

**Details for Notice of Determination - Conditions for amended Master Plan No. 104 (Site Development Plan - Detailed Planning Area 2 - Precinct 8) - MPC18/0004.01**

**ASSESSMENT MANAGER CONDITIONS**

**LAND USE CONDITIONS**

**PLANNING**

**General**

1. This Site Development Plan approval has no force or effect until the amended higher order Detailed Planning Area Plan - Master Plan No. 44 (Detailed Planning Area Plan – Detailed Planning Area 2 – Bokarina Beach) 2015 has 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. 104 (Site Development Plan - Detailed Planning Area 2 - Precinct 8) 2018. 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 and endorsed by Council prior to any Building Approval being issued for 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 master plan document to include Map 1: Locality Plan, Map 2: Land subject of master plan and Map 3: Dimensions plan, as identified in the table of contents.
  - (c) Amend the plans to show 8 of the resident car parking spaces on the mezzanine level converted to commercial (staff or customer) spaces.
  - (d) Amend the plans to reduce the reflectivity of the finishes for the soffits and decks facing south and east to reduce the amount of light reflected towards the beach at night.

- (e) Amend the Bioretention Details Plan to:
  - (i) Update "Cleanout Point Details" drawing to match DS-070 (remove the end cap and replace with a bend)
  - (ii) Amend the shape of the bioretention basin to match the central garden on level 2.
- (f) Amend the Stormwater Detail Plan and other plans as necessary to:
  - (i) Ensure the proposed bio-retention basin has sufficient access to sunlight to enable it to function effectively.
- (g) Amend Landscape Plans 1.1, 1.2, 1.3, 1.4, 1.5, 1.6, 1.7, 1.8, 1.9, 1.10, 1.11 and 1.12 to include the level of detail standard for operational works plans.
- (h) Amend Landscape Plan 1.6 as follows:
  - (i) Provide sub surface strata cell to deep planting areas under pavement commensurate with likely mature root zone area, except within the access handle to Kombi St
  - (ii) Substitute *Banksia integrifolia* in deep planting areas with a coastal species that does not drop large seed pods on hardstand areas.
  - (iii) Provide pedestrian trafficable, slip resistant tree grates around deep planting trees within site boundary addressing Bokarina Boulevard to maintain pedestrian accessibility.
- (i) Amend the plans to show details of all proposed advertising signage, or amend the Supplementary Table of Assessment to list all types of advertising devices in column 2 (permitted subject to conditions).

#### **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.
8. Security measures must be installed such that staff and visitors of the ground floor commercial uses do not have access to areas that are intended for the exclusive use of residents and visitors.
9. Advertising devices are limited to those listed in Column 1 of Table 1 – Supplementary Table of Development of Master Plan No.103, where in accordance with Local Planning Policy PDLPP 7.0/01 – *Siting and Design of Advertising Devices* and the plans listed within Section 5.1.1 of Master Plan No. 104.

#### **Building Height**

10. The maximum height of the development must not exceed 8 storeys\* and 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.  
(\*Refer Advisory Notes)

11. Certification must be submitted to council from a cadastral surveyor which certifies that the building does not exceed the maximum height requirements of this Notice of Determination in both storeys and metres.

#### **Building Appearance**

12. 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.
13. 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, except where require to satisfy sun-screening requirements of this approval.
14. 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.
15. 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).
16. Ground floor shopfront glazing along the Bokarina Boulevard frontage 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), with the exception of grilles or openings that are required for ventilation purposes. 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.
17. Any security screens on the premises consist of grille or translucent screens and not solid shutters, screens or roller-doors.
18. 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

#### **Weather Protection**

19. Cantilevered street awnings must be provided along Bokarina Boulevard and Longboard Parade frontages of the site, as shown on the plans listed within the approved Site Development Plan. The awning to Bokarina Boulevard must have a minimum width of 4m and the awning to Longboard Parade must have a minimum width of 3m from the building line. The awnings must be designed to provide solar and rain protection and promote all weather activity.

#### **Through-site Pedestrian Link**

20. The full length of the laneway connecting Bokarina Boulevard with Kombi Street along the western boundary of the site must
- (a) Incorporate the design treatments shown on the plans within the Landscape Development Application Report prepared by Urbis that is listed
  - (b) The northern section of the laneway must be designed and constructed to facilitate outdoor dining and other community uses.
  - (c) A public access easement in favour of Council must be registered over the full length of the through-site pedestrian link, extending a minimum 4.5m into the site off the western boundary and covering the full width of the access handle to Kombi Street.

#### **Clothes Drying Areas**

21. Each dwelling unit must be provided with clothes drying facilities that are screened from public view.

#### **Street Identification**

22. 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.
23. The building entrance and reception area must be clearly visible and identifiable from the Longboard Parade. From Bokarina Boulevard and Kombi Street signage and lighting must be provided at strategic locations to direct people to the building entrance.

