

COUNCIL ASSESSMENT REPORT DEVELOPMENT SERVICES

APPLICATION FOR OTHER CHANGE TO APPROVAL

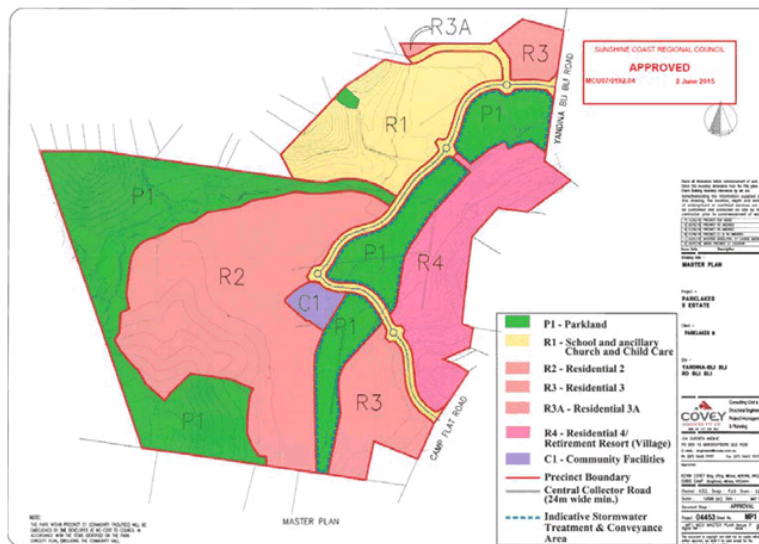
APPLICATION NO: MCU07/0192.05
AUTHOR: BRYCE MCKAY - SENIOR DEVELOPMENT PLANNER
PROJECT DIRECTOR: MARC CORNELL - PRINCIPAL PLANNER

SUMMARY SHEET	
APPLICATION DETAILS	
Applicant:	Parklakes II Developments Pty Ltd
Owner:	Ms Kimberly Natalie West
Consultant:	Covey Associates Pty Ltd
Proposal	'Other Change' to Preliminary Approval pursuant to Section 3.1.6 of IPA 1997 a for Material Change of Use (Park Lakes 2 Master Planned Community) to add new land south of Kirra Road
Properly Made Date:	04 September 2018
Information Request Date:	03 October 2018
Information Response Received Date:	09 November 2018
Decision Due Date	06 May 2019
Number of Submissions	47 Properly Made submissions received (18 submissions in support, and 29 submissions objecting to the proposal)
PROPERTY DETAILS	
Division:	9
Property Address:	8 Kirra Road MAROOCHY RIVER QLD 4561
RP Description:	Lot 6 SP 110911
Land Area:	8.985 hectares
Existing Use of Land:	Detached dwelling
STATUTORY DETAILS	
Planning Scheme:	<i>Sunshine Coast Planning Scheme 2014</i> (31 July 2018)
SEQRP Designation:	Urban Footprint
Strategic Plan Designation:	Urban
Planning Area / Locality:	Bli Bli Local Plan Area

Planning Precinct / Zone:	Emerging Community Zone
Assessment Type:	Impact
State Referral Agencies:	Concurrence SARA – concurrence agency for State Controlled Roads and Vegetation Clearing
Referred Internal Specialists:	<ul style="list-style-type: none"> • Development Engineer, Engineering and Environment Assessment • Ecology Specialist, Engineering and Environment Assessment • Hydraulic Development Engineer, Engineering and Environment Assessment • Landscape Officer, Engineering and Environment Assessment • Environmental Health Officer, Engineering and Environmental Assessment • Urban Designer, Planning Assessment • Coordinator, Planning Scheme and Projects, Strategic Planning Branch • Unitywater

PROPOSAL:

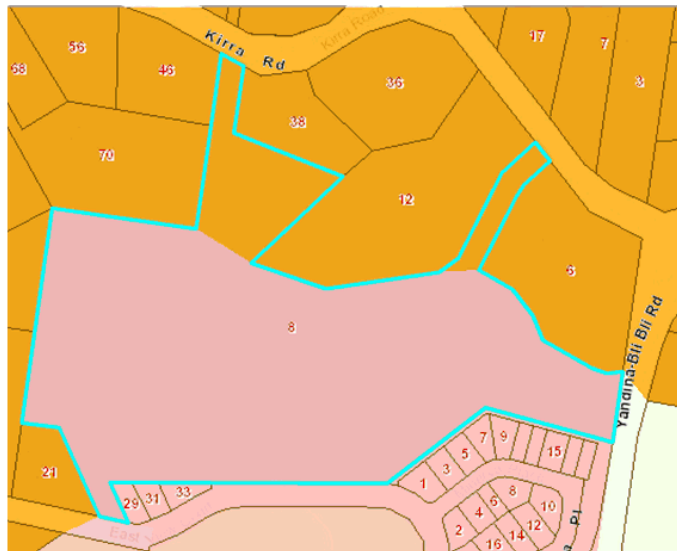
The Park Lakes 2 residential estate (MCU07/0192.05) includes 440 residential lots, a retirement facility and a private Catholic School, a park, lakes and open space (refer to approved Master Plan below).



