

Development Application Number MCU15/0129

1. APPLICATION DETAILS

Application No: MCU15/0129
 Street Address: 86 Caloundra Road, Little Mountain, QLD 4511
 Real Property Description: Lot 2 RP 902089 & Lot 3 RP 902089
 Planning Scheme: Caloundra City Plan 2004 (16 September 2013)

2. DECISION DETAILS

The following type of approval has been issued:

Development Permit for Material Change of Use of Premises Retirement Community (Aged Care Facility) – up to 125 beds

3. RELEVANT PERIOD OF APPROVAL

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

4. ASSESSMENT MANAGER CONDITIONS

When conditions must be complied with

1. Unless otherwise stated, all conditions of this decision notice must be complied with prior to the use commencing, and then compliance maintained at all times while the use continues.

Approved Plans

2. Development authorised by this approval must be undertaken generally in accordance with the approved plans listed within this decision notice. The approved plans must be amended to incorporate the amendments listed within this decision notice and resubmitted to Council prior to the issue of any Development Permit for Operational Works.

**(Refer to Advisory Note)*

Nature and Extent of Approved Use

3. The proposal includes a Retirement Community Aged Care Facility (125 beds) with a total Gross Floor Area of generally 9,319m². The conditions of this approval will result in a lesser development than the proposal.

Building Height

4. The maximum height of the development must not exceed 11.1m metres above finished ground floor level with the exception of the lift overrun which must not exceed 11.5m above finished ground floor level. However, the height of the building at the rear will be further reduced in order to limit over-shadowing of houses to the south (see condition 19).

5. Certification must be submitted to Council from a Cadastral Surveyor which certifies that the building does not exceed the maximum height as per conditions of approval and depicted on the approved plans of this Decision Notice.

Street Identification

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

Sunset Clause for Completion of Approved Development

7. Pursuant to s342 of the *Sustainable Planning Act 2009*, this development approval lapses if the whole of the approved use has not happened by within 6 years of this development approval having effect.

Building Appearance

8. All air conditioning units or other mechanical equipment must be visually integrated into the design and finish of the building, or otherwise fully enclosed or screened such that they are not visible from the street frontages nor adjoining properties.

Setbacks

9. All buildings must be set back 6m from the front boundary.
(Refer to *Plans Amendments*)

Safety and Security

10. Bollard or overhead lighting must be provided along all internal footpaths and internal roads with intensities to satisfy the requirements of AS1158 - Lighting of Roads and Public Spaces and the Sunshine Coast Public Lighting Plan.
11. All pathways and land used for outdoor recreation must have grades of 5% or less, with paths having hard, slip resistant surfaces.
12. Internal paths, ramps and hallways must be capable of accommodating two wheelchairs side by side at any one time.

Fencing and Walls

13. Any street fencing and walls must be setback behind a 3 metre wide landscape strip and not exceed a maximum height of:
1.8m, where at least 50% of the fence or wall is transparent
1.2m otherwise.

Communal Recreation Area/s

14. Communal recreation area/s must be provided as shown on the approved plans.

Disaster Resilience

15. The Retirement Community must have access to a reliable alternative power supply in the event of prolonged power outage or disconnection from grid supplied electricity.

16. A Site Evacuation Plan for the evacuation of all persons on-site to the nearest activity centre must be prepared and implemented.

Renewable Energy

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

URBAN DESIGN

Setback requirements

18. The plans shall be revised to incorporate a 6m landscaped setback to the front boundary, of Old Caloundra Road This setback shall be fully landscaped and adequately buffer the building from the road with a substantial planted screen. Amended plans shall be submitted.
19. In order to alleviate the shadow impacts on the residents of Moreton Close on the southern boundary, a revision to the roof and second floor plan must be provided. This must include an increased setback to achieve a minimum of 6m of natural light, from the back wall of existing properties, at 12 midday on June 22. This must be depicted in a revised shadow analysis report.
(Refer to Plans Amendments)
20. The service apron shall be set back a minimum of 2m off the eastern boundary in order to provide a suitable landscape screen to the elevated acoustic barrier proposed.
21. The proposed transformer and hydrant booster shall be landscaped and screened from public view.