#### **Communal Recreation Areas**

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

#### **Renewable Energy**

25. 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.

#### **Treatment of Temporarily Vacant Land**

26. 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) vehicle exclusion is to be provided to all boundaries that:
    - (i) is durable and not capable of being pushed or blown over; and
    - (ii) does not detract from local amenity (barbed wire is not acceptable) (e.g. bollards, turf mounding and trees).
  - (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.

#### **Community Management Statement**

- 27. 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.
- 28. 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**

- 29. 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 conditions.
  - (b) Flood lighting must not be used from October to May (turtle nesting and hatching season).
- 30. 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.
- 31. External impervious areas must use coloured (non-reflective) concrete or other pavement materials.

32. 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.
33. 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)*
34. 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

### External Works

35. The full length of Bokarina Boulevard and Longboard Parade must be fully constructed and 'on maintenance' prior to the commencement of any use on Precinct 8 (other than a Temporary House and Land Sales Office).

### Property Access and Driveways

36. Sealed access driveways must be provided from Longboard Parade (in only) and Kombi Street to all parking and manoeuvring areas of the development. The works must be undertaken in accordance with the operational works plans listed in Master Plan No. 104 and, unless otherwise agreed with Council, 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) driveway widths of minimum 6m at the kerb invert extending to a width of 6m at the property boundary
  - (d) 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.
37. Vehicle access to the development is limited to the constructed access driveway from Kombi St and the "in only" driveway from Longboard Parade. Motorised vehicles are not permitted to exit the site onto Longboard Parade. Signage and line-marking must be installed in this regard.

### On-site Parking

38. A minimum of 132 car parking spaces must be provided and marked on the site, and made available and accessible at all times. The works must be undertaken in accordance with the operational works plans listed in the approved Site Development Plan and must include in particular:
- (a) minimum of 75 resident spaces within the total, which are clearly marked for that purpose and accessible at all times for resident use;
  - (b) minimum of 16 visitor parking spaces within the total, which are clearly marked for that purpose and accessible at all times for visitor use;
  - (c) a minimum of 41 commercial customer/staff parking spaces within the total, which are clearly marked for that purpose and accessible at all times while the commercial uses are open for business;
  - (d) As many motorcycle/scooter parking spaces are provided and marked on the site as possible and made available and accessible at all times;
  - (e) Visitor and customer parking must not be located behind a security barrier or gate
  - (f) pedestrian routes in accordance with the conditions of this development approval (Note: pedestrian route requirements to sit under 'Pedestrian and Bicycle Facilities' heading);
  - (g) parking spaces for people with disabilities must satisfy the current requirements of the *National Construction Code*;
  - (h) dimensions, crossfalls and gradients in accordance with AS 2890 - Parking facilities.
39. 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.
40. Directional signage must be provided to direct visitors and customers to the car parking spaces provided on-site.

### Service Vehicles

41. Service vehicle parking, manoeuvring and standing spaces must be provided on the site. The works must be undertaken in accordance with operational works plans listed within the approved Site Development Plan and AS 2890.2 - *Off-street commercial vehicle facilities* and must include in particular:
- (a) a minimum 1 WCV space

### Pedestrian and Bicycle Facilities

42. Pedestrian and bicycle facilities must be provided for the development. The works must be undertaken in accordance with the operational works plans listed in the approved Site Development Plan and must include in particular:
- (a) pedestrian pathways between the proposed car parking area and the building/s.
  - (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 63 resident bicycle parking spaces, in accordance with AS 2890.3 – *Bicycle parking*. These may be provided as either lockable storage cages (sufficiently sized to fit an adult bicycle) or as wall mounted hanging brackets;
  - (f) a minimum of 20 visitor/customer/staff bicycle parking spaces, in accordance with AS 2890.3 – *Bicycle parking*;
  - (g) End of trip facilities for staff of the commercial tenancies comprising a minimum 2 shower cubicles as well as change rooms and toilets for both males and females and a minimum of 4 lockers.
43. The pedestrian link from Bokarina Boulevard to Kombi Street must be designed and constructed to ensure that pedestrian safety is maintained at all times by incorporating design techniques to slow vehicle speeds to emphasise the shared nature of the space.

#### **Utility Services**

44. Reticulated electricity and telecommunication services must be provided to each lot in accordance with the operational works plans listed in the approved Site Development Plan and the standards and requirements of the relevant service provider.
45. 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).
46. 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**

47. All fill and associated batters must be undertaken in accordance with the operational works plans listed in Master Plan No. 104, and contained entirely within the subject site unless written permission from the respective landowner(s) is provided to council.
48. All fill and associated batters must be contained entirely within the subject site, in accordance with the works, services and infrastructure code. All earthworks must be undertaken in accordance with the provisions of AS 3798 - *Guidelines on earthworks for commercial and residential developments*.
49. 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.
50. 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 Quality Management**

51. A stormwater quality treatment system must be provided for the development. The works must be undertaken in accordance the operational works plans listed in Master Plan No. 104, and include stormwater quality treatment devices of a size and location generally in accordance with those shown in the approved drawings.