Current approved Park Lakes 2 Master Plan

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The applicant has lodged an 'other change' to add an additional 8.985 hectares of land (Lot 6 SP 110911), located north of East View Court and south of Kirra Road, into the Park Lakes 2 into the Preliminary Approval Area. The land is designated Urban Footprint under the *South East Queensland Regional Plan 2017* and Emerging Community under the *Sunshine Coast Planning Scheme 2014*, with the exception of 2 small portions of the lot fronting Kirra Road, which remain Rural Living Area and Rural Residential respectively under the above documents. The urban land is proposed to be included within Precinct R3 of the Park Lakes 2 Preliminary Approval, while the rural residential land is proposed to remain unchanged consistent with land to the north of Park Lakes.



South East Queensland Regional Plan Zoning (split zoning)

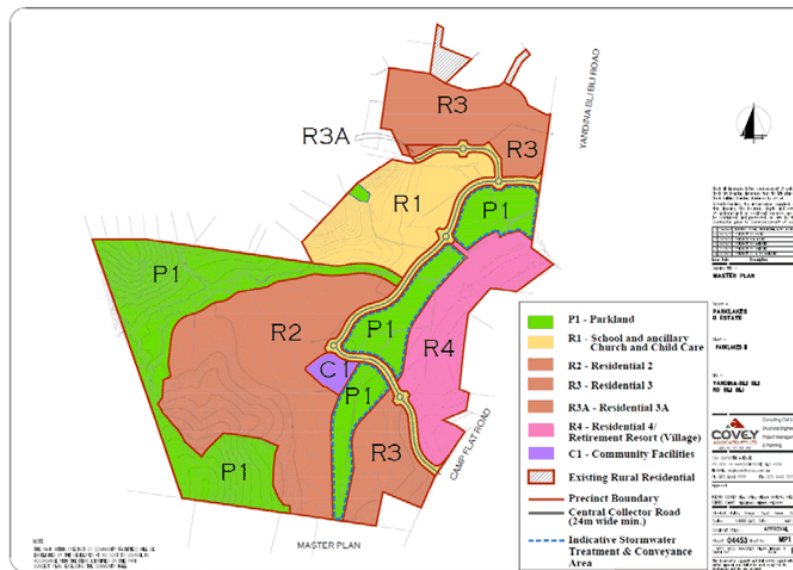


Aerial of Lot 6 SP 110911

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The 'other change' application proposes to change the approval as summarised below:

- Add Lot 6 SP110911 into the Park Lakes 2 preliminary approval area as reflected in the proposed Park Lakes 2 Master Plan below;
- Include the additional land identified as Urban Footprint under the *South East Queensland Regional Plan 2017* and Emerging Community under the *Sunshine Coast Planning Scheme 2014* within Precinct R3 of Park Lakes 2 Master Plan;
- Leave the balance of the lot (north) unchanged as rural residential (existing zoning); and
- Amend the conditions of the preliminary approval as necessary



Proposed Park Lakes 2 Master Plan

The inclusion of the urban land within Precinct R3 would allow for the lodgement of future applications for development permit for reconfiguration of a lot to create new residential lots within the expanded Park Lakes estate. Any such application would be assessed against the Park Lakes 2 Supplementary Preliminary Approval, approved by Council in the Ordinary Meeting of 14/11/2013. The applicant has indicated that a yield of approximately 90 additional residential lots may be possible under that approval. The land identified on the proposed Master Plan as existing rural residential would remain unchanged.

BACKGROUND:

A Preliminary Approval for Material Change of Use (Park Lakes 2 Master Planned Community) to override the planning scheme was issued on 20/11/13 and took effect on 26/02/14 following the issue of a Negotiated Decision Notice.

At the time the original application was publicly notified, 77 properly made submissions were received, of which 67 supported the Park Lakes 2 proposal and 10 objected to it. The submitters opposing the proposal were primarily concerned with zoning, density,

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stormwater, flooding, noise, rural amenity, traffic and environment. These submissions were addressed in the Council Report considered by Council on the 14/11/2013.

