

Details for Notice of Determination - Site Development Plan (Precinct 9) - MPC19/0005**ASSESSMENT MANAGER CONDITIONS****PLANNING****General**

1. This Site Development Plan approval has no force or effect until the associated amendments to the higher order Detailed Planning Area Plan - Master Plan No. 44 (Detailed Planning Area Plan – Detailed Planning Area 2 – Bokarina Beach) 2015 have been approved by the Department of Natural Resources, Mines and Energy.

When conditions must be complied with

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

Approved Plans/Documents

3. Development of this precinct must be undertaken generally in accordance with approved master plan – Master Plan No. 110 (Site Development Plan - Detailed Planning Area 2 - Precinct 9) 2019. This Master Plan document and all relevant plans (as listed in section 5.1.1) must be amended to reflect the conditions listed within this Notice and resubmitted to Council prior to approval of a Design Plan application over the precinct.
4. Following Council's endorsement of the Master Plan, the applicant must submit to Council within 30 days, a Microsoft Word version of the endorsed Master Plan for Council's records.

Amendments to Site Development Plan

5. The Site Development Plan document and the plans listed within it must be amended as follows and resubmitted to Council prior to endorsement of the Site Development Plan:
 - (a) Amend the Master Plan document as necessary for consistency with the final endorsed version of Master Plan No. 44 (Detailed Planning Area Plan – Detailed Planning Area 2 – Bokarina Beach) 2015
 - (b) Amend the architectural plans to show following additional information:
 - (i) type of glazing
 - (ii) colour code/name/manufacturer
 - (iii) façade and roof material selection
 - (c) Amend the list of plans to include version J of the West Elevation plans (dated 25/07/19) that were submitted to Council on 7 August 2019 as approved plans.
 - (d) Amend landscape plans to indicate streetscape works, as *'not part of this approval'*, subject to a separate approval and delivered as part of the broader streetscape works application.

- (e) Amend the list of plans to include the Stormwater Management Plan prepared by ADG Engineers and the Post Development Stormwater Catchment Sketch prepared by ADG Engineers.
- (f) Amend the Stormwater Management Plan and Post Development Stormwater Catchment Sketch and other plans as necessary to incorporate a bioretention device treating as large an area of the site as practicable (minimum 50% of the site area). The remainder of the site can be treated using a proprietary stormwater treatment device.
- (g) Amend the plans as necessary to comply with the bicycle parking requirements of this notice (note: in accordance with Condition 38 of this notice, all 100 resident bicycle parking spaces need to be provided as either lockable storage cages or wall mounted hanging brackets)

Nature and Extent of Approved Use

- 6. In accordance with Clause 4.1.1 of the approved Site Development Plan, land the subject of the Site Development Plan must be developed for the permitted uses and density thresholds specified in Table 1 – Supplementary Table of Development.
- 7. The approved uses must be operated in accordance with the applicable use definitions within Caloundra City Planning Scheme 1996.

Building Height

- 8. The maximum height of the development must not exceed 25 metres above natural ground level, unless for rooftop structures, roofs, mechanical plant and service equipment and lift machinery rooms, which must not exceed 28 metres above natural ground level in accordance with Caloundra City Planning Scheme 1996 Local Planning Policy PDLPP 3.7/01.
- 9. Certification must be submitted to council from a cadastral surveyor which certifies that the building does not exceed the maximum height requirement of this Notice of Determination.

Building Appearance

- 10. The approved building must be constructed such that its external appearance achieves a high quality design finish as shown on the plans listed within the approved Site Development Plan, with no inclusions or future alterations being made without approval in writing by council.
- 11. All deck and balcony areas above ground floor must not be fully enclosed by permanent fixtures such as shutters, louvres, glass panelling or the like.
- 12. 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.
- 13. Air conditioner external condenser units are not to be placed on balconies (to ensure that the comfort and useability of the areas are not adversely impacted by the operation of the condenser units).

14. 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

Fencing and Walls

15. Any proposed fencing or walls must be of a high quality. Details of proposed fencing or walls must be submitted to Council for endorsement as part of the Operational Works application.

Clothes Drying Areas

16. Each dwelling unit must be provided with an outdoor non-mechanical (natural) clothes drying facility that is screened from public view by the use of fixed or operable screens incorporated into the building design.