52. 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 Operational Works drawings for the stormwater quality treatment system listed in the approved Site Development Plan 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.
53. Permanent educational signage\* must be erected to educate the residents of the development about the function of the bioretention device(s). The dimensions, standard, presentation and location of the educational signage must be in accordance with the operational works plans listed in the approved Site Development Plan.

#### **Flood Immunity**

54. 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**

55. Refuse storage, removal and collection facilities must be provided generally in accordance with the Waste Management Plan, the plans listed within the approved Site Development Plan and the following:
- (a) provision of a minimum bulk bin volume of 120L for general waste, and 120L for recyclable waste for each dwelling unit.
  - (b) provision of a minimum bulk bin volume of 1100L for general waste, and 1100L for recyclable waste for the retail use.
  - (c) collection by waste collection vehicles from within the site only in a safe, efficient and unobstructed manner, utilising 1100L bulk bins only.
  - (d) Provision of a minimum height clearance must be provided for the waste collection vehicle manoeuvring area at ground level.
  - (e) provision of a functionally accessible communal hardstand impervious area for the permanent storage location and service collection of all bulk bins, with a smooth at-grade movement path between the servicing point and the storage embayment (i.e. no steps, edging, ledges or the like), such that bins can be manually handled to the waste collection vehicle for servicing.
  - (f) maintain continued responsibility of the body corporate, or an equivalent site management entity, to present bulk bins at the collection area on refuse collection day
  - (g) provision of a purpose built enclosure or rooms to the bin storage areas, which is screened from the street and adjoining properties by landscaping and fencing.
  - (h) 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 1m<sup>2</sup>
  - (i) provision of waste chute connected to each floor of the building for the disposal of general waste only (not recyclable waste). The waste chute must be:
    - (i) vertical and cylindrical with a minimum diameter of 450mm

- (ii) constructed of non-corrosive, smooth, impervious and noise-dampening materials
  - (iii) contained within fire rated 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 recycle waste bins at each floor level or lobby level
  - (j) provision of a waste room at the bottom of the waste chute for the collection and permanent storage location of general waste only (not recyclable 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.
  - (k) provision of a readily accessible bulk bin storage room/area for recyclable waste is provided, with a mechanical wheelie bin lifter to decant recyclable waste into bulk bins
56. An inspection must be organised with Council's Development Services Branch to confirm waste servicing and collection arrangements. Where obstructions to waste collection vehicles and facilities prevent safe and efficient servicing, the obstruction must be removed or rectified.
57. 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.  
 \*(Refer to Advisory Note)

#### **Acoustic Amenity**

58. 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 following sound pressure levels for a noise sensitive land use is achieved:

Location where criteria applies at a noise sensitive land use	Adjusted equivalent continuous sound pressure level ( $L_{Aeq,adj,T}$ ) to be achieved during the day, evening and night time periods			Maximum sound pressure level ( $L_{Amax}$ ) to be achieved during the night time period
	Day 7am-6pm $L_{Aeq,adj,11hr}$	Evening 6pm-10pm $L_{Aeq,adj,4hr}$	Night 10pm-7am $L_{Aeq,adj,9hr}$	Night 10pm-7am
Sleeping Areas	35 dB(A)	35 dB(A)	30 dB(A)	45 dB(A)
Other Habitable Rooms	35 dB(A)	35 dB(A)	35 dB(A)	N/A
Within the Designated Private open Space	50 dB(A)	50 dB(A)	N/A	N/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 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)*

59. The approved non-residential uses on the premises must not operate outside the hours of:  
 (a) 6am to 9pm Monday to Thursday  
 (b) 6am to 10pm Friday and Saturday  
 The requirements of this condition must be included in the Community Management Statement for any body corporate for the subject site.
60. Service vehicle movements associated with the approved use OR non-residential uses on the premises (including loading and unloading) 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.
61. The approved commercial uses must not involve amplified entertainment at any time. Acoustic live entertainment or background pre-recorded music (e.g. music played through a domestic stereo) that does not emit audible noise beyond the boundary of the premises or within dwellings at any time is permitted.
62. 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

63. In addition to the lighting requirements relating to turtles, lighting associated with the development must also 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.

64. 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)*

#### **Commercial Kitchen Exhaust**

65. 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*).

