

APPENDIX A - CONDITIONS OF APPROVAL

1. APPLICATION DETAILS

Application No:	MCU13/0260
Street Address:	14 King St KINGS BEACH
Real Property Description:	Lot 15 C 27610
Planning Scheme:	Caloundra City Plan 2004 (16 September 2013)

2. DECISION DETAILS

The following type of approval has been issued:

Development Permit for Material Change of Use of Premises (Duplex Dwelling)

3. RELEVANT PERIOD OF APPROVAL

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

4. ASSESSMENT MANAGER CONDITIONS

PLANNING

When Conditions must be Complied With

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

Approved Plans

2. Development authorised by this approval must be undertaken generally in accordance with the Approved Plans listed within this Decision Notice.

Building Height

3. The maximum height of the development must not exceed 8.5 metres above ground level.

Street Identification

4. 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.

Building Appearance

5. All air conditioning units or other mechanical equipment must be located at ground level, or otherwise fully enclosed or screened such that they are not visible from the street frontages nor adjoining properties.

Fencing and Walls

6. Any street fencing and walls must not exceed a maximum height of:
 - (a) 1.8m, where at least 50% of the fence or wall is transparent, or
 - (b) 1.2m otherwise.

Community Management Statement

7. 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 endorsement at the same time as submission of the Building Format Plan (or similar) to Council for compliance assessment.
8. All clauses and by-laws of the proposed Community Management Statement must accord with the requirements of this Decision Notice.

ENGINEERING**External Works**

9. King Street must be upgraded for the length of its frontage to the subject site. The works must be undertaken in accordance with an Operational Works approval and must include in particular:
 - (a) removal of the existing property access and reinstatement of the kerb, footpath and verge area to match the balance of the site frontage, including the provision of topsoil and turf where the existing verge is grassed
 - (b) relocation/reinstatement of the existing access driveway to Unit 1 in a manner that does not disadvantage that property

Site Access and Driveways

10. A sealed access driveway must be provided from King Street to all parking and manoeuvring areas of the development. The works must be undertaken in accordance with an Operational Works approval and must include in particular:
 - (a) a driveway crossover in accordance with IPWEAQ standard drawing SEQ R-050
 - (b) a sealed driveway 3 metres wide for the full length of the access handle, including underground service conduits for all utility services.

Car Parking

11. A minimum of 5 car parking spaces must be provided for the development.
12. All car parking areas and access driveways must be maintained exclusively for vehicle parking and manoeuvring and kept in a tidy and safe condition at all times.

Telecommunication Services

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

Easements

15. Unless otherwise agreed in writing by the relevant service provider, any public or third party infrastructure located on the subject site must be placed within an easement registered against the title of the property.
16. All easements must be designed in accordance with the planning scheme and granted at no cost to the Grantee. Where the Grantee is Council or a service authority, the easement documentation must be in accordance with the Grantee's standard easement terms. Draft easement documentation must be submitted to Council for endorsement.
17. All works must be kept clear of any existing or proposed easements on the subject land, unless agreed otherwise in writing by the Grantee.

Earthworks and Retaining Walls

18. All fill and associated batters must be undertaken in accordance with an Operational Works approval, and contained entirely within the subject site unless written permission from the respective landowner(s) is provided to Council.

HYDRAULICS & WATER QUALITY**Stormwater Drainage**

19. The site must be provided with a stormwater drainage system connecting to a lawful point of discharge. The works must be undertaken in accordance with an operational works approval and the Queensland Urban Drainage Manual.

Flood Immunity

20. The minimum floor level of all buildings constructed on the site must be in accordance with the Approved Plans.

WATER & SEWERAGE

21. Reticulated water supply and sewerage must be provided to the development.
22. Construction activities must not impede the access of Unitywater or Fire Brigade personnel to vital infrastructure (eg. valves, fire hydrants and sewer access chambers).

23. The fire-fighting demand on Unitywater's water supply system from the development must not exceed 15 litres per second.
24. A separate 25mm PE water service must be installed to a common lot boundary with independent meters installed outside the boundary of the lot in accordance with Unitywater and SEQ Standard Drawings.
25. The meter must be Unitywater approved, installed in accordance with Unitywater requirements and remain accessible at all times for reading and maintenance purposes.
26. Water meters must be located on alternative boundaries to electrical pillars.
27. 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.
28. 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.