A number of changes were subsequently made to the preliminary approval, including:

- A generally in accordance with approval to amend the Master Plan to relocate the community precinct (C1) into the centre of the site issued on 13/08/14 (MCU07/0192.01)
- The lodgement of an Infrastructure Agreement to secure maintenance funding for the proposed wetland/lake currently in progress (MCU07/0192.03).
- A minor change application (MCU07/0192.04) to:
 - a) Permit a Type B dual occupancy housing option with indicative plans within some of the residential precincts;
 - b) Amend the Master Plan to identify a small parcel (0.19ha) of undeveloped road reserve north of the school site as balance lot - precinct R3 (A).
 - c) Address a number of minor errors and omissions in the Supplementary Tables.
- Note: MCU07/0192.02 was cancelled (created in error).

STATUTORY PROCESS:

The applicant has made an application for a change to a development approval (other than a minor change) under s78 and s82 of the *Planning Act 2016*. A request to make a change to a development approval (other than a minor change) can be made in any circumstance. The proposed changes could not be treated as a 'minor change' in accordance with the term defined in the Act, for the following reasons:

- The change would result in a substantially different development because of the inclusion of new parcel of land into the preliminary approval area to accommodate additional lots.

On this basis, the applicant has followed lawful process in making a request under s78 and s82 of the Act.

ASSESSMENT:

The *Planning Act 2016* requires the change application to be assessed as if the change application were the original application but was made when the change application was made.

This report details the assessment of the change application as if it were the original application.

Framework for Assessment

Categorising Instruments for Statutory Assessment

For the *Planning Act 2016*, the following Categorising Instruments may contain assessment benchmarks applicable to development applications:

- the *Planning Regulation 2017*
- the Planning Scheme for the local government area
- any Variation Approval

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Of these, the planning instruments relevant to this application are discussed in this report.

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Assessment Benchmarks Related to the *Planning Regulation 2017*

The *Planning Regulation 2017* (the Regulation) prescribes assessment benchmarks that the application must be carried out against, which are additional or alternative to the assessment benchmarks contained in council's Planning Scheme.

These assessment benchmarks are prescribed as being contained in:

- the *South East Queensland Regional Plan 2017* and Part E of the State Planning Policy, to the extent they are not appropriately integrated into the Planning Scheme; and
- Schedule 10 of the Regulation.

PLANNING REGULATION 2017 DETAILS	
Applicable Assessment Benchmarks:	<u>State Planning Policy</u> <ul style="list-style-type: none"> • State Planning Policy, Part E <u>Regional Plan</u> <ul style="list-style-type: none"> • South East Queensland Regional Plan
SEQ Regional Plan Designation:	<ul style="list-style-type: none"> • Urban Footprint • Rural Living Area
Koala Habitat Designation:	Nil.

State Planning Policy

The following assessment benchmarks of the State Planning Policy Part E are applicable to the development proposal and vary the effect of the Planning Scheme:

Liveable communities – Fire services

- The development does not propose buildings that would be accessed by common private title.
- The proposal is supported by a Bushfire Hazard Assessment Report which recommends mitigation measures.
- The proposed development could be conditioned to comply with the requirements of the State Planning Policy in regard to the provision of fire hydrants and site access for fire services.

South East Queensland Regional Plan

The State Planning Policy mapping identifies the site as being located within the following zones.

- Urban Footprint
- Rural Living Area

The proposal is considered to be consistent with the *South East Queensland Regional Plan 2017*, in as much as:

- Low density residential development would be confined to the area identified as Urban Footprint
- The area outside the Urban Footprint would continue for rural living.

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Assessment Benchmarks Related to the Planning Scheme

The following sections relate to the provisions of the Planning Scheme.

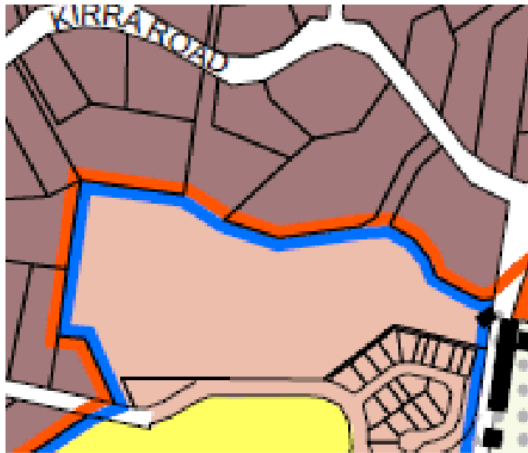
PLANNING SCHEME DETAILS	
Planning Scheme:	<i>Sunshine Coast Planning Scheme 2014 (31/07/18)</i>
Strategic Framework Land Use Category	Urban Rural Residential
Local Plan Area:	Bli Bli Local Area Plan
Zone:	Emerging Community and Rural Residential
Consistent/Inconsistent Use:	The proposed use is consistent with the current zoning
Assessment Benchmarks:	Strategic Framework