#### **Acid Sulfate Soils**

66. All works must be carried out in accordance with the acid sulfate soil and stormwater management plan (or part thereof) referenced in this notice of determination.
67. 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.
68. A Dewatering Management Plan (DMP) must be developed and implemented on site. Where groundwater is released to stormwater or 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.
69. 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.
70. 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.
71. All treated material must undergo verification testing at the rate of one sample per 250m<sup>3</sup> 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)*

## LANDSCAPE & ECOLOGY

### Landscaping Works

72. The development site must be landscaped. The works must be undertaken in accordance with the operational works plans listed in Master Plan No. 104 and must include in particular:
- (a) the works shown on the plans listed within the approved Site Development Plan
  - (b) landscaping along the southern side boundary interface with the adjoining lot to the immediate south
  - (c) vegetated screening of any, bin storage areas, blank walls, plant equipment and the like from the road frontage
  - (d) control of all weeds species listed in the following standards and legislation:
    - (i) declared plants under the *Land Protection (Pest and Stock Route Management) Act 2002* and sub-ordinate Regulation 2003
    - (ii) *Sunshine Coast Local Government Area Pest Management Plan 2012-2016*.
73. 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.
74. Provide sub-surface strata cells around deep planting under adjacent hard stand areas to an extent commensurate with the mature root system extent of the trees, except within the access handle to Kombi St

### Retention of Existing Street Trees

75. The existing street trees in the road reserve must be assessed by a qualified person\* and retained and protected where possible. Where mature trees are to be removed, reasonable grounds must be given by the qualified person\*.

## UNITYWATER

76. 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).
77. The fire-fighting demand on Unitywater's water supply system from the development must not exceed 30 litres per second.
78. Water meters must be located on alternative boundaries to electrical pillars.
79. 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.
80. 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.

81. 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.
82. Storm water retention systems and gross pollutant traps must maintain a minimum clearance of 1.0 metre from Unitywater water supply and sewerage infrastructure.
83. 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.
84. 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.
85. The applicant must pay to Unitywater all levied charges in accordance with a Unitywater infrastructure charges notice.
86. A Certificate of Completion must be provided by Unitywater prior to the release of the survey plan.

<b>OPERATIONAL WORKS CONDITIONS</b>
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**PRIOR TO COMMENCEMENT OF WORKS****General**

87. Prior to requesting a prestart meeting:
  - (a) Receipt of endorsed Site Development Plan
88. A prestart meeting must be organised with Council prior to the commencement of any on site works. An OPW Pre-Start Meeting Request Form must be submitted to Council together with payment of the relevant application fee. The applicant must organise for the certifying RPEQ or other certifying entity, as well as the principal contractor/s for the operational works to be in attendance at the meeting.
89. A condition report including photographs of the frontage of the site must be completed and submitted to Council at the prestart meeting.
90. A Construction Management Plan must be submitted to Council prior to the prestart meeting, and must specifically address the following:
  - (b) Traffic management during all aspects of the construct phase including:
    - (i) A Traffic Management Control Plan in accordance with Manual of Uniform Traffic Control Devices (MUTCD) detailing all temporary signage and traffic control measures prior to construction.
    - (ii) Maintenance of safe pedestrian access across the frontage of the site both during daily construction and after daily construction has ceased.
    - (iii) Proposed fencing to the site during the construction phase of the development.

- (iv) Adequate parking arrangements for construction workers.
- (c) Maintenance and protection of water quality and existing drainage lines through the construction site through the implementation of appropriate erosion and sediment control measures.
- (d) Works programme identifying key components of the works and their respective durations.
- (e) 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 and services and other relevant issues.
- (f) Identification of complaint management procedures including:
  - (i) Contact details for the onsite manager.
  - (ii) Dispute resolution procedures.
- (g) 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 must be fully repaired at the applicant's expense.

Any changes to the details associated with the certifying RPEQ or Principal Contractor during construction, must be notified to Council in writing within five business days of the change occurring.

- 91. Any conflict between the development and an existing or proposed service must be referred to the relevant service authority for determination prior to commencement of works.

#### **Erosion and Sediment Control**

- 92. An Erosion and Sediment Control Plan (E&SCP) and a completed Design Certificate for Erosion and Sediment Control must be provided to Council's delegate in accordance with the requirements of the *Planning Scheme Policy for Development Works* prior to the onsite prestart meeting.

#### **Landscaping**

- 93. This approval must be coordinated with all other Operational Works approvals relating to this development.
- 94. A dilapidation report must be prepared for the public assets located within the adjacent Council land and retained for submission to Council if so requested.

#### **DURING CONSTRUCTION**

##### **General**

- 95. Where damage occurs to any Council asset as a result of the development works, it must be repaired immediately where it creates a hazard that presents risk to person or property. Other damage must be repaired prior to completion of works.
- 96. A Registered Professional Engineer, Queensland (RPEQ) must undertake the necessary supervision, inspections, testing and or auditing of the works to enable them to certify that all works conform to the Operational Works approval and current engineering standards. Where municipal works are involved, such confirmation must be submitted for the respective hold points prior to any site inspection by Council officers.



