

## APPLICATION DETAILS

Application No:	MCU18/0350 and RAL18/0199
Street Address:	De Vere Road, PACIFIC PARADISE 232 - 284 Godfreys Road, PACIFIC PARADISE Settlers Park Ocean Drive, PACIFIC PARADISE 23 Stillwater Drive, PACIFIC PARADISE 581-593 David Low Way, PACIFIC PARADISE
Real Property Description:	Lot 1 & 2 RP 103117, Lot 4 - 8 RP 98356, Lot 2 & 3 RP 842858, Lot 1 RP 811523, Lot 8 RP 812125, Lot 261 SP 124274, Lot 10 SP 248472, Lot 3 SP 248471 & part of Godfreys Road (unformed road separating Lot 2 RP103117 from Lot 3 on SP248471)
Planning Scheme:	Sunshine Coast Planning Scheme (10 December 2018)

## APPROVAL DETAILS

Nature of Approval:	Preliminary Approval (Variation Request) and Development Permit
Type of Approval:	<ul style="list-style-type: none"><li>• Preliminary Approval for Material Change of Use of Premises (including a Variation Request to vary the effect of the Sunshine Coast Planning Scheme 2014) for Residential, Business, Community, and Sport &amp; Recreation uses</li><li>• Development Permit to Reconfigure a Lot (4 Lots into 182 Lots, new roads, parks and balance lot, over 2 Stages)</li></ul>

## CURRENCY PERIOD OF APPROVAL

Unless lawfully extended, the currency period for this development approval is 10 years starting the day that this development approval first took effect (Refer to Section 85 "Lapsing of approval at end of currency period" of the *Planning Act 2016*).

## INFRASTRUCTURE

Unless otherwise specified, all assessment manager conditions of this development approval relating to the provision of infrastructure are non-trunk infrastructure conditions for Chapter 4 of the *Planning Act 2016*.

## ASSESSMENT MANAGER CONDITIONS

### PRELIMINARY APPROVAL FOR MATERIAL CHANGE OF USE OF PREMISES (INCLUDING A VARIATION REQUEST TO VARY THE EFFECT OF THE SUNSHINE COAST PLANNING SCHEME 2014) FOR RESIDENTIAL, BUSINESS, COMMUNITY, AND SPORT & RECREATION USES

#### PLANNING

##### When conditions must be complied with

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

##### Approved Plans

2. Future development associated with this preliminary approval must be undertaken in accordance with the Approved Plans listed within this Decision Notice. The Approved Plans must be amended to incorporate the amendments listed within this preliminary approval and approved by council prior to the issue of any further development permit on the site.  
*\*(Refer to Advisory Note)*

##### Nature and Extent of Approved Use

3. A Variation Approval is granted in relation to a material change of use for residential, business, community, and sport & recreation uses for the Twin Waters West Estate.
4. This development approval is a *local categorising instrument* pursuant to s43(3)(c) of the *Planning Act 2016* and, except where expressly stated otherwise, overrides the current and future versions of the *Sunshine Coast Planning Scheme 2014* and any future planning scheme for the life of the approval.
5. Where the conditions of this approval and the plans and documents referenced are “silent” and/or have no regulatory instructions about how a particular development matter within the Master Plan area is to be dealt with, then the provisions of the *Sunshine Coast Planning Scheme 2014* (11 November 2019) will have effect for the development matter.
6. This development approval lapses and ceases to have effect pursuant to sections 71(5)(b) and 88(2)(a) of the *Planning Act 2016* (reprint 1 July 2019) when the first of the following occurs:
  - (a) development under the Variation Approval is completed;
  - (b) the commencement of an amendment to a planning scheme that integrates and reflects the provisions of this approval; or
  - (c) 30 December 2032.

7. Lodgement requirements and assessment criteria of future development within the land subject to this preliminary approval will be as follows:
- for any future Material change of use, as directed by the Supplementary Table of Assessment listed in this development approval;
  - for any future Reconfiguring a Lot, as directed by the Supplementary Table of Assessment listed in this development approval;
  - for any future Operational Work (where for an advertising device), as directed by the Supplementary Table of Assessment listed in this development approval;
  - for any future Operational Work (other than an advertising device), as per the requirements of the planning scheme in effect at the time of lodgement of a future application for the Operational Work; and
  - for any future Building Work, as per the requirements of the planning scheme in effect at the time of lodgement of a future application for the Building Work.

**Category of development and category of assessment for future development for a material change of use**

8. The Assessment benchmarks for assessable development and requirements for accepted development from the *Sunshine Coast Planning Scheme 2014* (11 November 2019) will have effect for future development applications unless otherwise expressly stated.
9. Assessment criteria of future development for a material change of use within the land shown as Low Density Residential Zone - Precinct LDR1 (Protected Housing Area) on the approved Zone Plan) subject to this preliminary approval will be as follows;

TWIN WATERS WEST – LOW DENSITY RESIDENTIAL ZONE - PRECINCT LDR1 (PROTECTED HOUSING AREA) (as identified on the approved Zone Plan)		
Defined Use	Category of development and category of assessment	Assessment benchmarks for assessable development and requirements for accepted development
<b>Residential activities</b>		
Dwelling house	Accepted development	<ul style="list-style-type: none"> <li>Dwelling house code</li> </ul>
<b>Business activities</b>		
Home based business	Accepted development if:- (a) For a <i>home office</i> ; or (b) Involving a home based child care service licensed under the Child Care Act 2002.	<ul style="list-style-type: none"> <li>No requirements applicable</li> </ul>
	Accepted development if for an activity other than a <i>high impact home based business activity</i> .	<ul style="list-style-type: none"> <li>Home based business code</li> </ul>
	Impact assessment if for a <i>high impact home based business activity</i> .	<ul style="list-style-type: none"> <li>The planning scheme</li> </ul>
Sales office	Accepted development	<ul style="list-style-type: none"> <li>Sales office code</li> </ul>

Community activities		
Park	Accepted development	<ul style="list-style-type: none"> <li>No requirements applicable</li> </ul>
Emergency Services	Accepted development where for an Evacuation Centre for <i>safe refuge</i> .	<ul style="list-style-type: none"> <li>No requirements applicable</li> </ul>
	Impact assessment if not otherwise specified.	<ul style="list-style-type: none"> <li>The planning scheme</li> </ul>
Other defined uses		
All other uses defined in Schedule 1 (Definitions)	Impact assessment	<ul style="list-style-type: none"> <li>The planning scheme</li> </ul>
Undefined uses		
Any use not defined in Schedule 1 (Definitions)	Impact assessment	<ul style="list-style-type: none"> <li>The planning scheme</li> </ul>

10. Assessment criteria of future development for a material change of use within the land shown as Community Facilities Zone (on the approved Zone Plan) subject to this preliminary approval will be as follows;

TWIN WATERS WEST – COMMUNITY FACILITIES ZONE (as identified on the approved Zone Plan)		
Defined Use	Category of development and category of assessment	Assessment benchmarks for assessable development and requirements for accepted development
Business activities		
Food and drink outlet	<b>Accepted development if:-</b> (a) in an existing building; (b) any single tenancy having a gross leasable floor area not exceeding 100m <sup>2</sup> ; (c) a maximum cumulative gross leasable floor area of 1,000m <sup>2</sup> for the <i>Food and drink outlet, Health care services, Office and Shop</i> uses; (d) not incorporating a drive-through facility; and (e) not for a <i>high volume convenience restaurant</i> .	<ul style="list-style-type: none"> <li>Transport and parking code</li> </ul>
	<b>Code assessment if:-</b> (a) any single tenancy having a gross leasable floor area not exceeding 100m <sup>2</sup> ; (b) a maximum cumulative gross leasable floor area of 1,000m <sup>2</sup> for the <i>Food and drink outlet, Health care services, Office and Shop</i> uses; (c) not incorporating a drive-through facility; and (d) not for a <i>high volume convenience restaurant</i> .	<ul style="list-style-type: none"> <li>Community facilities zone code</li> <li>Applicable local plan code</li> <li>Business uses and centre design code</li> <li><i>Prescribed other development codes</i></li> </ul>

	<b>Impact assessment</b> if not otherwise specified.	<ul style="list-style-type: none"> <li>The planning scheme</li> </ul>
<b>Health care services</b>	<b>Accepted development if:-</b> (a) in an existing building; (b) any single tenancy having a gross leasable floor area not exceeding 300m <sup>2</sup> ; and (c) a maximum cumulative gross leasable floor area of 1,000m <sup>2</sup> for the <i>Food and drink outlet, Health care services, Office and Shop</i> uses;	<ul style="list-style-type: none"> <li>Transport and parking code</li> </ul>
	<b>Code assessment</b> where:- (a) any single tenancy having a gross leasable floor area not exceeding 300m <sup>2</sup> ; and (b) a maximum cumulative gross leasable floor area of 1,000m <sup>2</sup> for the <i>Food and drink outlet, Health care services, Office and Shop</i> uses.	<ul style="list-style-type: none"> <li>Community facilities zone code</li> <li>Applicable local plan code</li> <li>Business uses and centre design code</li> <li><i>Prescribed other development codes</i></li> </ul>
	<b>Impact assessment</b> if not otherwise specified.	<ul style="list-style-type: none"> <li>The planning scheme</li> </ul>
<b>Office</b>	<b>Accepted development if:-</b> (a) in an existing building; (b) any single tenancy having a gross leasable floor area not exceeding 300m <sup>2</sup> ; and (c) a maximum cumulative gross leasable floor area of 1,000m <sup>2</sup> for the <i>Food and drink outlet, Health care services, Office and Shop</i> uses.	<ul style="list-style-type: none"> <li>Transport and parking code</li> </ul>
	<b>Code assessment</b> where:- (a) any single tenancy having a gross leasable floor area not exceeding 300m <sup>2</sup> ; and (b) a maximum cumulative gross floor area of 1,000m <sup>2</sup> for the <i>Food and drink outlet, Health care services, Office and Shop</i> uses.	<ul style="list-style-type: none"> <li>Community facilities zone code</li> <li>Applicable local plan code</li> <li>Business uses and centre design code</li> <li><i>Prescribed other development codes</i></li> </ul>
	<b>Impact assessment</b> if not otherwise specified.	<ul style="list-style-type: none"> <li>The planning scheme</li> </ul>
<b>Shop</b>	<b>Accepted development if:-</b> (a) in an existing building; (b) any single tenancy having a gross leasable floor area not exceeding 300m <sup>2</sup> ; and (c) a maximum cumulative gross leasable floor area of 1,000m <sup>2</sup> for the <i>Food and drink outlet, Health care services, Office and Shop</i> uses.	<ul style="list-style-type: none"> <li>Transport and parking code</li> </ul>
	<b>Code assessment</b> if where:- (a) any single tenancy having a gross leasable floor area not exceeding 300m <sup>2</sup> ; and (b) a maximum cumulative gross leasable floor area of 1,000m <sup>2</sup> for the	<ul style="list-style-type: none"> <li>Community facilities zone code</li> <li>Applicable local plan code</li> <li>Business uses and centre design code</li> </ul>