Strategic Framework

The strategic framework sets the policy direction for the planning scheme area and forms the basis for ensuring appropriate development occurs within the planning scheme area for the life of the planning scheme. The strategic framework comprises of the following themes, each with key concepts to manage:

- Settlement pattern;
- Economic development;
- Transport;
- Infrastructure and services;
- Natural environment;
- Community, identity, character and social inclusion;
- Natural resources; and
- Natural hazards.

Under the *Sunshine Coast Planning Scheme 2014*, the site is split zoned, the southern portion of the site is zoned Emerging Community (light brown) consistent with the Urban Footprint under the *South East Queensland Regional Plan 2017*. The area to the north adjacent to Kirra Road remains rural residential land (dark brown).



Planning Scheme Zoning

Planning Scheme Codes

The application has been assessed against each of the applicable codes in the *Sunshine Coast Planning Scheme 2014* and found to be compliant with, or can be conditioned to comply with, each. The pertinent issues arising out of assessment against the codes are discussed below. If the 'other change' is approved and the land becomes part of Park Lakes 2, the applicant would still require a Development Permit for Reconfiguring a Lot before the development could proceed.

Zone Code Minimum Lot size

The 8.985 hectare Kirra Road parcel of land is just below the minimum lot size requirements (10 hectares) for Emerging Community zones. However, the 8.985 hectares is consistent with the extent of land identified as Urban Footprint in the *South East Queensland Regional Plan 2017*. It is also consistent with Council's recent Planning Scheme Amendment, which rezoned most of the land from rural residential to Emerging Community. The land immediately south of Kirra Road would remain rural residential under the *Sunshine Coast Planning Scheme 2014*.

Local Area Plan downstream drainage infrastructure

The recent planning scheme amendment, which rezoned most of the Kirra Road site of to Emerging Community, requires that:

Development in the Emerging community zone provides for downstream drainage infrastructure, with capacity to drain ultimate development within the South Maroochy Drainage Board catchment (PO12 of the Local Area Code).

To address the downstream drainage issue, the applicant has provided a master drainage study for the South Maroochy Drainage Board (SMDB) area to ensure that the downstream drainage infrastructure has the capacity to accommodate ultimate development within the catchment.

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In addition, the applicant has agreed to enter into an Infrastructure Agreement with council to provide a monetary contribution towards the cost of drainage works undertaken and required by the master drainage study for the length of drain downstream of the Park Lakes 2 development to the confluence with the main drain. These works have been substantially completed. It is considered that this agreement satisfies the performance outcome requirement.

Vegetation Clearing

An application under a Section 22A Vegetation Clearing was lodged with State Department of Natural Resources, Mines and Energy (DNRME) on 13/08/2018 to prevent the application being prohibited development and permit vegetation clearing within the portion of the site identified as Urban Footprint. The application was approved on 21/08/2018. The approval permits clearing of a small portion of Category B (of least concern) vegetation in the western portion of the site. The application was referred to SARA, which has issued a concurrence agency approval subject to the protection of a small amount of mapped vegetation within the rural residential portion of the site (refer to Referrals section).

Flooding

The section of the site is identified as being affected by flooding and inundation within the western, southern and south-eastern areas of the site. An addendum to the Flood Assessment demonstrates that flood immunity to all lots can be achieved and flows and flood levels leaving the site would not be worsened as a result of the proposed earthworks. Council's Hydraulic Development Engineer has imposed conditions to ensure flood immunity and non-worsening.

Bushfire

The site is located in a medium bushfire hazard overlay area. Lots to the west and north of the site also contain vegetation classed as a medium bushfire hazard. A Bushfire Management Assessment has been provided, which recommends mitigation strategies, including a perimeter road which would act as a fire break. Retained vegetation in the rural residential zone would be uphill of proposed development. Fires approaching any future development would travel downhill and would be of lower intensity. Council's bushfire specialist has recommended conditions to mitigate any bushfire danger.

Assessment Benchmarks Related to a Variation Approval (MCU07/0192)

Development within the Park Lakes 2 Residential Estate is controlled by the Park Lakes 2 Master Plan and Supplementary Tables of Assessment. The Emerging Community land is proposed to be added to the Preliminary Approval area as land within Precinct 3 with the remaining land fronting Kirra Road retained as Rural Residential with protected vegetation.