97. All works must be constructed and work procedure undertaken in accordance with:
- (a) The plans listed within the approved Site Development, documents and conditions detailed in Notice of Determination;
  - (b) The relevant conditions of the higher order Master Plan No. 44 (Detailed Planning Area Plan – Detailed Planning Area 2 – Bokarina Beach) 2015 to which this approval relates;
  - (c) All relevant Council Planning Scheme Policies, standard drawings, standard specifications and guidelines;
  - (d) The latest version of Water Sensitive Urban Design Technical Design Guidelines for South East Queensland (Healthy Waterways) for all water quality devices to be constructed on site.

#### **Roadworks (External Roadworks & Road Widening Works)**

98. All pavement widening or construction of new pavement must join neatly to the existing pavement so that there are no irregularities in line or level resulting at or adjacent to the join for the length of the construction. Where necessary the existing pavement must be brought to a satisfactory standard to allow for the above.
99. The installation and/or modification of any traffic signs, street signs, line marking and Raised Reflective Pavement Markings (RRPMs) must be in accordance with the Manual of Uniform Traffic Control Devices (MUTCD). New or relocated signage must be installed using the VLoc installation system. All new signage must be Class 1 retroreflective material in accordance with *AS 1906.1 - Retroreflective materials and devices for road traffic control purposes – Part 1: Retroreflective sheeting*.
100. Council must be notified prior to any works involving the removal or modification of existing Council traffic signs and/or parking bays. (where it is identified through a referral to Traffic Engineer - Integrated Transport that Council must undertake the works). Such works must be undertaken by Council at the applicants cost.

#### **Pavement Design and Construction**

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

#### **Works within Road Reserve/Reinstatement**

102. Safe pedestrian access on all streets in the vicinity of the development must be maintained at all times. Should footpath/road closures be necessary to carry out construction works, Council's Engineering Officer must be notified prior to the proposed closure and all requirements complied with.
103. All frontage works must match neatly with existing road and verge/footpath features. Additional works beyond the frontage may be required to provide an acceptable transition to existing road and verge/footpath profiles.
104. The applicant is fully responsible for all costs associated with the development works including alterations, rectification or removal of public utility as well as any unforeseen or unplanned costs necessary to fulfil the requirements of this approval.

### Pathways and Access Points

105. All pathways must be constructed in accordance with the following requirements:
- (a) All footpaths must comply with Council's Standard Drawing RS-065.
  - (b) Provision must be made for disabled access at all kerb crossings associated with pathways, in accordance with Council's Standard Drawing RS-090 and RS-091.
  - (c) All paths must have a slip resistant surface.
  - (d) Expansion and contraction joints must provide a flush finish. Installation of joints by saw cutting is preferred to ensure a smooth ride for cyclists.
  - (e) The required work includes any modifications to ensure the footpath finishes flush with all existing service covers and the like, or alternatively these services are raised or altered, so as not to create a pedestrian safety hazard.
106. Pathways must:
- (a) Terminate in a manner that ensures smooth transition to existing surfaces for public safety.
  - (b) Be designed and constructed to comply with the Disability Discrimination Act (DDA), Access to Premises Standard, Austroads and relevant sections of AS 1428 - *Design for access and mobility*.

### Site Access and Driveways

107. Driveway crossovers must be constructed in accordance with Council's Standard Drawing IPWEA RS-051.
108. Any existing unnecessary or redundant property access must be removed, and the kerb, footpath and verge area reinstated to match the existing footpath and verge treatments. Grassed verge areas to be reinstated must be provided with 100mm topsoil and turf, and must be maintained by the developer until established.
109. The following must be complied with during the construction of the required crossover/driveway:
- (a) Commercial driveway and parking must comply with Austroads.
  - (b) The driveway must be constructed so as not to concentrate stormwater runoff onto neighbouring properties.
  - (c) Underground service conduits for water supply, electricity and any other services must be provided as part of the access driveway.
  - (d) Where there is an existing pedestrian path, a matching crossfall must be provided for the driveway on the alignment of the path, for the full width of the path.
110. The property access must be located a minimum of 1m clear of power poles, streetlights, other signage, street trees and stormwater entry pits. The applicant is responsible for any necessary relocation of existing services to provide this clearance and must contact the relevant service authorities and comply with their requirements in relation to these works.

### Earthworks and Retaining Walls

111. All earthworks shall be undertaken in accordance with the provisions of AS 3798 - *Guidelines on earthworks for commercial and residential development*, with geotechnical testing undertaken in accordance with Section 8 of the Standard, and to a minimum of 'Level 1' as defined in Appendix B. Test results as required by AS 3798, and a certificate of quality and uniformity of fill, shall be provided by a RPEQ and submitted to Council prior to Council signing the Plan of Survey.

