

## APPENDIX A - CONDITIONS OF APPROVAL

### 1. APPLICATION DETAILS

Application No:	MCU17/0095, MCU17/0096 & REC17/0056
Street Address:	David Low Way, Yaroomba
Real Property Description:	Lots 12, 15 & 16 SP238214 Lots 20, 336-340 SP219217 Lot 25 SP269561
Planning Scheme:	Sunshine Coast Planning Scheme 2014 (27 February 2017)

### 2. DECISION DETAILS

The following type of approval has been issued:

- Preliminary Approval (in accordance with Section 242 of the *Sustainable Planning Act 2009*) for Material Change of Use of Premises to establish Yaroomba Beach Master Plan.
- Development Permit for Material Change of Use for Resort Complex, Multiple Dwellings, Short Term Accommodation, Shopping Centre, Educational Establishment, Community Use and Utility Installation.
- Development Permit for Reconfiguration of a Lot – 10 lots into 13 lots (2 commercial lots, 3 park/carpark lots, 2 buffer lots, 1 transfer station lot, 1 principal body corporate lot, 2 access lots, 2 balance management lots and access easements).

### 3. RELEVANT PERIOD OF APPROVAL

The relevant period for all aspects of the development is 6 years starting the day that this development approval takes effect.

### 4. INFRASTRUCTURE

Where conditions relate to the provision of infrastructure, these are non-trunk infrastructure conditions unless specifically nominated as a "necessary infrastructure condition" for the provision of trunk infrastructure as defined under chapter 8 of the *Sustainable Planning Act 2009*.

### 5. ASSESSMENT MANAGER CONDITIONS

#### PRELIMINARY APPROVAL (IN ACCORDANCE WITH SECTION 242 OF THE *SUSTAINABLE PLANNING ACT 2009*) FOR MATERIAL CHANGE OF USE OF PREMISES TO ESTABLISH YAROOMBA BEACH MASTER PLAN

#### 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.

##### Effect of Infrastructure Agreement

2. The land owner, developer and operator must comply with the obligations of the Infrastructure Agreement executed on XX June 2018.

FM6417/2-28/09/2012

### Master Plan

3. Development authorised by this approval must be undertaken in accordance with the Yaroomba Beach Master Plan Preliminary Approval document listed within this Decision Notice and any subsequent related development approval. Yaroomba Beach Master Plan Preliminary Approval document must be amended to incorporate the amendments listed within this Decision Notice and resubmitted to Council prior to the submission of any related application for Material Change of Use, Reconfiguring a Lot or Operational Work.  
*\*(Refer to Advisory Note)*

### Nature and Extent of Approved Use

4. A s242 Preliminary Approval (Overriding the Planning Scheme) is granted for a Material Change of Use for to establish the Yaroomba Beach Master Plan.
5. This approval overrides the planning scheme pursuant to s242 of the Sustainable Planning Act 2009 for the life of the approval, and the Yaroomba Beach Master Plan Preliminary Approval document listed in this Decision Notice varies the planning scheme to the extent stated within that document and in particular that:
  - (a) the Supplementary Table of Assessment listed in this decision notice replaces the planning scheme in declaring the level of assessment for development to the extent stated within that document
  - (b) the Addendum Coolool Local Plan Code (Yaroomba Beach) replaces the planning scheme codes to the extent identified in the Supplementary Table of Assessment listed in this decision notice.
6. Lodgement requirements and assessment criteria of future development within the land subject to this preliminary approval will be as follows:
  - (a) for any future Material Change of Use (where nominated), as directed by the Supplementary Table of Assessment in the Yaroomba Beach Master Plan Preliminary Approval document
  - (b) for any future Reconfiguring a Lot, as directed by the Supplementary Table of Assessment listed in the Yaroomba Beach Master Plan Preliminary Approval document.

For all other forms of development, the requirements of the planning scheme in effect at the time of lodgement of a future application will apply.
7. Where the conditions of this approval and the plans and documents referenced by it are "silent" about a particular matter, then the provisions of the Sunshine Coast Planning Scheme 2014 (as amended) will have effect.
8. This approval does not authorise, indicate support, nor alter the level of assessment declared by the planning scheme for any future development not identified in Yaroomba Beach Master Plan Preliminary Approval document.
9. The development must achieve the following:
  - (a) A design and delivery process that will enable accreditation for the entire development to meet:
    - (i) a 5-star Green Star rating from the Green Building Council of Australia (GBCA) in both the categories of "As Designed" and "As Built".
    - (ii) a 6-star Green Star Communities rating from the Green Building Council of Australia (GBCA) at registration stage, within three years of registration for certification, and thereafter every 5 years at recertification stages.
  - (b) A design and delivery process that will enable accreditation for all Commercial, Retail, Resort Complex (Hotel), Apartment and Multi-unit Residential Buildings to meet:

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- (i) The development must achieve a 5-star Green Star rating from the Green Building Council of Australia (GBCA) in both the categories of "As Designed" and "As Built".
- (ii) a 6-star Green Star Communities rating from the Green Building Council of Australia (GBCA) at registration stage, within three years of registration for certification, and thereafter every 5 years at recertification stages.
- (iii) a 6-star Green Star rating from the Green Building Council of Australia (GBCA) in both the categories of "Design" and "As Built".
- (iv) a Gold Certification from the International WELL Building Institute in both the categories of "Preconditions" and "Optimizations" of the WELL Building Standards.
- (v) a minimum 8 Star rating from a NatHERS accredited assessor.
- (c) A design and delivery process that will enable accreditation for the Stage 1 - Commercial, Retail, Resort Complex (Hotel), Apartment Buildings to achieve both Advanced ECO and Respecting Our Culture (ROC) certification from Ecotourism Australia

#### **Architectural Building Detail**

10. Submit a detailed materials palette to be used for all stages of the development to be approved by Council. The materials palette must show the final details of the facade treatment, the ground interface and the rooftop/building capping elements of the proposed buildings. The architectural drawings must nominate materials, colours and finishes

#### **Public Art**

11. Public art must be established for the development in accordance with a public art master plan\* prepared by a qualified person\* and approved through an operational works approval. Works must constitute not less than 0.25% of the total estimated project cost as certified by a Quantity Surveyor, unless otherwise agreed to in writing by Council.  
\*(Refer to Advisory Note)

12. Where the public art master plan proposes works to be located on public land, written agreement must be obtained from the relevant authority prior to the works being undertaken.

#### **Building Height**

13. The maximum height of the development must not exceed the Height of Buildings Structures overlay map in the Yaroomba Beach Master Plan Preliminary Approval document.
14. The Obstacle Limitation Surface for Sunshine Coast Airport for the airspace above the subject land is set at 48.5m AHD. Any structure including structures associated with construction (such as cranes, scaffolding etc) must not exceed the maximum permissible height of 48.5m AHD.

#### **Development Staging and titling**

15. The development may be staged in accordance with the stage boundaries shown on the Approved Plans. The development must be completed sequentially in the stage order indicated on the Approved Plans unless otherwise agreed to in writing by Council.
16. Stage 1, including all land uses and infrastructure (as per MCU17/0096) as shown on the staging plan, must all be completed and use commenced in its entirety prior to the approval of any other stages. The Shopping Complex, Resort Complex and Serviced Apartments must only commence use in conjunction with all other uses of Stage 1. This aspect of the development must not be sub staged.

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

17. Where some or all of the land remains vacant or undeveloped (all stages), or redevelopment of stage 1 is delayed for more than three (3) months, the following works must to be carried out:
- (a) the site must be cleared of all rubble, debris and demolition materials
  - (b) the site must be graded to prevent ponding (to the same level as the adjoining footpath wherever practicable), turfed and mown at a minimum three (3) weekly intervals
  - (c) the site must be landscaped with perimeter planting consisting of advanced specimens of fast growing tree species
  - (d) the site must be maintained to ensure no nuisance to adjacent premises, roads or footpaths
  - (e) where fencing is installed to secure boundaries:
    - (i) the fencing must be durable and not capable of being pushed or blown over
    - (ii) the fencing type must not detract from local amenity (barbed wire is not acceptable)
    - (iii) vandalism must be promptly repaired and any graffiti removed.

#### **Sunset Clause for Completion of Approved Development**

18. Pursuant to s343 of the Sustainable Planning Act 2009, if development, or an aspect of development to which the approval relates is started but not completed, the preliminary approval, to the extent it relates to the development or aspect not completed, lapses:
- (a) if the Sunshine Coast Planning Scheme 2014 is amended to reflect the provisions of the preliminary approval; or
  - (b) if paragraph (a) does not apply, at the end of 10 years starting on the day this Preliminary Approval takes effect.

#### **Operational Management Plan**

19. Prior to commencement of building works, for each stage of development a Facility Operational Management Plan must be prepared that covers the whole development site (buildings, structures, infrastructure, water bodies, landscaped areas etc.) to be approved by Council. The Plan must document future and on-going maintenance and management requirements for all components of the development, including but not limited to the following:
- (a) a Building Maintenance Management Plan that details the ongoing building maintenance requirements for all parts of the buildings based on a 100 year life cycle
  - (b) the Green Wall and Roof Garden Design and Management Plan
  - (c) asset maintenance and management of all road reserves, public open space areas and other Council owned land based on a 100 year life cycle
  - (d) the approved Bushfire Management and Evacuation Plan
  - (e) the approved Rehabilitation and Revegetation Plan
  - (f) Safety-in-Design reports for each design discipline
  - (g) the approved constructed water body management plan.
20. The development must be managed and maintained in accordance with the approved Facility Operational Management Plan and its sub-components for the life of the development.
21. The approved Facility Operational Management Plan for the development and its components must be kept on site, maintained and made available for inspection at any time upon request by Council.

#### **Construction Management Plan**

22. For each stage, a preliminary construction management plan must be submitted and approved by Council with an Operational Works application and must address the following:
- (a) traffic management during all aspects of the construction phase including:
    - (i) a traffic management control plan in accordance with the *Manual of Uniform Traffic Control Devices (MUTCD)* detailing all temporary signage and traffic control measures prior to construction
    - (ii) maintenance of safe pedestrian access for the areas affected by the works during and after daily construction has ceased
    - (iii) proposed fencing to the site during the construction phase of the development
    - (iv) approval of the traffic management control plan by the Department of Transport and Main Roads (TMR) for any works on State-controlled roads
    - (v) provision for worker car parking
  - (b) maintenance and protection of water quality and existing drainage lines through the construction site, through the implementation of appropriate erosion and sediment control measures
  - (c) works programme identifying key components of the works and their respective durations
  - (d) establishment of a communication protocol with the general public, adjoining owners, emergency services and local businesses to advise of agreed construction times, impacts on traffic, services and other relevant issues
  - (e) identification of complaint management procedures including:
    - (i) contact details for the on-site manager
    - (ii) dispute resolution procedures
  - (f) details on the location of external fill sites/sources, the haulage route, type of vehicle to be utilised during filling operations and frequency of usage. NOTE: any damage to the existing road system as a result of haulage operations shall be fully repaired at the applicant's expense

## TRAFFIC

### New Roads

23. All proposed roads must be constructed in accordance with an operational works approval. The works must include:
- (a) For the proposed Entry Road, between David Low Way and the proposed Resort Complex porte cochere access driveway on the eastern side of the lake, a design standard matching that of a District Collector in accordance with council's *Planning scheme policy for the transport and parking code*, and include in particular:
    - i. a general minimum road reserve width of 26 metres
    - ii. at least a 5.1 metre wide carriageway in each direction, inclusive of a 1.8 metre wide bike lane / shoulder. The carriageway is to commence a transition to the width required for the adjacent Main Street carriageway at the porte cochere driveway
    - iii. a right-turn lane, at least 3 metres wide, on the Entry Road at each intersection with the proposed local street (to proposed Lot 4) and future access road (to proposed Lot 300)
    - iv. a raised pedestrian refuge island, at least 2 metres wide, and associated pathway connections, on the entry road immediately north of the proposed intersection with the adjacent access road to proposed Lot 300. The gap in the raised median island for pedestrian movement is to be 3 metres
    - v. a Type BAL left-turn treatment on the entry road at its intersection with the proposed private local street (to proposed Lot 4), with the eastbound entry road carriageway widened to 6 metres for a length of 5 metres from the intersection turnout tangent point, before tapering back over 6 metres

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- vi. widening of the carriageway and road reserve as necessary at the David Low Way end of the entry road to accommodate the roundabout configuration, approach lanes, and splitter island required by the Concurrence agency response, without reducing verge widths
  - vii. a 3 metre wide shared path on the northern verge of the entry road and a 2.5 metre wide shared path on the southern verge of the entry road
  - viii. a pedestrian (zebra) crossing on a raised platform between the bridge and the porte cochere driveway access, generally in line with the connection to the proposed pedestrian boardwalk on the eastern side of the lake. The pedestrian crossing width must be at least 4 metres. The platform ramp grades should be 1 in 15
  - ix. installation of street lighting.
- (b) For the proposed Main Street, between the proposed resort complex (hotel) porte cochere access driveway and the intersection with the proposed Northern Entry Road, a design standard matching that of a Mixed Use Collector Street in accordance with council's *Planning scheme policy for the transport and parking code*, and include in particular:
- i. a general minimum road reserve width of 21 metres
  - ii. an 11 metre wide carriageway with barrier kerb and channel and underground drainage, incorporating 3.2 metre traffic lanes and 2.3 metre wide parking lanes
  - iii. pedestrian (zebra) crossings on raised platforms with kerb buildouts at three locations along the main street, generally in line with the hotel pedestrian entry from the porte cochere and each of the two proposed hotel lift lobbies adjacent to the main street. The pedestrian crossing width at each crossing must be at least 4 metres. The platform ramp grades should be 1 in 15
  - iv. at least a 4.5 metre wide verge on the northern side of the main street and at least a 5.5 metre wide verge on the southern side of the main street
  - v. a 2.5 metre wide shared path on the northern verge of the main street
  - vi. a clear width of 3 metres is to be maintained for pedestrian movement along the southern verge, clear of all obstructions, landscaping and on-street dining areas.
- (c) For the section of the proposed Northern Entry Road between the northern David Low Way access intersection and the eastern end of the proposed car park lot (Lot 3), a design standard matching that of a Mixed Use Collector Street in accordance with council's *Planning scheme policy for the transport and parking code*, and including in particular:
- i. a general minimum road reserve width of 23 metres
  - ii. an 11 metre wide carriageway with barrier kerb and channel and underground drainage, incorporating 3.2 metre traffic lanes and 2.3 metre wide parking lanes. The parking lanes should include landscaped kerb buildouts, approximately 12 metres long, at spacings of approximately 50 metres
  - iii. 6 metre wide verges on both sides, incorporating a 3 metre wide shared path on the northern side and a 2.5 metre wide shared path on the southern side, both offset 2 metres from the kerb face
  - iv. widening of the carriageway as necessary at the David Low Way end of the northern entry road to accommodate the intersection works required by the Concurrence agency response. A pedestrian refuge opening must be incorporated into the splitter island on the entry road approach to David Low Way
  - v. dedication of land as road reserve from proposed Lots 5 and 400 as necessary to accommodate the required reserve width for this section of the northern entry road and intersection works, without reducing required verge widths

- vi. installation of street lighting.
- (d) For the section of the proposed Northern Entry Road between the proposed car park lot (Lot 3) and proposed Lot 200, a design standard matching that of a Mixed Use Collector Street in accordance with council's *Planning scheme policy for the transport and parking code*, and including in particular:
- i. a general minimum road reserve width of 17 metres
  - ii. an 11 metre wide carriageway with barrier kerb and channel and underground drainage, incorporating 3.2 metre traffic lanes and 2.3 metre wide parking lanes. The parking lanes should include landscaped kerb buildouts, approximately 12 metres long, at spacings of approximately 50 metres
  - iii. a 5 metre wide verge on the northern side (adjacent to the easement containing the buggy path), incorporating a 3 metre wide shared path on a general offset 2 metres from the kerb face
  - iv. reconstruction of existing paths and associated drainage in the adjacent easement as necessary to suit the works
  - v. at least a 1 metre verge on the southern side. A 2.5 metre wide shared path must be provided within the adjacent park (Lot 1) on a general offset 2 metres from the adjacent kerb face
  - vi. installation of street lighting.
- (e) For the section of the proposed Northern Entry Road between the proposed park lot (Lot 1) and the intersection with the Main Street and Access Road at the eastern end of the site, a design standard matching that of a Mixed Use Collector Street in accordance with council's *Planning scheme policy for the transport and parking code*, and including in particular:
- i. a road reserve width of at least 17.4 metres
  - ii. at least a 6.4 metre wide carriageway with barrier kerb and channel and underground drainage, incorporating 3.2 metre traffic lanes
  - iii. at least a 5 metre wide verge on the eastern side (adjacent to the easement containing the buggy path), incorporating a 3 metre wide shared path on a general offset 2 metres from the kerb face
  - iv. reconstruction of existing paths and associated drainage in the adjacent easement as necessary to suit the works
  - v. at least a 6 metre wide verge on the western side adjacent to Lot 200, incorporating a 2.5 metre wide shared path on a general offset 2 metres from the kerb face
  - vi. a pedestrian (zebra) crossing on a raised platform at a location at least one car length clear of the intersection with Main Street and Access Road. The pedestrian crossing width must be at least 4 metres. The platform ramp grades should be 1 in 15
  - vii. the intersection with the Main Street and Access Road must be designed such that the Access Road is the terminating leg of the T-intersection (with a give way sign and associated line marking) and the intersection is able to accommodate turning service vehicle traffic
  - viii. dedication of land as road reserve from the proposed lots at the intersection with Main Street and Access Road as necessary to accommodate the intersection works and to maintain at least the minimum required verge widths
  - ix. installation of street lighting.
- (f) For the proposed access road along the eastern boundary of the proposed Resort Complex (Hotel) lot (Lot 101), a design standard matching that of a Mixed Use Collector Street in accordance with council's *Planning scheme policy for the transport and parking code*, and including in particular:
- i. a general minimum road reserve width of at least 23 metres