Street Identification

17. The street address of the development must be clearly visible and discernible from the Longboard Parade and Kombi Street frontage of the site by the provision of a street number and, where appropriate, the building name.
18. The building entrance and reception area must be clearly visible and identifiable from the Longboard Parade. From the Kombi Street signage and lighting must be provided at strategic locations to direct people to the building entrance.

Communal Recreation Areas

19. Communal recreation areas must be provided as shown on the plans listed within the approved Site Development Plan.

Renewable Energy

20. 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.

Bedroom Window Fall Protection

21. Unless otherwise agreed to in writing by Council, all external bedroom windows must be provided with a proprietary secure screen for fall protection. Each bedroom window must be designed to meet the required natural ventilation under the National Construction Code. Window opening size must factor in the loss of air flow inherent with the use of security screen products. If the proposed security screen reduces the airflow by 50%, window open size must be increased so as to achieve a minimum of 5% of the bedroom's floor area as unobstructed natural ventilation

Community Management Statement

22. 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.
23. All clauses and by-laws of the proposed Community Management Statement must accord with the requirements of this development approval. In particular, the Community Management Statement must include a clause requiring

- (a) The body corporate and unit owners are to comply with all the conditions of this notice regarding lighting to minimise impacts on turtles
- (b) The body corporate for the development retain a copy of the endorsed Turtle Information Package for Residents that is prepared in accordance with the Turtle conditions of this notice
- (c) That a copy of the endorsed Turtle Information Package for Residents be provided to each unit owner (including to the new owner/s each time a unit is sold)
- (d) That a copy of the endorsed Turtle Information Package for Residents is prominently displayed in the foyer area at all times and available for reading by residents and visitors.

Turtles

- 24. To minimise the impact of development of the Precinct on turtle nesting sites, the following actions are required to be undertaken during construction of the development:
 - (a) Construction works are to be restricted to daylight hours during the turtle nesting and hatching season (October to May) in addition to any further restriction imposed as part of the Operational Works approval
 - (b) Flood lighting must not be used from October to May (turtle nesting and hatching season).
- 25. All windows and glass doors from which the beach is visible must be tinted with non-reflective tinting, or utilise smart glass technology, to block a minimum of 50% of light to reduce light transmission or spill from indoor lighting (i.e. allow a maximum of 50% of light to pass through. The tinting must be maintained to meet this requirement for the life of the development.
- 26. External impervious areas must use coloured (non-reflective) concrete or other pavement materials.
- 27. Internal and external lighting and signage must be positioned and operated to minimise disruption to adjacent turtle nesting and hatching grounds as follows:
 - (a) All lighting must be managed to reduce sky glow. Measures may include, but are not limited to, the following:
 - (i) reduced intensity lighting
 - (ii) long wavelength lights
 - (iii) shielded lighting
 - (iv) low to the ground lighting
 - (v) lighting directed onto areas of interest
 - (vi) low reflectance building surfaces and paint
 - (vii) tinting of glass.
 - (b) External feature lighting to the building must be positioned below 10 metres in height and turned off between 10.00pm and sunrise during turtle nesting and hatching season (October to May)
 - (c) After 8.00pm during turtle nesting and hatching season (October to May), all lighting within the communal open space area must be activated by timers, proximity sensors or motion detectors with an associated deactivation of the lighting after no more than 10 minutes

- (d) Vertical illumination of the building and vegetation using lighting that shines into the sky is prohibited during the nesting and hatching season (October to May)
 - (e) Interior and external lighting (including balcony lighting) must not be directly visible from the beach (between Wyanda Drive and Firetail Court) during the nesting and hatching season (October to May)
 - (f) No decorative outdoor lighting is to be fitted to the buildings, open space or recreation areas (e.g. Fairy/Christmas lights) during nesting and hatching season (October to May)
 - (g) Any external signage on the eastern (seaward) side of the development must not be illuminated after 8.00pm during the nesting and hatching season (October to May)
 - (h) All lighting within the development (interior and exterior) which is visible external to the development must be accompanied by substantial vertical shielding to reduce sky glow
 - (i) All external lighting must consist of amber LED (590-610 nm) or low pressure sodium lighting as a standard, warm white is to be used only where colour rendition is required. Warm white LED lights should not contain short wavelength blue light and supplier should be asked to provide spectral power curve of requested LEDs to prove the absence of short wavelengths. All external lighting must avoid the use of halogen, metal halide, or fluorescent lights
 - (j) The number and wattage of all external lights must be minimised, and lights must be recessed into structures wherever possible
 - (k) Reflective materials must not be used to delineate pathways, and embedded lighting must be used wherever possible. If lights are used they are to be amber in colour, 3000 K or less, as low as possible, facing away from the beach and to be fitted with vertical shades to contain light spill
 - (l) Lighting is not permitted on the roof of the building except for temporary lighting required during maintenance of plant and equipment located on the roof.
28. Certification must be submitted to Council from a qualified person* which certifies that all lighting complies with the conditions of this Notice regarding turtles.
**(Refer to Advisory Note)*
29. The applicant must prepare and submit to Council for endorsement a Turtle Information Package for Residents. The package must:
- (a) Provide background information on the turtle species that nest on the beaches of the Sunshine Coast, the threats they face and their status as matters of national environmental significance
 - (b) Highlight the conditions of this notice regarding the design and operation of lighting (including within individual dwelling units and on balconies)