	<i>Food and drink outlet, Health care services, Office and Shop uses.</i>	<ul style="list-style-type: none"> <li>• Prescribed other development codes</li> </ul>
	<b>Impact assessment</b> if not otherwise specified.	<ul style="list-style-type: none"> <li>• The planning scheme</li> </ul>
<b>Community activities</b>		
<b>Child care centre</b>	<b>Code assessment</b> where not exceeding 80 long day care places.	<ul style="list-style-type: none"> <li>• Community facilities zone code</li> <li>• Applicable local plan code</li> <li>• Child care centre code</li> <li>• <i>Prescribed other development codes</i></li> </ul>
	<b>Impact assessment</b> if not otherwise specified.	<ul style="list-style-type: none"> <li>• The planning scheme</li> </ul>
<b>Community use</b>	<b>Accepted development</b> if undertaken by or on behalf of Council.	<ul style="list-style-type: none"> <li>• No requirements applicable</li> </ul>
	<b>Accepted development</b> if in an existing building.	<ul style="list-style-type: none"> <li>• Transport and parking code</li> </ul>
	<b>Code assessment</b> if not otherwise specified.	<ul style="list-style-type: none"> <li>• Community facilities zone code</li> <li>• Applicable local plan code</li> <li>• Community activities code</li> <li>• <i>Prescribed other development codes</i></li> </ul>
<b>Educational establishment</b>	<b>Code assessment</b>	<ul style="list-style-type: none"> <li>• Community facilities zone code</li> <li>• Applicable local plan code</li> <li>• Community activities code</li> <li>• <i>Prescribed other development codes</i></li> </ul>
<b>Emergency services</b>	<b>Accepted development</b>	<ul style="list-style-type: none"> <li>• No requirements applicable</li> </ul>
<b>Place of worship</b>	<b>Code assessment</b>	<ul style="list-style-type: none"> <li>• Community facilities zone code</li> <li>• Applicable local plan code</li> <li>• Community activities code</li> <li>• <i>Prescribed other development codes</i></li> </ul>
<b>Sport and recreation activities</b>		
<b>Indoor sport &amp; recreation</b>	<b>Accepted development</b> if:- (a) in an existing building (b) conducted in association with and subordinate to an educational establishment or community use on the same site; and (c) involving any of the following:- (i) dance studio; (ii) health and fitness training; (iii) indoor sport; (iv) martial arts; or (v) performance arts.	<ul style="list-style-type: none"> <li>• Transport and parking code</li> </ul>
	<b>Impact assessment</b> if not otherwise specified.	<ul style="list-style-type: none"> <li>• The planning scheme</li> </ul>

Other defined uses		
All other uses defined in Schedule 1 (Definitions)	Impact assessment	<ul style="list-style-type: none"> <li>The planning scheme</li> </ul>
Undefined uses		
Any use not defined in Schedule 1 (Definitions)	Impact assessment	<ul style="list-style-type: none"> <li>The planning scheme</li> </ul>

11. Assessment criteria of future development for a material change of use within the land shown as Open Space Zone (on the approved Zone Plan) subject to this preliminary approval will be as follows;

TWIN WATERS WEST – OPEN SPACE PRECINCT (as identified on the approved Zone Plan)		
Defined Use	Category of development and category of assessment	Assessment benchmarks for assessable development and requirements for accepted development
<b>Business activities</b>		
<b>Sales office</b>	<b>Accepted development</b> where:- (a) a maximum cumulative gross leasable floor area of 100m <sup>2</sup> for the <i>Sales office</i> and <i>Food and drink outlet</i> uses; and (b) located within Recreation Park 1.	<ul style="list-style-type: none"> <li>Sales office code</li> </ul>
	<b>Impact assessment</b> if not otherwise specified.	<ul style="list-style-type: none"> <li>The planning scheme</li> </ul>
<b>Food and drink outlet</b>	<b>Accepted development</b> if:- (a) located on Council owned or controlled land, or located within Recreation Park 1; (b) conducted in association with an open space use on the same site; and (c) having a gross leasable floor area not exceeding 100m <sup>2</sup> .	<ul style="list-style-type: none"> <li>Transport and parking code</li> </ul>
	<b>Impact assessment</b> if not otherwise specified.	<ul style="list-style-type: none"> <li>The planning scheme</li> </ul>
<b>Market</b>	<b>Accepted development</b> if:- (a) conducted by a not for-profit organisation; and (b) located on Council owned or controlled land.	<ul style="list-style-type: none"> <li>No requirements applicable</li> </ul>
	<b>Code assessment</b> if not otherwise specified.	<ul style="list-style-type: none"> <li>Open space zone code</li> <li>Applicable local plan code</li> <li>Market code</li> <li>Safety and security code</li> <li>Transport and parking code</li> <li>Waste management code</li> </ul>
<b>Community activities</b>		
<b>Community use</b>	<b>Accepted development</b> if:-	<ul style="list-style-type: none"> <li>No requirements applicable</li> </ul>

	(a) located on Council owned or controlled land; and (b) undertaken by or on behalf of the Council.	
	<b>Impact assessment</b> if not otherwise specified.	<ul style="list-style-type: none"> <li>The planning scheme</li> </ul>
<b>Emergency services</b>	<b>Code assessment</b>	<ul style="list-style-type: none"> <li>Open space zone code</li> <li>Applicable local plan code</li> <li>Community activities code</li> <li><i>Prescribed other development codes</i></li> </ul>
<b>Sport and recreation activities</b>		
<b>Outdoor sport and recreation</b>	<b>Code development</b> if:- (a) located on Council owned or controlled land; and (b) undertaken by or on behalf of the Council or a not-for profit community organisation.	<ul style="list-style-type: none"> <li>Open space zone code</li> <li>Applicable local plan code</li> <li>Sport and recreation uses code</li> <li><i>Prescribed other development codes</i></li> </ul>
	<b>Impact assessment</b> if not otherwise specified.	<ul style="list-style-type: none"> <li>The planning scheme</li> </ul>
<b>Park</b>	<b>Accepted development</b>	<ul style="list-style-type: none"> <li>No requirements applicable</li> </ul>
<b>Other activities</b>		
<b>Environment facility</b>	<b>Accepted development</b> if:- (a) located on Council owned or controlled land; and (b) undertaken by or on behalf of the Council.	<ul style="list-style-type: none"> <li>No requirements applicable</li> </ul>
	<b>Impact assessment</b> if not otherwise specified.	<ul style="list-style-type: none"> <li>The planning scheme</li> </ul>
<b>Utility installation</b>	<b>Accepted development</b> if for a <i>local utility</i> .	<ul style="list-style-type: none"> <li>No requirements applicable</li> </ul>
	<b>Impact assessment</b> if not otherwise specified.	<ul style="list-style-type: none"> <li>The planning scheme</li> </ul>
<b>Other defined uses</b>		
<b>All other uses defined in Schedule 1 (Definitions)</b>	<b>Impact assessment</b>	<ul style="list-style-type: none"> <li>The planning scheme</li> </ul>
<b>Undefined uses</b>		
<b>Any use not defined in Schedule 1 (Definitions)</b>	<b>Impact assessment</b>	<ul style="list-style-type: none"> <li>The planning scheme</li> </ul>

**Category of development and category of assessment for future development for reconfiguring a lot**

12. Assessment criteria of future development for reconfiguring a lot subject to this preliminary approval will be as follows;



Zone as identified on the approved Zone Plan	Category of development and category of assessment	Assessment benchmarks for assessable and requirements for accepted development
<b>Low density residential zone</b>	<b>Code assessment</b> where:- (a) All lots are 400m <sup>2</sup> or greater; (b) Not more than 77 lots have a lot size between 400 m <sup>2</sup> and 500 m <sup>2</sup> ; and (c) Not more than 645 residential lots are created.	<ul style="list-style-type: none"> <li>• Applicable local plan code</li> <li>• Low density residential zone code</li> <li>• Reconfiguring a lot code; and</li> <li>• <i>Prescribed other development codes.</i></li> </ul>
	<b>Impact assessment</b> if not otherwise specified.	<ul style="list-style-type: none"> <li>• The planning scheme</li> </ul>
<b>Community facility zone</b>	<b>Code assessment</b>	<ul style="list-style-type: none"> <li>• Applicable local plan code</li> <li>• Community facilities zone code</li> <li>• Reconfiguring a lot code; and</li> <li>• <i>Prescribed other development codes.</i></li> </ul>

**Category of development and category of assessment for future development for operational works (where for an advertising device)**

13. Assessment criteria of future development for operational works (where for an advertising device) subject to this preliminary approval will be as follows;

Development	Category of development and category of assessment	Assessment benchmarks for assessable and requirements for accepted development
<b>Operational work</b> involving placing an <i>advertising device</i> on premises.	<b>Accepted development</b> if a <i>third party advertising device</i> erected on a Council owned bus shelter.	<ul style="list-style-type: none"> <li>• No requirements applicable</li> </ul>
	<b>Accepted development</b> if:- (a) for a sign type described in the Advertising devices code other than one of the following:- (i) above awning sign; (ii) billboard identification sign; (iii) created roof sign; (iv) high-rise building sign; (v) projecting sign; (vi) pylon identification sign (except where located within a Display Village with 2 or more adjoining lots used for a <i>Sales office</i> ); (vii) roof top sign; (viii) sign written roof sign; (ix) three-dimensional sign; and (b) not a <i>third party advertising device</i> , except where:- (i) erected on <i>Council</i> owned or controlled land; and (ii) used for sport and recreation purposes.	<ul style="list-style-type: none"> <li>• Advertising devices code</li> </ul>
	<b>Code assessment</b> if not otherwise accepted development or assessable development subject to impact assessment.	<ul style="list-style-type: none"> <li>• Advertising devices code</li> </ul>

	<p><b>Impact assessment</b> if a <i>third party advertising device</i> erected on land other than land:-</p> <p>(a) owned or controlled by the <i>Council</i>; and</p> <p>(b) used for sport and recreation purposes.</p>	<ul style="list-style-type: none"> <li>• The planning scheme</li> </ul>
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### **Building Height**

14. The Height of buildings and structures overlay is varied by the Approved Plans, where the height of buildings and structures for the site zoned as Community facilities zone is a maximum of 12 metres above natural ground level at any point. The maximum height of the development for all other sites must not exceed 8.5 metres above natural ground level at any point.

### **Density of Development**

15. The residential development on the site must not exceed
- (a) 645 residential lots; and
  - (b) 77 residential lots between 400m<sup>2</sup> and 499m<sup>2</sup>.
16. The developer/applicant must provide a cumulative calculation of the approved residential lots for the site with any future applications for reconfiguring a lot.

### **Infrastructure Agreement**

17. The land owner, developer and operator must comply with the obligations of the Infrastructure Agreement executed on XX July 2020.

### **Heritage Management**

18. Works on site must be undertaken in accordance with the following Heritage Management requirements:
- (a) an archaeologist must be engaged to monitor development works in Settlers' Park and should be 'on-call' for works in the vicinity of the park to manage the potential for discovery of historic archaeological material. A stop work procedure must be implemented to manage any unexpected discoveries during the development;
  - (b) information about the historic significance of Settlers' Park and the Blazed Tree, and the stop work procedure is to be included in inductions for all staff and contractors involved in ground disturbing project works;
  - (c) an arborist must be engaged to establish appropriate Tree Protection Zones (TPZ) around the mango trees and the Blazed Tree to protect them from the surrounding development. The heritage trees are to be fenced during construction according to these zones to ensure the area around them is not used for parking of construction vehicles or machinery;
  - (d) excavation or compaction works near the trees shall not impact on the root zones. Recommendations from the National Trust Queensland should be taken for the protection of the mango trees; and
  - (e) Heritage Interpretation signage must be included in both heritage tree locations. A heritage consultant must be engaged to prepare an interpretation strategy, prior to construction commencing. This must include archival research and sourcing of historic photographs and/or plans to be used in new

interpretive panels. The Heritage interpretation strategy must be designed and implemented in consultation with Council.