Precinct 3 allows for a range of lot sizes ranging in size from a low number of minimum 300m² cottage lots to traditional lots based on the slope of the land (see below).

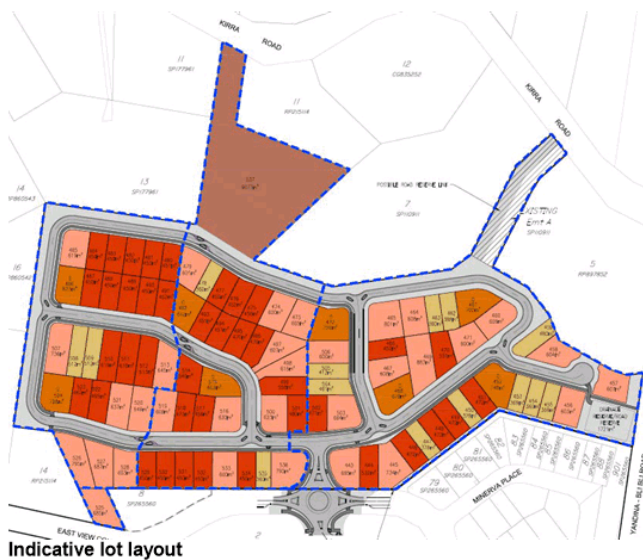
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Table 2 - Supplementary Table of Minimum Lot Size for Lot Reconfiguration

Precinct Type	Lot Type	Maximum Slope	Minimum Area	Minimum Frontage	Maximum proportion of lots per precinct
Residential Precincts (R2-R4), excluding R3 (A)	Detached Houses/Display Home: <ul style="list-style-type: none"> Traditional & Hillslope Lots 	0-15.9%	600m ²	18m	100%
		16-20.9%	800m ²	20m	
	<ul style="list-style-type: none"> Courtyard Cottage Lots 	21-25%	1000m ²	25m	45%
		Over 25%	1500m ²	30m	
Dual Occupancy Lots-Type A (standard)	Dual Occupancy Lots-Type B (detached dwelling appearance)	10%	600m ² -450m ²	15m	15%
		15%	450m ² -300m ²	10m	5%
R3 (A)	Traditional	15%	600m ²	18m	100%

The applicant has submitted an indicative layout for 90 additional residential lots, which identifies residential lots ranging in size from 360m² to 690m², with an average of 546m², generally consistent with previous stages of Park Lakes 2. The rural residential lot would be 9,077m². These lot sizes are generally consistent with the lot size requirements for Precinct R3 of the Park Lakes 2 Estate, which restricts the number small (cottage) lots to 15% and the number of average lots (courtyard) to 45%. The additional lots would take the total number of residential lots in Park Lakes 2 to 535 lots.

The ultimate residential lot number and sizes within the Precinct R3 would be the subject of a further application to council for a Development Permit for Reconfiguring a Lot and would be assessed against the Park Lakes 2 Preliminary Approval Supplementary Tables.



Under those tables, detached houses would be self-assessable where complying with the acceptable measures of the applicable code. Dual occupancies would be code assessable where nominated on an approved Plan of Development.

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Table 2: Supplementary Table of Assessment for Material Change of Use

PRECINCTS R2 & R3: excluding R3 (A): RESIDENTIAL			
Either of the following: <ul style="list-style-type: none"> • Detached house • Display home 	Where: <ul style="list-style-type: none"> (a) no more than one detached house per lot; and (b) <u>not</u> exceeding the precinct height limit. 	Self-assessable development not able to comply with the acceptable measures of the Code.	Where self-assessable: <ul style="list-style-type: none"> • Code for the Development of Detached Houses and Display Homes (Elements 1-9 and 11-17) Where code assessable: <ul style="list-style-type: none"> • Code for the Development of Detached Houses and Display Homes
Dual Occupancy	Where: <ul style="list-style-type: none"> (a) on a site designated for a dual occupancy on an approved Plan of Development; and (b) not exceeding the precinct height limit; and (c) <u>having</u> a minimum lot size of 600m². 	Development listed in Column 1, if the acceptable measures applicable to self-assessable development are not able to be complied with, otherwise none.	Where self-assessable: <ul style="list-style-type: none"> • Code for Development and Use of Dual Occupancy • Code for Transport, Traffic and Parking

