



CONDITIONS PACKAGE

Date: 20 February 2018

DEVELOPMENT APPLICATION NUMBER - MCU17/2169

APPLICATION DETAILS

Application No: MCU17/2169
 Street Address: 7, 9, 13, 15 First Avenue, 11 Smith Street, Brisbane Road Carpark, Mooloolaba
 Real Property Description: Lots 64, 65, 66, 67, 68 & 69 on RP52440, and Lots 73, 92 & 93 on RP73433
 Planning Scheme: Sunshine Coast Planning Scheme (3 July 2017)

APPROVAL DETAILS

Type of Approval: Development Permit for Material Change of Use for a Parking Station, Car Wash, Shop (including full line supermarket), Food & Drink Outlet, Shopping Centre, Multiple Dwellings (96 dwellings), Retirement Facility (97 independent living units), Residential Care Facility (30 aged care units), Short-Term Accommodation (104 hotel rooms), Function Facility, Hotel, Bar, Indoor Sport & Recreation and Resort Complex, over 7 Stages.

Date of Decision: 22 February 2018

CURRENCY PERIOD OF APPROVAL

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

INFRASTRUCTURE

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

ASSESSMENT MANAGER CONDITIONS**DEVELOPMENT PERMIT FOR MATERIAL CHANGE OF USE****WHEN CONDITIONS MUST BE COMPLIED WITH**

1. Unless otherwise stated, all conditions of this development approval 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 & Documents listed within this development approval. Where indicated the Approved Plans & Documents must be amended to incorporate the amendments listed within the conditions of this development approval and/or 'amended in red' on the Approved Plans & Documents, and must be approved by Council prior to the issue of any development permit for operational works or commencement of use, where indicated.

RESUBMISSION OF AMENDED PLANS REQUIRED

3. The conditions of this development approval require resubmission of amended plans and/or documents to Council.

DEVELOPMENT STAGING

4. The development may be staged generally in accordance with the Staging Plan shown on the Approved Plans, including the following:
 - (a) **Stage 1:** basement car parking (B1, B2 & car wash), and Smith St / Muraban St / Site Access intersection upgrade.
 - (b) **Stage 2:** ground floor retail (shop, food and drink, supermarket, servicing and access), final streetscape works to along the Brisbane Rd frontage and the majority of First Ave and Smith St frontages, interim streetscape works along parts of First Ave and Smith St where fronting Stage 7 (hotel), landscaping of temporarily vacant land at the corner of First Ave and Smith St (Stage 7 (hotel)), and a new signalised intersection joining Walan Street with Naroo Court.
 - (c) **Stage 3:** podium levels 1, 2 and 3 (part) car parking.
 - (d) **Stage 4:** podium level 3 (balance) and level 4 car parking, interim podium top design treatment, interim treatment (e.g. screening, landscaping, vertical landscaping, artwork, etc.) of exposed sections of podium facing the corner of Smith St and First Ave (Stage 7 (hotel)).
 - (e) **Stage 5:** Tower A (multiple dwelling) and final podium top design, and an upgraded intersection at Brisbane Road / Walan Street / Hancock Street.
 - (f) **Stage 6:** Tower B (retirement facility and residential care facility).
 - (g) **Stage 7:** Tower C (Hotel) and balance final streetscape works along First Ave and Smith St.

Note: Or, alternative staging / timing of works where agreed to with Council.

If staged, the development need not be completed sequentially in the stage order indicated above or on the Approved Plans provided that:

- (a) Stages 1, 2, 3 and 4 to occur sequentially or concurrently, and prior to the remaining stages of the development;
- (b) any road access, servicing or infrastructure services required to service the particular stage are constructed with that stage.

Detailed Architectural Plans and Landscape Plans (including detail of frontage streetscape work) are required to be prepared and approved by Council for each Stage prior to operational works / building works.

In particular specific detail to the satisfaction of Council must be provided regarding:

Stage 2:

- (a) Final streetscape works to along the Brisbane Rd frontage and the majority of First Ave and Smith St frontages.
- (b) Interim streetscape works along parts of First Ave and Smith St where fronting Stage 7 (hotel).
- (c) Landscaping of temporarily vacant land at the corner of First Ave and Smith St (Stage 7 (hotel)).

Stage 4:

- (a) Interim podium top design treatment.
- (b) Interim treatment (e.g. screening, landscaping, artwork, vertical landscaping, etc.) of exposed sections of podium facing the corner of Smith St and First Ave (Stage 7 (hotel)).

Stage 7:

- (a) Balance final streetscape works along First Ave and Smith St.

Note: Or, alternative staging / timing of works where agreed to with Council.

SUNSET DATE FOR COMPLETION OF APPROVED DEVELOPMENT

- 5. Pursuant to s88 of the *Planning Act 2016*, the uncompleted aspects of this development approval lapse if the whole of the approved use has not happened within 6 years starting the day that this development approval first took effect.

BUILDING HEIGHT

- 6. The maximum building height (as defined within table SC1.21, Schedule 1 of the Planning Scheme) development must not exceed 45m above natural ground level at any point.
- 7. Certification must be submitted to council from a cadastral surveyor which certifies that the buildings do not exceed the maximum height requirement of this development approval.

IDENTIFICATION

8. The street address of the development must be clearly visible and discernible from the primary frontage of the site by the provision of a street number and, where appropriate, the building name.
9. The building entrances lobby's and reception area must be clearly visible and identifiable from the street or otherwise provided with signage and lighting at strategic locations to direct people to the building entrance.

TREATMENT OF TEMPORARILY VACANT LAND

10. Where some or all of the land remains vacant or undeveloped for more than three (3) months, or buildings are demolished and redevelopment is delayed for more than three (3) months, the following works must to be carried out:
 - (a) the site must be cleared of all rubble, debris and demolition materials
 - (b) the site must be graded to prevent ponding (to the same level as the adjoining footpath wherever practicable), turfed and mown at a minimum three (3) weekly intervals
 - (c) the site must be landscaped with perimeter planting consisting of advanced specimens of fast growing tree species
 - (d) the site must be maintained to ensure no nuisance to adjacent premises, roads or footpaths
 - (e) where fencing is installed to secure boundaries:
 - (i) the fencing must be durable and not capable of being pushed or blown over
 - (ii) the fencing type must not detract from local amenity (barbed wire is not acceptable)
 - (iii) vandalism must be promptly repaired and any graffiti removed.

EXTERNAL WORKS

11. An upgraded intersection must be constructed joining Muraban Street, Smith Street and the proposed Site Access.

Works must be completed prior to the completion of Stage 1 (basement carpark), or an alternative timeframe agreed to with Council.

The works must be undertaken in accordance with an Operational Works approval and *Austrroads Guide to Road Design Part 4b*, and must include in particular:

- (a) establishment of a raised roundabout type intersection with vehicle priority maintained
- (b) provision of sight distances adequate for the design speed of the road
- (c) provision of raised splitter islands with at least 3m wide by 3m long cut through areas to shelter pedestrians, on Smith Street
- (d) provision of raised splitter islands with at least 2m wide by 2m long cut through areas to shelter pedestrians, on Muraban Street
- (e) provision of a raised splitter island with at least a 2m wide by 2m long cut through area to shelter pedestrians, on the Site Access leg
- (f) relocation of the existing footpaths, services and property accesses
- (g) 6m, three (3) chord truncation of the existing property boundary at the intersection of First Avenue and Smith Street

- (h) land dedication to achieve Brisbane Road, First Avenue and Smith Street minimum required verge widths along the development frontage, and provide adequate space for all required road works and utility services.
12. Brisbane Rd, First Ave and Smith St must be upgraded for the length of the frontage of the subject site. Prior to the commencement of use for Stage 2 (ground floor retail), final streetscape works are to be provided along the Brisbane Rd frontage and the majority of First Ave and Smith St frontages and interim streetscape works must be provided along parts of First Ave and Smith St fronting Stage 7 (hotel). Final streetscape works are to be provided along part of First Ave and Smith St fronting the hotel building prior to the commencement of use for Stage 7 (hotel).

