

APPENDIX C: Details for Notice of Determination - Master Plan No. 108 – Site Development Plan for Precinct 2a (Business Village)**ASSESSMENT MANAGER CONDITIONS****LAND USE CONDITIONS****PLANNING****General**

1. This Site Development Plan approval has no force or effect until the higher order amended Detailed Planning Area Plan - Master Plan No. 5 (Detailed Planning Area Plan – Business Village) 2004 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 of the new building 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. 108 (Site Development Plan - Detailed Planning Area 9 - Precinct 2a) 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, resubmitted to Council and endorsed by Council prior to issue of a Building Approval for the development.
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 version of amended Master Plan No. 5 (Detailed Planning Area Plan - Business Village) 2004 approved by the Department of Natural Resources, Mines and Energy;
 - (b) Amend the Master Plan document to remove section 10.0.4.
 - (c) Amend the landscaping plans to:
 - (i) Retain existing healthy landscape within the Kawana Way frontage buffer, and side boundary landscape strips. Amend plans to include removal of dead dying or poorly performing plant material, pruning and canopy lifting of trees as required, infill planting throughout to achieve trees at approximately 6 metre spacing, shrubs to a maximum of 1 to 1.5m high and groundcovers for coverage of the remainder (shrub planting has been set to this height to ensure the artwork on the architectural screen is visible);

- (ii) Include landscaping to the northern side boundary of trees, shrubs and groundcovers to improve the amenity of this interface;
 - (iii) Replace the 2 *Cupaniopsis anacardiodes* located at the south western corner and north western corner of the car park with 2 large feature trees, e.g. *Ficus oblique*;
 - (iv) Street trees to Kawana Way at 6 metre centres. *Elaeocarpus obovatus* or *Acmena hemilampra* are recommended.
- (d) Amend the ground floor plan to show:
- (i) Wheel stops in accordance with AS/NZS 2890.01 for all parking spaces along the pedestrian walkways to protect pedestrians;
 - (ii) Ground floor carpark on the eastern end of the southernmost row to be linemarked as a turnaround space. Replace with an additional motorcycle bay in a suitable location as per Australian Standards;
 - (iii) Signage and line marking required as per the MUTCD (separate plan preferred);
 - (iv) The addition of as many motorcycle/scooter spaces as possible;
 - (v) The addition of staff and visitor bicycle spaces as per the conditions of this notice;
 - (vi) WCV space to be provided with appropriate access as per Table SC6.170 Service Vehicles (Planning Scheme Policy for the Transport and Parking Code).
- (e) Amend the Car Park Mezzanine Plan as follows:
- (i) Wheel stops in accordance with AS/NZS 2890.01 for all parking spaces along the pedestrian walkways to protect pedestrians;
 - (ii) First floor carpark at the eastern end of the southernmost row to be linemarked as a turnaround space. Replace with an additional motorcycle bay in a suitable location as per Australian Standards;
 - (iii) First floor carpark at the eastern end of the northernmost row to be linemarked as a turnaround space. Replace with an additional motorcycle bay in a suitable location as per Australian Standards;
 - (iv) Add as many motorcycle/scooter spaces as possible;
 - (v) Signage and line marking required as per the MUTCD (separate plan preferred).
- (f) Amend the plans to show end of trip facilities for cyclists as per the conditions of this notice.
- (g) Amend the roof plan for consistency with the building siting shown on the other listed plans.

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 definition within Caloundra City Planning Scheme 1996.
8. Advertising devices are limited to those listed in Column 1 of Table 1 – Supplementary Table of Development of Master Plan No.108, 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. 108.

Building Height

9. The maximum height of the development must not exceed 13.5 metres above natural ground level, unless for rooftop structures, roofs, mechanical plant and service equipment and lift machinery rooms, which must not exceed 18.5 metres above natural ground level in accordance with Caloundra City Planning Scheme 1996 Local Planning Policy PDLPP 3.7/01.
10. 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

11. The approved building must be constructed such that its external appearance achieves a high quality design finish, including the degree of building form articulation, window coverage, openings, roof overhangs, feature cladding materials, finishes, varied building treatments and finishes shown on the Approved Plans, with no inclusions or future alterations being made without approval in writing by council.
12. Any security screens on the premises consist of grille or translucent screens and not solid shutters, screens or roller-doors.
13. 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.
14. No part of the site may be used for outdoor storage of materials unless specified on the Approved Plans or the conditions of this development approval.

Public Safety

15. Vandal proof materials and anti-graffiti paint must be used in the building construction.
16. Signs must be provided and located to direct people to entries and exits and to parking spaces within the site. Public parking areas must be clearly designated as such and have clearly defined access points.
17. Visitor bicycle parking facilities must be located so that they are visible from the street. Alternatively clear directional signage must be provided to direct visitors from the street to the visitor bicycle parking.
18. During operating hours, all building entrances, parking areas, pedestrian areas and entrances/exits to all stairwells, lifts, foyers/reception areas, must be well lit with vandal resistant lighting and with intensities to satisfy the requirements of *AS 1158 – Lighting for Roads and Public Spaces* and the *Sunshine Coast Public Lighting Plan*. Lighting must be directed onto the site or building and away from neighbouring sites. Lighting must be designed to reduce the contrast between shadows and well lit areas.

