

## APPENDIX A - CONDITIONS OF APPROVAL

### 1. APPLICATION DETAILS

Application No:	MCU07/0192
Street Address:	Yandina-Bli Bli Rd, BLI BLI & 163-181 & 183-185 & 187 Camp Flat Rd BLI BLI QLD 4560
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
Planning Scheme:	Maroochy Plan 2000 (1 November 2007)

### 2. DECISION DETAILS

The following type of approval has been issued:

Preliminary Approval for Material Change of Use of Premises (Park Lakes 2 Master Planned Residential Community) in accordance with a Master Plan and Supplementary Tables of Development Assessment (pursuant to section 3.1.6 of the *Integrated Planning Act 1997* overriding the Planning Scheme) with different variations to those sought in the application.

### 3. RELEVANT PERIOD OF APPROVAL

The relevant period for this development approval is 10 years starting the day that this development approval takes effect.

### 4. ASSESSMENT MANAGER CONDITIONS

The development approval is subject to compliance with the following assessment manager conditions in relation to:

Preliminary Approval for Material Change of Use of Premises (Park Lakes 2 Master Planned Residential Community).

#### 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 within each stage of the development in accordance with an approved staging plan, and then compliance maintained at all times while the use continues.

##### Approved Plans

2. Future development authorized by this approval must be undertaken generally in accordance with the Approved Master Plan listed within this Decision Notice.

##### Nature and Extent of Approved Use

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.

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.
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.
6. The values of any Special Management Area applying to the land are taken to have been resolved by this preliminary approval, and accordingly all subsequent development is exempted from assessment against Section 6 and Tables 6.1 & 6.2 of Volume 1 of Maroochy Plan 2000 or its equivalent.
7. Where no provision of this Preliminary Approval overrides an equivalent or similar provision of the Maroochy Plan 2000, the Maroochy Plan provisions or its equivalent at the time of further development applications shall apply.
8. Assessment of all future development within the Preliminary Approval Area will be subject to the provisions and Codes contained within the Maroochy Plan 2000 or its equivalent at the time of further development applications.
9. Development within the Preliminary Approval Area 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 – Residential 3
  - Precinct R4 – Residential 4 or retirement village
  - Precinct C1 – Community/sporting facilities or residential.
10. The proposed school within precinct R1 must not exceed a maximum of 1,500 students. In addition, ancillary facilities may include a child care centre and church.
11. The land identified on the approved Master Plan as Precinct C1 must be dedicated to council in fee simple at no cost to council for community or sporting purposes prior to plan sealing for the first stage of development, unless otherwise approved by council. The precinct may not be used for residential development unless not required for community/sporting facilities as determined by council prior to its dedication.

**Development Staging**

12. The development must be staged in accordance with an approved staging plan.
13. The applicant must establish the englobo precinct (or sub-precinct) lots generally in accordance with the approved Master Plan prior to any other application for a Development Permit for Reconfiguration of a Lot or Material Change of Use.

**Sunset Clause for Completion of Approved Development**

14. Pursuant to s3.1.6 of the *integrated Planning Act 1997*, this development approval lapses if the whole of the approved use has not happened within 10 years of the approval taking effect.

**Infrastructure Contributions/Charges**

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.

**Level of Assessment**

16. The level of assessment for all future development applications for Reconfiguration of a Lot or Material Change of Use within Park Lakes 2 shall be in accordance with the Supplementary Tables of Development Assessment contained within this Decision Notice, or where not identified in the Supplementary Tables, by the relevant provisions of Maroochy Plan 2000 or its equivalent.
17. Development that would be self-assessable, but that does not comply with the Acceptable Measures of the applicable code, shall be code assessable.
18. Where the Supplementary Tables do not identify development as exempt, self-assessable or code assessable, it shall be impact assessable.
19. The assessment of development applications for operation works and/or building works within the preliminary approval area will be subject to the level of assessment provided for by the Maroochy Plan 2000 or its equivalent, other than where specified by conditions of this approval.

**Supplementary Tables of Development Assessment****Table 1 - Levels of Assessment Table**

<b>Development</b>	<b>Column 1 Circumstances under which development is self-assessable</b>	<b>Column 2 Circumstances under which development is code assessable</b>	<b>Column 3 Impact Assessable</b>
Material Change of Use	Where the use is specified as self-assessable in the Supplementary Table of Development Assessment for Material Change of Use for the relevant precinct and complies with the applicable codes.	<ul style="list-style-type: none"> <li>Where the use is specified as code assessable in the Supplementary Table of Development Assessment for Material Change of Use for the relevant precinct and complies with the applicable codes; or</li> <li>Where the use would otherwise have been self-assessable in accordance with column 1, except that the use does not meet the acceptable measures of the applicable code.</li> </ul>	Other than refer to in columns 1 and 2.
<b>Development</b>	<b>Circumstances under which development is self-assessable</b>	<b>Circumstances under which development is code assessable</b>	<b>Impact Assessable</b>
Reconfiguration of a Lot	None	Where the use is specified as code assessable in the Supplementary Table of Development Assessment for Reconfiguring a Lot.	Other than referred to in column 2

