entertainment and recreational facilities.

4.9.2 Implementation

- (a) The Council is likely to favourably consider applications for tourism Development in the designated areas, subject to their complying with other relevant provisions of the Planning Scheme including the DCP. Uses which are likely to be favourably considered by the Council include tourist accommodation, tourism-related retail and commercial activities including craft shops, restaurants, cafes, take-away food shops and entertainment and recreational facilities.
- (b) Mixed use Development comprising tourist-related commercial activities on the lower levels and tourist accommodation above, will be encouraged.

4.10 Detailed Planning Areas

4.10.1 Intent

The DCP 1 Map 3 identifies 15 areas designated DPA 1, DPA 2, DPA 3, DPA 4, DPA 5, DPA 6, DPA 7, DPA 8, DPA 9, DPA 10, DPA 11, DPA 12, DPA 13, DPA14 and DPA 15.

Whilst DPA 3, DPA 5, DPA 6 and DPA 8 are identified on DCP 1 Map 3, these areas are not within the DCP Area and the DCP does not apply to these areas.

However, DPA 1, DPA 2, DPA 4, DPA 7, DPA 9, DPA 10, DPA 11, DPA 12, DPA 13, DPA 14 and DPA 15 are within the DCP Area and the DCP does apply to these areas which, by virtue of their strategic location and/or size, are considered to present particular opportunities for comprehensively planned focal Developments.

The exact nature and extent of land uses appropriate to each of these areas cannot reasonably be determined at this time. Accordingly, the Council is providing the flexibility for the sites to accommodate a wide range of land uses through the use of:

- (a) _____ the Special Development Zone; and
- (b) _____ in the case of DPA 4, the Open Space Zone and the Sport and Recreation Zone; and
- (c) _____ in the case of DPA 10, the Residential A Zone.

provided the uses are undertaken in accordance with a Master Plan, to be submitted for approval as part of the MPCDP set out in section 7 in this DCP, and conform with the general planning and design criteria set out below for each DPA.

4.10.2 Implementation

- (a) The detailed planning, Subdivision and Development of each DPA will be undertaken in accordance with the MPCDP set out in section 7 of this DCP, and with the detailed planning and design criteria set out below for each DPA.

A Site Development Plan will be required to be prepared in respect of land designated DPA (other than DPA 10). The Site Development Plan for each DPA (other than DPA 10) shall contain a Supplementary Table of Development for the DPA area as a whole or, where the DPA is comprised

of precincts, for all precincts of that DPA setting out four columns with the specific issues listed under each of them in accordance with the principles stated in Table 4.10.

TABLE 4.10

Column 1 Permitted Uses	Column 2 Permitted Subject to Conditions	Column 3 Consent Required	Column 4 Prohibited Uses
Those uses determined to be the preferred uses, either within the DPA area as a whole, or where the DPA area is comprised of a number of precincts, within each of the precincts, together with minor ancillary uses.	Those uses considered to be supplementary to the preferred uses either within the DPA area as a whole or, where the DPA area is comprised of a number of precincts, within each of the precincts, and where the use is such as to require the imposition of conditions to regulate its use.	Those uses, not otherwise listed either under Columns 1, 2 or 4 in respect of the whole of the DPA area or, where the DPA area is comprised of a number of precincts, within each of the precincts, and which would be acceptable within the whole DPA area or precinct area where it is adequately demonstrated that the use would be compatible with, the preferred uses.	Those uses determined to be inappropriate either within the DPA area as a whole or, where the DPA area is comprised of a number of precincts, within each of the precincts.

(b) Detailed Planning Area 1 (DPA 1)

This DPA occupies a large area on the western side of the Nicklin Way and is abutted by ~~the~~ Public Recreation Lake which will accommodate a variety of water related activities, including part of a 2 km long rowing course, a substantially continuous public access esplanade around the lake, and appropriately located and designed beach and esplanade areas incorporating a range of community and commercially related uses.

Development of the area will therefore be guided by the following broad criteria:-

- (i) The Public Recreation Lake must be designed to minimise future maintenance, to the satisfaction of the Council.
- (ii) The Public Recreation Lake edges are to present an appearance of sandy beaches with vegetation and few "hard edges". The sandy beaches are to be gently sloping to enable ease of access by the users of canoes and windsurfers and the like and may incorporate a neighbourhood or village park. It may be appropriate however to Develop a hard edge treatment to some sections of ~~this~~ (the eastern edge of the Public Recreation Lake) where it can be demonstrated that the pedestrian and cyclist experience is not diminished or made unsafe. Part of this Public Recreation Lake is also contained within the Urban area designation which will require assessment under the provisions of section 4.1 of this DCP.
- (iii) No direct access to the Nicklin Way from individual land areas unless supported by a detailed traffic study accepted by the Council and the Department of Main

Roads which shows that such can occur without detriment to the safe and efficient flow of traffic on the Nicklin Way.

- (iv) There is to be a high level of visibility of the Public Recreation Lake from the Nicklin Way and other adjoining roads.
- (v) The frontage to the Nicklin Way, other than for approved access points, is to be landscaped to provide an attractive "presentation" along this road and to assist in buffering traffic noises.
- (vi) Development of nodal areas for sports, leisure, recreation and community activities between the Public Recreation Lake and Sportsmans Parade and Stern Drive is to include the following:-
 - (A) the provision of a continuous public access promenade to the perimeter of the Public Recreation Lake. The Development of commercial and community facilities adjacent to the Public Recreation Lake are to accommodate a continuous public access promenade. In some locations however, such promenade may not directly abut the lake;
 - (B) the average width of the continuous public access promenade is to be 15m measured from the nominal water level to the adjacent road or property alignment. It is intended the width will vary for relief (to avoid a bath tub appearance) and to accommodate drainage outlets and community focal points;
 - (C) recreation and leisure areas including barbecue and picnic facilities;
 - (D) facilities for cultural, welfare and hobby activities including community halls, community and youth related groups;
 - (E) rowing, and other water sports clubs;
 - (F) limited commercial activities contained in 4 or 5 nodes on the eastern side of the Public Recreation Lake along Sportsmans Parade and Stern Drive. Only one of these nodes is to be located north of the boundary between the swimming pool and the Kawana Sports Complex. Land use opportunities in each of these nodes include boat hire facilities, kiosks and other recreational and community activities with the land use north of the boundary between the swimming pool and the Kawana Sports Complex, being those uses directly related to sports, leisure and recreational activities;
 - (G) the land and/or gross floor area for the commercial nodal areas will depend on the detailed planning of the DPA but shall not in any case exceed in total linear measurements 40% of the frontage to Sportsmans Parade and the Council will require that these uses are located so that continuous pedestrian and cycle access generally along the lake foreshore is achieved and that adequate visual and physical separation between uses occurs. The Council recognises however that -amalgamation of some of these uses may create a more efficient use of the limited land resource available. The overall visual experience to pedestrians, cyclists and users of the lake is to be of lake and vegetation in dominance, with any

buildings to be designed so as to blend with the master planning theme;
and

- (H) sports, leisure and recreational activities adjoining Sportsmans Parade and the head of the northern end of the Public Recreation Lake.
- (vii) The DPA will be developed with lower intensity uses towards the southern edges of the DPA to ensure compatibility with existing low density residential Development, with higher intensities of residential and commercial Development being encouraged towards the southern end of the ~~proposed~~ Public ~~Recreational~~ Lake.

The preferred land uses in the southern portion of the DPA (from the lake edge to the southern boundary) will be predominantly residential in nature. However, in conjunction with the ~~MPCDP Master Planning Community Development Process~~, educational facilities, health care facilities or a significant club facility or similar would also be encouraged as preferred uses in this location.

- (viii) Commercial activities which provide a "Fisherman's Wharf" type amenity or other forms of Development compatible with the intent of the designation which preserves continuous public access adjacent to the southern reaches of the Public Recreation Lake and maintains public views to the waterway from the Nicklin Way, will also be encouraged as preferred use in this location.
- (ix) Land uses chosen for Development within DPA 1 should be such as will take advantage of the potential of the DPA due to its proximity to a major aquatic recreational resource and as a key focal point integrating the future Development of the DCP Area with the existing community of the other parts of the Kawana Waters Locality, including pedestrian/cyclist linkages as indicated on the DCP 1 Map 2. Activities of a Highway commercial nature will not be permitted within this DPA.
- (x) A Detailed Planning Area Plan is to be prepared for the whole of the DPA and approved pursuant to the MPCDP prior to the commencement of the Development of land use within the DPA, showing the intended range of land uses, their nature and extent, and the specific Development Criteria to be applied to ensure that the manner of their development enhances the amenity of the area and recognises the amenity of existing residential areas.

In the context of the preparation of the Site Development Plan, predominant preferred uses contained within Columns 1 or 2 of the Supplementary Table of Development are therefore:-

- community activities adjoining Sportsmans Parade;
- park (public open space - generally continuous ~~frontage~~ public access with frontage to the Public Recreation Lake);
- uses permitted in the Urban designated area;
- limited commercial to the Public Recreation Lake edge adjoining Sportsmans Parade;

- "Fisherman's Wharf" type facilities to the southern edge of the Public Recreation Lake;
- education facility;
- health care facility;
- commercial (offices and the like, to enhance focal position);
- club facility; and
- sports, leisure and recreational activities adjoining Sportsman Parade and the head of the northern end of the Public Recreation Lake.

(c) Detailed Planning Area 2 (DPA 2)

This area comprises a large site of approximately 30 hectares across the Nicklin Way from DPA 1 and extending to the frontal sand dunes. It is the last large undeveloped beachfront site within the Kawana Waters Locality, and provides the opportunity for a focal Development based around public beach access and associated recreational activities for residents and visitors.

It is intended that Development of the DPA will be guided by the following broad criteria:-

- (i) Open space and community land with an area of approximately 5.9 hectares will be provided to cater for the needs of local residents and tourists. Controlled beach access will be provided from the park and from a site for a surf lifesaving club and public parking facilities as well as other community facilities intended to serve the local resident community. The make-up of this area is to be as follows:-

• Village Park System	2.0ha
• Public Access Club Facilities	1.0ha
• Linear Park	1.6ha
• Public Access Domain (Mall)	0.5ha
• Community Facilities	0.3ha
• Surf Club Facility	0.5ha.

- (ii) Complementary to the focal Development intent of this DPA a commercial/boutique retail/community/public domain (mall) precinct or precincts will be encouraged as preferred uses in this location with their design and relationship to meet the needs of local residents and tourists and ~~which provides~~ a vibrant focal point for the Kawana Waters Locality.

- (iii) There is to be no direct access to the Nicklin Way from individual land uses.

- (iv) There is to be controlled access only to Beach and Wurley Drive, and to any proposed new access road from the Nicklin Way.

- (v) The frontages to the Nicklin Way and Beach and Wurley Drives, other than for approved access points, are to contain linear parks approximately 10 metres wide (from kerb lines) and be landscaped to provide an attractive "presentation" of the DPA along these roads, to provide an "experience" for pedestrians and cyclists and to assist in buffering traffic noises.

- (vi) Appropriate linkages are to be provided to the Village Park and focal point through the DPA to existing developed areas and to areas west of the Nicklin Way for pedestrians and cyclists. There will be a grade separated, or signalised, linkage from this area under or across the Nicklin Way to DPA 1 and directly to the foreshores of the recreational lake and rowing course and its extensive foreshore paths and cycleways and community facilities. Road access within this DPA is to be so designed as to discourage north-south through traffic from using this area as an alternative route to the Nicklin Way.
- (vii) The DPA is to be Developed with lower intensity uses towards the edges of the DPA to ensure their compatibility with existing low density residential development north and south of the DPA. Higher intensities of Development will be encouraged towards the centre of the DPA, particularly around the focal Development, to assist in providing a sense of place. In the centre an 8 storey height limit is not to be exceeded. The Council will encourage the Development of a significant club facility or similar in this DPA which is sized to accommodate an area of 1ha of land for public access and enjoyment of club facilities. In the event that this use does not occur however, and residential is the preferred use, the Council will require a 1ha area of land to be set aside for public access club facilities.
- (viii) Land uses are to be predominantly residential in nature, with an emphasis on higher densities to a maximum height of 8 storeys towards the centre of the DPA. Various forms of tourist Development would be welcomed by the Council, should these prove to be commercially viable. Commercial Development will be limited to the focal area. In particular, activities of a highway commercial nature, such as retail showrooms, car sale yards, takeaway food premises and the like which prefer the exposure and direct access provided by an arterial and sub-arterial road frontage, will not be permitted along the Nicklin Way frontage of the DPA.

A Detailed Planning Area Plan shall be prepared for the whole of the area of DPA 2, and approved pursuant to the MPCDP prior to commencement of the Development of land use within the area, and showing the intended range of land uses, their nature and extent, and the specific Development Criteria to be applied to ensure that the manner of their Development enhances the amenity of the area and recognises the existing amenity of adjoining residential areas.

In the context of the preparation of a Site Development Plan, the predominant preferred uses contained within Columns 1 or 2 of the Supplementary Table of Development are therefore:-

- residential and tourist accommodation;
- commercial;
- village park system;
- community facilities;
- surf club facility;
- boutique retail/public mall/restaurant, fast food and the like; and
- club facility.

- (d) Detailed Planning Area 3 (DPA 3)

This DPA is not within the DCP Area and the DCP does not apply to the DPA.

(e) Detailed Planning Area 4 (DPA 4)

This DPA comprises an area of approximately 335 hectares, most of which is influenced by the Mooloolah River Flood Model Solution.

Whilst the flood solution characteristics of the DPA must be retained, areas are suitable for a variety of land uses with the majority of the lands having an active and passive recreation value and conservation value.

It is intended that the Development of the DPA will be guided by the following broad criteria:-

- (i) The nature and form of future Development is to be such as will preserve the flood storage capacity and flow characteristics of the DPA.
- (ii) Appropriate linkages will be provided to the river from the adjacent Urban development for pedestrians and cyclists.
- (iii) The integrity of significant vegetation within the DPA is to be preserved.
- (iv) The DPA at its northern extremity, offers the potential to extend the District/Regional Sports Complex with pedestrian/cyclist linkages, located so as to access the river and the provision of a Village Park adjacent and south of the Southern lake.
- (v) Lakes are envisaged within the DPA 4 area and are to be Developed in accordance with the following criteria:-
 - (A) the southern lake is an existing borrow pit, the preferred use of which is for passive enjoyment for the public with a conservation area on its northern edge (east of the Multi-Modal Transport Corridor) and village park opportunity to its southern edge (east of the Multi-Modal Transport Corridor);
 - (B) other lakes (not yet created) are preferred for passive enjoyment for the public or for part of any golf course development within this area;
 - (C) the northern lake is an existing "borrow pit", the preferred use of which is for active recreation;
 - (D) it is intended that these lakes, where practical, will form part of the urban drainage system acting as retention/settlement ponds assisting in an improved water quality system;
 - (E) only non-powered and non-wind assisted craft (such as canoes) will ~~only~~ be permitted on these lakes;
 - (F) the provision of a pedestrian link between the northern lakes and the additional sports and recreation lands; and
 - (G) the provision of a maximum 100m buffer around the northern lakes, provided however that in order to minimise vegetation disturbance, the

lakes will be located as close as practical to the Multi-Modal Transport Corridor resulting in a reduced buffer width on the east side of the lakes.