- (c) Outline measures to mitigate the impacts of lighting on the active turtle nesting and hatching sites, including the months of the year when external light emissions should be minimised and suggested mitigation measures (e.g. turning off lights when not in use and closing blinds/curtains after dark).

ENGINEERING

Property Access and Driveways

- 30. A sealed access driveway must be provided from Kombi Street 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) a driveway crossover in accordance with RS-051 (Type A),
 - (b) truncation of existing paths in the verge for the driveway construction, including any additional extents of reconstruction to provide a smooth pathway transition
 - (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 ramp from the underground parking area to warn motorists of pedestrian movement along the frontage street.
- 31. Vehicle access to the development is limited to the constructed access driveway from Kombi St.

On-Site Car Parking

- 32. On-site car parking spaces must be provided as follows:
 - (a) a minimum of 105 car parking spaces for residents of the development
 - (b) a minimum of 25 visitor car parking spaces which are clearly marked for that purpose and accessible at all times for visitor use. An intercom system must be provided at the car park security gate to enable visitor vehicle access to any visitor parking spaces located within the gated area.
 - (c) the minimum number of car parking spaces provided for people with disabilities complies with the relevant provisions of the Building Code of Australia
 - (d) dimensions, crossfalls and gradients in accordance with *AS 2890 - Parking facilities*.
- 33. 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.
- 34. Directional signage must be provided to direct visitors to the car parking spaces provided on-site.
- 35. Where access to the car park 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.
- 36. Where access to visitor parking is proposed to be restricted by a security gate, provision must be made for intercom access (or other entry methodology), which can be operated with vehicles queued clear of the roadway while waiting for the security gate to open.

Service Vehicles

37. Service vehicle manoeuvring and standing spaces must be provided on the site as shown on the plans listed within the approved Site Development Plan. The works must be undertaken in accordance with an operational works approval and AS 2890.2 - *Off-street commercial vehicle facilities* and must include in particular:
- (a) a minimum 1 VAN space
 - (b) a minimum 1MRV space (Type A Access)
 - (c) a minimum 1 WCV space

Pedestrian and Bicycle Facilities

38. 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) pedestrian pathways between the proposed car parking area and the building.
 - (b) 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
 - (c) signage and lighting at strategic locations to direct people to building entries and public toilet facilities
 - (d) pedestrian refuge areas at strategic locations within the carpark to ensure safe and convenient congregating of pedestrians waiting to cross major access driveways
 - (e) a minimum of 25 visitor bicycle parking spaces, which are clearly marked for that purpose and accessible at all times for visitor use; in accordance with AS 2890.3 – *Bicycle parking*
 - (f) a minimum of 100 resident bicycle parking/storage spaces, in accordance with AS 2890.3 – *Bicycle parking*. This may be provided as either lockable storage cages (sufficiently sized to fit an adult bicycle) or as wall mounted hanging brackets.

Utility Services

39. Reticulated electricity and telecommunication services must be provided to the development in accordance with an approval for operational works and the standards and requirements of the relevant service provider.
40. An underground connection to reticulated water and sewerage must be available and/or where necessary provided to the development site in accordance with the standards and requirements of Northern SEQ Distributor–Retailer Authority (Unitywater).
41. 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.

Earthworks and Retaining Walls

42. All fill and associated batters must be undertaken in accordance with an operational works approval, and contained entirely within the subject site unless written permission from the respective landowner(s) is provided to council.
43. 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.

Stormwater Drainage

44. 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 Queensland Urban Drainage Manual), and must include in particular:
- collection and discharge of stormwater to street drainage system (pits and pipes)
 - the use of gravity stormwater drainage and not surcharge pits.