*To determine the level of assessment for building works or operational works applications, refer to Maroochy Plan 2000 or the relevant planning scheme or its equivalent.*

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

Purpose	Column 1 Circumstances under which “material change of use” is self-assessable	Column 2 Circumstances under which “material change of use” is code assessable	Column 3 Applicable Codes
<b>PRECINCT R1: SCHOOL</b>			
Educational Establishment or ancillary Church or Child Care	None	Where in premises which have a height not exceeding the precinct height limit.	<ul style="list-style-type: none"> <li>Code for Integrated Water Management</li> <li>Code for Landscaping Design</li> <li>Operational Works Code</li> <li>Code for Transport, Traffic and Parking</li> <li>Code for Waste Management in Commercial and Community Developments</li> <li>Design Code for Community Safety and Security</li> </ul>
Local Utility	exempt	exempt	
<b>PRECINCTS R2 &amp; R3: RESIDENTIAL</b>			
Either of the following: <ul style="list-style-type: none"> <li>Detached house</li> <li>Display home</li> </ul>	Where: <ul style="list-style-type: none"> <li>(a) no more than one detached house per lot; and</li> <li>(b) not exceeding the precinct height limit.</li> </ul>	Self-assessable development not able to comply with the acceptable measures of the Code.	Where self-assessable: <ul style="list-style-type: none"> <li>Code for the Development of Detached Houses and Display Homes (Elements 1-9 and 11-17)</li> </ul> Where code assessable: <ul style="list-style-type: none"> <li>Code for the Development of Detached Houses and Display Homes</li> </ul>
Dual Occupancy	Where: <ul style="list-style-type: none"> <li>(a) on a site designated for a dual occupancy on an approved Plan of Development; and</li> <li>(b) not exceeding the precinct height limit.; and</li> <li>(c) having a minimum lot size of 600m<sup>2</sup>.</li> </ul>	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"> <li>Code for Development and Use of Dual Occupancy</li> <li>Code for Transport, Traffic and Parking</li> </ul>
Home Based Business	Where the use does not involve any of the following uses/activities: <ul style="list-style-type: none"> <li>(a) any form of vehicle repair/ service;</li> <li>(b) panel beating;</li> <li>(c) vehicle detailing;</li> <li>(d) spray painting;</li> <li>(e) engine reconditioning and repair;</li> <li>(f) wood working or manufacturing involving power tools;</li> <li>(g) furniture manufacturing;</li> <li>(h) metal working;</li> <li>(i) welding;</li> </ul>	Self-assessable development not able to comply with the acceptable measures.	<ul style="list-style-type: none"> <li>Code for Home-Based Business</li> </ul>

	(j) dance studio/classes; or (k) martial arts coaching.		
Local Utility	None (exempt)	On land which abuts a State Controlled Road	<ul style="list-style-type: none"> <li>Code for Integrated Water Management</li> <li>Code for Landscaping Design</li> <li>Operational Works Code</li> <li>Code for Transport, Traffic and Parking</li> <li>Code for Waste management in Commercial and Community Developments</li> <li>Design Code for Community Safety and Security</li> </ul>
<b>PRECINCT R4: RESIDENTIAL OR RETIREMENT VILLAGE</b>			
Either of the following: <ul style="list-style-type: none"> <li>Detached house</li> <li>Display home</li> </ul>	Where: <ul style="list-style-type: none"> <li>(a) no more than one detached house per lot; and</li> <li>(b) not exceeding the precinct height limit.</li> </ul>	Self-assessable development not able to comply with the acceptable measures of the Code.	Where self-assessable: <ul style="list-style-type: none"> <li>Code for the Development of Detached Houses and Display Homes (Elements 1-9 and 11-17)</li> </ul> Where code assessable: <ul style="list-style-type: none"> <li>Code for the Development of Detached Houses and Display Homes</li> </ul>
Dual Occupancy	Where: <ul style="list-style-type: none"> <li>(a) on a site designated for a dual occupancy on an approved Plan of Development; and</li> <li>(b) not exceeding the precinct height limit; and</li> <li>(c) having a minimum lot size of 600m<sup>2</sup>.</li> </ul>	Development listed in Column 1, if the acceptable measures applicable to self-assessable development is not able to be complied with, otherwise none.	Where self-assessable <ul style="list-style-type: none"> <li>Code for Development and Use of Dual Occupancy</li> <li>Code for Transport, Traffic and Parking</li> </ul>
Home Based Business	Where the use does not involve any of the following uses/activities: <ul style="list-style-type: none"> <li>(a) any form of vehicle repair/service;</li> <li>(b) panel beating;</li> <li>(c) vehicle detailing;</li> <li>(d) spray painting;</li> <li>(e) engine reconditioning and repair;</li> <li>(f) wood working or manufacturing involving power tools;</li> <li>(g) furniture manufacturing;</li> <li>(h) metal working;</li> <li>(i) welding;</li> <li>(j) dance studio/classes; or</li> <li>(k) martial arts coaching.</li> </ul>	Self-assessable development not able to comply with the acceptable measures.	<ul style="list-style-type: none"> <li>Code for Home-Based Business</li> </ul>
Local Utility	None (exempt)	On land which abuts a State Controlled Road	<ul style="list-style-type: none"> <li>Code for Integrated Water Management</li> <li>Code for Landscaping Design</li> <li>Operational Works Code</li> </ul>