- (vi) Private and public open space and recreational purposes will be encouraged within the existing cleared areas of the DPA. The Council will encourage the Development of a significant club facility or similar. Eco-tourism uses will also be encouraged in this DPA.
- (vii) The provision of the proposed Multi-Modal Transport Corridor as identified on DCP 1 Map 2.

A Detailed Planning Area Plan will be required to be prepared for the whole of DPA 4 and approved pursuant to the MPCDP prior to the commencement of the Development of land ~~use~~ within the area showing the intended range of land uses, their nature and intent, and the specific Development Criteria to be applied to ensure that the manner of their Development preserves the flood storage capacity and flow characteristics of the DPA in addition to providing opportunities for private and public open space and recreational purposes.

In the context of the preparation of a Site Development Plan, the preferred uses contained in Columns 1 and 2 of the Supplementary Table of Development within this DPA are:-

- public open space and recreation areas;
- park (public and/or private tenure);
- golf course and club facility;
- equestrian facility;
- eco-tourism accommodation; and
- Multi-Modal Transport Corridor.

- (f) Detailed Planning Area 5 (DPA 5)

This DPA is not within the DCP Area and the DCP does not apply to the DPA.

- (g) Detailed Planning Area 6 (DPA 6)

This DPA is not within the DCP Area and the DCP does not apply to the DPA.

- (h) Detailed Planning Area 7 (DPA 7)

This DPA is located in an area influenced by the Water Pollution Control Plant Buffer Area. The land is adjacent to the By-pass Channel entrance from the Mooloolah River and the proposed Multi-Modal Transport Corridor.

All Development proposals on this DPA will be required to:

- (i) be in accordance with the required Master Plans indicating the design, layout and intent for the whole DPA and its relationship with the urban residential Development to the north and east and the entrance channel works; and
- (ii) comply with the constraints imposed by the Water Pollution Control Plant Buffer Area and the proposed Multi-Modal Transport Corridor.

In the context of the preparation of a Site Development Plan, the preferred uses contained in Columns 1 and 2 of the Supplementary Table of Development within the DPA are:-

- club facility;
- service station, and complementary uses of convenience shop and car wash facilities;
- sport and recreation and associated facilities;
- indoor entertainment/outdoor entertainment;
- eco tourism (river/national park related) facilities;
- business park or similar Development (but with no direct access from sites to the proposed adjacent Multi-Modal Transport Corridor); and
- lake.

(i) Detailed Planning Area 8 (DPA 8)

This DPA is not within the DCP Area and the DCP does not apply to the DPA.

(j) Detailed Planning Area 9 (DPA 9)

The DPA comprises an area of approximately 26 hectares. The land is located between the existing employment area north of Main Drive, the proposed Town Centre to the south, the Public Recreation Lake to the east and the Multi-Modal Transport Corridor to the west.

In the context of the preparation of the Structure Plan that is to be prepared in relation to the DPA and the Urban designated areas:

- (a) the broad intent and structure of the DPA must be in accordance with the structure of the DPA as shown on DCP 1 Map 5 and the intent of the DPA as specified in Table 4.10.2(j); and
- (b) the location of the Water Pollution Control Plant Buffer Area must be in accordance with DCP 1 Map 5 and Development must comply with the constraints imposed by the Water Pollution Control Plant Buffer Area; and
- (c) the predominant and preferred land use opportunities for the DPA must be in accordance with the intent and land uses for each precinct in the DPA as shown in Table 4.10.2(j).

In the context of the preparation of the Detailed Planning Area Plan that is to be prepared in relation to the DPA:

- (a) the general nature, form and location of Development for the DPA must be in accordance with the structure of the DPA as shown on DCP 1 Map 5 and the Structure Plan and the intent of the DPA as specified in Table 4.10.2(j); and
- (b) the location of the Water Pollution Control Buffer Area as shown on DCP 1 Map 5 and the Structure Plan must be shown in more detail; and
- (c) the Detailed Planning Area Plan must show a neighbourhood park as shown on DCP 1 Map 5 that accords with the Community Recreation and Open Space Model in Appendix 1 of the DCP. In particular, the park must not be bisected by any roads and must be located adjacent to the Public Recreation Lake and contain an internal play area of no less than 1,200m²; and

- (d) the land uses that are shown on the Detailed Planning Area Plan must be in accordance with the intent of the relevant precinct specified in Table 4.10.2(j); and
- (e) the Detailed Planning Area Plan must show that a Site Development Plan containing a Supplementary Table of Development is required to be prepared in respect of each precinct shown on DCP 1 Map 5; and
- (f) the Detailed Planning Area Plan must state that the land within the DPA must not be reconfigured into lots that are less than 2,000 m².

In the context of the preparation of a Site Development Plan in respect of each of the precincts shown on DCP 1 Map 5:

- (a) the land uses to be contained in columns 1 and 2 of the Supplementary Table of Development in respect of the relevant precinct must be in accordance with Table 4.10.2(j); and
- (b) all other land uses not required to be contained in columns 1 and 2 of the Supplementary Table of Development pursuant to paragraph (a) must be contained in column 4 of the Supplementary Table of Development; and
- (c) the Site Development Plan must specify development criteria to control the form and context of any land uses that are contained in columns 1 and 2 of the Supplementary Table of Development.

In relation to a Master Plan being a Detailed Planning Area Plan or a Site Development Plan (“Prescribed Master Plan”) that has been:

- (a) submitted for approval prior to the commencement of amendments to section 4.10.2(j) adopted on 16 January 2004, the Prescribed Master Plan is to be assessed in accordance with the Planning Scheme (including the DCP) immediately in force prior to the commencement of the amendments; and
- (b) approved prior to the commencement of amendments to section 4.10.2(j) adopted on 16 January 2004, the Prescribed Master Plan shall continue to have effect and development and other lower order Master Plans must comply in the way stated in this DCP with the Prescribed Master Plan and the provisions of the Planning Scheme (including the DCP) immediately in force prior to the commencement of the amendments as if the amendments had not commenced; and
- (c) approved prior to the commencement of amendments to section 4.10.2(j) adopted on 16 January 2004, the Prescribed Master Plan may be amended in accordance with the MPCDP but the amended Master Plan is to be assessed in accordance with the Planning Scheme (including the DCP) in force at the date of the application for approval of the amended Master Plan.

The limitation of the land uses that are to be developed in DPA 9 to those that are identified above and in Table 4.10.2(j) is intended to ensure, particularly in the case of retail and office uses, that the Development and use of land within DPA 9 whether of itself or in conjunction with the Development or use of land within the future Town

Centre does not significantly compromise by way of the Development and use of land either individually or collectively the following:

- (a) the intended primacy and function (including the provision of, and allocation of services and facilities) of the Caloundra Regional Business Centre under the Strategic Plan and Development Control Plan 8, which is a Major Regional Activity Centre under ~~the South East Queensland Regional Plan 2009-2031~~ ShapingSEQ; or
- (b) the function of the future Town Centre under the DCP.

Table 4.10.2(j) – Detailed Planning Area 9

Precinct	Intent of the Precinct	The only land uses that may be contained in Columns 1 and 2 of a Supplementary Table of Development in respect of the Precinct
1	<p>This precinct is to act as a transition area from the employment area to the north of Main Drive to the mixed use area of DPA 9 where:</p> <p>(a) commercial premises are not located on the ground floor of buildings; and</p> <p>(b) industrial related uses such as light industry, service industry and warehouses provide the predominant employment opportunities.</p>	<p>Commercial Premises (where not located on the ground floor of a building)</p> <p>Educational Establishment (where limited to the training of persons necessarily associated with a Light Industry or a Service Industry)</p> <p>Light Industry</p> <p>Public Purpose</p> <p>Public Utility</p> <p>Service Industry</p> <p>Showroom (where limited to the sale of vehicles)</p> <p>Warehouse</p>
2	<p>This precinct is to act as the core area of DPA 9 where employment opportunities are predominantly provided by clean manufacturing, commercial premises and business premises.</p>	<p>Business Premises</p> <p>Call Centre</p> <p>Clean Manufacturing</p> <p>Commercial Premises</p> <p>Local Store</p> <p>Public Purpose</p> <p>Public Utility</p> <p>Service Industry</p> <p>Warehouse</p>
3	<p>This precinct is to act as the main entrance to DPA 9 where:</p> <p>(a) commercial related uses are not located on the ground floor of buildings; and</p> <p>(b) the non-commercial uses that are located on the ground floor of buildings provide a strong interface and connectivity to the Public Recreation Lake.</p>	<p>Business Premises</p> <p>Call Centre</p> <p>Child Care Centre (located outside of the Water Pollution Control Plant Buffer Area)</p> <p>Commercial Premises (where not located on the ground floor of a building)</p> <p>Food Outlet (not incorporating a drive-in takeaway facility)</p> <p>Health Care Premises</p> <p>Hospital</p> <p>Indoor Entertainment</p> <p>Park</p> <p>Public Purpose</p> <p>Public Utility</p> <p>Restaurants</p> <p>Shop (where limited to the sale of sporting goods)</p> <p>Sport and Recreation</p>

Precinct	Intent of the Precinct	The only land uses that may be contained in Columns 1 and 2 of a Supplementary Table of Development in respect of the Precinct
4	This precinct is to act as a predominantly high-density residential area where the Development on the ground floor of buildings provide a strong interface and connectivity to the Public Recreation Lake.	Accommodation Building Caretakers Residence Child Care Centre Food Outlet (not incorporating a drive-in takeaway facility) Function Room Home Business Local Store Motel Multiple Dwelling Park Public Utility Restaurant Sport and Recreation Temporary house and land sales office
5	This precinct is to act as an employment area for predominantly clean manufacturing and commercial premises which because of their large floor areas cannot be located on land designated for these purposes in the Town Centre or the Caloundra Regional Business Centre.	Accommodation Building Call Centre Car park Caretakers Residence Child Care Centre Clean Manufacturing Commercial Premises (where the gross floor area of any commercial premises is not less than 1,000m ²) Educational Establishment Food Outlet (not incorporating a drive-in takeaway facility) Function Room Indoor Entertainment (where the development is not a cinema) Industrial Retail Premises Multiple Dwelling Park Public Purpose Public Utility Service Industry Showroom (where precinct 6 of DPA 9 is at least 70% developed)

Precinct	Intent of the Precinct	The only land uses that may be contained in Columns 1 and 2 of a Supplementary Table of Development in respect of the Precinct
6	This precinct is to act as predominantly a retail area for uses involved in the sale of bulky goods which because of their large floor areas and land consumptive nature cannot be located on land designated for these purposes in the Town Centre, the Buddina Regional Business Centre or the Caloundra Regional Business Centre.	Automatic Mechanical Car Wash Car Park Caretakers Residence Clean Manufacturing Food Outlet Nursery Park Public Purpose Public Utility Restaurant Service Station <u>Shop (not being a department store, discount department store or supermarket) having a minimum Gross Floor Area of 300m²</u> Showroom Warehouse
7	This precinct is to act as a predominantly higher density residential area to accommodate persons engaged in activities within DPA 9 and the Town Centre.	Accommodation Building Caretaker’s Residence Hotel Motel Multiple Dwelling Park Public Purpose Public Utility Temporary House and Land Sales Office
8	This precinct is to act as a predominantly higher density residential area to accommodate persons engaged in activities within DPA 9 and the Town Centre where the Development on the ground floor of buildings provide a strong interface and connectivity to the Public Recreation Lake.	Accommodation Building Caretaker’s Residence Food Outlet (not incorporating a drive-in takeaway facility) Function Room Motel Multiple Dwelling Park Public Purpose Public Utility Restaurant Temporary House and Land Sales Office

The land uses specified in Table 4.10.2(j) have the meanings given in the Planning Scheme except in the case of for the following land uses:

“**Business premises**” means premises used or intended to be used for the sale or the provision of services (including the ancillary sale of goods, storage, administration and staff facilities on the same premises) by:

- (a) a bank; or
- (b) a building society; or
- (c) a credit union; or
- (d) a finance company agency; or
- (e) a real estate agency; or
- (f) a Totalisator Administration Board Agency; or
- (g) a travel agency; or
- (h) a sporting body; or
- (i) a person who performs massage, manicure, pedicure or is in any other way involved in the treatment of persons other than in the course of a Health Care Practice as defined in the Planning Scheme.

“**Call Centre**” means premises used or intended to be used for a commercial premises where:

- (a) the gross floor area of the commercial premises is not less than 250 m²; and
- (b) the commercial premises is limited to the sale of or the provision of information in respect of a product or a service by means of the telephone, a computer or other form of electronic communication; and
- (c) the commercial premises does not involve the carrying out of face to face communications with customers, clients or representatives on the premises in the course of conducting the commercial premises.

“**Clean manufacturing**” means premises used or intended to be used for a purpose specified in Table 1 or defined as an industry in the Planning Scheme which:

- (a) does not detrimentally affect the amenity of premises (other than the site) due to noise, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, grit, oil or waste products; and
- (b) does not involve the operation of heavy vehicular traffic; and
- (c) is wholly contained within an enclosed building; and
- (d) is not an environmentally relevant activity as defined in the *Environmental Protection Act 1994*.

TABLE 1

- Analytical laboratory (being for medical or other purposes)
- The manufacturing or assembly of any of the following:
 - Bookbinding
 - Aids and appliances for disabled persons
 - Cameras
 - Clocks, watches
 - Drawing or writing goods
 - Musical instruments
 - Optical goods
 - Scientific instruments
 - Therapeutic and life support aids, appliances, garments and equipment
 - Audio visual equipment
 - Any use having a high technology (including but not limited to manufacturing or assembly of computing equipment or phones) or biotechnology focus

“**Home Business**” means premises:

- (a) being a dwelling unit situated on the ground floor or first level of a multiple dwelling as defined in the Planning Scheme; and
- (b) used or intended for use as a commercial premises as defined in the Planning Scheme where the commercial premises is conducted by the owner of the dwelling unit who resides in the dwelling unit and no more than four (4) other persons (including any other residents of the dwelling unit).

“**Service Industry**” has the meaning given in the Planning Scheme except that the limitation in respect of total use area specified in paragraph (a) of the definition in the Planning Scheme does not apply.

~~“**Shop**” means premises used or intended to be used for the purpose of display or offering for sale goods to members of the public (including the ancillary storage, administration and staff facilities on the same premises). The term includes a bottle shop licensed under the *Liquor Act 1992* and having a gross floor area of less than 300m².~~

- (k) Detailed Planning Area 10 (DPA 10)

This DPA comprises an area of approximately 60 hectares. The land is located in an area west to the Multi-Modal Transport Corridor and is generally surrounded by open space. The area of the DPA, its regular shape, elevations, and setting provides the opportunity for an integrated neighbourhood Development including a variety of uses and facilities relating to the urban, conservation and recreational value of the surrounding areas.

Master Plans will be required to be prepared for the whole of DPA 10 and approved by the Council prior to the commencement of Development of the land uses within the area showing the intended range of land uses, their nature and extent and the specific

Development Criteria to ensure the manner of their Development recognises the following broad criteria:-

- (i) The nature and form of the Development of this DPA is to be such as will preserve the flood storage capacity and flow characteristics of the flood plain and maintain and enhance conservation values.
- (ii) Appropriate linkages will be provided to the adjacent DPA 4 ~~area~~ Development for pedestrian and cyclists.
- (iii) The proximity to the Multi-Modal Transport Corridor.
- (iv) The proximity to the open space that will generally surround the DPA area.
- (v) There shall be no access other than pedestrian and bikeway to ~~Sunset-Meridan Way Drive~~.