Assessment Benchmarks Related to a Temporary Local Planning Instrument

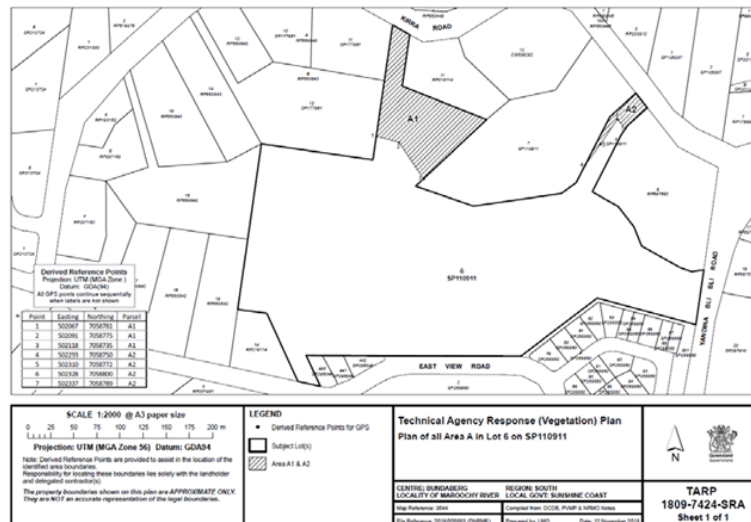
Not applicable.

CONSULTATION:

Referral Agencies

The application was referred by council to the Department of State Development, Manufacturing and Planning (SARA) for Vegetation Clearing and State Transport Infrastructure.

A response was received by letter dated 29 November 2018 with conditions relating to vegetation clearing or building within Area A1 and A2 of the rural residential property as identified on the SARA plan below.



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Public Notification

The application was publicly notified for a minimum of 30 business days between 12/11/2018 and 09/01/2019 in accordance with the requirements of the *Planning Act 2016*. A total of 60 submissions were received, of which 47 were determined to be *properly made* in accordance with the *Planning Act 2016*. Of the 47 properly made submissions (numerous pro formas), 29 submissions **opposed** the proposal, while 18 **supported** the proposal.

The following table provides a description of the matters raised in submissions received about the application, together with a statement of how those matters were dealt with in reaching a decision:

Submissions Against

ISSUES	COMMENTS
Dust from earthworks	This application is for an 'other change' to add an additional 8.985 hectares of land (Lot 6 SP 110911), located north of East View Court and south of Kirra Road, into the Park Lakes 2 Preliminary Approval Area. At this stage, no earthworks are proposed as part of this application. Subsequent applications will need to be lodged with council for a Development Permit for Reconfiguring a Lot and resultant operational works conditions would be imposed to control dust emissions.
Impacts on the road network, including Camp Flat Road, and unsafe site access	The State Department of Transport and Main Roads was referred this application and they raised no objections to this proposed 'other change'. Council's Development Engineer confirms that the road network has the capacity to accommodate the development. Site access and traffic would be assessed as part of a subsequent application for a Development Permit for Reconfiguration of a Lot.
Amenity / character impacts and impacts on wildlife	The <i>South East Queensland Regional Plan 2017</i> identifies most of the land as Urban Footprint and the <i>Sunshine Coast Planning Scheme 2014</i> (as recently amended) identifies the land as Emerging Community, consistent with the balance of Park Lakes 2.
Downstream stormwater drainage impacts including on stage 1C and the downstream cane land; and South Maroochy Drainage Board (SMDB) will not act in land holder interest	An executed infrastructure agreement would require the developer to pay a monetary contribution towards the upgrade of downstream drainage infrastructure to accommodate stormwater flow. These works have been substantially completed. The South Maroochy Drainage Board

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	(SMDB) is the controlling entity for downstream cane land drainage.
High density, small lot housing	This application is for an 'other change' to add an additional 8.985 hectares of land (Lot 6 SP 110911), located north of East View Court and south of Kirra Road, into the Park Lakes 2 Preliminary Approval Area. At this stage, no details have been provided on the residential lot density. Preliminary information provided with this application shows that the anticipated densities will be consistent with the earlier stages Park Lake developments and are consistent with the outcomes of the Sunshine Coast Planning Scheme. Residential lot density would be determined under a subsequent Development Permit for Reconfiguration of a Lot application consistent with existing Park Lakes 2 Tables of Development Assessment.
Narrow streets	Subsequent applications of Development Permit for Reconfiguration of a Lot will need to demonstrate new street widths are in accordance with the Council approved road hierarchy plan in the Planning Scheme and also consistent with existing Park Lakes 2 stages.
Increased crime	This is not a matter which can be assessed against the Planning scheme.
Loss of open space	The <i>South East Queensland Regional Plan 2017</i> identifies most of the land as Urban Footprint intended for urban redevelopment with the significant vegetation identified as protected where necessary.
Buffering to rural residential	Buffering to the existing rural residential would be considered as part of any subsequent application for Development Permit for the Reconfiguration of a Lot under the Park Lakes 2 Master Plan approval.
Conflict with Sunshine Coast Planning Scheme, which identifies the zone as rural residential	The proposal does not conflict with the <i>Sunshine Coast Planning Scheme 2014</i> . The planning scheme identifies the land proposed to be developed for urban lots as Emerging Community Zone. Planning Scheme Amendment 18, involving site specific <i>South East Queensland Regional Plan 2017</i> bring forward sites, was publicly advertised and open to submissions.
Flooding over the road near soccer fields	No evidence has been provided to confirm that any flooding over the road near the soccer fields is associated with the development of Park Lakes 2.