			<ul style="list-style-type: none"> <li>Code for Transport, Traffic and Parking</li> <li>Code for Waste management in Commercial and Community Developments</li> <li>Design Code for Community Safety and Security</li> </ul>
Retirement Village (excluding a Relocatable Home Park)	None	Where in premises which have a height and dwelling unit factor (DUF) not more than the maximum provided for in the Precinct.	<ul style="list-style-type: none"> <li>Code for Retirement Villages and Residential Care Facilities</li> <li>Code for Integrated Water Management</li> <li>Code for Landscaping Design</li> <li>Operational Works Code</li> <li>Code for Transport, Traffic and Parking</li> <li>Design Code for Community Safety and Security</li> </ul>
<b>PRECINCT C1 – COMMUNITY FACILITIES / MIXED HOUSING</b>			
Community Meeting Hall or community building	Where in premises which have a height of not more than the maximum provided for in the Precinct if undertaken by council.	Other than in column1.	<ul style="list-style-type: none"> <li>Code for Integrated Water Management</li> <li>Code for Landscaping Design</li> <li>Operational Works Code</li> <li>Code for Transport, Traffic and Parking</li> <li>Design Code for Community Safety and Security</li> <li>Code for Waste Management in Commercial and Community Developments</li> </ul>
Either of the following: <ul style="list-style-type: none"> <li>Detached house</li> <li>Display home</li> </ul>	Where: <ul style="list-style-type: none"> <li>(a) no more than one detached house per lot; and</li> <li>(b) not exceeding the precinct height limit.</li> </ul>	Self-assessable development not able to comply with the acceptable measures of the Code.	Where self-assessable: <ul style="list-style-type: none"> <li>Code for the Development of Detached Houses and Display Homes (Elements 1-9 and 11-17)</li> </ul> Where code assessable: <ul style="list-style-type: none"> <li>Code for the Development of Detached Houses and Display Homes</li> </ul>
Dual Occupancy	Where: <ul style="list-style-type: none"> <li>(a) on a site designated for a dual occupancy on an approved Plan of Development; and</li> <li>(b) not exceeding the precinct height limit; and</li> <li>(c) having a minimum lot size of 600m<sup>2</sup>.</li> </ul>	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"> <li>Code for Development and Use of Dual Occupancy</li> <li>Code for Transport, Traffic and Parking</li> </ul>

Home Based Business	Where the use does not involve any of the following uses/activities: (a) any form of vehicle repair/service; (b) panel beating; (c) vehicle detailing; (d) spray painting; (e) engine reconditioning and repair; (f) wood working or manufacturing involving power tools; (g) furniture manufacturing; (h) metal working; (i) welding; (j) dance studio/classes; or (k) martial arts coaching.	Self-assessable development not able to comply with the acceptable measures of the Code.	<ul style="list-style-type: none"> <li>Code for Home-Based Business</li> </ul>
Local Utility	Exempt	On land which abuts a State Controlled Road	<ul style="list-style-type: none"> <li>Code for Integrated Water Management</li> <li>Code for Landscaping Design</li> <li>Operational Works Code</li> <li>Code for Transport, Traffic and Parking</li> <li>Code for Waste management in Commercial and Community Developments</li> <li>Design Code for Community Safety and Security</li> </ul>
Indoor Recreation (other than a night club or amusement centre)	All, if undertaken by council	Other than in column 1 where in premises which have a height of not more than the maximum provided for in this Precinct.	<ul style="list-style-type: none"> <li>Code for Integrated Water Management</li> <li>Code for Landscaping Design</li> <li>Operational Works Code</li> <li>Code for Transport, Traffic and Parking</li> <li>Design Code for Community Safety and Security</li> <li>Code for Waste Management in Commercial and Community Developments</li> </ul>
Outdoor Recreation	All, if undertaken by council	Other than in column 1 unless exceeding the precinct height limit.	<ul style="list-style-type: none"> <li>Code for Integrated Water Management</li> <li>Code for Landscaping Design</li> <li>Operational Works Code</li> <li>Code for Transport, Traffic and Parking</li> <li>Design Code for Community Safety and Security</li> <li>Code for Waste Management in Commercial and</li> </ul>