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- ii. at least a 6.4 metre wide two lane central carriageway
  - iii. on the western side, at least a 2.3 metre wide parking lane
  - iv. on the eastern side, at least a 7.8 metre wide paved 90 degree angle car parking area, accommodating 2.6 metre wide x 5.4 metre long marked parking bays at least 2.4 metres from the adjacent central carriageway
  - v. barrier kerb and channel and underground drainage on both sides
  - vi. at least a 2.5 metre shared path on the eastern side, located at least 1 metre from the angle car parking area kerb and which may be located in the adjacent park
  - vii. at least a 6 metre wide verge on the western side, incorporating a 2.5 metre wide shared path on a general offset of 2 metres from the kerb face
  - viii. a pedestrian (zebra) crossing on a raised platform at a location approximately 3 car lengths from the intersection of the Access Road with the Main Street and Northern Entry Road. The pedestrian crossing width must be at least 4 metres. The platform ramp grades should be 1 in 15
  - ix. installation of street lighting.
- (g) For the private road between Road 1 and Road 2, a design standard generally matching that of a Neighbourhood Collector street in accordance with council's Planning scheme policy for the transport and parking code.
- (h) For the private road within Lot 100 (connecting to Road 1), a design standard generally matching that of an Access Street in accordance with council's *Planning scheme policy* for the transport and parking code, except also including in particular:
- i. a general minimum road reserve width of 18 metres.
  - ii. an 8.5 metre wide carriageway with kerb and channel and underground drainage, incorporating 3 metre traffic lanes and one 2.5 metre wide parking lane.
  - iii. a 5.5 metre wide verge on the northern side, incorporating a 2.5m metre wide shared path on a general offset 2 metres from the kerb face.
  - iv. at least a 4.0 metre verge on the southern side.
  - v. a turnaround of sufficient size to accommodate the 3-point turn manoeuvre of a MRV.
  - vi. installation of street lighting.
- (i) For the private road within Lot 300 (at the southeast corner of the site and connecting to the intersection of the eastern and southern public roadways), a design standard generally matching that of an Access Street in accordance with council's *Planning scheme policy* for the transport and parking code, except also including in particular:
- i. a general minimum road reserve width of 18 metres.
  - ii. an 8.5 metre wide carriageway with kerb and channel and underground drainage, incorporating 3 metre traffic lanes and one 2.5 metre wide parking lane.
  - iii. a 5.5 metre wide verge on one side, incorporating a 2.5m metre wide shared path on a general offset 2 metres from the kerb face.
  - iv. at least a 4.0 metre verge on the opposite side.
  - v. a turnaround of sufficient size to accommodate the 3-point turn manoeuvre of a MRV.
  - vi. installation of street lighting.
  - vii. public access be available at all times to the public car parking adjacent the southern beach access.
- (j) For the proposed public access road through future development (stages 1, 2 and 3) in proposed Lot 300, between the access road on the eastern side of Lot 101 and the Entry Road (west of the proposed lake), must have a design standard matching



that of a Neighbourhood Collector Street in accordance with council's *Planning scheme policy for the transport and parking code*, and including in particular:

- i. a general minimum road reserve width of 23 metres
  - ii. an 11 metre wide carriageway with barrier kerb and channel and underground drainage, incorporating 3.2 metre traffic lanes and 2.3 metre wide parking lanes. The parking lanes should include landscaped kerb buildouts, approximately 12 metres long, at spacings of approximately 50 metres
  - iii. 6 metre wide verges, incorporating 2.5 metre wide shared paths on both sides offset 2 metres from the kerb face.
- (k) All street lighting must comply with an approved Master Sea Turtle Management Plan and Master Sea Turtle Lighting Plan

#### **Parking**

24. Public car parking must be provided and marked on the site generally in accordance with any future development permit pursuant to this preliminary approval. The works must include in particular:
- (a) Associated with or before Stage 1, a minimum of 25 angled parking spaces available to the public must be provided near the northern beach access, which are clearly marked for that purpose.
  - (b) Associated with or before Stage 1, provision of a public carpark within Lot 3, with a quantity of parking spaces to the maximum extent practicable but not less than 80 spaces.
  - (c) Associated with or before Stage 3, a minimum of 10 angled parking spaces available to the public must be provided near the southern beach access, which are clearly marked for that purpose. Public vehicular access to these spaces must be provided at all times.
  - (d) Accommodate motorcycle and scooter parking bays where possible.
25. At each stage of development, submission to and approved by Council under an operational works approval of a new and/or updated Parking Management and Operations Plan addressing overall management strategies of all on-street and off-street parking, including (but not limited to) the following:
- (a) Secured and unsecured parking access controls and signage.
  - (b) Disabled parking.
  - (c) Public car parking arrangements.
  - (d) Special event (overflow) parking.
  - (e) Shuttle and tour bus parking.
  - (f) Service vehicle access to all buildings on the site, excluding single family dwellings.
  - (g) Emergency/disaster procedures.
  - (h) Procedures for adopting changes to the approved Parking Management and Operations Plan.

#### **ENGINEERING**

##### **Access**

26. No direct vehicular access is permitted
- (a) to future development on Lot 300 from the proposed road along the northern boundary of the lot.
  - (b) To future development on Lot 400 and the proposed road along its southern boundary. Vehicular access for Lot 400 to the south must be via Lot 4

27. Vehicular access between future development on Lot 400 and the road along its northern boundary is limited to a single location identified on the Approved Plans. An assessment of safe turning treatment requirements, in accordance with Austroads, must be provided for the intersection at this location with the first future development application proposing access to this road.
28. Submit an access and mobility report, prepared by a suitably qualified person/s\*, detailing how the two (2) beach access points address the relevant elements of the *Disability Discrimination Act 1992*, *The Disability Services Act 2006 (Queensland)*; *Design for access and mobility – Part 1: General requirements for access – New building work*; *Sunshine Coast Planning Scheme 2014 Page SC6-264*; *AS 2156.1 – Class 1 Walking tracks Infrastructure Design*; *AS1428.2 – Design for access and mobility*; *AS1428 – Design for access and mobility*; and *Sunshine Coast Access and Inclusion Plan 2011-2016*. The access and mobility report must be submitted with an Operational Works application.

## HYDROLOGY

### Stormwater Management

29. With each lot reconfiguration and material change of use application on land subject to this Preliminary Approval the applicant must submit a Detailed Stormwater Management Plan prepared in accordance with the Stormwater Management Code and the Planning Scheme Policy for Development Works including:
  - (a) a stormwater drainage system connecting to a lawful point of discharge as per the Queensland Urban Drainage Manual
  - (b) a stormwater quality treatment system
  - (c) all bioretention devices and swales proposed within road areas developed in accordance with Water by Design (2012), Maintaining Vegetated Stormwater Assets (Version 1).

### Flooding

30. The development must be undertaken so that the development does not compromise the safety of people and damage to property both, external to the site and internal to the site, is minimised as far as practicable and include in particular:
  - (a) the works included in the Flood Investigation referenced in this Decision Notice
  - (b) all off-site flood mitigation works included in the Flood Investigation referenced in this Decision Notice must be constructed prior to commencement of use of Stage 1.
  - (c) all lot levels (excluding the constructed water body, park, road reserve and drainage reserve) must be a minimum of 0.5m above the post development 1% AEP flood levels at 2100 as reported in the referenced Flood Investigation unless otherwise agreed with Council where basements will be a feature of future development.
  - (d) all road levels must be above the post development 1% AEP flood levels at 2100 as reported in the referenced Flood Investigation.

### Constructed Water Body

31. The water body must be constructed as part of Stage 1 with the exception of the final edge treatment to the western side of the water body and road crossing associated with Stage 3. The constructed water body and all associated edge treatments must be completed as part of Stage 3. Once completed the constructed water body must be contained within one lot created as part of Stage 3.
32. In conjunction with the operational works application which will create the constructed water body a Constructed Water Body Design Report prepared in accordance with the Planning

Scheme Policy for Development Works must be submitted to Council for approval. The Constructed Water Body Design Report must specifically address the following:

- (a) Detail how the water quality objectives for the water body will be met including treatment systems.
  - (b) Detail how the banks and bed of the water body will be designed to minimise safety risks.
  - (c) Detail how a lake turnover time of 20 days will be achieved.
33. In conjunction with the operational works application which will create the constructed water body, a Constructed Water Body Management Plan must be submitted to Council for approval and incorporate the following specific requirements:
- (a) Identify the contact class of the water body as either secondary contact recreation or visual recreation.
  - (b) Identify allowable uses within the water body.
  - (c) Identify water quality objectives for the water body consistent with the Environmental Protection (Water) Policy 2009 Maroochy River environmental values and water quality objectives.
  - (d) Provide a monitoring program (i.e. parameters, sites, frequency) designed to monitor and assess whether the water quality objectives are being achieved within the water body.
  - (e) Identify proposed mitigation and management actions to be undertaken should the water quality objectives be found to not be achieved.
34. Upon the creation of the water body as a lot in a body corporate arrangement, an access easement must be provided in favour of Council to allow for public recreational use of the water body.
35. All monitoring and maintenance of the water body is to be undertaken at no cost to Council and in accordance with the provisions of the approved Constructed Water Body Management Report for the life of the development. Where monitoring indicates that the water quality objectives are not being met then the owner must undertake maintenance and management measures as necessary to achieve the objectives. All records of monitoring, maintenance and management activities undertaken for the water body are to be kept on site and made available to Council Officers within two weeks upon request.
36. The minimum permitted bed level of the constructed water body is 0.5m AHD. Prior to sealing of the plan of survey containing the lake a bathymetric survey must be completed demonstrating compliance with this condition.
37. As part of any operational works application associated with the constructed water body, a safety assessment in accordance with QUDM must be undertaken by an RPEQ of the constructed water body. Any barrier fencing or other management measures recommended by the safety assessment must be provided and maintained by the development for the life of the development.

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

38. In conjunction with each operational works development application on land subject to this Preliminary Approval, submit to Council for approval, erosion and sediment control plans and a construction phase stormwater management program prepared in accordance with Council's Planning Scheme Policy for Development Works and also demonstrate compliance with the requirements of the State Planning Policy Appendix 2 Table A: Construction phase – stormwater management design objectives.

#### **ECOLOGY**

### **Biodiversity offsets**

39. Prior to any vegetation clearing on site, the applicant must submit to Council for approval a Biodiversity / Vegetation Offset Management Plan prepared in accordance with Council's Planning Scheme Policy for Biodiversity Offsets. Biodiversity / Vegetation monetary offsets must be secured prior to clearing works commence, or alternatively onground biodiversity / vegetation offsets must be complete prior to commencement of use.
40. As part of the lodgement of the first Operational Works application, a revised / updated Bushfire Hazard Assessment & Management Plan must be submitted for approval and must include in particular:
  - (a) Updated recommendations in accordance with the latest design plans
  - (b) Updated management strategies in accordance with the latest design plans
  - (c) Master evacuation plan for the entire development, with recommendations for future material change of use or residential reconfiguration application applications to design towards.

### **Bushfire**

41. Each subsequent material change of use or residential reconfiguration application must submit to Council for approval a detailed site specific bushfire management plan in accordance with the planning scheme policy for the bushfire hazard overlay code, and in accordance with the recommendations of the revised Litoria Bushfire hazard assessment and management plan.

### **Fauna**

42. As part of the lodgement of the first Operational Works application over the subject land, the applicant must submit to Council for approval a detailed Fauna Management Plan (FMP) both terrestrial and aquatic detailing the steps that will be taken to protect fauna species during any development activity that is undertaken on any part of the subject land.

The FMP shall include details of at least the following information:

- (a) The name of the fauna catchers/re-locators to be used, noting that they must be approved by the Queensland Parks and Wildlife Service, along with a copy of the fauna catchers'/re-locators' Rehabilitation Permit.
- (b) A Fauna Spotter Report including a fauna assessment of the site and the fauna likely to be impacted.
- (c) A site specific macropod management plan for pre, during and post development works.
- (d) Certification from the principal engineer that the above Fauna Spotter Report is being provided to the clearing contractor to enable the contractor to factor the fauna removal issues into the quote for clearing works.
- (e) Confirmation that the direction of clearing is from an open area to a less open area to allow fauna to escape into neighbouring bushland.
- (f) A pre-clearing trapping and release plan, noting that any trappings and releases are to be conducted at least two weeks before clearing commences.
- (g) Any special machinery requirements eg, cherry pickers, pole cameras with optical fibre, lights for viewing hollows, aquatic equipment etc.
- (h) Nomination of release area/s and the land owner's written approval for release if necessary.
- (i) The methodology of onsite inspections for fauna including the inspection of hollow branches, logs on the ground, nests of birds and possums etc.
- (j) Contact details of the nearest veterinarian or other appropriate party to humanely deal with injured wildlife.

43. A final report by the fauna spotter shall be provided to Council's Ecologist no more than two weeks after clearing is finished, stating the following:
- (a) The length of time of the clearing.
  - (b) Details of any animal/s that were caught and/or sighted and released, and the placement of any release/s.
  - (c) Details of any animals that had to be destroyed due to injury.
  - (d) Confirmation of the follow up monitoring of nesting boxes if any are installed and where they are located.

#### **Turtles**

44. At all times, the development must demonstrate that they maintain the existing established sky glow values for Yaroomba South as follows:
- (a) For Whole Sky and zenith, between 20 - 21 magnitudes/arcsec<sup>2</sup> (typical rural night sky horizon),
  - (b) For Horizon between 19 and 20 magnitudes/arcsec<sup>2</sup> (Typical suburban night sky horizon), and
  - (c) This is representative of results, under clear sky conditions with light levels measured at Yaroomba South on the Sunshine Coast.
45. As part of the lodgement of the first Operational Works application, a Master Sea Turtle Management Plan and Master Sea Turtle Lighting Plan must be submitted to Council for approval. The Master Sea Turtle Management and Lighting Plan must be prepared by a qualified Sea Turtle expert (tertiary qualified marine turtle biologist and member of IUCN Marine turtle specialist group) and must include the following:
- (a) At each stage of construction, the developer is to engage a consultant to prepare a pre and post construction Artificial Light at Night Survey to determine changes to light emissions from the development to the adjacent turtle nesting beach using the methodology and equipment described in Sunshine Coast Council and Moreton Bay Council's Benchmark Artificial Light at Night Survey 2017. \*(See advice note) .
- The pre-construction Light Survey is to be undertaken prior to any site works commencing on site. The post-construction Light Survey is to be undertaken by the Master Developer's on completion of each stage of the development. The Light Surveys are to be submitted to Council officers for their review and assessment. Should the post construction 'as built' audit identify that correctional actions are required, these are to be undertaken by the Developer.
- (b) The Developer must engage a contractor to incorporate biological data (hatchling sea finding behaviour) into the Artificial Light at Night Survey in order to demonstrate the impact to Marine Turtle Sea finding behaviour. This data can be accessed through a data request to the existing local turtle monitoring group.
  - (c) The developer must engage a qualified Sea Turtle expert (tertiary qualified marine turtle biologist and member of IUCN Marine turtle specialist group) to develop in conjunction with the lighting engineer, a turtle friendly street lighting design that achieves the minimum light requirements for road traffic and pedestrian safety, and that meets the required skyglow requirements of this decision notice.
  - (d) Development of compliance measures with which the development must comply.
  - (e) Within the Master Sea Turtle plan, detail how the development will
    - (i) Develop a public education program
      - a. to raise awareness and understanding of marine turtle nesting, impacts of artificial light at night, predators and human disturbance.; and
      - b. to work in partnership with Council and the local turtle monitoring group in the development of the Nature Trail
      - c. Support of the existing long term marine turtle monitoring program on the local coastline and including beaches from Point Arkwright to Tanah Street West of the project area, including a commitment to

- support local groups to continue to monitor Marine Turtle Sea finding behaviour
- (f) Ensure the Rooftop bar mitigates vertical light spill and reduces sky glow in accordance with the standards, in the condition immediately preceding, between October – May.
  - (g) No light directly visible from the beach both opposite the development and along the beach to the north and south
46. All lighting within the site must be maintained in accordance with the approved Master Sea Turtle Management Plan and the approved Master Sea Turtle Lighting Plan. These plans must be included in the Community Management Statement for any body corporate for the subject site.

## ENVIRONMENT

### Waste Management

47. An Automated Waste Collection System (AWCS) must be installed and operated for the entirety of the site. All future applications must include provision of all necessary underground and above ground infrastructure for the AWCS. No use can occur on site until the necessary infrastructure and Waste Transfer Station (WTS) is commissioned.
48. The Automated Waste Collection System must be designed, installed and operated in accordance with an Automated Waste Collection System Management Plan (AWCSMP). The management plan must be submitted to Council for approval prior to issue of any operational works development permits. The management plan must provide full detailed design and operation procedures and responsibilities for the AWCS and in particular must include the following:
- (a) design drawings and specifications of all underground infrastructure,
  - (b) design drawings and specifications of all above ground infrastructure such as inlet points for all allotments including multiple dwelling units, resort complex, commercial tenancies, public spaces and single dwelling lots,
  - (c) design drawings and specifications for the waste transfer station,
  - (d) provision of adequate storage space for bulky items and other items unsuitable for disposal via the Automated Waste Collection System such as commercial quantities of glass,
  - (e) manoeuvring details for Waste Collection Vehicles for the waste transfer station and any other bulky goods service point,
  - (f) management responsibilities and procedures for the AWCS including the waste transfer station, inlet points, underground infrastructure, aboveground infrastructure, public place bins,
  - (g) management responsibilities for the environmental emissions including odour and noise from the AWCS
  - (h) provisions to ensure continued responsibility of the body corporate, or an equivalent site management entity, provide unobstructed access to Council's waste contractor to the waste transfer station.

### Acoustic Amenity

49. All future applications for development approval must be accompanied by a site specific Noise Impact Assessment. Noise impact assessment reports are to incorporate the recommendations included in the Noise Impact Assessment listed in this development approval.
50. Any application for development approval for residential uses within Stages 5, 6 or 7 must make specific provisions in the Noise Impact Assessment to mitigate noise emissions from

the resort complex function room and outdoor function area within the resort complex development.

#### Acid Sulfate Soils

51. All future applications must be accompanied by an acid sulfate soil and groundwater management plan (or part thereof) prepared by a qualified person\*.  
*\*(Refer to Advisory Note).*
52. 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.
53. All basements must be designed and constructed as a water excluding structure (*fully tanked*) 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.
54. All acid sulfate soil 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)*
55. All future applications must be accompanied by dewatering Management Plan (DMP) prepared by a qualified person\*. The DMP must:
  - (a) be designed to minimise the extent and duration of groundwater drawdown during the dewatering phase to minimise impacts upon groundwater dependant ecosystems,
  - (b) adopt the groundwater release criteria required by this development approval, and propose an effective treatment train such that the release criteria is achieved,
  - (c) detail a groundwater monitoring programme,*\*(Refer to Advisory Note)*

**DEVELOPMENT PERMIT FOR MATERIAL CHANGE OF USE FOR RESORT COMPLEX,  
MULTIPLE DWELLINGS, SHORT TERM ACCOMMODATION, SHOPPING CENTRE,  
EDUCATIONAL ESTABLISHMENT, COMMUNITY USE AND UTILITY INSTALLATION**

**When Conditions Must be Complied With**

56. All conditions of this development approval must be complied with in accordance with the timing specified for each condition in each part of this development approval, and then compliance maintained at all times while the use continues.

**Effect of Infrastructure Agreement**

57. The land owner, developer and operator must comply with the obligations of the Infrastructure Agreement executed on XX June 2018.