112. 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.
113. Safety barriers must be implemented where steep slope or fall hazards exist naturally or are created by the design. The barrier type must be assessed and designed by a RPEQ as being appropriate for each location and the anticipated risks during construction, establishment, maintenance and end use, in accordance with the following criteria and standards:  
Where located near publicly accessible paths, barriers in accordance with *Austrroads Guide to Road Design – Part 6A Paths for Walking and Cycling*.
- (a) Where located adjacent to vehicle manoeuvring areas, barriers in accordance with *AS 2890.1:2004 - Off-street parking*.
  - (b) Where located on residential boundary retaining walls greater than 1.0m high, 'full infill' barrier or equivalent performance boundary fence (e.g. 1.8m high timber).
  - (c) Where located in areas with limited access, barrier selection based on a suitable risk assessment method in *AS 2156.2 Walking Tracks*.
  - (d) All barriers must be certified to the appropriate load conditions from *AS 1170 - Structural Design Actions* by either the manufacturer or engineering calculations.
114. Slope and batters are a maximum grade of:
- (a) 1 in 4 for grassed areas.
  - (b) 1 in 3 for planted areas.
  - (c) 1 in 2 for combined structural engineering and planting solutions.

#### **Structures and Durability**

115. All steelwork must comply with an appropriate corrosion resistance in accordance with *AS 4312 - Atmospheric Corrosion Zones*. Where austenitic metals cannot be specified, a corrosion protection system must be specified to comply with *AS 2312 - Guide to the protection of structural steel against atmospheric corrosion by the use of protective coatings*. The specification for steelwork finishing must match or exceed *Table SC6.14.8A of the Planning scheme policy for development works*.

#### **Stormwater Drainage**

116. Appropriate scour protection must be provided at the outlet of all stormwater pipes including temporary outlets and designed in accordance with the *Queensland Urban Drainage Manual*.
117. Works associated with this permit must not adversely impact on the existing drainage conditions on other properties (eg. by blocking or interfering with natural overland flows).
118. Where the development involves excavation or filling over, or adjacent to drainage infrastructure access chamber surface levels must be adjusted to reduce stormwater ingress. Where located in landscaped areas, the pit must be raised to 100mm proud. Where located in turfed areas, pits must be raised nominally 100mm above finished level and locally graded out to prevent ponding.
119. The bio-retention media depth must be increased to 700mm where coincident tree planting is required to achieve landscape outcomes.

120. Construction of all internal stormwater drainage works must comply with the relevant sections of Australian Standard AS 3500.3 - *Plumbing and Drainage*.

#### **Bioretention Basins – Construction**

121. The bioretention devices must be constructed in accordance with the document *Construction and Establishment Guidelines: Swales, Bioretention Systems and Wetlands* (Water by Design, 2009). Option 1 of the staged construction and establishment methods is to be followed as documented in the guidelines.
122. The supervising RPEQ must include in their overall project certification that the bioretention device has been constructed in accordance with the Construction and Establishment Guidelines: Swales, Bioretention Systems and Wetlands (Water by Design, 2009), all conditions of approval, and the approved engineering drawings.
123. A construction hold point must be established once the bioretention device underdrainage pipe work is installed. At this time an inspection shall be arranged with the supervising/certifying RPEQ and a sample of the drainage layer, transition layer, and filtration media materials must be stockpiled on-site, so that the RPEQ certification can state that the filtration media complies with the specifications of the Guidelines Specifications for Soil Media in Bioretention Systems Version 3.01 (produced by the Facility for Advancing Water Biofiltration) after the RPEQ inspects these samples.
124. A construction hold point must be established before the temporary cover is to be removed from the bioretention device and an inspection must be arranged with the supervising/certifying RPEQ.

#### **Work Hours**

125. Construction and earthworks (including the entry and departure of heavy vehicles) must only occur between the hours of 7:00am to 6:00pm Monday to Saturday with no work on Sunday or Public Holidays unless otherwise approved by Council.