			Community Developments
<b>PRECINCT P1 – Park</b>			
For purposes of nature conservation and park, or any purpose which in the opinion of Council is considered to be ancillary to or compatible with that purpose; or  Drainage infrastructure	All, if undertaken by council	Other than in column 1 exceeding the precinct height limit.	<ul style="list-style-type: none"> <li>Code for Nature Conservation Management</li> <li>Code for Waterways and Wetlands</li> </ul>

*Development not referred to in this table is impact assessable.*

**Table 3: Supplementary Table of Development Assessment for Reconfiguring a Lot**

Column 1	Column 2	Column 3	Column 4
Circumstances under which development is ...			
Self-Assessable	Code Assessable	Impact Assessable	Applicable Codes
None	Where creating precinct lots generally in accordance with the approved Master Plan; or Where creating one or more additional lots having an area not less than the minimum lot size specified in the <i>Supplementary Table of Minimum Lot Size for Lot Reconfiguration</i> ; and Not exceeding the maximum proportion of lots per precinct specified in <i>Supplementary Table of Minimum Lot Size for Lot Reconfiguration</i> .	Other than referred to in column 2.	<ul style="list-style-type: none"> <li>Code for Reconfiguring Lots</li> <li>Code for Integrated Water Management</li> <li>Operational Works Code</li> <li>Code for Transport, Traffic and Parking</li> <li>Code for Detached Houses and Display homes (if for Detached Houses or Display Homes) Elements 1, 2, 3, and 4</li> <li>Code of dual occupancy is for that use</li> </ul>

*Development not referred to in this table impact assessable.*

**Table 4: 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) & Precinct C1	Detached Houses/Display Home: <ul style="list-style-type: none"> <li>Traditional &amp; Hillslope Lots</li> </ul>	0-15.9% 16-20.9% 21-25% Over 25%	600m <sup>2</sup> 800m <sup>2</sup> 1000m <sup>2</sup> 1500m <sup>2</sup>	18m 20m 25m 30m	100%
	<ul style="list-style-type: none"> <li>Courtyard</li> <li>Cottage Lots</li> </ul>	10% 10%	600m <sup>2</sup> -450m <sup>2</sup> 450m <sup>2</sup> -300m <sup>2</sup>	15m 10m	40% 10%
	Dual Occupancy Lots	15%	600m <sup>2</sup>	18m	15%

*An allotment, including a Hatchet Lot, fronting the turning area of a cul-de-sac, or fronting the alignment of a curved road, will be permitted where the frontage is less than the specified minimum frontage at the road alignment, provided that allotment can contain a suitable building area measuring 20m by 15m (for lots traditional & hillslope lots) and 9m by 15m (for courtyard & cottage lots) located on the site within all building setbacks.*

*Deviations from development controls identified on an approved plan of development for access, setbacks, private open space will require an application to council for a siting variation.*



**Table 5: Supplementary Table for Building Height**

Column 1	Column 2
Self-Assessable	Residential /
Precinct R1 (local utility/child care)	2 storey/8.5m or 2 storey/10m where slope exceeds 15%.
Precinct R1 (school/church)	general buildings 10m or 12m for church or auditorium
Precinct R2	2 storey/8.5m or 2 storey/10m where slope exceeds 15%.
Precinct R3	2 storey/8.5m or 2 storey/10m where slope exceeds 15%.
Precinct R4	2 storey/8.5m or 2 storey/10m where slope exceeds 15%.
Precinct R4	2 storey/8.5m or 2 storey/10m where slope exceeds 15%.
Precinct C1 (residential)	2 storey/8.5m or 2 storey/10m where slope exceeds 15%.
Precinct C1 (community)	general buildings 10m or 12m for auditorium or indoor sports
Precinct P1 (buildings/structures)	2 storey/8.5m

*Note: height is measured from finished surface level. Finished surface level means the level set by an approved Development Permit for Bulk Earthworks over the site or natural ground level whichever is the higher level.*

**Table 6: Supplementary Table of Density for Retirement Village**

Site Area	Maximum Plot Ratio	Site Area per dwelling for calculating the DUF
All sites	1.0	300

## ENGINEERING

### Site Access

20. Approval from the Department of Transport and Main Roads for the final design of the site access works must be submitted in writing to Council prior to the issue of any Development Permit for Operational Works.

### New Roads

21. The new roads shown on the Approved Plans must be constructed in accordance with the conditions of this Decision Notice and an approved staging plan and must be dedicated as road reserve at no cost to Council in accordance with a development permit for operational works.