In the preparation of Master Plans the following matters in respect of good quality agricultural land must be taken into consideration:-

- the impact the proposed development will have upon Good Quality Agricultural Land; and
- the matters addressed in a relevant State Planning Policy or other State planning instrument 1/92 and any supporting Guidelines.

These matters must be addressed, in writing, as part of an application for approval of a Master Plan.

In the context of the preparation of Master Plans and recognising the characteristics of the DPA the preferred uses within this DPA are:-

- club facility (including accommodation);
- eco tourism accommodation;
- education facility; and
- residential and associated/ancillary commercial and community facilities (where such facilities are designed and Developed to accommodate a range of different types of varying densities compatible with the foregoing uses).

(1) Detailed Planning Area 11 (DPA 11) – Birtinya Island

This DPA comprises an area of approximately 22 hectares. This area comprises the area east of the Birtinya Western Waterway, west of the Public Recreation Lake and north to Birtinya Canal. This area is considered a strategic locality due to proximity to the Town Centre, the Transit Station and the Regional Hospital.

It is intended that the Development of the DPA be guided by the following broad criteria:-

- (i) The DPA is to be developed predominantly for a range of residential land uses and densities.
- (ii) Higher density residential land uses including multiple dwellings are to be located within a 800m radius of the Transit Station including the North Birtinya Precinct and that part of the DPA located north of the East West Link Road and west of the central spine.

- (iii) A range of detached and terrace housing will be encouraged throughout the remainder of the residential area with a minimum lot size of 180m². Small lot housing below 300m² will be permitted where provided in accordance with the Urban Design Performance Criteria in a Site Development Plan approved pursuant to the MPCDP.
- (iv) The mix of lot sizes/frontages and the streets within the DPA are to be designed to achieve integrated outcomes for on street car parking, stormwater treatment devices and landscaping and cater for pedestrian/cycle paths on nominated routes as determined through the MPCDP.
- (v) A central movement (pedestrian/bicycle) spine running north/south through the DPA linking DPAs 11 and 13 ("Central Spine - Birtinya Island").
- (vi) The area north of Lake Kawana Boulevard is to provide a transition to the Town Centre ~~East Core~~ Precinct and contain a Library/Learning Centre and Cultural Centre, Commercial Premises and the Village Park adjacent to the Birtinya Canal. This area is to be designed to form an integral extension to the adjacent Town Centre and civic realm. ~~Non residential land uses will be encouraged in this area at ground level with residential uses above in a mixed use arrangement, particularly along the central spine, Lake Kawana Boulevard and the Village Park /Neighbourhood Park system. This mix of residential and non residential land uses will assist in the creation of a diverse civic realm comprising uses such as small scale boutique retail, cafes, restaurant and outdoor dining. Development sites which have a frontage directly opposite the Village Park are to have an active frontage with land uses such as small scale retailing, cafes, restaurants and outdoor dining at ground level and residential land uses or commercial land uses or both residential and commercial land uses above.~~ Home based businesses that require higher exposure and accessibility are encouraged within this area.
- (vii) Development of areas for urban activities adjacent to the Public Recreation Lake are to accommodate a continuous public access promenade along the lake frontage. However, in some locations, the promenade may not directly abut the lake edge and in those limited circumstances, the pedestrian and cyclist corridor will be designed to maintain a continuous link around the Public Recreation Lake.
- (viii) Along the western edge of the Public Recreation Lake it may be appropriate to Develop a hard edge treatment (in contrast to the soft edge treatment proposed in DPA 1) to enhance the experience at focal nodes and complement the adjoining land uses.
- (ix) All other areas of the DPA abutting a waterway are to contain a continuous walkable waterfront.
- (x) Development in the DPA has a maximum height of 8 storeys.
- (m) Detailed Planning Area 12 (DPA 12) – Health Hub

This DPA comprises an area of approximately 15 hectares located west of the Birtinya Western Waterway and east and south of the Regional Hospital. This area provides opportunities for uses that support the Regional Hospital.

It is intended that the Development of the DPA be guided by the following broad criteria:-

- (i) The DPA is to be developed predominantly for commercial uses and a range of residential land uses and densities, including high density mixed use residential / commercial uses adjacent to the Regional Hospital.
 - (ii) A minimum 3,000m² site for the exclusive use of short term accommodation is to be nominated through the MPCDP.
 - (iii) Medium to high density residential land uses are to be located along the western edge of the Birtinya Western Waterway north of the southern boundary of the Regional Hospital site.
 - (iv) For that part of the DPA directly adjacent to the Birtinya Western Waterway south of the Regional Hospital, a range of detached residential land uses and densities will be encouraged. For the remainder of the DPA south of the Regional Hospital, medium to high density residential development is to be provided.
 - (v) Home based businesses are encouraged throughout the DPA.
 - (vi) Development in the DPA has a maximum height of 8 storeys.
- (n) Detailed Planning Area 13 (DPA 13) – Town Centre

This DPA comprises an area of approximately ~~2614~~ hectares which is generally bound by the Business Village to the north (DPA 9), the Public Recreation Lake to the east, the Birtinya Canal and Lake Kawana Boulevard to the south, and ~~the Multi-Modal Transport Corridor~~ Kawana Way to the west. The DPA is intended to provide a key employment and residential area with major business, service, education and retail functions and contain a range of government, cultural and entertainment facilities of regional significance.

The DPA is to comprise ~~fourtwo~~ (42) main precincts, being:-

- ~~the Town Centre West Precinct, bound by Kawana Way and the Multi-Modal Transport Corridor and located north of the Lake Kawana Boulevard extension; and~~
- the Town Centre East Precinct ~~Core~~, bound by Kawana Way, Central Boulevard and Birtinya Canal; and
- ~~the Town Centre South Precinct, bound by Kawana Way and the Multi-Modal Transport Corridor and located south of the Lake Kawana Boulevard extension; and~~
- the Town Centre Residential Precinct, located generally between Central Boulevard, ~~and~~ the Public Recreation Lake and Birtinya Canal.

It is intended that the Development of the DPA be guided by the following broad criteria:-

- (i) Development is consistent with the policy directions of ~~the South East Queensland Regional Plan 2009-2031~~ Shaping SEQ.
- (ii) Development in the Town Centre complies with transit oriented development principles, ~~particularly in respect of~~ in that:-
 - (A) minimum development densities in all precincts in the DPA that will support and sustain high frequency public transport; and
 - (B) a safe and convenient pedestrian walking and bicycle friendly network; ~~and is provided~~.

- (C) maximum on site and off site car parking rates in accordance with an approved Carparking Management Plan.
- (iii) High quality public realm and streetscape amenity is provided to meet the needs of the surrounding community including open space, pedestrian areas and town squares in order to create a strong sense of place.
- ~~(iv) The development of the Town Centre Core Precinct provides for the development of a traditional town centre form that:-~~
- (iv) A street network extending from the Community Centre pedestrian access bridge landing to the Transit Station, including the Transit Thoroughfare which provides for public open space and amenity in conjunction with active transport infrastructure in accordance with section 5.5.2(a)(ii)(B)(2), as shown on DCP 1 Map 7.
- ~~(v) The town squares are to be orientated and be of appropriate size and dimension to cater for a range of civic uses and functions and are not to be bisected by roads.~~
- (v) The development of the Town Centre West Precinct provides for a retail core that provides:-
- (A) bus setdown areas, bus laydown areas and a combined Kiss n' Ride and taxi facility adjacent to the Transit Station;
- (B) a high degree of pedestrian and cycle connectivity and permeability through the precinct by means of a pedestrian and cycle network which is designed to minimise conflicts with traffic movements and provides for a strong pedestrian and cycle connection between the Transit Station and the Regional Hospital and other major land uses in the Town Centre East Precinct and Town Centre Residential Precinct;
- (C) a Shopping Centre designed to achieve overlooking and passive surveillance of the Transit Station, bus setdown areas and the combined Kiss n' Ride and taxi facility through the siting of active uses including retail entries, cafes, restaurants and strong public thoroughfare areas;
- (D) an east-west main street connecting Kawana Way to the Transit Station;
- (E) sites intended for sleeving adjacent to Kawana Way that screen at grade car parking associated with the Shopping Centre. The sleeving sites are to be of an adequate size and dimension for the intended use. Buildings on the sleeving sites are to be designed to maximise the built form to Kawana Way;
- (F) a Shopping Centre car park that is to be designed to:-
- (1) achieve efficient and safe traffic circulation through the parking areas and between the external access points;
- (2) minimise traffic disruption due to queuing on the surrounding road network; and

- (3) ensure high standards of pedestrian accessibility and safety; and
- (G) opportunities for redevelopment to incorporate high density residential and mixed use Development once the rail use within the Multi-Modal Transport Corridor located within the Town Centre West Precinct has commenced;
- (H) public transport infrastructure associated with the provision of CoastConnect.
- ~~(vi) Buildings are designed to ensure a high quality subtropical design is achieved that maximises amenity, opportunities for street activation, pedestrian permeability and connectivity.~~
- (vi) The Development of the Town Centre East Precinct provides:-
- (A) a Public Transport Corridor along the full frontage of the precinct;
- (B) a continuous commercial precinct fronting Kawana Way. Buildings in this precinct are designed to address the Public Transport Corridor and the internal road network;
- (C) an urban village based around the town centre square that is sleeved at the ground level by active land uses such as small scale boutique retail, restaurants, cafes and outdoor dining;
- (D) a town centre square that is a minimum of 3,000m² and designed to cater for a range of civic uses and functions;
- (E) buildings surrounding the town centre square that achieve a high level of design, maximise opportunities for street activation and surveillance and positively contribute to the civic realm;
- (F) a street network that prioritises pedestrian and cycle movement particularly from the Southbank Park pedestrian and bicycle access bridge to the Town Centre West Precinct; and
- (G) a centralised car parking facility in accordance with an approved Carparking Management Plan.
- ~~(vii) The design of the Town Centre Core Precinct, in particular the retailing component, will ensure that:-~~
- ~~(A) blank walls are minimised; and~~
- ~~(B) any blank wall adjoins a site that can contain sleeving landuses; and~~
- ~~(C) sites intended for sleeving are of an adequate size and dimension for the intended use.~~
- (vii) The Development of the Town Centre South Precinct provides:-
- (A) a 5,000m² site for a Council carpark; and

- ~~(B) a Service Station to serve the Town Centre, Regional Hospital and surrounding residents.~~
- ~~(viii) Roof top carparking may be permitted in the Town Centre Core Precinct provided that:-~~
- ~~(A) the visual impact of carparking structures is minimised when viewed from the public realm, particularly when viewed from the Village Park in the North Birtinya Precinct; and~~
- ~~(B) vehicular access to the roof top carparking complies with the following:-~~
- ~~(1) the principal accesses to the roof top carparking are to be provided from the streets surrounding the Town Centre Core Precinct; and~~
- ~~(2) any subordinate access to the roof top carparking from an internal main street is to be limited in number, location and design to ensure the achievement of the following critical outcomes:~~
- ~~• the urban design outcomes for the development of a traditional town centre form in section 4.10.2(n)(v);~~
 - ~~• to minimise the utilisation of any access to the roof top carparking;~~
 - ~~• to maximise on street carparking along the internal main streets to promote activation of the main streets; and~~
 - ~~• to minimise traffic disruption and queuing in the internal main streets during periods of peak movements; and~~
- ~~(C) access between rooftop carparks:-~~
- ~~(1) does not dominate the streetscape or predominant views into the Town Centre from the Village Park in the North Birtinya Precinct; and~~
- ~~(2) is designed as an architectural feature which is consistent with and compliments the surrounding built form; and~~
- ~~(3) is located and designed to not impact on surrounding residential amenity; and~~
- ~~(D) it is designed to:-~~
- ~~(1) achieve efficient and safe traffic circulation through the parking areas and between the external access points; and~~
- ~~(2) ensure high standards of pedestrian accessibility and safety.~~
- (viii) The Development of the Town Centre Residential Precinct provides:-

~~(A) a Precinct Park adjacent to the Community Centre pedestrian access bridge landing;~~

~~(B) Development adjacent to the Precinct Park which provides for north facing active ground floor uses such as small scale boutique retail, restaurants, cafes and outdoor dining;~~

~~(C) high density residential Development; and~~

~~(D) a safe and efficient pedestrian and bicycle connection from the Community Centre pedestrian access bridge to Central Boulevard.~~

~~(A) comprises town squares to be provided in accordance with section 4.10.2(n)(v); and~~

~~(B) comprises main streets that are to be activated and provide for residential living opportunities above; and~~

~~(C) streets are arranged and designed to prioritise pedestrian movement along and between public spaces and to adjacent precincts and to enhance access and wayfinding to key facilities within the precinct.~~

~~(ix) Minimum and maximum densities are to be prescribed for each precinct in DPA 13 through the MPCDP.~~

(ix) Development in the DPA has a maximum height of 10 storeys.

(o) Detailed Planning Area 14 (DPA 14) - Birtinya Peninsula

This DPA comprises an area of approximately 18 hectares. This area generally comprises the area south of DPA 12, west of Pangali Canal and east of the north arm of Currimundi Creek and Detailed Planning Area 4.

It is intended that the Development of the DPA be guided by the following broad criteria:-

- (i) A range of detached and terrace housing will be encouraged throughout the remainder of the residential area with a minimum lot size of 180m². Small lot housing below 300m² will be permitted where provided in accordance with the Urban Design Performance Criteria in a Site Development Plan approved pursuant to the MPCDP.
- (ii) The mix of lot sizes/frontages and the streets within the DPA are to be designed to achieve integrated outcomes for on street car parking, stormwater treatment devices and landscaping and cater for pedestrian/cycle paths on nominated routes as determined through the MPCDP.
- (iii) The areas of the DPA abutting Pangali Canal and Birtinya Western Waterway are to contain a continuous walkable waterfront.
- (iv) Those parts of the DPA consisting of riparian vegetation located on the eastern side of the southern tip of the DPA and on the western side extending from the southern tip of the DPA to Birtinya Boulevard are to be retained for conservation purposes.

- (v) Development in the DPA has a maximum height of 3 storeys.
- (p) Detailed Planning Area 15 (DPA 15) – Birtinya Island East

This DPA comprises an area of approximately 3.4 hectares. This area comprises the area west of the Public Recreation Lake, south of Lake Kawana Boulevard, east of Birtinya Boulevard and north of the area contained in Master Plan 40.

- (i) A range of detached and terrace housing will be encouraged throughout this DPA with a minimum lot size of 180m². Small lot housing below 300m² will be permitted where provided in accordance with the Urban Design Performance Criteria in a Site Development Plan approved pursuant to the MPCDP.
- (ii) The mix of lot sizes/frontages and the streets within the DPA are to be designed to achieve integrated outcomes for on street car parking, stormwater treatment devices and landscaping and cater for pedestrian/cycle paths on nominated routes as determined through the MPCDP.
- (iii) The layout of this DPA is to provide for the required land dedications at the southeast corner of the intersection of Lake Kawana Boulevard and Birtinya Boulevard to provide for future light rail or rapid transport infrastructure.
- (iv) Areas of the DPA abutting the Public Recreation Lake are to contain a continuous walkable waterfront that provides connections to the pathways located on the northern and southern sides of the ultimate bridge configuration on Lake Kawana Boulevard.
- (v) Development in the DPA has a maximum height of 3 storeys.✘

5.0 CIRCULATION NETWORK - INTENT AND IMPLEMENTATION CRITERIA

5.1 State Controlled Roads

5.1.1 Intent

The intent of this designation is to identify existing and proposed major arterial roads and associated interchanges in the DCP Area and the other parts of the Kawana Waters Locality. These are limited to the Nicklin Way (existing) and the proposed Multi-Modal Transport Corridor which as well as linking Caloundra Road to the Sunshine Motorway by way of an arterial road, also provides for a Public Transport Corridor and a sub-arterial road component that directly services the future urban Development within the DCP Area and the other parts of the Kawana Waters Locality.