These final and interim works can be completed at an alternative timeframe, as agreed to with Council as part of an Operational Works approval(s).

The final and interim works must be undertaken in accordance with an Operational Works approval(s) and must include in particular:

- (a) construction of kerb and channelling and underground stormwater drainage to the development side only
- (b) construction of a pedestrian footpath in accordance with the conditions of this development approval
- (c) removal of the all redundant, existing property accesses on Brisbane Road, First Avenue and Smith Street, and reinstatement of the kerb, footpath and verge area to match the balance of the site frontage, including the provision of topsoil and turf where the existing verge is grassed
- (d) awnings are to be provided along the full frontage of the site; Brisbane Rd, First Ave and Smith St, with a setback at least 1m from adjacent road kerb
- (e) installation of street lighting on Brisbane Road, First Avenue and Smith Street
- (f) other road and streetscape upgrades as identified within the Approved Plans and Documents
- (g) appropriate transition of final and interim works for each stage.

Alternatively, the developer may enter into an infrastructure agreement with Council regarding contributions to the external streetscape and road upgrades along the Brisbane Rd, First Ave and Smith St frontages of the site.

13. A new signalised intersection must be constructed joining Walan Street with Naroo Court.

Works must be completed prior to the completion of Stage 2 (ground level retail) or an alternative timeframe agreed to with Council.

The works must be undertaken in accordance with an Operational Works approval, be consistent with the Council design plans for the upgrade at the time an Operational Works approval is applied for, or an alternative design as agreed by Council. At this stage, these works include in particular:

- (a) traffic signals on all three (3) approaches
- (b) signalised pedestrian crossings on the northern (Naroo Court) and eastern (Walan Street) intersection approaches

- (c) a 60m long right-turn lane including taper on the eastern (Walan Street) approach to the intersection
- (d) a 55m long left-turn slip lane including taper on the western (Walan Street) approach to the intersection
- (e) raised median islands on both the eastern and western (Walan Street) approaches to the intersection
- (f) single through lanes in each direction on Walan Street
- (g) single through lane in each direction on Naroo Court
- (h) relocation of the existing footpath, services and property accesses

Alternatively, the developer may enter into an infrastructure agreement with Council regarding contributions to the upgrade of the intersection of Walan Street with Naroo Court commensurate with the increase in traffic movements through the intersection attributable to the proposed development when completed.

14. An upgraded intersection must be provided at Brisbane Road / Walan Street / Hancock Street.

Works must be completed prior to the completion of Stage 5 (multiple dwellings) or an alternative timeframe agreed to with Council.

The works must be undertaken in accordance with an Operational Works approval and generally in accordance with the upgrades identified in the approved Traffic Impact Assessment, or an alternative design as agreed by Council. At this stage, these works include in particular:

- (a) traffic signals on all four (4) approaches
- (b) signalised pedestrian crossings on the northern (Brisbane Road), eastern (Hancock Street) and western (Walan Street) intersection approaches
- (c) relocation of the existing footpath, services and property accesses
- (d) provide adequate space for all required road works and utility services.

Alternatively, the developer may enter into an infrastructure agreement with Council regarding contributions to the upgrade of the intersection of Brisbane Road and Walan Street and Hancock Street commensurate with the increase in traffic movements through the intersection attributable to the proposed development when completed.

PROPERTY ACCESS AND DRIVEWAYS

15. A sealed access driveway must be provided from Brisbane Road to the basement 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) a modified, 4.5m wide (at the property boundary), Type C, entry only driveway crossover generally in accordance with RS-051. Truncation of existing paths in the verge for the driveway construction, including any additional extents of reconstruction to provide a smooth pathway transition;
 - (b) suitable safety measures, including warning signage, to improve driver awareness of pedestrians and enhance pedestrian safety. Warning signage must be provided near the exit ramp from the underground parking area to warn motorists of pedestrian movement along the frontage street.

16. A sealed access driveway must be provided from Smith Street to the main development service area. The works must be undertaken in accordance with an Operational Works approval and must include in particular:
- (a) truncation of existing paths in the verge for the driveway construction, including any additional extents of reconstruction to provide a smooth pathway transition;
 - (b) a modified Type C driveway with a width of 20m at the kerb invert/edge, extending to a width of 13.5m at the property boundary generally in accordance with RS-051. A min 1.5m wide line marked median is to be provided in the centre of the driveway;
 - (c) suitable safety measures, including warning signage, to improve driver awareness of pedestrians and enhance pedestrian safety. Warning signage must be provided near the exit to warn motorists of pedestrian movement along the frontage street.

ON-SITE PARKING

17. A minimum of 942 car parking spaces must be provided and marked on the site and made available and accessible at all times while the use is open for business. The works must be undertaken in accordance with an Operational Works approval and must include in particular:
- (a) a minimum of 704 car parking spaces are allocated to the parking station (public car park), shop, food and drink outlets, supermarket and hotel (including associated facilities, staff and visitors) uses occurring on-site.
 - (b) a minimum of 123 spaces (including 24 visitor) are allocated to the multiple dwelling uses occurring on site, with secure access from Level 3.
 - (c) a minimum of 115 spaces (including 10 visitor) are allocated to the retirement facility and residential care facility uses occurring on site, with secure access from Level 3.
 - (d) car spaces must clearly marked for that purpose and accessible at all times for this use.
 - (e) pedestrian routes in accordance with the conditions of this development approval.
 - (f) provision of vandal resistant public lighting with intensities to satisfy the requirements of *AS 1158 – Lighting for roads and public spaces*
 - (g) 20 parking spaces for people with disabilities within the total number of spaces on-site:
 - (i) at least three (3) spaces are to be located within the carparking area provided for the multiple dwelling, retirement facility and residential care uses.
 - (ii) at least two (2) spaces are to be located on each level of the carpark provided for all other uses.
 - (h) dimensions, crossfalls and gradients in accordance with *AS 2890 - Parking facilities*.
18. Prepare a car park management plan to be approved by Council prior to the commencement of Stage 1 or an alternative timeframe agreed to with Council. The car park management plan must provide, at a minimum, a site and user based electronic system or alternative system, including:
- (a) explanation of car park operation for both public and private users;
 - (b) internal and external parking guidance signage.

19. A minimum of 31 motorcycle/scooter parking spaces must be provided and marked on the site, and made available and accessible at all times while the use is open for business. The works must be undertaken in accordance with an Operational Works approval and must include in particular dimensions, crossfalls and gradients in accordance with *AS 2890 - Parking facilities*.
20. All on-site parking areas and access driveways must be maintained exclusively for vehicle parking and manoeuvring and kept in a tidy and safe condition at all times.
21. Directional signage must be provided to direct visitors and customers to the car parking spaces provided on-site.