## HYDROLOGY

### Stormwater Management

19. The site must be provided with a stormwater drainage system connecting to a lawful point of discharge. The works must be undertaken in accordance with an operational works approval and the *Queensland Urban Drainage Manual* and must include in particular works shown on the:
  - (a) *Infrastructure Plan – Lake and Major Drainage* listed in this Decision Notice; and
  - (b) *Detailed Stormwater Management Plan* submitted with each subsequent lot reconfiguration and material change of use application on land subject to this Preliminary Approval.
20. With each future application for reconfiguring of a lot or material change of use on land subject to this Preliminary Approval, the applicant must submit a Detailed Stormwater Management Plan which demonstrates compliance with the Planning Scheme Policy for Development Works and all of the flooding and stormwater management conditions of this Decision Notice.
21. Stormwater from the development must be treated to current best practice prior to entering the constructed water body using WSUD treatment devices and must include in particular
  - (a) WSUD devices generally in accordance with the *Twin Waters West: Water Sensitive Urban Design Framework* referenced in this Decision Notice with the exception of, unless agreed by Council's delegate; constructed floating wetlands and litter baskets are not suitable for use;
  - (b) WSUD devices in accordance with the *Sunshine Coast Planning Scheme 2014 Planning scheme policy* for development works;
  - (c) Field inlet pits must only be used in water quality treatment devices where a side inlet pit is impracticable and where safety risks can be managed to an acceptable level such as:
    - (i) closest point of the field inlet a minimum of 2m away from any footpath; and
    - (ii) device is a minimum of 3m wide;
  - (d) trees used wherever feasible at a maximum density of 1 tree per 20m<sup>2</sup> of filter media, filter media depth is a minimum of 0.7m, planted as tubestock following the temporary cover being removed and species suited to growing in filter media which do not shade out groundcovers; and
  - (e) average of not less than six lots being treated by one at source bioretention device.
22. Stormwater from all development, with the exception of dwelling houses, must be treated to current best practice (meet post construction phase stormwater management design objectives) prior to discharge into Council's stormwater system.
23. With each future application for reconfiguring of a lot or material change of use on land subject to this Preliminary Approval, with the exception of Stage 1 and Stage 2,

the applicant must submit a detailed plan to demonstrate that at source WSUD treatment devices (if proposed) can be incorporated into the road reserve without the use of retaining walls and without conflicting with driveway locations, other infrastructure and pedestrian movement.

24. With each future application for reconfiguring of a lot or material change of use on land subject to this Preliminary Approval, the applicant must amend lot boundaries adjacent to at source WSUD treatment devices if the road reserve does not provide sufficient width to incorporate the WSUD devices in accordance with all conditions of this Decision Notice.

### **Flood Management**

25. All works must be undertaken generally in accordance with the referenced Flood Study listed in this Decision Notice. The works must be undertaken in phases generally in accordance with the Infrastructure Plans referenced in this Decision Notice.
26. The development must be provided with a Safe Refuge Building on the site included in the Approved Zone Plan as Community facilities zone. The Safe Refuge Building must be constructed:
- (a) be constructed to the minimum standard of a BCA Importance Level 2 building, or other standard as agreed in writing with Council;
  - (b) comprise a minimum combined gross floor area of 1,500m<sup>2</sup> with an internal layout which accommodates:
    - (i) a minimum population of 300 people as a temporary shelter;
    - (ii) a minimum population of 1,170 people as an immediate shelter;
  - (c) provide suitable kitchen and sanitary facilities for the Twin Waters West Safe Refuge Building to be fit for purpose as a temporary shelter;
  - (d) be located above the PMF flood level;
  - (e) have capacity for onsite power generation and water services for a 5 day period of isolation where operating as a temporary shelter;
  - (f) have connection to sewer services; and
  - (g) the delivery of the Safe Refuge Building must be staged as follows:

<b>Stage</b>	<b>Requirement</b>
Stage 1	60 dwelling units and 4ha being over a third of the stage area above the probable maximum flood.
Stage 2	Community Hub site created with surface levels above the probable maximum flood.  Performance bond for 800m <sup>2</sup> Safe Refuge Building provided to Council.  Performance bond can be called on to construct the 800m <sup>2</sup> first stage of Safe Refuge Building if not delivered within 10 years of sealing the plan of survey for first lot in Stage 2.
At 260 <sup>th</sup> dwelling unit (the time of creation of the lot which has the	First stage of Safe Refuge Building with minimum gross floor area of 800m <sup>2</sup> delivered.

ability to create the 260 <sup>th</sup> dwelling unit)	Initial performance bond for 800m <sup>2</sup> Safe Refuge Building returned.
At 410 <sup>th</sup> dwelling unit (the time of creation of the lot which has the ability to create the 410 <sup>th</sup> dwelling unit)	Second stage of Safe Refuge Building delivered – minimum combined 1,000m <sup>2</sup> gross floor area of buildings.
At 560 <sup>th</sup> dwelling unit (the time of creation of the lot which has the ability to create the 560 <sup>th</sup> dwelling unit)	Either a performance bond for an additional 500m <sup>2</sup> Safe Refuge Building provided to Council or Safe Refuge Building with total gross floor area of 1,500m <sup>2</sup> provided.  Performance bond can be called on to construct a 500m <sup>2</sup> Safe Refuge Building if final stage not delivered within 10 years of sealing the plan of survey for the lot which has the ability to create the 560 <sup>th</sup> dwelling unit.
Final Stage	Safe Refuge Building with total gross floor area of 1,500m <sup>2</sup> provided.  If previously taken, the performance bond for 500m <sup>2</sup> Safe Refuge Building returned.

27. A covenant must be registered on title of the land within a site which is identified by the development approval holder for the purpose of a Flood Safe Refuge Building (the Building) as identified on the Twin Waters West Plan of Development pursuant to Section 97A(3)(b) of the Land Title Act 1994. The covenant document and a survey plan must be submitted to council for endorsement prior to lodgement with the relevant titles authority. The covenant document must, as a minimum:
- (a) identify that Council will have the control and management of the Twin Waters West Safe Refuge Building and surrounds for the purposes of providing safe refuge for the duration of the Severe Weather Event;
  - (b) identify that Council will not unduly take control and management of the Twin Waters West Safe Refuge Building and surrounds during a Severe Weather Event;
  - (c) state that during a Severe Weather Event, Council may use the Twin Waters West Safe Refuge Building and surrounds for the purposes of a flood refuge at no cost;
  - (d) identify that the landowner must take all steps necessary to clear and store all of the landowner's property which is movable and located within the Twin Waters West Safe Refuge Building and surrounds when required;
  - (e) ensure that Council is provided with a set of keys to access the Twin Waters West Safe Refuge Building and surrounds when required;
  - (f) allow Council to inspect the Twin Waters West Safe Refuge Building, when requested, to ensure that the Safe Refuge Building and surrounds is fit for purpose;
  - (g) incorporate the requirements of this development approval; and
  - (h) include Sunshine Coast Council as Covenantee.

*Note - "Severe Weather Event" means a flood event for the Maroochy River Catchment where the Sunshine Coast Local Disaster Coordination Centre (or equivalent) is activated. This is not applicable in the case of normal tidal events.*

28. With each stage of delivery of the Safe Refuge Building, a legal agreement signed by all parties involved must be entered into giving Council unrestricted ability to assume control over the Twin Waters West Safe Refuge Building when required for disaster management purposes associated with a flood event.
29. With the exception of Stage 1, the final landform of the development must be shaped so that from any lot on the site, which does not have PMF flood immunity, it is possible to safely walk to the site of the Safe Refuge Building along roadways, footpaths, cycle tracks or road verges which are generally rising overall towards the Safe Refuge Building, acknowledging the need for the normal 'sawtooth' gradients along roads to manage localised stormwater drainage.
30. As part of Stage 1, the final landform of the development must be shaped so that from any lot within Stage 1, which does not have PMF flood immunity, it is possible to safely walk to the PMF immune lots along roadways, footpaths, cycle tracks or road verges which are generally rising overall towards the PMF immune lots, acknowledging the need for the normal 'sawtooth' gradients along roads to manage localised stormwater drainage.
31. 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:
  - (a) a minimum 0.5m above the 1% AEP flood level under projected conditions at 2100 (3.37 to 3.45m AHD);
  - (b) a minimum of 60 lots within Stage 1 at or above 4.80m AHD;
  - (c) all road levels, with the exception of areas transitioning down to existing roads (e.g. David Low Way) above 2.95m AHD;
  - (d) all walkways around the proposed constructed waterbody must have a minimum level of 1.7m AHD; and
  - (e) a minimum 9,815m<sup>2</sup> community lot above 4.80m AHD.
32. Any uses involving the housing of vulnerable people (e.g. child care facilities and aged care facilities or the alike) must be provided with minimum floor levels at the level of the probable maximum flood and not require evacuation during any flood event
33. As part of the relevant development application for each lot created on land the subject of this Preliminary Approval (excluding open space, road reserve and drainage reserve) sufficiently detailed information must be provided for Council to issue flood search certificates specifying the defined flood event level and minimum floor level.

### **Constructed Waterbody**

34. The constructed water body must be delivered in accordance with the Infrastructure Agreement referenced in this Decision Notice, conditions of this Decision Notice and the Lake Design and Management Report referenced in this Decision Notice. To the extent of any inconsistency between the conditions of this approval and the Lake Design and Management Report, the conditions of this approval prevail.

35. The developer shall design and construct the waterbody and its associated infrastructure in accordance with Council's Development Design Planning Scheme Policy to:
- (a) ensure regular inflow of saline water from the existing Twin Waters Lake to the constructed waterbody;
  - (b) maintain adequate water circulation within the waterbody using a system generally in accordance with the Lake Design and Management Report referenced in this Decision Notice; and
  - (c) ensure that the water quality of the waterbody complies with the following water quality criteria: Compliance will be assessed as being achieved if the median of monthly independent samples collected at each specified permanent monitoring site within the waterbody do not exceed the specified value.
    - (i) turbidity: < 20 NTU;
    - (ii) suspended solids: < 30 mg/L;
    - (iii) chlorophyll a: < 10 µg/L;
    - (iv) total nitrogen: < 400 µg/L;
    - (v) Oxidised N: < 50 µg/L;
    - (vi) ammonia N: < 50 µg/L;
    - (vii) inorganic N: < 400 µg/L;
    - (viii) total phosphorous: < 60 µg/L;
    - (ix) filterable reactive phosphorous: < 50 µg/L;
    - (x) dissolved oxygen: 80 – 105% saturation;
    - (xi) pH: 6.5 – 8.5;
    - (xii) secchi depth: > 0.5 m;
    - (xiii) total aluminium < 200 µg/L;
    - (xiv) total iron < 300 µg/L;
    - (xv) Cyanobacteria/algae < 5,000 cells/mL & biomass < 0.4 mm<sup>3</sup>/L; and
    - (xvi) Intestinal enterococci: 95th percentile ≤ 40 organisms per 100 mL

The above water quality criteria apply with respect to the finished component of the waterbody within each stage as well as the ultimate configuration of the waterbody and apply to both surface and samples taken at depth.

The above water quality criteria and implications of not meeting the above specified criteria can be modified through approval by Council's delegate of a Lake Management and Maintenance Plan which has alternative criteria.

The monthly monitoring frequency can be modified through approval by Council's delegate of a Lake Management and Maintenance Plan which has alternative criteria where it has been demonstrated that water quality within the lake system shows little variation over of minimum period of 6 months.

In the event that the water quality criteria are not being achieved, and the developer can demonstrate that the criteria is not being achieved due to the influence of the water quality of in flowing waters from the existing Twin Waters Lake system, then the water quality criteria shall default to the median water quality values (the "Default Criteria") sampled and measured in the existing Twin Waters Lake at the finish of an incoming tide. The "Default Criteria" shall only apply during the monitoring period that water quality within the waterbody system has been detrimentally affected by inflowing waters from the existing Twin Waters Lake.