#### **Construction Materials, Equipment and Waste**

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

#### **Fill Material**

127. Filling of land must be undertaken using the following inert materials only in accordance with the *Waste Reduction and Recycling Act 2011* using either of the following:
- (a) If pulverised so that no piece has any dimension of more than 100mm:
    - (i) Bricks, pavers or ceramics.
    - (ii) Concrete that does not have any steel reinforcing rods embedded in it.
  - (b) Clean earth\*.
- \* (Refer to Advisory Note)

## VEGETATION PROTECTION

### Retention of Existing Street Trees

128. Street trees must be protected in accordance with AS 4970, *Protection of trees on development sites*, unless requiring removal to facilitate a formal driveway access.
129. All tree and vegetation removal works must be undertaken by a qualified person\*.  
*\*(Refer to Advisory Note)*

## FOLLOWING CONSTRUCTION

### Supervision/Certification

130. Upon completion of the work a certificate must be issued by a RPEQ certifying that the works have been undertaken in accordance with the Operational Works approval.
131. Prior to commencement of use the following (prepared by respective qualified persons\* and certifying compliance with approvals) must be submitted to council:
- (a) Landscaping certification confirming all works have been constructed in accordance with conditions of approval.
  - (b) AS2303:2015 certification (Tree Stock for Landscape Use).  
*(\* Refer to Advisory Note)*

### As Constructed Plans

132. Prior to acceptance On Maintenance of civil works intended to become Council assets, As Constructed records must be submitted to and approved by Council. The As Constructed information must include:
- (a) Drawings and data certified by a RPEQ for design intent, and certified by a Licensed Surveyor in regard to the cadastre and the location, level and type of all services and structures.
  - (b) The data must be in accordance with Council's Planning Scheme Policy for Development Works and fully detail levels for all engineering works including, but not limited to, drainage structures, finished ground levels and pavement surface levels. The data must be submitted in hardcopy form and digital format (Asset Design and As Constructed (ADAC)). Guidelines on the use of ADAC are available at [www.adac.com.au](http://www.adac.com.au)

### On Maintenance

133. All municipal works must be accepted On Maintenance by Council in accordance with Council's relevant Planning Scheme Policy prior to plan sealing. To achieve On Maintenance, the certifying RPEQ must submit to Council:
- (a) Certification (including landscape works) that all works have been undertaken and completed in accordance with the requirements of this approval.
  - (b) As Constructed details in accordance with Council's relevant Planning Scheme Policy.
  - (c) Maintenance and operational manuals for all proprietary devices.

### Off Maintenance

134. Prior to requesting an Off Maintenance inspection the applicant must provide:
- (a) Written request of bond release.

135. A re-inspection fee in accordance with Council's Fees and Charges Register will be charged where:
- A Council inspection reveals works do not comply with approval requirements.
  - Submitted certification falsely states works comply with approval requirements.

#### Bioretention Basins – Commissioning & Maintenance

136. All stormwater quality treatment devices must be maintained by the development in accordance with Water by Design (2009) Maintaining Vegetated Stormwater Assets (Version 1) for the life of the Development.

## 2. REFERENCED DOCUMENTS

The following documents are referenced in the assessment manager conditions:

### Referenced Documents

Document No.	Rev.	Document Name	Date
1885-WMP-01	1.1	<i>Waste Management Report for Lot 905, Corner of Bokarina Boulevard and Longboard Parade, Bokarina Beach, prepared by Barlow Shelly Consulting Engineers</i>	16 August 2019
J000567-001-R-Rev0_ASSMP	0	<i>Acid Sulfate Soil Management Plan Proposed Unit Development Lot 905 Bokarina Beach, prepared by Core Consultants Pty Ltd</i>	April 2019
1885-ENG-01	1.0	<i>Engineering Report (Including Site-Based Stormwater Management Plan), prepared by Barlow Shelly Consulting Engineers</i>	April 2019

## 3. 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

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

### Aboriginal Cultural Heritage Act 2003

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

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

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

### Easements and Future Works over External Land

3. Should the conditions of this 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.

### Definition of Storeys

5. The applicable definition of "Storeys" is in Master Plan No. 44 (Detailed Planning Area Plan – Detailed Planning Area 2 – Bokarina Beach) 2015.

## ENGINEERING

### Qualified Person

6. For the purpose of preparing a geotechnical report, and for certifying geotechnical stability for the development, a qualified person is considered to be a person who:
  - (a) is a Registered Professional Engineer of Queensland (RPEQ)
  - (b) has a degree in civil engineering or engineering geology
  - (c) has a minimum of five (5) years experience in the field of geotechnical engineering or engineering geology.
7. 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.

8. 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.

#### **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.

#### **Community Title Scheme - Private Infrastructure**

12. All private infrastructure for the development must be designed to meet the planning scheme requirements unless otherwise agreed by the relevant authority.

#### **Bioretention Basin Educational Signage**

13. Suggested wording for the permanent educational signage required by this development approval is as follows:

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

#### **General Advisory Note**

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

#### **Prestart, On and Off Maintenance Inspections Request**

15. Contact Council on (07) 5475 9866 to arrange a prestart or an inspection giving a minimum of five business days' notice of preferred inspection time.



16. If Council officers are required to undertake additional inspections of the same works, a re-inspection fee will be applicable in accordance with Council's Fees and Charges Register applicable at the time.
17. A minimum maintenance period of 12 months will apply to all municipal works and thereafter until such time as the works are performing in accordance with the approved design unless notified otherwise.