### External Works

22. Yandina – Bli Bli Road must be upgraded for the length of its frontage to the subject site and must include in particular unless otherwise approved by council:
- widening and sealing of the existing road pavement to 5.5 metres on the development side; and
  - construction of a shared pathway at least 2.5 metres wide.
23. Camp Flat Road must be upgraded for the length of its frontage to the subject site and must include in particular unless otherwise approved by council:
- construction of kerb and channelling and underground stormwater drainage to the development side only;
  - widening and sealing of the existing road pavement on the development side to at least 4.5 metres (based on at least a 9 metre wide overall carriageway width) south of the proposed roundabout access intersection to the development and to a width of at least 4 metres (based on at least an 8 metre wide overall carriageway width) north of the proposed roundabout access intersection;
  - construction of a concrete pathway; and
  - street lighting.

**Access**

24. No direct vehicle access to lots is permitted along the site's frontages to Camp Flat Road and Yandina – Bli Bli Road.

**New Roads**

25. The proposed road through the site providing a connection between Camp Flat Road and Yandina – Bli Bli Road, shown in the Approved Plan, must be designed and constructed as a District Collector Street and must include in particular unless otherwise approved by council:
- (a) a reserve width of at least 24 metres;
  - (b) a cross-section profile matching that of a District Collector Street in accordance with Planning Scheme Policy No. 6 – Transport Traffic and Parking;
  - (c) concrete pathways on both sides, including a shared path at least 2.5 metres wide on at least one side;
  - (d) indented bus bays on both sides of the road, with widening of the road reserve to accommodate the indented bus bays, generally at the following locations:
    - (i) at the western end of Precincts R3 / R4
    - (ii) Precinct R2
    - (iii) Precinct R1 at the proposed street connection to Precinct R4
    - (iv) at the intersection between Precincts C1 and R1;
  - (e) if Precinct R1 is to be developed as a school, additional indented bus bays must be provided to meet the requirements of the school; and
  - (f) roundabouts at intersections along the District Collector Street, incorporating pedestrian refuge crossing treatments across all approaches, to limit the maximum travel speed on the District Collector Street to 60km/h.
26. A roundabout intersection, which should have an outside diameter for the circulating carriageway of 36m, must be constructed joining the District Collector Street through the site with Camp Flat Road directly opposite where Parklands Boulevard is to join the eastern side of Camp Flat Road.
27. A new road must be designed and constructed between Precincts R1 and C1 to connect East View Court with the District Collector Street through the site in accordance with an approved staging plan and must include in particular unless otherwise approved by council:
- (a) at least a 20 metre wide road reserve
  - (b) at least an 8 metre wide two-way sealed carriageway, with a wider carriageway provided where on-street parking is required (at least 5.5 metres width in the direction of travel containing the on-street parking)
  - (c) a concrete pathway, being a shared path if Precinct R1 is developed as a school.

**Electricity and Telecommunication Services**

28. Underground reticulated electricity and telecommunication services must be provided to each lot in accordance with an approval for Operational Works and the standards and requirements of the relevant service provider.
29. Unless otherwise stipulated by telecommunications legislation at the time of construction, the development must be provided with all necessary conduits, pits and pipes to accommodate the future connection of optic fibre technology telecommunications.

30. Certification must be submitted to Council from all relevant service providers, which certifies that the development has met the requirements of this Decision Notice and all applicable legislation at the time of construction.

#### **Geotechnical Stability – Subdivisional Requirements**

31. Concurrent with any application for reconfiguration of a lot, the report *Geo-Environmental Investigation for Proposed Residential Subdivision Parklakes 2 Camp Flat Road, Bli Bli* – Document Number 06683021 -1000(AE) – D must be updated with an addendum to include a site specific geotechnical investigation for the relevant stage of development.

### **HYDROLOGY**

#### **Development Staging**

32. Prior to the approval of any Reconfiguration of a Lot application over the subject site, the applicant must provide and have endorsed by Council's delegate a staging plan with a staging report, which demonstrates how stormwater quality and quantity infrastructure will be delivered with each stage of the development in order to ensure no actionable downstream nuisance is created and the water quality pollutant removal objectives are progressively met for each stage. In addition, the applicant must provide a construction-phase flood study, which identifies the flood mitigation works required to accompany or precede each stage in order to ensure there are no off-site flood impacts at any stage during construction of the development unless all drainage infrastructure has been completed in accordance with the approved flood study. The amended staging plan must clearly identify the timing of dedication of each portion of precinct P1 relative to each development stage.
33. The applicant must dedicate the drainage reserve portion of precinct P1 in fee simple at no cost to council in accordance with an approved staging plan.
34. The drainage reserve land, exclusive of required stormwater infrastructure, must be rehabilitated\* and cleared of all weed species listed in the following standards and legislation:
- (a) declared plants under the *Land Protection (Pest and Stock Route Management) Act 2002* and sub-ordinate Regulation 2003
  - (b) *Maroochy Pest Management Plan 2006-2010 pest species of significance in Group 1, 2 & 6*

The works must be undertaken in accordance with an Operational Works approval.