36. The developer shall implement a water quality monitoring program which shall:
- (a) commence after the first stage of the waterbody has been constructed;
  - (b) continue until the developer is no longer responsible for the maintenance of the waterbody;
  - (c) the water quality monitoring component of the management plan shall be submitted to and approved by Council prior to the commencement of construction of the first stage of the of the waterbody. The monitored parameters shall be those that are relevant to assessing the requirements specified in the conditions of this approval. Monitoring shall be undertaken on a monthly basis for six (6) sites, namely:
    - (i) four sites internally within the waterbody (representing the start, middle and progressive finish of the lake as it grows stage by stage);
    - (ii) one site located in the existing Twin Waters lake near the inlet for water being pumped to the waterbody;
    - (iii) one site located in the Maroochy River near the outlet from the waterbody; and
    - (iv) testing is carried out in respect of each monitoring site on a monthly basis, including suitably frequent sampling so that several wet periods are represented in the sampling program, or as otherwise detailed in approved management plan;
  - (d) at each site both surface and depth samples are to be collected and analyses;
  - (e) be carried out by a suitably qualified consultant; and
  - (f) The water quality monitoring program shall be amended by the developer if and as necessary in conjunction with the construction of the subsequent stages of the Lake system and be approved by the Council prior to the commencement of construction of the subsequent stages of the Lake system by the developer.
37. The proposed waterbody and their associated infrastructure are to be transferred on registration of the relevant Plan of Survey, except where the timing is varied by the Infrastructure Agreement (as amended from time to time). The lake is to be transferred to Council in freehold at no cost to Council for Community Infrastructure. The ultimate salinity exchange system must be transferred to Council at the same time as the waterbody.

Despite transfer of the waterbody, the developer will remain responsible for the operation and maintenance of the waterbody in accordance with the following minimum timeframes –

- (a) Proposed waterbody:
  - (i) the developer shall be responsible for the operation and maintenance of the weirs and all associated infrastructure until accepted off-maintenance by Council. During this maintenance period, any defective workmanship or materials must be promptly rectified at no cost to the Council;
  - (ii) the developer shall be responsible for the maintenance of the revetment walls and lake bed, within each stage, until accepted off-maintenance by Council. During this maintenance period, any defective workmanship or materials must be promptly rectified at no



- cost to the Council. After this period, the maintenance of the revetment walls and lake bed where:
- a. within public land will be the responsibility of Council; and
  - b. within private land will be the responsibility of the landowner;
- (iii) the developer shall be responsible for the operation and maintenance of the water quality within the proposed waterbody, including all water quality testing, the salinity exchange system, including interim systems and associated infrastructure, until the whole of the proposed waterbody and associated infrastructure are completed and accepted off maintenance and the water quality monitoring program demonstrates that the requirements specified in the conditions of this approval are being achieved for a continuous period of 36 months after acceptance of the final stage of the proposed lake/waterway on maintenance. This clause does not apply to the weir, revetment walls or lake bed; and
- (iv) the developer shall remain responsible for the operation and maintenance of the salinity exchange system and associated infrastructure until the results of the water quality monitoring program demonstrate that the requirements specified in the conditions of this approval are being achieved for a continuous period of 36 months after the completion of the final stage of the lake system and associated infrastructure.

### **Erosion and Sediment Control**

38. The development must be undertaken in accordance with the requirements of the *Planning Scheme Policy for Development Works* (SC6.14.6.5 Protecting waters from the impacts of developments) at all times from when land disturbing activities commence until such time as the site is effectively stabilised. Given the location of the site within the floodplain the following additional requirements must be included in any erosion and sediment control plans for the development:
- (a) areas under construction must be fully bunded (to a minimum level of the 10% AEP event Maroochy River flood level) from the remainder of the site and from any temporary channels and drainage systems required to manage inflows from external areas including Pacific Paradise and the floodplain of the Maroochy River; and
  - (b) no discharge of untreated stormwater from disturbed areas to the remainder of the site or to any system draining to the Maroochy River.

## **ENGINEERING**

### **New Roads**

39. All proposed roads (and associated infrastructure) must be sealed and constructed in accordance with an operational works approval and generally in accordance with the approved plans. Except where specifically varied by the approved plans, works must be in accordance with the *Planning scheme policy for the transport and parking code*.
40. All proposed road reserves must be dedicated at no cost to Council prior to commencement of use.

41. Speed control measures must be provided on all streets within the development to manage speeds consistent with the design speed environment requirements of the *Planning scheme policy for the transport and parking code*.
42. All intersections must be provided in accordance with the requirements of the *Planning scheme policy for the transport and parking code*, including turn treatments appropriate to the speed environment and anticipated traffic levels.
43. Indented bus stop bays, to allow for future bus routes, must be provided in each direction along the District Collector and Neighbourhood Collector roads through the development. Verge widths must be increased at the location of the bus stop bays to allow bus stop shelters to be installed in future clear of adjacent pathways.
44. Retaining walls must not be located within road reserves, unless otherwise agreed to in writing by council through an Operational Works approval.

### **Pedestrian and Bicycle Facilities**

45. Pedestrian pathways to be provided in accordance with the approved plans and the *Planning scheme policy for the transport and parking code*.
46. The off-road pathway through the central Open Space Zone is to connect directly from the southern end of the eastern pathway on Street Cross-section A5 to the northern end of the eastern pathway on Street Cross-section A7 and have a travel distance less than an equivalent path on the eastern side of the adjacent District Collector Street. The off-road pathway must consist of at least a 2 metre wide concrete path (500mm clear of vertical hazards and obstructions) and/or a boardwalk with a clear width of at least 3 metres and provided with Category P lighting in accordance with AS1158. Alternatively, a 2 metre wide concrete path (with at least 500mm clearance to fences, rails and other vertical obstructions and hazards) is to be provided along the eastern side of proposed Road Section A6.

### **Construction Management Plan**

47. For each stage, a preliminary construction management plan must be submitted with an Operational Works application.

### **Retaining Walls**

48. All retaining walls must generally not exceed 1m where adjacent to external boundaries, or 2m throughout the development, except where approved in exceptional circumstances in accordance with an operational works approval.
49. Where any retaining walls exceed 1 metre in height adjacent to external boundaries of the site, a minimum of 2 metres of landscaping must be provided between the external boundaries and the retaining wall/s, except where approved in exceptional circumstances in accordance with an operational works approval.

## LANDSCAPE AND ECOLOGY

### Fauna Management

50. A Kangaroo Management and Conservation Plan, prepared by a qualified person\*, must be submitted as part of the first Operational Works approval. The fauna management plan must, where appropriate, include:

#### *During Construction*

- (a) Assessment of all management options;
- (b) Risk assessments associated with forecast population dynamics, dispersal movement and potential conflict interactions and required interventions;
- (c) Evidence based assessment of carrying capacity of the remaining vegetation areas and open space given seasonal variations relevant to the current physical landscape and required feeding and resting/retreat habitats;
- (d) Expected population management intervention both short and long term;
- (e) Kangaroo management and conservation plan;
- (f) Communications plan;
- (g) Proposed temporary construction fencing for the site during any operational works;

#### *Post Construction*

- (a) Identification of kangaroo exclusion (and directional) fencing with a minimum of 2.5 metres high;
  - (b) Proposed fencing and access gates along the entire common boundary of the central wetland to the existing reserves and any private lots in the adjoining Twin Waters Estate;
  - (c) Consideration of how fauna is going to successfully move from the site from the eastern side to the western side of the Sunshine Motorway;
  - (d) Kangaroo crossings in the form of appropriate directional fencing combined with the Neighbourhood Collector Road just prior to where this road connects to the existing Twin Waters Estate at Stillwater Drive with appropriate culvert underpass and traffic calming devices; and
  - (e) A "Living with Kangaroos Management and Conservation Plan" Information pack for residents.
51. A Fauna Management Plan prepared by a qualified person\* must be submitted as part of the first Operational Works approval. The fauna management plan must include:
- (a) a site inspection targeting native ground-dwelling and arboreal mammals to identify any hollow-bearing trees and/or other significant habitat features;
  - (b) pre-clearing trapping program for a minimum of four (4) nights;
  - (c) proposed trapping methodologies; and
  - (d) Fauna crossings (combined with those in the Kangaroo Management and Conservation Plan) with appropriate culvert underpass, a rope bridge overpass and traffic calming devices.

*\*(Refer to Advisory Note)*

52. Permanent artificial nesting boxes of 30 years durability must be installed within the Central Wetland, south-eastern buffer and within the southern edge of the southern

highest astronomical tide zone to provide compensatory habitat for arboreal mammals and hollow dependent avian species.

### **Land Rehabilitation**

53. The land area identified for rehabilitation on the approved plans must be rehabilitated and removed of all weeds species listed in the following standards and legislation:
- (a) Invasive plants listed in the Biosecurity Act 2014; and
  - (b) Sunshine Coast Local Government Area, Biosecurity Plan 2017.

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

54. The land area identified as Open Space zone on the Approved Plans must be transferred to council in fee simple for the relevant open space purposes. The open space areas are to be transferred at the time nominated below:
- (a) At the time of plan sealing for any lot in Precinct LDR1 on the Zone Plan:
    - (i) Recreation Park 1;
    - (ii) Settlers Park east;
  - (b) At the time of plan sealing for any lot in Stage 2 of Reconfiguration of a lot in Precinct LDR2 on the Zone Plan:
    - (i) Vegetated Buffer to Sunshine Motorway from David Low Way to southern edge of residential development;
    - (ii) Settlers Park west;
  - (c) At the time of plan sealing for any remaining lots in Precinct LDR2 on the Zone Plan:
    - (i) Vegetated Buffer to Sunshine Motorway from southern edge of residential development to northern edge of lake;
  - (d) At the time of plan sealing for any lot in Precinct LDR3 on the Zone Plan:
    - (i) Vegetated Buffer to Sunshine Motorway from northern edge of lake identified above to Blazed Tree;
    - (ii) Central conservation area and linear buffer;
  - (e) At the time of plan sealing for any lot in Precinct LDR4 on the Zone Plan:
    - (i) Vegetated Buffer to Sunshine Motorway from Blazed Tree to southern edge of lake;
  - (f) At the time of plan sealing for any lot in Precinct LDR5 on the Zone Plan:
    - (i) Vegetated Buffer to Sunshine Motorway from southern edge of lake to Maroochy River bridge;
    - (ii) Landscape Buffer on eastern side of the development between the ecologically important area to southern edge of lake;
  - (g) At the time of plan sealing for any lot in Precinct LDR6 on the Zone Plan:
    - (i) Landscaped Buffer on southern boundary of the site; and
  - (h) All other parks and walkable waterfronts are to be dedicated at the time of plan sealing for the relevant stage.

The land, identified in the preceding condition, to be transferred is “non-trunk infrastructure” for the purposes of the *Planning Act 2016*.

