



Sunshine Coast Regional Council ABN 37 876 973 913  
Locked Bag 72 Sunshine Coast Mail Centre Qld 4560  
T 07 5475 7272 F 07 5475 7277 mail@sunshinecoast.qld.gov.au  
[www.sunshinecoast.qld.gov.au](http://www.sunshinecoast.qld.gov.au)

Officer: Jeff Dodd  
Direct Telephone: 07 5475 9862  
Email: jeff.dodd@sunshinecoast.qld.gov.au  
Our Reference: JND:ET002:MCU05/0245.19  
Your Reference: 080124

31 August 2016

SH Coolum Pty Ltd  
C/- Project Urban Pty Ltd  
PO Box 6380  
MAROOCHYDORE QLD 4558

Dear Sir/Madam

### **AMENDED Change to an Existing Approval** *Sustainable Planning Act 2009*

I refer to your request to make a permissible change to an existing approval issued on 28 February 2007. On 15 July 2016, Council decided your requested changes.

Details of the decision are as follows:

#### **1 APPLICATION DETAILS**

Application No: MCU05/0245.19 (MCU05/0245)  
Street Address: 23/157 Centenary Heights Rd YAROOMBAA  
Real Property Description: Lot 109 - 110 RP 145728  
Lot 111 RP 806530  
Planning Scheme: Maroochy Plan 2000 (24 October 2011)

#### **2 DECISION DETAILS**

The following type of approval has been issued:

- Preliminary Approval for Material Change of Use of Premises (Master Planned Community) to establish the *Coolum Hyatt Resort Community - An Integrated Resort and Residential Community* in accordance with a Preliminary Approval Document, *Coolum Hyatt Resort - Master Planned Document* (Version 200110), prepared by Ken Hicks and Associates, January 2010 (as amended) and a Plan of Development, Drawing No: HC-OLL-POD090727, prepared by Lend Lease, 27 July 2009 (as amended)
- Development Permit for Reconfiguration of a Lot (Vantage Stage 2 – 55 Lots Consisting of a 53 Lot Moderate Urban Subdivision within A Community Title Scheme (which includes a 6677m<sup>2</sup> Multiple Dwelling Unit Lot and Common Property) and two (2) Balance Lots (To Form Part of Precinct 1 (Resort) and Precinct 2 – (Golf Course).

**Caloundra** 1 Omrah Avenue Caloundra Qld 4551  
**Maroochydoore** 10 First Avenue Maroochydoore Qld 4558  
**Nambour** Cnr Currie and Bury Streets Nambour Qld 4560

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In relation to the request to make a change to the existing approval, Council decided to:

- A. Reissue the Council Approval with the latest Concurrence Agency Response and Conditions (dated 12 July 2016)

### 3 RELEVANT PERIOD OF APPROVAL

The relevant period for this development approval is in accordance with that stated in the Negotiated Decision dated 11 July 2007, unless an application to extend the period is approved by Council under s 383 of the *Sustainable Planning Act 2009*.

### 4 INFRASTRUCTURE

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

### 5 CONSOLIDATED ASSESSMENT MANAGER CONDITIONS

This development approval is subject to compliance with the following assessment manager conditions:

**PRELIMINARY APPROVAL FOR MATERIAL CHANGE OF USE OF PREMISES (MASTER PLANNED COMMUNITY) TO ESTABLISH THE COOLUM HYATT RESORT COMMUNITY - AN INTEGRATED RESORT AND RESIDENTIAL COMMUNITY IN ACCORDANCE WITH A PRELIMINARY APPROVAL DOCUMENT, COOLUM HYATT RESORT - MASTER PLANNED DOCUMENT (VERSION 200110), PREPARED BY KEN HICKS AND ASSOCIATES, JANUARY 2010 (AS AMENDED) AND A PLAN OF DEVELOPMENT, DRAWING NO: HC-OLL-POD090727, PREPARED BY LEND LEASE, 27 JULY 2009 (AS AMENDED)**

#### PRELIMINARY APPROVAL DOCUMENT AND PLAN OF DEVELOPMENT AMENDMENTS

- 1 The applicant must amend the height provisions of the Preliminary Approval Document (including Figure 1 – Sub-Precinct 3F Density), the Hyatt Regency Coolum Plan of Development, the Building Height Plan and all other related plans/documents as follows:
  - a) Ensure that all references to building height within the Central Sub-Precinct 5B are amended to allow for a maximum building height of 3 storeys/12 metres;
  - b) Ensure that all references to building height within the Beachside Sub-Precinct 3F, including as identified in Figure 1, are amended to allow for a maximum building height of 4 storeys/16 metres
  - c) Ensure that all references to building height within Precinct 4 (Vantage) are amended to allow for a maximum building height of 2 storeys/8.5 metres or 10 metres (but not more than 2 storeys) where the natural slope of the land exceeds 15%
- 2 The applicant must amend the Preliminary Approval Document definition of Finished Surface Level to add the words "*to the Q100 in accordance with the requirements of the Planning Scheme*" to the end of the definition

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- 3 The applicant must amend the Preliminary Approval Document, the Plan of Development, the Structure Plan, Figure 1 - Sub-Precinct 3F Density Plan, Metes and Bounds Plans, and all other related plans and documents to incorporate that part of Area H (Figure 1) identified on Drawing No HC-OLL-RFI POD061212 prepared by Lend Lease dated 12 December 2006 as *Resort Facilities and Accommodation* into Precinct 1 (Resort)
- 4 The applicant must amend the Preliminary Approval Document, the Plan of Development, the Structure Plan, Figure 1 - Sub-Precinct 3F Density Plan, Metes and Bounds Plans, and all other related plans and documents to incorporate the area identified on the Plan of Development as CP (carparking) currently located within Precinct 2 (Golf Course), into Precinct 1 (Resort)
- 5 The applicant must amend the Plan of Development to label the existing resort within Precinct 1 (Resort) west of the David Low Way as Sub-Precinct 1A (Resort)
- 6 The applicant must amend the Plan of Development to label proposed carparking (CP) located west of the David Low Way as Sub-Precinct 1B (Resort Carparking)
- 7 The applicant must amend the Plan of Development to label Precinct 1 (Resort) located east of the David Low Way as Sub-Precinct 1C (Resort Beach Club)
- 8 The applicant must amend the Preliminary Approval Document, including the Intent statement for 6.3 for (Precinct 3) to ensure that all reference to Beach Club facilities is removed and incorporated into the Intent statement for 6.1 for Precinct 1 (Resort)
- 9 The applicant must amend the Preliminary Approval Document, the Plan of Development, the Vegetation Buffers Plan Drawing No HC-OLL-RFI VB 060623 dated 23 June 2006 and all other related plans and documents as necessary to include:
  - a) Landscaping and open space design in the vicinity of sub-precincts 3D, 3E and 3F generally in accordance with proposed Drawing No HCBS-3F-BCB 060701 (Sheets 1 & 2) Sub-Precinct 3F Beach Club Precinct Buffer Plan prepared by Lend Lease dated 01/06/2007 to ensure a vegetation connection between the Esplanade (fore-dune and dune) and the open space running north/south through the centre of Precinct 3 (Beachside) to address the Planning Area Vision Statement envisaging residential villages set amongst green open spaces;
  - b) A minimum 2 metre wide vegetation buffer between proposed Central Precinct and any development adjacent to Warren Road;
  - c) A minimum 2 metre wide vegetation buffer between proposed Vantage Precinct and any development adjacent to either Jenyor Street or Warrack Street
- 10 The applicant must amend the Plan of Development:
  - a) to label the dark green area within Precinct 2 (Golf Course) as Rainforest Conservation;
  - b) to amend the boundaries of sub-Precinct 1B to align with the as constructed car park;
  - c) to amend the boundary between sub-Precinct 1A and Precinct 2 to ensure all resort areas are included in sub-Precinct 1A;
  - d) construct a footpath (separated from vehicular traffic) from the Resort Parking lot located within sub-Precinct 1B to the resort reception located within sub-Precinct 1A

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- 11 In addition to the amendments required to the Preliminary Approval Document by Conditions 1-4, 8, and 9 the applicant must also amend the Preliminary Approval Document to accord with the "track changed" version of the Preliminary Approval Document attached to this Decision Notice being Coolum Hyatt Resort - Master Planned Document (Version DZF140207) prepared by Maroochy Shire Council, dated February 2007, and the following amendments:
  - a) Section 7.1. Table of Development Assessment (MCU) – Amend to allow 1250m<sup>2</sup> GFA for commercial, retail and restaurant gross floor area in Precinct 1 (Resort) to account for inclusion of the beach club GFA of 500m<sup>2</sup> into Precinct 1 Resort;
  - b) Section 7.4 Table for Density & Lot Reconfiguration - Amend the maximum lot size for multiple dwelling units to 7000m<sup>2</sup> from 5000m<sup>2</sup> to accommodate the site area of the nominated MDU site in Vantage 2.
  - c) Section 7.5 Table for Density - Amend to increase the proportion of detached dwellings permitted in Precinct 5B from 10% up to 100% and reduce the minimum number of dwellings permitted in the sub-precinct from 50 to 8 to reflect the amended number of detached dwellings.
  - d) Section 6 Levels of Assessment Table - Amend Lot Reconfiguration row Column 2 to include the following words "or ii) the Approved Plan of Development creating Precinct and Sub-Precinct Lots"
- 12 The applicant must lodge the amended Preliminary Approval Document and Plan of Development with Council for endorsement within one (1) month of this development approval taking effect

#### CONTRIBUTIONS

- 13 The applicant must pay development contributions associated with future applications for development permits arising from this Preliminary Approval prior to the commencement of use or plan sealing (whichever is applicable) in accordance with the relevant Council Policy at the time of payment
- 14 Prior to the commencement of use for any development arising from the Preliminary Approval, the applicant shall pay to Council a \$300,000 monetary contribution towards the refurbishment of the North Shore Multi-Sports Complex located at Pacific Paradise adjacent to the David Low Way and Mudjimba Beach Road
- 15 Prior to the commencement of use for any development arising from the Preliminary Approval, the applicant must pay to Council a bushfire contribution in the amount of \$50,000 to be used by the Council for the preparation/implementation of a Bushfire Management Strategy within the Esplanade (fore-dune and dune area)
- 16 Prior to the commencement of use for any development arising from the Preliminary Approval, the applicant shall pay to Council an additional roadwork network contribution in the amount of \$1,000,000 towards the upgrade and or construction of the proposed South Coolum Road connection to Suncoast Beach Drive in the Mount Coolum area

#### PRELIMINARY APPROVAL AREA

- 17 The Preliminary Approval Area is the area identified as "*Application Area*" on the approved Drawing No: Figure 1, Application Area prepared by Ken Hicks and Associates, 12 January 2007 and Precincts 1 to 5 on the approved Plan of Development, Drawing No: HC-OLL-RFI POD060626, prepared by Lend Lease, 26 June 2006 (as amended)



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**CURRENCY PERIOD**

- 18 This Preliminary Approval has a currency period of 8 years from the date that this approval takes effect

**PRELIMINARY APPROVAL DOCUMENT**

- 19 All future development of the subject land must be undertaken in accordance with the provisions of the Preliminary Approval Document, Coolum Hyatt Resort - Master Planned Document (Version IR250606), prepared by Ken Hicks and Associates, June 2006 (as amended), the Plan of Development, Drawing No: HC-OLL-RFI POD060626, prepared by Lend Lease, 26 June 2006 (as amended) and Maroochy Plan 2000 Codes and Policies
- 20 Where the Preliminary Approval Document is "silent" on a particular issue, the provisions contained in Maroochy Plan 2000 shall take effect
- 21 For the assessment of development under the Preliminary Approval Document by Council as assessment manager, where there is any question as to the applicability the Preliminary Approval Document or an applicable Planning Code to development, the applicability of the of the Preliminary Approval Document or Applicable Planning Code shall be as determined by Council
- 22 All Maroochy Plan 2000 Codes and Policies are applicable to development of the subject land unless otherwise specified in the Preliminary Approval Document , Coolum Hyatt Resort - Master Planned Document (Version IR250606), prepared by Ken Hicks and Associates, June 2006 (as amended)
- 23 Prior to or concurrent with the lodgement of the first development application for each sub-precinct as shown on the approved Plan of Development , Drawing No: HC-OLL-RFI POD060628, prepared by Lend Lease, 26 June 2006 (as amended), the applicant must submit a detailed Plan of Development for that Sub-Precinct for Council endorsement
- 24 The Sub-Precinct Plan of Development must include the following minimum information:
- a) Indication of uses and their location within the Precinct/Sub-Precinct;
  - b) The transition between uses within Precinct/Sub-Precinct;
  - c) The location of legible permeable open space;
  - d) A pedestrian/vehicular movement networks to facilitate safe movement between Precincts/Sub-Precincts
  - e) An indication of lot layout
- 25 Unless stated otherwise, all conditions must be complied with prior to the commencement of the use or the endorsement of the survey plan

**LEVEL OF ASSESSMENT**

- 26 The Preliminary Approval Document, Coolum Hyatt Resort - Master Planned Document (Version IR250606), prepared by Ken Hicks and Associates, June 2006 (as amended) varies the effect of Maroochy Plan 2000 for the Preliminary Approval Area pursuant to Section 3.1.6 of the Integrated Planning Act 1997 by:
- a) Changing the level of assessment for each Precinct/Sub-Precinct in accordance with the Supplementary Tables of Assessment contained within the Preliminary Approval Document, Coolum Hyatt Resort - Master Planned Document (Version IR250606), prepared by Ken Hicks and Associates, June 2006 (as amended);
  - b) Identifying development as Self-Assessable or Code-Assessable where in accordance with the Supplementary Tables of Assessment

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- c) Identifying development as Impact Assessable if not indicated as Code or Self Assessable within the Supplementary Tables of Assessment
  - d) Providing Definitions, statements of Precinct Intent, Preferred Uses, and Landscape and Built Form different from those contained within Maroochy Plan 2000 for each Precinct/Sub-Precinct
  - e) Establishing a maximum development density for the Preliminary Approval Area and Precincts/Sub-Precincts
- 27 The level of assessment for all future applications within the Preliminary Approval Area must be in accordance with the Supplementary Tables of Assessment contained within the approved Preliminary Approval Document, Coolum Hyatt Resort - Master Planned Document (Version IR250606), prepared by Ken Hicks and Associates, June 2006 (as amended)