SERVICE VEHICLES

22. Service vehicle parking, manoeuvring and standing spaces must be provided on the site within the main Smith Street service area. The works must be undertaken in accordance with an Operational Works approval and *AS 2890.2 - Off-street commercial vehicle facilities* and must include in particular:
 - (a) a minimum of two (2) SRV spaces (7m x 3.5m) (Type A). One (1) of these spaces is clearly marked for use by emergency vehicles only, and marked path is provided to the retirement / residential care service lift.
 - (b) a minimum of three (3) HRV spaces (13m x 3.5m) (Type A)
23. Service vehicle parking, manoeuvring and standing spaces must be provided on the site within the private carparking area (that provided for residential/retirement uses). The works must be undertaken in accordance with an Operational Works approval and *AS 2890.2 - Off-street commercial vehicle facilities* and must include in particular:
 - (a) a minimum of three (3) Van (5.4m x 3m) spaces

PEDESTRIAN AND BICYCLE FACILITIES

24. Pedestrian and bicycle facilities must be provided for the development. The works must be undertaken in accordance with an Operational Works approval and must include in particular:
 - (a) a minimum 2.5m wide unobstructed footpath width (edge of building facade or outdoor dining area to bollards or edge of kerb) within the road verge for the entire length of the site's frontage to Brisbane Road, First Avenue and Smith Street including pram crossings at all intersections
 - (b) pedestrian pathways between the proposed car parking area and vertical transport, dedicated walkways between parking bays and aisles are required
 - (c) adequate separation of all specific pedestrian routes from vehicle access and manoeuvring areas, and clear demarcation by pavement marking, signposts or changes in surface materials or levels
 - (d) signage and lighting at strategic locations to direct people to building entries and public toilet facilities
 - (e) pedestrian refuge areas at strategic locations within the carpark to ensure safe and convenient congregating of pedestrians waiting to cross major access driveways
 - (f) a minimum of 156 residential/staff bicycle parking spaces, in accordance with *AS 2890.3 - Bicycle parking*

- (g) a minimum of 52 visitor bicycle parking spaces, in accordance with AS 2890.3 – *Bicycle parking*. At least 10 of these visitor bicycle spaces shall be located within the public forecourt area on the ground level
- (h) end of trip facilities for supermarket staff use involving at least one (1) male and one (1) female shower and change room
- (i) end of trip facilities for Short Term Accommodation / Hotel staff use involving at least one (1) male and one (1) female shower and change room
- (j) end of trip facilities for Shop / Food & Drink Outlet staff use involving at least one (1) shared male and female shower and change room

STORMWATER DRAINAGE

25. The site must be provided with a stormwater drainage system connecting to a lawful point of discharge. The works must be undertaken in accordance with an operational works approval and the Sunshine Coast Planning Scheme, Planning Scheme Policy for Development Works, and must include in particular:
- (a) The works generally described in the Approved Civil Engineering Report, with the following exceptions (specific to stormwater/flooding matters):
 - (i) The development must demonstrate zero afflux and impact to adjoining properties; and
 - (ii) A fully automatic flood barrier gate systems must be used instead of a manually operated system;
 - (b) A written submission made with the application for Operational Works that includes a letter of agreement between the Applicant and Council, with such letter including a preliminary drawing showing:
 - (i) The extent of proposed stormwater works required to maintain zero afflux as a result of the proposed development. The proposed works are to be consistent with the intent of the Council Drainage masterplan for the area; and
 - (ii) A demarcation of the entities responsible for completion of the works and the time by which it must be completed.

STORMWATER QUALITY MANAGEMENT

26. 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 described in the Approved Civil Engineering Report.
27. An updated Site Based Stormwater Management Plan is to be prepared for operational works that identifies how the development incorporates elements of Water Sensitive Urban Design (WSUD), including rain water harvesting.
28. All Stormwater 360 StormFilter 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 must be retrofitted into the development to achieve an equivalent pollutant reduction outcome.

29. Any proposed Community Management Statement required for the development must include the operations and maintenance manual for the StormFilter and Enviropod and must include the full cost of maintaining the system in accordance with the manual including replacement of the StormFilter Cartridges.
30. 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.

FLOOD IMMUNITY

31. The minimum infrastructure levels for works is the following:
 - (a) The floor level of all buildings is a minimum of 2.96m AHD; and
 - (b) At openings below 2.96m AHD, for example to basement levels, automatically operating barrier gate systems shall be provided with the minimum crest level of such gates as shown on the attached plan titled Flood Gate Minimum Levels.

All works must be provided in accordance with the requirements of the *Flood hazard overlay code*.
32. The minimum floor level of all buildings constructed on the site must be in accordance with the Approved Plans.

FLOOD MANAGEMENT

33. Fully automatic flood barrier gate systems are to be installed at the entry to all parts of the property subject flood inundation, and generally as shown on the attached plan titled Flood Gate Minimum Levels, with systems to include power failure and other systems redundancy mechanisms. The details of such systems shall be submitted and subject to an Operational Works approval.
34. An easement for drainage purposes must be registered against the title of the property in favour of council over the land area identified as being below the flood level for the Defined Flood Event on the subject site.
35. A Flood Emergency Preparedness and Management Plan must be prepared by a Registered Professional Engineer of Queensland (RPEQ) and implemented. This plan must be endorsed by council's delegate prior to commencement of use. The Flood Emergency Preparedness and Management Plan must be prepared in accordance with *Floodplain Management in Australia: Best Practise Principles and Guidelines* (SCARM Report 73, CSIRO Publishing, 2000) and must detail the following:
 - (a) nature of the flood threat
 - (b) flooding constraints and flood risks for the site (including consideration of any residual flood risk)
 - (c) sources of flood intelligence
 - (d) considerations for flood management
 - (e) procedures to manage the flood risk
 - (f) roles and responsibilities before, during and after the flood episodes

- (g) how the assisted ease of movement of the frail, aged and those that are immobile/bedridden will be managed when the base of the lift shaft is inundated
- (h) triggers for plan activation
- (i) arrangements for education of workers and residents
- (j) resources needed to shelter in place during a flood episode
- (k) management of a medical emergency during a flood episode
- (l) management of equipment and buildings and
- (m) recovery.

The site and the Flood Emergency Preparedness and Management Plan must be registered with the Local Disaster Management Coordination Centre.

ACID SULFATE SOILS

- 36. All works must be carried out in accordance with the Approved Acid Sulphate Management Plan.
- 37. All waters, including stormwater runoff, groundwater seepage and leachate from acid sulfate soils must achieve the following quality prior to release from the site:
 - (a) a pH range of 6.5-8.5 pH units
 - (b) 50mg/L maximum total suspended solids concentration
 - (c) 0.3mg/L maximum total iron concentration
 - (d) 0.2mg/L maximum total aluminium concentration
 - (e) No visible plume at either the point of release from the site or within a waterway.
- 38. The basement must be designed and constructed as a water excluding structure in accordance with AS 3735 - Concrete Structures for Retaining Liquids". It must be able to withstand hydrostatic pressure, be completely sealed (including control joints) to prevent groundwater infiltration, and contain no permanent or post-construction sub-surface drainage.
- 39. All treated material must undergo verification testing at the rate of one sample per 250m³ throughout the duration of the excavation phase of the development. The verification testing must be undertaken by a qualified person* using the SPOCAS or Chromium Reducible Sulphur testing suite, and the results for each sample must be submitted to council.

UTILITY SERVICES

- 40. Underground reticulated electricity and telecommunication services must be provided to each lot in accordance with an approval for operational works and the standards and requirements of the relevant service provider.
- 41. 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).
- 42. Internal private water and sewer reticulation must be constructed in accordance with a compliance approval for plumbing and drainage work issued by council. Evidence of the compliance approval must be submitted to council prior to endorsement of the survey plan.

43. Certification must be submitted to council from all relevant service providers which certifies that the development has met the requirements of development approval and all applicable legislation at the time of construction.

UNDERGROUNDING OF EXISTING OVERHEAD POWERLINES

44. The existing overhead electricity reticulation across the frontages of the site must be placed underground for Brisbane Road frontage. 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 RS-100 and RS-101

EARTHWORKS AND RETAINING WALLS

45. All excavation and fill, and associated batters must be undertaken in accordance with an operational works approval, and contained entirely within the subject site unless written permission from the respective landowner(s) is provided to council.
46. Where the development involves excavation or filling over, or adjacent to drainage infrastructure access chamber surface levels must be adjusted to provide a freeboard of 100mm above the finished ground surface level.
47. All retaining walls must be designed and constructed in accordance with the planning scheme and must be certified by a Registered Professional Engineer of Queensland (RPEQ) where exceeding 1m in height. All retaining walls that are publicly accessible and exceed 1m in height must be fitted with a commercial grade safety fence.