**Approved Plans**

58. Development authorised by this approval must be undertaken generally in accordance with the Approved Plans listed within this Decision Notice. The Approved Plans must be amended to incorporate the amendments listed within this Decision Notice and approved by council prior to the issue of any development permit for Operational Works\*

*\*(Refer to Advisory Note)*

**Operational Management Plan**

59. Prior to commencement of building works, a Facility Operational Management Plan must be prepared that covers the whole development site (buildings, structures, infrastructure, water bodies, landscaped areas etc.) to be approved by Council. The Plan must document future and on-going maintenance and management requirements for all components of the development, including but not limited to the following:
- (a) a Building Maintenance Management Plan that details the ongoing building maintenance requirements for all parts of the buildings based on a 100 year life cycle
  - (b) the Green Wall and Roof Garden Design and Management Plan
  - (c) asset maintenance and management of all road reserves, public open space areas and other Council owned land based on a 100 year life cycle
  - (d) the approved Bushfire Management and Evacuation Plan
  - (e) the approved Rehabilitation and Revegetation Plan
  - (f) Safety-in-Design reports for each design discipline
  - (g) the approved constructed water body management plan.
60. The development must be managed and maintained in accordance with the approved Facility Operational Management Plan and its sub-components for the life of the development.
61. The approved Facility Operational Management Plan for the development and its components must be kept on site, maintained and made available for inspection at any time upon request by Council.

**Building Height**

62. The maximum height of the development must not exceed the following heights:
- (a) For the Resort Complex buildings RL 30 (24.2m from finished floor level)
  - (b) For the Multiple Dwelling/Short term accommodation buildings RL 29.85 (23.45m from finished floor level)
  - (c) For the Shopping Complex/Educational Centre buildings RL14.535 (8.735m from finished floor level)



63. Certifications must be submitted to Council from a cadastral surveyor for each building that certify that the buildings are being constructed in accordance with the Approved Plans and will not exceed the maximum height requirement of this approval, at the following milestones in the construction process:
- (d) after slab being poured
  - (e) when the floor level of each level has been completed
  - (f) prior to the construction of the roof being commenced
  - (g) post building completion (prior to use commencing)
64. The Obstacle Limitation Surface for Sunshine Coast Airport for the airspace above the subject land is set at 48.5m AHD. Any structure including structures associated with construction (such as cranes, scaffolding etc) must not exceed the maximum permissible height of 48.5m AHD.

#### **Transfer of Land to Council**

65. The land areas identified Lots 1, 2, 3, 5, 6, 7, and 8 must be transferred to council in freehold and in fee simple exclusive of the body corporate. The land to be transferred is "non-trunk infrastructure" for the purposes of the Sustainable Planning Act 2009.
66. The land area to be transferred must be unencumbered by services such as pump stations, services easements or similar operational uses.
67. The land owner/developer must be responsible for all costs associated with the transfer of the land, including the requirement to obtain a valuation for the land from a registered property valuer and to pay all transfer duty upon transfer.
68. One original signed and 'stamped' Queensland Titles Registry Form 1 Transfer and Form 24 must be lodged with council for approval prior to the registration of title, together with a survey plan and a copy of the land valuation.

#### **Nature and Extent of Approved Use**

69. The development authorised by this approval is a Resort Complex, Multiple Dwellings, Short Term Accommodation, Shopping Complex, Educational Establishment, Community Use and Utility Installation in accordance with the *Sunshine Coast Planning Scheme 2014* definitions.
70. The Resort Complex includes the following elements only, as shown on the Approved Plans:
- (a) 220 hotel rooms
  - (b) Conference facilities
  - (c) 2 restaurants
  - (d) Day spa and gym
  - (e) Lobby Bar
  - (f) Pool and recreational area
  - (g) A maximum of 284m<sup>2</sup> of 'retail space' (related to the Resort Complex use)
  - (h) A maximum of 421m<sup>2</sup> of 'commercial space' (related to the Resort Complex use)
71. The Shopping Complex must not exceed a total of 2,770 m<sup>2</sup> of gross floor area, with a maximum individual tenancy of 300 m<sup>2</sup>.
72. The western block of serviced apartments (unit types AA, BB, AB, BA as shown on the approved plans) are to be used for short term accommodation only. The approved short-term accommodation must be used to provide accommodation for tourists or travellers for a temporary period of time not exceeding three consecutive months. The accommodation must not be occupied by persons for the purpose of permanent accommodation. The requirements of this condition must be included in the Community Management Statement for any body corporate for the subject site.

73. The dual key units within the western block of serviced apartments (unit types AA, BB, AB, BA as shown on the approved plans) must not be independently let to different entities (eg must be occupied by the same party).
74. The eastern block of serviced apartments (unit types C and D as shown on the approved plans) may be used for either short term accommodation or multiple dwellings (permanent occupancy).
75. Non-residential uses associated with the Shopping Complex on the premises must not operate outside the hours of:
  - (a) 6am to 11pm Monday to Thursday
  - (b) 6am to 12am Friday and Saturday
  - (c) 6am to 12pm Sunday or any public holidayThe requirements of this condition must be included in the Community Management Statement for any body corporate for the subject site.
76. Service vehicle movements associated with non-residential uses on the premises (including loading and unloading) must not occur outside the hours of 7am to 6pm Monday Sunday. The requirements of this condition must be included in the Community Management Statement for any body corporate for the subject site.
77. Security measures must be installed such that building users do not have access to areas that are intended for the exclusive use of residents and visitors
78. The ground floor tenancies of the Shopping Complex as shown on the Approved Plans must not be used for any purpose other than the following uses as defined in the planning scheme:
  - (a) Shop
  - (b) community use
  - (c) food and drink outlet
  - (d) office (where a bank or real estate agent)
  - (e) bar
  - (f) market.

#### **5 Star Resort Complex**

79. The development must achieve a 5-star or higher luxury hotel rating under the Star Ratings scheme administered by the Australian Tourism Industry Council (ATIC) and Star Ratings Australia. Where that rating scheme is discontinued, or is superseded, the rating scheme to be applied must be the equivalent independent rating scheme in force at the time of commencement of the use administered by the official accrediting body for hotel ratings in Australia at that time and as determined in writing by Council.
80. The development must achieve a 5-star Green Star rating from the Green Building Council of Australia (GBCA) in both the categories of "As Designed" and "As Built".
81. The development must be of a standard of design capable of International Architectural acclaim and provide the following minimum hotel design elements to a standard commensurate with a 5-star hotel:
  - (a) a minimum floor area per room of 33m<sup>2</sup>
  - (b) oversized 5 point bathroom facilities
  - (c) minimum of 1000m<sup>2</sup> of conference/banqueting floor area
  - (d) minimum of two dining outlets/restaurants and separate bar
  - (e) covered porte cochere, sized to accommodate coach arrival
  - (f) chapel/meeting room
  - (g) function lawn

- (h) exhibition marquee area
- (i) resort swimming pool
- (j) modern gymnasium
- (k) day spa and treatment rooms
- (l) doorman and concierge services
- (m) 24-hour room service and 24-hour reception
- (n) large passageways and ceiling heights
- (o) dedicated service lifts
- (p) valet parking
- (q) high end designer finishes and fit out
- (r) fully air conditioned internal public areas
- (s) state of the art room technology

#### **Surf Lifesaving Facilities**

82. Facilities in the form of Surf Lifesaving Club facilities, including a First Aid Room, Kiosk, store room, permeable paved hardstand for washdown, outdoor seating and shading for First Aid and Kiosk, weather protection of openings, operable facades, glazing, roller doors for weather protection and breeze inclusion/exclusion, plumbing for taps and sinks and power, lighting, security, etc and must be provided as shown on the approved Floor plan (Drawing A\_6\_1104 - Retail/SLSQ – Floor Plan - Ground).

#### **Public Toilets and Showers**

83. Public toilet and shower facilities must be maintained by the body corporate and must be provided in accordance with the approved plans and remain open to the public during business hours.

#### **Fencing and Walls**

84. Any street fencing and walls for the serviced apartments must be setback behind a 2m wide landscape strip and must have a maximum height of not more than:
- (a) 1.8m, if 50% transparent, or
  - (b) 1.2m if solid
85. The area of land between the fence and the front property boundary for the serviced apartments must be densely landscaped to screen any fencing from the street.

#### **Communal Recreation Areas**

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

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

87. Where some or all of the land remains vacant or undeveloped (all stages), or redevelopment of stage 1 is delayed for more than three (3) months, the following works must to be carried out: :
- (a) the site must be cleared of all rubble, debris and demolition materials
  - (b) the site must be graded to prevent ponding (to the same level as the adjoining footpath wherever practicable), turfed and mown at a minimum three (3) weekly intervals
  - (c) the site must be landscaped with perimeter planting consisting of advanced specimens of fast growing tree species
  - (d) the site must be maintained to ensure no nuisance to adjacent premises, roads or footpaths
  - (e) where fencing is installed to secure boundaries:
    - (i) the fencing must be durable and not capable of being pushed or blown over

- (ii) the fencing type must not detract from local amenity (barbed wire is not acceptable)
- (iii) vandalism must be promptly repaired and any graffiti removed.

#### **Street Identification**

88. 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.

### **URBAN DESIGN**

#### **Final Architectural Building Detail**

89. Architectural drawings must be submitted and approved by Council. The architectural drawings must show the final developed details of the facade treatment, the ground interface and the rooftop/building capping elements of the approved buildings, and must depict a higher level of documentation detail than that shown on the Approved Plans. The architectural drawings must:
- (a) nominate materials, colours and finishes
  - (b) have title blocks, current revision numbers, scale details, north point and be cross referenced to larger scaled drawings
  - (c) include elevation and facade treatment drawings for all floor levels that demonstrate the final design outcome for all elevations of the built form including:
    - (i) detailed plans, sections, site sections and elevations at 1:50 or 1:20 scale for elements at the facade including structural elements and fixed and operable elements such as balustrades, screens, sunshades, green walls, green roofs, access points, design for height and safety, design for Universal Access, Design for Disability, bridges, pools, dam safety fences, pool safety fencing, balustrades, private open space, laundry access and line drying areas to every unit, storage for Resort Complex (Hotel) maintenance, retaining walls, pathways, funicular, elevators, tiered pathways, stairs, doors, windows, projecting fins and planter beds/trellises
    - (ii) all servicing and infrastructure, including but not limited to, padmount transformers, pump rooms, fire hydrant boosters etc.
    - (iii) rooftop or building capping elements, awnings and soffits
  - (d) include one rendered perspective showing the intended finished built form
  - (e) include dimensions for the extent of projecting elements, balustrade height and door and windows/glazing configurations
  - (f) show the final height and position of the buildings on the site, from natural ground and finished surface level, with dimensioned setbacks matching the Approved Plans
  - (g) show how the buildings coordinate with the approved and required landscaping for the site.

#### **Building Appearance**

90. The approved buildings must be constructed such that their external appearance achieves a high quality design finish in accordance with the Approved Plans, with no inclusions or future alterations being made without approval in writing by council.
91. 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.
92. Building materials and hard surfaces used in landscape or streetscape works are not highly reflective, or likely to create glare, slippery or otherwise hazardous conditions.

### **Compliance with Approved Building Form**

93. Certification and "as constructed" plans and drawings must be submitted to Council from a cadastral surveyor and an Architect registered in Queensland which certifies and demonstrates that all finished works and building form on the site complies with the Approved Plans for the development.

### **Public Safety**

94. Ground floor shopfront glazing along all street frontages and to the park must be fully transparent to a minimum of 65% of the street frontage to allow passive surveillance and encourage social interaction. 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.
95. All ground floor shopfront glazing must be protected against unlawful entry by the use of a form of safety glass such as toughened or laminated glass. All other windows provided at the ground floor must include toughened or laminated glass, or security screens.
96. Any security screens on the premises consist of grille or translucent screens and not solid shutters, screens or roller-doors.
97. 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.
98. During operating hours, all building entrances, parking areas, pedestrian areas and entrances/exits to all stairwells, travelators, lifts, foyers/reception areas, loading docks and public toilets must be well lit with vandal resistant lighting and with intensities to satisfy the requirements of AS 1158 – *Lighting for Roads and Public Spaces* and the *Sunshine Coast Public Lighting Plan*. Lighting must be directed onto the site or building and away from neighbouring sites. Lighting must be designed to reduce the contrast between shadows and well lit areas.
99. After hours access to loading docks, storage areas and the basement carpark (including the vehicle ramp and all stairwells) must be restricted by a security gate, lockable doors and/or other suitably appropriate means. The basement carpark must be kept closed and locked at all times while the use is not operating. Any after hours staff parking must be well lit and located in close proximity to staff access points.
100. Basement car parks must include the following:
- (a) emergency telephones to security personnel
  - (b) mechanical surveillance
  - (c) alarms or poles
  - (d) other similarly effective safety and security measures.

### **Clothes Drying Areas**

101. Each multiple dwelling unit must be provided with an outdoor non-mechanical (natural) clothes drying facility that is screened from public view by the use of fixed or operable screens incorporated into the building design. Where individual outdoor clothes drying facilities are not provided for each unit, one or more clothes drying areas fitted with robust clothes lines must be provided in accessible and screened communal locations to meet the clothes drying needs of occupants. The requirement for screening of outdoor clothes drying by occupants must be included in the Community Management Statement for any body corporate for the subject site

### **Weather Protection**

102. Street awnings must be provided along the full length of the commercial property frontages, as shown on the Approved Plans. The awnings must have a minimum width of 2.7m from the building line, and must be designed to provide continuous solar and rain protection and promote all weather activity.
103. Weather protecting awnings or overhangs must be provided to all operable windows and doors on all property frontages. The awnings must have a minimum width of 0.6m from the building line, and must be designed to provide continuous weather protection and promote operability during rain.

#### **WELL Building Standard**

104. The development must achieve a Gold Certification from the International WELL Building Institute in both the categories of "Preconditions" and "Optimizations" of the WELL Building Standards.
105. Documentary evidence must be submitted to Council demonstrating that:
  - (a) the development project has been registered with the Green Building Council of Australia
  - (b) a Green Star Accredited Professional has been retained and has sufficiently contributed to the design and has certified that the project can achieve a 6 Star Green Star rating in both the categories of "As Designed" and "As Built"
  - (c) the development project has been registered with the International WELL Building Institute
  - (d) a registered WELL Building Professional has been retained and has sufficiently contributed to the design to ensure the project can achieve a Gold in both the categories of "Preconditions" and "Optimizations" of the WELL Building Standards.

#### **Eco Tourism Ratings**

106. The development must achieve both Advanced ECO and Respecting Our Culture (ROC) certification from Ecotourism Australia.
107. Either as part of, or in addition to, achieving ROC certification from Ecotourism Australia, evidence must be submitted to Council that the developer has used its best endeavours to engage with the Kabi Kabi First Nation to enter into either a memorandum of understanding or certification letter signed by representatives of Kabi Kabi First Nation.
108. Documentary evidence must be submitted to Council demonstrating that:
  - (a) the development project has been registered with Ecotourism Australia for consideration as both an Advanced ECO and ROC resort development
  - (b) progress has been made through the application program, including commencement of the:
    - (vi) Certification Workbook
    - (vii) Business Sustainability Planning
    - (viii) Environmental Management Plan
    - (ix) Interpretation Plan
    - (x) any other documentation as required by Ecotourism Australia for Advanced ECO and ROC certification.

#### **Energy Efficiency**

109. Solar radiation through external glazing must be controlled by the following:
  - (a) a permanently fixed overhang with a minimum overhang width of 600 mm
  - (b) a permanent external assembly containing adjustable, or operable shading devices or fixed screens with a maximum transparency of 25%.

- 110. The ceiling and walls of the car park must be light-coloured to maximise lux levels and minimising the need for electrical lighting.
- 111. All external glazing and shading must be designed to be protected to minimise the overall thermal transmission through the façade of the buildings.
- 112. All external glazing and openings must be designed to maximise the opportunities for the occupant to control the internal climate of the buildings, with a minimum of 50 % of all external openings to be operable.

#### Public Art

- 113. Public art must be established on the premises in accordance with a public art master plan\* prepared by a qualified person\* and approved through an operational works approval. Works must constitute not less than 0.25% of the total estimated project cost as certified by a Quantity Surveyor, unless otherwise agreed to in writing by Council.  
\*(Refer to Advisory Note)
- 114. Where the public art master plan proposes works to be located on public land, written agreement must be obtained from the relevant authority prior to the works being undertaken.