#### APPROVED USE

- 28 The approved use is for the *Coolum Hyatt Resort Community: An Integrated Resort and Residential Community* consisting of 5 distinct Precincts, which include a resort precinct, an 18 hole golf course precinct, and 3 residential precincts accommodating up to 660 dwelling units within community title schemes, generally in accordance with the approved Preliminary Approval Document, Coolum Hyatt Resort - Master Planned Document (Version IR250606), prepared by Ken Hicks and Associates, June 2006 (as amended) and the approved Hyatt Regency Coolum Plan of Development, Drawing No: HC-OLL-RFI POD060626, prepared by Lend Lease, 26 June 2006 (as amended)
- 29 The applicant must ensure that the development of the subject land pursuant to the Preliminary Approval Document and Plan of Development the is integrated through a combination of:
- a) Physical Circulation Networks in accordance with the approved Mobility Plan;
  - b) Built Form and Landscape controls, including covenants;
  - c) Community Title Schemes, including an inclusive parent scheme;
  - d) Access Easements;
  - e) Contractual Agreements between the owner/operator and future residential owners;
  - f) Buggy Access Licenses; and
  - g) Resort Facilities Licenses
- 30 The approved use as it relates to the Precinct 1 (Resort) is for a consolidated, refurbished resort generally in accordance with the provisions of 6.1 of the approved Preliminary Approval Document and Plan of Development (as amended). The applicant must continue to provide a minimum of 454 vehicle parking bays for resort guests, visitors, golf course patrons, staff and valet parking. The parking must be provided and maintained prior to any development of the subject land which may impact on the existing parking
- 31 The approved use as it relates to the Precinct 2 (Golf Course) is for a redesigned 18-hole golf course and special events generally in accordance with the provisions of 6.2 of the approved Preliminary Approval Document and Plan of Development, Drawing No: HC-OLL-RFI POD060626, prepared by Lend Lease, 26 June 2006 (as amended)
- 32 The approved use as it relates to the Precinct 3-5 (Beachside, Vantage and Central Villages) is for Community Title Scheme residential development (with private roads and infrastructure), generally in accordance with the provisions of 6.3, 6.4 and 6.5 respectively of the approved Preliminary Approval Document and Plan of Development (as amended) to a maximum of 660 new dwelling units

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**PREFERRED USES**

- 33 The Preferred Uses are those identified in the Precinct and Sub-Precinct Supplementary Tables of Assessment for Material Change of Use consistent with the Planning Intent statement for each Precinct or Sub-Precinct identified in the approved Preliminary Approval Document, Coolum Hyatt Resort - Master Planned Document (Version IR250606), prepared by Ken Hicks and Associates, June 2006 (as amended)

**LOT RECONFIGURATION**

- 34 The applicant must ensure that lot sizes and frontages are in accordance with the Precinct and Sub-Precinct Supplementary Tables for Lot Reconfiguration contained within the approved Preliminary Approval Document as amended
- 35 The applicant must ensure that multiple dwelling unit lots located within all Beachside Sub-Precincts other than Sub-Precinct 3F are not adjoining or proximate and are interspersed amongst other development (houses/dual occupancies) to ensure appropriate integration of development and to minimise their visual impact on the amenity of the area, except for sites immediately adjoining the northern and southern boundaries of Sub-Precinct 3F.

**HEIGHT**

- 36 Building heights (in storeys and metres) must be in accordance with the Precinct and Sub-Precinct Supplementary Tables for Building Height identified in the approved Preliminary Approval Document, Coolum Hyatt Resort - Master Planned Document (Version IR250606), prepared by Ken Hicks and Associates, June 2006 (as amended)
- 37 The following maximum height limits above Finished Surface Level (FSL) as defined in the Preliminary Approval Document apply and take precedence:
- Detached dwellings/dual occupancies must not exceed 2 storeys/8.5 metres;
  - The maximum building height within Precinct 4 (Vantage) must not exceed 2 storeys/8.5 metres, or 10 metres (but not more than 2 storeys) where the natural slope of the land exceeds 15%
  - Multiple dwelling units located on lots adjacent to the David Low Way and Warren Road must not exceed a maximum height of 2 storeys/8.5 metres
  - Multiple dwelling units on all lots located west of the David Low Way within the Central Sub-Precinct 5B must not exceed a maximum height of 3 storeys/12 metres;
  - Multiple dwelling units located on all lots east of the David Low Way within the Beachside Sub-Precinct 3F must not exceed a maximum height of 4 storeys/16 metres

**DENSITY**

- 38 The maximum allowable residential density for the Preliminary Approval Area (development site) is 660 dwelling units as follows:
- Beachside Precinct 450
  - Vantage Precinct 85
  - Central Precinct 125
- 39 The maximum allowable residential density for Sub-Precincts must be in accordance with the Supplementary Tables for Density contained within the approved Preliminary Approval Document, Coolum Hyatt Resort - Master Planned Document (Version IR250606), prepared by Ken Hicks and Associates, June 2006

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- (as amended), but the cumulative total must not exceed the maximum allowable Precinct density (Beachside, Vantage, Central) as stated above
- 40 The applicant may redistribute unrealised dwelling unit density from Beachside Sub-Precincts 3F into other Beachside Sub-Precincts if the maximum allowable Sub-Precincts 3F density (140 units) cannot be achieved within the approved dwelling unit factor (DUF) and height limits
- 41 The applicant may redistribute unrealised dwelling unit density from Central Sub-Precincts 5B into Central Sub-Precinct 5A if the maximum allowable Sub-Precincts 5B density cannot be achieved within the approved dwelling unit factor (DUF) and height limits
- 42 All applications for Reconfiguration of a Lot lodged over Beachside and Central Precincts must be accompanied by a Supplementary Table of Development Density which provides details of the existing, approved and proposed number of dwelling units within the Preliminary Approval Area, the Precinct and Sub-Precinct

#### COMMUNITY TITLE

- 43 Site access, internal streets, on-street vehicle parking, landscaping, open-space and other physical elements of the development, including all infrastructure within the site, must be designated as common property within community title schemes and must be the responsibility of the relevant body corporate(s)
- 44 (Deleted 11/07/07)
- 45 The proposed resort carpark and beach club facilities identified on the approved Plan of Development, Drawing No: HC-OLL-RFI POD060626, prepared by Lend Lease, 26 June 2006 (as amended) as Sub-Precinct 1B (Resort Carparking) and Sub-Precinct 1C (Resort Beach Club) must be included in the same lot/title as that for Precinct 1 (Resort) and must not be separately titled
- 46 Prior to the endorsement of the Plan of Subdivision to create a community title scheme, the applicant must submit a community management statement, endorsed by the applicant for Council endorsement
- 47 The community management statement(s) must ensure consistency of built form and landscape outcomes throughout the Preliminary Approval Area (development site)
- 48 The applicant must ensure that each Precinct and Sub-Precinct provides an entrance statement at the entry point of the each Precinct and/ or Sub-Precinct in accordance with Element 3, P1 A1.1 of the Code for Operational Works (Engineering)
- 49 The applicant must ensure that the Precinct or Sub-Precinct estate name and street numbers are clearly displayed at the entrance, with name and street number being at least 300 mm minimum height in accordance with Element 3, P1 A1.2 of the Code for Operational Works (Engineering)
- 50 The applicant must ensure that all roadworks, stormwater drainage and other physical infrastructure is designed and constructed in accordance with the requirements of Element 3 (*Additional Requirements for Development for Community Title Purposes*) of the Code for Operational Works (Engineering)

#### DESIGN FOR CLIMATE

- 51 The applicant must ensure that building plans submitted with the Building Works applications comply with Maroochy Plan 2000 Design for Climate Code

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**VEHICLE ACCESS**

- 52 Vehicle access must be generally in accordance with the Plan of Development, Drawing No: HC-OLL-RFI POD060626, prepared by Lend Lease, 26 June 2006 (as amended)
- 53 Site access to Precinct 3 (Beachside) must be from a 2 lane roundabout on the David Low Way constructed by the applicant in accordance with Department of Main Roads conditions (attached)
- 54 Separate vehicular access to Precinct 1 (Resort) must continue from Warran Road in accordance with the approved Plan of Development, Road Hierarchy Plan and Mobility Plan as amended
- 55 Private vehicle access to each residential Precinct must be provided separately in accordance with the access identified on the approved Plan of Development, Drawing No: HC-OLL-RFI POD060626, prepared by Lend Lease, 26 June 2006, Mobility Plan, Drawing No: HC-OLL-RFI MOBP060623 and Road Hierarchy Plan, Drawing No: HC-OLL-RFI RH060913 (as amended)
- 56 No private vehicle access is permitted to Precinct 1A (Resort) or Precinct 2 (Golf Course) from Beachside, Central or Vantage Precincts
- 57 Access to Precinct 1 (Resort) from Valerie Street is restricted to service vehicles
- 58 The applicant must ensure continuing access to Visage from Toolga Street only via an access easement
- 59 The intersection of the proposed vehicle access street with Warran Road to serve Precinct 5 must be located so that the intersection sight distance along Warran Road available to drivers leaving the proposed access street is at least equivalent to a five second gap in accordance with the requirements of AS2890.1
- 60 The applicant must register access easements as required prior to the commencement of use for any stage of development

**INTERNAL CIRCULATION**

- 61 Internal circulation must be generally in accordance with the approved Plan of Development, Drawing No: HC-OLL-RFI POD060626, prepared by Lend Lease, 26 June 2006 (as amended) and Mobility Plan, Drawing No: HC-OLL-RFI MOBP060623 as amended
- 62 Private vehicular circulation must be in accordance with the approved Mobility Plans and Road Hierarchy Plan, Drawing No: HC-OLL-RFI RH060913 as amended
- 63 Internal circulation accommodating pedestrian, cycle, golf buggy and resort shuttle transportation must be generally in accordance with the approved Mobility Plans and Road Hierarchy Plan, Drawing No: HC-OLL-RFI RH060913 as amended
- 64 The applicant must ensure separation of vehicular, golf buggy and pedestrian/cycle paths in accordance with the approved Mobility Plans and Mobility Sections/Elevation Plans as amended
- 65 Prior to the commencement of use or plan sealing for any approval relating to residential development, the applicant must provide access and circulation to that stage of development in accordance with the approved Mobility Plan, Drawing No: HC-OLL-RFI RH060913 and Staging Plan, Drawing No: HC-OLL-RFI STG060623 as amended, but having regard to the continuing operational requirements of the resort and golf course. Some temporary works and/or bonding of permanent works may be considered on a stage by stage basis at the sole discretion of Council

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**PARKING**

- 66 The applicant must ensure the on-going provision at all times of a minimum of 454 on-site car parking spaces to service Precinct 1 (Resort) and Precinct 2 (Golf Course) generally in accordance with the approved Proposed Car Parking Layout Plan, Drawing No: HC-CT-060915, including the approved Driving Range Car Park Drawing No: HC-CT-061120 and Commissary Car Park Plans, Drawing No: HC-CT-0611 21 amended as necessary to accord with AS2890.1
- 67 All carpark layouts, including carpark circulation areas and widths, must be provided in accordance with the requirements of AS2890.1
- 68 Any change to the layout or capacity of the Commissary Car Park within Precinct 5 (Central) resulting from development arising from this Preliminary Approval will require a proportional change (increase) in the capacity of the Central Parking Facility (Driving Range Car Park) to accommodate the reduction in the number of parking bays
- 69 Prior to the plan sealing for the last stage of residential development within Central Sub-Precinct 5A, the applicant must provide a minimum of 454 vehicle parking spaces to service Precinct 1 (Resort) and Precinct 2 (Golf Course) within the Central Parking Facility identified on the approved Plan of Development as "CP" and referred to as Sub-Precinct 1B (Resort Carparking)

**PEDESTRIAN/CYCLE UNDERPASS**

- 70 Prior to the commencement of use for any development within Precinct 3 (Beachside) arising from the Preliminary Approval, the applicant must construct a separate underpass beneath David Low Way for the shared use of pedestrians and cyclists
- 71 The minimum clear width of the underpass must be a minimum of 3.6 metres and the minimum clear height from finished surface level to ceiling must be a minimum of 2.5 metres
- 72 The underpass must be located on the southern side of the existing culvert underpass structure beneath David Low Way and form part of the proposed pedestrian/cycle path network throughout the site generally in accordance with the approved Mobility Plans
- 73 The underpass and approaches must be designed in accordance with Austroads' Guide to Traffic Engineering Practice Part 14 (Bicycles)
- 74 Lighting for the underpass and approaches must be provided and designed in accordance with AS/NZS 1158 (lighting subcategory P10)
- 75 The underpass must be bunded to ensure flood immunity

**PRECINCT 1 (RESORT)**

- 76 The applicant must undertake development within Precinct 1 (Resort) in accordance with the approved Preliminary Approval Document, Coolum Hyatt Resort - Master Planned Document (Version IR250606), prepared by Ken Hicks and Associates, June 2006 (as amended)
- 77 Prior to or concurrent with lodging an application for any development permit arising from the Preliminary Approval, the applicant must provide Council with a Resort Refurbishment Plan for Precinct 1 (Resort), which includes a refurbishment budget and schedule
- 78 The Resort Refurbishment Plan must provide for a minimum resort refurbishment budget of \$7,000,000 (in 2006 dollars indexed to the construction cost index)
- 79 The applicant must pay all costs associated with implementing the Resort Refurbishment Plan in accordance with resort refurbishment budget and schedule