5.1.2 Implementation

- (a) The preferred locations for the State Controlled Roads are indicated on DCP 1 Map 2.
- (b) The requirements for State Controlled Roads within the DCP Area and other parts of the Kawana Waters Locality are contained within the Transport Infrastructure Agreement.
- (c) The development of a Transit Station will include provision for close integration with urban Development on the eastern side of the corridor with appropriate physical connection to the Public Transport Corridor. The position of this Transit Station is required to be located such that it joins with the Public Transport Corridor and provides a high level of pedestrian and cycle connectivity to the Town Centre.

- (d) In assessing applications for Development, Subdivision and Master Plan approval, in respect of the requirements for State Controlled Roads in the DCP Area, the Council will ensure compliance with the requirements of the Transport Infrastructure Agreement.

5.2 Sub-Arterial Roads

5.2.1 Intent

This level of road in the road hierarchy is primarily intended to move traffic rather than provide access to individual properties. These roads provide a link between higher order roads and the rest of the road hierarchy and accommodate public transport.

5.2.2 Implementation

Except as otherwise provided in the Transport Infrastructure Agreement:

- (a) The preferred locations for sub-arterial roads are indicated on DCP 1 Map 2.
- (b) The Lake Kawana Boulevard road corridor width will be in accordance with paragraph (e) except:-
 - (i) where ~~indented~~intended bus setdown bays are required; and
 - (ii) where appropriate widening is required at intersections for turning lanes and/or bus bypass lanes; and
 - (iii) for the section between points B and C on DCP 1 Map 7 the total road reserve width dedicated must be capable of ultimately accommodating all required turning lanes in Lake Kawana Boulevard at the intersection at point C clear of the centrally located 8 metre wide future public transport corridor; and
 - (iv) to accommodate the future public transport bridge over Lake Kawana (between points A and B on DCP 1 Map 7) the duplication of the existing vehicular bridge is to provide for the maximum practically achievable separation from the existing bridge taking into account all physical constraints.
- (c) There will be no direct individual allotment property access except for larger commercial and/or accommodation complexes.
- (d) The design speed is 60 kilometres per hour except in the vicinity of intersections where a lower design speed is necessary for safety and proper traffic management.
- (e) The ultimate Lake Kawana Boulevard road configuration will generally be as follows:-

Element	East of Lake Kawana	West of Lake Kawana to Birtinya Boulevard (Points B to C on DCP1 Map7)	Birtinya Boulevard to Kawana Way
Footpath (north)	4.9 metres	5.8 metres	5.8 metres
Parking Lane	3.2 metres	3.2 metres	3.2 metres
Cycle lane	1.5 metres	1.5 metres	1.5 metres
2 through traffic lanes	6.4 metres	6.4 metres	6.4 metres

Centre median or Public Transport Corridor	6 metres (centre median)	8 metres (future P Public T Transport e Corridor)	5 metre (centre median)
2 through traffic lanes	6.4 metres	6.4 metres	6.4 metres
Cycle lane	1.5 metres	1.5 metres	1.5 metres
Parking Lane	3.2 metres	3.2 metres	3.2 metres
Footpath (south)	4.9 metres	5.8 metres	5.8 metres
Total	38 metres	41.8 metres	38.8 metres

However parking lanes will not be required on bridges or at bridge approaches.

- (f) In assessing applications for Development, Subdivision and Master Plan approval, the Council will ensure that sub-arterial roads are provided in general conformance with the sub-arterial roads indicated on DCP 1 Map 2.

5.3 Trunk Collector Streets

5.3.1 Intent

The intent of identifying these elements is to ensure that the detailed design of new areas incorporates an efficient road network which is appropriately linked to higher order roads in the overall road hierarchy. The trunk collectors are intended to provide for local traffic movement to higher-order roads. These may be required to be designed to accommodate public (bus) transport.

5.3.2 Implementation

- (a) DCP 1 Map 2 indicates the trunk collector streets for the undeveloped areas.
- (b) With the exception of the trunk collector along the eastern frontage of the Regional Hospital, the trunk collector street configuration is:-

Footpath	4m
2 through lanes	7m
Centre median	3m
2 through lanes	7m
Footpath	<u>4m</u>
Total	25m

- (c) There will be no direct individual residential allotment property access except for larger commercial and/or accommodation complexes.
- (d) In assessing applications for Development, Subdivision and Master Plan approval, the Council will ensure that trunk collector streets are provided in general conformance with the trunk collector streets indicated on DCP 1 Map 2.

5.4 Collector Streets

5.4.1 Intent

The intent of identifying these elements is to ensure that the detailed design of the DCP Area incorporates an efficient road network which is appropriately linked to higher order roads in the overall road hierarchy. The collector streets are intended to provide for local access and local traffic movement and should be designed to discourage use by traffic passing through the local area.

5.4.2 Implementation

- (a) DCP 1 Map 2 indicates possible access points for collector streets in undeveloped areas.
- (b) In assessing applications for Development, Subdivision and Master Plan approval, the Council will ensure that collector streets are provided in general conformance with DCP 1 Map 2. In particular the Council will ensure that the collector streets do not provide a direct link between higher order roads in the network which would encourage through traffic to use the collector streets in preference to a designated State Controlled Road, sub-arterial, or trunk collector street.

5.5 Town Centre ~~Main~~ Streets

5.5.1 Intent

The intent of identifying these elements is to ensure that the Main Street Town Centre West, Main Street Town Centre East and Central Spine Street as shown on DCP 1 Map 6 will provide for an a-a main street network is provided in the Town Centre Core Precinct. These main streets are intended primarily to enable attractive, safe and, convenient and all hours pedestrian, bicycle and vehicular access, throughout the Town Centre Core Precinct.

5.5.2 Implementation

- (a) The Main Street, extending from the Transit Station to the town centre square as shown on DCP 1 Map 6 is to comprise of the following:-
 - (i) in the Town Centre West Precinct, a shared zone at the western end of the Main Street Town Centre West extending along the active frontage of the main Shopping Centre to the westernmost vehicular access to the Shopping Centre car park. The road reserve for the shared zone is to be of sufficient width to accommodate one (1) traffic lane in each direction, kerbside parking on either side of the traffic lanes and a minimum 4.5 metre wide verge on each side;
 - (ii) from the town centre square in the Town Centre East Precinct to the eastern end of the shared zone in the Town Centre West Precinct, the Main Street is to be of sufficient width to accommodate the required traffic and turning lanes determined by detailed traffic modelling analysis which is to include the following:-
 - (A) a minimum 4.5 metre wide verge on the northern side;
 - (B) a minimum 8 metre wide verge on the southern side comprising of:-
 - (1) a 'shared path' to facilitate bicycle movements along this section of the Main Street in lieu of providing on-road bicycle lanes; and
 - (2) a minimum 3 metre wide Transit Thoroughfare dedicated as road reserve.
- (b) The Central Spine Street from the Community Centre pedestrian access bridge landing to the town centre square is to:-
 - (i) be of sufficient width to provide for traffic and turning lanes in accordance with detailed modelling analysis which is to include the following:-
 - (A) a minimum 4.5 metre verge on the northern side;
 - (B) a wider verge on the southern side to sufficiently accommodate bicycle traffic within the verge in lieu of on-road bicycle lanes;
 - (ii) facilitate on-street parking; and
 - (iii) cater for safe and efficient pedestrian and bicycle movements.

- ~~(a) — A primary main street of a minimum 20 metre width is provided in the Town Centre Core Precinct providing access to the centre of the precinct from Kawana Way.~~
- ~~(b) — A secondary street of a minimum 19 metre width is provided in the Town Centre Core Precinct providing access from the primary main street to Central Boulevard.~~
- ~~(c) — The location of the main streets is identified through the MPCDP, to the satisfaction of the Council.~~

5.6 Bikeways/Pedestrian Links

5.6.1 Intent

This designation indicates in broad terms a network of bikeways and pedestrian paths which is planned to connect residential areas with major activity nodes including schools, shopping facilities, sporting facilities, open space and foreshore areas in the Kawana Waters Locality.

5.6.2 Implementation

Except as otherwise provided in the Transport Infrastructure Agreement:

- (a) The preferred routes of the bicycle/pedestrian network are indicated on DCP 1 Map 2 or as otherwise provided for in section 4.10.2 for each of the Detailed Planning Areas.
- (b) In assessing applications for Development, Subdivision and Master Plan approval, the Council will ensure that the relevant elements of the bikeway/pedestrian network are incorporated in the design.
- (c) At the Subdivision approval stage, the Council will require the developer to provide the land and construct those elements of the bikeway/pedestrian network contained within the new Development areas. The Council will progressively implement the links in currently Developed portions of the Kawana Waters Locality outside of the DCP Area as part of its overall strategy.

5.7 Public Transport Routes

5.7.1 Intent

The Council wishes to ensure that the potential for urban areas of the City to be provided with a public transport service in the future is recognised in the design and lay-out of Development proposals.

5.7.2 Implementation

- (a) In assessing applications for Development, Subdivision and Master Plan approval, the Council will ensure that roads are provided to an appropriate design standard to accommodate future bus traffic.
- (b) Lake Kawana Boulevard, which connects the Regional Hospital to the Nicklin Way in the east and to Kawana Way in the Multi-Modal Transport Corridor in the west, will incorporate bus queue bypass lanes at critical intersections to minimise delays to bus traffic.
- (c) To facilitate the provision of other future public transport infrastructure along the "Lake Kawana Boulevard to Regional Hospital" corridor identified on DCP 1 Map 7, road

reserve widths will generally be as follows with the exact widths identified through the MPCDP:

Corridor Sections	Required Road Reserve Widths
B - C	As required by section 5.2.2
C - D	For the northern part of this corridor section the existing road reserve is to be widened by 5.0 metres, tapering to a widening of 2.4 metres at Point D. The road reserve widening is to be provided on the eastern side of the existing reserve.
D - E	Minimum road reserve width of 31.45 metres tapering to 33.15 metres at Point E to accommodate turning lanes at the intersection at Point E.
E - F	Minimum road reserve width of 27.75 metres tapering to 33.15 metres at Point E to accommodate turning lanes at the intersection at Point E.
G - H	Road reserve width of 32.50 metres at Point H tapering to 27.75 metres at Point G (the western abutment of the bridge over the western waterway).

- (d) To facilitate the provision of other future public transport infrastructure along the "Kawana Way" corridor identified on DCP 1 Map 7, a corridor to be provided to the Council adjacent to the eastern side of the Kawana Way road reserve will generally be as follows, with the exact widths and location of the eastern boundary of the corridor to be identified through the MPCDP:

<u>Corridor Sections</u>	<u>Required Corridor Width (on eastern side of Kawana Way)</u>
<u>I - J</u>	<u>The corridor is to be approximately 8.2 metres wide at Point I, tapering to a width of approximately 11.4 metres at Point J.</u>
<u>K - L</u>	<u>The corridor is to be approximately 11.2 metres wide at Point K, tapering to a width of approximately 10.8 metres at Point L.</u>
<u>M - N</u>	<u>The corridor is to be approximately 9.9 metres wide at Point M, tapering to a width of approximately 12.9 metres at Point N.</u>

6.0 MISCELLANEOUS PROVISIONS APPLYING THROUGHOUT THE DCP AREA

6.1 Landscaping to Sub-Arterial Roads and Waterways

- (a) Landscaping plans are to be submitted with Development applications for sites which have a frontage to any road designated as a sub-arterial road in this DCP or to any waterway.
- (b) Landscaping plans are to ensure that the Development presents an attractive appearance from the sub-arterial road or waterway and to this end should address the following requirements:-
 - (i) Compatibility with and enhancement of adjoining streetscape elements including landscaping treatments of adjoining sites and any footpath treatments.

- (ii) Provision of visual screening to any unsightly areas (e.g. tidy areas, parking areas, loading bays and the like) within the site.
- (iii) Provision and/or maintenance of appropriate levels of privacy for users of the subject site or adjacent sites.
- (iv) Where acoustic screening is required, the landscaping plan shall indicate the landscaping treatment along the full length of such screening and how the landscaping complements the screening and/or reduces its visual impacts.

6.2 Use of Reflective Glass on External Walls

Reflective glass which forms all or part of any external wall of a building shall not exceed:-

- (a) a maximum degree of reflection of both heat and light of 20 percent; and
- (b) 60 percent of the total area of such wall.

6.3 Landscaping of Basement Roof Area

The roof of any basement area is to be landscaped to the satisfaction of the Council. Appropriate landscape treatments of these roof areas may include lawn, planter boxes, planted moundings and tiling for use as outdoor terrace areas.

6.4 Parking Areas to be Open to Public

Parking areas provided in association with non-residential Development shall be kept open and freely accessible to the public during the hours of operation of the activities on the site. No mechanical devices, barriers or signage shall be erected which would impede or otherwise discourage access to parking areas on the site by the general public during these hours.

6.5 EnergexSEQEB Transmission Line Easement

The Council will require an easement to be granted in favour of EnergexSEQEB as a condition of approval of any Development or Subdivision application over land affected by the 132kv sub transmission line not contained within a dedicated road or park reserve and which passes through the Parrearra and Kawana districts in the general location indicated on DCP 1 Map 2.

6.6 Development Thresholds

- (a) Notwithstanding anything contained in the Planning Scheme, no Development or Subdivision shall be carried out in Precincts 1, 2, 3, 4 or 5 as specified in DCP 1 Map 4 where:-
 - (i) the population exceeds the population limit specified on DCP 1 Map 4 in respect of that precinct by more than ten percent (10%); or
 - (ii) the total population as specified on DCP 1 Map 4 in respect of Precincts 1, 2, 3, 4 and 5 (ie. 22,410 persons) is exceeded; or
 - (iii) the total gross floor area for retail and commercial uses within the Town Centre does not accord with the requirements of section 4.4.2(b).
- (b) For the purposes of section 6.6(a) the population of Precincts 1-5 shall be calculated in accordance with section 5.4.1 of the Planning Study.

7.0 MASTER PLANNED COMMUNITY DEVELOPMENT PROCESS

7.1 Introduction

7.1.1 Rationale

The Council has adopted the MPCDP for the purpose of implementing the DCP in recognition of the following salient factors:-

- (a) all the major areas of undeveloped land in the DCP Area are under the ownership or control of the one developer, the Master Developer, which provides a unique opportunity for a fully integrated approach to the planning, Subdivision and Development of the Kawana Waters Community Development Area; and
- (b) the provisions of Development Lease No. 2 and related Development ~~Documents~~~~Agreements~~, and the role of the lessee (the Master Developer) and the Minister in the implementation of the further Subdivision and Development of the undeveloped lease areas in accordance with such provisions; and
- (c) the intent of the Master Developer to work co-operatively with the Council, and the Minister, with respect to Development Lease No. 2, to prepare and implement the MPCDP to the balance of its holding, integrated with the existing established areas in the other parts of the Kawana Waters Locality within and adjacent to the DCP Area; and
- (d) the desirability of providing greater flexibility in the statutory provisions controlling such a large scale, comprehensively planned urban Development, to ensure the diversity of land use type, form and distribution essential to the creation of a fully integrated community which meets the needs of all its residents.