Building Appearance

22. In order to minimise overlooking and glare onto the neighbouring properties to the east and west the curtain wall glazing elements shall be reduced. The window heights on these external boundaries shall have a minimum solid sill height of 800 from finished floor on each level.
23. A full suite of detailed finishes shall be submitted for the written approval and endorsement by Council. This shall include details of those features identified in the approved plans such as
- (a) rendered blockwork, face brickwork, metal roofing, powder coated aluminium screens and shades. It shall include low reflective materials and recessive, natural colours.
 - (b) Light weight external elements and screens proposed shall have earth tones or a natural timber colour finish.
24. All air conditioning units or other plant and mechanical equipment, bin storage and servicing areas must be visually integrated into the design and finish of the building or otherwise fully enclosed or screened such that they are not visible from the street frontages nor adjoining properties.

Safety and Security

25. The entrance to the site, delivery and parking areas must be clearly signed.

26. The building entrance and reception area must be clearly visible and identifiable from the street. Signage and lighting must be provided at strategic locations to direct people to the building entrance from the road.
27. A 1.8 metre high screen fence must be provided along the full length of the side and rear boundaries of the site except where otherwise specified by the conditions for acoustic wall treatment.

ENGINEERING

External Works

28. Old Caloundra Road must be upgraded for the length of its frontage to the subject site. The works must be undertaken in accordance with an Operational Works approval and must include in particular:
 - (a) construction of a pedestrian footpath in accordance with the conditions of this Decision Notice
 - (b) removal of the existing property accesses and reinstatement of the kerb and verge area to match the balance of the site frontage, including the provision of topsoil and turf where the existing verge is grassed
 - (c) relocation of the existing overhead electricity to an underground alignment in accordance with the conditions of this Decision Notice.

Property Access and Driveways

29. Sealed access driveways must be provided from Old Caloundra Road to all parking and manoeuvring areas of the development. The works must be undertaken in accordance with an Operational Works approval and must include in particular:
 - (a) 3 driveway crossovers in accordance with IPWEAQ standard drawing SEQ R-051, Type B.
 - (b) a driveway width of 9 metres at the kerb line, reducing to a minimum width of 3.5 metres at the property boundary for the Eastern Ground Floor parking entry.
 - (c) a driveway width of 7 metres at the kerb line, reducing to a minimum width of 3.5 metres at the property boundary for the Western Ground Floor parking exit.
 - (d) a driveway width of 11.7 metres at the kerb line, reducing to a minimum width of 6.1 metres at the property boundary for the Basement parking entry.
 - (e) signage indicating "No Visitor Parking Beyond This Point" on the pillars adjacent bays 20 and 30. (due to no turn around bay south of this location)
 - (f) suitable safety measures, including warning signage, to improve driver awareness of pedestrians and enhance pedestrian safety. Warning signage must be provided near the exit from the underground parking area to warn motorists of pedestrian movement along the frontage street.
30. Approval from the Department of Transport and Main Roads for the final design of the site access and driveway works must be submitted in writing to Council prior to the issue of any Development Permit for Operational Works.

Car Parking

31. A minimum of 32 car parking spaces must be provided and marked on the site, and made available and accessible at all times while the use is operating. The works must be undertaken in accordance with an Operational Works approval and must include in particular:
 - (a) 11 visitor parking spaces within the total, which are clearly marked for that purpose and accessible at all times for visitor use

- (b) 21 staff parking spaces within the total, which are clearly marked for that purpose
- (c) provision of vandal resistant public lighting with intensities to satisfy the requirements of Australian Standard AS1158: *Public Lighting Code*
- (d) 4 disabled parking spaces within the total with at least 2 bays provided at the Ground Floor Entry Level
- (e) crossfalls and gradients in accordance with Australian Standard AS2890: *Parking Facilities*

32. All car parking areas and access driveways must be maintained exclusively for vehicle parking and manoeuvring and kept in a tidy and safe condition at all times.
33. Directional signage must be provided to direct visitors to the car parking spaces provided on site.

Security Access to Carpark

34. Where access to the carpark is proposed to be restricted by a security gate, provision must be made for queuing of vehicles clear of the roadway while waiting for the security gate to open.
35. Where a secure carpark provides for visitor parking, the security gate must remain open at all times when visitor hours are available.

Paving Treatment of Vehicle Movement Areas

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

Service Vehicles

37. Service vehicle parking, manoeuvring and standing spaces must be provided on the site. The works must be undertaken in accordance with an Operational Works approval and must include in particular:
- (a) 1 van space
 - (b) 1 MRV space
 - (c) 1 Ambulance space
 - (d) regular access for a WCV (minimum length 12.5 metres).