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- 80 The Resort Refurbishment Plan must be undertaken progressively in accordance with the schedule and must be fully realized within 5 years of the Preliminary Approval taking effect or as otherwise agreed/approved by Council
- 81 The Resort Refurbishment Plan must be audited and certified on an annual basis (30 June each year) by an independent third party acceptable to both Council and the applicant at the applicant's cost
- 82 The audit report must identify the progress of resort refurbishment against the schedule
- 83 A copy of each audit report must be provided to the Council's Planning Assessment Unit and Compliance Branches by 15 July each year
- 84 Access to the Precinct 1 (Resort) services and facilities shall be based on a priority system with preference given to Resort guests and the Presidents/Ambassadors Clubs (The Clubs) in accordance with the applicant's Information Response dated 26 June 2006
- 85 Concurrent with the commencement of use of ~~the new Golf Course on the western side of the David Low Way~~ **any multiple dwelling unit within Precinct 3F**, the applicant must **have commenced** construction of a new expanded resort beach club facilities incorporating shop and restaurant/café facilities adjacent to a new lagoon style pool for use by both resort guests and residents, in accordance with the Intent statement contained within 6.3 of the Preliminary Approval Document, Coolum Hyatt Resort - Master Planned Document (Version IR250606), prepared by Ken Hicks and Associates, June 2006 (as amended).
- 86 The applicant must ensure that the new resort beach club provides on-site parking for a minimum of 20 vehicles
- 87 The existing beach club facilities (pool, change rooms and canteen), or alternative beach club facilities providing the same level of facilities as the existing beach club, must be provided in Precinct 3 until the new, expanded resort beach club facilities are operational
- 88 New expanded beach club facilities must be included within Sub-Precinct 1C (Resort Beach Club) in accordance with Drawing No HC-OLL-RFI POD061212 prepared by Lend Lease dated 12 December 2006 and the approved Plan of Development, Drawing No: HC-OLL-RFI POD060626, prepared by Lend Lease, 26 June 2006 (as amended)
- 89 The applicant must register access easements (vehicular and pedestrian) in favour of Precinct 1 (Resort) over Precinct 2 (Golf Course) and Precinct 3 (Beachside) in accordance with the approved Mobility Plans to ensure continued access between Sub-Precinct 1A (Resort), Sub-Precinct 1B (Resort Carparking) and Sub-Precinct 1C (Resort Beach Club) and to ensure continuing resort access to the beach
- 90 Prior to the plan sealing of the first stage within the Resort Residential Precinct 3F for residential purposes, the applicant must provide an upgraded central beach access path that provides for equitable access, new lifeguard tower and lifeguard services in accordance with the conditions of this approval and the Approved Plans (as amended)

#### **PRECINCT 2 (GOLF COURSE)**

- 91 The applicant must undertake development within Precinct 2 (Golf Course) in accordance with the approved Preliminary Approval Document, Coolum Hyatt Resort - Master Planned Document (Version IR250606), prepared by Ken Hicks and Associates, June 2006 (as amended)
- 92 The applicant must ensure that the new redesigned 18 hole golf course specified in the Preliminary Approval Document is completed and fully operational prior to the abandonment of all or any part of the existing 18 hole golf course and prior to the

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- plan sealing for reconfiguration of a lot for commencement of use for any use for any development within any Beachside Sub-Precinct which contains an existing golf hole
- 93 The applicant must amend the approved Staging Plan, Drawing No: HC-OLL-RFI STG060623 to be consistent with the above condition
- 94 Prior to the commencement of use of the new relocated 18 hole golf course, the applicant must register a statutory covenant over Precinct 2 (Golf Course) to ensure its retention and use as recreational open space (Golf Course), special events with associated parking and occasional other recreational purposes as approved by Council
- 95 The covenant must contain a clause which prevents the future lodgment of a Development Applications in respect of the Golf Course for any use other than:
- a) recreational open space (Golf Course);
  - b) special events in accordance with existing approvals (MCU02/0161) with associated parking; and
  - c) occasional other recreational purposes as approved by Council; and
  - d) a water recycling and reuse project located in non play areas of the golf course; and**
  - e) access roads and paths for resort and residential purposes**
- 96 Prior to the commencement of use of the new redesigned golf course, the applicant must register a drainage easement over those portions of Precinct 2 (Golf Course) required for stormwater/flood management as identified by the approved Cardno Flood Study
- 97 Easement plans and documents must be lodged with Council for checking and endorsement prior to Council's endorsement of the Survey Plan

### **PRECINCT 3 (BEACHSIDE)**

- 98 The applicant must undertake development within Precinct 3 (Beachside) in accordance with the approved Preliminary Approval Document, Coolum Hyatt Resort - Master Planned Document (Version IR250606), prepared by Ken Hicks and Associates, June 2006 (as amended)
- 99 Within 12 months of the sealing of the survey plan for the last stage of residential development within the Preliminary Approval Area or by 31 December 2013, whichever is earlier, the applicant must transfer the land containing the existing Hyatt sales centre (including the building, access, all infrastructure and the carpark) in good order and repair, along with an additional 20 car parking bays to Council in fee simple for the purposes of a community centre
- 100 Prior to plan sealing or commencement of use for development within:
- a) Beachside Sub-Precinct 3C or 3D, the applicant must design and construct a 2 metre wide concrete path (Public Access Path) with street trees to provide approximately 80% shade cover, which provides access from the David Low Way adjacent to the existing Hyatt sales centre to the **northern and existing** beach access in accordance with the approved plans;
  - b) **Beachside Sub-Precinct 3B or 3E**, the applicant must design and construct a 2 metre wide concrete path (Public Access Path) with street trees to provide approximately 80% shade cover, which provides access from the David Low Way roundabout to the southern beach access in accordance with the approved plans
  - c) **Beachside Sub-Precinct 3F and 1C**, the applicant must design and construct a 2 metre wide concrete path (Public Access Path) with street



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trees to provide approximately 80% shade cover, which provides access from the David Low Way roundabout to the existing beach access in accordance with the approved plans

- 101 Prior to plan sealing or commencement of use for development within:
- a) Beachside Sub-Precinct 3C or 3D, the applicant must register a public access easement in favour of Council over the Public Access Path to allow pedestrian access from the David Low Way to the northern and existing beach access way in accordance with the approved plans
  - b) Beachside Sub-Precinct 3B or 3E, the applicant must register a public access easement in favour of Council over the Public Access Path to allow pedestrian access from the David Low Way roundabout to the southern beach access in accordance with the approved plans
  - c) Beachside Sub-Precinct 3F and 1C, the applicant must register a public access easement in favour of Council over the Public Access Path to allow pedestrian access from the David Low Way roundabout to the existing beach access in accordance with the approved plans.

#### **PRECINCT 4 (VANTAGE)**

- 102 The applicant must undertake development within Precinct 4 (Vantage) in accordance with the approved Preliminary Approval Document, Coolum Hyatt Resort - Master Planned Document (Version IR250606), prepared by Ken Hicks and Associates, June 2006 (as amended)
- 103 The applicant must ensure that building height within Vantage does not exceed 2 storeys/8.5 metres or 10 metres (but not more than 2 storeys) where the natural slope of the land exceeds 15%.
- 104 Prior to the commencement of use for any development arising from the Preliminary Approval relating to Precinct 4 (Vantage), the applicant must construct a community nursery south of Vantage accessing from Warran Road generally in accordance with the conditions of existing Operational Works approvals - OPW04/0276 and OPW06/0094

#### **PRECINCT 5 (CENTRAL)**

- 105 The applicant must undertake development within Precinct 5 (Central) in accordance with the approved Preliminary Approval Document, Coolum Hyatt Resort - Master Planned Document (Version IR250606), prepared by Ken Hicks and Associates, June 2006 (as amended)
- 106 Residential development may only occur in Central Sub-Precinct 5A once back of house facilities (including the commissary & car parking) are relocated, reallocated or consolidated into Precinct 1 (Resort) and/or Precinct 2 (Golf Course) in the area identified on the approved Plan of Development, Drawing No: HC-OLL-RFI POD060626, prepared by Lend Lease, 26 June 2006 (as amended) as CP (central car park) or elsewhere acceptable to Council
- 107 Prior to any application to relocate back of house facilities (including commissary and carparking), the applicant must demonstrate to Council's satisfaction that all back of house facilities, may be adequately accommodated within Precinct 1 (Resort) and/or Precinct 2 (Golf Course) in the area identified on the approved Plan of Development as CP (central carpark) or otherwise without detrimental impact on existing resort facilities
- 108 Prior to any application for residential development in Sub-Precinct 5A, the applicant must submit to Council for endorsement, a plan (including an amended Precinct 1 (Resort) site plan as required, demonstrating how back of house facilities may be accommodated within Precinct 1. The applicant must obtain all

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necessary approvals to facilitate the relocation without detrimentally impacting resort operations

#### **INTERSECTION UPGRADES**

##### **Tanah Street/ David Low Way Intersection**

109 Prior to plan sealing or commencement of use for development related to or within Precinct 3 (Beachside), the applicant must undertake works to either:

- a) Upgrade the Tanah Street / David Low Way intersection to a four-way signalised intersection. The design and layout of the intersection upgrade and traffic signals must be in accordance with the requirements of the Queensland Department of Main Roads. Protected right turn lanes must be provided on both Tanah Street intersection approaches. Pedestrian crossings must be incorporated into the traffic signals and existing bus set-downs relocated as necessary to suit the intersection works. Land from the subject site on the northern and eastern corner of the intersection must be dedicated as road reserve as necessary to accommodate the intersection works, pathways and verges at no cost to Council or Main Roads. All works associated with the intersection upgrade and traffic signals, including relocation of services, lighting etc, must be carried out at no cost to Council or Main Roads; or
- b) Upgrade the Tanah Street / David Low Way intersection to provide a median pedestrian/cycle refuge island and two approach traffic lanes on the Tanah Street West approach for a minimum length of 40 metres, widen David Low Way to provide median pedestrian/cycle refuges on David Low Way each side of the intersection, and dedicate sufficient land from the subject site to ensure safe sight lines to achieve Safe Intersection Sight Distance from vehicles on the northern David Low Way approach to vehicles on the Tanah Street West approach are contained within road reserve. Land from the subject site must also be dedicated as road reserve as necessary to accommodate the intersection works, pathways and verges. All land required to be dedicated as road reserve from the subject site must be at no cost to Council or Main Roads. Sight distances and the design of all works must be in accordance with the requirements of the Queensland Department of Main Roads and their Road Planning and Design Manual. All works associated with the intersection upgrade, including relocation of services and bus set-downs, lighting etc, must be carried out at no cost to Council or Main Roads.

##### **Warran Road / David Low Way Intersection**

110 Prior to plan sealing or commencement of use for development related to Precinct 4 (Vantage) or Precinct 5 (Central), the applicant must at its own cost undertake works, including pavement widening, relocation of kerb and channel and bus stop shelters, pathways, verges, bus set-downs, services and lighting to:

- a) upgrade the Warran Road approach to the intersection to include a median pedestrian/cycle refuge island and a left turn auxiliary lane with a minimum vehicle storage length of 35 metres; and
- b) replace the existing bus stop shelter on the eastern side of the David Low Way south of the intersection with a new bus shelter at a location agreed with the Council; and
- c) upgrade David Low Way south of the intersection to include a median pedestrian/ cycle refuge island on David Low Way and connecting pathways to facilitate safe and convenient access to the bus stop shelter; and

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- d) ensure that the design, location and layout of the works is in accordance with Council's Planning Scheme Policy No. 6 (Transport, Traffic and Parking) and the requirements of the Queensland Department of Main Roads and the Council.

#### **Jenyor Street / Centenary Heights Road / Yarrock Street Intersection**

- 111 Prior to plan sealing or the commencement of use for development related to Precinct 4 (Vantage) or Precinct 5 (Central), the applicant must at its own cost, undertake works such as pavement widening, relocation of kerb and channel, pathways, verges, services and lighting to upgrade the Jenyor Street, Centenary Heights Road and Yarrock Street approaches to the intersection by:
  - a) aligning the Yarrock Street and Jenyor Street approaches; and
  - b) installing raised concrete median islands on each approach; and
  - c) installing kerb and channel for a distance of at least 30 metres on both sides of each approach; and
  - d) relocating the stop line on the Yarrock Street approach to improve sight distances as far as practicable.
  - e) ensuring that the design and layout of the works is in accordance with the Council's Planning Scheme Policy No. 6 (Transport, Traffic and Parking).
- 112 The applicant shall not accrue roadworks infrastructure credits for intersection upgrades, as the works are not identified in Council's Planning Scheme Development Contributions policy

#### **FRONTAGE WORKS**

##### **General**

- 113 The applicant must construct all frontage works associated with each stage of development prior to an application for plan sealing or commencement of use for that stage of development unless otherwise stated in this Decision Notice
- 114 The applicant must have completed all frontage works for the full frontage of the David Low Way, Tanah Street East, Tanah Street West, Warrack Street, Warran Road, Jenyor Street and Warragah Parade prior to plan sealing for the last stage of development within the Preliminary Approval Area
- 115 The applicant must undertake frontage roadworks in accordance with the Maroochy Shire Council Planning Scheme Codes, Policies and Standard Specifications

##### **David Low Way**

- 116 The applicant must at its own cost undertake works to including pavement widening, relocation or construction of kerb and channel, pathways, verges, landscaping, bus set-downs, services and lighting to upgrade the David Low Way fronting the development site to an Urban Controlled Distributor road standard ensuring that the works:
  - a) comply with the Council's Planning Scheme Codes and Policies; and
  - b) provide site access to Precinct 3 (Beachside) via a 2 lane roundabout in accordance with conditions provided by the Department of Main Roads
  - c) provide for the widening of the sealed carriageway on both sides to provide a 3.5 metre through traffic lane and a minimum 2.0 metre wide breakdown lane (line marked as a cycle path) in accordance with Figure 4.5.1.5 of Planning Scheme Policy No. 6 (Transport, Traffic and Parking); and
  - d) additional widening where required for curves and auxiliary lanes; and
  - e) provide an edge beam on the eastern side of the David Low Way; and
  - f) provide an edge beam on the western side of the David Low Way; and

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- g) provide verges not less than 5 metres wide which are formed, topsoiled, landscaped and turfed/grassed for a minimum width of 2 metres from the back of kerb; and
  - h) *provide a 1.8 3.0 metre wide footpath along the eastern site with **extensive landscaping and street trees to ensure 80% shading, except where the distance between the kerb and significant parabolic dune vegetation or retaining structures does not allow, in which case the width of the footpath may be reduced as approved by Council**; and*
  - i) provide street lighting coordinated with the footpath of the eastern side with a minimum lighting category of V2; and
  - j) include line marking and road furniture; and
  - k) provide an new bus stop designed to Council's satisfaction; and
  - l) provide for stormwater drainage on the eastern side of the David Low Way in accordance with QUDM; and
  - m) provide for underground electricity reticulation on the eastern side of the David Low Way; and
  - n) meet all requirements of the Queensland Department of Main Roads; and
  - o) if necessary dedicate as road reserve land from the site to accommodate the works
- 117 The applicant must complete the David Low Way site access and frontage works for 100 metres to the north and south of the roundabout prior to the commence of use for any development within Precinct 3 (Beachside)
- 118 The applicant must complete David Low Way frontage works from Warragah Street to the site access on the development side prior to plan sealing or the commencement of use for development within Beachside Sub-Precincts 3C or 3D
- 119 The applicant must complete David Low Way frontage works from Tanah Street East to the site access on the development side prior to plan sealing or the commencement of use for development within Beachside Sub-Precincts 3A, 3B, 3E or 3F
- 120 The applicant must complete frontage works on the west side of the David Low Way prior to the commencement of use of the new redesigned golf course