Stormwater Quality Management

45. 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 amended stormwater management plan required by this approval.
46. All stormwater quality treatment devices must be maintained in accordance with the Water by Design (2009) – Maintaining Vegetated Stormwater Assets (Version 1). A copy of this document must be retained on the site together with the approved Operational Works drawings for the stormwater quality treatment system and a detailed life cycle costing of the system attached as an addendum. Records of all maintenance activities undertaken must be kept and made available to Council upon request.

Flood Immunity

47. The minimum floor level of all buildings and minimum opening crest level of basement ramps constructed on the site must be provided in accordance with the requirements of and conditions applying to Master Plan No. 44 (Detailed Planning Area Plan – Detailed Planning Area 2 – Bokarina Beach) 2015.

ENVIRONMENTAL HEALTH

Waste Management

48. Refuse storage, removal and collection facilities must be provided in accordance with the plans listed within the approved Site Development Plan and the following:
- provision of 1100L bulk bins for general and recyclable waste only.
 - provision of a minimum bulk bin volume of 120L for general waste, and 120L recyclable waste for each dwelling unit
 - collection by service vehicles via an On-Property service* in a safe, efficient and unobstructed manner. Bins must not be left on the road reserve.
**(Refer to Advisory Notes)*
 - provision of screened temporary hardstand collection areas for the service collection of all bulk bins* located adjacent to the site access driveway, such that bins can be manually handled to the road reserve for servicing
**(Refer to Advisory Notes)*

- (e) maintain continued responsibility of the body corporate, or an equivalent site management entity, to present bulk bins at the communal storage area on refuse collection day
- (f) provision of a readily accessible wash-down area in the vicinity of the permanent bin storage areas 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
- (g) provision of waste chutes connected to each floor of the building for the disposal of general waste only (not recyclable waste). The waste chutes 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, and co-located with readily accessible recyclable waste bins at each floor level
- (h) provision of waste rooms at the bottom of the waste chutes for the collection and permanent storage location of waste bins. 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.
 - (vii) provided with mechanical means for decanting recyclable waste from wheelie bins from each floor level into bulk bins before collection.

Acoustic Amenity

49. Any fixed plant and equipment* that causes noise (e.g. from basement car-park exhausts, air conditioning units, or pool filtration units, refrigeration units, pumps and generators, kitchen exhaust units), must be enclosed, shielded and/or positioned to ensure that the limits in S20.1 Table 6 – Noise Impact Assessment Criteria of Master Plan No. 44 (Detailed Planning Area Plan – Detailed Planning Area 2) 2015, for a noise sensitive land use is achieved.

*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 required, where attenuation is applied for inside to outside calculations, a maximum of 5 dB(A) only is to be applied (i.e. assumed windows fully open) *(Refer to Advisory Note)"*

50. 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.
51. Certification must be submitted to Council from a qualified person* that the development has been constructed in accordance with the Acoustic Amenity conditions of this development approval.
**(Refer to Advisory Note)*

Lighting Devices

52. Lighting associated with the use must be designed, sited, installed and tested to comply with Tables 3.2 & 3.3 for Zone A3 of AS 4282 - *Control of the obtrusive effects of outdoor lighting*".
53. Certification must be submitted to Council from a qualified person* that all lighting devices comply with the requirements of this development approval.
**(Refer to Advisory Note)*

Acid Sulfate Soils

54. Except where varied by conditions of this development approval, all works must be carried out generally in accordance with the Acid Sulfate Soil Management Plan listed in this development approval.
55. 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, and
 - (e) no visible plume at either the point of release from the site or within a waterway.
56. A Dewatering Management Plan (DMP) must be developed and implemented on site during the operational works phase of the development. Where groundwater is released to waters, the DMP must include the criteria required by the above condition, and propose an effective treatment train such that the above release criteria is achieved prior to release. The basement piling and shoring system utilised during construction must be such that the amount of dewatering required for the excavation is minimised.
57. Where groundwater is released to stormwater or waters, as a minimum, weekly verification sampling and testing must be undertaken for the following parameters at the release point:
- (a) pH (pH Units),
 - (b) Total Suspended Solids concentration (mg/L),
 - (c) Total Iron concentration (mg/L),
 - (d) Total Aluminium concentration (mg/L), and
 - (e) Turbidity (NTU).

Sampling and testing results must be made available to Council upon request.