Pedestrian and Bicycle Facilities

38. Pedestrian and bicycle facilities (for staff employees) must be provided for the development. The works must be undertaken in accordance with an Operational Works approval and must include in particular:
- (a) a 1.8 metre wide concrete footpath within the road verge for the entire length of the site's frontage to Old Caloundra Road.
 - (b) signage and lighting at strategic locations to direct people to building.
 - (c) a total of 2 class 3 bicycle parking spaces
 - (d) end of trip facilities involving 18 lockers, male and female showers and change rooms.

Stormwater Drainage

39. The site must be provided with a stormwater drainage system connecting to a lawful point of discharge. The works must be undertaken in accordance with an Operational

Works approval and in accordance with the Queensland Urban Drainage Manual, and must include in particular:

- (a) the works described in the Stormwater Management Plan listed in this Decision Notice
- (b) cut off drains where necessary
- (c) the use of gravity stormwater drainage and not surcharge pits.

Stormwater Quality Management

40. A stormwater quality treatment system must be provided for the development. The works must be undertaken in accordance with an Operational Works approval, and include stormwater quality treatment devices of a size and location generally in accordance with the works described in the Stormwater Management Plan listed in this Decision Notice.
41. All Stormwater 'StormFilter Cartridges' and 'Enviropod' proprietary stormwater quality treatment devices must be routinely checked, serviced and cleaned in accordance with the manufacturer's recommendations. Records of all maintenance activities undertaken must be kept and made available to Council upon request. Where replacement cartridges or other necessary components for the system become unavailable, an alternative system is required to be retrofitted into the development to achieve an equivalent pollutant reduction outcome.
42. Any proposed Community Management Statement required for the development must include the operations and maintenance manual for the proprietary devices (StormFilter and Enviropod) and must include the full cost of maintaining the system in accordance with the manual including replacement of the StormFilter Cartridges.
43. A copy of a signed supply agreement between the body corporate OR site operator and the stormwater filtration system supplier for the replacement of the StormFilter Cartridges must be provided to Council. The supply agreement must be for the replacement of each StormFilter Cartridge at least ten (10) times.

Electricity and Telecommunication Services

44. Unless otherwise stipulated by telecommunications legislation at the time of construction, the development must be provided with all necessary conduits, pits and pipes to accommodate the future connection of optic fibre technology telecommunications.
45. Certification must be submitted to Council from all relevant service providers which certifies that the development has met the requirements of this Decision Notice and all applicable legislation at the time of construction.

Undergrounding of Existing Overhead Powerlines

46. The existing overhead electricity reticulation across the Old Caloundra Road frontage of the site must be placed underground. The works must be undertaken in accordance with an Operational Works approval and must include in particular:
 - (a) placement on Council's standard alignment as shown on Standard Drawings SEQ R-100 and R-101

Water and Sewerage Services

47. An underground connection to reticulated water and sewerage must be provided to the development site in accordance with the standards and requirements of Northern SEQ Distributor-Retailer Authority (Unitywater).
48. A Certificate of Completion from the Northern SEQ Distributor-Retailer Authority (Unitywater) must be submitted to Council that certifies an underground connection to reticulated water and sewerage has been provided to the development site prior to commencement of use.
Phone: 1300 0 Unity (1300 086 489)
Email: Development.Services@unitywater.com
Web: www.unitywater.com

Earthworks and Retaining Walls

49. All fill and associated batters must be undertaken in accordance with an Operational Works approval, and contained entirely within the subject site unless written permission from the respective adjoining landowner(s) is provided to Council.
50. All retaining walls must be designed and constructed in accordance with the planning scheme and must be certified by an RPEQ where exceeding 1.0m in height. All retaining walls that are publicly accessible and exceed 1.0m in height must be fitted with a commercial grade safety fence.

Damage to Services and Assets

51. Any damage caused to existing services and assets as a result of the development works must be repaired at no cost to the asset owner at the following times:
 - (a) where the damage would cause a hazard to pedestrian or vehicle safety, immediately; or
 - (b) where otherwise, upon completion of the works associated with the development.Any repair work which proposes to alter the alignment or level of existing services and assets must first be referred to the relevant service authority for approval.