7.1.2 Application

The MPCDP set out below applies to all lands identified in DCP 1 Map 1 as being included in the Urban designation; ~~or identified in DCP 1 Map 3 as a DPA (other than DPA 3, DPA 5, DPA 6 or DPA 8) or included within the Transit Precinct.~~

7.1.3 Vision Statement

The following Vision Statement sets out the principles which will guide the future Development of the Kawana Waters Community Development Area through the MPCDP.

The Vision for the future of the Kawana Waters Community Development Area seeks to integrate:-

- (a) the community values to be incorporated in the aim to create a "complete community" with a strong residential emphasis and a "sense of place"; and
- (b) the market factors expected to govern and influence the rate, form and future growth of the area and the Sunshine Coast region; and
- (c) the need for the long-term economic viability of the Development.

To these ends, the future Development of the Kawana Waters Community Development Area is intended to ~~be~~:-

- (a) ~~be~~ undertaken in a structured, timely and cost-effective manner, which meets the needs of the community and the diverse markets expected to be attracted to the area; and
- (b) ensure a financially successful project; and

- (c) be characterised by:-
- (i) quality in living environments, housing and all the diverse elements that constitute the community; and
 - (ii) variety of housing types and residential precincts, reflecting the diverse nature of the community; and
 - (iii) affordability appropriate to the range of income levels in the community, with the emphasis on value for money; and
 - (iv) safety in both housing, movement and community-wide activity; and
 - (v) completeness in:-
 - active and passive open space and recreation areas and facilities; and
 - schools and educational facilities; and
 - shopping, commercial facilities; and
 - employment areas; and
 - community and child care facilities; and
 - health and welfare services and facilities; and
 - emergency services; and
 - communication and public transport; and
 - (vi) accessibility in relation to open space, education and community facilities, and services; and
 - (vii) connectedness, a feeling of relationship, linkage, and belonging in respect of both the physical and human elements of the community; and
 - (viii) character, identity and vitality being factors which set the community apart and make it its own place, not a dormitory suburb but an active, living and dynamic community.

7.1.4 Implementation

7.1.4.1 The planning, Subdivision and Development of the DPAs; and Urban designated areas ~~and land included within the Transit Precinct~~ of the DCP Area is controlled by the Development Documents.

7.1.4.2 The MPCDP implements the vision and intent of the DCP utilising the Development Documents to achieve an integrated approach to the planning, Subdivision and Development of the DPAs; and the areas designated Urban ~~and land included within the Transit Precinct~~ under the DCP.

7.1.4.3 Where an application for approval of a Master Plan, Subdivision, or Development is required to be lodged with and determined by the Council, the application may be:-

- (a) lodged separately, concurrently or sequentially with any other application notwithstanding the provisions of the Planning Scheme; and
- (b) determined by the Council in accordance with all relevant legislation (including subordinate legislation) separately, concurrently or sequentially.

7.2 Development of DCP Area

7.2.1 Development Rights

Notwithstanding any provision of the Planning Scheme, land designated DPA or Urban ~~or included within the Transit Precinct~~ under the DCP shall not be Developed except for an Existing Use unless:-

- (a) the Master Plans as required to be prepared by the DCP have been approved in accordance with the Development Agreement and the DCP; and
- (b) where the Development involves Subdivision of the land, the Development is to be carried out on an allotment specifically identified and approved for that purpose by a Subdivision in accordance with section 7.3 of the DCP; and
- (c) the Development complies with:-
 - (i) the Development Documents; and
 - (ii) the approved Master Plans including the conditions of approval, Development Criteria, Urban Design Performance Criteria and Site Development Plan Design Parameters.

7.2.2 Permitted, Conditional Permitted and Permissible Development

The Planning Scheme provisions provide that land:-

- (a) designated Urban or DPA 10 under the DCP can be Developed for:-
 - (i) a Permitted Development in the Residential A zone where the purpose is Developed on an allotment specifically identified and approved for that purpose by a Subdivision in accordance with section 7.3.1 or 7.3.2 of the DCP; and
 - (ii) a Conditional Permitted Development in the Residential A zone where the purpose is specified on a Precinct/Estate Plan approved in accordance with the DCP; and
 - (iii) a Permissible Development in the Residential A Zone;
- (b) designated as DPA under the DCP ~~or included within the Transit Precinct~~ (other than DPAs 4 and 10) can be Developed for:-
 - (i) a Permitted Development in the Special Development Zone where the purpose is specified in column 1 of a Supplementary Table of Development; and
 - (ii) a Conditional Permitted Development in the Special Development Zone where the purpose is specified in column 2 of a Supplementary Table of Development; and
 - (iii) a Permissible Development in the Special Development zone where the purpose is specified in column 3 of a Supplementary Table of Development; and
- (c) designated as DPA 4 under the DCP can be Developed for:-
 - (i) a Permitted Development in the Open Space and Sport and Recreation Zones where the purpose is specified in column 1 of a Supplementary Table of Development; and

- (ii) a Conditional Permitted Development in the Open Space and Sport and Recreation Zones where the purpose is specified in column 2 of a Supplementary Table of Development; and
- (iii) a Permissible Development in the Open Space and Sport and Recreation Zones where the purpose is specified in column 3 of a Supplementary Table of Development; and
- (d) which is not designated Urban; ~~or DPA or included within the Transit Precinct~~ under the DCP can be developed for those purposes specified in the Table of Development applicable to the zoning of the land.

7.3 Subdivision of DCP Area

7.3.1 Freehold Land

Notwithstanding the provisions of the Planning Scheme, Freehold Land and Freehold Lease Land which is within a DPA or designated Urban under the DCP shall not be Subdivided unless:-

- (a) in the case of Freehold Land, the Council has approved all Master Plans required by the DCP to be prepared in respect of the land; and
- (b) a Subdivisional approval is granted by the Council in accordance with the DCP; and
- (c) the Subdivision is to enable the Development of the land for a Permitted Development, Conditional Permitted Development or Permissible Development; and
- (d) the Subdivision complies with:-
 - (i) the Development Documents; and
 - (ii) the approved Master Plans including the conditions of approval, Development Criteria, Urban Design Performance Criteria and Site Development Plan Design Parameters.

7.3.2 Development Lease No 2

Land which is within Development Lease No 2 which is designated as a DPA or Urban under the DCP shall not be Subdivided under the Land Act 1994 other than in accordance with the Development Agreement.

7.4 Preparation of Master Plans

7.4.1 Structure Plan

7.4.1.1 A Structure Plan must be prepared in respect of the DPAs; ~~and~~ the Urban designated areas; ~~and land included within the Transit Precinct~~ of the DCP Area shown on DCP 1 Maps 1 and 3.

7.4.1.2 The Structure Plan must:-

- (a) outline the broad intent and structure of the DPAs and Urban designated areas of the DCP Area; and
- (b) show in more detail the elements of the DCP including:-

- (i) the extent and relationship between proposed neighbourhood areas in terms of neighbourhood boundaries and the principles on which those boundaries are based (such as community of interest, definable edges and community culture); and
- (ii) the predominant and preferred land use opportunities described in the various elements of the DCP; and
- (iii) spatial location and hierarchy of business and community facilities elements; and
- (iv) movement network including the major arterial roads, sub-arterial roads, trunk collector streets, collector ~~streets~~ roads and proposed public transport corridors; and
- (v) open space system; and
- (vi) shape, profiles and function of the water bodies that result from the reclamation work together with the urban design rationale used to determine the location and alignment of the water bodies; and
- (vii) the physical urban infrastructure (other than the road network) that is required to service the Kawana Waters Community Development Area; and

~~(e) in addition to (b) above, for the Transit Precinct show in more detail the following elements;~~

- ~~(i) the layout and dimensions of the internal road network and “green spine”; and~~
- ~~(ii) details of other infrastructure networks required to service the proposed development; and~~
- ~~(iii) proposed precincts and purposes for which those precincts may be developed, being either:

 - ~~(A) proposed precincts available for State Government purposes including TAFE and Queensland Ambulance and not requiring a Site Development Plan; and~~
 - ~~(B) all other precincts subject to a Site Development Plan; and~~~~
- ~~(iv) vehicular access locations for each precinct; and~~
- ~~(v) concept design for the proposed “green spine”; and~~
- ~~(vi) staging plan including details of components of infrastructure networks to be provided with each stage (as applicable); and~~

~~(d)~~ accompanied by supporting data including:-

- (i) an urban design rationale which describes the principles, concepts and strategies underpinning and guiding the form, type and arrangement of land uses and describes compliance with the DCP; and
- (ii) an education strategic analysis; and
- (iii) a commercial opportunities plan; and
- (iv) an employment analysis; and

- (v) an impact assessment of flooding and drainage issues, water quality issues and construction and geotechnical issues; and
- (vi) in addition to any requirements for traffic impact analysis under the Transport Infrastructure Agreement, a traffic and transportation network analysis; and
- (vii) a physical urban infrastructure, capacity and network analysis; and
- ~~(viii) a car parking management plan for the Transit Precinct; and~~
- (ed) comply with the Development Documents; and
- (fe) be prepared at a scale 1:10,000.

7.4.2 Neighbourhood/Village Plan

7.4.2.1 A Neighbourhood/Village Plan must be prepared in respect of DPA 10 and the Urban designated areas of the DCP Area shown on DCP 1 Maps 1 and 3.

7.4.2.2 The Neighbourhood/Village Plan must:-

- (a) outline the general nature, form and extent and location of Development for an area of neighbourhood/village scale within the approved Structure Plan; and
- (b) show in more detail the elements of the DCP identified within the approved Structure Plan including:-
 - (i) the nature, location and density of Development; and
 - (ii) the centre hierarchy; and
 - (iii) the movement networks including ~~trunk collector streets~~, collector ~~streets~~roads, cycle and pedestrian systems, public transport networks and proposed public transport corridors; and
 - (iv) open space system; and
 - (v) the shape, profiles and function of the water bodies; and
 - (vi) the physical urban infrastructure (other than the road network) that is required to service the development of the neighbourhood/village area; and
- (c) control the form and extent of Development within the neighbourhood/village boundary through:-
 - (i) Development Criteria; and
 - (ii) Urban Design Performance Criteria if appropriate; and
 - (iii) Site Development Plan Design Parameters if appropriate; and
- (d) comply with:-
 - (i) the Development Documents; and

- (ii) the approved Structure Plan including conditions of approval and Development Criteria; and
 - (e) be prepared at a scale of 1:1,500.
- 7.4.3 Detailed Planning Area Plan
- 7.4.3.1 Detailed Planning Area Plans must be prepared in respect of DPAs 1, 2, 4, 7, 9, 11, 12,13, 14 and 15 shown on DCP 1 Map 3.
- 7.4.3.2 A Detailed Planning Area Plan to be prepared pursuant to section 7.4.3.1 must:-
- (a) outline the general nature, form, extent and location of Development for a DPA in the approved Structure Plan; and
 - (b) show in more detail:-
 - (i) the elements of the DCP identified within the approved Structure Plan including those matters set out in 7.4.2.2(b); and
 - (ii) the land uses proposed in the DPA; and
 - (iii) the precincts and purposes for which those precincts will be Developed which require a Site Development Plan; and
 - (c) control the form and extent of Development within the DPA through:-
 - (i) Development Criteria; and
 - (ii) Urban Design Performance Criteria, if appropriate; and
 - (iii) Site Development Plan Design Parameters, if appropriate; and
 - (d) comply with:-
 - (i) the Development Documents; and
 - (ii) the approved Structure Plan including any conditions of approval and Development Criteria; and
 - (e) be prepared at a scale of 1:1500.
- 7.4.4 Precinct/Estate Plan
- 7.4.4.1 A Precinct/Estate Plan must be prepared for the whole or part of an approved Neighbourhood/Village Plan except in the case of Currimundi North (being the land contained within Plan No 49-2780-10A dated 5/6/95) and the Upstream Island (being the land contained within Plan No 3-2780-13B dated 30/3/89) where Plan Nos 49-2780-10A and 3-2780-13B or any subsequent amendment approved by the Minister or the Council shall be deemed to be the approved Precinct/Estate Plans for the purposes of the DCP.
- 7.4.4.2 The Precinct/Estate Plan must:-
- (a) show the following:-
 - (i) the Subdivision layout with lot boundaries; and

- (ii) the purposes for which each lot may be Developed under the Planning Scheme; and
 - (iii) the lots which require a Site Development Plan; and
 - (iv) movement networks including cycle and pedestrian linkages; and
 - (v) open space provision; and
 - (vi) water bodies; and
- (b) comply with:-
- (i) the Council's Subdivisional requirements; and
 - (ii) the Minister's Subdivisional requirements where the Precinct/Estate Plan relates to land within Development Lease No 2; and
 - (iii) the Development Criteria applicable to any purpose shown on the Precinct/Estate Development Plan; and
 - (iv) the approved relevant Neighbourhood/Village Plan including any conditions of approval, Development Criteria and Urban Design Performance Criteria and Site Development Plan Design Parameters; and
 - (v) the relevant conditions of approval of the Structure Plan including any Development Criteria; and
 - (vi) the Development Documents; and
- (c) be prepared at the scale required by the Council and Minister.

7.4.5 Site Development Plan

7.4.5.1 A Site Development Plan must be prepared in respect of:-

- (a) those parts of DPAs 1, 2, 4, 7, 9, 11, 12, 13, 14 and 15 shown on DCP 1 Map 3 which are identified by the Detailed Planning Area Plan as requiring a Site Development Plan; and
- (b) those parts of the Urban designated areas within the DCP Area which are identified by a Precinct/Estate Plan as requiring a Site Development Plan; ~~and~~
- ~~(c) those parts of the Transit Precinct as identified in the Structure Plan as requiring a Site Development Plan.~~

7.4.5.2 The Site Development Plans that are required to be prepared in respect of DPAs 1, 2, 4, 7, 9, 11, 12, 13, 14 and 15 ~~and those parts of the Transit Precinct as identified in the Structure Plan as requiring a Site Development Plan~~ must:-

- (a) show the following:-
 - (i) the Subdivision layout with lot boundaries; and
 - (ii) the purpose for which each lot may be Developed; and
 - (iii) the movement network including bicycle and pedestrian linkages; and

- (iv) where appropriate, having regard to the size of the lot or nature of the Development, the following:-
 - (A) building envelopes and set backs; and
 - (B) indicative or detailed building layouts; and
 - (C) private open space; and
 - (D) access and parking provision; and
 - (E) any boundaries on which the walls of the Building or associated Structures (other than fences up to 1.8 metres high) are proposed to be erected; and
- (v) open space provision; and
- (vi) waterbodies; and
- (b) for small lot housing below 300m², also show the following:
 - (i) on street car parking locations and landscaping, including street trees; and
 - (ii) design guidelines for buildings and structures including garages; and
 - (iii) sub-tropical design principles which need to address such issues as solar orientation, indoor outdoor relationship, cross ventilation, landscaping and covered/shaded outdoor open space living areas; and
 - (iv) conceptual stormwater drainage and locations of stormwater treatment devices; and
- (c) comprise a Supplementary Table of Development which is consistent with the provisions of the DCP relevant to the particular DPA ~~or Transit Precinct~~; and
- (d) comply with:-
 - (i) the Council's Subdivisional requirements; and
 - (ii) the Minister's Subdivisional requirements where the DPA comprises land in Development Lease No 2; and
 - (iii) the Development Criteria applicable to any purpose shown on a Site Development Plan; and
 - (iv) the Development Documents; and
 - (v) the approved relevant Detailed Planning Area Plan including any conditions of approval, Development Criteria, Urban Design Performance Criteria and Site Development Plan Design Parameters; and
 - (vi) for DPAs 1, 2, 4, 7, 9, 11, 12, 13, 14 and 15, ~~and the parts of the Transit Precinct as identified in the Structure Plan as requiring a Site Development Plan~~, the conditions of approval of the Structure Plan including any Development Criteria; and
- (e) be prepared at a scale required by Council.