#### **Stormwater Quality Treatment and Constructed Waterbody**

35. The lake and wetland proposed for Precinct P1 are not currently approved. Inclusion of a lake and wetland will not be considered within Precinct P1, unless it can be demonstrated as part of the amended staging plan and staging report required by this approval that the lake and wetland can be designed and established in accordance with current best practice guidelines and that a sustainable source of funding for asset maintenance and renewal is secured through the provision of an executed Infrastructure Agreement.
36. Stormwater quality treatment devices must be located within each of the urban precincts they serve and be located outside of Precinct P1 (park/ drainage reserve) unless otherwise approved by council.

**Lawful Point of Discharge**

37. The applicant must demonstrate and ensure that a lawful point of discharge exists for all stormwater discharged from the development in accordance with the QUDM prior to the approval of any Reconfiguration of a Lot or Operational Works over the subject site.
38. Easements for drainage purposes external to the site, where required, must be granted in favour of Council prior to commencement of construction and must be registered at no cost to Council. The wording of the easement documentation must be in accordance with Council's standard easement document.

**Flooding**

39. Prior to the approval of any Reconfiguration of a Lot application over the subject site, the applicant must provide and have endorsed by Council's Delegate an amended flood study based generally in accordance with the flood study referenced in this approval and modified to address the following issues:
  - (a) Removal of the lake and wetland proposed for Precinct P1 unless subsequently approved by council.
40. All works must be undertaken in accordance with the amended endorsed flood study.
41. The surface levels of all lots created subsequent to this approval (excluding drainage reserves and park) 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 higher than the local and regional 1 in 100 year ARI flood levels including allowance for climate change to year 2100.
42. Stormwater and flooding must be managed throughout construction of the development such that there is no off-site increased flooding (worsening) or drainage impacts from the development for any event up to and including the 1 in 100 year ARI event, for any stage of construction including the development in its final form.

**Stormwater Drainage**

43. A stormwater quality treatment system designed to meet current best practice load based reduction targets must be provided for the development. A detailed stormwater quality management plan must be provided with each subsequent application for reconfiguration of a lot or material change of use.
44. The site must be provided with a stormwater drainage system connecting to a lawful point of discharge. A preliminary stormwater drainage design including nomination of the locations of reserves and easements must be provided with each subsequent application for reconfiguration of a lot or material change of use. In the case of any application with Precinct R4, the stormwater drainage design must specifically demonstrate how the external upslope catchments will be managed through the development site.

**ENVIRONMENT****Land Dedication/Rehabilitation**

45. Prior to endorsement of the first survey plan for development within precinct R2, the applicant must dedicate the land identified on the DNRM concurrence agency

response Vegetation Plan as Area A to council as conservation reserve. The land must be dedicated to council in fee simple at no cost to council. The land must be rehabilitated\* and cleared of all weed species listed in the following standards and legislation:

- (a) declared plants under the *Land Protection (Pest and Stock Route Management) Act 2002* and sub-ordinate Regulation 2003
- (b) *Maroochy Pest Management Plan 2006-2010 pest species of significance in Group 1, 2 & 6*

The works must be undertaken in accordance with an Operational Works approval.

### **Bushfire Management**

46. All access tracks for fire managed purposes must be provided prior to or at the time of development of residential lots adjacent to the track and in accordance with an Operational Works approval and must include in particular:
- (a) a level and trafficable surface;
  - (b) direct access to gazetted roadways at regular intervals.

### **Agricultural Buffers**

47. The applicant must provide a 30m wide agricultural buffer (or as otherwise approved by council) along the frontage of the site to Yandina-Bli-Bli Road to buffer agricultural uses to the east. The buffer must be established and maintained in accordance with an Operational Works approval.
48. The applicant must provide a 5m wide densely vegetated buffer (or as otherwise approved by council) along the common boundary of the site and Lots 4 & 5 SP170715 to any adjoining operational agricultural use. The buffer must be established and maintained in accordance with an Operational Works approval.