#### **Tanah Street West**

- 121 Prior to plan sealing or the commencement of use for development within Precinct 3 (Beachside), the applicant must at its own cost undertake works, including pavement widening, pathways, verges, landscaping, services, lighting, and bus set-downs to upgrade Tanah Street West fronting the site to a Neighbourhood Collector standard ensuring that the works:
- a) comply with the Council's Planning Scheme Codes and Policies; and
  - b) provide for the widening of the sealed carriageway where required in accordance with Figure 4.5.2.3 of Planning Scheme Policy No. 6 (Transport, Traffic and Parking);
  - c) provide for additional widening where required for curves, intersections and auxiliary lanes; and
  - d) provide an edge beam (flush kerb); and
  - e) provide verges not less than 4 metres wide which are formed, topsoiled, landscaped and turfed / grassed for a minimum width of 2 metres from the back of kerb; and
  - f) provide a 1.8 metre wide footpath (or to match existing) with street trees to ensure 80% shading; and
  - g) provide an upgraded and widened Tanah Street West approach to its intersection with David Low Way to provide a median pedestrian/cycle refuge

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- island at the intersection and two approach traffic lanes for a minimum storage length of 40 metres; and
- h) include line marking and road furniture; and
- i) provide for stormwater drainage as required; and
- j) include, where necessary, the dedication of land from the site to accommodate on road reserve all required and existing roadworks and pathways on Tanah Street West and at its intersection with David Low Way

#### **Warran Road/Jenyor Street**

122a Prior to plan sealing or the commencement of use for development within Precinct 4 (Vantage), the applicant must at its own cost undertake works including pavement widening, relocation or completion of kerb and channel, pathways, verges, landscaping, services, lighting and bus set-downs, to upgrade Jenyor Street and Warran Road fronting the site from the western boundary of Precinct 4 to the western boundary of Precinct 5 to District Collector standard ensuring that the works:

- a) comply with the Council's Planning Scheme Codes and Policies; and
- b) provide for the widening of the sealed carriageway in accordance with Figure 4.5.2.2 of Planning Scheme Policy No. 6 (Transport, Traffic and Parking); and
- c) include semi-mountable kerb and channel; and
- d) provide verges not less than 4 metres wide which are formed, topsoiled, landscaped and turfed / grassed for a minimum width of 2 metres from the back of kerb; and
- e) provide a 2.0 metre wide footpath from Centenary Heights Road to the David Low Way along the full frontage of the site with street trees to ensure 80% shading; and
- f) include line marking and road furniture; and
- g) provide for underground stormwater drainage in accordance with QUDM; and
- h) if necessary dedicate as road reserve land from the site to accommodate the works

122b Prior to plan sealing or the commencement of use for development within Precinct 5 (Central), the applicant must at its own cost undertake works including pavement widening, relocation or completion of kerb and channel, pathways, verges, landscaping, services, lighting and bus set-downs, to upgrade Warran Road fronting the site from the western boundary of Precinct 5 to the David Low Way to District Collector standard ensuring that the works:

- a) comply with the Council's Planning Scheme Codes and Policies; and
- b) provide for the widening of the sealed carriageway in accordance with Figure 4.5.2.2 of Planning Scheme Policy No. 6 (Transport, Traffic and Parking); and
- c) include semi-mountable kerb and channel; and
- d) provide verges not less than 4 metres wide which are formed, topsoiled, landscaped and turfed / grassed for a minimum width of 2 metres from the back of kerb; and
- e) provide a 2.0 metre wide footpath from Centenary Heights Road to the David Low Way along the full frontage of the site with street trees to ensure 80% shading; and
- f) include line marking and road furniture; and
- g) provide for underground stormwater drainage in accordance with QUDM; and
- h) if necessary dedicate as road reserve land from the site to accommodate the works

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**Tanah Street East**

- 123 Prior to plan sealing or the commencement of use for development in Beachside Sub-Precinct 3A, the applicant must at its own cost undertake works including pavement widening, relocation or completion of kerb and channel, pathways, verges, services and lighting to upgrade Tanah Street East fronting the site to Access Street standard ensuring that the works:
- a) comply with the Council's Planning Scheme Codes and Policies; and
  - b) provide for the widening of the sealed carriageway in accordance with Figure 4.5.2.5 of Planning Scheme Policy No. 6 (Transport, Traffic and Parking); and
  - c) include semi-mountable kerb and channel; and
  - d) provide verges not less than 4 metres wide which are formed, topsoiled, landscaped and turfed / grassed for a minimum width of 2 metres from the back of kerb; and
  - e) *provide a ~~2.0~~ 3.0 metres wide footpath with extensive landscaping and street trees to ensure 80% shading except where the distance between the back of the kerb and existing infrastructure does not allow, in which case the width of the footpath may be reduced as approved by Council; and*
  - f) include line marking and road furniture; and
  - g) provide for underground stormwater drainage in accordance with QUDM; and
  - h) if necessary dedicate as road reserve land from the site to accommodate the works

**Warragah Parade**

- 124 Prior to plan sealing or the commencement of use for the last Beachside Sub-Precinct to be developed, the applicant must at its own cost undertake works on the development side, including pavement widening, relocation or completion of kerb and channel, pathways, verges, services and lighting to upgrade Warragah Parade fronting the site to Access Street standard ensuring that the works:
- a) comply with the Council's Planning Scheme Codes and Policies; and
  - b) provide for the widening of the sealed carriageway along the existing nominal edge and
  - c) include straight line edge beam (flush kerb); and
  - d) provide a turnaround and car park for Birrahl Park; and
  - e) Deleted
  - f) provide a ~~1.8~~ 3.0 metre wide footpath with street trees to ensure 80% shading **except where the distance between the back of the kerb and retaining infrastructure or significant parabolic dune vegetation does not allow, in which case the width of the footpath may be reduced as approved by Council; and**
  - g) include line marking and road furniture; and
  - h) provide for stormwater drainage as required; and
  - i) if necessary dedicate as road reserve land from the site to accommodate the works.

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**Warrack Street**

- 125 Prior to plan sealing or the commencement of use for development in Precinct 4 (Vantage), the applicant must at its own cost undertake works, including, relocation or completion of kerb and channel, stormwater drainage, verges, landscaping, services and lighting to upgrade Warrack Street fronting the Hyatt Precinct from Centenary Heights Road to Valerie Street to Minor Collector standard ensuring that the works:
- comply with the Council's Planning Scheme Codes and Policies and QUDM; and
  - include semi-mountable kerb and channel; and
  - provide retaining walls as required; and
  - provide for stormwater drainage in accordance with QUDM; and
  - provide verges where possible which are formed, topsoiled, landscaped and/or turfed / grassed from the back of kerb

**Centenary Heights Road**

- 126 Prior to plan sealing or the commencement of use for development in Precinct 4 (Vantage), the Applicant must at its own cost undertake additional frontage works including road widening as necessary, kerb and channel and stormwater drainage in accordance with QUDM along the development side of Centenary Heights Road between the Jeynor Street and Warrack Street intersections

**Mt Coolum Public Car Park**

- 127 Within 12 months of the Preliminary Approval taking effect, the applicant must undertake upgrade works to the existing Mt Coolum car park at the base of the Mt Coolum walk located on Tannah Street West. These works must include the bitumen sealing and line marking of the current car park surface area together with the provision of a entry/exit from Tannah Street West compliant with the requirements of Maroochy Plan 2000

**Esplanade Bikeway**

- 128 The applicant must at its own cost undertake works to design, and construct a minimum 3 metres wide concrete cycle/pedestrian path ~~within the Esplanade along the frontage of the eastern boundary of the Site from Tanah Street East to Warragah Parade~~ **from the Esplanade along Tanah Street East to David Low Way and along the David Low Way to Warragah Parade, and along Warragah Parade to the Council Park** in accordance with the requirements of Planning Scheme Policy DC2 - Provision of Bikeways and Bicycle Facilities and the ~~Dune Esplanade Path~~ **Regional Cycleway Connection Path** Alignment Plan (the Bikeway) and revegetate any areas disturbed by the Bikeway using native plants endemic to the ~~foredune/ dune area~~. **The Tanah Street to Warragah Parade section must be complete** within 12 months of the receipt of the relevant ~~this~~ **approvals (CCC09/0021)**, and the applicant must pay all costs associated with the design, construction and obtaining approvals ~~as required by the Infrastructure Agreement~~
- 129 Within 3 months of this ~~Preliminary Approval (CCC09/0021)~~ **Preliminary Approval (CCC09/0021)** taking effect, the applicant must ~~seek all necessary approvals and lodge all necessary applications required to undertake~~ **commence** construction of the cycle/pedestrian path in accordance with the approved plan **along Tanah Street East**
- 130 The Bikeway works must be completed ~~within 12 months of obtaining approvals~~ **by 31 December 2010**

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- 131 The applicant must provide a water fountain ~~at the intersection of the Bikeway and existing beach access~~, and street furniture (ie seating benches and picnic tables) ~~at strategic locations along the Bikeway~~ **the future community centre** to the reasonable satisfaction of the Council

#### INFRASTRUCTURE

- 132 The applicant must amend the Staging Plan, Drawing No: HC-OLL-RFI STG060623 to be in accordance with the conditions of this Preliminary Approval
- 133 The applicant must submit an Infrastructure Staging Plan consistent with the amended Staging Plan, Drawing No: HC-OLL-RFI STG060623 (as amended) prior to or concurrent with any application for development permits for Reconfiguration of a Lot and/or Material Change of Use arising from this Preliminary Approval
- 134 The applicant must provide all required Community Title Scheme infrastructure associated with a particular stage of development prior to any application for plan sealing for that stage at no cost to Council in accordance with the approved Infrastructure Staging Plan
- 135 The applicant must ensure that the relevant body corporate is responsible for the on-going maintenance of all Community Title Scheme infrastructure

#### VEGETATION PROTECTION

- 136 The applicant must either ensure that vegetation required to be retained as part of previous Operational Works approval (OPW04/0276) is retained and that the approved Plan of Development, Drawing No: HC-OLL-RFI POD060626, prepared by Lend Lease, 26 June 2006 (as amended) and Vegetation Buffer Plan, Drawing No HC-OLL-RFI VB 060623 are amended to incorporate it as part of Sub-Precinct 3H (Open Space and Buffer) or Sub-Precinct 1C (Resort Beach Club); or alternatively
- 137 The applicant must rehabilitate an equivalent amount of vegetation (demonstrating no net loss) in accordance with an approved rehabilitation plan which must include:
- a) Landscaping and open space design in the vicinity of sub-precincts 3D, 3E and 3F generally in accordance with proposed Drawing No HCBS-3F-BCB 060701 (Sheets 1 & 2) Sub-Precinct 3F Beach Club Precinct Buffer Plan prepared by Lend Lease dated 01/06/2007 to address the Planning Area Vision Statement envisaging residential villages set amongst green open spaces; and
  - b) The rehabilitation of additional buffer areas within the development site; or
  - c) The rehabilitation of landscape buffers, conservation area or parkland located within the Planning Area No 10 (Mt Coolum) as identified in Maroochy Plan 2000
- 138 The applicant must provide a rehabilitation plan for all areas to be revegetated/ rehabilitated which incorporates measurable revegetation criteria that can be monitored over time. The plan must include a schedule of floristic and structural indicators and stipulate targeted performance objectives and criteria to be achieved over a minimum of 3 years
- 139 The rehabilitation plan must be approved prior to the clearing of any vegetation within the Precinct 3 (Beachside)
- 140 The applicant must secure the long term conservation tenure over the retained or rehabilitated land through vegetation protection covenants



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- 141 The rehabilitation plan must incorporate a performance bond commensurate with the cost of rehabilitation works. The relinquishment of the performance bond is to be tied to the measurable performance criteria contained within the approved rehabilitation plan
- 142 The applicant must install fauna friendly road crossings on roads within or associated with the Preliminary Approval area in accordance with Environmental Protection Agency (EPA) advice Reference Number: IPCC00365106A12 & IPCC00365206A22 dated 09 August 2006 and containing 12 pages

#### VEGETATION BUFFERS

- 143 The applicant must retain or provide vegetation buffers in accordance with the approved Plan of Development, Drawing No: HC-OLL-RFI POD060626, prepared by Lend Lease, 26 June 2006 (as amended), the approved Vegetation Buffers Plan, Drawing No HC-OLL-RFI VB 060623 (as amended) and Drawing No HCBS-3F-BCB 060701 (Sheets 1 & 2) Sub-Precinct 3F Beach Club Precinct Buffer Plan prepared by Lend Lease dated 01/06/2007 to include:
- a) Landscaping and open space design in the vicinity of sub-precincts 3D, 3E and 3F to address the Planning Area Vision Statement envisaging residential villages set amongst green open spaces;
  - b) A minimum 2 metre wide vegetation buffer between proposed Central Precinct and any development adjacent to Warren; and
  - c) A minimum 2 metre wide vegetation buffer between proposed Vantage Precinct and any development adjacent to either Jenyor Street or Warrack Street
  - d) A minimum 2 metre wide vegetation buffer between the development site and Valerie Street
- 144 The applicant must provide a rehabilitation plan for the buffer areas, which incorporates measurable re-vegetation criteria that can be monitored over time, and which includes a detailed landscape plan to revegetate/rehabilitate vegetation buffers to provide connecting green corridors and effective screening
- 145 The buffers must be revegetated in accordance with the rehabilitation plan, with supplementary planting to effectively screen the site from the surrounding environs prior to the commencement of use for the adjacent Beachside Sub-Precinct. Details must be submitted with the relevant applications for Operational Works (Landscaping)
- 146 The buffers must contain at least four rows of planting, including two rows of species selected to provide middle and low stratum screening
- 147 The applicant must only use stock of local provenance and endemic to the site Regional Ecosystems within buffers and/or revegetation areas and/or where landscaping is proposed external to the site

#### VEGETATION COVENANT

148. Prior to the commencement of use for any development arising from the Preliminary Approval, the applicant must, at its own cost, register a Vegetation Conservation Covenant against the areas identified on approved Plan of Development, Drawing No: HC-OLL-RFI POD060626, prepared by Lend Lease, 26 June 2006 (as amended) and the approved Vegetation Buffer Plan, Drawing No HC-OLL-RFI VB060623 as amended to include at a minimum the following:
- a) Precinct 3G (Parabolic Dune / Conservation);

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- b) Precinct 2 (Paperbark Rainforest as indicated on approved Plan of Development as "Dark Green", inclusive of Area A identified on Natural Resources Mines and Water Drawing No RARP 2006/002404);
  - c) Precinct 3H (25/20m wide vegetation buffer adjacent to the David Low Way); and
  - d) Precinct 3H (40/25m wide buffer adjacent to Tanah Street East)
  - e) **Or alternatively, where rehabilitation and a vegetation conservation covenant cannot be provided, pay a monetary contribution to council in lieu. The contribution cost would be based on a \$/ha rate applied to the vegetation area yet to be offset based on council's 2013/2014 rate of \$115,350.00 per hectare (indexed), which includes the land component and rehabilitation costs. A combination of a vegetation conservation covenant and monetary contribution for the remainder may also be allowed.**
- 149 The covenant must include Maroochy Shire Council as Covenantee and reference Queensland Land Title Registry Standard Terms Document No. 708665309
- 150 The covenant must be registered prior to carrying out any development arising from the Preliminary Approval
- 151 Within 12 months of registering the covenants, the applicant must rehabilitate the protected areas (including weed removal) in accordance with a rehabilitation plan to be approved by Council, which incorporates measurable revegetation criteria that can be monitored over time
- 152 The rehabilitation plan must include a schedule of floristic and structural indicators and stipulate targeted performance criteria to be achieved over 3 years
- 153 Prior to the commencement of the use, the applicant must lodge a performance bond with Council for the revegetated areas, to be released at the end of 3 years upon demonstration that rehabilitation performance criteria have been met
- 154 Within 12 months of registering the covenant over the rainforest, the applicant must rehabilitate the rainforest walk to a standard approved by Council

#### COASTAL PROTECTION (ESPLANADE)

- 155 Prior to the commencement of use or plan sealing for any approval relating to Precinct 3 (Beachside) adjacent to the Coastal Protection Area (Esplanade), the applicant must provide a 1.5 metre high black powder coated fence (similar to the fence which separates the Boardwalk subdivision from the Coastal Protection Area) along the boundaries of proposed lots that interface with the Coastal Protection Area (fore-dune and dune) for that Sub-Precinct. The Community Management Statement approved by Council at the time of plan sealing for individual stages abutting the Coastal Protection Area must include specific enforceable provisions requiring individual owners to retain foredune fencing and use only the provided beach access paths.