### **Public Infrastructure in Open Space Areas**

55. Recreation Park 1 must be embellished with public infrastructure and include, as a minimum:
- (a) Playground facilities;

- (b) Shade for playground;
  - (c) Amenities (Toilets);
  - (d) Drinking water fountains;
  - (e) Bins;
  - (f) Shelters;
  - (g) Pedestrian Pathways;
  - (h) Outdoor exercise facilities; and
  - (i) Minimum 30 parking bays located behind 3 metre landscape buffer from the road reserve.
56. Settler's Park must be embellished with public infrastructure and include, as a minimum:
- (a) Retention of the four mango trees;
  - (b) Retention or replacement of the existing park infrastructure, such as signage, shelters and seating;
  - (c) Pathways to avoid existing park infrastructure; and
  - (d) All entry statements to be in private property.
57. The Central conservation area and linear buffer must be embellished with public infrastructure and include, as a minimum:
- (a) Minimum area of 5,000m<sup>2</sup> for recreation/playground area adjacent to the collector road incorporating Kick and throw area and Playground facilities;
  - (b) Suitably sized Kangaroo grazing area;
  - (c) Kangaroo viewing platform and shelter,
  - (d) Amenities (Toilets);
  - (e) Drinking water fountains;
  - (f) Bins;
  - (g) Barbeque facilities;
  - (h) Pedestrian Pathways;
  - (i) Minimum 20 parking bays located behind 3 metre landscape buffer from the road reserve;
  - (j) 3m wide concrete driveways for access purposes for council's maintenance vehicles; and
  - (k) Lockable gates to prevent unauthorised access as required
58. The southern park abutting the highest astronomical tide area must be embellished with public infrastructure and include, as a minimum:
- (a) Provision of the Coastal Pathway, including raised boardwalk where required;
  - (b) Pedestrian Pathways as required; and
  - (c) Public Seating.
59. All public infrastructure in open space areas must be generally in accordance with the *Open Space Landscape Infrastructure Manual*.

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

60. Educational signage must be provided to the Central Wetland Reserve. The details of the signage must be provided as part of an operational works approval.

## **Bushfire Management**

61. The development is to be carried out in accordance with the approved Bushfire Hazard Assessment and Management Plan.

## **ENVIRONMENTAL HEALTH**

### **Contaminated Land**

62. A Remediation Plan prepared by a qualified person\* and implemented as part of the operational works phase of each stage of the development (filling or excavation) must be undertaken in accordance with Section 6 - Conclusions and recommendations of the *Review of Contaminated Land Report* listed within this development approval.  
*\*(Refer to Advisory Note)*
63. Certification must be submitted to council from a qualified person\* that each stage of the development has been constructed in accordance with the Remediation Plan formed in accordance with preceding condition of this development approval.  
*\*(Refer to Advisory Note)*

### **Amenity (Road Traffic Noise)**

64. The design for the road traffic noise barriers and the acoustically rated pedestrian and bicycle access ways through the barriers must be prepared by a qualified person\* and endorsed through an operational works approval for each stage of the development incorporating acoustic barriers. The design must be in accordance with Section 7-Recommendations & Conclusion of the *Noise Impact Assessment Report* listed in this development approval with all barriers attenuating noise to private lots positioned on the private lot.  
*\*(Refer to Advisory Note)*

### **Acid Sulfate Soils**

65. All earthworks (filling and excavation) for each stage of the development must be undertaken in accordance with an acid sulfate soil and groundwater management plan (or part thereof) prepared by a qualified person\* and endorsed through an operational works approval.  
*\*(Refer to Advisory Note)*
66. The respective development stage acid sulfate soil and groundwater management plan must be in accordance with the Section 8.6-ASS Management Recommendations of the *Geotechnical & Acid Sulfate Soil Investigation* report and the *Acid Sulfate Soil & Groundwater Management Plan (Planning)* listed in this development approval.  
*\*(Refer to Advisory Note)*

**DEVELOPMENT PERMIT TO RECONFIGURE A LOT (4 LOTS INTO 182 LOTS,  
NEW ROAD, PARK AND BALANCE LOT, OVER 2 STAGES)**

## **PLANNING**

### **When Conditions must be complied with**

67. Unless otherwise stated, all works required by the conditions of this development approval as relevant to each particular stage must be completed prior to approval of the plan of subdivision for the particular stage.

### **Approved Plans**

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

*\*(Refer to Advisory Note)*

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

### **Subdivision Staging**

70. The development may be staged in accordance with the stage boundaries shown on the Approved Plans.

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

71. Pursuant to s88 of the *Planning Act 2016*, the uncompleted aspects of this development approval lapses if the subdivision plan for the last stage of the development has not been registered by the relevant titles authority within 6 years of the subdivision plan for the first stage of the development being registered with the relevant titles authority.

### **Lots adjacent to existing properties on De Vere Road**

72. The interface between Lots 2016 and 2029 – 2035 and the existing residential properties on De Vere Road (Lot 8 RP94519, Lot 9 RP862470 and Lot 2 SP166012) must have:
- (a) Maximum 1.8 metre high retaining wall on the common boundary between the existing and proposed lots;
  - (b) Maximum 1.5 metre high pool fence on top of the retaining wall (unless a solid fence is agreed to by the property owner of the existing lot);
  - (c) 4 metre wide drainage easement containing:
    - (i) 1 metre swale including inter-allotment drainage;
    - (ii) 3 metre landscaped buffer within a battered slope to effectively screen views from the proposed lot into any existing residential lot;
    - (iii) no retaining walls are permitted to be constructed within the drainage easement; and

- (d) 1.5 metre high pool fence on the edge of the drainage easement containing a gate for maintenance purposes;

All future dwellings must be setback a minimum of 2 metres from the drainage easement.

### **Boundary Encroachments**

- 73. Certification must be submitted to council from a cadastral surveyor which certifies that:
  - (a) the boundary clearances for any existing buildings that are to remain on the site comply with the relevant provisions of the planning scheme and the *Building Act 1975* (unless varied by this development approval), where boundary clearances for buildings other than class 1 or 10 buildings are to be determined by a building certifier;
  - (b) all constructed access and roadworks (including associated fill batters and retaining walls) are fully contained within a dedicated reserve or registered easement;
  - (c) 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;
  - (d) all retaining walls and structures are fully contained within the lot they retain; and
  - (e) any fill, including fill batters, are wholly contained within the subject site and not on adjacent properties.

### **Signage**

- 74. Estate entrance feature signage must be wholly located within private land and maintained by the land owner for the life of the development.

### **Heritage Management**

- 75. Works on site must be undertaken in accordance with the following Heritage Management requirements:
  - (a) an archaeologist must be engaged to monitor development works in Settlers' Park and should be 'on-call' for works in the vicinity of the park to manage the potential for discovery of historic archaeological material. A stop work procedure must be implemented to manage any unexpected discoveries during the development;
  - (b) information about the historic significance of Settlers' Park and the Blazed Tree, and the stop work procedure is to be included in inductions for all staff and contractors involved in ground disturbing project works;
  - (c) an arborist must be engaged to establish appropriate Tree Protection Zones (TPZ) around the mango trees and the Blazed Tree to protect them from the surrounding development. The heritage trees are to be fenced during construction according to these zones to ensure the area around them is not used for parking of construction vehicles or machinery;
  - (d) excavation or compaction works near the trees shall not impact on the root zones. Recommendations from the National Trust Queensland should be taken for the protection of the mango trees; and



- (e) Heritage Interpretation signage must be included in both heritage tree locations. A heritage consultant must be engaged to prepare an interpretation strategy, prior to construction commencing. This must include archival research and sourcing of historic photographs and/or plans to be used in new interpretive panels. The Heritage interpretation strategy must be designed and implemented in consultation with Council.

## **HYDROLOGY**

### **Stormwater Drainage**

- 76. 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) collection and discharge of stormwater to the constructed waterbody, including the provision of kerb adapters for all new low density residential lots and Level 4 interallotment drainage for the community facilities lot;
  - (b) all lots which adjoin properties on De Vere Road (Lots 2016 and 2029 - 2035) must be provided with a Level 3 interallotment drainage system for the minimum 4m wide batter and associated swale along the rear of these lots. The remainder of these lots must be graded to the new road;
  - (c) extension of the site stormwater system to accommodate stormwater from external to the site;
  - (d) upgrade the stormwater drainage system in De Vere Road with a connection provided through the development to the constructed water body with sizing in accordance with Queensland Urban Drainage Manual; and
  - (e) the use of gravity stormwater drainage and not surcharge pits.
- 77. A 4 metre wide easement for drainage purposes must be registered against the titles of the properties in favour of Council over the land area defined by the 4m wide strip of land along the eastern boundary of all lots which adjoin properties on De Vere Road (Lots 2016 and 2029 - 2035).

### **Stormwater Quality Management**

- 78. 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 4.1 of the Stormwater Management Plan listed in this development approval and specifically include the following:
  - (a) filter media depth increased to 0.7m where not depth constrained;
  - (b) at source bioretention basins must be implemented;
  - (c) minimum filter media width of 1.5m;
  - (d) one way cross fall access places and access roads, where practicable, to minimise the number of devices. Where bioretention basins are within the road verge, a footpath is to be provided on the high side of the one way cross fall road; and
  - (e) on the high side of one way cross fall road, all very minor flows (nominal 0.5 L/s) to be infiltrated prior to discharge to kerb and channel.

79. Permanent educational signage\* must be erected to educate the residents of the development about the function of the bioretention devices. The dimensions, standard, presentation and location of the educational signage must be in accordance with an operational works approval.

*\*(Refer to Advisory Note)*

### **Constructed Waterbody**

80. Prior to sealing of the plan of survey for any lots within Stage 2, a 4m wide easement for access purposes must be registered in favour of the developer and Council over the Balance Land Area defined by the recirculation pipeline shown on the Phase 1 infrastructure plan listed in this Decision Notice.
81. The developer is responsible for the maintenance of all revetment walls associated with the lake until the lake is accepted off maintenance notwithstanding that the land parcel in which the revetment wall sits and all works on that land parcel have been accepted off maintenance.
82. Prior to sealing of the plan of survey for any lots within Stage 1, all infrastructure shown on the Infrastructure Plan – Bulk Earthworks Phase 1 listed in this decision notice must be constructed, with the exception of
- (a) Bridge 1, and
  - (b) the proposed permanent pumps and lake recirculation system.
83. Prior to sealing of the plan of survey for any lots within Stage 2, all infrastructure shown on the Infrastructure Plan – Bulk Earthworks Phase 1 listed in this decision notice must be constructed, with the exception of Bridge 1.
84. Prior to sealing of the plan of survey for any lots within Stage 1, an easement for drainage purposes must be registered over 'Balance Land 1' and 'Balance Land 2' over the land area defined by the proposed ultimate constructed waterbody.

### **Easements**

85. 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, with the exception of the easement required by Condition 80. Draft easement documentation must be submitted to Council for endorsement.
86. 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.
87. All works must be kept clear of any existing or proposed easements on the subject land, unless agreed otherwise in writing by the Grantee.

### **Flooding**

88. 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:

- (a) a minimum 0.5m above the 1% AEP flood level under projected conditions at 2100 (3.37 to 3.45m AHD);
  - (b) a minimum of 60 lots within Stage 1 at or above 4.80m AHD;
  - (c) a minimum 9,815m<sup>2</sup> community lot within Stage 2 above 4.80m AHD;
  - (d) all road levels, with the exception of areas transitioning down to existing roads (eg: The David Low Way) above 2.95m AHD; and
  - (e) all walkways around the proposed constructed waterbody must have a minimum level of 1.7m AHD.
89. All works must be undertaken generally in accordance with the Flood Study listed in this Decision Notice and must include in particular:
- (a) prior to sealing the plan of survey for Stage 1, all of the works shown on the Phase 1 infrastructure plan listed in this Decision Notice must be completed including provision of a temporary channel through to the southern overflow weir; and
  - (b) prior to sealing the plan of survey for Stage 1, provision of piped drainage from De Vere Road to the constructed waterbody sized to avoid any impacts to properties on De Vere Road including consideration of severe storms in accordance with QUDM.
90. A table listing the applicable flood levels for the Defined Flood Event (DFE)) 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. In addition to usual requirements associated with the table the minimum floor level applicable to each lot must be above the 0.05% AEP flood level (3.45m AHD).  
*\*(Refer to Advisory Note)*
91. Prior to sealing of the plan of survey for any lots in Stage 2, a Performance bond for a 800m<sup>2</sup> community building must be submitted to Council. The bond must cover the cost to construct the community building.