7.4.5.3 A Site Development Plan that is required to be prepared in respect of the Urban designated areas of the DCP Area that are identified in a Precinct/Estate Plan must:-

- (a) show the matters set out in section 7.4.5.2(a); and
- (b) comply with the matters set out in section 7.4.5.2(d)(i)–(iv) as well as:-
 - (i) the approved relevant Precinct/Estate Plan including any conditions of approval and Development Criteria; and
 - (ii) the relevant conditions of approval of the Structure Plan and Neighbourhood/Village Plan including any Development Criteria, Urban Design Performance Criteria and Site Development Plan Design Parameters; and
- (c) be prepared at a scale required by the Council.

7.5 Application for Approval of Master Plans

7.5.1 Requirement to Apply

An application must be made to the Council for approval of:-

- (a) that part of the Structure Plan, Neighbourhood/Village Plans, Detailed Planning Area Plans and Precinct/Estate Plans that relates to the Freehold Land; and
- (b) that part of all Precinct/Estate Plans which relate to Conditional Permitted Development that relates to land within Development Lease No 2; and
- (c) all Site Development Plans irrespective of whether they relate to the Freehold Land or Development Lease No 2.

In accordance with the Development Agreement, applications must be made to the Minister for approval of that part of the Structure Plan, Neighbourhood/Village Plans, Detailed Planning Area Plans and Precinct/Estate Plans that relates to land within Development Lease No 2.

7.5.2 Sequencing of Applications

An application to the Council for approval of a Master Plan shall not be approved by the Council pursuant to the DCP until any higher order Master Plan required by the DCP has been approved.

7.5.3 Form of Application

The application for approval of a Master Plan shall ~~be~~:-

- (a) ~~be~~ in writing; and
- (b) specify:-
 - (i) the Master Plan for which approval is sought; and
 - (ii) the street address, property description and area of the land to which the Master Plan relates; and
 - (iii) the full name and postal address of the applicant; and

(iv) that part of the Freehold Land and Development Lease No 2 to which the application relates; and

(c) be signed by the applicant; and

(d) be authorised in writing by the owner where the application is made by a person other than the owner; and

(e) be accompanied by six (6) copies of the Master Plan for which approval is sought; and

(f) be accompanied by the Prescribed Fee.

7.5.4 Service of Application

Where application is made to the Council for approval of a Structure Plan pursuant to section 7.5.1, the application and accompanying Structure Plan must be submitted to State Government Departments within two (2) working days in accordance with this section and the Development Agreement.

7.5.5 Review of Structure Plan

Where an application for approval of a Structure Plan is submitted to State Government Departments pursuant to section 7.5.4, the State Government Departments may lodge a submission with the Council on the Structure Plan within twenty (20) days of the receipt of the Structure Plan.

7.5.6 Application for Amendment of Approved Master Plan

An application for amendment of an approved Master Plan shall be made and determined in the same manner as an application for approval of a Master Plan.

7.6 Consideration of Master Plan

7.6.1 Requirement to Consider

The Council shall consider in accordance with the requirements of section 7.6, an application pursuant to section 7.5.1 for approval of the Master Plan made to the Council.

7.6.2 Further Particulars

The Council may within fourteen (14) days of the lodgement of the Master Plan with the Council request the applicant to provide such further particulars as are necessary to determine the Master Plan.

7.6.3 Making of Application

An application is to be taken not to be duly made until:-

(a) all the provisions of section 7.5.3 have been complied with; and

(b) the Master Plan submitted with the application has complied with the relevant provisions of section 7.4; and

(c) the applicant has provided the particulars requested pursuant to section 7.6.2.

7.6.4 Timing of Determination

The Council shall determine an application for approval of:-

- (a) a Structure Plan:-
 - (i) within ninety (90) days after the application is taken to be duly made pursuant to section 7.6.3; or
 - (ii) such further period not exceeding thirty (30) days as notified by the Council to the applicant in writing prior to the expiry of the time period in section 7.6.4(a)(i); and
- (b) a Neighbourhood/Village Plan or Detailed Planning Area Plan:-
 - (i) within sixty (60) days after the application is taken to be duly made pursuant to section 7.6.3; or
 - (ii) such further period not exceeding twenty (20) days as notified by the Council to the applicant in writing prior to the expiry of the time period in section 7.6.4(b)(i); and
- (c) a Precinct/Estate Plan:-
 - (i) within forty (40) days after the application is taken to be duly made pursuant to section 7.6.3; or
 - (ii) such further period not exceeding twenty (20) days as notified by the Council to the applicant in writing prior to the expiry of the time period in section 7.6.4(c)(i); and
- (d) a Site Development Plan in respect of:-
 - (i) a Permitted Development in the Residential A Zone within twenty (20) days after the application is taken to be duly made pursuant to section 7.6.3; and
 - (ii) ~~Other~~ Development within forty (40) days after the application is taken to be duly made pursuant to section 7.6.3; and
- (e) Subdivision or Development in accordance with the Act; and
- (f) more than one of the above applications within the time period specified for that application which has the longest time period pursuant to section 7.6.4(a) - (e).

7.6.5 Council's Determination

The Council may in respect of an application for approval of a Master Plan lodged with the Council pursuant to section 7.5.1:-

- (a) approve the application; or
- (b) approve the application subject to conditions; or
- (c) refuse the application.

7.6.6 Notice of Determination

The Council shall give written notice to the applicant and the Minister of its determination under section 7.6.5 within ten (10) working days of making its determination.

APPENDIX 1**COMMUNITY RECREATION & OPEN SPACE MODEL**

The Community Recreation & Open Space Model presented below identifies and sets out an appropriate basis for the consistent assessment of the open space needs and requirements of communities of varying size and nature, in order to provide guidance to the urban designers and developers in the planning and development of parkland in parallel with the broader community development process.

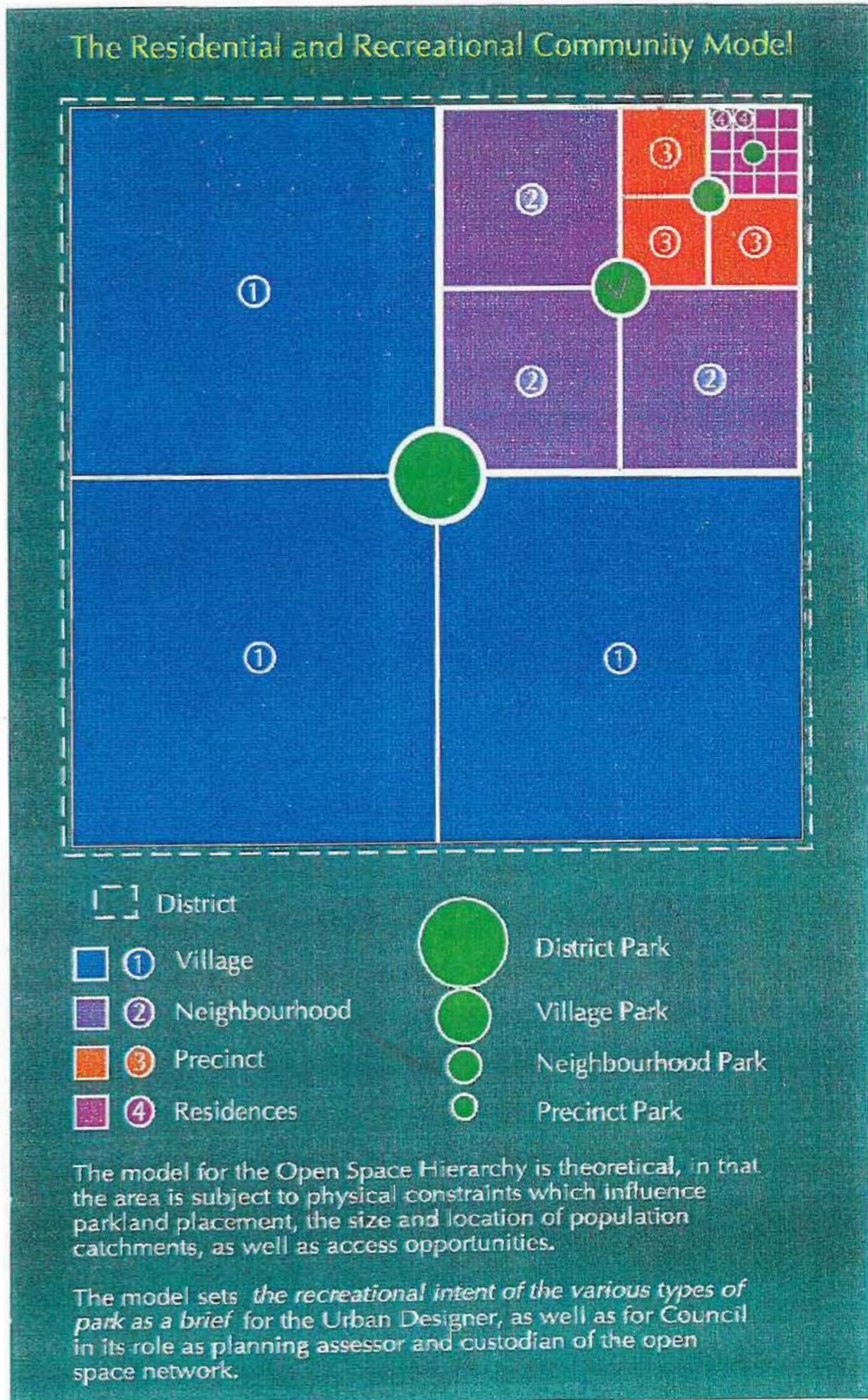
The model for the Open Space Hierarchy is theoretical, in that the area contained within the Kawana Waters Locality is subject to physical constraints which influence parkland placement and size and location of population catchments, as well as visibility and access opportunities. What it does do, is set out the recreational intent of the various types of park as a brief for the Urban Designer, as well as for Council in its role as planning assessor and custodian of the open space network.

In addition to prescriptive size and service standards which act as "deemed to comply criteria", the model identifies performance parameters, based on interdependent variables which control demand and/or use patterns. These include:-

1. Population catchment or likely user numbers;
2. Travel distance relative to travel mode expected;
3. Type of recreational opportunity expected.

It is essential to note that the order of parks is not a reflection of their importance to the community in meeting their recreational demand. Rather, it is a reflection of the size of the population catchment needed to support the recreational use and the degree of specialisation necessary to also perform the recreational functions (passive as well as active) over the range of parkland types and sizes.

The open space components proposed within the model are indicative only of the minimum land requirements at the Master Planning stage and where "deemed to comply criteria" are not to be followed an accompanying report is to specify departures and the reasons therefore. What is important, however, is the provision of open space in close proximity to all dwellings (within 500 metres), with larger or more specialised areas occurring less frequently.



PEDESTRIAN PATHS & CYCLEWAYS

Intent: To link or connect the surrounding residential and other active areas.

DEEMED TO COMPLY CRITERIA:

Catchment Population: Precinct Area

Access Mode: Pedestrian and Bicycle

Travel Distance or Time: Within 200 to 300 metres safe walking/bicycling distance of precinct resident population.

- Minimum Requirements:
- Minimum width of linear system is to be 4m to accommodate a 2m paved pedestrian/bicycle path (1.2 metre width if only a pedestrian pathway required).
 - The routes are to be designed to maximise pedestrian and rider safety.
 - Bikeway routes to be designed to minimise the number of vehicular conflict points.

- Minimum Service Requirements:
- Route identification signage
 - Pedestrian rider slow points or controlled access and crossing areas to minimise conflict with vehicle traffic.

LINEAR PARKS

Recreational Intent: To link or connect focal parkland areas and other community activity areas and facilitate public access from the surrounding residential areas.

To contribute to the recreational experience of the journey to recreational facilities, to work, school, etc.

DEEMED TO COMPLY CRITERIA:

Catchment Population: Neighbourhood Area

Access Mode: Pedestrian and Bicycle

Travel Distance or Time: 5 - 10 minute safe walking distance of resident population.

Minimum Recreational Requirements:

- Minimum width of linear system is to be 4m.
- Rest spots are to be provided at approximately 500m intervals along routes. Ideally this function would be provided by a Precinct or higher order Park. In the event that such a focal park area is not available, a shaded seating area, with drinking fountain, is to be provided beside, but not obstructing, the pathway route.
- The routes are to be designed to maximise pedestrian and rider safety. Where possible, routes are to be visible to public observation for security against criminal and vandal activity as well as being adequately lit.

Minimum Service Requirements:

- Park and Route Identification Signage.
- Water connections for maintenance and Park Users.
- Pedestrian/Rider slow points or controlled access and crossing areas to minimise conflict with vehicle traffic.
- Rubbish bins at each defined entry point.

DESIRABLE ADDITIONAL RECREATIONAL OPPORTUNITIES:

- A 2m paved pedestrian/bicycle path and some landscaping/shade planting to the sides.

PRECINCT PARKS

Recreational Intent: To supplement private open space provisions and actively encourage social interaction within individual precincts.

DEEMED TO COMPLY CRITERIA:

Catchment Population: Precinct Area

Access Mode: Pedestrian and Bicycle

Travel Distance or Time: To be located within 500m safe walking distance of resident population within the subject precinct.

Minimum Recreational Requirements:

- Seating/small group meeting area catering for 2 to 6 persons.
- Informal play/running space, clear of vegetation or other obstacles but within view of the seating area. The space is to have a generally flat topography to enable greatest utilisation and visibility. Sizes should generally be at least 1000 sq. m. in area, other than the Transit Thoroughfare in DPA13 which should be at least 500 sq.m. in area, but smaller, more frequently distributed and visible areas down to 400 sq. m. in area could be acceptable where part of a linked network of such spaces designed to enhance residential amenity throughout precinct areas generally.

Minimum Service Requirements:

- Park Identification Signage.
- Water tap connection for Park maintenance.
- Drinking Fountain/Tap for Park Users.
- Rubbish Bin at each entry point.

DESIRABLE ADDITIONAL RECREATIONAL OPPORTUNITIES:

Recreational Opportunities:

- Playground equipment to accommodate 5 to 10 children at any given time.
- A Communal BBQ and or picnic table/shelter,

Services:

- Lighting for night time use and pedestrian safety.