POTABLE WATER

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

DAMAGE TO SERVICES AND ASSETS

49. 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.

NATURE AND EXTENT OF APPROVED USE

50. The approved short-term accommodation (hotel) must be used to provide short-term accommodation for tourists or travelers for a temporary period of time (i.e. not exceeding three consecutive months). The accommodation must not be occupied

by persons for the purpose of permanent accommodation, excluding those persons in a manager's residence for the premises. The requirements of this condition must be included in the Community Management Statement for any body corporate for the subject site.

51. Security measures must be installed such that building users do not have access to areas that are intended for the exclusive use of residents and visitors.

FINAL ARCHITECTURAL BUILDING DETAIL

52. Prior to any building works commencing, architectural and landscape drawings must be prepared and submitted to council for each Stage of development for review against the Approved Plans and Documents for endorsement. The drawings must show the final developed details of the facade treatment; especially podium design and southern podium wall treatment, the ground interface, streetscape and landscape works (final and interim), interim treatment (e.g. screening, landscaping, artwork, vertical landscaping, etc.) of exposed sections of podium facing the corner of Smith St and First Ave as part of Stage 4, the rooftop/building capping elements of the approved buildings, and must depict a higher level of documentation detail than that shown on the Approved Plans and Documents. The drawings must:
 - (a) nominate materials, colours, finishes and landscaping
 - (b) have title blocks, revision numbers, scale details, north point and be cross referenced to larger scaled drawings
 - (c) include elevation and facade treatment drawings for all floor levels that demonstrate the final design outcome for all elevations of the built form including:
 - (i) detailed plans, sections and elevations at 1:50 or 1:20 scale for elements at the facade including structural elements and fixed and operable elements such as balustrades, sunshading and rain protection screens, doors, windows, projecting fins and planter beds/trellises
 - (ii) all servicing and infrastructure, including but not limited to, padmount transformers, pump rooms, fire hydrant boosters etc.
 - (iii) rooftop or building capping elements, awnings and soffits
 - (d) include one rendered perspective for each stage / building and street façade showing the intended finished built form
 - (e) include detailed plans at 1:100 showing how residential balconies meet the following minimum areas and dimensions or information on how they meet the relevant performance outcomes in the planning scheme:
 - (i) Typical care unit – minimum 10sqm consolidated area with a minimum dimension of 2.5metres;
 - (ii) Typical 1 bed unit – minimum 12sqm consolidated area with a minimum dimension of 3metres;
 - (iii) Typical 2 bed unit – minimum 12sqm consolidated area with a minimum dimension of 3metres; and
 - (iv) Typical 3 bed unit – minimum 15sqm consolidated area with a minimum dimension of 3.5metres.
 - (f) include dimensions for the extent of projecting elements, balustrade height and door and windows/glazing configurations
 - (g) show the final height and position of the building/s on the site with dimensioned setbacks matching the Approved Plans

- (h) include detailed plans at 1:100 showing 2m wide open staircase extending from the public lobby up to Level 3 on the Brisbane Rd frontage;
- (i) include detailed plans showing external fixed or operable shading devices to allow morning and evening sun exclusion from residential and care units between September and April months
- (j) show how the building/s coordinates with the approved landscaping for the site.

53. All building works must be undertaken in accordance with the approved architectural drawings referred to in this development approval.

BUILDING APPEARANCE

54. The approved building must be constructed such that its external appearance achieves a high quality design finish, including the degree of building form articulation, window coverage, clear glazing, openings, roof overhangs, feature cladding materials, finishes, varied building treatments and finishes, sun and rain protection screening, landscaping, glazed balustrades shown on the Approved Plans, with no inclusions or future alterations being made without approval in writing by council.
55. 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.
56. All deck and balcony areas above ground floor must not be enclosed by permanent fixtures such as shutters, louvres, glass panelling or the, except where required to satisfy any privacy condition of this development approval.
57. Ground floor shopfront glazing along the street frontages must be fully transparent to a minimum of 65% of the street frontage to allow passive surveillance and encourage social interaction, and must be provided at full height (floor to ceiling). Internal walls and shelving must not be erected within one (1) metre of the glazing where they would prevent views from the street into the retail space, unless otherwise agreed to in writing by council.
58. Any security screens on the premises consist of grille or translucent screens and not solid shutters, screens or roller-doors.
59. All mechanical equipment and other service infrastructure located on the site must be fully enclosed or screened such that they are not visible from the street frontage/s, other public space, or adjoining properties
60. No part of the site may be used for outdoor storage of materials unless specified on the Approved Plans or the conditions of this development approval.
61. Building materials and hard surfaces used in landscape or streetscape works are not highly reflective, or likely to create glare, slippery or otherwise hazardous conditions.

LANDSCAPING

62. The development must be landscaped in accordance with the approved Landscape Concept Plan amended in red, and a subsequent operational works approval must be obtained, and include in particular:
- (a) the works shown on the approved Landscape Concept Plan amended in red
 - (b) a landscape materials palette in accordance with council's relevant materials palette (Mooloolaba Centre Design Palette)
 - (c) planting width along the road frontages of the site in accordance with the approved Landscape Concept Plan amended in red
 - (d) provision of street trees within the road reserve in accordance with the approved Landscape Concept Plan amended in red
 - (e) provision of engineered landscape planting on the podium level of the building generally in accordance with the approved Landscape Concept Plan amended in red
 - (f) vegetated vertical screening generally in accordance with the Approved Plans
 - (g) vegetated buffers in accordance with the approved Landscape Concept Plan amended in red
 - (h) provision of the following street furniture:
 - (i) seating
 - (ii) rubbish bins
 - (iii) drinking fountains
 - (iv) hooped bicycle parking
 - (v) bollards
63. 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.
64. Except where otherwise specified in the conditions of this development approval, all landscape works must be established in deep natural ground that is open to the ground below and open to the sky above.

STREET TREE LANDSCAPING

65. The street tree landscaping must be provided in accordance with the approved Landscape Concept Plan amended in red, and must
- (a) be established in a planting bed that is positively drained
 - (b) include structured soil design
 - (c) be co-ordinated with building awning design to allow canopy growth to full maturity
 - (d) have a balanced canopy and roots free of container deformation
 - (e) be provided to meet the intent of shading the road verge / pedestrian paths / seating to 80% at maturity
 - (f) be located so as to facilitate ingress and egress from kerbside
 - (g) be provided with a drainage connection to the tree pit and structured soils if individually planted
 - (h) comply with *AS2303:2015 Tree stock for landscape use*
 - (i) comply with council's *Planning scheme policy for the transport and parking code*

- (j) be designed so that any soil areas less than 2m² are provided as planting (not turf)

ENGINEERED LANDSCAPE PLANTING

- 66. Engineered landscape planting on the podium level of the building or attached to a building façade must:
 - (a) have a minimum media depth of 0.8m
 - (b) be appropriately irrigated via automatic or drip feed irrigation system
 - (c) be designed to soften and integrate the built form

STATEMENT LANDSCAPING

- 67. Landscaping within and surrounding the public forecourt at the corner of Brisbane Rd and First Ave must:
 - (a) reflect local character and be consistent with Mooloolaba Centre Design Palette guidelines
 - (b) comprise feature (advanced stock size) vegetation
 - (c) integrate with the landscape design of the balance of streetscape
 - (d) not restrict pedestrian access.

WEATHER PROTECTION

- 68. Street awnings must be provided along street frontages, as shown on the Approved Plans. The awnings must have a minimum width of 2.7m from the building line, and must be designed to provide continuous solar and rain protection and promote all weather activity.
- 69. Provide adequate clearance between the edge of awnings and vehicle loading / set down bays, and a 1m clearance to the kerb and channel edge at the corner of First Ave and Brisbane Rd.