## **ENGINEERING**

### **External Works**

92. At the time of constructing the access intersection works on David Low Way required by the referral agency response, the applicant must provide the following:
- (a) construction of kerb and channelling and underground stormwater drainage on both sides of David Low Way for the full extent of the required intersection works. Existing kerb and channel that is not on the alignment of the reconstructed intersection carriageways must be removed;
  - (b) on the north-west corner of the intersection, provide a 3 metre wide concrete path adjacent to the kerb and street trees to the north and west along David Low Way from the signalised intersection until matching with existing paths, generally following pedestrian desire lines;
  - (c) on the north-east corner of the intersection, provide at least a 2 metre wide concrete path and street trees on the eastern side of David Low Way from Ocean Drive to Nungo Street;

- (d) widening for at least one indented parking bay on each of the reconstructed driveways to Lot 0, 1 and 2 on BUP104253, Lot 104 on RP 92687 and Lot 103 on RP92687; and
- (e) protection of existing heritage trees in accordance with conditions of this decision notice.

### **New Roads**

93. The new District Collector Street through the site from the David Low Way access intersection to the southern boundary of the site as shown on the Approved Plans must be constructed. The works must be undertaken in accordance with an operational works approval and must include in particular:
- (a) provision of a 3 metre wide concrete path on the western side of the road and a 2 metre wide concrete path on the eastern side of the road, with verge widths modified accordingly;
  - (b) a posted speed limit of 60km/h;
  - (c) the proposed roundabout must incorporate pedestrian refuge crossings in raised splitter islands on all four approaches, located 6 metres from the give way line, with the island at least 2 metres wide at the refuge crossing and the gap through the island at least 3 metres wide;
  - (d) a pedestrian refuge crossing treatment must be incorporated into the median immediately south of the proposed left-in / left-out intersection near the southern end of the site;
  - (e) no indented parking bays are to be provided south of the mid-point of the proposed bend in the District Collector near the southern end of the site;
  - (f) the proposed indented bus stop bays, allowing for a potential future bus route, must be constructed for interim on-street parking use. The kerb and channel for the length of run-out taper associated with the southbound bus bay must be aligned with the proposed parking bays to the south so that a contiguous length of on-street parking is provided up to and including the bus bay. The kerb and channel at the run-in taper associated with the northbound bus bay must be aligned to permit interim on-street parking for the length of the run-in taper and bus bay; and
  - (g) an additional indented parking bay must be provided on the service road near the proposed Lot 1021 / Lot 1022 boundary and near the proposed Lot 1013 / 1014 boundary.
94. The new roads (Sections A through F) shown on the Approved Plans must be constructed in accordance with the conditions and approved plans 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) Kerb, channel and underground drainage, except where not necessary along access places and access streets due to the provision of one way crossfall carriageways and the provision of roadside water quality infrastructure;
  - (b) Barrier kerb where located directly adjacent to park, drainage reserve or esplanade;
  - (c) Footpaths as per the approved plans, including pram ramps, crossings and pedestrian refuges at appropriate locations;
  - (d) On street parking generally as per the approved plans, to the extent possible except where prohibited by required infrastructure;
  - (e) Street lighting (Rate 3) to the appropriate category for the road hierarchy;

- (f) Appropriate pavement markings and signage; and
  - (g) Speed control measures to manage speeds consistent with the design speed environment requirements of the *Planning scheme policy for the transport and parking code*.
95. All shared paths and footpaths must be designed in accordance with the *Planning scheme policy for the transport and parking code* 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.
96. 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 at a minimum and must be of sufficient size to accommodate the 3-point turn manoeuvre of a Waste Collection Vehicle (WCV) and include appropriate signage.

### **Pedestrian and Bicycle Facilities**

97. 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) footpaths at locations and with widths as indicated on the approved plans
  - (b) pedestrian crossing/refuges, including associated pram crossing and footpath connections for any footpaths involving intersections with Section A, B or C type or external arterial roadways.
98. A 2.5 metre wide concrete path must be provided on the western verge of the proposed street adjacent to proposed Lots 2037-2038, 2046 and 2059 and continuing through to David Low Way on the western side of proposed Lot 2060.

### **Construction Management Plan**

99. For each stage, a preliminary construction management plan must be submitted with an Operational Works application and must at a minimum 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; and
    - (v) provision for worker car parking through a nominated area being either on or off site to minimise any impact on street parking for surrounding areas;
  - (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; and
- (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

### **Utility Services**

- 100. Underground reticulated electricity and telecommunication services must be provided to the development and each lot in accordance with an approval for operational works and the standards and requirements of the relevant service provider.
- 101. An underground connection to reticulated water and sewerage must be available and provided to the development site and each lot in accordance with the standards and requirements of Northern SEQ Distributor–Retailer Authority (Unitywater).
- 102. 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.

### **Property Access and Driveways**

- 103. Vehicle access to lots are prohibited from Roads A1 – A4. A clause must be included in the contract of sale for Lots 802, 1001, 1013-1021, 1022, 2041-2042, 2052-2053 & 2068 which prohibits vehicle access being taken from Roads A1 - A4.
- 104. For any lots with frontages of less than 15m, driveways must be constructed prior to plan sealing in accordance with an operational works approval and standard drawings RS-049 and RS-050.

### **Earthworks and Retaining Walls**

- 105. 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.
- 106. 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.
- 107. Where any retaining walls exceed 1 metre in height adjacent to external boundaries of the site, a minimum of 2 metres of landscaping must be provided between the

external boundaries and the retaining walls, except where approved in accordance with an operational works approval.

## LANDSCAPE AND ECOLOGY

### Fauna Management

108. A Kangaroo Management and Conservation Plan, prepared by a qualified person\*, must be submitted and endorsed through an Operational Works approval. The fauna management plan must include:

#### *During Construction*

- (a) assessment of all management options;
- (b) risk assessments associated with forecast population dynamics, dispersal movement and potential conflict interactions and required interventions;
- (c) evidence based assessment of carrying capacity of the remaining vegetation areas and open space given seasonal variations relevant to the current physical landscape and required feeding and resting/retreat habitats;
- (d) expected population management intervention both short and long term;
- (e) kangaroo management and conservation plan;
- (f) communications plan;
- (g) proposed temporary construction fencing for the site, including sufficient fencing to exclude kangaroos from accessing the Sunshine Motorway during any operational works;

#### *Post Construction*

- (a) identification of kangaroo protection (and directional) fencing which encloses kangaroo habitat, grazing and movement corridors with a minimum of 2.5 metres high;
- (b) proposed fencing and access gates along the entire common boundary of the central wetland to the existing reserves and any private lots in the adjoining Twin Waters Estate;
- (c) consideration of how fauna is going to successfully move from the site from the eastern side to the western side of the Sunshine Motorway;
- (d) kangaroo crossings in the form of appropriate directional fencing combined with the Neighbourhood Collector Road just prior to where this road connects to the existing Twin Waters Estate at Stillwater Drive with appropriate culvert underpass and traffic calming devices; and
- (e) A "Living with Kangaroos Management and Conservation Plan" Information pack for residents.

109. A Fauna Management Plan prepared by a qualified person\* must be submitted and endorsed through an Operational Works approval. The fauna management plan must include:

- (a) a site inspection targeting native ground-dwelling and arboreal mammals to identify any hollow-bearing trees and/or other significant habitat features;
- (b) pre-clearing trapping program for a minimum of four (4) nights;
- (c) proposed trapping methodologies
- (d) recovery of all native bee hives from cleared vegetation for relocation into the central conservation area;

- (e) management of cleared vegetation including protective fencing to retained vegetation during clearing works;
- (f) the determination of numbers, types and sizes of permanent artificial nesting boxes of 30 years durability to be installed within the Central Wetland, south-eastern buffer and within the southern edge of the southern highest astronomical tide zone to provide compensatory habitat for arboreal mammals and hollow dependant avian species.

\*(Refer to Advisory Note)

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

110. The land area identified as Open Space on the Approved Plans must be transferred to council in fee simple for the relevant open space purposes. The open space areas are to be transferred at the time nominated below:
- (a) At the time of plan sealing for any lot in Precinct LDR1 on the Zone Plan:
    - (i) Recreation Park 1;
    - (ii) Settlers Park east;
  - (b) At the time of plan sealing for any lot in Stage 2 of Reconfiguration of a lot in Precinct LDR2 on the Zone Plan:
    - (i) Vegetated Buffer to Sunshine Motorway from David Low Way to southern edge of residential development;
    - (ii) Settlers Park west; and
  - (c) all other parks and walkable waterfronts are to be dedicated at the time of plan sealing for the relevant stage.

The land to be transferred is “non-trunk infrastructure” for the purposes of the *Planning Act 2016*.

111. The land area to be transferred must be unencumbered by services such as pump stations, services easements or similar operational uses.
112. 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.
113. One original signed and 'stamped' Queensland Titles Registry and Form 1 Transfer and Form 24 must be lodged with council for endorsement prior to the registration of title, together with a survey plan and a copy of the land valuation.

### **Public Infrastructure in Open Space Areas**

114. Recreation Park 1 must be embellished with public infrastructure and include, as a minimum:
- (a) Playground facilities;
  - (b) Shade for playground;
  - (c) Amenities (Toilets);
  - (d) Drinking water fountains;
  - (e) Bins;
  - (f) Shelters;
  - (g) Pedestrian Pathways;
  - (h) Outdoor exercise facilities; and
  - (i) Minimum 30 parking bays located behind 3 metre landscape buffer from the



road reserve

115. Settler's Park must be embellished with public infrastructure and include, as a minimum:
- (a) Retention of the four mango trees;
  - (b) Retention or replacement of the existing park infrastructure, such as signage and shelters;
  - (c) All entry statements to be in private property; and
  - (d) Pathways and Bikeways to avoid existing and relocated park infrastructure and be clear of the drip zones of the mango trees.
116. All public infrastructure in open space areas must be generally in accordance with the *Open Space Landscape Infrastructure Manual*.

### **Landscape Works**

117. The development site must be landscaped. The works must be undertaken in accordance with an Operational Works approval and must include in particular:
- (a) A minimum 20 metre wide landscape strip along the Sunshine Motorway frontage of the site, uncompromised by infrastructure items;
  - (b) Vegetated screening of the development and dwellings when viewed from Sunshine Motorway, David Low Way and Ocean Drive, designed such that a minimum 80% of the development/dwellings will be screened at maturity;
  - (c) Vegetated screening of all acoustic barriers/fencing/retaining structures when viewed from Sunshine Motorway, David Low Way and Ocean Drive, designed such that a minimum 80% of the acoustic barriers and fencing will be screened at maturity;
  - (d) All streets are to provide a linked linear soil corridor. The linked linear soil corridor must be free of infrastructure, a minimum width of 1.2 metres and provide a sustainable environment to allow the street trees to achieve full form at maturity. Soil structure details including width, volume and surface area are to be provided;
  - (e) Landscaping species must be selected from planting palettes comprising species horticulturally suited to the inverted and compacted soils resulting from civil works, comprise of mostly endemic native species to the coastal area, species suitable for native bird habitat and foraging and not dominated with honey flora (*Grevillia* hybrid species);
  - (f) All street frontages must provide one (1) street tree within the road reserve for every six (6) metres of road frontage;
  - (g) All walkable water front must provide a minimum 2.0 metre wide landscape buffer and exclusion fencing (or suitable landscaping palette to achieve the same function as exclusion fencing) between the water edge and the pedestrian pathways;
  - (h) All walkable waterfront must provide a minimum 1.8 metre wide landscape buffer between pedestrian paths and private lots; and
  - (i) The provision of public seating at suitable locations agreed to by council with a back rest installed along the pathway network, walkable waterfront and park/open space.