#### Civil Engineering Advisory Notes

18. A separate development permit for Operational Works must be obtained prior to any modification of existing property accesses, the construction of any new property access, or the commencement of any other works in the road reserve that do not form part of this approval.

#### Environmental Advisory Notes

19. 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.

#### Environmental Health

20. **Clean earth** means earth that has trace elements and contaminant levels within the interim ecologically-based investigation levels for urban land use under the document titled *Schedule B(1)—Guidelines on the Investigation of Soil and Groundwater, forming part of the National Environment Protection (Assessment of Site Contamination) Measure 1999*, made by the National Environment Protection Council under the *National Environment Protection Council Act 1994* (Commonwealth), section 14(1).
21. Waste includes anything, other than a resource approved (i.e. recyclable) under the *Waste Reduction and Recycling Act 2011* (Chapter 8) that is:
  - (c) Left over, or an unwanted by-product, from an industrial, commercial, domestic or other activity; or
  - (d) Surplus to the industrial, commercial, domestic or other activity generating the waste.

#### ENVIRONMENTAL HEALTH

##### Qualified Person

22. 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).
23. 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.

24. For the purpose of certifying lighting devices (in relation to *AS 4282 - Control of the obtrusive effects of outdoor lighting*) for the development, a qualified person is considered to be either: a Registered Professional Engineer of Queensland (RPEQ);
- (a) an environmental or electrical design consultant with a minimum of three (3) years current experience in the field of outdoor lighting.

#### **Noise – Fixed Plant and Equipment**

25. 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**

26. 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.

#### **Food Premises**

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

#### **Trade Waste**

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

#### **Environmental Harm**

29. The *Environmental Protection Act 1994* requires 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. Contact Council or the Department of Environment & Heritage Protection for further information with respect to *Environmental Protection Act 1994* requirements.

## LANDSCAPING

### Qualified Person

30. 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.
  
31. Qualified Person, for the purpose of:
  - (a) Supervising landscape works and preparing a landscape certification, is considered to be a landscape architect, landscape designer or horticulturist with a minimum of three years current experience in the field of landscape design.
  - (b) Undertaking landscape construction and establishment works is considered to be a person with five years current experience in commercial landscape construction projects.
  - (c) Undertaking rehabilitation construction and establishment works is considered to be a person with five years current experience in revegetation and regeneration.
  - (d) Undertaking, supervising tree works and preparing arboriculture certification, is considered to be a person with a minimum three years current experience in tree protection, hazard identification/mitigation and AS2303:2015 certification (Tree Stock for Landscape Use) assessment and either:
    - (i) International Society of Arboriculture (ISA) certification; or
    - (ii) A Diploma of Arboriculture.

### Landscape Works

32. The applicant must pay the re-inspection fee in accordance with council's Fees and Charges Register where:
  - (a) An inspection revealed that any constructed rehabilitation/landscape works do not comply with the conditions of the Notice of Determination, plans listed within the approved Site Development Plan;
  - (b) Certification is submitted to council falsely stating that works comply with the plans listed within the approved Site Development Plan, documents and or conditions of the Notice of Determination.
  
33. Public amenity trees are defined as any tree located within public streets, parks or areas that will become publically owned as a result of this development.

### Landscape Establishment

34. Establishment includes maintaining the works to ensure:
  - (a) Compliance with the intent and requirements of all approvals and to aesthetically compliment the surrounding local area.
  - (b) Rectifications of works failing 'on ground' are carried out to a solution that still meets approval intents.
  - (c) Mulching, watering, fertilising and aeration of garden areas occurs in line with best practice.
  - (d) Cleaning of all external surfaces including prompt removal of graffiti is undertaken.
  - (e) Replacement of dead or poorly performing plants.

## UNITYWATER

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

## 4. PROPERTY NOTES

### Master Plans – Council Reference MPC18/0004.01

*The following notation applies to all dwelling units and the common property lot*

1. This site is identified as Precinct 8 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) 2015;
  - Master Plan No. 104 (Site Development Plan – Detailed Planning Area 2 – Precinct 8) 2018.

These master plans provide detail with respect to, but not limited to land use areas, permitted land uses, lot layout, infrastructure networks, and urban design outcomes. All development is required to comply with the provisions of the applicable Master Plans and any conditions attached to the master Plan approvals.

### Minimising Light Impacts on Turtle Breeding – Council Reference MPC18/0004.01

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

2. 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.
3. 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.

## 5. FURTHER DEVELOPMENT PERMITS REQUIRED

- Design Plan approval
- Development Permit for Building Work

## 6. OTHER DETAILS

If you wish to obtain more information about Council's decision, electronic copies are available on line at [www.sunshinecoast.qld.gov.au](http://www.sunshinecoast.qld.gov.au), or at Council Offices.