#### TRAFFIC

##### New Roads

- 115. The new roads shown on the Approved Plans must be constructed in accordance with the conditions of this development approval and dedicated as road reserve at no cost to council. The works must be undertaken in accordance with an operational works approval and must include in particular:
  - (a) For the proposed Entry Road, between David Low Way and the proposed Resort Complex porte cochere access driveway on the eastern side of the lake, a design standard matching that of a District Collector in accordance with council's *Planning scheme policy for the transport and parking code*, and include in particular:
    - i. a general minimum road reserve width of 26 metres
    - ii. at least a 5.1 metre wide carriageway in each direction, inclusive of a 1.8 metre wide bike lane / shoulder. The carriageway is to commence a transition to the width required for the adjacent Main Street carriageway at the porte cochere driveway
    - iii. a right-turn lane, at least 3 metres wide, on the Entry Road at each intersection with the proposed local street (to proposed Lot 4) and future access road (to proposed Lot 300)
    - iv. a raised pedestrian refuge island, at least 2 metres wide, and associated pathway connections, on the entry road immediately north of the proposed intersection with the adjacent access road to proposed Lot 300. The gap in the raised median island for pedestrian movement is to be 3 metres
    - v. a Type BAL left-turn treatment on the entry road at its intersection with the proposed private local street (to proposed Lot 4), with the eastbound entry road carriageway widened to 6 metres for a length of 5 metres from the intersection turnout tangent point, before tapering back over 6 metres
    - vi. widening of the carriageway and road reserve as necessary at the David Low Way end of the entry road to accommodate the roundabout configuration, approach lanes, and splitter island required by the Concurrence agency response, without reducing verge widths

Item 4.1.1 Development Application for Material Change of Use (Preliminary Approval),  
Material Change of Use (Development Permit) and Reconfiguration of a Lot  
(Development Permit) - David Low Way, Yaroomba

Appendix A Conditions of Approval

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- vii. a 3 metre wide shared path on the northern verge of the entry road and a 2.5 metre wide shared path on the southern verge of the entry road
  - viii. a pedestrian (zebra) crossing on a raised platform between the bridge and the porte cochere driveway access, generally in line with the connection to the proposed pedestrian boardwalk on the eastern side of the lake. The pedestrian crossing width must be at least 4 metres. The platform ramp grades should be 1 in 15
  - ix. installation of street lighting.
- (b) For the proposed Main Street, between the proposed Resort Complex (Hotel) porte cochere access driveway and the intersection with the proposed Northern Entry Road, a design standard matching that of a Mixed Use Collector Street in accordance with council's *Planning scheme policy for the transport and parking code*, and include in particular:
- i. a general minimum road reserve width of 21 metres
  - ii. an 11 metre wide carriageway with barrier kerb and channel and underground drainage, incorporating 3.2 metre traffic lanes and 2.3 metre wide parking lanes
  - iii. pedestrian (zebra) crossings on raised platforms with kerb buildouts at three locations along the main street, generally in line with the hotel pedestrian entry from the porte cochere and each of the two proposed hotel lift lobbies adjacent to the main street. The pedestrian crossing width at each crossing must be at least 4 metres. The platform ramp grades should be 1 in 15
  - iv. at least a 4.5 metre wide verge on the northern side of the main street and at least a 5.5 metre wide verge on the southern side of the main street
  - v. a 2.5 metre wide shared path on the northern verge of the main street
  - vi. a clear width of 3 metres is to be maintained for pedestrian movement along the southern verge, clear of all obstructions, landscaping and on-street dining areas.
- (c) For the section of the proposed Northern Entry Road between the northern David Low Way access intersection and the eastern end of the proposed car park lot (Lot 3), a design standard matching that of a Mixed Use Collector Street in accordance with council's *Planning scheme policy for the transport and parking code*, and including in particular:
- i. a general minimum road reserve width of 23 metres
  - ii. an 11 metre wide carriageway with barrier kerb and channel and underground drainage, incorporating 3.2 metre traffic lanes and 2.3 metre wide parking lanes. The parking lanes should include landscaped kerb buildouts, approximately 12 metres long, at spacings of approximately 50 metres
  - iii. 6 metre wide verges on both sides, incorporating a 3 metre wide shared path on the northern side and a 2.5 metre wide shared path on the southern side, both offset 2 metres from the kerb face
  - iv. widening of the carriageway as necessary at the David Low Way end of the northern entry road to accommodate the intersection works required by the Concurrence agency response. A pedestrian refuge opening must be incorporated into the splitter island on the entry road approach to David Low Way
  - v. dedication of land as road reserve from proposed Lots 5 and 400 as necessary to accommodate the required reserve width for this section of the northern entry road and intersection works, without reducing required verge widths
  - vi. installation of street lighting.
- (d) For the section of the proposed Northern Entry Road between the proposed car park lot (Lot 3) and proposed Lot 200, a design standard matching that of a Mixed



Use Collector Street in accordance with council's *Planning scheme policy for the transport and parking code*, and including in particular:

- i. a general minimum road reserve width of 17 metres
  - ii. an 11 metre wide carriageway with barrier kerb and channel and underground drainage, incorporating 3.2 metre traffic lanes and 2.3 metre wide parking lanes. The parking lanes should include landscaped kerb buildouts, approximately 12 metres long, at spacings of approximately 50 metres
  - iii. a 5 metre wide verge on the northern side (adjacent to the easement containing the buggy path), incorporating a 3 metre wide shared path on a general offset 2 metres from the kerb face
  - iv. reconstruction of existing paths and associated drainage in the adjacent easement as necessary to suit the works
  - v. at least a 1 metre verge on the southern side. A 2.5 metre wide shared path must be provided within the adjacent park (Lot 1) on a general offset 2 metres from the adjacent kerb face
  - vi. installation of street lighting.
- (e) For the section of the proposed Northern Entry Road between the proposed park lot (Lot 1) and the intersection with the Main Street and Access Road at the eastern end of the site, a design standard matching that of a Mixed Use Collector Street in accordance with council's *Planning scheme policy for the transport and parking code*, and including in particular:
- i. a road reserve width of at least 17.4 metres
  - ii. at least a 6.4 metre wide carriageway with barrier kerb and channel and underground drainage, incorporating 3.2 metre traffic lanes
  - iii. at least a 5 metre wide verge on the eastern side (adjacent to the easement containing the buggy path), incorporating a 3 metre wide shared path on a general offset 2 metres from the kerb face
  - iv. reconstruction of existing paths and associated drainage in the adjacent easement as necessary to suit the works
  - v. at least a 6 metre wide verge on the western side adjacent to Lot 200, incorporating a 2.5 metre wide shared path on a general offset 2 metres from the kerb face
  - vi. a pedestrian (zebra) crossing on a raised platform at a location at least one car length clear of the intersection with Main Street and Access Road. The pedestrian crossing width must be at least 4 metres. The platform ramp grades should be 1 in 15
  - vii. the intersection with the Main Street and Access Road must be designed such that the Access Road is the terminating leg of the T-intersection (with a give way sign and associated line marking) and the intersection is able to accommodate turning service vehicle traffic
  - viii. dedication of land as road reserve from the proposed lots at the intersection with Main Street and Access Road as necessary to accommodate the intersection works and to maintain at least the minimum required verge widths
  - ix. installation of street lighting.
- (f) For the proposed access road along the eastern boundary of the proposed Resort Complex (Hotel) lot (Lot 101), a design standard matching that of a Mixed Use Collector Street in accordance with council's *Planning scheme policy for the transport and parking code*, and including in particular:
- i. a general minimum road reserve width of at least 23 metres
  - ii. at least a 6.4 metre wide two lane central carriageway
  - iii. on the western side, at least a 2.3 metre wide parking lane

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- iv. on the eastern side, at least a 7.8 metre wide paved 90 degree angle car parking area, accommodating 2.6 metre wide x 5.4 metre long marked parking bays at least 2.4 metres from the adjacent central carriageway barrier kerb and channel and underground drainage on both sides
  - v. at least a 2.5 metre shared path on the eastern side, located at least 1 metre from the angle car parking area kerb and which may be located in the adjacent park
  - vii. at least a 6 metre wide verge on the western side, incorporating a 2.5 metre wide shared path on a general offset of 2 metres from the kerb face
  - viii. a pedestrian (zebra) crossing on a raised platform at a location approximately 3 car lengths from the intersection of the Access Road with the Main Street and Northern Entry Road. The pedestrian crossing width must be at least 4 metres. The platform ramp grades should be 1 in 15
  - ix. installation of street lighting.
- (g) For the private road within Lot 100 (connecting to Road 1), a design standard generally matching that of an Access Street in accordance with council's *Planning scheme policy* for the transport and parking code, except also including in particular:
- i. a general minimum road reserve width of 18 metres.
  - ii. an 8.5 metre wide carriageway with kerb and channel and underground drainage, incorporating 3 metre traffic lanes and one 2.5 metre wide parking lane.
  - iii. a 5.5 metre wide verge on the northern side, incorporating a 2.5m metre wide shared path on a general offset 2 metres from the kerb face.
  - iv. at least a 4.0 metre verge on the southern side.
  - v. a turnaround of sufficient size to accommodate the 3-point turn manoeuvre of a MRV.
  - vi. installation of street lighting.
- (h) For the private road within Lot 4 (ultimately connecting between Road 1 and Road 2), a design standard generally matching that of a Neighbourhood Collector street in accordance with council's *Planning scheme policy* for the transport and parking code, and including in particular:
- i. a general minimum road reserve width of 21 metres.
  - ii. an 11 metre wide carriageway with kerb and channel and underground drainage, incorporating 3.2 metre traffic lanes and 2.3 metre wide parking lanes.
  - iii. a 5.5 metre wide verge on the eastern side, incorporating a 2.5 metre wide shared path on a general offset 2 metres from the kerb face.
  - iv. at least a 4.5 metre verge on the western side.
  - v. installation of street lighting.
- (i) All street lighting must comply with the approved Master Sea Turtle Management plan and Master Sea Turtle Lighting Plan
116. All shared paths and footpaths must be designed in accordance with Austroads' Guide to Road Design and located such that there are at least 500mm clearances on each side from all poles, posts, bridge railings, fences, and other vertical obstructions and hazards.
117. A temporary sealed turnaround facility must be constructed at the end of each road left temporarily incomplete as a result of the development staging. Any temporary turnaround facilities must be in accordance with an operational works approval must be of sufficient size to accommodate the 3-point turn manoeuvre of a Waste Collection Vehicle (WCV) and include appropriate signage.
118. Clearly visible pavement changes must be constructed at the threshold of the internal road

which clearly demarcates the transition from the public road system to the private community title scheme land. The length of the change in pavement must not be less than 12m so that it is not mistaken for a pedestrian crossing.

119. Clearly visible signage must be erected at the threshold of the internal road, which clearly indicates to motorists and pedestrians that they are entering a private road system.

#### **Property Access and Driveways**

120. A minimum of 2 sealed access driveways must be provided from Road 1 to all parking and manoeuvring areas of Lot 101. The works must be undertaken in accordance with an operational works approval and must include in particular:
- (a) a driveway crossover generally in accordance with RS-051.
  - (b) suitable safety measures, including warning signage, to improve driver awareness of pedestrians and enhance pedestrian safety. Warning signage must be provided near the exit ramp from the underground parking area to warn motorists of pedestrian movement along the frontage street.
121. A sealed access driveway must be provided from the private roadway on Lot 100 to all parking and manoeuvring areas of Lot 101. The works must be undertaken in accordance with an operational works approval and must include in particular:
- (a) a driveway crossover generally in accordance with RS-051.
  - (b) suitable safety measures, including warning signage, to improve driver awareness of pedestrians and enhance pedestrian safety. Warning signage must be provided near the exit ramp from the underground parking area to warn motorists of pedestrian movement along the frontage street.
  - (c) easements over Lot 100 in favour of Lot 101.
122. A sealed access driveway must be provided from Road 2 to all parking and manoeuvring areas of Lot 3 and Lot 902 SP269561. The works must be undertaken in accordance with an operational works approval and must include in particular:
- (a) a driveway crossover in accordance RS-051.
  - (b) removal of the existing crossover along David Low Way serving Lot 902 SP269561, and restoration of the verge, kerb and channel, footpath, landscaping and associated infrastructure.
123. At least one sealed access driveway must be provided from the private local street to all parking and manoeuvring areas of the transfer station on Lot 4. The works must be undertaken in accordance with an operational works approval and must include in particular a driveway crossover in accordance with RS-051.
124. Prior to the commencement of the use, an all-weather access track suitable for occasional light 4wd vehicle (with trailer) access must be provided between Road 1 and the future northern life saving tower, generally along the alignment of the existing beach access path. The works are subject to gaining all necessary approvals and must be undertaken in accordance with an operational works approval and must include in particular:
- (a) a driveway crossover in generally in accordance with RS-051.
  - (b) a driveway width sufficient for shared use with pedestrians
  - (c) suitable safety measures, including warning signage, to improve driver awareness of pedestrians and enhance pedestrian safety. Warning signage must be provided near the exit ramp from the underground parking area to warn motorists of pedestrian movement along the frontage street.

#### **Car Parking**

125. A minimum of 429 off-street car parking spaces must be provided and marked on the site, with

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all commercial, retail and/or office spaces made available and accessible at all times while the use is open for business (required on-street parking will not count toward the off-street total). The works must be undertaken in accordance with an operational works approval and must include in particular:

- (a) For the basement carpark, a minimum of 429 spaces including:
  - (i) Pedestrian refuge areas at strategic locations within the basement carpark to ensure safe and convenient congregating of pedestrians waiting to cross major access driveways.
  - (ii) Secure parking not exceeding 62 spaces dedicated solely for hotel use and precisely 140 spaces dedicated solely for serviced apartment use, and
  - (iii) Unsecured public parking for the remaining spaces, and
  - (iv) Within the unsecured areas of the basement carpark, adequate provision of and separation of pedestrian routes from vehicle access and manoeuvring areas, and clear demarcation by pavement marking, signposts or changes in surface materials or levels.
  - (v) Within the northern unsecured areas of the basement carpark, appropriate provision of pedestrian ingress/egress point(s) to an outdoor surface location, including at least one lift or ramp catering for disabled access with the surface location near the Road 1/Road 2 intersection.
- (b) Surface pedestrian routes in accordance with the conditions of this development approval.
- (c) Provision of vandal resistant public lighting with intensities to satisfy the requirements of AS 1158 – Lighting for roads and public spaces.
- (d) Parking spaces for people with disabilities within the total, at a quantity commensurate with the nearby uses.
- (e) Dimensions, crossfalls and gradients in accordance with AS 2890 - Parking facilities.
- (f) Submission to and approval by Council under the operational works approval of a Parking Management and Operations Plan addressing overall management strategies of all privately controlled on-street and off-street parking, including (but not limited to) the following:
  - (i) Secured and unsecured parking access controls and signage.
  - (ii) Disabled parking.
  - (iii) Public car parking arrangements.
  - (iv) Special event (overflow) parking.
  - (v) Shuttle and tour bus parking.
  - (vi) Service vehicle access to all buildings on the site, excluding single family dwellings.
  - (vii) Emergency/disaster procedures.
  - (viii) Procedures for adopting changes to the approved Parking Management and Operations Plan.

NOTE: the layout/design of the carparking shown on the Approved Plans may need to change in order to comply with the above conditions.

126. Provide an overflow carpark capable of accommodating a minimum of 100 car parking spaces for the Resort Complex use located within balance parcels (covered by necessary access easements in favour of the Resort operator). The purpose of the carpark must be able to accommodate potential parking demand for conferences, events, staff, visitors, day users of Resort Complex (Hotel) facilities or general peak occupancy of the hotel. To determine whether the car park remains or whether it can be removed at a later date (in full or in part), the applicant must provide to the Council, at its cost, a Car Parking Study that has a minimum level of information as follows:

- (a) the Study will contain factual data and report on actual car parking demands and use over the course of a continuous 36 month period of full operation of the Resort Complex, including a minimum of nine (9) Car Parking Surveys of the Resort Complex beginning 12 months after the commencement of the use and undertaken at generally even intervals throughout the year. The Study will establish demands

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- and identify any trends during the course of the 36 month period (such as the occupation rates of the car park on site being utilised by non-users of the Resort Complex). The Study will contain the full data sets to enable a review of parking occupancy rates throughout the course of the days surveyed including the available number of off-street car parks and street parking. Data sets must contain full details of the survey times, prevailing weather conditions at the time of the surveys, and car parking and occupancy and use rates for the Resort Complex at the time of the Surveys;
- (b) the information contained in the Study must be reflective of peak periods, and it must correlate to the 85th percentile operating times of the centre;
  - (c) during each Car Parking survey, the applicant will conduct a Usage Survey (using an independent and appropriately qualified person) of person/s using the Resort Complex to determine their method of arrival (by private vehicle, public transport, or other non-motorised means) and whether such users have utilised on site car parking or street parking. This Usage Survey will form part of the Car Parking Study;
  - (d) The applicant must, at its cost, ensure that the Car Parking and Usage survey results are independently peer reviewed by a suitably qualified person, as stipulated by Council, and provide the results of that peer review to the Council with the Car Parking Study;
  - (e) Upon receipt of the Car Parking Study and Peer Review, the Council will advise the applicant within 20 business days if it accepts the results of the Study and Peer Review, and if necessary provide reasons for any disagreement;
  - (f) Should the results of this Car Parking Study and/or peer review identify a shortfall in required parking bays, the applicant must retain the identified bays required.
  - (g) If the results of this Study and subsequent peer review identify that there is no shortfall in required parking bays (i.e. provided bays within the basement are sufficient), the overspill carpark can be removed.
127. A minimum of 73 motorcycle/scooter parking spaces must be provided and marked on the site, generally in locations and quantities appropriate to the associated uses. The works must be undertaken in accordance with an operational works approval and must include in particular:
- (a) dimensions, crossfalls and gradients in accordance with AS 2890 - *Parking facilities*.
  - (b) 4 within the total associated with the beach access parking.
  - (c) 14 within the total associated with the serviced apartments.
  - (d) no more than 25 within the total located in secured parking areas.
128. 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.
129. Directional signage must be provided to direct visitors and customers to the car parking spaces provided on-site.
130. Where access to any car parks is proposed to be restricted by a security gate, provision must be made for queuing of vehicles clear of the roadway while waiting for the security gate to open.
131. Where access to visitor parking is proposed to be restricted by a security gate, provision must be made for intercom access (or other entry methodology), which can be operated with vehicles queued clear of the roadway while waiting for the security gate to open.
132. Where a secure car park services a commercial use on the site, the security gate must remain open at all times while commercial uses on the site are open for business. The requirements of this condition must be included in the Community Management Statement for any body corporate for the subject site.

### Public Car Park

133. A minimum of 105 public car parking spaces must be provided and marked on the site. The works must be undertaken in accordance with an operational works approval and must include in particular:
- (a) a minimum of 25 angled parking spaces available to the public at all times and must be provided near the northern beach access along the eastern side of the public roadway, which are clearly marked for that purpose.
  - (b) a minimum of 80 spaces available to the public at all times and must be provided within the carpark located on Lot 3.
134. Landscape for car parking and driveways must:
- (a) incorporate a minimum 3m planting width where abutting a road reserve or public land
  - (b) incorporate a minimum 1.5m planting width where adjoining side and rear boundaries
  - (c) provide growing media with adequate surface area and volume to ensure mature forms to develop
  - (d) incorporate shade trees at a rate of 1 tree per every 4 car parks
  - (e) be designed for pedestrian safety
  - (f) be designed to incorporate drainage of hard surface areas to landscaped areas and water sensitive urban design devices

### Service Vehicles

135. Service vehicle parking, manoeuvring and standing spaces must be provided on the site. The works must be undertaken in accordance with an operational works approval and AS 2890.2 - *Off-street commercial vehicle facilities* and must include in particular:
- (a) a minimum of three shared Van/MRV spaces (Type A Access), with one each located:
    - (i) on-street or off-street in the vicinity of the village park.
    - (ii) on-street or off-street in the vicinity of the private access street adjacent to the serviced apartments.
    - (iii) Certification must be submitted to council from a qualified person\*. The certification must certify that the development has been constructed in accordance with the recommendations contained in the geotechnical report for the development.  
\*(Refer to Advisory Note)
    - (iv) off-street within the resort.
  - (b) a minimum 1 AV space (Type A Access) off-street within the resort.

### Pedestrian and Bicycle Facilities

136. Pedestrian and bicycle facilities must be provided for the development. The works must be undertaken in accordance with an operational works approval and must include in particular:
- (a) shared footpaths within the public and private road verges throughout the development at widths as specified in the road descriptions, and including pram crossings at the intersection
  - (b) shared footpaths located throughout the development as appropriate to each stage, generally in accordance with the referenced plans.
  - (c) provision of the Coastal pathway link through the eastern portion of the site
  - (d) provision of a temporary 2.5m minimum width sealed shared footpath through Lot 300 connecting between Belle Mare Avenue and the new section of Coastal pathway.
  - (e) pedestrian pathways between the proposed car parking area and the buildings, including dedicated walkways between parking bays and aisles within the basement carpark.

- (f) 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
- (g) signage and lighting at strategic locations to direct people to building entries and public toilet facilities
- (h) pedestrian refuge areas at strategic locations within the carpark to ensure safe and convenient congregating of pedestrians waiting to cross major access driveways
- (i) a minimum of 52 staff bicycle parking spaces, generally in locations and quantities appropriate to the associated uses and in accordance with AS 2890.3 – Bicycle parking
- (j) a minimum of 140 residential bicycle parking spaces associated with the serviced apartments, in accordance with AS 2890.3 – Bicycle parking
- (k) a minimum of 101 visitor bicycle parking spaces, generally in locations and quantities appropriate to the associated uses and in accordance with AS 2890.3 – Bicycle parking
- (l) end of trip facilities assessable to all staff and visitors (resort and otherwise) on the site and including lockers, male and female showers and change rooms as shown on the approved plans.