## **Retention of Existing Vegetation**

118. Existing heritage trees in Settlers Park 4x *Mangifera indica* (Mango) and Blaze tree 1x *Corymbia tessellaris* (Moreton Bay Ash) adjacent Godfreys Road on the development side must be protected in accordance with an arborist report prepared by a qualified person\* and endorsed through an Operational Works approval.  
\*(Refer to Advisory Note)
119. All existing vegetation for retention adjacent proposed and/or future works must be protected in accordance with an arborist report prepared by a qualified person\* and endorsed through an Operational Works approval.  
\*(Refer to Advisory Note)
120. Prior to the lodgement of the first operational works application, a bank guarantee or bond must be lodged as security for the protection of the trees identified for retention in the conditions of this approval. The bond:
- (a) is to be calculated in accordance with an accepted tree valuation methodology such as Burnley or Thyer;
  - (b) may be drawn upon by council in its entirety if any one tree identified for retention is damaged to the point where the tree cannot be saved (as confirmed by the project arborist and agreed in writing by council);
  - (c) will be returned upon practical completion of all the operational works relating to the associated development stage and certification from the project arborist; and
  - (d) will be returned at off maintenance and confirmation/certification from the project arborist that all protection measures have been addressed and agreed by Council.

## **ENVIRONMENTAL HEALTH**

### **Contaminated Land**

121. A Remediation Plan prepared by a qualified person\* and implemented as part of the operational works phase of each stage of the development (filling or excavation) must be undertaken in accordance with Section 6 - Conclusions and recommendations of the *Review of Contaminated Land Report* listed within this development approval.  
\*(Refer to Advisory Note)
122. Certification must be submitted to council from a qualified person\* that each stage of the development has been constructed in accordance with the Remediation Plan formed in accordance with preceding condition of this development approval.  
\*(Refer to Advisory Note)

### **Amenity (Road Traffic Noise)**

123. The design for the road traffic noise barriers and the acoustically rated pedestrian and bicycle access ways through the barriers must be prepared by a qualified person\* and endorsed through an operational works approval for each stage of the development incorporating acoustic barriers. The design must be in accordance with Section 7-Recommendations & Conclusion of the *Noise Impact Assessment*

*Report* listed in this development approval with all barriers attenuating noise to private lots positioned on the private lot.

\*(Refer to Advisory Note)

124. Certification must be submitted to council from a qualified person\* that the road traffic noise barriers and the acoustically rated pedestrian and bicycle access ways through the barriers for the development has been constructed in accordance with the *Noise Impact Assessment Report* and the conditions listed in this development approval.

\*(Refer to Advisory Note)

### **Acid Sulfate Soils**

125. All earthworks (filling and excavation) for each stage of the development must be undertaken in accordance with an acid sulfate soil and groundwater management plan (or part thereof) prepared by a qualified person\* and endorsed through an operational works approval.

\*(Refer to Advisory Note)

126. The respective development stage acid sulfate soil and groundwater management plan must be in accordance with the Section 8.6-ASS Management Recommendations of the *Geotechnical & Acid Sulfate Soil Investigation* report and the *Acid Sulfate Soil & Groundwater Management Plan (Planning)* listed in this development approval.

\*(Refer to Advisory Note)

### **Waste Management**

127. A level turfed area for all detached house lots must be constructed on the kerbside of the adjoining Street located proximate to the lot it serves. The bin pad must be in accordance with an operational work approval and sufficiently sized to wholly accommodate 2X240L wheelie bins.

### **Concrete Bin Pad**

128. A concrete bin pad for Lots 1001-1003 and 1032 must be constructed on the kerbside of new street Section D2, located in front of Lot 1032. The bin pad must be in accordance with an operational work approval and sufficiently sized to wholly accommodate 8 wheelie bins.

## **REFERRAL AGENCIES**

The referral agencies applicable to this application are:

<b>Referral Status</b>	<b>Referral Agency and Address</b>	<b>Referral Trigger</b>	<b>Response</b>
Concurrence	SARA at DSDMIP South East Qld (North) Regional Office	<ul style="list-style-type: none"> <li>Reconfiguring a lot in a coastal management district;</li> </ul>	The agency provided its response on 8 November

	PO Box 1129 MAROOCHYDORE QLD 4558 Mydas2 At (https://Prod2.Dev-Assess.Qld.Gov.Au/Suite/) Email:Seqnorthsara@dsmip.qld.gov.au	<ul style="list-style-type: none"> <li>• Material change of use involving work in a coastal management district;</li> <li>• Operational work that is the removal, destruction or damage of a marine plant is assessable development;</li> <li>• Development near or adjacent to State transport infrastructure generally;</li> <li>• Reconfiguring a lot near a State transport corridor;</li> <li>• Reconfiguring a lot that is a future State transport corridor;</li> <li>• Reconfiguring a lot near a State-controlled road intersection; and</li> <li>• Material change of use of premises near a State transport corridor or that is a future State transport corridor</li> </ul>	2019 (reference No. 1901-9177 SRA).
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## DEVELOPMENT PLANS

The following development plans are Approved Plans for the development:

### PRELIMINARY APPROVAL FOR MATERIAL CHANGE OF USE OF PREMISES (INCLUDING A VARIATION REQUEST TO VARY THE EFFECT OF THE SUNSHINE COAST PLANNING SCHEME 2014)

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

#### Plans Requiring Amendment

Plan No.	Rev.	Plan Name	Date
POD-03	11	<i>Zone Plan</i> prepared by prepared by Urbis Pty Ltd	17 September 2019
<b>Amendments</b>		<ol style="list-style-type: none"> <li>1. Amend reference from Low density residential zone to Low Density Residential (LDR1 - Protected Housing Area Precinct).</li> <li>2. Remove MD1 and adjoining Open space zone (noted as Recreation Park 2) and replace with Low Density Residential (LDR1 - Protected Housing Area Precinct).</li> <li>3. Remove MD2 and replace with Open space zone.</li> <li>4. Remove Medium Density Residential zone from the Legend.</li> </ol>	
POD-05	11	<i>Maximum Building Heights Plan</i> prepared by Urbis Pty Ltd	1 October 2019

<b>Amendments</b>	1. Remove 12 metres from Medium density residential zone and replace with 8.5 metres. 2. Remove Table 3 from the plans. 3. Amend reference from Low density residential zone to Low Density Residential (LDR1 - Protected Housing Area Precinct). 4. Remove MD1 and adjoining Open space zone (noted as Recreation Park 2) and replace with Low Density Residential (LDR1 - Protected Housing Area Precinct) and include in Precinct Number LDR2. 5. Remove MD2 and replace with Open space zone. 6. Remove Medium Density Residential zone from the Legend.
POD-06	11   <i>Open Space Plan</i> prepared by Urbis Pty Ltd   1 October 2019
<b>Amendments</b>	1. Remove Recreation Park 2. 2. Remove Recreation Park 3 and replace with Linear Park/Landscaped Buffer. 3. Identify the area adjacent to the ecologically important area centrally located in the site as Linear Park/Landscaped Buffer with a minimum area of 5,000m <sup>2</sup> designated a local recreation park adjacent to the collector road to incorporate Kick and throw area and Playground facilities. 4. Update Table 4 to reflect the above changes. 5. Remove G and H from "Dimensions of Buffer to Conservation" from Table 5.
POD-07	11   <i>Pedestrian and Cycle Movement Plan</i> prepared by Urbis Pty Ltd   1 October 2019
<b>Amendments</b>	1. Remove Recreation Park 2 from the plans. 2. Identify the area adjacent to the ecologically important area centrally located in the site as Open space zone. 3. Provide the 3 metre wide path on the western side and the 2 metre path on the eastern side for the District Collector (Sections A1-A4). 4. For Neighbourhood Collector Section B5, provide the 4 metre clear width path on the western side and the 3 metre clear width path on the eastern side. 5. For the Neighbourhood Collector Section B6, provide the 3 metre path on the western side and the 2 metre path on the eastern side. 6. Remove all Shared Pedestrian/Vehicle Path 2 and replace with Footpath 1 style.
POD-08	11   <i>Road Network</i> prepared by Urbis Pty Ltd   1 October 2019
<b>Amendments</b>	1. Remove Recreation Park 2 from the plans. 2. Identify the area adjacent to the ecologically important area centrally located in the site as Open space zone. 3. Remove Access Driveway 2 (F2) and replace with Access Street 4 (D4).
POD-09	11   <i>Sections - Road Typologies</i> prepared by Urbis Pty Ltd   1 October 2019

<b>Amendments</b>	1. Amend Sections A1 and A2 to provide the 3 metre wide path on the western side and the 2 metre path on the eastern side and modify verge widths accordingly.		
	2. Amend Section A3 to provide the 3 metre wide path on the western side and the 2 metre path on the eastern side. Modify the western verge to be at least 6.5 metres wide (inclusive of a 1.5 metre clearance between the path and property boundary) and the eastern verge to be at least 5.8 metres wide (exclusive of on-street parking).		
	3. Amend Section A4 to provide the 4 metre clear width path on the western side and the 3 metre clear width path on the eastern side.		
	4. Amend Section A5 to provide the 3 metre wide path on the western side and the 2 metre path on the eastern side. Modify the western verge to be at least 7.3 metres wide (inclusive of a 1.3 metre clearance between the path and property boundary and exclusive of on-street parking) and the eastern verge to be at least 4.8 metres (inclusive of a 0.8 metre clearance between the path and property boundary).		
POD-10	11	<i>Sections - Road Typologies</i> prepared by Urbis Pty Ltd	1 October 2019
<b>Amendments</b>	1. Amend Section A8 to modify the western verge to be at least 9.8 metres (inclusive of a 1.5 metre clearance to the property boundary) and the eastern verge to be at least 4.8 metres (inclusive of a 0.8 metre clearance between the path and property boundary).		
	2. Amend Section A9 to reduce lane widths to 3.2 metres and parking lanes to 2.2 metres and increase the western verge width to 7.4 metres (inclusive of a 1.4 metre clearance between the path and property boundary).		
	3. Amend Section B1 to reduce lane widths to 3.2 metres and parking lanes to 2.2 metres and increase the verge widths accordingly (inclusive of a 1.55 metre clearance between the paths and property boundary).		
POD-11	11	<i>Sections - Road Typologies</i> prepared by Urbis Pty Ltd	1 October 2019
<b>Amendments</b>	1. Amend Section B5 to provide the 4 metre clear width path on the western side and the 3 metre clear width path on the eastern side.		
	2. Amend Section B6 to provide a 20 metre reserve with a 7.5 metre verge and 3 metre path on the western side (inclusive of a 1.5 metre clearance between the path and property boundary) and a 4.5 metre verge and 2 metre path on the eastern side (inclusive of a 1 metre clearance between the path and property boundary).		
	3. Amend Section D4 to replace retaining wall with batters/berms.		
POD-12	11	<i>Sections - Road Typologies</i> prepared by Urbis Pty Ltd	1 October 2019
<b>Amendments</b>	1. Amend E1 and E2 Section titles to be consistent with Road Hierarchy table on POD-08.		

	2. Amend Sections E1, F2 and F3 (and any other relevant sections) to show barrier kerb where roadway is directly adjacent to park, drainage reserve or esplanade.
	3. Amend Sections D5 & E2 to replace retaining wall with batters/berms.
	4. Amend Sections F1 and F3 to provide 6.0m carriageway (similar to D2 & D3) whilst maintaining 4.5m verge on internal side of the roadway.
	5. Delete Section F2.
POD-13	11   <i>Edge Treatment Plan</i> prepared by Urbis Pty Ltd   1 October 2019
	1. Extend the Waterfront Type 1 (Walkable) along Recreation Park 1 edge.
POD-14	11   <i>Sections – Walkable Waterfronts</i> prepared by Urbis Pty Ltd   1 October 2019
	1. Amend Section Type 1 Treatment to show the retaining wall on the common boundary (and entirely within the private allotment) with open, permeable fencing on top of any retaining wall.
	2. Provide a minimum 2.0 metre wide landscape buffer and exclusion fencing (or suitable landscaping palette to achieve the same function as exclusion fencing) between the water edge and the pedestrian pathways.
	3. Provide a minimum 1.8 metre wide landscape buffer between pedestrian paths and private lots.