LANDSCAPE

Landscaping Works

52. The development site must be landscaped. The works must be undertaken in accordance with an Operational Works approval and must include in particular:
 - (a) A minimum 3m wide vegetation buffer along the front boundary and a 4.5m vegetation buffer along the side and rear boundaries of the subject site, exclusive of the access driveways, generally uncompromised by infrastructure items.
 - (b) A landscape design and scale that incorporates elements, materials and colours in accordance with the development principles contained within Table 7.4 (Landscape Values) of the Visual Management Code and enhances or protects the significant views referred to in Table 7.5 (Significant Views) and shown on Map 7.9 (Significant Views) of the Visual Management Code.
 - (c) A landscape design providing vegetated screening and softening, relative to the height of the proposed structure of the structure minimising the bulk and mass and restricting any potential overlooking of the neighbouring residences to the east, west and south.

- (d) Vegetated screening of the acoustic barrier in accordance with the conditions of this Decision Notice.
 - (e) Vegetated screening of any electrical transformers, bin storage areas and the like from the road frontage.
 - (f) Provision of 1 street tree within the road reserve for every 8 metres of road frontage.
53. All landscape works must be established and maintained in accordance with the approved design for the life of the development, and in a manner that ensures healthy, sustained and vigorous plant growth. All plant material must be allowed to grow to full form and be refurbished when its life expectancy is reached.

ENVIRONMENTAL HEALTH

Waste Management

54. Refuse storage, removal and collection facilities must be provided in accordance with the following:
- (a) provision of a minimum of two 1.1m³ bulk bins for general waste, and two 1.1m³ bulk bins for recycle waste for the site
 - (b) collection by service vehicles from within the site only, in a safe efficient and unobstructed manner, in accordance with the Sunshine Coast Planning Scheme Waste Management Policy SC6.18. In this regard the swept path of the collection vehicle must be maintained free of parked vehicles, landscaping, kerb and edging or any other obtrusions that may render servicing unsafe, inefficient or obstructed.
 - (c) provision of a communal hardstand impervious area for the permanent storage location and service collection of all bulk bins, having minimum dimensions of 1.5 m² (1100mm x 1300mm) per bin.
 - (d) provision of a minimum 1.8m high purpose built enclosure to the communal bin store, which is screened from the street and adjoining properties by landscaping
 - (e) provision of a smooth level path area such that bulk bins can be manually moved to the collection vehicle for servicing (ie. no steps, edging, ledges or the like)
 - (f) provision of a wash-down area in the vicinity of the permanent storage location fitted with a hosecock and a drain connected to the sewer that has a stormwater catchment area of no more than 1m²
 - (g) medical and clinical wastes must be stored in the appropriate waste containers, in an enclosed secure facility such that the area is not accessible to unauthorised persons or animals.
 - (h) provision of a waste chute connected to each floor of the building for the disposal of general waste only (not recyclable waste). The waste chute must be:
 - (i) vertical and cylindrical with a minimum diameter of 450mm
 - (ii) constructed of non-corrosive, smooth, impervious and noise-dampening materials
 - (iii) contained within fire rated shaft
 - (iv) constructed to finish at least 25mm below the ceiling level of the collection room and not more than 300mm above the height of the waste containers
 - (v) ventilated without causing odour within the building

- (vi) fly and vermin proof
 - (vii) fitted with maintenance access and cleaning appliances
 - (viii) fitted with self-closing hoppers on each level located between 1.0m and 1.5m above the floor level, and with wall and floor surfaces around the hopper of an impervious easy to clean material.
 - (i) provision of a waste room at the bottom of the waste chute for the collection and permanent storage location of all bins. The waste room must be:
 - (i) constructed of fire rated, impervious and smooth materials to all walls, floors, doors and junctions
 - (ii) fly and vermin proof
 - (iii) fitted with a lock capable of being opened from the inside without a key at any time
 - (iv) refrigerated or otherwise ventilated to reduce odour
 - (v) co-located with a hosecock and drain connected to the sewer.
 - (j) provision of recycle waste receptacles co-located adjacent to chute access hoppers at each floor level.
55. Certification must be submitted to Council from a qualified person* which certifies that all waste chutes and waste rooms have been constructed in accordance with the requirements of this Decision Notice.
*(Refer to Advisory Note)