PUBLIC ART

- 70. Prior to the commencement of the Stage 5, 6 or 7, public art must be established on the premises or a contribution towards public art for the Mooloolaba area in accordance with a public art master plan prepared by a qualified person, approved by Council, and consistent with Mooloolaba Centre Design Palette guidelines.
- 71. Where the public art master plan proposes works to be located on public land or an alternative location as agreed to by Council, written agreement must be obtained from the relevant authority prior to the works being undertaken.

CLOTHES DRYING AREAS

- 72. Each dwelling must be provided with a non-mechanical (natural) clothes drying area, or alternatively, each dwelling unit must have access to a communal outdoor clothes drying area that is fitted with a dedicated robust clothes lines. Where individual clothes drying areas are provided on balconies, they are to be concealed or screened from public view.

COMMUNAL RECREATION AREAS

73. Communal recreation areas must be provided as shown on the Approved Plans.

COMMUNAL FACILITIES

74. Common facilities must be provided as shown on the Approved Plans.

COMMUNITY MANAGEMENT STATEMENT

75. Any proposed Community Management Statement required for the development pursuant to the Body Corporate and Community Management Act 1997 must be submitted to council for approval at the same time as submission of the building format plan (or similar) for approval.
76. All clauses and by-laws of the proposed Community Management Statement must accord with the requirements of this development approval.

ENERGY EFFICIENCY

77. The development must implement the use of solar power or other pollution reducing renewable energy sources to supply part or all of the development's energy needs.
78. Solar radiation through non-residential external glazing must be controlled by at least one of the following:
- (a) a permanently fixed overhangs
 - (b) glazed window or door assemblies with a minimum WERS (Window Energy Rating Scheme developed by the Australasian Window Council Inc.) rating of 4 stars for cooling
 - (c) a permanent external assembly containing adjustable shading devices or fixed screens with a maximum transparency of 25%.
79. The ceiling and walls of the car park must be light-coloured to maximise lux levels and minimising the need for electrical lighting.
80. The development must implement a range of green initiatives in its design and construction to achieve energy savings when compared to a conventional supermarket complying with Section J of the Building Code of Australia. The green initiatives must include:
- (a) re-use of hot air from refrigeration and air-conditioning
 - (b) low energy-emitting refrigeration systems
 - (c) efficient mechanical exhaust systems
 - (d) monitoring systems for efficient air-conditioning
 - (e) use of low energy lighting, including LED fittings
 - (f) light reflectors in refrigeration cabinets
 - (g) motion controlled lighting to upright freezer cases
 - (h) highly insulated roofing and walling systems
 - (i) use of building materials with low-embodied energy
 - (j) use of recycled building materials for construction and fill
 - (k) waterless urinals
 - (l) flow restrictors on all taps.

81. All external glazing must be constructed of "low-e" type tinted glazing to reduce the overall thermal transmission of the façade system.
82. The development must be constructed in accordance with an energy performance statement for the development submitted to council prior to the issue of any development permit for operational works. The energy performance statement must demonstrate how energy efficiency techniques will be optimised in the design of the building.
83. Certification must be submitted to council which certifies that the energy efficiency requirements of this development approval have been met prior to commencement of the use.

SAFETY AND SECURITY

84. Bollard or overhead lighting must be provided along all internal footpaths and internal roads with intensities to satisfy the requirements of AS 1158 – *Lighting of Roads and Public Spaces and the Sunshine Coast Public Lighting Plan*.
85. All pathways and land used for outdoor recreation must have grades of 5% or less, with paths having hard, slip resistant surfaces.
86. Residential Care Facility internal paths, ramps and hallways must be capable of accommodating two wheelchairs side by side at any one time.

MANAGEMENT, SOCIAL AND CARE FACILITIES

87. The Residential Care Facility must provide management facilities, supervised care facilities and social and recreational facilities in the form of:
 - (a) a live-in manager's residence and office
 - (b) 24 hour nursing station and/or 24 hour monitored alert system
 - (c) communal dining room
 - (d) communal indoor social/recreation space.

DISASTER RESILIENCE

88. The Residential Care Facility must have access to a reliable alternative power supply in the event of prolonged power outage or disconnection from grid supplied electricity.
89. A site evacuation plan for the evacuation of all persons on-site to the nearest activity centre must be prepared and implemented.

OUTDOOR DINING & PUBLIC FORECOURT

90. An outdoor dining plan and public forecourt plan must be prepared and approved by Council prior to the commencement of use, including detailed design and operation.

PUBLIC SAFETY

91. All ground floor shopfront glazing must be protected against unlawful entry by the use of a form of safety glass such as toughened or laminated glass. All other windows provided at the ground floor must include toughened or laminated glass, or security screens.
92. Vandal proof materials and anti-graffiti paint must be used in the building construction.
93. Signs must be provided and located to direct people to entries and exits and to parking spaces within the site. Public parking areas must be clearly designated as such and have clearly defined access points.
94. Public toilets must be located where they can be monitored by other persons, including motorists.
95. Bicycle parking facilities must be located so that they are visible from the street, and/or signage provided to direct people to bicycle parking areas within the site.
96. During operating hours, all building entrances, parking areas, pedestrian areas and entrances/exits to all stairwells, travelators, lifts, foyers/reception areas, loading docks and public toilets must be well lit with vandal resistant lighting and with intensities to satisfy the requirements of AS 1158 – Lighting for Roads and Public Spaces and the Sunshine Coast Public Lighting Plan. Lighting must be directed onto the site or building and away from neighbouring sites. Lighting must be designed to reduce the contrast between shadows and well lit areas. In particular, appropriate security lighting must be provided in areas of concealment.
97. After hours access to loading docks, storage areas and carpark levels (including the vehicle ramp and all stairwells) must be restricted by a security gate, lockable doors and/or other suitably appropriate means. The carparks must be kept closed and locked at all times while the use is not operating. Any after hours staff parking must be well lit and located in close proximity to staff access points.
98. Multi-level car parks must include the following:
 - (a) emergency telephones to security personnel
 - (b) mechanical surveillance
 - (c) alarms or poles
 - (d) other similarly effective safety and security measures.

WASTE MANAGEMENT

99. Non-residential uses must achieve the environmental values and air quality objectives set out in the *Environmental Protection (Air) Policy* at all times.
100. Kitchen exhaust points for the development must be located and operated in accordance with AS 1668.2 - *The use of ventilation and airconditioning in buildings* (specifically Section 3.10 – *Air Discharges*).

101. The release of noxious or offensive odours or any other noxious or offensive airborne contaminants resulting from the use must not cause a nuisance at any nuisance sensitive or commercial place.
102. Refuse storage, removal and collection facilities must be provided in accordance with the Approved Plans and the following:
- (a) for residential: provision of a minimum bulk bin volume of 120L for general waste, and 120L recyclable waste for each dwelling unit and
 - (b) for commercial uses: provision of a minimum bulk bin volume of 240L for general waste, and 240L recyclable waste for each tenancy
 - (c) collection by service vehicles from within the site only in a safe, efficient and unobstructed manner and
 - (d) provision of a functionally accessible communal hardstand impervious area/s for the permanent storage location and service collection of all bulk bins, as shown on approved plans
 - (e) provision of a readily accessible wash-down area in the vicinity of the permanent bin storage area fitted with a hosecock, bin roll over bund, and drain connected to the sewer that has a stormwater catchment area of no more than 1m²
 - (f) provision of waste chute/s connected to each floor of the building/s for the disposal of general waste. The waste chute/s 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 shafts
 - (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 1m and 1.5m above the floor level, and with wall and floor surfaces around the hopper of an impervious easy to clean material
 - (g) provision of a waste room at the bottom of the waste chute/s for the collection and permanent storage location of general waste. The waste room must be:
 - (i) constructed of fire rated, impervious and smooth materials to all walls, floors, doors and junctions
 - (ii) constructed with access doors sized to permit unobstructed entry and exit of the bulk bins
 - (iii) fly and vermin proof
 - (iv) fitted with a lock capable of being opened from the inside without a key at any time
 - (v) refrigerated or otherwise ventilated to reduce odour
 - (vi) co-located with a hosecock and drain connected to the sewer.
 - (h) provision of an on-site tow vehicle or other mechanical means to haul bulk bins from the basement refuse storage area to the temporary collection embayment located at street level.