#### Utility Services

- 137. Underground reticulated electricity and telecommunication services must be provided to the development in accordance with an approval for operational works and the standards and requirements of the relevant service provider.
- 138. An underground connection to reticulated water and sewerage must be available and provided to the development site in accordance with the standards and requirements of Northern SEQ Distributor–Retailer Authority (Unitywater).
- 139. 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 approval of the survey plan.
- 140. 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.

#### Geotechnical Stability

- 141. All works must be carried out in accordance with a geotechnical report (or part thereof) prepared by a qualified person\* and approved through an operational works approval.  
\*(Refer to Advisory Note)

#### Earthworks and Retaining Walls

- 142. 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.
- 143. 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.

#### HYDROLOGY

### Stormwater Drainage

144. 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, and must include in particular:
- (a) the works described in the Detailed Stormwater Management Plan submitted with the first civil Operational Works development application on land subject to this development approval
  - (b) collection and discharge of stormwater directly to the piped stormwater system connecting to the constructed water body
  - (c) the use of gravity stormwater drainage and not surcharge pits.
145. In conjunction with the first Civil Operational Works development application on land subject to this development approval the applicant must submit to Council for approval a Detailed Stormwater Management Plan prepared in accordance with Council's Planning Scheme Policy for Development Works which demonstrates compliance with the flooding and stormwater management conditions of this development approval.
146. The minimum permitted bed level of the constructed water body is 0.5m AHD. Prior to sealing of the plan of survey containing the lake a bathymetric survey must be completed demonstrating compliance with this condition.

### Stormwater Quality Management

147. A stormwater quality treatment system must be provided for the development. The works must be undertaken in accordance with an operational works approval, and include stormwater quality treatment devices of a size and location generally in accordance with those shown in Section 2 of the of the Stormwater Quality Management Plan listed in this development approval
148. All stormwater quality treatment devices must be maintained in accordance with Water by Design (2012), Maintaining Vegetated Stormwater Assets (Version 1). A copy of this document must be retained on the site together with the approved operational works drawings for the stormwater quality treatment system and a detailed life cycle costing of the system attached as an addendum. Records of all maintenance activities undertaken must be kept and made available to council upon request.
149. All proprietary stormwater quality treatment devices must be routinely checked, serviced and cleaned in accordance with the manufacturer's recommendations. Records of all maintenance activities undertaken must be kept and made available to council upon request. Where replacement components for the system become unavailable, an alternative system must be retrofitted into the development to achieve an equivalent pollutant reduction outcome.

### Stormwater Harvesting & Re-use

150. Operating stormwater harvesting tanks must be provided for the development. The tanks must be provided in accordance with an Operational Works approval and must include in particular:
- (a) the details identified in Section 2 of the *Stormwater Quality Management Plan* listed in this development approval
  - (b) a total tank capacity of 85 m<sup>3</sup> for roof areas in catchment 4 excluding roof areas in the park
  - (c) a total tank capacity of 380 m<sup>3</sup> for roof areas in catchment 9
  - (d) a catchment of 95% of the building roof area
  - (e) reuse of harvested rainwater for irrigation purposes
151. Certification must be submitted to council from a qualified person\* which certifies that the rainwater collection tanks and associated reticulation has been installed in accordance with



the requirements of this development approval.  
*\*(Refer to Advisory Note)*

#### **Flood Immunity**

152. The minimum floor level of all buildings must be in accordance with Table 8.2.7.3.3 of the Sunshine Coast Planning Scheme 2014 Flood Hazard Overlay Code. Basements must be sealed to a level of 0.5m above the 1% AEP climate change flood level to prevent entry of floodwaters.

#### **ECOLOGY**

##### **Biodiversity offsets**

153. Prior to any vegetation clearing on site, the applicant must submit to Council for approval a Biodiversity / Vegetation Offset Management Plan prepared in accordance with Council's Planning Scheme Policy for Biodiversity Offsets. Biodiversity / Vegetation monetary offsets must be secured prior to clearing works commence, or alternatively on ground biodiversity / vegetation offsets must be complete prior to commencement of use.
154. The land area located east of the development (Marcoola-Yaroomba Foreshore Bushland Conservation Reserve) shown on the Approved Plans must be rehabilitated and revegetated in accordance with an Operational Works approval and must include the removal of all weeds species listed in the following standards and legislation:
- (a) invasive plants listed in the Biosecurity Act 2014
  - (b) Sunshine Coast Local Government Area Pest Management Plan 2012-2016.

##### **Fencing to Protected Land**

155. Permanent fences must be constructed along the entire length of the interface of the site with the Parabolic dune, the Marcoola-Yaroomba Foreshore Bushland Conservation Reserve, beach accesses, and beach front. The fence must be constructed in accordance with an Operational Works approval and must be in accordance with:
- (a) Figure 2: Coastal fences zones / Fence types / turtle movement and nesting zones of the Sunshine Coast Open Space Landscape Infrastructure Manual.

##### **Community Awareness of Protected Land**

156. Pole mounted educational signage must be provided to the Coastal Pathway and beach access points. The signage must be constructed in accordance with an Operational Works approval and must include the following specification/:
- (a) A0 in size, facing toward the development
  - (b) located at approximate 100m intervals
  - (c) educative in nature
  - (d) durable, weather resistant and visually complementary to the natural environment
  - (e) the exact wording, design and colours of the signs must be agreed by council
  - (f) information regarding the significance of the Sea Turtles and the potential negative impacts that may result from some resident activities such as the keeping of domestic pets, the disposal of wastes, etc.

##### **Turtles**

157. At all times, the development must maintain the existing established sky glow values for Yaroomba South.
- (a) For Whole Sky and zenith, between 20 - 21 magnitudes/arcsec<sup>2</sup> (typical rural night sky horizon),

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- (b) for Horizon between 19 and 20 magnitudes/arcsec<sup>2</sup> (Typical suburban night sky horizon), and
  - (c) This is representative of results, under clear sky conditions with light levels measured at Yaroomba South on the Sunshine Coast.
158. As part of the lodgement of the first Operational Works application, a Master Sea Turtle Management Plan and Master Sea Turtle Lighting Plan must be submitted and approved by Council. The Master Sea Turtle Management and Lighting Plan must be prepared by a qualified Sea Turtle expert (tertiary qualified marine turtle biologist and member of IUCN Marine turtle specialist group) and must include the following:
- (a) prepare a pre and post construction Artificial Light at Night Survey to determine changes to light emissions from the development to the adjacent turtle nesting beach using the methodology and equipment described in Sunshine Coast Council and Moreton Bay Council's Benchmark Artificial Light at Night Survey 2017. \*(See advice note) .
- The pre-construction Light Survey is to be undertaken prior to any site works commencing on site. The post-construction Light Survey is to be undertaken by the applicant on completion of each stage of the development. The Light Surveys are to be submitted to Council officers for their review and assessment. Should the post construction 'as built' audit identify that correctional actions are required, these are to be undertaken by the Developer.
- (b) The Developer must engage a contractor to incorporate biological data (hatchling sea finding behaviour) into the Artificial Light at Night Survey in order to demonstrate the impact to Marine Turtle Sea finding behaviour. This data can be accessed through a data request to the existing local turtle monitoring group.
  - (c) The developer must engage a qualified Sea Turtle expert (tertiary qualified marine turtle biologist and member of IUCN Marine turtle specialist group) to develop in conjunction with the lighting engineer, a turtle friendly street lighting design that achieves the minimum light requirements for road traffic and pedestrian safety, and that meets the required skyglow requirements of this decision notice.
  - (d) Development of compliance measures with which the development must comply.
  - (e) Within the Master Sea Turtle plan, detail how the development will
    - (i) Develop a public education program
      - a. to raise awareness and understanding of marine turtle nesting, impacts of artificial light at night, predators and human disturbance.; and
      - b. to work in partnership with Council and the local turtle monitoring group in the development of the Nature Trail
      - c. Support of the existing long term marine turtle monitoring program on the local coastline and including beaches from Point Arkwright to Tanah Street West of the project area, including a commitment to support local groups to continue to monitor Marine Turtle Sea finding behaviour
  - (f) Ensure the Rooftop bar mitigates vertical light spill and reduces sky glow in accordance with the standards, in the condition immediately preceding, between October – May.
  - (g) No light directly visible from the beach both opposite the development and along the beach to the north and south

#### Fauna Management

159. Vegetation must only be removed or disturbed in accordance with a fauna management plan (or part thereof) prepared by a qualified person\* and approved through an Operational Works approval and must include the following:

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- (a) The name of the fauna catchers/re-locators to be used, noting that they must be approved by the Queensland Parks and Wildlife Service, along with a copy of the fauna catchers'/re-locators' Rehabilitation Permit.
  - (b) A Fauna Spotter Report including a fauna assessment of the site and the fauna likely to be impacted.
  - (c) A site specific macropod management plan for pre, during and post development works.
  - (d) Certification from the principal engineer that the above Fauna Spotter Report is being provided to the clearing contractor to enable the contractor to factor the fauna removal issues into the quote for clearing works.
  - (e) Confirmation that the direction of clearing is from an open area to a less open area to allow fauna to escape into neighbouring bushland.
  - (f) A pre-clearing trapping and release plan, noting that any trappings and releases are to be conducted at least two weeks before clearing commences.
  - (g) Any special machinery requirements eg, cherry pickers, pole cameras with optical fibre, lights for viewing hollows etc.
  - (h) Nomination of release area/s and the land owner's written approval for release if necessary.
  - (i) The methodology of onsite inspections for fauna including the inspection of hollow branches, logs on the ground, nests of birds and possums etc.
  - (j) Contact details of the nearest veterinarian or other appropriate party to humanely deal with injured wildlife.
160. A final report by the fauna spotter shall be provided to Council's Ecologist no more than two weeks after clearing is finished, stating the following:
- (a) The length of time of the clearing.
  - (b) Details of any animal/s that were caught and/or sighted and released, and the placement of any release/s.
  - (c) Details of any animals that had to be destroyed due to injury.
  - (d) Confirmation of the follow up monitoring of nesting boxes if any are installed and where they are located.
161. Permanent artificial nesting boxes must be installed within the Marcoola-Yaroomba Foreshore Bushland Conservation Reserve to provide compensatory habitat for arboreal mammals and hollow dependent avian species. The works must be undertaken in accordance with an Operational Works approval.
- Bushfire Management**
162. The development must be carried out in accordance with the approved revised Litoria Bushfire Management Plan (MCU17/0095)
163. A copy of the Bushfire Management listed within this decision notice must be provided to the nearest fire authority.
164. Certification must be submitted to council from a qualified person\* which certifies that the development has been constructed in accordance with the bushfire management conditions of this decision notice.  
\*(Refer to Advisory Note)
165. A bushfire evacuation plan for the site must be prepared by a qualified person\* and submitted to council prior to the issue of any development permit for Operational Works.  
\*(Refer to Advisory Note)
166. A copy of the bushfire evacuation plan for the development must be provided to the nearest fire authority.

## LANDSCAPE

### Landscape Works

167. The development site must be landscaped. The works must be undertaken in accordance with an Operational Works Approval and must include in particular:
  - (a) Provision of one (1) street tree for every six (6) metres of new road, street and Driveway/access frontage.
  - (b) Engineered landscape planting details (structured soil techniques) and extent for street trees (structured soil techniques) to provide the area and volume for a mature tree to develop
  - (c) Engineered landscape details for podium planters including, volume and structure of planting media, waterproofing, drainage and irrigation. Maintenance access and requirements are to be considered.
  - (d) Vegetated screening/buffering of built forms, service infrastructure (including transfer station), acoustic barriers, electrical transformers and mechanical plant. Specifically when viewed from David Low Way.
  - (e) The existing swale between David Low Way and the pedestrian path for the length of the development frontage is to be revegetated with upper and lower strata consisting of tufting native grasses/macrophytes/shrubs and endemic trees. Trees are only to be installed on the batter between the pedestrian path and toe of the swale. The swale must be stabilised to cope with stormwater volume and velocity.
  - (f) Landscape embellishments to the proposed Park and Beachside Park are to be selected from Councils Open Space Landscape Infrastructure Manual.
  - (g) Public amenities/facilities are to be designed in accordance with Council delivered assets across the coast such as Tickle Park in Coolum and Cotton Tree Park in Maroochydore or a prefabricated propriety structure of equal function and quality.
  - (h) Landscape treatment between the existing vegetation buffer (covenant) along David Low Way and the proposed Lot boundaries/built form to minimise maintenance and future vegetation/resident conflicts and maximise screening/buffering of built forms. The buffers must maintain a constant width of 20 metres. Any truncations associated with vehicle access is to be reflected with this requirement.
168. All planting media must support the successful establishment and sustainable growth of approved plant species, specifically between proposed built forms, proposed roads verges, above proposed basement structures, buffers and parks. Details are to be provided with an Operational Works application
169. Landscape buffers must protect the edges of existing native vegetation, achieve visual screening of acoustic attenuation devices and provide separation between incompatible land uses. Supplementary planting details will be required with an operational works application
170. Landscape is designed to ensure high priority is given to provide adequate area and volume when locating services, pathways car parking and buildings.
171. 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 new plant material must be allowed to grow to full form and be refurbished when its life expectancy is reached.
172. Public and communal pathways and access points are to be effectively integrated with the landscape design for the development. Pathways must comply with the standards for pathways and access points specified in the planning scheme policy for development works and the below condition.
173. Submit to Council for approval an access and mobility report, prepared by a suitably qualified

person/s\*, detailing how the beach access point addresses the relevant elements of the *Disability Discrimination Act 1992*, *The Disability Services Act 2006 (Queensland)*; *Design for access and mobility – Part 1: General requirements for access – New building work*; *Sunshine Coast Planning Scheme 2014 Page SC6-264*; *AS 2156.1 – Class 1 Walking tracks Infrastructure Design*; *AS1428.2 – Design for access and mobility*; *AS1428 – Design for access and mobility*; and *Sunshine Coast Access and Inclusion Plan 2011-2016*. The access and mobility report must be submitted with an Operational Works application.

#### **Retention of Existing Trees**

174. All existing vegetation for retention must be assessed by a qualified person\* and a vegetation management plan prepared\*. The management plan must address tree location (survey), species, health and *AS4970 Protection of Trees on Development Sites* to ensure vegetation is retained in good health as a long term community asset. The vegetation management plan must be submitted to Council for approval with an Operational Works application.

\*(Refer to Advisory Note)

#### **Land Rehabilitation**

175. All existing vegetation for retention (including buffers) will require a rehabilitation/revegetation management plan to address weed removal and rehabilitation/revegetation extents. Works are to include an upper, middle and lower strata with a species diversity reflective of the Regional Ecosystem. The management plan must be submitted to Council for approval with an Operational Works application.

#### **Fencing**

176. All fences, walls and screening structures used in landscapes, where interfacing with public use areas are to be located behind the landscape and achieve a minimum of 50% visually and climatically permeable finish (where no acoustic requirements exist).

#### **Estate Entrance Feature**

177. Any proposed estate entrance feature must:
- (a) reflect a subdued local character, rather than an overbearing or contrived statement
  - (b) comprise feature vegetation (either existing or planted) in preference to built forms
  - (c) integrate with the landscape design of the balance of the estate
  - (d) be constructed of durable and low maintenance materials
  - (e) not restrict pedestrian access
  - (f) be located entirely within privately owned land

Any estate entrance works must be undertaken in accordance with an Operational Works approval.

#### **Green Walls and Roof Garden Landscaping**

178. A Green Wall and Roof Garden Design and Management Plan for all green walls and roof garden landscaping must be submitted to Council for approval, that includes:
- (a) Detailed Design that clearly shows:
    - (i) the location/layout and area of all green roofs and walls, including as a minimum the rooves of all accommodation suites
    - (ii) the spatial extent of the wall and roof planting systems while demonstrating they will comply with height restrictions
    - (iii) materials and plant species palette
    - (iv) design sections, finished levels and details
    - (v) construction details for the growing environment, including waterproofing, root barriers, irrigation and drainage

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- (vi) suitable surface area, volume and soil composition of the growing media to sustain healthy growth and viability of the selected vegetation.
- (vii) the proposed mechanisms for maintenance, including maintenance safety measures such as roof-top barriers/rails
- (viii) how the structural integrity (load and waterproofing) of the building design will be achieved under load of the combined planting systems elements
- (ix) how the systems irrigation, rainwater catchment and drainage requirements are designed in conjunction with site's Stormwater Management Plan to achieve sustained holistic outcomes
- (x) design details and construction / installation requirements including manufacturers specifications of components for each planting system
- (b) a Management Plan (the "Green Wall and Roof Garden Management Plan") that addresses the following:
  - (i) Establishment (up to 3 yrs approximately)
    - a. maintenance regime for the built elements, including inspection of the irrigation, drainage, waterproofing and root barriers
    - b. monitoring regime of the growing media including tests by an agronomist (or similar) and with recommendations of findings to be implemented and certified that all works have been carried out in accordance with the findings
    - c. maintenance regime for the plant material, including weeding, trimming, replacement of dead or non-performing plants
    - d. inspection of the above ground and below ground structures
  - (ii) Maintenance (3yrs-10yrs approximately)
    - a. inspections of the vegetation including root inspection and pruning, corrective actions
    - b. maintenance and replacement requirements of planting systems components, growing materials and media, watering / irrigation and fertilising and the like
    - c. planting schedules of appropriate species, planting techniques, establishment period requirements, replacement strategy for flora failures and ongoing maintenance
    - d. property management responsibilities for an ongoing maintenance regime with regular monitoring and key performance indicator triggers with corrective actions to ensure ongoing success
    - e. growing media must be tested by an agronomist (or similar) to ensure suitability of the soil for its specified use. Certification must be provided that all works have been carried out in accordance with findings
  - (iii) Refurbishment and Replacement (each 10 yrs approximately)
    - a. inspection of the constructed environment/planter to ensure all elements are structurally sound and functioning to the desired intent
    - b. inspection and testing of the growing media by an agronomist (or similar) to ensure suitability of the soil for its specified use. Recommendations of the inspection and testing are to be implemented and certified by the agronomist (or similar) that all works have been carried out in accordance with the findings
    - c. inspection and recommendation by an Arborist for the vegetation associated with the landscape above the proposed basement car park. Any recommendations of the inspection are to be implemented and certified by the Arborist that all works have been carried out in accordance with the findings
    - d. any element associated with the refurbishment of the landscape above the basement car park is to be carried out by the owner and or the managers of the basement car park at their expense.
- (c) Lifecycle Management and Costing Program for the entire green wall and roof garden systems for all elements of *Establishment*, *Maintenance* and *Refurbishment*

*and Replacement, including a fully budgeted schedule including life cycle costing analysis with refurbishment strategies accounted for, for the life of the development.*

179. The Green Wall and Roof Garden Design and Management Plan must include a maintenance and monitoring plan for green roofs and permeable pavement. The maintenance and monitoring plan must include the following as a minimum:
- (a) a plan showing the location of the individual components of the system.
  - (b) manufacturer's data and product information sheets for any proprietary products.
  - (c) location of inspection and monitoring points shown clearly on the plan.
  - (d) schedule of tasks required to maintain the system including the frequency at which tasks must be completed.
  - (e) a summary of the design water quality targets and acceptable criteria including plant health targets for the green roofs.
  - (f) a schedule or timetable for the proposed regular inspection and monitoring of the devices.
  - (g) inspection and monitoring to extend over the full life of the development.
  - (h) proposed action if inspection/monitoring reveals a problem with the device.
  - (i) records to be logged and kept for verification of compliance with this condition and must be provided to Council upon request.
  - (j) name and contact details of relevant person responsible for the design of stormwater system.