58. The basement must be designed and constructed as a water excluding structure in accordance with *AS3735:2001 – 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.
59. 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. *(Refer to Advisory Note.)
60. A tracking system must be maintained onsite for all treated material removed from site, which includes the following:
- (a) the time, date and quantity of materials removed;
 - (b) the name of the transporter and/or disposal operator that removed the material; and
 - (c) the intended treatment/disposal destination of the material.

LANDSCAPING

Landscape Works

61. The development site must be landscaped. The works must be undertaken in accordance with an Operational Works approval and must include in particular:
- (a) Dense landscaping of all landscaped areas shown on the plans listed in the approved Site Development Plan, including feature trees in the deep planting landscaping strip to the Longboard Parade frontage of the site
 - (b) vegetated screening of blank walls from the street, designed such that 80% of the wall will be screened at maturity
 - (c) species selected from Council's Landscape Infrastructure Manual for coastal exposed locations:
<https://www.sunshinecoast.qld.gov.au/Development/Development-Tools- and-Guidelines/Infrastructure-Guidelines-and-Standards/Open-Space-LIM/Palettes>
 - (d) podium planting provided generally in accordance with *Brisbane City Council Standard Drawing BSD-9004 Podium Planter Details*:
<https://www.brisbane.qld.gov.au/planning-building/planning-guidelines-tools/planning-guidelines/standard-drawings>
 - (e) retention and protection of streetscape embellishments delivered through the future streetscape operational works.
62. 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.

UNITYWATER

63. Construction activities must not impede the access of Unitywater or Fire Brigade personnel to vital infrastructure (e.g. valves, fire hydrants and sewer access chambers).
64. The fire-fighting demand on Unitywater's water supply system from the development must not exceed 30 litres per second.

65. Electrical pillars must maintain a minimum clearance of 1.0 metre from Unitywater's water service and meter arrangement.
66. Easements of between 3 and 10 metres must be provided over all Unitywater sewers located within property boundaries in accordance with the SEQ standards. Easements shall be centred over the pipe. Easement terms shall be the most current registered dealing held by the Department of Natural Resources & Mines and shall not be altered or amended.
67. Buildings and other structures must maintain a minimum clearance of 1.5 metres from Unitywater sewer mains, and 1.0 metre from a sewer manhole chamber or sewer inspection opening.
68. The applicant must adjust the level of the existing sewerage manhole and sewerage inspection opening as necessary to suit the proposed finished levels. Work must be undertaken by Unitywater at the owner's cost. Where the existing sewerage inspection opening point is located within a sealed or concreted parking area, a brass cap is required to be fitted.
69. Storm water retention systems and gross pollutant traps must maintain a minimum clearance of 1.0 metre from Unitywater water supply and sewerage infrastructure.
70. Tree plantings must maintain a minimum horizontal clearance of 1.0 metre from Unitywater water mains and 1.5 metres from Unitywater sewerage mains. Landscaping plants within these clearances must be low growing when mature, and suitable approved varieties.
71. Construction works undertaken in the vicinity of Unitywater water supply or sewerage infrastructure must not adversely affect the integrity of the infrastructure. All costs associated with repair, replacement or alteration of infrastructure must be met by the applicant.
72. The applicant must pay to Unitywater all levied charges in accordance with a Unitywater infrastructure charges notice.
73. A Certificate of Completion must be provided by Unitywater prior to the release of the survey plan.

ADVISORY NOTES

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

PLANNING

Equitable Access and Facilities

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

Aboriginal Cultural Heritage Act 2003

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

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

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

Easements and Future Works over External Land

3. Should the conditions of this Notice of Determination 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.

Qualified Person – Turtle Lighting Requirements

4. For the purpose of certifying the turtle lighting requirements, a qualified person is a tertiary qualified marine turtle biologist with a minimum five (5) years current experience in the field of marine turtles.

ENGINEERING

Qualified Person

5. For the purpose of certifying water quality treatment devices 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.
6. 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.

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 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")**

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 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

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. 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.
11. Where water and sewerage infrastructure is proposed to be constructed within an existing park or reserve controlled or owned by council, consent approval from council, as owner of the land, is required for the alignment and extent of works. This consent must be obtained prior to any water and sewerage related works occurring within the park or reserve. The consent request must be submitted in the approved form to council's Land Management Unit.