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	An executed infrastructure agreement would require the developer to pay a monetary contribution towards the upgrade of downstream drainage infrastructure to accommodate stormwater flow associated with the development. These works have been substantially completed.
Retirement village near Thomas Road will increase traffic	Any development outside of Park Lakes 2 would be the subject of a separate future application assessed on its individual merits against the relevant provisions in the <i>Sunshine Coast Planning Scheme 2014</i> and in accordance with the <i>Planning Act 2016</i> .

Submissions in Support

ISSUES	COMMENTS
Provision of essential housing and strong demand for housing in Bli Bli	Noted. The 'other change' adds new developable land to the Park Lakes 2 Master Plan identified by the <i>South East Queensland Regional Plan 2017</i> as Urban Footprint and the <i>Sunshine Coast Planning Scheme 2014</i> as Emerging Community.
Support for Catholic school by providing housing for patrons of the school	Noted. The new land would be directly north of the Catholic school.
Good layout and buffers	Noted. Final layout would be subject to assessment against Park Lakes 2 Tables of Assessment.
Development would bring jobs	Noted.

Infrastructure Charges

Council's Transport & Infrastructure Policy Branch have been notified of the proposed changes and advise that the changes would have no implications to the infrastructure charges that were levied at the time of the original approval. Additional infrastructure charges would be applicable at a later date based on the number of lots created as part of any future Reconfiguration of a Lot application.

Decision Notice Amendments Required:

As a result of the assessment detailed in this report, the details of the existing approval are recommended to be modified as shown below:

Real Property Description:	Lot 8 SP 110911, Lot 2 RP 172913, Lot 2 RP 26881, Lot 2 SP 170715, Lot 1 RP 104917, & Lot 2 RP 104917 & Lot 6 SP110911
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- The preliminary approval site is the area consisting of Lot 8 SP 110911, Lot 2 RP 172913, Lot 2 RP 26881, Lot 2 SP 170715, Lot 1 RP 104917, & Lot 2 RP 104917 & Lot 6 SP110911.

4. This Preliminary Approval overrides Maroochy Plan 2000 in accordance with Section 3.1.6 of the *Integrated Planning Act 1997*, in that it identifies the level of assessment for future development and the applicable Codes for development within the preliminary approval area, **except for land identified on the latest approved Master Plan as Existing Rural Residential.**
(a) At the time of lodgement of any future application for a Development Permit for Reconfiguration of a Lot over Lot 6 SP110911, the applicant must either have amalgamated the whole of the eastern most area of existing rural residential land into one or both of the adjoining rural residential lots or dedicate it to council as road / drainage reserve.
5. The Preliminary Approval overrides Maroochy Plan 2000's Key Character Elements and Statement of Desired Character for Planning Area 23 (Maroochy River Plains) applying to the land or its equivalent at the time of further development applications, **except for land identified on the latest Master Plan as Existing Rural Residential..**
9. Development within the Preliminary Approval Area, **except for the land identified on the latest approved Master Plan as Existing Rural Residential,** is limited to the following precincts in accordance with the approved Master Plan and Supplementary Tables of Development Assessment:
- Precinct P1 – Parkland (conservation and drainage reserve)
 - Precinct R1 – School and ancillary church and child care
 - Precinct R2 – Residential 2
 - Precinct R3 & R3 (A) – Residential 3
 - Precinct R4 – Residential 4 or Retirement village or resort - operated under Retirement Villages Act 1999 or Manufactured Homes (Residential Parks) Act 2003, but not a caravan park
 - Precinct C1 – Community/sporting facilities
- To be clear, the Supplementary Tables of Development Assessment do not apply to the land identified on the latest approved Master Plan as Rural Residential Land. The Maroochy Plan provisions or its equivalent at the time of further development applications shall apply to this land.**
15. Infrastructure contributions/charges will apply to future Development Permits issued pursuant to the preliminary approval in accordance with the relevant legislation applicable at the time of granting subsequent development permit/s. **The applicant must pay a monetary contribution towards the upgrade of downstream drainage infrastructure upgrades required to accommodate stormwater flow, as set out in the executed Cane Drain Widening Infrastructure Agreement between council and the developer dated [insert date].**