Acoustic Amenity

56. Acoustic measures and treatments must be incorporated into the development in accordance with section 9 of the *Acoustic Report* listed within this Decision Notice, with the exception of the following:
- (a) the proposed 1.8m high acoustic barrier for the loading dock is to be replaced with a 2.5m high (above finished floor level of the dock driveway) acoustic barrier and shall be constructed with a minimum surface density of 12.5kgm².
57. A continuous 1.5 metre wide screening buffer must be planted in front of the loading bay acoustic barrier for its entire length. The works must be undertaken in accordance with an Operational Works approval and must incorporate sufficient plant foliage to soften its appearance and break its linear nature.
58. Service vehicle movements associated with the approved use (including waste collection and loading/unloading of goods and services) must not occur outside the hours of 7am to 6pm Monday to Saturday and not at all on Sundays or public holidays.
59. Any grills or metal plates subject to vehicular traffic on the site must be suitably acoustically damped to prevent noise impacts on surrounding sensitive land uses.
60. Certification must be submitted to Council from a qualified person* which certifies that the development has been constructed in accordance with the Acoustic Amenity conditions of this Decision Notice.
*(Refer to Advisory Note)

Outdoor Lighting Devices

61. Lighting associated with the use must be designed, sited, installed and tested to comply with Table 2.1 & 2.2 of Australian Standard AS4282-1997 "Control of the obtrusive effects of outdoor lighting" using a control level of 1.
62. Certification must be submitted to Council from a qualified person* which certifies that all outdoor lighting devices comply with the requirements of this Decision Notice.
*(Refer to Advisory Note)

Kitchen Exhaust Systems

63. Kitchen exhaust points for the development must be located and operated in accordance with Australian Standard AS1668.2-2002 "The use of ventilation and air conditioning in buildings" (specifically Section 3.10 – Air Discharges).
64. The development must be constructed with reticulated ducting inside the building to exhaust heat and odours from the internal kitchen to a discharge point on the roof of the building. The kitchen heat and odour discharge point/s on the roof must be located and managed in accordance with the Australian Standard AS1668.2-2012 "The use of ventilation and air-conditioning in buildings" (Section 3.10 – Air Discharges).

5. REFERRAL AGENCIES

The referral agencies applicable to this application are:

Referral Status	Referral Agency and Address	Referral Trigger	Response
Concurrence	SARA at DILGP South East Queensland (North) Regional Office PO Box 1129 MAROOCHYDORE QLD 4558 Mydas (at www.dilgp.qld.gov.au) Email:SeqnorthSARA @DILGP Qld Gov Au	Schedule 7, Table 3, Item 1 – State controlled road and Development impacting on State transport infrastructure.	The department responded by letter dated 2 November 2015 (Reference No. SDA-0715-022513. A copy of the response is attached.

6. APPROVED PLANS

The following plans are Approved Plans for the development:

Nil

Plans Requiring Amendment

Plan No.	Rev.	Plan Name	Date
SD110	F	Basement, prepared by Deicke Richards	14/12/2015
SD111	F	Ground Floor Plan, prepared by Deicke Richards	14/12/2015
SD112	F	First Floor Plan, prepared by Deicke Richards	14/12/2015
SD113	F	Second Floor Plan, prepared by Deicke Richards	14/12/2015

Plan No.	Rev.	Plan Name	Date
SD114	F	Roof Plan, prepared by Deicke Richards	14/12/2015
SD210	F	Elevations North + East, prepared by Deicke Richards	14/12/2015
SD211	F	Elevations South + West, prepared by Deicke Richards	14/12/2015
SD212	F	Elevations CourtYard, prepared by Deicke Richards	14/12/2015
SD310	F	Section A + B, prepared by Deicke Richards	14/12/2015
SD311	F	Section C, D, E + F, prepared by Deicke Richards	14/12/2015
SD410	F	GFA Basement, prepared by Deicke Richards	14/12/2015
SD411	F	GFA Ground Floor, prepared by Deicke Richards	14/12/2015
SD412	F	GFA First Floor, prepared by Deicke Richards	14/12/2015
SD413	F	GFA Second Floor, prepared by Deicke Richards	14/12/2015
Amendments		<ul style="list-style-type: none"> - Elevations are to show the maximum heights of 11.1m and 11.5m above finished ground floor level. - The plans are to be revised to provide a 6m setback to the front boundary. - A revision to the roof and second floor plan must be provided. This must include an increased setback to achieve a minimum of 6m of natural light, from the back wall of existing properties, at 12 midday on June 22. This must be depicted in a revised shadow analysis report. - Show disabled parking in accordance with the parking conditions. - Provide 3m wide landscape buffer along entire frontage. - Provide for a minimum 1.5m landscape screening of the eastern acoustic wall. 	