## ENVIRONMENT

### Waste Management

180. An Automated Waste Collection System (AWCS) must be installed and operated for the entirety of the site. All future applications must include provision of all necessary underground and above ground infrastructure for the AWCS. No use can occur on site until the necessary infrastructure and Waste Transfer Station (WTS) is commissioned.
181. The Automated Waste Collection System must be designed, installed and operated in accordance with an Automated Waste Collection System Management Plan (AWCSMP). The management plan must be submitted to Council for approval prior to issue of any operational works development permits. The management plan must provide full detailed design and operation procedures and responsibilities for the AWCS and in particular must include the following:
- (a) design drawings and specifications of all underground infrastructure,
  - (b) design drawings and specifications of all above ground infrastructure including inlet points for all allotments including multiple dwelling units, hotel, commercial tenancies, public spaces and single dwelling lots,
  - (c) design drawings and specifications for the waste transfer station,
  - (d) provision of adequate storage space for bulky items and other items unsuitable for disposal via the Automated Waste Collection System such as commercial quantities of glass,
  - (e) manoeuvring details for Waste Collection Vehicles for the waste transfer station and any other bulky goods service point,
  - (f) management responsibilities and procedures for the AWCS including the waste transfer station, inlet points, underground infrastructure, aboveground infrastructure, public place bins,
  - (g) Management responsibilities for the environmental emissions including odour and noise from the AWCS
  - (h) provisions to ensure continued responsibility of the body corporate, or an equivalent site management entity, provide unobstructed access to Council's waste contractor to the waste transfer station
182. Certification must be submitted to council from a qualified person which certifies that all

infrastructure associated with the AWCS have been constructed in accordance with the requirements of this development approval.

#### **Waste Transfer Station**

183. All reasonable and practicable measures must be taken to prevent or minimise environmental harm that may be caused by the use.
184. Contaminants or contaminated water must not be directly or indirectly released to surface water or groundwater at or outside the site except for:
  - (a) uncontaminated overland stormwater flow, or
  - (b) uncontaminated stormwater to the stormwater system.
185. All wastewater and liquid wastes associated with the waste transfer station must be disposed of to the reticulated sewerage system or be disposed of off-site to an approved waste disposal facility.
186. The waste transfer station and Automated waste collection system must be designed, operated and maintained in accordance with the Noise Impact Assessment listed in this development approval and so as not to cause noise nuisance at any nuisance sensitive place.
187. Prior to commissioning of the waste transfer station certification must be submitted confirming that the final design and construction of the facility achieves the noise criteria specified in section 7.2 of the Noise Impact Assessment listed in this decision notice.
188. The waste transfer station and Automated Waste Collection System must be designed, operated and maintained so as not to release noxious or offensive odours that would cause nuisance at any nuisance sensitive place.
189. The release of noxious or offensive odours or any other noxious or offensive airborne contaminants resulting from the use must not cause a nuisance at any nuisance sensitive or commercial place.
190. Where complaints (other than frivolous or vexatious complaints) are made to council about odour from the approved use, council may require the site management entity to:
  - (a) Submit an Odour Impact Assessment prepared by a qualified person\* in accordance with council's *Planning scheme policy* for the nuisance code, and/or
  - (b) Undertake further odour amelioration measures or operations, or odour reducing plant and equipment and have such measures certified by a qualified person\*.

\*(Refer to Advisory Note)

#### **Acoustic Amenity**

191. Acoustic measures and treatments must be incorporated into the development in accordance with the Noise Impact Assessment listed within this development approval.
192. The Resort Complex (Hotel) function room and outdoor function area must be designed and operated to achieve the noise criteria specified in section 8.2 of the Noise Impact Assessment listed in this development approval.
193. 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 achieve the noise criteria specified within the Noise Impact Assessment listed within this development approval.
194. Prior to commencement of the use certification must be submitted to council from a qualified person\* that the development has been constructed in accordance with the Noise Impact



Assessment and acoustic amenity conditions of this development approval.  
\*(Refer to Advisory Note)

195. Where complaints (other than frivolous or vexatious complaints) are made to council about noise from the approved use, council may require the site management entity to:
- (a) Submit a Noise Impact Assessment prepared by a qualified person\* in accordance with council's *Planning scheme policy* for the nuisance code, and/or
  - (b) Undertake further noise amelioration measures or operations, install volume limiting devices or barriers and/or shield or relocate mechanical plant and equipment and have such measures certified by a qualified person\*.
- \*(Refer to Advisory Note)

#### **Commercial Kitchen Exhaust**

196. The development must be constructed with reticulated ducting inside the building to exhaust heat and odours from the commercial kitchens to a discharge point on the roof of the building. The commercial kitchen heat and odour discharge point/s on the roof of the building must be located and managed in accordance with the AS 1668.2 - *The use of ventilation and air-conditioning in buildings* (Section 3.10 – *Air Discharges*).

#### **Acid Sulfate Soils**

197. All works must be carried out in accordance with the Acid Sulfate Soil Investigation and Management Plan listed in this development approval.  
\*(Refer to Advisory Note)
198. 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.
199. All basements must be designed and constructed as a water excluding structure (*fully tanked*) 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.
200. All treated material must undergo verification testing at the rate of one sample per 250m3 throughout the duration of the excavation phase of the development. The verification testing must be undertaken by a qualified person\* using the SPOCAS or Chromium Reducible Sulphur testing suite, and the results for each sample must be submitted to council.  
\*(Refer to Advisory Note)
201. A Dewatering Management Plan (DMP) must be developed and implemented during the operational works phase of the development. The DMP must:
- (a) be designed to minimise the extent and duration of groundwater drawdown during the dewatering phase to minimise the impact upon groundwater dependant ecosystem,
  - (b) adopt the release criteria required by this development approval, and propose an effective treatment train such that the release criteria is achieved,
  - (c) detail a groundwater monitoring programme.

**DEVELOPMENT PERMIT FOR RECONFIGURATION OF A LOT – 10 LOTS INTO 13 LOTS (2 COMMERCIAL LOTS, 3 PARK/CARPARK LOTS, 2 BUFFER LOTS, 1 TRANSFER STATION LOT, 1 PRINCIPAL BODY CORPORATE LOT, 2 ACCESS LOTS, 2 BALANCE MANAGEMENT LOTS AND ACCESS EASEMENTS)**

**PLANNING**

**When conditions must be complied with**

202. Unless otherwise stated, all works required by the conditions of this Decision Notice must be completed prior to approval of the plan of subdivision.
203. Prior to approval of the plan of subdivision, the development in Stage 1 must be at enclosed stage.

**Effect of Infrastructure Agreement**

204. The land owner, developer and operator must comply with the obligations of the Infrastructure Agreement executed on XX June 2018.

**Approved Plans**

205. Development authorised by this approval must be undertaken generally in accordance with the Approved Plans listed within this Decision Notice. The Approved Plans must be amended to incorporate the amendments listed within this Decision Notice and approved by council prior to the issue of any Development Permit for Operational Works\*.  
*\*(Refer to Advisory Note)*

206. All lot numbering on the plan of subdivision to be submitted to council must remain as shown on the Approved Plans.

**Transfer of Land to Council**

207. The land areas identified Lots 1, 2, 3, 5, 6, 7, and 8 must be transferred to council in freehold and in fee simple exclusive of the body corporate. The land to be transferred is "non-trunk infrastructure" for the purposes of the Sustainable Planning Act 2009.
208. The land area to be transferred must be unencumbered by services such as pump stations, services easements or similar operational uses.
209. The land owner/developer must be responsible for all costs associated with the transfer of the land, including the requirement to obtain a valuation for the land from a registered property valuer and to pay all transfer duty upon transfer.
210. One original signed and 'stamped' Queensland Titles Registry Form 1 Transfer and Form 24 must be lodged with council for approval prior to the registration of title, together with a survey plan and a copy of the land valuation.

**Boundary Encroachments**

211. Certification must be submitted to council from a cadastral surveyor which certifies that:
- (a) all constructed access and roadworks (including associated fill batters and retaining walls) are fully contained within a dedicated reserve or registered easement
  - (b) all existing and proposed utility services and connections (e.g. electricity, telecommunications, water, sewerage) are wholly located within the lot they serve,

- or alternatively included within an easement where location within the lot is not possible
- (c) all dams (including ponded water, dam walls and associated spillway structures) are wholly located within the boundaries of a single lot
  - (d) all retaining walls and structures are fully contained within the lot they retain
  - (e) any fill, including fill batters, are wholly contained within the subject site and not on adjacent properties
  - (f) for the community title scheme, the road pavement changes required by this Decision Notice accurately demarcate the boundaries of the public and private land.

#### **Community Management Statement**

- 212. 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 plan of subdivision.
- 213. All clauses and by-laws of the proposed Community Management Statement must accord with the conditions of this Decision Notice.

#### **Utility Services**

- 214. Underground reticulated electricity and telecommunication services must be provided to the development in accordance with an approval for operational works and the standards and requirements of the relevant service provider.
- 215. An underground connection to reticulated water and sewerage must be available and provided to the development site in accordance with the standards and requirements of Northern SEQ Distributor-Retailer Authority (Unitywater).
- 216. 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 approval of the survey plan.
- 217. 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.

#### **Volumetric Lots**

- 218. Provide plans for Council approval showing dimensioned boundaries of all volumetric lots relating to the private basement carpark traversing beneath the public road reserve.
- 219. All private infrastructure must be contained either within an easement or volumetric lot in favour of the body corporate.

#### **Easements**

- 220. Provide a plan clearly showing the extent and location of all existing and proposed easements capable of registration over the entire site in accordance with the conditions of this Decision Notice including easements relating to all private infrastructure and services within road reserves.
- 221. Provide a public pedestrian/cycle access easement capable of registration over Lot 100 connecting Lot 7 with Road reserve on the eastern boundary for the Coastal Discovery Trail.
- 222. A 4m wide easement for drainage purposes capable of registration must be registered against

the titles of the properties in favour of Council over the land area required to connect proposed Lot 1, Lot 2, Road 1 and Road 2 to Lot 0 SP219218.

223. Documentation must be provided to Council demonstrating that Council has rights consistent with that provided by Council's standard drainage easement document capable of registration to discharge stormwater through Lot 0 SP219218 and Lot 0 SP219219 (Cala Luna Beachside common property) to the David Low Way.
224. 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.
225. 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 approval.
226. All works must be kept clear of any existing or proposed easements on the subject land, unless agreed otherwise in writing by the Grantee.

## ENGINEERING

### Property Access and Driveways

227. A sealed access driveway must be provided from Road 2 to all parking and manoeuvring areas of Lot 3 and Lot 902 SP269561. The works must be undertaken in accordance with an operational works approval and must include in particular:
- (a) a driveway crossover in accordance RS-051.
  - (b) removal of the existing crossover along David Low Way serving Lot 902 SP269561, and restoration of the verge, kerb and channel, footpath, landscaping and associated infrastructure.
228. Approval from the Department of Transport and Main Roads (TMR) for the final design of the David Low Way site access works must be submitted in writing to council prior to the issue of any development permit for operational works.
229. Vehicle access to Lot 4 and Lot 400 is limited to only the private roadway connecting Road 1 and Road 2. A clause must be included in the contract of sale for Lot 4 and Lot 400 which prohibits vehicle access being taken from Road 1.
230. A clause must be included in the contract of sale for Lot 300 which prohibits regular vehicle access being taken from Belle Mare Avenue or Yaroomba Drive, with emergency only access excepted from this prohibition.

### Parking

231. A public carpark must be provided within Lot 3. The works must be undertaken in accordance with an operational works approval and must include in particular:
- (a) driveway connection through Lot 3 to Lot 902 SP269561.
  - (b) provision of vandal resistant public lighting with intensities to satisfy the requirements of AS 1158 – Lighting for roads and public spaces.
  - (c) parking spaces for people with disabilities within the total, at a quantity commensurate with the nearby uses.
  - (d) dimensions, crossfalls and gradients in accordance with AS 2890 - Parking facilities.

## TRAFFIC

### New Roads

232. The new roads shown on the Approved Plans must be constructed in accordance with the conditions of this development approval and dedicated as road reserve at no cost to council. The works must be undertaken in accordance with an operational works approval and must include in particular:

- (a) For the proposed Entry Road, between David Low Way and the proposed Resort Complex porte cochere access driveway on the eastern side of the lake, a design standard matching that of a District Collector in accordance with council's *Planning scheme policy for the transport and parking code*, and include in particular:
  - i. a general minimum road reserve width of 26 metres
  - ii. at least a 5.1 metre wide carriageway in each direction, inclusive of a 1.8 metre wide bike lane / shoulder. The carriageway is to commence a transition to the width required for the adjacent Main Street carriageway at the porte cochere driveway
  - iii. a right-turn lane, at least 3 metres wide, on the Entry Road at each intersection with the proposed local street (to proposed Lot 4) and future access road (to proposed Lot 300)
  - iv. a raised pedestrian refuge island, at least 2 metres wide, and associated pathway connections, on the entry road immediately north of the proposed intersection with the adjacent access road to proposed Lot 300. The gap in the raised median island for pedestrian movement is to be 3 metres
  - v. a Type BAL left-turn treatment on the entry road at its intersection with the proposed private local street (to proposed Lot 4), with the eastbound entry road carriageway widened to 6 metres for a length of 5 metres from the intersection turnout tangent point, before tapering back over 6 metres
  - vi. widening of the carriageway and road reserve as necessary at the David Low Way end of the entry road to accommodate the roundabout configuration, approach lanes, and splitter island required by the Concurrence agency response, without reducing verge widths
  - vii. a 3 metre wide shared path on the northern verge of the entry road and a 2.5 metre wide shared path on the southern verge of the entry road
  - viii. a pedestrian (zebra) crossing on a raised platform between the bridge and the porte cochere driveway access, generally in line with the connection to the proposed pedestrian boardwalk on the eastern side of the lake. The pedestrian crossing width must be at least 4 metres. The platform ramp grades should be 1 in 15
  - ix. installation of street lighting.
- (b) For the proposed Main Street, between the proposed Resort Complex (Hotel) porte cochere access driveway and the intersection with the proposed Northern Entry Road, a design standard matching that of a Mixed Use Collector Street in accordance with council's *Planning scheme policy for the transport and parking code*, and include in particular:
  - i. a general minimum road reserve width of 21 metres
  - ii. an 11 metre wide carriageway with barrier kerb and channel and underground drainage, incorporating 3.2 metre traffic lanes and 2.3 metre wide parking lanes
  - iii. pedestrian (zebra) crossings on raised platforms with kerb buildouts at three locations along the main street, generally in line with the hotel pedestrian entry from the porte cochere and each of the two proposed hotel lift lobbies adjacent to the main street. The pedestrian crossing width at each crossing must be at least 4 metres. The platform ramp grades should be 1 in 15

- iv. at least a 4.5 metre wide verge on the northern side of the main street and at least a 5.5 metre wide verge on the southern side of the main street
  - v. a 2.5 metre wide shared path on the northern verge of the main street
  - vi. a clear width of 3 metres is to be maintained for pedestrian movement along the southern verge, clear of all obstructions, landscaping and on-street dining areas.
- (c) For the section of the proposed Northern Entry Road between the northern David Low Way access intersection and the eastern end of the proposed car park lot (Lot 3), a design standard matching that of a Mixed Use Collector Street in accordance with council's *Planning scheme policy for the transport and parking code*, and including in particular:
- i. a general minimum road reserve width of 23 metres
  - ii. an 11 metre wide carriageway with barrier kerb and channel and underground drainage, incorporating 3.2 metre traffic lanes and 2.3 metre wide parking lanes. The parking lanes should include landscaped kerb buildouts, approximately 12 metres long, at spacings of approximately 50 metres
  - iii. 6 metre wide verges on both sides, incorporating a 3 metre wide shared path on the northern side and a 2.5 metre wide shared path on the southern side, both offset 2 metres from the kerb face
  - iv. widening of the carriageway as necessary at the David Low Way end of the northern entry road to accommodate the intersection works required by the Concurrence agency response. A pedestrian refuge opening must be incorporated into the splitter island on the entry road approach to David Low Way
  - v. dedication of land as road reserve from proposed Lots 5 and 400 as necessary to accommodate the required reserve width for this section of the northern entry road and intersection works, without reducing required verge widths
  - vi. installation of street lighting.
- (d) For the section of the proposed Northern Entry Road between the proposed car park lot (Lot 3) and proposed Lot 200, a design standard matching that of a Mixed Use Collector Street in accordance with council's *Planning scheme policy for the transport and parking code*, and including in particular:
- i. a general minimum road reserve width of 17 metres
  - ii. an 11 metre wide carriageway with barrier kerb and channel and underground drainage, incorporating 3.2 metre traffic lanes and 2.3 metre wide parking lanes. The parking lanes should include landscaped kerb buildouts, approximately 12 metres long, at spacings of approximately 50 metres
  - iii. a 5 metre wide verge on the northern side (adjacent to the easement containing the buggy path), incorporating a 3 metre wide shared path on a general offset 2 metres from the kerb face
  - iv. reconstruction of existing paths and associated drainage in the adjacent easement as necessary to suit the works
  - v. at least a 1 metre verge on the southern side. A 2.5 metre wide shared path must be provided within the adjacent park (Lot 1) on a general offset 2 metres from the adjacent kerb face
  - vi. installation of street lighting.
- (e) For the section of the proposed Northern Entry Road between the proposed park lot (Lot 1) and the intersection with the Main Street and Access Road at the eastern end of the site, a design standard matching that of a Mixed Use Collector Street in accordance with council's *Planning scheme policy for the transport and parking code*, and including in particular:

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- i. a road reserve width of at least 17.4 metres
  - ii. at least a 6.4 metre wide carriageway with barrier kerb and channel and underground drainage, incorporating 3.2 metre traffic lanes
  - iii. at least a 5 metre wide verge on the eastern side (adjacent to the easement containing the buggy path), incorporating a 3 metre wide shared path on a general offset 2 metres from the kerb face
  - iv. reconstruction of existing paths and associated drainage in the adjacent easement as necessary to suit the works
  - v. at least a 6 metre wide verge on the western side adjacent to Lot 200, incorporating a 2.5 metre wide shared path on a general offset 2 metres from the kerb face
  - vi. a pedestrian (zebra) crossing on a raised platform at a location at least one car length clear of the intersection with Main Street and Access Road. The pedestrian crossing width must be at least 4 metres. The platform ramp grades should be 1 in 15
  - vii. the intersection with the Main Street and Access Road must be designed such that the Access Road is the terminating leg of the T-intersection (with a give way sign and associated line marking) and the intersection is able to accommodate turning service vehicle traffic
  - viii. dedication of land as road reserve from the proposed lots at the intersection with Main Street and Access Road as necessary to accommodate the intersection works and to maintain at least the minimum required verge widths
  - ix. installation of street lighting.
- (f) For the proposed access road along the eastern boundary of the proposed Resort Complex (Hotel) lot (Lot 101), a design standard matching that of a Mixed Use Collector Street in accordance with council's *Planning scheme policy for the transport and parking code*, and including in particular:
  - i. a general minimum road reserve width of at least 23 metres
  - ii. at least a 6.4 metre wide two lane central carriageway
  - iii. on the western side, at least a 2.3 metre wide parking lane
  - iv. on the eastern side, at least a 7.8 metre wide paved 90 degree angle car parking area, accommodating 2.6 metre wide x 5.4 metre long marked parking bays at least 2.4 metres from the adjacent central carriageway
  - v. barrier kerb and channel and underground drainage on both sides
  - vi. at least a 2.5 metre shared path on the eastern side, located at least 1 metre from the angle car parking area kerb and which may be located in the adjacent park
  - vii. at least a 6 metre wide verge on the western side, incorporating a 2.5 metre wide shared path on a general offset of 2 metres from the kerb face
  - viii. a pedestrian (zebra) crossing on a raised platform at a location approximately 3 car lengths from the intersection of the Access Road with the Main Street and Northern Entry Road. The pedestrian crossing width must be at least 4 metres. The platform ramp grades should be 1 in 15
  - ix. installation of street lighting.
- (g) For the private road within Lot 100 (connecting to Road 1), a design standard generally matching that of an Access Street in accordance with council's *Planning scheme policy for the transport and parking code*, except also including in particular:
  - i. a general minimum road reserve width of 18 metres.
  - ii. an 8.5 metre wide carriageway with kerb and channel and underground drainage, incorporating 3 metre traffic lanes and one 2.5 metre wide parking lane.
  - iii. a 5.5 metre wide verge on the northern side, incorporating a 2.5m metre wide shared path on a general offset 2 metres from the kerb face.
  - iv. at least a 4.0 metre verge on the southern side.