NEIGHBOURHOOD PARKS

Recreational Intent: To provide an area for social and active recreation interaction of residents within the Neighbourhood.

For the purposes of this section of the criteria, Neighbourhood is described as:-

"a residential dwelling cluster that provides a livable space that has appropriate pedestrian linkages to a neighbourhood focus, where the pedestrian has to walk no more than say 400 metres or 15 minutes walking time to the focus, planned and designed to achieve a recognisable identity".

This park system recognises the topography, the natural open space and water bodies to be created and public access opportunities as of significant value in the neighbourhood recreation experience. Where in Birtinya, lakes with generally continuous linear park access, will dominate the recreation experience and in Parrearra the Canal/lake with navigable access will also dominate the recreation experience where the system of parks will provide each neighbourhood with appropriate soft edge access to the waterway.

Subject to the foregoing criteria being met, and where practicable, Neighbourhood parks shall be located adjacent to esplanades and canals.

DEEMED TO COMPLY CRITERIA:

Catchment Population: Neighbourhood Area

Access Mode: Pedestrian or bicycle, public or private transport.

Travel Distance or Time: 400m or 5 minute drive.

Minimum Recreational Requirements:

- Within each neighbourhood area, at least one such park area of not less than 4,000 sq. m., other than the town centre square in DPA13 and the neighbourhood park in the North Birtinya precinct in DPA11 which have a park area of not less than 3,000 sq.m., reasonably centrally located as to access and visibility within the neighbourhood, is to include the following space allocations for the following purposes:-

- toilets;
- Playground equipment;
- Pathways;
- Garden/Tree planting areas;
- Shelter shed/Pavilion;
- Informal play areas to be 1,200 sq.m. minimum which can also be used as a more formalised meeting/seating area for up to 10 people, which has an overflow capacity of up to 40 or small spectator crowd to support the open space area if required.

Such park to include the provision of:-

- A playground area with appropriate equipment to accommodate 10 children at any one time.
- A Shelter Shed/Pavilion (minimum of 10m² shade area)

- Pathways appropriate to provide edges to the play space and linkages to the Neighbourhood residential min 2 metres wide and 60 metres in length.
 - 2 BBQ and picnic tables.
- Minimum Service Requirements:
- 20m Frontage to Collector Road.
 - Provision of indented parking within the road reserve.
 - All Precinct Park Level Services.
 - Public Toilet Block.

DESIRABLE ADDITIONAL RECREATIONAL OPPORTUNITIES:

- Service Requirements:
- Public Telephone. (Subject to the Communications Providers Policy on the provision of such facilities.)
 - Bus Stop and Shelter.
 - Bike Racks for 12 to 15 bicycles
- Recreational Opportunities:
- Playground Area / Equipment to accommodate up to 20 children at any one time.
- Services:
- Adequate lighting for night time use and pedestrian safety.

VILLAGE PARKS

- Recreational Intent:
- In addition to encouraging social and recreational interaction at the neighbourhood level, these parks are to be specifically located and designed to support the community and civic function and amenity of the Village Centre.
 - For the purposes of this section of the criteria Village is described as "the cluster of neighbourhoods that comprise a population catchment of up to 10,000 persons".
 - This park system recognises the topography, the natural open space and water bodies to be created and public access opportunities as of significant value in the neighbourhood recreation experience. Where in Birtinya, lakes with generally continuous linear park access, will dominate the recreation experience and in Parrearra the Canal/lake with navigable access will also dominate the recreation experience where the system of parks will provide each neighbourhood with appropriate soft edge access to the waterway.

DEEMED TO COMPLY CRITERIA

Catchment Population: Village or Expanded Neighbourhood Area.

Access Mode: Public Transport, private vehicle or bicycle.

Travel Distance or Time: 10 minute drive.

- Minimum Recreational Requirements:
- All minimum recreational requirements of Neighbourhood Level Parks except the informal oval area clear of vegetation and with a flat free draining topography of at least 2ha.
 - Within the Park System for each Village Area there needs to be at least one larger park area set aside to accommodate "village" scale recreational events. Such a park should contain informal oval areas clear of vegetation and with generally flat free-draining topography, and of a size and dimension of approximately 5,000m² with no club facilities permitted.
 - Due to the scale of such a facility it may not be appropriate to locate it adjacent to the Village Centre. Such a park shall, however, have a clearly defined pedestrian/cycle access route linking it to the Village communities.
 - Where such a facility is located away from the Village Centre, there needs to be alternative open space areas provided adjacent to the Village Centre of at least 3,000m² in areas, and developed for either "Civic" or less formal recreational activities appropriate to a community recreation area of a Village nature.
 - Parks adjacent to the Village Centre are to demonstrate a direct

relationship (physical as well as visual) with the Village Centre. The design is to express a degree of "ornamentation" that can be viewed as an expression of community identity. Such design elements are to be in concert with the architectural and landscaping style developed within the Village Centre. Ideally these spaces should perform the traditional function of the "Village Green".

- At Bokarina however specific criteria is attached to the makeup of the land for parks and community facilities and as such it is important to recognise those particular criteria in that detail design may determine that the park size will relate to its location and function. Such facilities may therefore be less than the areas quoted above but will total the areas described in DPA No. 2.
- A fenced Playground Area with appropriate equipment, to accommodate up to 20 children at any one time.

Minimum Service Requirements:

- All minimum service requirements for Neighbourhood Level Park, however where possible such services should be integrated for shared use with the Village Centre.
- On-site parking for a minimum of 15 spaces to be provided for Village Parks.

DESIRABLE ADDITIONAL RECREATIONAL OPPORTUNITIES:

Recreational Opportunities:

- Retail and or food outlets should be encouraged, where appropriate, within or adjacent to parkland areas to encourage patronage.
- 2 to 3 BBQ and or picnic table/shelters.

Services:

- Adequate lighting to encourage night time use.

DISTRICT PARKS

Recreational Intent: To provide for specialised recreational and sporting facilities which are accessible to and utilised by all Neighbourhood Units collectively.

DEEMED TO COMPLY CRITERIA:

Catchment Population: All Neighbourhood Units/District.

Access Mode: Public Transport and Private Vehicles.

Travel Distance or Time: 10 to 15 minutes

Minimum Recreational Requirements:

- All requirements of a Neighbourhood Level Park, ideally separated as a readily accessible and unencumbered section of the overall complex to facilitate use by the general public.
- Providing an attraction or level of specialised facilities which are unique within the District, and therefore unable to be provided for by lower level parks. Such proposals need to be assessed on their individual merits, size and service requirements.
- Upgrading and expansion, or addition to existing District Level Park facilities - such as the Kawana Sports Complex, to continue to cater for the projected population increase of about 25,000 people.

DESIRABLE ADDITIONAL RECREATIONAL OPPORTUNITIES:

Minimum Service Requirements:

- Not less than 40m frontage to either a trunk~~major~~ collector or sub-arterial road.
- All other Neighbourhood Park Level Services.

Recreational Opportunities: • 3 to 4 BBQs and/or picnic table/shelters.

Services:

- Local Taxi Call Box and Rank.
- Underground Service Boxes to allow the informal oval or other parts of the site to accommodate visiting attractions such as Circus or Local Trade Shows to set up.
- The Park is to be well serviced by Public Transport with adequate provision and parking for not less than 4 buses on-site.
- On site parking should be increased to not less than 30 permanent car spaces on site with opportunity of using the informal oval to act as overflow parking areas when required for special events.

REGIONAL PARKS

Recreational Intent: To provide extremely specialised facilities or unique attractions for recreational and sporting activities servicing the Sunshine Coast Region as a whole.

DEEMED TO COMPLY CRITERIA:

Catchment Population: Regional Area of the Sunshine Coast and nearby Hinterland.

Access Mode: Public Transport, Chartered Bus and Private Vehicles.

Travel Distance or Time: 45 minutes to 1 hour (depends on event)

Minimum Recreational Requirements:


- Providing an attraction or level of specialised facilities which are unique within the Region, and therefore unable to be provided for by lower level parks. Such proposals need to be assessed on their individual merits, size and service requirements.
- Expansion and addition to the district level facilities such as provided by the Kawana Sports Complex will overlap to provide for a Regional Level Venue for Inter District Sporting Competition. Given the proximity to Brisbane and size of the Regional Population, this combining of District and Regional Level function is to be encouraged in preference to developing isolated facilities. Equally, development of such facilities west of the existing Kawana Sports Complex may yield opportunities to integrate it with and establish a physical link to the existing, neighbouring National Park. Clearly, with appropriate access and service provisions, the National Park could be promoted as a unique and natural attraction for the Region.

Minimum Service Requirements:

- Must be accessed from Major Arterial Routes via a sub-arterial road and be adequately serviced by Public Transport and private Charter Bus Services.

PREFERRED LAND USE

Residential

 Urban (Including Detailed Planning Area 10)


Open Space

 Recreation

 Mixed Recreation

- Conservation
- Private/Public (Detailed Planning Area 4)


Business

 Tourism Development

 Town Centre


Other Elements

 Regional Hospital

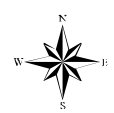
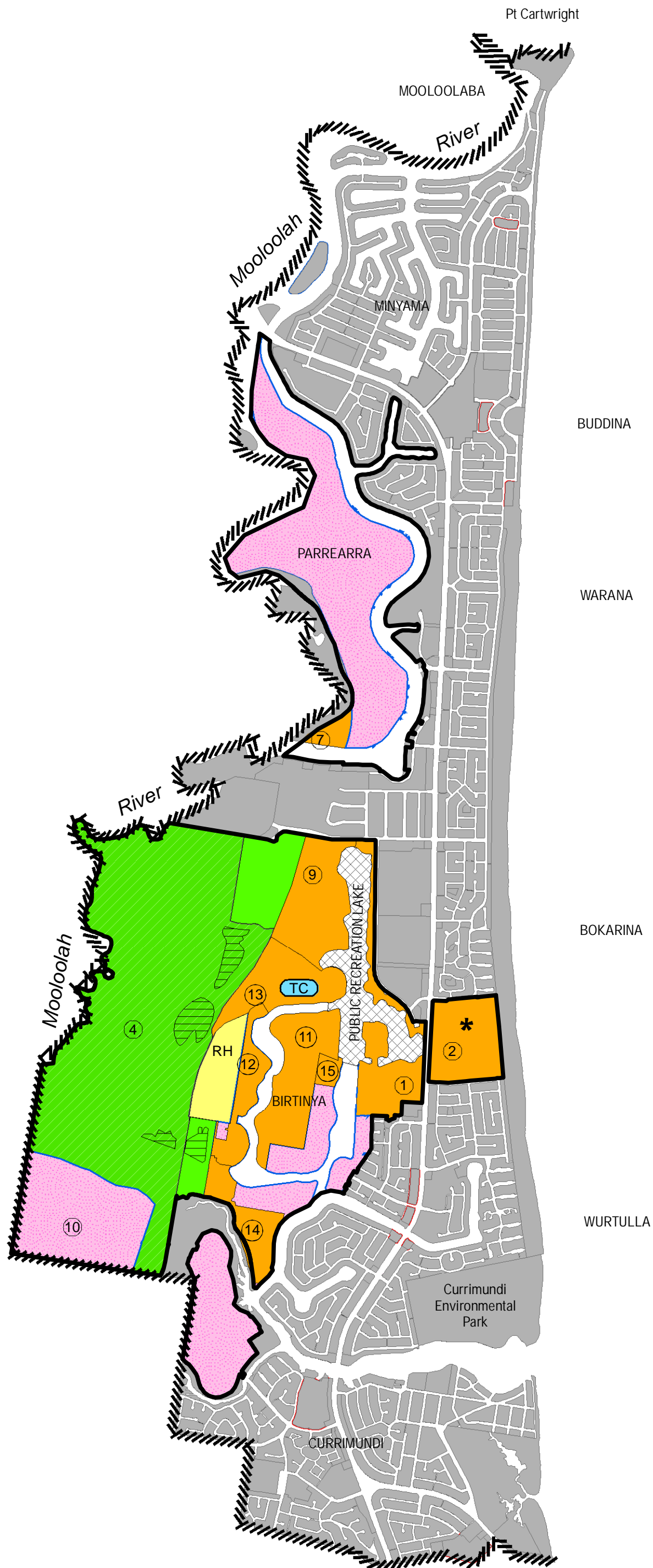
 Detailed Planning Area (Refer to Map 3)