## DEVELOPMENT PERMIT TO RECONFIGURE A LOT (4 LOTS INTO 182 LOTS, NEW ROAD, PARK AND BALANCE LOT, OVER 2 STAGES)

### Approved Plans

Plan No.	Rev.	Plan Name	Date
ROL-01	12	<i>Area subject to ROL</i> Application, prepared by Urbis Pty Ltd	11 October 2019
ROL-08	12	<i>Staging Plan</i> , prepared by Urbis Pty Ltd	11 October 2019

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

### Plans Requiring Amendment

Plan No.	Rev.	Plan Name	Date
ROL-02	12	<i>Reconfiguring a Lot Plan – Stage 1</i> , prepared by Urbis Pty Ltd	11 October 2019
<b>Amendments</b>		1. Revise Lots 1001-1004 as necessary to that no more than 3 lots obtain access via the shared driveway.	

	2.	Provide a bin pad in front of Lot 1015 to serve Lots 1013 and 1014.	
ROL-03	12	<i>Reconfiguring a Lot Plan – Stage 2,</i>	11 October 2019
		prepared by Urbis Pty Ltd	
<b>Amendments</b>	1.	Provide a 4 metre wide drainage easement at the rear of Lots 2016 and 2029 – 2035;	
	2.	Include a notation on the plan for Lots 2016 and 2029 – 2035 referring to the condition number of the approval and applicable Property Notation for future dwellings.	

The following documents require amendment prior to becoming Approved Documents for the development:

#### Documents Requiring Amendment

Document No.	Rev.	Document Name	Date
9092R01	V02	<i>Noise Impact Assessment Report,</i> prepared by Ask Acoustics & Air Quality	13/05/19
<b>Amendments</b>	1.	Inclusion of an access, delineated on Figure E.2, for pedestrian and bicycle access at the southern end of the proposed 2.8m High Noise Barrier.	

#### REFERENCED DOCUMENTS

The following documents are referenced in the assessment manager conditions:

#### Referenced Documents

Document No.	Rev.	Document Name	Date
620.12364-R01-v0.2	V0.2	<i>Flood Study, prepared by SLR</i>	15 May 2019
100872 RPT ISSC	C	<i>Stormwater Management Plan, prepared by Covey Associates</i>	September 2019
151897 Sheet No. IP100	E	<i>Infrastructure Plan – Bulk Earthworks Phase 1, prepared by Covey Associates</i>	24 September 2019
151897 Sheet No. IP150	E	<i>Infrastructure Plan – Lake and Major Drainage, prepared by Covey Associates</i>	24 September 2019
100860 RPT Issue D	D	<i>Lake Design and Management Report, prepared by Covey Associates</i>	September 2019
19092019	2	<i>Review of Contaminated Land Reports,</i> prepared by Environmental Advisors	19 September 2019



18108-001	2	<i>Geotechnical &amp; Acid Sulfate Soil Investigation</i> by Tectonic Geotechnical P/L	6 December 2018
18108-004	0	<i>Acid Sulfate Soil &amp; Groundwater Management Plan (Planning)</i> by Tectonic Geotechnical P/L	29 August 2019

#### ADVISORY NOTES

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

#### **Aboriginal Cultural Heritage Act 2003**

1. 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 1300 378 401 to discuss any obligations under the *ACH Act*.

#### **Easements and Future Works over External Land**

2. Should the approved development necessarily require easements or works to be undertaken over land external to the site, including crane overhang into neighbouring airspace, council recommends that easement, access agreements 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 Unit and note that compensation may be payable.

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

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

### **Infrastructure Charges**

4. Infrastructure charges, determined in accordance with council's Infrastructure Charges Resolution, apply to this 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 Amended Plans Required**

5. The conditions of this development approval require resubmission of plans to council with amendments. Please address the amended plans to council's Planning Assessment Unit with the reference no. MCU18/0350 and RAL18/0199, 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.

### **Road Naming Procedure**

6. 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.

### **Pre-Design Meeting Services**

7. 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")**

8. 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**

9. 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.

## **Construction Management Plan**

10. 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:
    - (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

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.

## **Unitywater - Water and Sewerage Services**

11. 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.
12. 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.

### **Qualified Person**

13. For the purpose of preparing a fauna management plan for Kangaroo Management and Conservation Plan, a qualified person is considered to be an ecologist with a minimum of three five (5) current experience in the field of fauna assessment and management.
14. 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.
15. 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.
16. For the purpose of preparing an arborist report, 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.
17. For the purpose of preparing a rehabilitation plan, a qualified person is considered to be a landscape architect or ecologist with a minimum of five (5) years current experience in the field of landscape design.
18. 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 five (5) current experience in the field of bushfire assessment and management.
19. For the purpose of preparing a Remediation Plan and certifying land contamination matters for the development, a qualified person must have qualifications and experience relevant to contaminated land remediation and assessment and be an approved auditor in accordance with *Division 3-Performance of auditors functions; 574A Who may perform auditor's functions of the Environmental Protection Act 1994* (version 11 April 2019).
20. For the purpose of preparing an acid sulfate soil and groundwater management plan, a qualified person is considered to be either:  
a Registered Professional Engineer of Queensland (RPEQ) or;  
a soil scientist with a minimum of five (5) years current experience in the field of acid sulfate soils.
21. For the purpose of acoustic barrier design and for 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.

## PROPERTY NOTES

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

### **The following notations apply to all approved lots:**

#### *Variation to Planning Scheme Provisions*

1. This property forms part of, and is in part governed by, a variation approval issued under the Planning Act 2016 (Council Reference MCU18/0350 and RAL18/0199). The variation 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. Applicants and private certifiers must refer to the variation approval prior to undertaking development on the property.

#### *Benefited Area Levy*

2. This property will be subject to a Special Rate or Charge Levy to cover any costs associated with maintaining a higher than normal landscaping standard. This levy will be set by Council annually based upon additional landscape costs at Council's budget meeting for a financial year.

#### *Infrastructure Agreement*

3. An Infrastructure Agreement has been signed in association with council approval MCU18/0350 and RAL18/0199). The Agreement relates to the Sinking Fund associated with the approved Lake Management Plan.

#### *Protection of Kangaroos*

4. A population of Eastern Grey Kangaroos (Sunshine Coast and Surrounds Race) occurs in your area. Your support is requested to ensure that these animals survive into the future. Please support the conservation measures included within the Kangaroo Conservation Plan – Living with Kangaroos prepared for your estate.

#### *Protection of Birdlife*

5. To ensure the ongoing protection and retention of the great diversity of native birds in your estate, your support is requested to restrain domestic cats within your property.

### **The following notation applies to approved Lots 2016 and 2029 – 2035:**

#### *Lots adjacent to existing properties on De Vere Road*

6. The interface between Lots 2016 and 2029 – 2035 and the existing residential properties on De Vere Road (Lot 8 RP94519, Lot 9 RP862470 and Lot 2 SP166012) must have:

- (a) Maximum 1.8 metre high retaining wall on the common boundary between the existing and proposed lots;
- (b) Maximum 1.5 metre high pool fence on top of the retaining wall (unless a solid fence is agreed to by the property owner of the existing lot);
- (c) 4 metre wide drainage easement containing:
  - (i) 1 metre swale including inter-allotment drainage;
  - (ii) 3 metre landscaped buffer within a battered slope to effectively screen any views from the proposed lot into the existing residential lot;
  - (iii) no retaining walls are permitted to be constructed within the drainage easement; and
- (d) 1.5 metre high pool fence on the edge of the drainage easement containing a gate for maintenance purposes.

All future dwellings must be setback a minimum of 2 metres from the drainage easement.

**The following notation applies to approved Lots 1001-1004, 1072, 1092, 1094, 1096-1098, 1100, 2012, 2029-2032, 2047-2051 & 2065:**

*Property Access Driveways*

- 7. To ensure that the integrity of on-street parking is maintained, vehicle access to this lot must be from the constructed driveway only unless otherwise approved by Council (refer to Council approval RAL18/0199).

**The following notation applies to approved Lots 802, 1001, 1013-1022, 2041-2042, 2052-2053 and 2068.**

*Property Access*

- 8. To ensure the safety and efficiency of the road network, vehicles access to this lot is prohibited via the adjacent arterial roadway.

**The following notation applies to approved Lots 1001 - 1003:**

*Concrete Bin Pad*

- 9. A concrete bin pad for this lot has been constructed on the kerbside in front of Lot 1032. Bins must be placed on the concrete bin pad on collection day.

**The following notation applies to approved Lot 1032:**

*Concrete Bin Pad*

- 10. A concrete bin pad for this lot and Lots 1001 - 1003 has been constructed on the kerbside in front of this lot. The property owner should be aware that bins associated with Lots 1001 - 1003 could be placed on the concrete bin pad on collection day.

**The following notation applies to approved Lots 1001-1004, 1013, 2001-2035, 2055-2068:**

*Transport Noise Corridor*

11. The Queensland Department of Transport and Main Roads has designated the Sunshine Motorway and David Low Way as a Transport Noise Corridor. The purchaser is advised that this will trigger the Queensland Development Code (QDC) Mandatory Part 4.4 "Buildings in the Transport Noise Corridors" which sets mandatory building standards for residential properties located in designated Transport Noise Corridors. The QDC details noise reduction requirements for habitable rooms across four noise categories. However, due to the effect of an acoustic barrier between lots and the subject roads the QDC noise category applying to this lot is varied to the extent stated in the acoustic report referenced in Council approval RAL18/0199. The property owner, purchaser and building certifier should familiarise themselves with varied noise category identified in the referenced Noise Impact Assessment Report. In addition to the QDC requirements, the Noise Impact Assessment Report referenced in Council approval RAL18/0199 recommends (Refer to page 25) that:

*"For the lots which are affected by noise travelling through the breaks in the noise barriers where there is a waterway, development should ensure that private open space areas are located away from the impacting road or designed so as to shield the open area with the dwelling".*

For example positioning a formal outdoor area on the lot, shielded by the constructed dwelling on the lot, from road traffic noise associated with the Sunshine Motorway.

#### **VARIATION APPROVAL**

A variation approval under the *Planning Act 2016* has been granted. Variations from the planning scheme that are applicable to any future development application over the premises are identified in this approval.

#### **FURTHER DEVELOPMENT PERMITS REQUIRED**

- Development Permit for Material Change of Use
- Development Permit for Reconfiguring a Lot
- Development Permit for Operational Work
- Development Permit for Building Work

#### **SUBMISSIONS**

There were 388 properly made submissions about the application. In accordance with the *Planning Act 2016*, the name, residential or business address, and electronic address of the principal submitter for each properly made submission is provided and attached.

**INCONSISTENCY WITH EARLIER APPROVAL**

Not applicable.

**ENVIRONMENTAL AUTHORITY**

Not applicable.

**RIGHTS OF APPEAL**

You are entitled to appeal against this decision. A copy of the relevant appeal provisions from the *Planning Act 2016* is attached.

**OTHER DETAILS**

If you wish to obtain more information about council's decision, please refer to the approval package for the application on Council's Development.i webpage at [www.sunshinecoast.qld.gov.au](http://www.sunshinecoast.qld.gov.au), using the application number referenced herein.