7. REFERENCED DOCUMENTS

The following documents are referenced in the assessment manager conditions:

Referenced Documents

Document No.	Rev.	Document Name	Date
6769	Issue 2	Stormwater Management, Tricare Little Mountain, prepared by MPN Consulting	02 Sep 2015
20150017 R04	R04	Acoustic Report, prepared by Acousticworks	2/9/15

8. ADVISORY NOTES

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

PLANNING

Equitable Access and Facilities

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

Aboriginal Cultural Heritage Act 2003

2. There may be a requirement to establish a Cultural Heritage Management Plan and/or obtain approvals pursuant to the *Aboriginal Cultural Heritage Act 2003*. The *ACH Act* establishes a cultural heritage duty of care which provides that: “A person who carries out an activity must take all reasonable and practicable measures to ensure the activity does not harm Aboriginal cultural heritage.” It is an offence to fail to comply with the duty of care. Substantial monetary penalties may apply to individuals or corporations breaching this duty of care. Injunctions may also be issued by the Land Court, and the Minister administering the Act can also issue stop orders for an activity that is harming or is likely to harm Aboriginal cultural heritage or the cultural heritage value of Aboriginal cultural heritage.

You should contact the Cultural Heritage Unit on 07 3247 6212 to discuss any obligations under the *ACH Act*.

Easements and Future Works over External Land

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

Infrastructure Charges

4. An infrastructure charges notice for council's proportion of the infrastructure charge, applicable to this development approval, is attached. Unitywater may issue an infrastructure charges notice for their proportion of the infrastructure charge.

Development Compliance Inspection

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

Resubmission of Amended Plans Required

6. The conditions of this decision notice require resubmission of plan/s to Council with amendments. Please address the amended plan/s to council's Planning Assessment Unit with the Reference no. MCU15/0129, separate to any Operational Works application. To avoid delays and assessment issues with the Operational Works application, it is recommended the plan/s be resubmitted prior to lodgement of any Operational Works application. However, should the plan/s not be submitted, the applicant is advised that a preliminary approval may be issued in lieu of a development permit.

ENGINEERING

Pre-Design Meeting Services

7. Council offers a free Pre-Design Meeting service specifically for Operational Works applications. Applicants are encouraged to utilise this service prior to the submission of their OPW application to ensure that their application is not held up by avoidable design issues. It is anticipated that the Pre-Design Meeting will ultimately assist in reducing the assessment time of an Operational Works application once it is lodged with council as a result of design and application issues being resolved or substantially resolved prior to the application being submitted. For more information on this service or to book a Pre-Design Meeting please visit Council's website (<http://www.sunshinecoast.qld.gov.au/sitePage.cfm?code=prelodge-advise>) or contact (07) 5475 PLAN.

Building and Construction Industry (Portable Long Service Leave) Levy

8. The QLeave levy must be paid prior to the issue of a development permit for Operational Works where required. Council will not be able to issue a Decision Notice without receipt of details that the Levy has been paid. QLeave contact: 1800 803 481 (free call) or (07) 3212 6855.

Co-ordination of Operational Works Assessment

9. Additional application fees apply to Operational Work applications where the different aspects of the works are lodged separately. Significant savings in application fees will result if all works are lodged in a single application.

Unitywater - Water and Sewerage Services

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

alignment and extent of works will be required under Section 75 of the *Local Government Act*. This consent must be obtained prior to any water and sewerage related works occurring within the road reserve. The consent request must be submitted in the approved form to Council's Infrastructure Services Department.

Preparation of a Preliminary Construction Management Plan

12. A preliminary Construction Management Plan must be submitted with the Operational Works application and must address the following:
 - (a) traffic management during all aspects of the construction phase including:
 - (i) a Traffic Management Control Plan in accordance with the Manual of Uniform Traffic Control Devices (MUTCD) detailing all temporary signage and traffic control measures prior to construction
 - (ii) maintenance of safe pedestrian access for the areas affected by the works during and after daily construction has ceased
 - (iii) proposed fencing to the site during the construction phase of the development
 - (iv) approval of the Traffic Management Control Plan by the Department of Transport and Main Roads (DTMR) for any works on State controlled roads
 - (v) provision for worker car parking
 - (b) maintenance and protection of water quality and existing drainage lines through the construction site, through the implementation of appropriate erosion and sediment control measures
 - (c) works programme identifying key components of the works and their respective durations
 - (d) establishment of a communication protocol with the general public, adjoining owners, emergency services and local businesses to advise of agreed construction times, impacts on traffic, services and other relevant issues
 - (e) identification of complaint management procedures including:
 - (i) contact details for the on-site manager
 - (ii) dispute resolution procedures
 - (f) details on the location of external fill sites/sources, the haulage route, type of vehicle to be utilised during filling operations and frequency of usage. **NB** any damage to the existing road system as a result of haulage operations shall be fully repaired at the applicant's expense
 - (g) it is acknowledged that the preliminary Construction Management Plan will be a draft document requiring finalisation upon appointment of the Principal Contractor employed to construct the works and a final document will be required to be submitted at the Pre-Start Meeting for the project.