103. 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 development approval.
104. Medical and clinical wastes must be stored in appropriate waste containers, in an enclosed secure facility such that the area is not accessible to persons or animals, other than the operator of the premises.
105. Councils Waste and Resources Management Branch coordinates waste collection within the Sunshine Coast Council area, in conjunction with the appointed waste collection contractor. Waste collection services for developments are available, with varying bin sizes and service frequency to achieve safe, efficient and unobstructed servicing for the development. Please contact council's Waste and Resources Management Branch via the Customer Service Centre for further information regarding available bin sizes.
106. The design and construction of waste handling facilities must comply with the following sections of the Planning Scheme Policy for Waste Management Code:
- (a) waste storage bins are to be made of non-combustible materials.
 - (b) waste chute ventilation must comply with SC6.18.4(g).
 - (c) waste disposal points must comply with SC6.18.4(h).
 - (d) waste Container Storage Rooms must comply with SC6.18.4(j)(vii) and (viii).
 - (e) plans for the installation of compactors must be submitted for the approval of Council's Manager Waste and Resources Management.
107. Waste water associated with a non-residential use must be disposed of to the reticulated sewerage system or to an on-site industrial waste treatment system.
108. Liquid wastes that cannot be disposed of to the reticulated sewerage system must be disposed of off-site to an approved waste disposal facility.
109. No discharge of waste occurs to stormwater systems, local waterways (including dry waterways) or wetlands.
110. The movement of bins from the retail waste storage room to the loading dock holding room is to occur outside of peak hours to minimise conflict with vehicles and pedestrians.

ACOUSTIC AMENITY

111. Acoustic measures and treatments must be incorporated into the development in accordance with Acoustic Impact Statement where modified by conditions of this approval.
112. Any fixed plant and equipment that causes noise (e.g. from basement car-park exhausts, air conditioning units, pool filtration units, refrigeration units, pumps and generators or kitchen exhaust units), must be enclosed, shielded and/or positioned to ensure that the following sound pressure levels for a noise sensitive land use are achieved:

Location where criteria applies at	Adjusted equivalent continuous sound pressure level ($L_{Aeq,adj,T}$) to be achieved during the day, evening and	Maximum sound pressure level
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a noise sensitive land use	night time periods			(L _{Amax}) to be achieved during the night time period
	Day 7am-6pm	Evening 6pm-10pm	Night 10pm-7am	Night 10pm-7am
Sensitive receivers (external)	50 dB(A)	49 dB(A)	44 dB(A)	50 dB(A)

Note: Measurements must be in accordance with AS 1055.1 - Acoustics – Description and measurement of environmental noise – General procedures. Measurements must be adjusted for tonality and impulsiveness where require

113. The carpark surface should be brush finished concrete to minimise tyre squeal noise. Any alternative surface will require a separate acoustic report by a qualified person to demonstrate through field measurements that carpark noise levels (sound power levels) are not increased beyond those used in the noise impact assessment report.
114. The loading dock is to be restricted to the following hours:
- Non-refrigerated vehicles: Daytime and evening hours of 7am to 10pm Monday to Saturday, and 7am to 6pm Sunday;
 - Refrigerated vehicles: Daytime hours of 7am to 6pm from Monday to Saturday, unless an updated noise report which demonstrates compliance in other periods is submitted; and
 - Refuse collection: Daytime hours of 7am to 6pm from Monday to Saturday.
115. Service vehicle movements associated with non-residential uses on the premises (including loading and unloading), where not utilising the loading dock (i.e. loading, drop off, set-down bays) must not occur outside the hours of 7am to 6pm Monday to Saturday and not at all on Sundays or public holidays. The requirements of this condition must be included in the Community Management Statement for any body corporate for the subject site.
116. Non-residential uses (i.e. shops, retail, food and drink outlets, restaurant and bar) on the premises must not operate outside the hours of:
- 6am to 10pm Monday to Thursday
 - 6am to 10pm Friday and Saturday (ground level) and 6am to 11pm Friday and Saturday (other levels)
 - 6am to 10pm Sunday or any public holiday
- The requirements of this condition must be included in the Community Management Statement for any body corporate for the subject site.
117. Use of the outdoor areas should be limited as follows:
- Restaurant/bar at ground level: 6am to 10pm.
 - Function facility and hotel rooftop balconies: 6am to 10pm.
 - Podium outdoor recreational areas i.e. the pool and garden areas: 7am to midnight.
- The requirements of this condition must be included in the Community Management Statement for any body corporate for the subject site.

118. The loading dock is to include acoustic absorptive treatments which are to be evenly distributed across the loading dock area, ideally on the soffit. The acoustic absorptive treatments are to have a minimum Noise Reduction Coefficient of NRC 0.5 and a total area equivalent of at least 60% of the soffit area of the total loading dock area.
119. The facade elements of the restaurant/bar at ground level, function facilities and any other rooms where amplified music is proposed, are to achieve a minimum acoustic rating of Rw 35.
120. The restaurant/bar at ground level, function facilities and any other rooms with amplified music are to be air-conditioned.
121. The facade elements of the residential components of the building are to achieve a minimum acoustic rating of Rw 30.
122. Certification must be submitted to council from a qualified person that the following requirements have been achieved:
 - (a) Mechanical plant noise levels outside sensitive receivers meet the specified limits in based on typical worst-case day, evening and night operation.
 - (b) The carpark surface as specified in this approval.
 - (c) The acoustic absorptive treatments to the loading dock achieve the requirements of this approval.
 - (d) The facade elements of the restaurant/bar at ground level, function facilities and any other rooms where amplified music is proposed, achieve the requirements of this approval.
 - (e) The facade elements of the residential components of the building achieve the requirements of this approval.
123. Any grills or metal plates subject to vehicular traffic on the site must be suitably acoustically dampened to prevent noise impacts on surrounding sensitive land uses.
124. Where complaints (other than frivolous or vexatious complaints) are made to council about noise from the approved use, council may require the site management entity to:
 - (a) Submit a Noise Impact Assessment prepared by a qualified person* in accordance with council's Planning scheme policy for the nuisance code, and/or
 - (b) Undertake further noise amelioration measures or operations, install volume limiting devices or barriers and/or shield or relocate mechanical plant and equipment and have such measures certified by a qualified person*.

LIGHTING DEVICES

125. Lighting associated with the use must be designed, sited, installed and tested to comply with Table 2.1 & 2.2 of AS 4282 - *Control of the obtrusive effects of outdoor lighting* using a control level of 1.
126. Certification must be submitted to council from a qualified person that all lighting devices comply with the requirements of this development approval.

LAND AMALGAMATION

127. All properties the subject of the development must be amalgamated.

ADVISORY NOTES**Equitable Access and Facilities**

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

Aboriginal Cultural Heritage Act 2003

2. There may be a requirement to establish a Cultural Heritage Management Plan and/or obtain approvals pursuant to the *Aboriginal Cultural Heritage Act 2003*.

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

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

Easements and Future Works over External Land

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

Other Laws and Requirements

4. This approval relates to development requiring approval under the *Planning Act 2016* only. It is the applicant's responsibility to obtain any other necessary approvals, licences or permits required under State and Commonwealth legislation or council local law, prior to carrying out the development. Information with respect to other council approvals, licences or permits may be found on the Sunshine

Coast Council website (www.sunshinecoast.qld.gov.au). For information about State and Commonwealth requirements please consult with these agencies directly.

Restriction on Building Approval until all other Permits are Effective

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

Infrastructure Charges

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

The re-proportioning of infrastructure charges may occur as part of the preparation of an infrastructure agreement between the Applicant and Council.