Prior to the commencement of use or plan sealing for any approval relating to precinct 3 (Beachside) Sub-Precinct 3C or 3D, the applicant must construct a fence to separate development from the parabolic dune

- 156 Plans of all fencing must be provided to Council for approval prior to construction
- 157 No private access to the beach through the dune is permitted other than in accordance with the approved Plan of Development, Drawing No: HC-OLL-RFI POD060626, prepared by Lend Lease, 26 June 2006 (as amended) and Beach Access Plans

**BEACH ACCESS**

- 158 Prior to the commencement of use for any development within Precinct 3 (Beachside) plan sealing of the first stage within the Resort Residential Precinct 3F for residential purposes arising from the Preliminary Approval, the applicant, at its own cost, must refurbish the existing beach access crossing to a standard reasonably acceptable to the Council. The applicant must pay for all costs associated with the design, construction and approvals for such refurbishment
- 159 Within 9 months of receipt of relevant approvals, the applicant must design, and construct at its own expense, the 2 new beach access ways generally in accordance with the approved Beach Access Plan
- 160 The applicant must maintain to a reasonable standard, or procure the body corporate of any residential community titles scheme created within the Resort Residential Precincts 3A - 3F to maintain, to a reasonable standard the 2 new beach access crossings and the existing beach access crossing
- 161 The applicant must construct the beach access crossings in accordance with the approved plans and the Beach Access Management Plan prepared by Yurrah Pty Ltd and Golder and Associates dated August 2006 and the Vegetation Assessment Hyatt Beach Access Tracks prepared by Golder and Associates and dated 9 June 2006

**LIFE GUARD TOWER AND SERVICES**

- 162 Prior to the commencement of use for any development within Precinct 3 (Beachside) arising from the Preliminary Approval, the applicant, at its own cost, must design, obtain approvals and construct a life guard tower adjacent to the existing Hyatt beach access crossing in accordance with Council approved plans and specification
- 163 The applicant must provide lifeguard services at the existing Hyatt beach access for a period of 25 years from the commencement date unless otherwise agreed with the Council

**LANDSCAPING**

- 164 The applicant must landscape the site in accordance with the Code for Landscaping Design, approved applications for Operational Works (Landscaping) and generally in accordance with the Landscape and Rehabilitation and Concept Plan Drawing LRC.01 dated 8 May 2006 prepared by Yurrah Pty Ltd
- 165 The applicant must ensure consistent landscaping standards, outcomes and maintenance across the development site through specific body corporate measures
- 166 The applicant must submit to Council with each application for Reconfiguring Lots involving vegetation removal an arborist report. The report must be prepared by a suitably qualified arborist and include an arboreal assessment of any trees impacted by proposed works. The Arborist report, which must contain photos, must specifically address the following:
- a) A map indicating trees to be retained and removed
  - b) Tree hazard assessment
  - c) Immediate and future maintenance requirements
  - d) Recommendations for retention, removal and preservation
  - e) Tree protection measures during construction
  - f) Viability assessment of the retained trees
  - g) Recommendations for any supplementary planting

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- 167 The applicant must ensure that all acoustic barriers are visually screened by existing retained vegetation and additional planting from adjacent state and public roads

**BUSHFIRE**

- 168 The applicant must prepare a Bushfire Management Plan for the development site to be submitted to Council's bushfire officer for review and approval prior to the commencement of use for any development arising from the Preliminary Approval
- 169 The applicant or applicable body corporate must maintain all infrastructure essential to the implementation of the Bushfire Management Plan throughout the life of the development
- 170 The applicant must prepare landscaping guidelines for bushfire mitigation, including a list of fire retardant plants. The guidelines must be submitted with each application for Reconfiguring a Lot located within 100m of bushland. The guidelines must be given to each purchaser by the developer or body corporate (which ever is relevant) prior to purchase of allotments within 100m of bushland along with a copy of the Bushfire Prepared Communities brochure or latest equivalent prepared by the Queensland Fire and Rescue Service
- 171 The applicant must ensure that all lots are connected to articulated water having a water pressure complying with the Queensland Water Resource Commission "Water Supply Guidelines" for fire fighting in times of bushfire emergency

**EASEMENTS**

- 172 Prior to the commencement of use for any development, the applicant must register easement(s) for access, utilities, all overland stormwater flowpaths (including lakes, wetlands, stormwater infrastructure and any part of the golf course use for flood storage) and other necessary easements with the Lands Titles Office for that stage of development
- 173 Easement plans and documents must be lodged with Council for checking prior to Council's endorsement of the Survey Plan

**SERVICES**

- 175 The applicant must ensure that the development site is provided with reticulated water and sewerage, underground reticulated electricity and telecommunications services in accordance with the requirements of Maroochy Plan 2000 and sufficient fibre optic cabling to provide for all future requirements.

**CULTURAL HERITAGE**

- 174 Prior to or concurrent with lodging an application for Reconfiguration of a Lot or Material Change of Use arising from this Preliminary Approval, the applicant must prepare and lodge with Council for approval a Cultural Heritage Management Plan for the site in accordance with the findings and recommendations of the approved Cultural Heritage Assessment Report, prepared by Archaeo Cultural Heritage Services, May 2004
- 175 Development must be consistent with the findings and recommendations of the Cultural Heritage Management Plan

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**ACID SULFATE SOIL**

- 176 Prior to or concurrent with any application for a Development Permit for Operational Works (Engineering) relating to any development arising from the Preliminary Approval, the applicant must submit a Site Based Acid Sulfate Soil Management Plan prepared by a suitably qualified person for approval which:
- a) Establishes a liming rate determined in accordance with *Guidelines for Sampling & Analysis of Lowland Acid Sulfate Soils* (ASS) in Queensland 1998, Published by the Queensland Department of Natural Resources & Mines
  - b) Proposes the appropriate level of treatment under the State Planning Policy & Guideline 2/02: *Planning & Managing Development involving Acid Sulfate Soils*: Section 9 Treatment
- 177 The applicant must ensure that, all basements are designed and constructed as water excluding structures in accordance with AS3735: Concrete Structures Containing Liquids to prevent basement discharges occurring and to eliminate the requirement for basement dewatering
- 178 Implementation of an approved Acid Sulfate Management Plan must commence prior to any site excavation and must continue until any basement and lift well construction has been completed

**ACOUSTIC**

- 179 Any development of the subject land for Multiple Dwelling Units adjacent to the David Low Way must demonstrate compliance with the Code for Low Rise Multi-Unit Residential Premises - Element 3-Building Siting & Design A1.9. Habitable rooms, which are likely to be affected by high levels of external traffic noise, must be designed to limit internal noise levels in accordance with the AS2107: Acoustics-Recommended Design Sound Levels & Reverberation Times For Building Interiors
- 180 The applicant must demonstrate compliance with AS3671: Acoustics-Road Traffic Noise Intrusion-Building, including a description of the appropriate construction of each component through which noise from traffic will enter to achieve the required traffic noise reduction
- 181 Where a construction category 2 is determined from AS3671 relative to habitable rooms, the approved building construction plans must specify that appropriate mechanical ventilation be provided for the rooms
- 182 Prior to the commencement of use for development within Precinct 3 (Beachside) Sub-Precincts 3 B and 3C, the applicant must construct an acoustic barrier along the David Low Way frontage within common property (not road reserve) between the existing vegetation and Sub-Precinct boundary in accordance with the approved Traffic Noise Impact Assessment Report prepared by Heggies Australia Pty Ltd (REPORT 20-1801R2) dated 29 September 2006
- 183 The acoustic barrier must be constructed using graffiti resistant materials and screened by landscaping so as not to be visible from the David Low Way
- 184 The acoustic barrier and screening landscaping must be wholly contained within common property (not road reserve) maintained by the applicant or relevant body corporate or private property

## ENVIRONMENTAL MANAGEMENT PLANS

- 185 Prior to or as part of the first application for Development Permit for Reconfiguration of a Lot, Material Change of Use or Operational Works for any stage of the development, the applicant must lodge an Overview Environmental Management Plan (OEMP) for the development site, prepared by a suitably qualified and experienced professional. The OEMP shall provide an overview of guidelines for the management of environmental values identified in the Preliminary Approval Document and Plan of Development, and establish a framework for preparation of detailed Construction Phase and Operational Phase Environmental Management Plans. The OEMP is to be prepared in accordance with the relevant requirements of Maroochy Plan 2000, its relevant Planning Scheme Codes and policies. No works are to commence within the subject land prior to the approval of the Overview Environment Management Plan by Maroochy Shire Council
- 186 At the time of lodgement of any application for operational works for each stage of the development the applicant must lodge a detailed Construction Phase Environmental Management Plan prepared by a suitably qualified and experienced professional. The Construction Phase EMP is to detail the overall environmental protection measures incorporated in the design, siting and layout of all facilities and associated works and the measures to be implemented during the construction phase to minimise impacts upon the environment. The Construction Phase EMP must also include but not be limited to:
- a) Site Control
  - b) Residential Amenity of Adjacent Areas
  - c) Erosion and Sediment Control
  - d) Construction Area Stormwater Quality
  - e) Unexploded Ordinance
  - f) Construction Area Air Quality
  - g) Construction Area Noise Control
  - h) Construction Area Vegetation Management Plan, Weed Control and Wildlife Safety
  - i) Fire Management
  - j) Acid sulphate soils
- 187 No works are to commence within the Preliminary Approval Area prior to the approval of the Construction Phase EMP for the relevant stage by Maroochy Shire Council
- 188 As part of the Operational Works applications for each stage of the proposal, the applicant shall lodge detailed Operational Phase Environmental Management Plans detailing the strategies and systems provided by the development to include:
- a) A detailed Stormwater Management Plan that addresses the quality and quantity of stormwater including the strategies for the protection, treatment, storage, and disposal of all stormwater on site in accordance with Conditions 19 and 27
  - b) A Wetland Management Plan prepared generally in accordance with Planning Scheme Policy No. 11 of Maroochy Plan 2000
  - c) A local Recovery Plan for Rare, Endangered and Vulnerable Species impacted upon by the development
  - d) An Acid sulphate soils management plan
  - e) Erosion and sediment control plan

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- f) A Bushfire Management Plan designed to address and mitigate the risk of bushfire to the subject land and to the adjacent National Park
  - g) A Weed Management Plan for the control of "Declared" plants and identified Environmental Weeds within the areas to be retained in their natural state
- 189 The Operational Phase Environmental Management Plans for the relevant stage shall be lodged with and approved by Maroochy Shire Council prior to the commencement of operational works within each stage

## **STORMWATER MANAGEMENT**

### **General**

- 190 The applicant must ensure that the development site is adequately drained, and stormwater is intercepted and lawfully discharged in accordance with the requirements of the Queensland Urban Drainage Manual and Maroochy Plan 2000 without causing worsening, an annoyance or nuisance to any person or property
- 191 The layout of the development must be amended as necessary to suit the engineering design and hydraulic requirements of the proposed development

### **Flood Immunity**

- 192 The applicant must ensure that the development is carried out in accordance with the Flood Study prepared by Cardno dated 15 June 2006 except where varied by the conditions below:
- a) Concurrent with any application for Material Change of Use, Reconfiguration and Operational Works, arising from the Preliminary Approval, the applicant must lodge an Earthworks Staging Plan which demonstrates that the staging of bulk earthworks, in all stages of the proposed development, achieves non-worsening of flooding conditions at all times. Earthworks, including bunding, must relate to the approved staging plan and be lodged as an addendum to the approved Flood Study
- 193 Prior to or concurrent with an application for operational works, the applicant must provide the final design detail of the site-specific Flood Study for Council's approval. The applicant must demonstrate that widening/road works along the David Low Way or works at the David Low Way/Tanah Street West intersection do not reduce the effectiveness of the culverts under David Low Way and that the culverts will still maintain the existing capacity
- 194 The applicant must ensure that the site is generally filled to be a minimum 300mm above the 100 year ARI flood level

### **Easements**

- 195 The applicant must register drainage easements over the areas inundated by the 100 year ARI flood event prior to the commencement of use for any approval arising from the Preliminary Approval
- 196 The applicant must ensure that easement plans and documents are lodged with Council for checking prior to Survey Plan release for any development resulting from the Preliminary Approval