19. Multi-level car parks must include the following:
- (a) Emergency telephones to security personnel;
 - (b) Mechanical surveillance;
 - (c) Alarms, poles or other similarly effective safety and security measures.

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.

Bus Service

21. A regular bus service must be available between the subject site, University of the Sunshine Coast Sippy Downs Campus, for use by staff, students, patients and visitors. Between 9am and 5pm Monday to Friday (public holidays excluded), the services must operate at least every 30 minutes, or be provided on-demand (unless otherwise agreed in writing by Council). Where such a service is not provided by others, the applicant must provide the service.*
(*Refer Advisory Notes)

ENGINEERING

RPEQ Certification

22. Upon completion of the building work and prior to commencement of use, the applicant must submit certification from an RPEQ that all works referred to in the following engineering conditions have been undertaken in accordance with the plans listed within the approved Site Development Plan (as amended in accordance with the conditions of this notice) and the conditions of this notice.

On-site Parking

23. A minimum of 109 car parking spaces must be provided and marked on the site. A minimum of 18 of these car parking spaces must be made available and accessible to the public at all times while the use is open (e.g. they must not be located behind a boom gate). The works must include in particular:
- (a) Pedestrian routes in accordance with the conditions of this development approval;
 - (b) Provision of vandal resistant public lighting with intensities to satisfy the Requirements of *AS 1158 – Lighting for roads and public spaces*;
 - (c) Dimensions, crossfalls and gradients in accordance with *AS 2890 - Parking facilities*.
24. A minimum of 3 motorcycle/scooter parking spaces must be provided and marked on the site. The works must include in particular dimensions, crossfalls and gradients in accordance with *AS 2890 - Parking facilities*.
25. 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.
26. Directional signage must be provided to direct visitors and customers to the car parking spaces provided on-site.

Service Vehicles

27. Service vehicle parking, manoeuvring and standing spaces must be provided on the site. The works must be undertaken in accordance with *AS 2890.2 - Off-street commercial vehicle facilities* and must include a minimum of 1 WCV standing area.

Pedestrian and Bicycle Facilities

28. Pedestrian and bicycle facilities must be provided for the development. The works 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;
 - (d) Pedestrian refuge areas at strategic locations within the car park to ensure safe and convenient congregating of pedestrians waiting to cross major access driveways;
 - (e) A minimum of 20 staff bicycle parking spaces, in accordance with AS 2890.3 – *Bicycle parking*;
 - (f) A minimum of 20 visitor bicycle parking spaces, in accordance with AS 2890.3 – *Bicycle parking*;
 - (g) End of trip facilities involving 20 lockers, 2 male and 2 female showers and 1 male and 1 female change room.

Utility Services

29. Underground reticulated electricity and telecommunication services must be provided to the development in accordance with the standards and requirements of the relevant service provider.
30. An underground connection to reticulated water and sewerage (where applicable) 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).
31. Internal private water and sewer reticulation must be constructed in accordance with a compliance approval for plumbing and drainage work issued by council. Evidence of the compliance approval must be submitted to council prior to endorsement of the survey plan.
32. 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

33. All fill and associated batters must be contained entirely within the subject site. All earthworks must be undertaken in accordance with the provisions of AS 3798 - *Guidelines on earthworks for commercial and residential developments*.

Damage to Services and Assets

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

Stormwater Drainage

35. 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 the Queensland Urban Drainage Manual, and must include in particular:
- (a) Alternate measures required in the form of the minimum 80% of roof area connected to a rainwater tank sized for 15L per square metre of total roof area for external use only.

Flood Immunity

36. The surface levels of all lots, excluding drainage reserves, must be constructed to provide flood immunity. The works must include in particular surface levels that are consistent with the requirements of the Kawana Waters Structure Plan and Master Plan No. 5 (Detailed Planning Area Plan – Business Village) 2004 and the conditions applying to these master plans.

Acid Sulfate Soils

37. An acid sulfate soils investigation must be undertaken in accordance with council's *Planning scheme policy for the acid sulfate soils overlay code* (Sunshine Coast Planning Scheme 2014). Where the investigation identifies acid sulfate soils that require management, all works must be carried out in accordance with an acid sulfate soil and groundwater management plan (or part thereof) prepared by a qualified person* and endorsed by Council prior to the pre-start meeting.
**(Refer to Advisory Note).*
38. 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.