### **UNITYWATER**

49. Reticulated water supply and sewerage must be provided to the development generally in accordance with the approved findings of the sewerage network analysis by Cardno, dated 23 November 2007 at no cost to Unitywater.
50. Prior to Unitywater signing the first plan of survey for any subsequent reconfiguration application approval, the applicant must pay a monetary contribution to the value of \$121,391.59 towards the cost of upsizing trunk sewerage infrastructure between Samantha Drive and Whistler Street. The amount to be indexed using the *Consumer Price Index: All Groups (Brisbane)*, or if the index no longer exists, an equivalent index, and in accordance with the following formula:

$$\begin{aligned} \text{Indexed contribution} &= \text{IC} \\ \text{Contribution amount} &= \text{CA} \\ \text{Index number for the period} & \\ \text{Immediately preceding the date} & \\ \text{the contribution is paid} &= I \\ \text{Index number for December 2013} &= I_{2013} \\ \text{IC} &= \text{CA} \times (I/I_{2013}) \end{aligned}$$

51. Construction activities must not impede the access of Unitywater or Fire Brigade personnel to vital infrastructure (eg. valves, fire hydrants and sewer access chambers).

52. The fire-fighting demand on Unitywater's water supply system from the development must not exceed 15 litres per second.
53. A 3.0 metre wide easement must be provided over all Unitywater sewers located in private property. A 4.0 metre wide easement must be provided over Unitywater sewers greater than 3.0 metres deep (where approved by Unitywater). Easements must be located centrally over the main. For sewers on side boundary alignments easements may be partially located within neighboring properties.
54. Construction works undertaken in the vicinity of Unitywater water supply or sewerage infrastructure must not adversely affect the integrity of the infrastructure. All costs associated with repair, replacement or alteration of infrastructure must be met by the applicant.

## 5. REFERRAL AGENCIES

The referral agencies applicable to this application are:

Referral Status	Referral Agency and Address	Referral Trigger	Response
Concurrence	Department of Transport & Main Roads PO Box 1600 Sunshine Plaza Postal Shop, Maroochydore Qld 4558	State Controlled Roads; Public Transport and Rail	The agency provided its response on 23/01/13 (Reference No. TMR11-000484). A copy of the response is attached.
Concurrence	Department of Natural Resources and Mines GPO Box 2454 BRISBANE QLD 4001	Clearing vegetation	The agency provided its response on 8/01/13 (Reference No. 2007/012189). A copy of the response is attached.
Concurrence	Department of Environment & Heritage Protection Support Unit GPO Box 2454 Brisbane Qld 4001	Contaminated Land	The agency provided its response on 10/01/13 (Reference No. 354766, Permit No IPCL05206112). A copy of the response is attached.

A copy of any referral agency conditions is attached.

## 6. APPROVED PLANS

The following plans are Approved Plans for the development:

### Approved Plans

Plan No.	Rev.	Plan Name	Date
Drawing no 04453 Sheet MP1	H	Master Plan, prepared by Covey and Associates	2/11/12

## 7. REFERENCED DOCUMENTS

The following documents are referenced in the assessment manager conditions:

### Referenced Documents requiring amendments

Document No.	Rev.	Document Name	Date
Report No: 60660RPT	B	<i>Parklakes II Flood Impact Assessment, Mater Planned Development Yandina – Bli Bli Road, Bli Bli , QLD – prepared by Covey and Associates</i>	October 2013
<b>Amendments</b>		Amend in accordance with conditions of approval.	
06683021 -1000(AE)	D	<i>Geo-Environmental Investigation for Proposed Residential Subdivision Parklakes 2 Camp Flat Road, Bli Bli compiled by Golder Associates</i>	July 2007
<b>Amendments</b>		Add an addendum to include a site specific geotechnical investigation for the relevant stage of development	

## 8. ADVISORY NOTES

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

### PLANNING

#### Nature and Extent of Approved Development

1. A preliminary approval approves development, within the preliminary approval area, but does not authorise it to proceed. The applicant must apply to further development permits before proceeding with any development.

#### Infrastructure Charges

2. Future Development Permits may trigger an “Adopted Infrastructure Charge Notice” to be issued in accordance with Council’s “*Adopted Infrastructure Charges Resolution*” under the State Planning Regulatory Provision (Adopted Charges) and the *Sustainable Planning Act 2009* or whatever contribution regime is applicable at the time of the approvals.

### ENGINEERING

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

3. From 1 January 2000, the Building and Construction Industry (Portable Long Service Leave) Levy must be paid prior to the issue of a development permit where one is required for the 'Building and Construction Industry'. This applies to Building Works, Operational Works and Plumbing and Drainage Works applications, as defined under the *Sustainable Planning Act 2009*, where the works are \$80,000 or more and matching the definition of 'Building and Construction Industry' under the *Building and Construction Industry (Portable Long Service Leave) Act 1991*. Council will not be able to issue a Decision Notice without receipt of details that the Levy has been paid. Should you require clarification in regard to the amendments to the *Building and*

*Construction Industry (Portable Long Service Leave) Act 1991*, you should contact QLeave on 1800 803 481 (free call) or (07) 3212 6855.