Development Compliance Inspection

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

Nature and Extent of Approved Development

8. The assessment of this development was based on a the gross floor area/site cover as depicted on the Approved Plans.

Resubmission of Amended Plans Required

9. Amended plans reflecting 'amendments in red' are to be resubmitted to Council prior to the commencement of use or the approved of an subsequent operational works application, whichever occurs first. To avoid delays and assessment issues with the operational works application, it is recommended the plans be resubmitted prior to lodgement of any operational works application. However, should the plans not be submitted, the applicant is advised that a preliminary approval may be issued in lieu of a development permit.

Pre-Design Meeting Services

10. Council offers a free pre-design meeting service specifically for operational works applications. Applicants are encouraged to utilise this service prior to the submission of their operational works application to ensure that their application is not held up by avoidable design issues. It is anticipated that the pre-design meeting will ultimately assist in fast tracking the assessment of an operational

works application once it is lodged with council as a result of design and application issues being resolved or substantially resolved prior to the application being submitted. For more information on this service or to book a pre-design meeting please visit council's website or contact (07) 5475 PLAN.

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

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

Co-ordination of Operational Works Assessment

12. 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.

Preparation of a Public Art Master Plan

13. The conditions of this development approval require submission of a Public Art Master Plan (PAMP) to council. The PAMP submitted to council must:
 - (a) document the conceptual framework and artistic vision (e.g. themes / image / identity aims)
 - (b) identify building structures and areas of the site suitable for artwork (e.g. building faces, retaining walls, awnings, shelter structures, landscaped areas, and street furniture such as seating/benches)
 - (c) identify opportunities for art (e.g. entry statements, signature works, integrated art options or community art projects)
 - (d) identify integrated and sophisticated design methods
 - (e) identify and document varied and interesting materials and methodologies
 - (f) identify and document designs for longevity, low-maintenance and graffiti-proofing
 - (g) identify community engagement strategies.

Qualified Person

14. For the purpose of preparing a public art master plan, a qualified person is considered to be an arts consultant/artist with a minimum of three (3) years current experience in the field of public art.
15. 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 three (3) years current experience in the field of landscape design.
16. For the purpose of certifying rainwater collection tanks for the development, a qualified person is considered to be a Registered Professional Engineer of Queensland (RPEQ) or the holder of a relevant QBCC licence.

17. For the purpose of certifying flood levels for the development, a qualified person is considered to be a Registered Professional Engineer of Queensland (RPEQ) experienced in hydraulics and hydrology.
18. For the purpose of certifying waste chute construction for the development, a qualified person is considered to be a Registered Professional Engineer of Queensland (RPEQ).
19. For the purpose of certifying acoustic matters or treatments for the development, a qualified person is considered to be either:
 - (a) a Registered Professional Engineer of Queensland (RPEQ) with a minimum of three (3) years current experience in the field of acoustics;
 - (b) a Member of the AAS with a minimum of three (3) years current experience in the field of acoustics.
20. For the purpose of certifying lighting devices for the development, a qualified person is considered to be either:
 - (a) a Registered Professional Engineer of Queensland (RPEQ);
 - (b) an environmental or electrical design consultant with a minimum of three (3) years current experience in the field of outdoor lighting.
21. For the purpose of preparing an acid sulfate soil and groundwater management plan, a qualified person is considered to be either:
 - (c) a Registered Professional Engineer of Queensland (RPEQ) or;
 - (d) a soil scientist with a minimum of five (5) years current experience in the field of acid sulfate soils.

Balance Lot for Staged Building Format Plans

22. In accordance with the *Planning Act 2016*, any proposal to stage the titling arrangements of the development such that a building format plan is registered with a balance lot for future development will first require a development permit for Reconfiguring a Lot be obtained from council.

Waste Management – On Property Servicing of Bulk Bins

23. The conditions of this approval contain detailed requirements regarding waste management storage and collection areas. Council is seeking to minimise existing long term problems associated with servicing of waste containers, specifically issues associated with bulk bins standing on road reserves, traffic issues, and Workplace Health & Safety considerations for the cleansing contractor. The purpose of the temporary bin storage embayment at the site frontage within the property boundary is to reflect:
 - (a) the minimum requirements that must be achieved so as to conduct safe, efficient and unobstructed On-Property collection of bulk bins in accordance with the *Waste management code*, and
 - (b) the minimisation of Workplace Health & Safety issues associated with manual handling of bulk bins by the cleansing contractor.

Waste Management – Bin Sizes

24. Councils Waste and Resources Management Branch coordinates waste collection within the Sunshine Coast Council area, in conjunction with the appointed waste collection contractor. Waste collection services for industrial developments are available, with varying bin sizes and service frequency to achieve safe, efficient and unobstructed servicing for the development. Please contact Council's Waste and Resources Management Branch via the Customer Service Centre for further information regarding available bin sizes.

Medical Waste

25. The Waste Reduction and Recycling Regulation 2011 contains specific requirements for the storing and handling of clinical and related waste before it is transported off-site for treatment and disposal. These requirements have been introduced to prevent harm to humans, avoid contamination of soil and surface waters, and to assist in ensuring correct disposal. Clinical and related wastes must be:
- (a) bagged and stored in rigid-walled, leak-proof secondary containers, preferably in a bunded area with an impervious surface (e.g. washable storage room)
 - (b) stored in bags and containers with the appropriate colours and labels
 - (c) kept so as not to cause environmental nuisance (e.g. by refrigerating potentially odorous materials)
 - (d) stored in an area not accessible to unauthorised people or animals.

Environmental Advisory Notes

26. The *Environmental Protection Act 1994* states that a person must not carry out any activity that causes, or is likely to cause, environmental harm unless the person takes all reasonable and practicable measures to prevent or minimise the harm. Environmental harm includes environmental nuisance. In this regard persons and entities involved in the civil, earthworks, construction and landscaping phases of this development are to adhere to their 'general environmental duty' to minimise the risk of causing environmental harm.

Unitywater - Water and Sewerage Services

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

PROPERTY NOTES

Not Applicable.

REFERRAL AGENCIES

Refer to the Department of State Development, Manufacturing, Infrastructure and Planning concurrence agency response.

APPROVED PLANS AND DOCUMENTS

The following plans and documents are for the development:

Drawing or Document	Number	Date
Architectural Plan Package	Drawing number 10630 amended in red	6 February 2018
Landscape Concept Plan Package	Issue D amended in red	6 February 2018
Construction Management Plan	Revision E	31 January 2018
Acid Sulfate Soil Management Plan	Project number 93173.02, revision 0	6 December 2017
Engineering Report	Job number 19938 revision 02	19 February 2018
Traffic Impact Assessment	Job number 6110 Issue 2	15 February 2018

AMENDED PLANS AND DOCUMENTS

The following plans and documents are required to be resubmitted to Council to reflect required amendments.