 DCP Area Boundary

 Kawana Waters locality

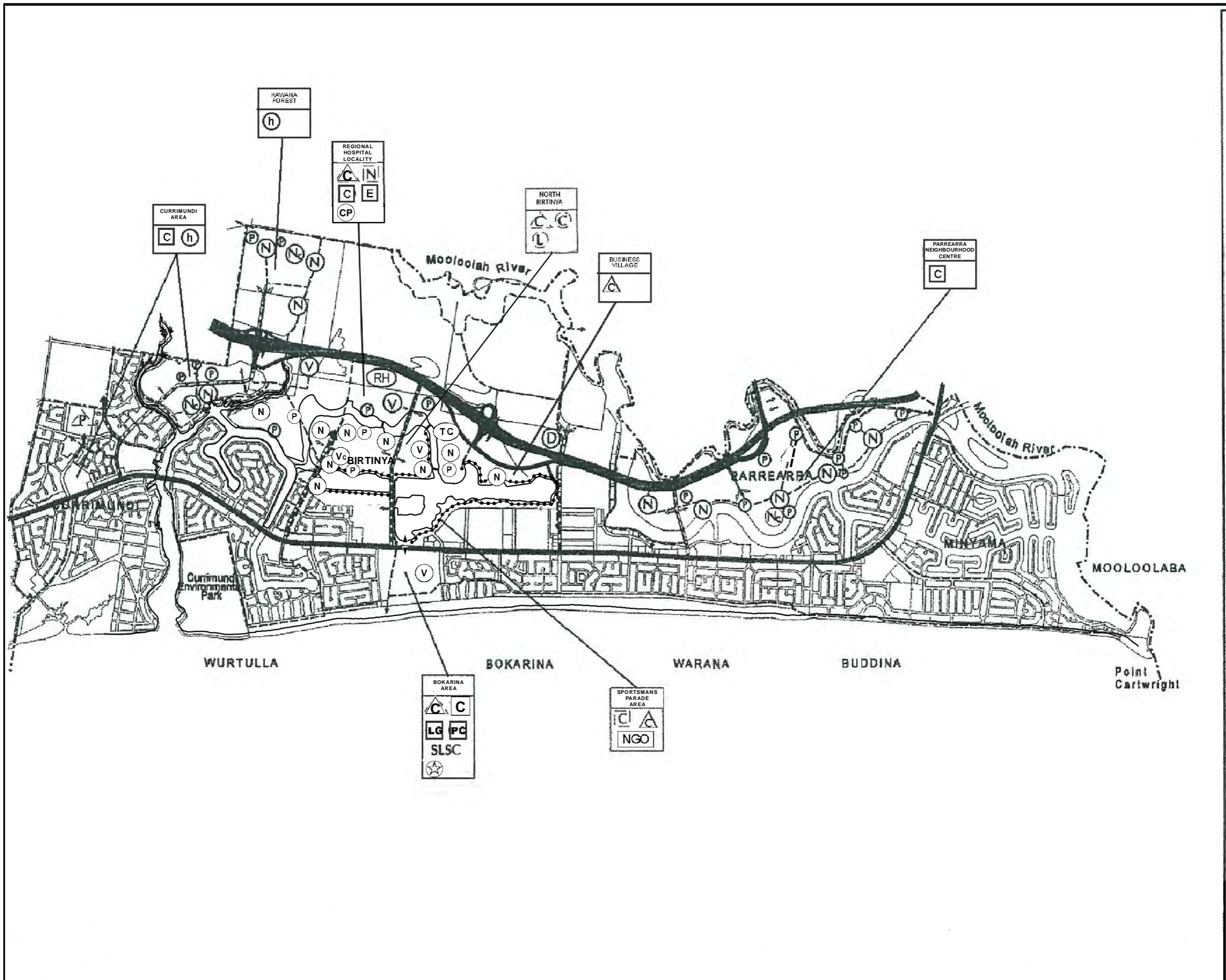
 Borrow Pit Lake

 Public Recreation Lake



Scale 1:30,000

**DEVELOPMENT
CONTROL PLAN
KAWANA
MAP 1**

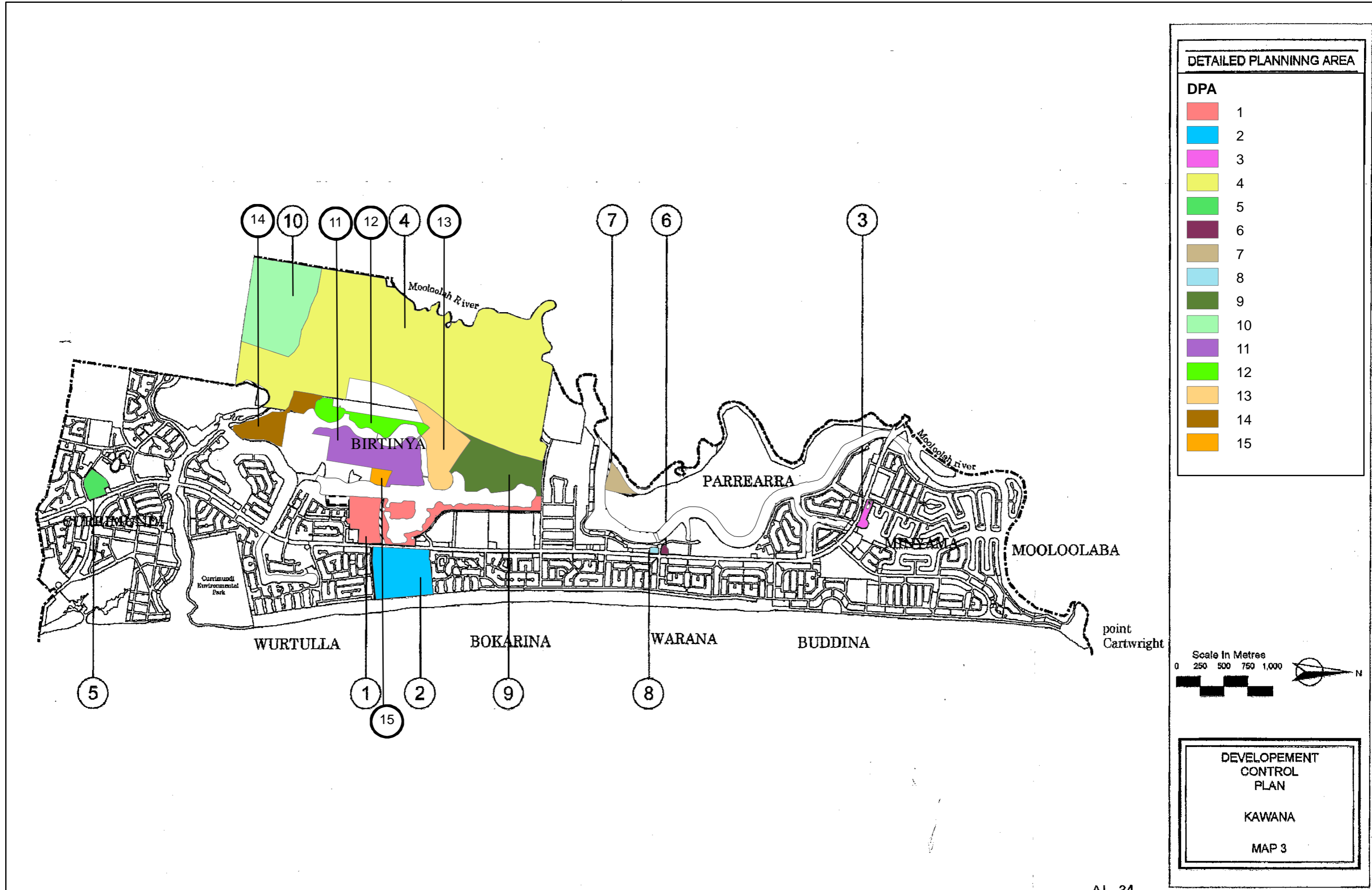


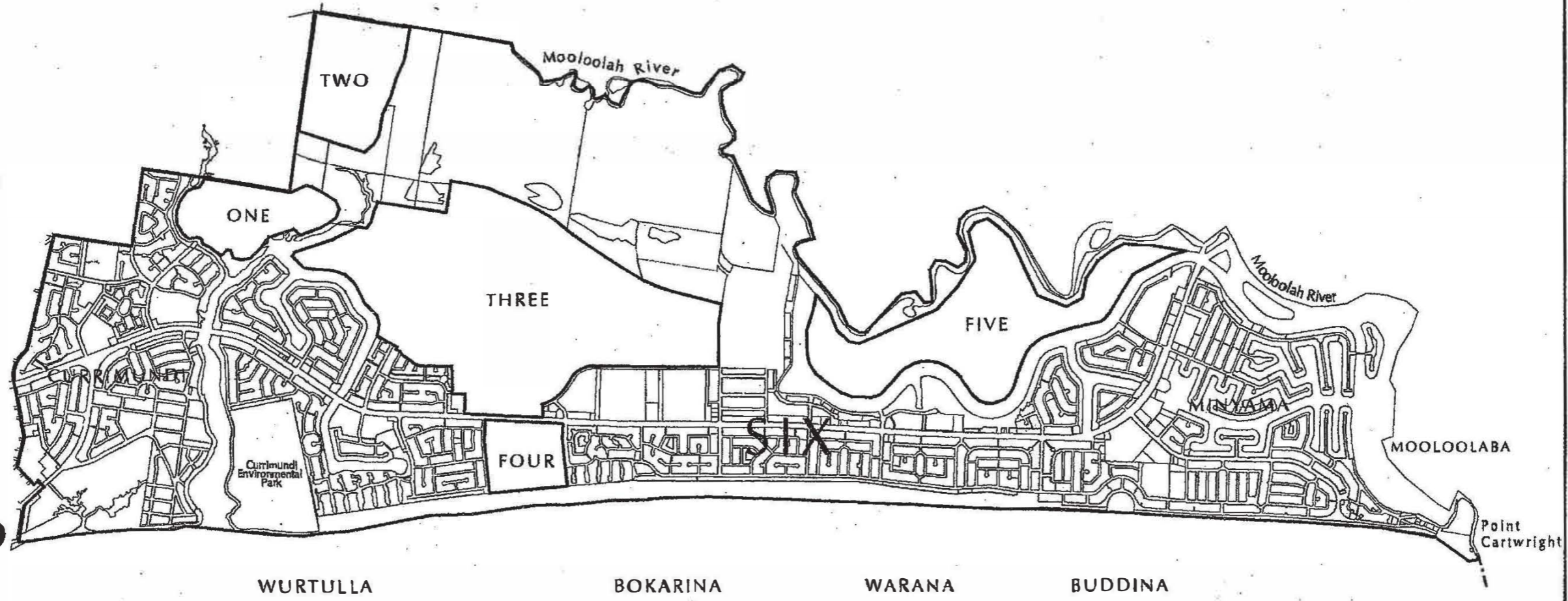
PREFERRED OPEN SPACE, CIRCULATION NETWORK, COMMUNITY FACILITIES

- State Controlled Roads
- Multi Modal Transportation Corridor and Nicklin Way Arterial
- Sub-Arterial
- Trunk-Collector
- Collector Streets
- Possible Future Collector Streets
- Town Centre
- Regional Hospital
- Neighbourhood Centre
- Village Centre
- District Park
- Village Park
- Neighbourhood Park
- Precinct Park
- Pedestrian and Bikeway Linkages
- Continuous Public Access Promenade (Alignment subject to detailed design)
- Pedestrian and Bikeway Link
- Community Purpose
- Child Care Centre/ Kindergarten
- Primary School
- Community Hall
- Community Centre
- Non Government Organisation
- Neighbourhood House
- Branch Library
- Cultural Centre
- Surf Life Saving Club
- Lifeguard Facility
- Public Access Club
- SES
- Public Domain



DEVELOPMENT CONTROL PLAN
KAWANA
MAP 2





POPULATION THRESHOLDS

PRECINCT	MAXIMUM POPULATION
ONE	2070 *
TWO	2400 *
THREE	9025 *
FOUR	3650 *
FIVE	5265 *
SUB TOTAL	22,410 *
SIX (Balance of Kawana Waters locality)	26,090
TOTAL	48,500

* The population in each of Precincts One/Five may be exceeded by 10% but the total population for Precincts One/Five of 22,410 is not to be exceeded.



DEVELOPMENT CONTROL PLAN
KAWANA
MAP 4

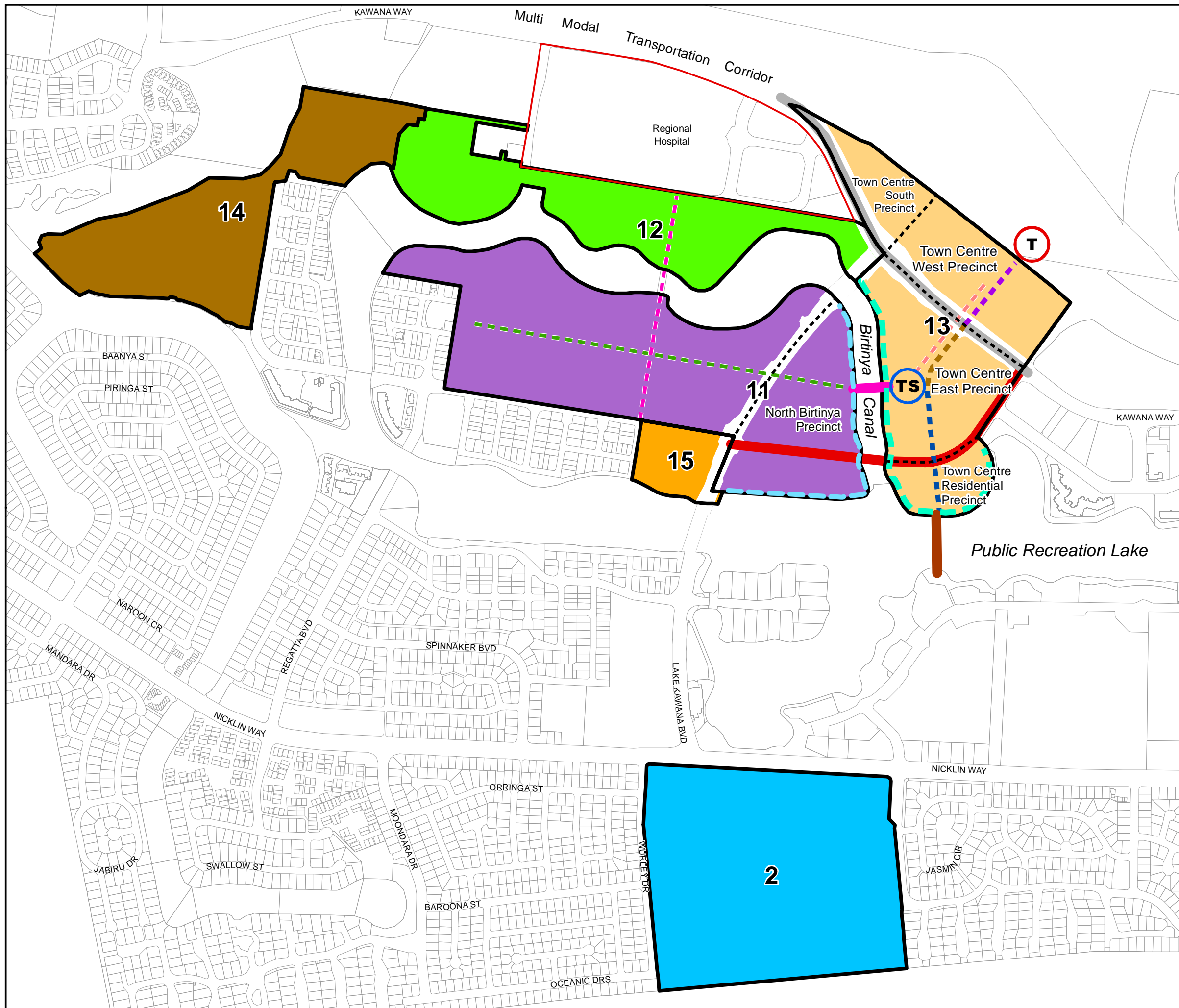
MAP OF BIRTINYA DPA, BOKARINA BEACH DPA, TOWN CENTRE DPA, HEALTH HUB DPA, BIRTINYA PENINSULA DPA AND BIRTINYA ISLAND EAST DPA

- DPA 2 (Bokarina Beach DPA)
- DPA 11 (Birtinya DPA) - North Birtinya Precinct
- DPA 12 (Health Hub DPA)
- DPA 13 (Town Centre DPA) - Town Centre South Precinct - Town Centre West Precinct - Town Centre East Precinct - Town Centre Residential Precinct
- DPA 14 (Birtinya Peninsula DPA)
- DPA 15 (Birtinya Island East DPA)
- TS Town centre square
- T Transit Station
- Indicative Precinct boundary
- Central Boulevard
- Kawana Way
- Central Spine Street
- Main Street Town Centre East
- Main Street Town Centre West
- Transit Thoroughfare
- Central Spine - Birtinya Island
- East - West link road
- South Bank pedestrian and bicycle access bridge
- Community Centre pedestrian access bridge
- Continuous walkable waterfront
- Continuous Public Access Promenade



Scale 1:8,478

DEVELOPMENT CONTROL PLAN KAWANA MAP 6



MAP 7 FUTURE PUBLIC TRANSPORT CORRIDORS

- DPA 2 (Bokarina Beach DPA)
- DPA 11 (Birtinya DPA) - North Birtinya Precinct
- DPA 12 (Health Hub DPA)
- DPA 13 (Town Centre DPA) - Town Centre South Precinct - Town Centre West Precinct - Town Centre East Precinct - Town Centre Residential Precinct
- DPA 14 (Birtinya Peninsula DPA)
- DPA 15 (Birtinya Island East DPA)

NAME

- TS Town centre square
- T Transit Station

- - - Indicative Precinct boundary
- Central Spine Street
- Main Street Town Centre East
- Main Street Town Centre West
- Transit Thoroughfare
- Central Spine - Birtinya Island

Future Public Transport Corridor

- Lake Kawana Boulevard to Regional Hospital
- Kawana Way
- South Bank pedestrian and bicycle access bridge
- Community Centre pedestrian access bridge



Scale 1:8,480

DEVELOPMENT CONTROL PLAN KAWANA MAP 7