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### Stormwater Management

- 197 Prior to or concurrent with any application for Material Change of Use or Reconfiguration of a Lot for each stage of development, the applicant must provide a Site Specific Integrated Water Management Plan for Council's approval for that development for review and approval by Council. The stormwater quality management systems must be provided in accordance with "Brisbane City Council's and Healthy Waterways WSUD Engineering Procedures", "Australian Runoff Quality and the Queensland Urban Drainage Manual" and generally in accordance with the approved "Stormwater Quality Management Plan for the Master Plan MCU Application" prepared by Cardno dated 15 June 2006 and subsequent "Response to Council Information Request" dated 18 September and 23 November 2006. The applicant must also address the requirements for Water Cycle Management within this document to meet the requirements of the Integrated Water Management Code
- 198 The applicant must provide an updated "Master Plan Stormwater Quality Management Plan" to reflect any changes that occur due amendments made during any subsequent Material Change of Use, Reconfiguration of a Lot or Operational Works Application. This document is to become a 'live' document, continuously updated throughout the Preliminary Approval currency period
- 199 All stormwater quality improvement devices must be located, designed and installed so as to provide for safe and unobstructed access for service and maintenance. Such access shall include, a maintenance track, surfaced or prepared platform, and be designed to blend in with the site contours and be vegetated on the sides exposed to roadways and properties
- 200 The applicant must ensure that the final design detail of the Integrated Water Management Plan includes (as a minimum):
  - a) Design details of a suitable drainage system (including pipes, overland flow paths, SQIDs etc) with appropriate capacity, alignment, grades, geometry and arrangement, satisfying the design requirements for best engineering practices and QUDM requirements
  - b) Design details of any proposed hydraulic structures such as pipes, open channels, weirs, energy dissipaters, drop structures, detention basins etc
  - c) Design details of proposed water quality management infrastructure to be implemented on the site to mitigate the impact of increased pollution levels
  - d) Design details of proposed water cycle management infrastructure to be implemented on site to reduce potable water demand
  - e) Design details of the proposed waterway crossing infrastructure. The design is to include all proposed scour protection structures to be in accordance with Brisbane City Council's "Stormwater Outlets in Parks and Waterways"
  - f) Information related to depth, velocity and duration of inundation of overland flows likely to affect private or public access routes
  - g) Detail design of earthworks (filling) where applicable to demonstrate that all lots would be flood immune to the design 100 year ARI event
  - h) Hard copy and electronic copy of the list of all the lots and their recommended minimum flood immunity level (design 100 year ARI flood level)



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- 201 The applicant must prepare an Operational Management and Maintenance Manual and must detail the proposed long-term Operational Management and Maintenance requirements of the stormwater system on the site. This manual must be provided to the current land owners and be made available to subsequent land owners or relevant body corporate(s). The maintenance manual must cover all aspects of on-site facilities associated with the management of stormwater quantity and quality, including any:
- a) Lakes and wetlands;
  - b) Bio-detention basins;
  - c) On-site detention tanks;
  - d) Rainwater tanks;
  - e) GPT's, Oil and Grit Separator;
- The *Operational Management and Maintenance Manual* shall include:
- a) A plan showing the location of the individual components of the system (for lots less than 2000m<sup>2</sup>, an ISO A3 plan will be considered adequate)
  - b) Manufacturer's data and product information sheets for any proprietary products
  - c) Location of inspection and monitoring points shown clearly on the plan
  - d) A summary of the design water quality target acceptable criteria
  - e) A schedule or timetable for the proposed regular inspection and monitoring of the devices. (Council recommends a visual inspection at least 3 times per year between October and May the following year, with a maximum of 3 months between successive inspections. Inspection should be made not less than 24 hours and not more than 72 hours after the cessation of rainfall if the total rainfall on any day exceeds 30mm)
  - f) Records to be logged and kept for verification of compliance with this condition Name and contact details of relevant Council officer
  - g) Name/ contact details of person responsible for monitoring and keeping of records
- 202 Maintenance of all stormwater infrastructure within the development site in accordance with the Operational Management and Maintenance Manual shall be the responsibility of the applicant or relevant body corporate

## MAROOCHY WATER

### Trunk Infrastructure

- 203 Prior to undertaking earthworks, the applicant must replace the existing 300 millimetre diameter sewerage pressure main within the development site in all areas where earthworks are proposed over the main
- 204 The applicant must ensure that all internal water supply and sewerage infrastructure within Precinct 3 (Beachside), including sewerage pipes, sewerage pumping stations, sewerage pressure mains, and water supply pipes remains the responsibility of the relevant community title scheme body corporate
- 205 The applicant must ensure that the community management statement for a community titles scheme within residential precincts identifies that the community titles scheme is responsible for the ownership, operation and maintenance of all internal water supply and sewerage infrastructure within that Precinct or sub-Precincts

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- 206 Prior to making a development application for a sewage pumping station within Precinct 3 (Beachside), the applicant must submit an odour control study for the discharge sewerage system for Precinct 3 (Beachside) to the Council. The odour control study must include options for sewage pre-treatment methods
- 207 Prior to the sealing of a plan of subdivision for any development within Precinct 3 (Beachside), the applicant must design and construct, at its expense, a 200 millimetre diameter water main from the David Low Way along Neurum Road to Warran Road generally in accordance with the Cardno MBK Water Supply and Sewerage Investigation dated June 2006 (The Precinct 3 water main)
- 208 Prior to the sealing of a plan of subdivision for any development within Precinct 5 (Central), the applicant must carry out its obligations in respect of the Precinct 3 water main in accordance with the Cardno MBK Water Supply and Sewerage Investigation
- 209 Prior to the sealing of a plan of subdivision for Precinct 5 (Central), the applicant must design and construct, at its expense, a 300 millimetre diameter water main from Warran Road to the northern connection for Precinct 4 (Vantage) generally in accordance with the Cardno MBK Water Supply and Sewerage Investigation dated June 2006 (The Precinct 5 water main)
- 210 Prior to the sealing of a plan of subdivision for Precinct 4 (Vantage), the applicant must carry out its obligations in respect of the Precinct 3 water main and the Precinct 5 water main in accordance with the Cardno MBK Water Supply and Sewerage Investigation
- 211 Prior to the sealing of a plan of subdivision for Precinct 4 (Vantage), the applicant must design and construct a 200 millimetre diameter water main from the northern connection for Precinct 4 (Vantage) through Precinct 4 (Vantage) to the existing 200 millimetre diameter water main in Warrack Street
- 212 Prior to the sealing of a plan of subdivision for Precinct 4 (Vantage), the applicant must design and construct a 500 millimetre diameter water main from Warran Road to Warrack Street generally in accordance with Cardno MBK Infrastructure Charges Layout Plan 2838/12/01-WG dated 03-05-2005 rev A

#### General

- 213 Reticulated water supply and sewerage services must be provided to each site within the proposed development in accordance with Council's Operational Works Code
- 214 The development must connect to the town water supply and must include:
  - a) Extension of water mains to the extremity of all estate roads and frontage roads;
  - b) Construction of works generally in accordance with the Cardno MBK Water Supply and Sewerage Investigation dated June 2006;
  - c) Trunk infrastructure must be provided to service the proposed development. Trunk infrastructure must be constructed as required to serve each precinct/ sub-precinct;
  - d) Provision of water service conduits under roads where necessary at alternate locations to power and telecommunications services;
  - e) The fire fighting demand must not exceed 15 litres per second for residential precincts and 30 litres per second for commercial precincts
- 215 A minimum of horizontal distance of 0.5 metres must be maintained between Council's water mains and any footpaths to be constructed for the development

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- 216 A minimum horizontal clearance of 1.0 metre must be maintained between Council's watermain and any landscaping works involving tree and shrub plantings
- 217 The development must be sewerage and must include:
- a) Construction of sewerage reticulation lines through the site;
  - b) Provision of a sewerage connection within the boundaries of each precinct;
  - c) Connection to the parent sewerage scheme generally in accordance with the Cardno MBK Water Supply and Sewerage Investigation dated June 2006;
  - d) Prior to submitting an Operational Works application for the external water mains and sewers, written approval to enter and construct is required from all property owners through which external water mains and sewers will traverse;
  - e) Provision of sewerage infrastructure to the upstream property boundaries to enable future mains extensions as required;
  - f) Trunk sewerage infrastructure must be provided to service the proposed development. The trunk sewerage infrastructure must be constructed with the relevant precinct of the development and completed prior to Council endorsement of the plan of subdivision for that precinct;
- 218 Where approved, sewers in excess of 3 metres deep must be contained within a 4 metre wide easement. Easements must be located centrally over the main
- 219 The applicant must ensure the provision of 3 metre wide easements over sewers within allotments. Easements shall be centrally located over the main
- 220 Sewerage mains shall be located a minimum of 1.5 metres clear of building envelopes
- 221 On site stormwater treatment tanks, soakage trenches, and gross pollutant traps must maintain a minimum of 1.5 metres clearance from Council's sewerage infrastructure
- 222 The applicant or relevant body corporate shall be responsible for the on-going maintenance of all private water and sewerage infrastructure within the development site

**DEVELOPMENT PERMIT (REC05/0190) FOR RECONFIGURATION OF A LOT (VANTAGE STAGE 2 CREATING 55 LOTS, CONSISTING OF A 53 LOT MODERATE URBAN SUBDIVISION WITHIN A COMMUNITY TITLE SCHEME (WHICH INCLUDES A 6677M<sup>2</sup> MULTIPLE DWELLING UNIT LOT AND COMMON PROPERTY) AND TWO (2) BALANCE LOTS (TO FORM PART OF PRECINCT 1 (RESORT) AND PRECINCT 2 – (GOLF COURSE))**

#### **GENERAL CONDITIONS**

- 223 The currency period of this Development Permit is 2 years
- 224 The applicant must comply with the conditions of the Development Permit prior to the submission of a plan of survey, unless otherwise stated
- 225 The plan of survey to be submitted for Council's endorsement must be in accordance with the approved plans as amended
- 226 Earthworks, roadworks, stormwater drainage, water supply and sewerage infrastructure, electrical reticulation, street lighting and other relevant services must be designed and constructed in accordance with the Codes and Policies of Council's Planning Scheme, including all provisions applicable to community title schemes

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- 227 The applicant is responsible for the alteration, relocation or re-installment of public utility services, stormwater drainage structures, driveways and other infrastructure affected by the development works at no expense to Council or a service provider
- 228 The site must be so ordered and maintained as not to prejudicially affect the amenity of the locality by reason of appearance

#### **FEES AND CONTRIBUTIONS**

- 229 All fees, rates, interest and other charges levied on the property, must be paid in accordance with the rate at the time of payment prior to release of the Plan of Subdivision
- 230 The applicant must pay a monetary contribution towards water supply headworks in accordance with Planning Scheme Policy DC1 - Water Supply and Sewerage Infrastructure Contributions based on an increase of 268.8 Equivalent Persons for Zone Coolum – Int (Z12). The contribution must be paid at the time of lodgement of the Plan of Survey with Council. The actual amount of the contribution must be in accordance with the Policy at the time of payment.  
NOTE: For an estimate of contributions payable under the current Policies refer to the Advisory Notes section of this Decision Notice
- 231 The applicant must pay a monetary contribution towards sewerage headworks in accordance with Planning Scheme Policy DC1 - Water Supply and Sewerage Infrastructure Contributions based on an increase of 268.8 Equivalent Persons for Sub-catchment Zone C02. The contribution must be paid at the time of lodgement of the Plan of Survey with Council. The actual amount of the contribution must be in accordance with the Policy at the time of payment.  
NOTE: For an estimate of contributions payable under the current Policies refer to the Advisory Notes section of this Decision Notice
- 232 The applicant must pay a monetary contribution to Council for the provision of bikeways in accordance with Planning Scheme Policy DC 2 – Provision of Bikeways and Bicycle Facilities. The contribution must be paid at the time of lodgement of the Plan of Survey with Council. The actual amount of the contribution must be in accordance with the Policy at the time of payment for Planning Area No 10 Mount Coolum.  
NOTE: For an estimate of contributions payable under the current Policies refer to the Advisory Notes section of this Decision Notice
- 233 The applicant must pay a monetary contribution to Council for the upgrading of the Maroochy Road Network in accordance with Planning Scheme Policy DC3 – Roads Infrastructure Contributions. The contribution must be paid at the time of lodgement of the Plan of Survey with Council. The actual amount of the contribution must be in accordance with the Policy at the time of payment for Planning Area No 10 Mount Coolum.  
NOTE: For an estimate of contributions payable under the current Policies refer to the Advisory Notes section of this Decision Notice
- 234 The applicant must pay a monetary contribution to Council for the provision of stormwater management infrastructure in accordance with Planning Scheme Policy DC4 – Stormwater Quality. The contribution must be paid at the time of lodgement of the Plan of Survey with Council. The actual amount of the contribution must be in accordance with the Policy at the time of payment for

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Planning Area No 10 Mount Cool

NOTE: For an estimate of contributions payable under the current Policies refer to the Advisory Notes section of this Decision Notice

- 235 The applicant must pay a monetary contribution to Council for the provision of open space infrastructure in accordance with Planning Scheme Policy DC5 – Public Parks Infrastructure Contributions. The contribution must be paid at the time of lodgement of the Plan of Survey with Council. The actual amount of the contribution must be in accordance with the Policy at the time of payment for Planning Area No 10 Mount Coolum.

NOTE: For an estimate of contributions payable under the current Policies refer to the Advisory Notes section of this Decision Notice

- 236 The applicant must pay a monetary contribution to Council for the provision of land for community facilities, in accordance with Planning Scheme Policy DC6 – Land for Community Facilities Contributions. The contribution must be paid at the time of lodgement of the Plan of Survey with Council. The actual amount of the contribution must be in accordance with the Policy at the time of payment for Planning Area No 10 Mount Coolum.