Drawing or Document	Number	Timing
Architectural Plan Package	Drawing number 10630 amended in red	Prior to operational works approval

<ul style="list-style-type: none"> • Amendments to reflect the amended Landscape Concept Plan • Brisbane Rd driveway: 4.5m wide (at the property boundary), Type C, entry only driveway crossover generally in accordance with RS-051. • Smith St loading bay: modified Type C driveway with a width of 20m at the kerb invert/edge, extending to a width of 13.5m at the property boundary. A min 1.5m wide line marked median is to be provided in the centre of the driveway generally in accordance with RS-051. • 2 x small rigid vehicle (SRV) spaces (minimum 3.5m x 7.0m) to be provided within the Smith St loading bay. a minimum of two (2) SRV spaces (7m x 3.5m) (Type A). One (1) of these spaces is clearly marked for use by emergency vehicles only, and marked path is provided to the retirement / residential care service lift. • Install convex mirrors to assist drivers with merging from this lane of Smith St carpark ramp. • 2m wide open staircase extending from the public lobby at ground level from Brisbane Rd up to Level 3. • 6m, three (3) chord truncation of the existing property boundary at the intersection of First Avenue and Smith Street. • Carpark internal pedestrian crossings. • Replace non-compliant car park spaces with AS2890 compliant end of aisle extension. • Residential balconies to achieve the following minimum areas and dimensions: <ul style="list-style-type: none"> ○ Typical care unit – minimum 10sqm consolidated area with a minimum dimension of 3metres; ○ Typical 1 bed unit – minimum 12sqm consolidated area with a minimum dimension of 3metres; ○ Typical 2 bed unit – minimum 12sqm consolidated area with a minimum dimension of 3.5metres; and ○ Typical 3 bed unit – minimum 15sqm consolidated area with a minimum dimension of 3.5metres. 		
Landscape Concept Plan Package	Issue D Ground Floor Plan	Prior to operational works approval
<ul style="list-style-type: none"> • Review suitability of street tree position at the corner of Brisbane Rd and First Ave • Review layout of outdoor dining, landscaping, soft-scaping and bicycle hoop parking for ease of pedestrian movement across the shared zone to Zanzibar arcade, and within First Ave to the public forecourt. • Relocate First Ave bicycle parking loops outside of drop off bay. • Revise design of Smith Loading dock driveway and set down zone to reflect a similar standard of works provided within Brisbane Rd. • Provide a minimum unobstructed Brisbane Rd footpath width of 2.5m (edge of building facade or outdoor dining area to bollards or edge of kerb): <ul style="list-style-type: none"> a. remove / relocate outdoor dining area OR b. set in building façade 		
Operational Waste Management Report	Revision C	Prior to the commencement of use.

<ul style="list-style-type: none"> • Update the referenced plans to the most recent architectural drawings. • Direct natural ventilation is not acceptable due to the location of the storage rooms and must be removed. • Waste chute ventilation must be mechanical. • The OWMP must specify that the movement of bins from the retail waste storage room to the loading dock holding room is to occur outside of peak hours to minimise conflict with vehicles and pedestrians. 		
Acoustic Impact Statement	Job number 17-173, version 1	Prior to the commencement of use
<ul style="list-style-type: none"> • Inclusion of a table with the modelled carpark traffic volumes and confirmation that these were in accordance with the approved traffic engineer's report. • Consideration of large refrigerated vehicles in the loading dock assessment. In the absence of this information, refrigerated vehicles will be limited to daytime only. • Consideration of the hotel roof top bar in the patron noise and amplified music assessments, and the cumulative model. • Revised assessment of patron and amplified music emissions with consideration of open doors between internal areas and balconies/outdoor areas, where there is no soundlock. Revised indicative permissible OLGR noise levels may result from this assessment. 		

VARIATION APPROVAL

Not Applicable.

FURTHER DEVELOPMENT PERMITS REQUIRED

- Development Permit for Operational Works:
 - Landscaping
 - Earthworks
 - Stormwater (Quantity & Quality)
 - Sewerage
 - Water Supply
 - Access and Car Parking
 - Landscaping and streetscaping
 - External Roadworks
- Development Permit for Building Work

SUBMISSIONS

Not Applicable.

INCONSISTENCY WITH EARLIER APPROVAL

Not Applicable.

ENVIRONMENTAL AUTHORITY

Item 8.5.1 Development Application for a Material Change of Use (Mixed Use Development) - Brisbane Rd & 7, 9, 13 & 15 First Ave, 11 Smith St, Mooloolaba

Appendix A Recommended Conditions of Approval

Not Applicable.

RIGHTS OF APPEAL

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

OTHER DETAILS

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



Notice about Decision – Statement of Reasons

Planning Act 2016

This Notice is prepared in accordance with s63(5) and s83(7) of the Planning Act 2016 to inform the public about a decision that has been made in relation to a development application. The purpose of the Notice is to enable a public understanding of the reasons for the planning decision, specifically having regard to:

- *the relevant parts of the Planning Scheme and Assessment Benchmarks against which the application was assessed; and*
- *any other information, documents or other material Council was either required to, or able to, consider in its assessment.*

All terms used in this Notice have the meanings given them in the Planning Act 2016.

APPLICATION DETAILS

Application No:	MCU17/2169
Applicant:	Abacus Funds Management Ltd
Proposal:	Development Permit for Material Change of Use for a Parking Station, Car Wash, Shop (including full line supermarket), Food & Drink Outlet, Shopping Centre, Multiple Dwellings (96 dwellings), Retirement Facility (97 independent living units), Residential Care Facility (30 aged care units), Short-Term Accommodation (104 hotel rooms), Function Facility, Hotel, Bar, Indoor Sport & Recreation and Resort Complex, over 7 Stages.
Street Address:	7, 9, 13, 15 First Avenue, 11 Smith Street, Brisbane Road Carpark, Mooloolaba
Real Property Description:	Lots 64, 65, 66, 67, 68 & 69 on RP52440, and Lots 73, 92 & 93 on RP73433
Planning Scheme:	Sunshine Coast Planning Scheme (3 July 2017)
Assessment Type:	Code

DECISION DETAILS

Type of Decision:	Approval with conditions
Type of Approval:	Development Permit for Material Change of Use for a Parking Station, Car Wash, Shop (including full line supermarket), Food & Drink Outlet, Shopping Centre, Multiple Dwellings (96 dwellings), Retirement Facility (97 independent living units), Residential Care Facility (30 aged care units), Short-Term Accommodation (104 hotel rooms), Function Facility, Hotel, Bar, Indoor Sport & Recreation and Resort Complex, over 7 Stages.
Date of Decision:	22 February 2018

ASSESSMENT BENCHMARKS

The following Assessment Benchmarks applied to the development from the following Categorising Instruments:

Categorising Instrument (*Planning Regulation 2016*)

- The SEQ Regional Plan and Part E of the State Planning Policy, to the extent they are not appropriately integrated into the Planning Scheme; and
- Schedule 10 of the Regulation.

Local Categorising Instrument (*Sunshine Coast Planning Scheme 2014*):

- Mooloolaba / Alexandra headland local plan code
- District centre zone code
- Business uses and centre design code
- Multi-unit residential uses code
- Residential care facility and retirement facility code
- Landscape code
- Nuisance code
- Safety and security code
- Stormwater management code
- Sustainable design code
- Transport and parking code
- Waste management code
- Works, services and infrastructure code
- Acid sulfate soils overlay code
- Airport environs overlay code
- Coastal protection area code
- Height of buildings and structures overlay code

Local Categorising Instrument (*Variation Approval*)

Not applicable

Local Categorising Instrument (*Temporary Local Planning Instrument*)

Not applicable

REASONS FOR THE DECISION

The reasons for this decision are:

Subject to the imposition of the development conditions contained within the Decision Notice, the development is able to comply with the applicable Assessment Benchmarks against which the application was required to be assessed.

REASONS FOR APPROVAL DESPITE NON-COMPLIANCE WITH ASSESSMENT BENCHMARKS

Not Applicable.

Item 8.5.1 Development Application for a Material Change of Use (Mixed Use Development) - Brisbane Rd & 7, 9, 13 & 15 First Ave, 11 Smith St, Mooloolaba

Appendix A Recommended Conditions of Approval

ADDITIONAL RELEVANT MATTERS FOR IMPACT ASSESSMENT

Not Applicable.

SUBMISSIONS

Not Applicable.

OTHER MATTERS PRESCRIBED BY THE *PLANNING REGULATION 2017*

Not applicable.

OTHER DETAILS

If you wish to obtain more information about Council's decision, including a copy of Council's Decision Notice and any conditions or plans relating to the development, please refer to the approval package for the application on Council's PD Online webpage at www.sunshinecoast.qld.gov.au using the application number referenced in this Notice.