LANDSCAPE

29. The development site must be landscaped. The landscape works must be undertaken in accordance with an Operational Works approval in accordance with the requirements of the Kings Beach Revitalisation Area, the Central Caloundra Planning Area Code, the Duplex Dwelling Code and the Landscape Code. The landscape works must provide a landscape design and planting schedule that must provide through function, form, texture and colour a relationship to the immediate site context. The planting schedule must reflect, enhance and integrate with the architectural built form and the Kings Beach coastal location.
30. 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.
31. All landscape works must be maintained for the life of the development.
32. Any damage to turf, street trees or footpath within the adjacent road reserves as a result of construction activities is to be repaired and made good prior to the use commencing.

5. REFERRAL AGENCIES

Not Applicable.

6. APPROVED PLANS

The following plans are Approved Plans for the development:

Approved Plans

Plan No.	Rev.	Plan Name	Date
CQ113005	3	Site Layout, prepared by Classic Kit Homes	16/12/13
CQ113005, sht 2	3	Ground Floor Layout, prepared by Classic Kit Homes	16/12/13
CQ113005, sht 3	3	Elevation 1-2, prepared by Classic Kit Homes	16/12/13
CQ113005, sht 4	3	Elevation 3-4, prepared by Classic Kit Homes	16/12/13

7. REFERENCED DOCUMENTS

Not Applicable.

8. ADVISORY NOTES

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

PLANNING**Other Laws and Requirements**

1. This approval relates to development requiring approval under the *Sustainable Planning Act 2009* only. It is the applicant's responsibility to obtain any other necessary approvals, licences or permits required under State and Federal legislation or Council local law, prior to carrying out the development. Information with respect to other Council approvals, licences or permits may be found in the "Laws & Permits" page of the Sunshine Coast Council website (www.sunshinecoast.qld.gov.au). For information about State and Federal requirements please consult with these agencies directly.

Infrastructure Charges

2. This Development Permit may trigger an "Adopted Infrastructure Charge Notice" (if applicable) to be issued in accordance with Council's "*Adopted Infrastructure Charges Resolution*" under the State Planning Regulatory Provision (Adopted Charges) and the *Sustainable Planning Act 2009*.

Equitable Access and Facilities

3. The plans for the proposed building work have NOT been assessed for compliance with the requirements of the National Construction Code - Building Code of Australia (Volume 1) as they relate to people with disabilities. Your attention is also directed to the fact that in addition to the requirements of the National Construction Code as they

relate to people with disabilities, one or more of the following may impact on the proposed building work:

- (a) the *Disability Discrimination Act 1992* (Commonwealth);
- (b) the *Anti-Discrimination Act 1991* (Queensland); and
- (c) the Disability (Access to Premises – Buildings) Standards

Aboriginal Cultural Heritage Act 2003

4. 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 and Resources Tribunal, 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 Co-ordination Unit on 07 3239 3647 to discuss any obligations under the ACH Act.

LANDSCAPE

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

WATER & SEWERAGE

6. Connection to Unitywater live water mains and the Unitywater live sewer system must be undertaken by Unitywater at the applicant’s cost.
7. A 150mm diameter watermain is located within the road boundary fronting the proposed site in **King Street**, Construction works, heavy traffic crossing the main, excessive vibration and excavation close to the main may cause damage to the pipe. Extreme care is required when working close to this infrastructure. All costs associated with repair, replacement or alteration of infrastructure must be met by the applicant

9. PROPERTY NOTES

Not Applicable.

10. PRELIMINARY APPROVAL OVERRIDING PLANNING SCHEME

Not Applicable.

11. FURTHER DEVELOPMENT PERMITS REQUIRED

- Development Permit for Building Work (Duplex Dwelling)
- Development Permit for Operational Works (Civil & Landscaping)

12. SELF ASSESSABLE CODES

Not Applicable.

13. SUBMISSIONS

There was 1 not properly made submissions about the application.

14. REASONS / GROUNDS FOR APPROVAL DESPITE CONFLICT WITH SCHEME

Not Applicable.

15. RIGHTS OF APPEAL

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

During the appeal period, you as the applicant may suspend your appeal period and make written representations to council about the conditions contained within the development approval. If council agrees or agrees in part with the representations, a “negotiated decision notice” will be issued. Only one “negotiated decision notice” may be given. Taking this step will defer your appeal period, which will commence again from the start the day after you receive a “negotiated decision notice”.

16. OTHER DETAILS

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

Item 8.1.1 Development Permit for Material Change of Use (Duplex Dwelling) at 14 King Street, Kings Beach

Appendix A Conditions of Approval