NOTE: For an estimate of contributions payable under the current Policies refer to the Advisory Notes section of this Decision Notice

#### USE OF SITE

- 237 The approved use is for Vantage Stage 2 community title scheme
- 238 The applicant must ensure that development is undertaken generally in accordance with the Preliminary Approval Document, Coolum Hyatt Resort - Master Planned Document (Version IR250606), prepared by Ken Hicks and Associates, June 2006 (as amended), the Plan of Development, Drawing No: HC-OLL-RFI POD060626, prepared by Lend Lease, 26 June 2006 (as amended), approved plans, Maroochy Plan 2000 Planning Scheme Codes/Policies and Standard Building Regulations as applicable

#### COMMUNITY TITLE

- 239 Site access, the internal road, visitor parking, landscaping/ open-space and other physical elements of the development, including all infrastructure within the site, must be designated as common property within the Community Title Scheme and shall be the responsibility of the Community Title Scheme body corporate
- 240 Prior to plan sealing, the applicant must submit a Community Management Statement, endorsed by the developer for Council endorsement
- 241 The Community Management Statement must ensure the integration of Vantage Stage 2 with the existing Hyatt Resort Facilities in accordance with the conditions of the Preliminary Approval Document, Coolum Hyatt Resort - Master Planned Document (Version IR250606), prepared by Ken Hicks and Associates, June 2006 (as amended)
- 242 The applicant must ensure that an entry statement is provided at all entry points to the development in accordance with Element 3, P1 A1.1 of the Code for Operational Works (Engineering)
- 243 The applicant must ensure that the estate name and street numbers are clearly displayed at the entrance, with name and street numbers being at least 300 mm minimum height in accordance with Element 3, P1 A1.2 of the Code for Operational Works (Engineering)

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- 244 The applicant must ensure that all roadworks/stormwater drainage and other infrastructure are undertaken in accordance with the requirements of Element 3 (Additional Requirements for Development for Community Title Purposes) of the Code for Operational Works (Engineering)
- 245 The applicant must ensure that all private infrastructure is maintained throughout the life of the development by the body corporate

#### **INTEGRATION WITH HYATT RESORT**

- 246 The applicant must ensure that Vantage Stage 2 is integrated with the existing Hyatt Resort Facilities through a combination of:
- Physical Circulation Networks;
  - Built Form and Landscape controls;
  - The Community Title Scheme (including Community Management Statement);
  - Access Easements;
  - Contractual Agreements;
  - Buggy Access Licences; and
  - Resort Facilities Licenses

#### **BUILDING HEIGHT**

- 247 The maximum building height of detached dwellings and dual occupancies must not exceed 2 storeys (or 8.5 metres)
- 248 The maximum building height of multiple dwelling units must not exceed 2 storeys/8.5m

#### **DESIGN FOR CLIMATE**

- 249 The applicant must ensure that all building plans submitted with the Building Works application comply with the Maroochy Plan 2000 Design for Climate Code

#### **SERVICES**

- 250 The applicant must ensure that reticulated water supply, and sewerage is provided to each lot in accordance with Maroochy Plan 2000
- 251 The applicant must ensure that underground reticulated electricity is provided to each lot in accordance with Maroochy Plan 2000
- 252 The applicant must ensure that telecommunications services are provided to each lot to the satisfaction of the relevant service authority
- 253 The applicant must ensure that access easements are constructed in accordance with the approved plans and the requirements of Maroochy Plan 2000
- 254 The applicant must:
- Provide a copy of the approved plan to Energex for its records and obtain a Certificate for Electricity Supply to Subdividers for the proposed lots for Council
  - Obtain clearance from Energex that it has no requirements with respect to power affecting the subject land
- 255 The applicant must:
- Provide one additional copy of the approved Plan of Survey to the Council for issue to Telstra for its records
  - Obtain Telstra clearance for the subdivision subject to any requirement of such clearance being reasonable having regard to the nature of the subdivision being undertaken. This condition will not extend to requiring the relocation of any Telstra Service passing through the site where no compensation has been paid for the placement of the service on the land

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**SURVEY**

- 256 The applicant must provide certification by a Licensed Surveyor that:
- a) Constructed access and roadworks are fully contained within a dedicated reserve/registered easement
  - b) The boundary clearances for any buildings comply with:
    - i) The development approval
    - ii) The Code for the Development of Detached Houses and Display Homes
    - iii) The *Standard Building Regulation 1993* where a boundary clearance is not specified in this development approval or Maroochy Plan 2000
  - a) Utility services are wholly located within the lot they serve or alternatively included in an easement
  - b) All retaining walls and structures are fully contained within the lot they retain

**SITE ACCESS**

- 257 The applicant must provide vehicle access to Vantage Stage 2 from Jenyor Street and from Centenary Heights Road through Vantage Stage 1 via an access easement
- 258 No private vehicle access is permitted to or from Precinct 1 (Resort) as identified on the Plan of Development, Drawing No: HC-OLL-RFI POD060626, prepared by Lend Lease, 26 June 2006 (as amended)
- 259 The applicant must provide separate pedestrian/cycle paths and buggy paths to the Hyatt Resort and Beach Club generally in accordance with the approved Mobility Plan, Drawing No: HC-OLL-RFI MOBP060623. The separation distance between the vehicular access carriageway and the pedestrian path must be generally in accordance with Queensland Streets
- 260 The intersection with Jenyor Street must be designed and constructed in accordance with Queensland Streets with provision for a Heavy Rigid Vehicle in accordance with AS2890.2-2004

**INTERNAL ROADWORKS**

- 261 The applicant must ensure that all internal roads in the development are designed with carriageway widths determined in accordance with the principles outlined in Queensland Streets, Element 3 P1 A1.11 of the Code for Operational Works (Engineering), the approved Plan of Reconfiguration and Council's Planning Scheme Codes and Policies and must include:
- a) Sealed carriageways with kerb and channel on both sides of the road;
  - b) Formed, top soiled and turfed/ grassed verge;
  - c) A 1.5 metre wide concrete footpath along one side of the street with street trees to provide a minimum of 80% shading;
  - d) On-street parking in accordance with the approved plans;
  - e) Speed control devices as required;
  - f) Street trees in accordance with the Code for Landscaping Design;
  - g) Street lighting coordinated with footpath and on-street parking;
  - h) Signage and marking in accordance with MUTCD;
  - i) Underground storm water drainage in accordance with QUDM
- 262 The applicant must ensure satisfactory access to each lot (coordinated with on-street parking), drainage, provision for services and stabilising treatment of cut and fill

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- 263 The applicant must construct all driveway crossovers to each lot in accordance with the approved Plan of Reconfiguration, MSC Residential Driveway Standard Drawing No R-0050 and Element 3, P1 A1.10 of the Code for Operational Works (Engineering)
- 264 The applicant must ensure that all filled areas, batters and/or retaining walls are contained within the development site
- 265 The applicant must construct internal roads to provide flood immunity in accordance with the requirements of Queensland Urban Drainage Manual (QUDM) for Urban Residential High Density Development Category

#### **ROAD WORKS GENERAL**

- 266 The applicant must construct turnarounds in accordance with Queensland Streets
- 267 The applicant must provide fencing/barriers above any retaining wall greater than 1 metre in height in accordance with AS1926 and Maroochy Plan 2000
- 268 The applicant must supply and erect road/street name signs in accordance with Council's Code for Operational Works – Engineering, upon each new road or street when constructed and also at each intersection of each new road or street
- 269 All signage and line marking must be carried out in accordance with the Manual of Uniform Traffic Control Devices and details must be shown for approval on the engineering drawings
- 270 All road infrastructure including all cut & fill, batters, retaining walls, services, footpath and landscaping must be contained within the road reserve
- 271 The applicant must ensure that internal roads are designed and constructed in accordance with the Queensland Urban Drainage Manual

#### **FRONTAGE ROADWORKS**

- 272 The applicant must undertake frontage roadworks in accordance with the Maroochy Shire Council Planning Scheme Codes, Policies and Standard Specifications
- 273 The applicant must at its own cost, prior to the sealing of the plan of survey, undertake works including pavement widening if required, relocation or completion of kerb/ channel, pathways, verges, landscaping, services, lighting and bus set-downs to upgrade Jenyor Street fronting the site from the western property boundary of proposed Precinct 4 (Vantage) to the western boundary of proposed Precinct 5 (Central) to District Collector standard ensuring that the works:
  - a) comply with the Council's Planning Scheme Codes and Policies; and
  - b) provide for the widening of the sealed carriageway in accordance with figure 4.5.2.2 of Planning Scheme Policy No. 6 (Transport, Traffic and Parking); and
  - c) include semi-mountable kerb and channel; and
  - d) provide verges not less than 4 metres wide which are formed, topsoiled, landscaped and turfed / grassed for a minimum width of 2 metres from the back of kerb; and
  - e) provide a 1.8 metre wide footpath from Centenary Heights Road with street trees to ensure 80% shading; and
  - f) include line marking and road furniture; and
  - g) a minimum 2 metres of screening landscaping between Jenyor Street and the multiple dwelling unit lot; and
  - h) provide for underground stormwater drainage in accordance with QUDM; and



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- 274 The applicant must at its own cost, prior to the sealing of the plan of survey, undertake works, including pavement widening, relocation or completion of kerb/channel, stormwater drainage, pathways, verges, landscaping, services and lighting to upgrade the development side Warrack Street frontage to minor collector standard ensuring:
- a) compliance with the Council's Planning Scheme Codes and Policies and QUDM; and
  - b) provision of semi-mountable kerb and channel; and
  - c) provision of stormwater drainage in accordance with QUDM; and
  - d) provision of verges formed, topsoiled, landscaped and/or turfed/ grassed from the back of kerb; and
  - e) a minimum 2 metres of screening landscaping between Warrack Street and the development site

**LANDSCAPING**

- 275 The applicant must landscape the site in accordance with the Code for Landscaping Design, approved application for Operational Works (Landscaping) and generally in accordance with the Streetscape Concept Plan drawing HC-VSTG2-LSRFI-060623 dated 23 June 2006 drawn by Lend Lease except that Lophostemon confertus and Melaleuca quinquenervia shall not be used as street trees
- 276 The applicant must employ a suitably qualified Arborist to implement the recommendations of the arborist report, prepared by Coastland Arbor Services Pty Ltd
- 277 The Arborist must provide a certificate to Council's Landscape Assessment Officer stating that all arboreal works have been implemented to their satisfaction prior to release of the plan of survey
- 278 The landscaping must be established prior to the release of the plan of survey
- 279 The applicant must establish street trees within the road verge in accordance with the requirements of the Code for Landscaping Design and the approved Streetscape Plan prior to the release of the plan of survey
- 280 All cut/fill, batters, retaining walls and landscaping must be fully contained within the development site
- 281 The applicant must maintain the landscaping in accordance with best practice
- 282 The applicant must clear the whole of the development site of declared and environmental weeds

**FENCING**

- 283 The applicant must construct a 1.8 metre high fence, using graffiti resistant materials and earth tone colours along the boundaries of proposed residential lots that interface with Jenyor or Warrack Street
- 284 Plans of the fence must be provided to Council for approval prior to its construction

**JENYOR STREET BUFFER**

- 285 The applicant must establish a 2 metre wide vegetation buffer along the Jenyor Street frontage within the development site (not the road reserve) to screen the 2.0 metre high fence along the site frontage. The vegetation buffer must be designed to effectively screen the fence from Jenyor Road and include species which do not overhang proposed lots 66-69

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**STREET LIGHTING**

- 286 The applicant must design and install street lighting in accordance with Maroochy Plan 2000. Energy efficient light globes must be installed that meet the required Australian and Council standards for street lighting
- 287 The applicant must ensure that bollard lights are provided adjacent to all internal roads and pathways in accordance with Element 3, P1 A1.19 of the Code for Code for Operational Works (Engineering)
- 288 The applicant must ensure that street lighting is provided at the access intersection in accordance with Element 12, P1 A1 of the Code for Code for Operational Works (Engineering) for Lighting Category P5
- 289 The applicant must supply a copy of the street lighting conditions and the street lighting design plans to Energex for approval

**STORMWATER****General**

- 290 The applicant must ensure that the development site is adequately drained, and stormwater is intercepted and lawfully discharged generally in accordance with the requirements of the Queensland Urban Drainage Manual and Maroochy Plan 2000, without causing worsening, an annoyance or nuisance to any person or property. Works must include the following:
- a) Construction of underground drainage through the development site and along all frontage roads
  - b) Provision of Gross Pollution Traps in all necessary locations
  - c) Provision of a Level III stormwater drainage system to allotments which are not free draining to the street
  - d) Registration of drainage easements over all drainage paths on private land, including on adjoining land where required to connect to external stormwater infrastructure (including bio-detention basins/OSD) and to a lawful point of discharge;
  - e) Lodgement with Council of written permission to discharge stormwater on to adjoining property where required; and
  - f) Construction of satisfactory maintenance vehicle/equipment access to open drainage structure
- 291 The layout of the development must be amended as necessary to suit the engineering design and stormwater management requirements of the proposed development
- 292 The applicant must register drainage easements over all areas inundated by the 100 year ARI (including freeboard)

**Flood Immunity**

- 293 The applicant must ensure that the development is carried out in accordance with the Flood Study prepared by Cardno, except where varied by the conditions below:
- a) Concurrent with any Operational Works application, the applicant must lodge an Earthworks Staging Plan which demonstrates that the staging of bulk earthworks for the site achieves flood immunity and non-worsening in accordance with conditions of the Preliminary Approval (MCU05/0245). All earthworks, including bunding associated with this stage of development, must relate to the approved staging plan and be lodged as an addendum to the approved Flood Study

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- 294 The applicant must ensure that the site is filled to be above the 100 year ARI flood level
- 295 The applicant must ensure that all residential lot levels are above the 100 year ARI flood level and that the floor level is not less than 400 mm above the 100 year ARI flood level
- 296 The applicant must ensure that an area where mechanical or electrical work is located is above the 100 year ARI flood level
- 297 The applicant must ensure that all vehicle access roads are designed and constructed to achieve the flood immunity as required by Maroochy Plan 2000

#### Stormwater Management

- 298 Prior to the lodgement of an application for operational works, the applicant must submit for approval a Stormwater Quality Management Plan (including final design detail) demonstrating compliance with the Water Quality Objectives of Council's Integrated Water Management Code, to be generally in accordance with the approved "Stormwater Quality Management Plan for the Master Plan MCU Application" prepared by Cardno dated 15 June 2006 and subsequent "Response to Council Information Request"
- 299 All stormwater quality improvement devices and detention facilities recommended in the Stormwater Quality Management Plan (lodged as a requirement of the above condition) must be located, designed and installed so as to provide for safe and unobstructed access for service and maintenance. Such access shall provide a maintenance track or prepared platform, and be designed to blend in with the site contours and be vegetated on the sides exposed to roadways and properties
- 300 Planting/landscaping details of the stormwater quality improvement devices, detention basin and drainage lines must be submitted for approval in conjunction with the civil operational works of these items
- 301 The applicant must ensure that the final design detail of the Stormwater Quality Management Plan includes (at a minimum):
  - a) Design details of a suitable drainage system (including pipes, overland flow paths, SQIDs etc) with appropriate capacity, alignment, grades, geometry and arrangement, satisfying the design requirements for best engineering practices and QUDM requirements
  - b) Design details of any proposed hydraulic structures such as pipes, open channels, weirs, energy dissipaters, drop structures, detention basins etc
  - c) Design details of proposed water quality management infrastructure to be implemented on the site to mitigate the impact of increased pollution levels
  - d) Design details of proposed water cycle management infrastructure to be implemented on site to reduce potable water demand
  - e) Design details of the proposed waterway crossing infrastructure. The design is to include all proposed scour protection structures to be in accordance with Brisbane City Council's "Stormwater Outlets in Parks and Waterways"
  - f) Information related to depth, velocity and duration of inundation of overland flows likely to affect private or public access routes
  - g) Detail design of earthworks (filling) where applicable to demonstrate that all lots would be flood immune to the design 100 year ARI event
  - h) Hard copy and electronic copy of the list of all the lots and their recommended minimum flood immunity level (design 100 year ARI flood level)