- v. a turnaround of sufficient size to accommodate the 3-point turn manoeuvre of a MRV.
    - vi. installation of street lighting.
  - (h) For the private road within Lot 4 (ultimately connecting between Road 1 and Road 2), a design standard generally matching that of a Neighbourhood Collector street in accordance with council's *Planning scheme policy* for the transport and parking code, and including in particular:
    - i. a general minimum road reserve width of 21 metres.
    - ii. an 11 metre wide carriageway with kerb and channel and underground drainage, incorporating 3.2 metre traffic lanes and 2.3 metre wide parking lanes.
    - iii. a 5.5 metre wide verge on the eastern side, incorporating a 2.5 metre wide shared path on a general offset 2 metres from the kerb face.
    - iv. at least a 4.5 metre verge on the western side.
    - v. installation of street lighting.
  - (i) All street lighting must comply with the approved Master Sea Turtle Management plan and Master Sea Turtle Lighting Plan
233. All shared paths and footpaths must be designed in accordance with Austroads' Guide to Road Design and located such that there are at least 500mm clearances on each side from all poles, posts, bridge railings, fences, and other vertical obstructions and hazards.
234. A temporary sealed turnaround facility must be constructed at the end of each road left temporarily incomplete as a result of the development staging. Any temporary turnaround facilities must be in accordance with an operational works approval must be of sufficient size to accommodate the 3-point turn manoeuvre of a Waste Collection Vehicle (WCV) and include appropriate signage.
235. Clearly visible pavement changes must be constructed at the threshold of the internal road which clearly demarcates the transition from the public road system to the private community title scheme land. The length of the change in pavement must not be less than 12m so that it is not mistaken for a pedestrian crossing.
236. Clearly visible signage must be erected at the threshold of the internal road, which clearly indicates to motorists and pedestrians that they are entering a private road system.

## HYDROLOGY

### Stormwater Drainage

237. 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, and must include in particular:
- (a) the works described in the Detailed Stormwater Management Plan submitted with the first civil Operational Works development application on land subject to this development approval
  - (b) collection and discharge of stormwater to the David Low Way, including the provision of Level IV allotment drainage for all new lots
  - (c) extension of the site stormwater system to accommodate stormwater from external to the site, including registration of drainage easements
  - (d) the use of gravity stormwater drainage and not surcharge pits.
238. In conjunction with the first Civil Operational Works development application on land subject to this development approval the applicant must submit a Detailed Stormwater Management Plan prepared in accordance with Council's Planning Scheme Policy for Development Works



which demonstrates compliance with the flooding and stormwater management conditions of this development approval.

#### **Stormwater Quality Management**

239. A stormwater quality treatment system must be provided for the development. The works must be undertaken in accordance with an operational works approval, and include stormwater quality treatment devices of a size and location generally in accordance with those shown in Section 2 of the of the *Stormwater Quality Management Plan* listed in this development approval
240. 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 an operational works approval.  
\*(Refer to Advisory Note)

#### **Flood Immunity**

241. The surface levels of all lots, excluding drainage reserves, must be constructed to provide flood immunity. The works must be undertaken in accordance with an operational works approval and must include in particular surface levels that are consistent with the requirements of the Flood hazard overlay code unless otherwise agreed with Council where basements will be a feature of future development.
242. All works must be carried out in accordance with an Operational Works development approval and generally in accordance with the *Flood Investigation* listed in this decision notice.
243. A table listing the applicable flood levels for the Defined Flood Event (DFE) or Defined Storm Tide Event (DSTE) applicable to each lot must be provided for council's records. The table must be accompanied by certification from a qualified person\* which certifies that the levels are based on the latest study referenced by council's relevant development permits and incorporates all amendments.  
\*(Refer to Advisory Note)

### **ECOLOGY**

#### **Biodiversity offsets**

244. Prior to any vegetation clearing on site, the applicant must submit a Biodiversity / Vegetation Offset Management Plan prepared in accordance with Council's Planning Scheme Policy for Biodiversity Offsets. Biodiversity / Vegetation monetary offsets must be secured prior to clearing works commence, or alternatively on ground biodiversity / vegetation offsets must be complete prior to commencement of use.
245. As part of the lodgement of the first Operational Works application, a revised / updated Master Bushfire hazard Assessment & Management Plan must be submitted for approval and must include in particular:
- (a) Updated recommendations in accordance with the latest subdivision / design plans
  - (b) Updated management strategies in accordance with the latest subdivision / design plans
  - (c) master evacuation plan for the entire development, which incorporates recommendations for future material change of use or residential reconfiguration applications to design towards.
246. Each subsequent material change of use application or residential reconfiguration application must lodge a detailed site specific bushfire management plan in accordance with the planning scheme policy for the bushfire hazard overlay code, and in accordance with the

recommendations of the revised Litoria bushfire hazard assessment and management plan.

247. Certification must be submitted to council from a qualified person\* which certifies that the each stage of the development has been constructed in accordance with the bushfire management conditions of this decision notice.

\*(Refer to Advisory Note)

#### **Fauna**

248. As part of the lodgement of the first Operational Works application over the subject land, the applicant must lodge a detailed Fauna Management Plan (FMP) both terrestrial and aquatic detailing the steps that will be taken to protect fauna species during any development activity that is undertaken on any part of the subject land.

The FMP shall include details of at least the following information:

- (a) The name of the fauna catchers/re-locators to be used, noting that they must be approved by the Queensland Parks and Wildlife Service, along with a copy of the fauna catchers'/re-locators' Rehabilitation Permit.
  - (b) A Fauna Spotter Report including a fauna assessment of the site and the fauna likely to be impacted.
  - (c) A site specific macropod management plan for pre, during and post development works.
  - (d) Certification from the principal engineer that the above Fauna Spotter Report is being provided to the clearing contractor to enable the contractor to factor the fauna removal issues into the quote for clearing works.
  - (e) Confirmation that the direction of clearing is from an open area to a less open area to allow fauna to escape into neighbouring bushland.
  - (f) A pre-clearing trapping and release plan, noting that any trappings and releases are to be conducted at least two weeks before clearing commences.
  - (g) Any special machinery requirements eg, cherry pickers, pole cameras with optical fibre, lights for viewing hollows, aquatic equipment etc.
  - (h) Nomination of release area/s and the land owner's written approval for release if necessary.
  - (i) The methodology of onsite inspections for fauna including the inspection of hollow branches, logs on the ground, nests of birds and possums etc.
  - (j) Contact details of the nearest veterinarian or other appropriate party to humanely deal with injured wildlife.
249. A final report by the fauna spotter shall be provided to Council's Ecologist no more than two weeks after clearing is finished, stating the following:
- (a) The length of time of the clearing.
  - (b) Details of any animal/s that were caught and/or sighted and released, and the placement of any release/s.
  - (c) Details of any animals that had to be destroyed due to injury.
  - (d) Confirmation of the follow up monitoring of nesting boxes if any are installed and where they are located.

#### **6. REFERRAL AGENCIES**

The referral agencies applicable to this application are:

Referral Status	Referral Agency and Address	Referral Trigger	Response
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Concurrence	Sara at DILGP South East Qld (North) Regional Office PO Box 1129 Maroochydore Qld 4558 Mydas2 At ( <a href="https://Prod2.Dev-Assess.Qld.Gov.Au/Suite/">https://Prod2.Dev-Assess.Qld.Gov.Au/Suite/</a> ) Email:Seqnorthsara@dilgp.Qld.Gov.Au	Schedule 7, Table 2, Item 2 – State-controlled roads Schedule 7, Table 3, Item 1-State-controlled roads Schedule 7, Table 3, Item 2-Development impacting State transport infrastructure Schedule 7, Table 3, Item 10-Vegetation clearing	The agency provided its response on 01 June 2018 (Reference No. SDA-0517-039422). A copy of the response is attached.
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## 7. APPROVED PLANS AND DOCUMENTS

The following plans are Approved Plans for the development:

### Documents Requiring Amendment - Preliminary Approval Overriding the Planning Scheme

Plan No.	Rev.	Plan Name	Date
-	12.0	<i>Yaroomba Beach Village and International Resort</i> , prepared by Project Urban	06/04/2018
<b>Amendments</b>	<ul style="list-style-type: none"> <li>Amend section 1.6 to include the words “as included in the Annexures of this Master plan” directly after the words ‘Map 3- Height of Buildings and Structures Overlay’</li> <li>Insert 2.1.5 with reference to additional addendums as required for               <ul style="list-style-type: none"> <li>a green space masterplan which includes regular green breaks and identifies vegetation to be protected as per Referenced Plans</li> <li>table and plan of residential density which nominates for each precinct to ensure an appropriate distribution of density across the site is delivered as per Referenced Plans</li> <li>an access and mobility plan (cycle/pedestrian) showing both public and private pedestrian, cycle and vehicular routes as per Referenced Plans</li> </ul> </li> <li>Delete section 3.2</li> <li>Amend section 4.1 to replace “hotel” with “resort complex”</li> <li>Under section 5               <ul style="list-style-type: none"> <li>Under Finished surface level replace reference to “Q100” to the “Defined Flood Extent”</li> </ul> </li> <li>Under section 6 (Tables of Assessment) make the following amendments               <ul style="list-style-type: none"> <li>Include the words “and Table 5.10.1” at the end of the note</li> <li>The term “exempt development must be replaced with “Accepted development” with “No requirements”</li> <li>Remove Accepted Development for Bar</li> </ul> </li> </ul>		

	<ul style="list-style-type: none"> <li>○ For business uses in the Yaroomba Beach North precinct for Bar, Food and Drink Outlet, Office, Shop and Shopping Complex to require <i>"impact assessment if not otherwise stated or where the aggregate gross floor area of shops in the sub-precinct exceeds 2,770m<sup>2</sup>"</i></li> <li>○ Remove reference to Health care services and Service Industry</li> <li>○ Insert Parking Station as accepted development where associated with the resort complex use (impact assessment otherwise)</li> <li>○ For table 6.1 include statement that reconfiguration application is impact assessable if not complying with the minimum lot size in the local plan code</li> <li>• Include Section 7.1 Purpose and overall outcomes <ul style="list-style-type: none"> <li>○ Development within the Precinct COL LPP-2 (Yaroomba Beach) – Sub-Precinct COL LPSP-2a (Yaroomba Beach North) recognises the tourism focus designation of the site with a maximum 220 bed 5 star resort complex and associated village centre commercial precinct with a maximum of 2,770 m2 of gross floor area.</li> <li>○ Development within Precinct COL LPP-2 (Yaroomba Beach) – Sub-Precinct COL LPSP-Sub-Precinct COL LPSP-2b (Yaroomba Beach Central), Sub-Precinct COL LPSP-2c (Yaroomba Beach South), Sub-Precinct COL LPSP-2d (Lakeside South), and Sub-Precinct COL LPSP - 2e (Lakeside North) provides for residential development with a maximum of 656 equivalent dwellings across all precincts. Development will also transition in height from the existing residential development to the south to reflect the coastal character of the area.</li> <li>○ The development will create a gateway destination for the Sunshine Coast with high-quality built form and architecture outcome that complements the coastal subtropical urban character of the locality, will bring together local landmarks (such as Mt Coolum, Parabolic Dune and Yaroomba Beach), embeds the development within a natural setting as well as smaller building footprints, retention of remnant vegetation and an integrated park areas</li> </ul> </li> <li>• <b>PO1 - (a)</b> – amend to include reference to the 220 room hotel so that it reads: <i>"recognises the tourism focus designation of the site with the provision of a 5-star resort complex which includes a 220 room hotel"</i>; (c) replace "undue visual impacts" with "avoiding impacts on significant local views." (d) add the word "public" in front of "routes" (e) replace 'Green Mesh' with the words "interconnected network of site-scale natural landscape corridors" (g) add the word "centres" following the word "other" Include an additional requirement in P01 which states "development protects the natural vegetated character of the coastal foreshore and foredunes"</li> <li>• <b>PO2</b> – This PO should be amended to read a "220 room <u>five-star</u> resort complex"...</li> </ul>
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	<ul style="list-style-type: none"> <li>• <b>PO3</b> - Insert performance outcome "(d) provide a layout that is responsive to natural climatic influences and allows for new dwellings to reflect the principles of sub-tropical and sustainable design";</li> <li>• <b>PO3</b> - Include additional design criteria for small residential lots following A03.1 as follows: <ul style="list-style-type: none"> <li>○ A maximum of 6 dwellings up to a maximum of 50m in length can be attached (built to both boundary walls) prior to incorporating a side boundary setback of 3m (or other means of achieving built form breaks such as park or roads)</li> <li>○ Lots with a frontage of less than 10m are accessed via a rear lane and be a minimum of 2 storeys in height</li> <li>○ Include windows and/or balconies addressing the street frontage</li> </ul> </li> <li>• <b>PO9</b> Amend to include the following requirements: <ul style="list-style-type: none"> <li>○ no buildings be visible from Point Arkwright when facing Yaroomba Beach generally</li> <li>○ views of coastal waters from the first viewing ledge on the main Mount Coolum public walking track are not interrupted</li> <li>○ buildings are not visible from Yaroomba Beach</li> <li>○ buildings have no or minimal impact on views obtained from the David Low Way</li> </ul> </li> <li>• <b>Map 3 – Height of Buildings and Structures Overlay –</b> <ul style="list-style-type: none"> <li>○ the map should be amended to remove heights from the open space areas (particularly the Beachside Park), retained vegetation along the David Low Way frontage, lake and the roads;</li> <li>○ remove all references to storeys (height in metres only)</li> </ul> </li> <li>• The following matters requiring correction of spelling or grammar have been identified: <ul style="list-style-type: none"> <li>○ AO6 – "as set out below"</li> <li>○ AO7(a) should be "to the street"</li> <li>○ AO8 – should read "elements"</li> <li>○ The word 'Esplanade' is misspelt in the maps.</li> </ul> </li> <li>• Include page numbers and date/version of the document on each page.</li> </ul>
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#### Approved Plans - Material Change of Use (Stage1)

Plan No.	Rev.	Plan Name	Date
A_0_0002	C	Tourism Precinct Site Plan, prepared by Hassell	06/04/2018
A_1_1101	C	The Westin Hotel_ Floor Plan - Ground, prepared by Hassell	06/04/2018
A_1_1101a	C	The Westin Hotel_ Floor Plan - Ground, prepared by Hassell	06/04/2018
A_1_1102	C	The Westin Hotel_ Floor Plan – Level 1, prepared by Hassell	06/04/2018
A_1_1103	C	The Westin Hotel_ Floor Plan – Level 2, prepared by Hassell	06/04/2018
A_1_1104	C	The Westin Hotel_ Floor Plan – Levels 3-4, prepared by Hassell	06/04/2018

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A_1_1105	C	<i>The Westin Hotel_ Floor Plan – Level 5, prepared by Hassell</i>	06/04/2018
A_1_1106	C	<i>The Westin Hotel_ Floor Plan – Level 6, prepared by Hassell</i>	06/04/2018
A_1_1107	C	<i>The Westin Hotel_ Floor Plan – Roof Level, prepared by Hassell</i>	06/04/2018
A_1_1108	C	<i>The Westin Hotel_ Floor Plan – Basement Level, prepared by Hassell</i>	06/04/2018
A_1_1109	C	<i>The Westin Hotel_ Floor Plan – Basement Level, prepared by Hassell</i>	06/04/2018
A_1_1110	A	<i>Chapel/Meeting Room_ Floor Plan &amp; Sections, prepared by Hassell</i>	10/03/2017
A_1_2001	C	<i>The Westin Hotel_ Elevation – North &amp; East, prepared by Hassell</i>	06/04/2018
A_1_2002	C	<i>The Westin Hotel_ Elevation – South &amp; West, prepared by Hassell</i>	06/04/2018
A_3-4_1101	B	<i>Serviced Apartments_ Floor Plan - Ground, prepared by Hassell</i>	06/04/2018
A_6_1101	C	<i>Retail – Floor Plan - Ground, prepared by Hassell</i>	06/04/2018
A_6_1102	C	<i>Retail – Floor Plan – Level 1, prepared by Hassell</i>	06/04/2018
A_6_1103	A	<i>Retail – Floor Plan – Roof, prepared by Hassell</i>	06/04/2018
A_6_2001	B	<i>Retail – Elevations, prepared by Hassell</i>	06/04/2018
A_6_1104	B	<i>Retail / S.L.S.Q. – Floor Plan - Ground, prepared by Hassell</i>	06/04/2018