#### **Preparation of Operational Works Application**

4. The applicant is advised to refer to section 2.1.2 of Planning Scheme Policy No. 5 – *Operational Works* prior to preparation of any Operational Works application for the development.

#### **Co-ordination of Operational Works Assessment**

5. To assist Council to undertake an integrated assessment of the operational works application, all aspects of the works must be included in one (1) application and be in accordance with Council's planning scheme. Additional application fees apply to 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.

#### **Qualified Person**

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

#### **Lawful Point of Discharge**

7. The applicant is advised that a lawful point of discharge for the development will need to be determined and demonstrated as part of a detailed design solution included with the Operational Works application.

#### **Works within a Watercourse**

8. The applicant is advised that the proposal may involve works within a watercourse which will require referral to the Department of Natural Resources and Mines under the *Water Act 2000* and *Sustainable Planning Act 2009* at the time of making an application for operational works.

### **ENVIRONMENT AND LANDSCAPE**

#### **Conservation Area Buffers**

9. The Department of Natural Resources and Mines (DNRM) as Concurrence Agency has provided specific conditions in relation to development adjacent to mapped remnant vegetation. At the time of making development application over land adjacent to land identified as Parkland (P1) on the Approved Master Plan, sufficient detail must be provided to demonstrate that the DNRM concurrence agency conditions have been complied with. In particular, sufficient detail must be provided to ensure that all new allotments are able to accommodate dwellings and associated structures without encroaching upon the building exclusion zone.

#### **Preparation of a Landscape Plan**

10. All landscape works required by this approval must be demonstrated on a detailed Landscape Plan submitted to Council for Operational Works approval. The detailed Landscape Plan must:
  - (a) be prepared by a qualified person and submitted in A3 size (3 x hardcopies)



- (b) be of a scale suitable for clear interpretation at A3 size
- (c) show all existing and proposed services including overhead power, drainage, water and sewerage
- (d) include important spot levels and/or contours
- (e) include contextual information of the site including adjoining roads, land uses and photographs of site
- (f) show the extent and type of works, including hard surfaces, landscape structures, podium planters, signage, amenity lighting, fencing, edging, plantings and turf
- (g) include a plant schedule with the following information: botanic names, common names, total plant numbers, and pot sizes at the time of planting
- (h) show landscape works for the full frontage of the development site
- (i) include a north point, scale and legend as well as the name, contact details and qualifications of the landscape consultant who prepared the plan.

**Qualified Person**

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

**UNITYWATER**

12. Connection to Unitywater live water mains and the Unitywater live sewer system must be undertaken by Unitywater at the applicants cost.

**ABORIGINAL CULTURAL HERITAGE ACT 2003**

13. There may be a requirement to establish a Cultural Heritage Management Plan and/or obtain approvals pursuant to the *Aboriginal Cultural Heritage Act 2003*. The ACH Act establishes a cultural heritage duty of care which provides that: "A person who carries out an activity must take all reasonable and practicable measures to ensure the activity does not harm Aboriginal cultural heritage." It is an offence to fail to comply with the duty of care. Substantial monetary penalties may apply to individuals or corporations breaching this duty of care. Injunctions may also be issued by the Land and Resources Tribunal, and the Minister administering the Act can also issue stop orders for an activity that is harming or is likely to harm Aboriginal cultural heritage or the cultural heritage value of Aboriginal cultural heritage. You should contact the Cultural Heritage Co-ordination Unit on 07 3239 3647 to discuss any obligations under the ACH Act.

**9. PROPERTY NOTES**

N/A

**10. PRELIMINARY APPROVAL OVERRIDING PLANNING SCHEME**

A preliminary approval under section 3.1.6 of the *Integrated Planning Act 1997* has been granted for MCU07/0192. The level of assessment and applicable codes for any development resulting from this approval are identified in the approval.

**11. FURTHER DEVELOPMENT PERMITS REQUIRED**

- Development Permits for Material Change of Use
- Development Permits for Reconfiguration of a Lot
- Development Permits for Operational Works
- Development Permit for Building Works

**12. SELF ASSESSABLE CODES**

Not Applicable.

**13. SUBMISSIONS**

There were 77 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 following are sufficient grounds to justify approval despite conflict with the current planning scheme:

1. The land is Urban Footprint under the SEQ Regional Plan and is logical infill between Park Lakes 1 and rural residential to the north.
2. A Need Analysis supports additional residential development in Bli Bli, with the proposal providing a variety of lot sizes and housing options.
3. The proposal allows for a private school and community facilities, which are of benefit to the wider community;
4. Regional ecosystem is retained and riparian vegetation is enhanced.
5. Development achieves Q100 flood immunity and non-worsening.
6. Park Lakes 1 water & sewerage infrastructure is sized to accommodate Park Lakes 2.

**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.