Approved Plans

Plan No.	Rev.	Plan Name	Date
MP1	P R	<i>Park Lakes 2 Master Plan</i> , prepared by Covey and Associates	14/05/15 15/08/18
Job 141714 151789	1 A	<i>Landscape Park Lakes 2 Park Concept Plan</i> , prepared by Covey and Associates	July 2014 29/10/15
Job 141714	C	<i>Park Lakes II Indicate Path Plan</i> , prepared by Covey and Associates	July 2014 10/08/18
DO1	B	<i>Indicative Dual Occupancy Type B Dwelling Plans</i> prepared by Covey and Associates dated 30/03/2015	21/05/2015

CONCLUSION:

The proposed changes to the existing development sufficiently comply with the current Planning Scheme provisions. The proposed changes do not raise any significant issues that cannot be addressed by conditions. The change application is therefore recommended for approval.

RECOMMENDATION

APPROVE a change to the development approval in relation to Application No. MCU07/0192.05 situated at Kirra Park 8 Kirra Rd MAROOCHY RIVER, in accordance with the following details for the decision notice.

A. Change the approval description/type to the following:

Real Property Description: Lot 8 SP 110911, Lot 2 RP 172913, Lot 2 RP 26881, Lot 2 SP 170715, Lot 1 RP 104917, & Lot 2 RP 104917 & Lot 6 SP 110911

B. Change Conditions 3 and 9 to read as follows:

3. The preliminary approval site is the area consisting of Lot 8 SP 110911, Lot 2 RP 172913, Lot 2 RP 26881, Lot 2 SP 170715, Lot 1 RP 104917, Lot 2 RP 104917 & Lot 6 SP 110911.
4. This Preliminary Approval overrides Maroochy Plan 2000 in accordance with Section 3.1.6 of the *Integrated Planning Act 1997*, in that it identifies the level of assessment for future development and the applicable Codes for development within the preliminary approval area, except for land identified on the latest approved Master Plan as Existing Rural Residential.
 - (a) At the time of lodgement of any future application for a Development Permit for Reconfiguration of a Lot over Lot 6 SP 110911, the applicant must either have amalgamated the whole of the eastern most area of existing rural residential land into one or both of the adjoining rural residential lots or dedicate it to council as road / drainage reserve.

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5. The Preliminary Approval overrides Maroochy Plan 2000's Key Character Elements and Statement of Desired Character for Planning Area 23 (Maroochy River Plains) applying to the land or its equivalent at the time of further development applications, except for land identified on the latest Master Plan as Existing Rural Residential..
9. Development within the Preliminary Approval Area, except for the land identified on the latest approved Master Plan as Existing Rural Residential, is limited to the following precincts in accordance with the approved Master Plan and Supplementary Tables of Development Assessment:
- Precinct P1 – Parkland (conservation and drainage reserve)
 - Precinct R1 – School and ancillary church and child care
 - Precinct R2 – Residential 2
 - Precinct R3 & R3 (A) – Residential 3
 - Precinct R4 – Residential 4 or Retirement village or resort - operated under Retirement Villages Act 1999 or Manufactured Homes (Residential Parks) Act 2003, but not a caravan park
 - Precinct C1 – Community/sporting facilities
- To be clear, the Supplementary Tables of Development Assessment do not apply to the land identified on the latest approved Master Plan as Rural Residential Land. The Maroochy Plan provisions or its equivalent at the time of further development applications shall apply to this land.
15. Infrastructure contributions/charges will apply to future Development Permits issued pursuant to the preliminary approval in accordance with the relevant legislation applicable at the time of granting subsequent development permit/s. The applicant must pay a monetary contribution towards the upgrade of downstream drainage infrastructure upgrades required to accommodate stormwater flow, as set out in the executed Cane Drain Widening Infrastructure Agreement between council and the developer dated [insert date].

- C. Amend the list of Approved Plans as follows:

Approved Plans

Plan No.	Rev.	Plan Name	Date
MP1	R	<i>Park Lakes 2 Master Plan</i> , prepared by Covey and Associates	15/08/18
151789	A	<i>Landscape Park Concept</i> , prepared by Covey and Associates	29/10/15
Job 141714	C	<i>Park Lakes II Indicate Path Plan</i> , prepared by Covey and Associates	10/08/18
DO1	B	<i>Indicative Dual Occupancy Type B Dwelling Plans</i> prepared by Covey and Associates dated 30/03/2015	21/05/2015

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