The following plans require amendment prior to becoming Approved Plans for the development:

**Plans Requiring Amendment – Material Change of Use (Stage1)**

Plan No.	Rev.	Plan Name	Date
A_7_1101	B	<i>Transfer Station, prepared by Hassell</i>	06/04/2018
<b>Amendments</b>		<ul style="list-style-type: none"> <li>A 5m wide buffer is required to the protected vegetation within Lot 5. Amend the location of the Transfer Station building to ensure a minimum setback of 5m is provided to the building and all associated infrastructure to the western boundary (David Low Way Buffer Lot 5).</li> <li>Show lot boundaries for the waste transfer station site consistent with the approved subdivision plan (Lot 4)</li> </ul>	
A_3-4_1102	B	<i>Serviced Apartments_ Floor Plan – Levels 1 - 7, prepared by Hassell</i>	06/04/2018
A_3-4_1103	B	<i>Serviced Apartments_ Roof Plan, prepared by Hassell</i>	06/04/2018
A_3-4_2001	B	<i>Serviced Apartments_ Elevation – North &amp; South, prepared by Hassell</i>	06/04/2018
A_3-4_2002	B	<i>Serviced Apartments_ Elevation – East &amp; West, prepared by Hassell</i>	06/04/2018
A_3-4_3001	B	<i>Serviced Apartments_ Sections, prepared by Hassell</i>	06/04/2018
<b>Amendments</b>		<ul style="list-style-type: none"> <li>Reduce the height of the eastern and western top edges of the building as follows: <ul style="list-style-type: none"> <li>a two storey height reduction to the western edge (reducing the height to 5 storeys and removing 2 of the western units from each of the 6<sup>th</sup> and 7<sup>th</sup> levels)</li> <li>a single storey height reduction to the east edge (reducing the last bay to 6 storeys and removing the top 4 eastern units)</li> </ul> </li> </ul>	

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## Plans Requiring Amendment – Reconfiguring a Lot

Plan No.	Rev.	Plan Name	Date
16439.2	C	Yaroomba Beach Subdivision – Stage 1, prepared by Project Urban	28/03/18
<b>Amendments</b>		<ul style="list-style-type: none"> <li>Amend Lot 100 to include all vegetation to be protected within this lot (increase size to connect with future road with a corresponding reduction in balance Lot 300).</li> <li>Provide for an access easement over Lot 4 to the benefit of Lot 400.</li> <li>Include details on any proposed volumetric lot/s associated with the basement car park extending beneath Main Street (sizes, dimensions etc) and private infrastructure traversing road reserves.</li> <li>Remove reference to “New Road Dedication in strata to allow basements below road reserves”</li> <li>Increase areas of Lots 5 and 6 to ensure a continuous 20m buffer to David Low Way road reserve</li> <li>Identify David Low Way buffer lots as being dedicated to Council.</li> <li>Identify a public pedestrian/cycle access easement over Lot 100 connecting Lot 7 with Road reserve on the eastern boundary.</li> <li>Identify Lot 8 as being dedicated to Council.</li> </ul>	

## 8. REFERENCED DOCUMENTS

The following documents are referenced in the assessment manager conditions:

## Referenced Plans

Document No.	Rev.	Document Name	Date
01.01	Prelim3	REC17/0056 - Overall Staging Plan, prepared by Sunshine Coast Council	20/03/2018
02.01	Prelim3	MCU17/0095 - Overall Staging Plan, prepared by Sunshine Coast Council	20/03/2018
02.02	Prelim3	MCU17/0095 - Infrastructure Staging Plan, prepared by Sunshine Coast Council	20/03/2018
02.03	Prelim3	MCU17/0095 – Precinct and Density Plan, prepared by Sunshine Coast Council	20/03/2018
02.04	Prelim3	MCU17/0095 – Vegetation Plan, prepared by Sunshine Coast Council	20/03/2018
03.01	Prelim3	MCU17/0096 – Overall Staging Plan, prepared by Sunshine Coast Council	20/03/2018
03.02	Prelim3	MCU17/0096 - Infrastructure Staging Plan, prepared by Sunshine Coast Council	20/03/2018
03.03	Prelim3	MCU17/0096 – Precinct and Density Plan, prepared by Sunshine Coast Council	20/03/2018
03.04	Prelim3	MCU17/0096 – Height Overlay, prepared by Sunshine Coast Council	20/03/2018

## Referenced Documents

Document No.	Rev.	Document Name	Date
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30031110	F	Yaroomba Beach Village and International Resort Stormwater Quality Management Plan, prepared by SMEC	06/04/2018
30031110	7	Yaroomba Beach Village and International Resort Flood Investigation, prepared by SMEC	25/09/2017
8826R01V02	02	Noise Impact Assessment, prepared by ASK Acoustics and Air Quality	14/09/2017
30031110	1	Acid Sulfate Soil Investigation and Management Plan, prepared by SMEC	08/09/2017
1722 IRR	-	Bushfire Management Plan, prepared by Litoria	12/09/2017

## 9. ADVISORY NOTES

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

### GENERAL

#### 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

- 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

- Should the conditions of this Decision Notice 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.



#### **Infrastructure Charging**

4. Development charges associated with future applications for Development Permits arising from the Preliminary Approval must be paid in accordance with the relevant instrument applicable at the time of subsequent approval/s and indexed until the time payment.
5. Infrastructure charges, determined in accordance with council's Infrastructure Charges Resolution, apply to the Material Change of Use (Stage 1) and the Reconfiguring a Lot (Stage 1) development approval. The Infrastructure Charges Notice, for council's proportion of the infrastructure charge, has been issued. Unitywater may issue an infrastructure charges notice for their proportion of the infrastructure charge.

#### **Resubmission of Required Amended Plans and Documents**

6. The conditions of this Decision Notice require resubmission of plans and documents to council with amendments. Please address the amended plans and documents to council's Planning Assessment Branch with the reference no. MCU17/0095, separate to any Operational Works application. To avoid delays and assessment issues with the Operational Works application, it is recommended the plans be resubmitted prior to lodgement of any Operational Works application. However, should the plans not be submitted, the applicant is advised that a preliminary approval may be issued in lieu of a development permit.

#### **Other Laws and Requirements**

7. 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 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](http://www.sunshinecoast.qld.gov.au)). For information about State and Commonwealth requirements please consult with these agencies directly.

#### **Road Naming Procedure**

8. Road names must be approved by council before the plan of subdivision is submitted for approval. A written request for proposed naming of roads must be submitted to council together with a plan of the proposed roads and a completed road naming application form. Further details can be found on council's website.

#### **Restriction on Building Approval until all other Permits are Effective**

9. Pursuant to the statutory provisions of the Building Act, a private building certifier must not grant any building development approval related to this development until all necessary Development Permits for the development (including, for example, Operational Works approvals) have taken effect under the *Sustainable Planning Act 2009*. This legislative requirement is critical to ensure that a private certifier's approval about a component of the development is consistent with the assessment managers' decisions on other aspects of the overall development.

#### **Reciprocal Access Easements**

10. In accordance with the *Planning Act 2017*, any proposed registration of reciprocal access easements (as an alternative to land amalgamation) will first require a development permit for Reconfiguring a Lot be obtained from council.

#### **Use of Government Owned or Controlled Land**

11. Under Sunshine Coast Council Local No. 1 any activities such as events and footpath dining over government controlled land will require a local law permit.

**Qualified Person**

12. 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.
13. 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.
14. 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.
15. 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.
16. For the purpose of preparing an acid sulfate soil and groundwater management plan, a qualified person is considered to be either:
- (a) a Registered Professional Engineer of Queensland (RPEQ) or;
  - (b) a soil scientist with a minimum of five (5) years current experience in the field of acid sulfate soils.
17. For the purpose of certifying air quality 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 odour management or air quality.
18. For the purpose of preparing a fauna management plan, a qualified person is considered to be an ecologist with a minimum of three (3) years current experience in the field of fauna assessment and management.
19. For the purpose of preparing a bushfire management plan, and for certifying compliance with the bushfire requirements of this decision notice, a qualified person is considered to be an ecologist with a minimum of three (3) years current experience in the field of bushfire assessment and management.
20. 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 five (5) years current experience in the field of landscape design.
21. For the purpose of preparing an arborist report or preparing a vegetation management plan, 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 five (5) years current experience in the field of arboriculture.

22. For the purpose of preparing a rehabilitation/revegetation plan, a qualified person is considered to be a landscape architect, horticulturist, or ecologist with a minimum of five (5) years current experience in the field of landscape design.
23. Preparing a safety risk assessment, is considered to be a risk assessor holding a Diploma in Risk Management qualification along with a minimum of five (5) years current experience in preparing risk assessments and management plans.
24. For the purpose of preparing an access and mobility report, a qualified person is considered to be a certified RPEQ. Guidance from a specialist access and mobility consultant would be considered advisable.
25. For the purpose of preparing a public art master plan, a qualified person is considered to be an arts consultant/artist with a minimum of three (3) years current experience in the field of public art.
26. For the purposes of preparing a Marine Turtles Management Plan and Lighting Plan, a qualified person is a tertiary qualified marine turtle biologist and member of IUCN Marine turtle specialist group with a minimum five (5) years current experience in the field of marine turtles.

## ENGINEERING

### Pre-Design Meeting Services

27. Council offers a free pre-design meeting service specifically for operational works applications. Applicants are encouraged to utilise this service prior to the submission of their operational works application to ensure that their application is not held up by avoidable design issues. It is anticipated that the pre-design meeting will ultimately assist in fast tracking the assessment of an operational works application once it is lodged with council as a result of design and application issues being resolved or substantially resolved prior to the application being submitted. For more information on this service or to book a pre-design meeting please visit council's website or contact (07) 5475 PLAN.

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

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

### Co-ordination of Operational Works

29. 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

30. 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.

31. 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.

#### **Preparation of a Preliminary Construction Management Plan**

32. A preliminary construction management plan must be submitted with the Operational Works application and must address the following:
- (a) traffic management during all aspects of the construction phase including:
    - (i) a traffic management control plan in accordance with the *Manual of Uniform Traffic Control Devices (MUTCD)* detailing all temporary signage and traffic control measures prior to construction
    - (ii) maintenance of safe pedestrian access for the areas affected by the works during and after daily construction has ceased
    - (iii) proposed fencing to the site during the construction phase of the development
    - (iv) approval of the traffic management control plan by the Department of Transport and Main Roads (TMR) for any works on State-controlled roads
    - (v) provision for worker car parking
  - (b) maintenance and protection of water quality and existing drainage lines through the construction site, through the implementation of appropriate erosion and sediment control measures
  - (c) works programme identifying key components of the works and their respective durations
  - (d) establishment of a communication protocol with the general public, adjoining owners, emergency services and local businesses to advise of agreed construction times, impacts on traffic, services and other relevant issues
  - (e) identification of complaint management procedures including:
    - (iii) contact details for the on-site manager
    - (iv) dispute resolution procedures
  - (f) details on the location of external fill sites/sources, the haulage route, type of vehicle to be utilised during filling operations and frequency of usage. NOTE: any damage to the existing road system as a result of haulage operations shall be fully repaired at the applicant's expense
33. It is acknowledged that the preliminary construction management plan will be a draft document requiring finalisation upon appointment of the principal contractor employed to construct the works and a final document will be required to be submitted at the pre-start meeting for the project.

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

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

#### **HYDROLOGY**

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

35. 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)".*

## LANDSCAPE & ECOLOGY

### Marine Turtles

36. The only instruments that can be used in a field setting to measure sky glow on the nesting beach are, a hand held Sky Quality Meter (SQM, Unihedron) or digital cameras based technology. While both measure sky glow at low detection limits the digital camera approach provides the more detailed and reliable data, using CCD technology with a fish eye lens to capture whole-of-sky, biologically meaningful light emissions. This technology quantifies light in magnitudes/arcsec<sup>2</sup>, a unit of measurement that is emerging as a global standard (Bara 2017; Jerchow et al. 2017; Zotti 2007; Aube 2016; Falchi et al. 2016; Pendoley et al. 2012; Kyba et al. 2011; Falchi 2011; Rabaza et al. 2010; Kollath 2010). It is noted that Council has engaged Pendoley Environmental to undertake assessment of existing sky glow values for the area and the results of this study should be referred to as part of any Turtle management plan or turtle Lighting Plan.
37. It is suggested that the following turtle lighting recommendations for reduction in light glow be investigated as part of any future Turtle management plan or turtle Lighting Plan:
  - (a) All street lights within the development site are to be fitted with 25cm deep vertical shades
  - (b) Amber LED lights must be used as standard and the warm white used only where colour rendition is required. The warm white LED lights should not contain short wavelength blue light and the supplier should be asked to provide the spectral power curve to show this. The lights should be measured using a spectroradiometer to verify the absence of short wavelength blue light.
  - (c) All street lights to be Amber in colour and 3000K or less
  - (d) All lighting must be managed to reduce sky glow; reduced intensity, long wavelength lights, shielded, low to the ground, directed onto area of interest, low reflectance building surfaces and paints, tinting of glass, compulsory use of window coverings at night during the nesting season.
  - (e) No vertical illumination of the building using lighting that shines into the sky within the development site during nesting and hatching season (October – May)
  - (f) All outdoor lighting (including stairs and access/service areas) is to be switched onto a motion/proximity sensors with an associated deactivation after 10 minutes during nesting and hatching season (October – May)
  - (g) No decorative outdoor lighting is to be fitted to the buildings, open space recreation areas or vegetation (eg. Fairy/Christmas lights) during nesting and hatching season (October – May)
  - (h) Pool lighting must be switched off after 8pm during nesting and hatching season (October – May)
  - (i) No illuminated building signage throughout the development during nesting and hatching season (October – May)
  - (j) Any illuminated restaurant signage must be contained under building awnings and addressed under the lighting management plan.
  - (k) Interior lighting must be blocked from shining from the interior of the building towards the nesting beach during the nesting and hatching season (October – May) and must include architectural lighting such as bulkheads.
  - (l) All windows and doors are to 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
  - (m) Stairways should be contained within light proof walls (fully enclosed stairways), or motion/proximity sensors installed for use after 8pm, with an associated deactivation after 10 minutes during nesting and hatching season (October – May)
  - (n) All rooftop terrace and verandah/balcony for all units lighting are to be switched off after 8pm, and may have lighting fitted with proximity / motion sensors with an associated deactivation after 10 minutes.

- (o) Recessed lighting must be used to manage lighting in rooms for buildings higher than two storeys. Lighting covenants must be placed on all future residential buildings over two storeys.
- (p) Recreational Night markets must finish by 8pm during turtle season
- (q) No vertical illumination of vegetation or other structures using lighting that shines into the sky within the development during nesting and hatching season (October – May)
- (r) Visual screening of all lighting towards the coastline and sky through vegetation screens.
- (s) Toilet blocks area lighting must be switched off after 8pm, and may operate on a proximity sensor that has an associated deactivation after 10 minutes
- (t) All BBQ recreation area lighting must be switched off after 8pm, and may operate on a proximity sensor that has an associated deactivation after 10 minutes
- (u) Kiosk Closed from 8pm
- (v) No fireworks during nesting and hatching season (Oct – May)
- (w) Any lighting in recreation areas within the development must be switched off and operate on proximity sensors after 8pm during nesting and hatchling season (October – May).
- (x) Beach access must be meandering to stop direct light from the development

## URBAN DESIGN

### Preparation of Public Art Master Plan

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

### Enclosure of Balconies for Weather Protection

39. Should future owners of the units propose to alter or further enclose balconies on the approved building, the body corporate will be required to lodge an application with Council for a Change to Development Approval and Change to Conditions;

### Energy Efficiency

40. The development should consider the implementation of a range of green initiatives in its design and construction to achieve a target of 50% energy savings. The green initiatives must include:
- (a) re-use of hot air from air-conditioning (good for line drying)
  - (b) monitoring systems for efficient air-conditioning
  - (c) use of innovative air-conditioning technologies
  - (d) use of solar hot water systems
  - (e) use of solar photovoltaic systems
  - (f) use of low energy lighting, including LED fittings

- (g) motion controlled lighting to hallways, carparks and communal areas
- (h) highly insulated roofing and walling systems
- (i) use of building materials with low-embodied energy
- (j) use of recycled building materials for construction and fill
- (k) flow restrictors on all taps.

#### 10. PROPERTY NOTES

The following property notes will be placed against the subject property in council's property record system:

##### **MCU17/0095 – Infrastructure Agreement**

*The following notation applies to and all created lots:*

*An infrastructure agreement has been signed in association with council approval MCU17/0095. The agreement relates to maintenance requirements, land dedication and other infrastructure contributions.*

##### **MCU17/0095 – Variance to Planning Scheme Provisions**

*This property forms part of, and is in part governed by, a preliminary approval (Overriding the Planning Scheme) issued under the Sustainable Planning Act 2009 (council file reference MCU17/0095). The preliminary approval contains a supplementary table of assessment that replaces the planning scheme in declaring the level of assessment for development to the extent stated within the table. It also contains new development codes that replace codes contained within the planning scheme. Applicants and private certifiers must refer to the preliminary approval prior to undertaking development on the property.*

#### 11. PRELIMINARY APPROVAL OVERRIDING PLANNING SCHEME

A preliminary approval under *Sustainable Planning Act 2009* has been granted. The level of assessment and applicable codes for any development approval resulting from this approval are identified in the approval.

#### 12. FURTHER DEVELOPMENT PERMITS REQUIRED

- Development Permit for Operational Work (filling and excavation, engineering work, landscape work and placing an advertising device on premises)
- Development Permit for Building Work

#### 13. SUBMISSIONS

There were 11,666 properly made submissions about the application. In accordance with *Sustainable Planning Act 2009*, the name and address of the principal submitter for each properly made submission is provided and attached.

#### 14. REASONS / GROUNDS FOR APPROVAL DESPITE CONFLICT WITH SCHEME

The Assessment Manager considers the decision conflicts with the planning scheme and the following are sufficient grounds to justify the decision despite the conflict:

1. The development would provide a luxury 5 star hotel and conference facilities to satisfy current and future tourism demand for luxury accommodation product on the Sunshine Coast.
2. The development is a significant tourism and construction project for the Sunshine Coast and would create positive economic benefits for the local economy during its construction and operational phases.
3. The development would transfer land into public ownership for recreational and environmental purposes.
4. The potential adverse impacts of the proposed development are capable of being managed in accordance with planning scheme requirements, subject to the imposition of conditions.
5. The proposed development has the potential to enhance the Sunshine Coast's tourism brand and reputation and is consistent with the natural values and key lifestyle attributes of the Sunshine Coast.

#### 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](http://www.sunshinecoast.qld.gov.au) or at council offices.