ENVIRONMENTAL HEALTH

Waste Management

39. Refuse storage, removal and collection facilities must be provided in accordance with the following:
- (a) provision of a minimum of two 1100L bulk bins for general waste, and two 240L wheelie bins (or equivalent bulk bin volume) for recyclable waste for the development;
 - (b) collection by service vehicles from within the site only in a safe, efficient and unobstructed manner;
 - (c) 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 communal bin store (i.e. no steps, edging, ledges or the like), such that bins can be manually handled to the waste collection vehicle for servicing;
 - (d) provision of a 1.8m high purpose built enclosure to the bin storage and collection area/s, which is screened from the street and adjoining properties by landscaping;
 - (e) provision of a readily accessible wash-down area in the vicinity of the permanent bin storage area fitted with a hosecock, bin roll over bund, and drain connected to the sewer that has a stormwater catchment area of no more than 1m².

LANDSCAPING

Landscaping Works

40. The development site must be landscaped. The works must be undertaken in accordance with an operational works approval and must include in particular:
- (a) The works shown on the Landscaping Plans listed in the approved Site Development Plan;
 - (b) A 3 metre wide landscaping strip along the Kawana Way road frontage of the subject site generally uncompromised by infrastructure items;
 - (c) Refurbishment of existing side boundary landscape areas to achieve a mix of trees capable of screening, shrubs and groundcovers;
 - (d) Refurbishment of existing landscape areas, including the replacement of dead or dying plant material, retention of healthy plants and plants contribute to the existing amenity;
 - (e) Vegetated screening of vehicle ramp facing Kawana Way and the car park designed such that it will be screened at maturity;
 - (f) Vegetated screening of any outdoor service or storage areas from the road frontage
 - (g) Provision of one (1) street tree within the Kawana Way road reserve for every six (6)m of road frontage;
 - (h) Removal 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.

41. 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

The following Unitywater conditions are applied in accordance with the *South East Queensland (Distribution and Retail) Restructuring Act 2009* and Unitywater's Interim Connections Policy. The conditions below form part of a water connection aspect which are taken to be a water approval for a staged connection. Any future applications must be made to Unitywater under *South East Queensland (Distribution and Retail) Restructuring Act 2009*. Unitywater can be contacted as follows:

Phone: 1300 0 Unity (1300 086 489)

Email: Development.Services@unitywater.com

Web: www.unitywater.com

42. 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).
43. The fire-fighting demand on Unitywater's water supply system from the development must not exceed 30 litres per second.
44. Storm water retention/detention systems and gross pollutant traps must maintain a minimum clearance of 1.0 metre from Unitywater water supply and sewerage infrastructure.
45. 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.

OPERATIONAL WORKS (LANDSCAPING) CONDITONS

PRIOR TO COMMENCEMENT OF WORKS

46. Prior to requesting a prestart meeting:
- (a) Provide receipt of amended plans approval.

DURING CONSTRUCTION

General

47. 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.
48. All works must be constructed and work procedure undertaken in accordance with:
- (a) The approved plans/documents and conditions detailed in this Decision Notice;
- (b) The relevant conditions of the higher order Material Change of Use approval MPC19/0001 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.

FOLLOWING CONSTRUCTION

Landscape Establishment

49. Provide a minimum 12 weeks establishment of the landscape the works including public street trees.
(* Refer to Advisory Note)

Supervision/Certification

50. 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 *Tree stock for landscape use* certification (addressing each specimen).
(* Refer to Advisory Note)

ADVISORY NOTES

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

PLANNING

Other Laws and Requirements

1. This approval relates to development requiring approval under the *Planning Act 2016* only. It is the applicant's responsibility to obtain any other necessary approvals, licences or permits required under State and Commonwealth legislation or council local law, prior to carrying out the development. Information with respect to other council approvals, licences or permits may be found on the Sunshine Coast Council website (www.sunshinecoast.qld.gov.au). For information about State and Commonwealth requirements please consult with these agencies directly.

Development Compliance Inspection

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

Bus Service

3. The current Translink bus route no. 607 meets the requirements of the bus service condition. If the service is altered in future such that it no longer meets the requirements of the condition, the applicant will be responsible for ensuring a suitable alternative is provided.

Architectural Screen Art Work

4. Any changes proposed to the art work shown on the architectural screen in the plans listed within the approved Site Development Plan must be endorsed by Council through a Generally in Accordance request.

Equitable Access and Facilities

5. 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 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

6. *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

7. 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.

ENGINEERING

Water and Sewerage Services

8. 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.

9. 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.

LANDSCAPING

Qualified Person

10. 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.
11. 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 Specifying Trees – a guide to assessment of tree quality (NATSPEC) assessment and either:
 - (i) International Society of Arboriculture (ISA) certification; or
 - (ii) A Diploma of Arboriculture.

Landscape Works

12. 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 Decision Notice, Approved Plans and or Approved Documents;
 - (b) Certification is submitted to council falsely stating that works comply with the approved plans, documents and or conditions of the Decision Notice.
13. 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

14. 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, 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

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

PROPERTY NOTES

Master Plans – Council Reference MPC19/0001

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

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. 5 (Detailed Planning Area Plan – Business Village) 2004;
- Master Plan No. 108 (Site Development Plan – Business Village – Precinct 2a) 2019.

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.

FURTHER DEVELOPMENT PERMITS REQUIRED

- 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.