LANDSCAPING

Qualified Person

13. For the purpose of preparing a Landscape Plan, a qualified person is considered to be a landscape architect, landscape designer and/or horticulturist with a minimum of 3 years current experience in the field of landscape design.

ENVIRONMENTAL HEALTH

Qualified Person

14. For the purpose of certifying acoustic treatments for the development, a qualified person is considered to be either:
 - (a) a Registered Professional Engineer of Queensland;
 - (b) an environmental consultant with a minimum of 3 years current experience in the field of acoustics.
15. For the purpose of certifying acoustic barrier construction for the development, a qualified person is considered to be a Registered Professional Engineer of Queensland.
16. For the purpose of certifying outdoor lighting devices for the development, a qualified person is considered to be either:
 - (a) a Registered Professional Engineer of Queensland;
 - (b) an environmental or electrical design consultant with a minimum of 3 years current experience in the field of outdoor lighting.
17. For the purpose of certifying waste chute construction for the development, a qualified person is considered to be a Registered Professional Engineer of Queensland.

Noise

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

Road Traffic Noise

19. The Queensland Department of Transport and Main Roads has designated the Nicklin Way as a Transport Noise Corridor. The applicant is advised that this will trigger the Queensland Development Code (QDC) Mandatory Part 4.4 "Buildings in the Transport Noise Corridors" which sets mandatory building standards for residential properties located in designated Transport Noise Corridors. The QDC details noise reduction requirements for habitable rooms across four noise categories. The property owner, purchaser and building certifier should familiarise themselves with relevant noise categories that apply to the lot.

Food Premise

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

9. PROPERTY NOTES

The following property notes are applicable:

All landscape works must be established and maintained in accordance with the approved design for the life of the development, and in a manner that ensures healthy, sustained and vigorous plant growth. All plant material must be allowed to grow to full form and be refurbished when its life expectancy is reached.

10. PRELIMINARY APPROVAL OVERRIDING PLANNING SCHEME

Not Applicable.

11. FURTHER DEVELOPMENT PERMITS REQUIRED

- Development Permit Operational Work (Civil and landscaping)
- Development Permit for Building Work (New buildings)

12. SELF ASSESSABLE CODES

Not Applicable.

13. SUBMISSIONS

There were 14 properly made submissions about the application. In accordance with *Sustainable Planning Act 2009*, the name and address of the principal submitter for each properly made submission is provided and attached.

14. REASONS / GROUNDS FOR APPROVAL DESPITE CONFLICT WITH SCHEME

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

1. A Retirement Community in the Low Density Residential Precinct is neither a consistent use nor an inconsistent use.
2. The proposal can be conditioned to generally comply with all the applicable codes.
3. Where the Probable Solutions of the codes are not met, suitable alternative solutions demonstrating compliance with the Specific Outcome have been provided and where not conditions have been attached to ensure compliance.
4. There are minimal impacts arising from the additional building height in so far as:
 - (a) There is negligible overshadowing of adjacent properties.
 - (b) The building has been architecturally designed to break the perceived bulk and scale of the development.
 - (c) There is negligible overlooking.
 - (d) Landscaping of the proposed building and provides separation and screening to the adjoining residential development.
 - (e) All infrastructure can be provided to the site.
 - (f) The site is close to public transport and other commercial facilities such as the Caloundra City Centre.
5. There is a demonstrated overriding need and community benefit from approving the proposed development.

15. RIGHTS OF APPEAL

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

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

will defer your appeal period, which will commence again from the start the day after you receive a “negotiated decision notice”.

16. OTHER DETAILS

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

Item 8.2.3 Development Application - Material Change of Use of Premises - Retirement
Community, 86 Caloundra Road, Little Mountain
Appendix A Conditions of Approval