Resubmission of Amended Documents Required (pending stormwater response)

12. The conditions of this development approval require resubmission of the referenced Stormwater Management Plan to council with amendments. Please address the amended document to council's Planning Assessment Unit with the reference no. MPC19/0005 separate to any operational works application. To avoid delays and assessment issues with the operational works application, it is recommended the document be resubmitted prior to lodgement of any operational works application. Should the amended document not be submitted, the applicant is advised that a Preliminary Approval may be issued in lieu of a development permit for the operational works.

Preparation of a Preliminary Construction Management Plan

13. A preliminary construction management plan must be submitted with the Operational Works application and must address the following:
- (a) traffic management during all aspects of the construction phase including:
 - (i) a traffic management control plan in accordance with the *Manual of Uniform Traffic Control Devices (MUTCD)* detailing all temporary signage and traffic control measures prior to construction
 - (ii) maintenance of safe pedestrian access for the areas affected by the works during and after daily construction has ceased

- (iii) proposed fencing to the site during the construction phase of the development
- (iv) 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.
NOTE: any damage to the existing road system as a result of haulage operations shall be fully repaired at the applicant's expense

It is acknowledged that the preliminary construction management plan will be a draft document requiring finalisation upon appointment of the principal contractor employed to construct the works and a final document will be required to be submitted at the pre-start meeting for the project.

ENVIRONMENTAL HEALTH

Qualified Person

14. For the purpose of certifying acoustic matters or treatments for the development, a qualified person is considered to be either:
 - (a) a Registered Professional Engineer of Queensland (RPEQ);
 - (b) an environmental consultant with a minimum of three (3) years current experience in the field of acoustics.
15. 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.
16. For the purpose of preparing an acid sulfate soil and groundwater management plan, a qualified person is considered to be either:
 - (a) a Registered Professional Engineer of Queensland (RPEQ) or;
 - (b) a soil scientist with a minimum of five (5) years current experience in the field of acid sulfate soils.

Noise – Fixed Plant and Equipment

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

Waste Management – On Property Servicing of Bulk Bins

18. The conditions of this approval contain detailed requirements regarding waste management storage and collection areas. An "On-Property" collection service requires the refuse contractor to manually retrieve the bins from within the property and return them after servicing occurs. Bulk bins are not permitted to be left on the road reserve for collection. Council is seeking to minimise existing long term problems associated with servicing of waste containers, specifically issues associated with visual amenity of bulk bins standing on road reserves, traffic issues, and Workplace Health & Safety considerations for the cleansing contractor with manual movement of bins. 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.

LANDSCAPING

Qualified Person

19. 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.
20. For the purpose of preparing an arborist report and certifying tree stock, a qualified person is considered to be a person with either:
- (a) ISA certification; or
 - (b) a Diploma of Arboriculture in addition to a minimum of three (3) years current experience in the field of arboriculture.

UNITYWATER

21. Connection to Unitywater live water mains and the Unitywater live sewer system must be undertaken by Unitywater at the applicant's cost.

PROPERTY NOTES

The following document is referenced in the Assessment Manager conditions

Referenced Documents

Document No.	Rev.	Document Name	Date
9603R01V01	V03	<i>Noise Impact Assessment</i> , prepared by ASK Consulting Engineers	4 June 2018
J000876-003-R-Rev0	0	<i>Acid Sulfate Soil Management Plan</i> , prepared by Core Consultants Pty Ltd	May 2019

PROPERTY NOTES

Master Plans - Council Reference MPC19/0005

The following notations applies to the initial development lot and the common property lot after any community title subdivision

1. *The site is identified as Precinct 15 of Detailed Planning Area 2 (Bokarina Beach) and is subject to the following Master Plans:*
 - *Master Plan No.44 (Detailed Planning Area Plan - Detailed Planning Area 2 - Bokarina Beach) 2016;*
 - *Master Plan No.110 (Site Development Plan - Detailed Planning Area 2 - Precinct 9) 2019.*

Minimising Light Impacts on Turtle Breeding – Council Reference MPC19/0005

The following notations apply to all dwelling units and the common property lot

1. Unit owners and residents are advised that the development approval for the site includes specific restrictions on the type of lighting permitted and the operation of lighting within the development. These requirements are also included within the Community Management Statement for the development.
2. A Turtle Information Package for Residents is available for all unit owners and residents. This package provides information on how to minimise lighting impacts on turtle nesting sites. Contact the on-site managers or body corporate to obtain a copy.

FURTHER DEVELOPMENT PERMITS REQUIRED

- Design Plan approval
- Development Permit for Operational Works
- Development Permit for Building Work

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.