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- 302 The applicant must prepare an Operational Management and Maintenance Manual for review and approval by Council and must detail the proposed long-term Operational Management and Maintenance requirements of the stormwater system on the site. This manual must be provided to the current land owners and be made available to subsequent land owners. As a guide the maintenance manual must cover all aspects of on-site facilities associated with the management of stormwater quantity and quality, including rainwater tanks, on-site detention tanks, GPT's, oil and grit separator. The Operational Management and Maintenance report shall include:
- a) A plan showing the location of the individual components of the system (for lots less than 2000m<sup>2</sup>, an ISO A3 plan will be considered adequate)
  - b) Manufacturer's data and product information sheets for any proprietary products
  - c) Location of inspection and monitoring points shown clearly on the plan
  - d) A summary of the design water quality target acceptable criteria
  - e) A schedule or timetable for the proposed regular inspection and monitoring of the devices. (Council recommends a visual inspection at least 3 times per year between October and May the following year, with a maximum of 3 months between successive inspections. Inspection should be made not less than 24 hours and not more than 72 hours after the cessation of rainfall if the total rainfall on any day exceeds 30mm)
  - f) Records to be logged and kept for verification of compliance with this condition on a needs basis
  - g) Name and contact details of relevant Council officer
  - h) Name and contact details of relevant person responsible for the monitoring and keeping of records
- 303 Maintenance of the stormwater management system in accordance with the Operational Management and Maintenance Manual shall be the responsibility of the body corporate

#### **RAINWATER HARVESTING TANKS**

- 304 Deleted – 29 June 2015  
 305 Deleted – 29 June 2015  
 306 Deleted – 29 June 2015  
 307 Deleted – 29 June 2015  
 308 Deleted – 29 June 2015

#### **EROSION AND SEDIMENT CONTROL**

- 309 An Erosion/Sediment Control Plan must be prepared in accordance with "Soil Erosion and Sediment Control" by the Institute of Engineers' Australia and lodged as part of the application for Development Permit for Operational Works and must include:
- a) Full contours of the site
  - b) Location and details of all erosion control and sediment control devices
  - c) Location and details of sediment fencing of downstream limits of earthworks areas
  - d) Programming/staging of the construction of the erosion/sediment control devices
  - e) Requirements for the maintenance of the erosion/sediment control devices
- 310 The applicant must implement the erosion and sediment control measures during construction

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- 311 Discharges of water pollutants, wastewater or stormwater from the site must not cause measured levels of water pollutants in the receiving waters to fall outside the acceptable ranges specified in the 'Australian Water Quality Guidelines for Fresh and Marine Waters', ANZECC 2000

#### **GEOTECHNICAL CERTIFICATION**

- 312 Prior to the commencement of any earthworks on the site the applicant must lodge with Council a geotechnical engineer's certification (by a qualified geotechnical engineer). The certification must be addressed to Council and certify that:
- a) The development will maintain the stability of the site and will not be subject to unacceptable risk from landslide activity originating from the land
  - b) A stable building area exists on each lot that will remain stable
  - c) Stable driveway crossovers, driveways and services can be constructed to service each lot in accordance with Maroochy Council Standard Drawings R-0050 and R-0056 and AS2890
  - d) Each roadway cutting/fill can be retained or treated to maintain stability
  - e) All necessary services (water mains, stormwater drains, sewer lines, on-site effluent disposal systems and the like) can be installed within the natural slopes or fills without detrimentally affecting the stability of the natural or altered slopes
  - f) The proposed roadworks, services and development earthworks will not interfere with sub-surface or the natural seepage of water from the slopes
  - g) The proposed works, including provision of services, will not adversely affect the stability of stable building areas
- 313 Upon completion of the works and prior to lodgement of a survey plan with Council, the applicant must lodge with Council, a geotechnical engineer's certification (by a qualified geotechnical engineer). The certification is to be addressed to Council and is to certify that the works have been constructed according to the geotechnical engineer's findings/ recommendations and are stable
- 314 Future dwelling construction on proposed lots must comply with the findings and recommendations of geotechnical investigation
- 315 Geotechnical investigation must undertaken in accordance with Planning Scheme Policy 4 "Preparation of Geotechnical Reports" and demonstrate that the development poses minimal risk to land stability

#### **EASEMENTS**

- 316 The applicant must register an access easement over the existing road in Vantage Stage 1 (common property) to ensure access from Centenary Heights Road to the development site in favour of Vantage Stage 2
- 317 The applicant must ensure that easement(s) for access, public utilities, all overland flowpaths and other necessary easements are registered with the Lands Titles Office
- 318 Easement plans and documents must be lodged with Council for checking prior to Council's endorsement of the Survey Plan

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**BUSHFIRE**

- 319 The applicant must ensure that the premises is connected to a reticulated water supply with a pressure which complies with the Water Supply Guidelines for Fire Fighting in Times of Bushfire Emergency (Queensland Water Resource Commission)

**MAROOCHY WATER**

- 320 The applicant must provide reticulated water to each lot within the proposed development, in accordance with Maroochy Plan 2000. This must include:
- a) Works in accordance with the approved findings of the water supply network analysis by Cardno's report number 7409/01 and dated June 2006;
  - b) Relocation of existing water service connections and internal pipework to ensure they are wholly contained within the lot they serve
- 321 The applicant must supply the development site with reticulated water via a Council installed primary water meter located immediately inside the property boundary. For a community title scheme, additional water meters must be installed for each separate title. These meters must be supplied and installed in accordance with Councils requirements
- 322 The applicant must provide reticulated sewerage to the proposed development, in accordance with Maroochy Plan 2000. This must include:
- a) Works in accordance with the approved findings of the sewerage network analysis by Cardno's report number 7409/01 and dated June 2006;
  - b) Connection to the existing sewer system in Kallatina Court by gravity;
  - c) Provision of sewerage infrastructure to the upstream property boundaries to enable future mains extensions;
  - d) Location of sewers a minimum of 1.5 metres clear of all proposed building envelopes
- 323 The applicant must provide written approval from all property owners through which external sewers will traverse, to enter, construct and provide a three metre wide easement. This must be submitted with the associated development application for Operational Work
- 324 The applicant must provide 3 metre wide easements over all Council sewers located in private property that are not on Council's preferred alignment. Easements must be located centrally over the main
- 325 The applicant must ensure that on-site stormwater treatment tanks, soakage trenches, and gross pollutant traps maintain a minimum of 1.5 metres clearance from Council's water supply and sewerage infrastructure. Compliance with this condition must be submitted with the associated development application for Operational Work
- 326 The applicant must ensure that any construction works undertaken in the vicinity of Council's existing water supply or sewerage infrastructure will not adversely affect the integrity of the infrastructure.
- 327 All costs associated with repair, replacement or alteration of existing infrastructure must be met by the applicant
- 328 The applicant or body corporate shall be responsible for the on-going maintenance of all private water and sewerage infrastructure

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**6 REFERRAL AGENCY CONDITIONS**

The name, address and status of each referral agency that responded to the application is:

**Concurrence**

On the 12 July 2016 the Concurrence Agency (through Department of Infrastructure, Local Government and Planning) provided its response to this Change request (MCU05/0245.19) with changed conditions. See attached

Department Of Main Roads  
North Coast (Gympie)  
PO Box 183  
GYMPIE QLD 4570

Environmental Protection Agency  
Ecoaccess Customer Service Unit  
PO Box 15155  
CITY EAST QLD 4002

Department Of Natural Resources & Waters  
South East Region  
Attention: Jeff Guinea  
PO Box 573  
NAMBOUR QLD 4560

Queensland Transport  
Minister For Transport & Minister Main Rds  
GPO Box 2644  
BRISBANE QLD 4001

**Advice**

Department Of Natural Resources & Waters  
South East Region  
Attention: Jeff Guinea  
PO Box 573  
NAMBOUR QLD 4560

**7 APPROVED PLANS/DOCUMENTS**

The approved plans for this development approval are:

- (i) The plans referred to in the List of Approved Plans (including the amendments that are required to be made to those plans); and
- (ii) Where the amended version of the plans referred to in the List of Approved Plans have been approved by Council, the amended version of those plans.

The amended version of the plans referred to in the List of Approved Plans must:

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- (i) Within 10 business days of the date of this development approval be submitted to the Council for approval; and
- (ii) Be approved by the Council if the amended plans comply with the List of Approved Plans

#### **List of Approved Plans**

*Where amendments are required to any plan included in the Amended Preliminary Approval Document or Plan of Development, those amendments are to be reflected on all other affected plans, including those applying to REC05/0190 where applicable.*

#### **Approved Plans associated with Preliminary Approval Application No MCU05/0245**

~~Plan No:~~ Drawing No: HC-OLL-RFI-POD060626  
~~Description:~~ Plan of Development, prepared by Lend Lease, 26 June 2006  
~~Amendments:~~ Amend to accord with Drawing No. HC-OLL-RFI-POD061212, Plan of Development, prepared by Lend Lease, 12 Dec 2006 and conditions of approval, including Conditions 1 to 10

~~Plan No:~~ Drawing No: HC-OLL-RFI-POD061212  
~~Description:~~ Plan of Development, prepared by Lend Lease, 12 December 2006  
~~Amendments:~~ Nil

Plan No: Drawing No. HC-OLL-POD090727  
 Description: Plan of Development, prepared by Lend Lease, dated 27 July 2009

Plan No: Drawing No HCBS – 3F – LUP080624  
 Description: Sub-Precinct 3F Density (Beach Club), prepared by Lend Lease, dated 24 June 2008

Plan No: Drawing No: Figure 1  
 Description: Application Area - Land held by Coeur de Lion Investments PL (CDLI) & Lend Lease Development (LLD)

~~Plan No:~~ Drawing No: HC-OLL-RFI-MOBP060623  
~~Description:~~ Mobility Plan, prepared by Lend Lease, 23 June 2006  
~~Amendments:~~ As required by the conditions of approval, ensuring a continuous pedestrian/cycle connection from Jenyor Street and Warran Road to the existing beach access

Plan No: Drawing No. 13103A/32  
 Description: Mobility Plan, prepared by AK Building Design, dated 20/05/2013

Plan No: Drawing No: 13103A/33  
 Description: Buggy Network Plan, prepared by AK Building Design, dated 14/05/2013



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~~Plan No:~~ Drawing No: HC-OLL-RFI STR060921  
~~Description:~~ Structure Plan, prepared by Lend Lease, 21 Sept 2006  
~~Amendments:~~ Amend in accordance with conditions of approval, including conditions  
 1 to 10  
 L Amend to ensure continuous pedestrian/cycle connection to beach  
 access

Plan No: Drawing No: 13103A/34  
 Description: Structure Plan, prepared by AK Building Design, dated 20/05/2013

Plan No: Drawing No: 13103A/35  
 Description: Pedestrian/Cycle Network Plan, prepared by AK Building Design,  
 dated 20/05/2013

Plan No: Drawing No: HC-OLL-RFI MOBP SV080710  
 Description: Service Vehicle Network, prepared by Lend Lease, 10 July 2008

Plan No: Drawing No: HC-OLL-RFI MOBP VH080710  
 Description: Vehicular Network, prepared by Lend Lease, 10 July 2008

Plan No: Drawing No: HC-OLL-RFI MOBCPC  
 Description: Golf Clubhouse/ Porte Cochere Mobility Plan, prepared by Lend  
 Lease, 23 June 2006  
 Amendments: As required by the conditions of approval

Plan No: Drawing No: HC-OLL-RFI MOB Sections/ Elevation (Sheet 1 of 2)  
 Description: Mobility Sections/ Elevations, prepared by Lend Lease, 23 June 2006  
 Amendments: As required by the conditions of approval

Plan No: Drawing No: HC-OLL-RFI MOB Sections/ Elevation (Sheet 2 of 2)  
 Description: Mobility Sections/ Elevations, prepared by Lend Lease, 23 June 2006  
 Amendments: As required by the conditions of approval

Plan No: Drawing No: 009169-S-B094 -I  
 • Description: Master Plan - Precinct Meets & Bounds, Sheets 1 – 8, prepared  
 by Jensen Bowers, 9 July 2008

Plan No: Drawing No: HC-OLL-RFI RH080710  
 Description: Road Hierarchy Plan, prepared by Lend Lease, 10 July 2008

Plan No: Drawing No: HC-CT-060915  
 Description: Proposed Car Parking Layout, prepared by Lend Lease, 15 Sept 2005  
 Amendments: As required by the conditions of approval, including Conditions 1 to 10

Plan No: Drawing No: HC-CT-061120  
 Description: Driving Range Car Park – 253 Spaces, prepared by Lend Lease, 22  
 Nov 2006

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**Plan No:** Drawing No: HC-CT-0611 21  
**Description:** Commissary Car Park – 201 Spaces, prepared by Lend Lease, 22 Nov 2006

**Plan No:** Drawing No. HC-BS-RV060920 G  
**Description:** Proposed Retained and Enhanced Vegetation Areas, prepared by Lend Lease, 16 July 2008

**Plan No:** Drawing No. 051021-BA-01 Sheets 1-3  
**Description:** Beach Access/Hyatt Coolum, Prepared by Lend Lease, Aug 2006  
**Amendments:** As required by the conditions of approval and subject to approval by the Environmental Protection Agency

**Plan No:** Drawing No: 009169-S-7012-A  
**Description:** Proposed Beach Access Boardwalks, Sheets 1-3, prepared by Jensen Bowers, 21 Aug 2006  
**Amendments:** As required by the conditions of approval and subject to approval by the Environmental Protection Agency

~~**Plan No:** Drawing No: HC-HSP-LP01a  
**Description:** Dune Esplanade Path Connection, Path Alignment Plan, Warragah Parade to Tanah Street East, prepared by Lend Lease, 29 Nov 2005  
**Amendments:** As required by the conditions of approval and subject to approval by the Environmental Protection Agency~~

**Plan No:** Drawing No: HC-OLL-RFI STG080710  
**Description:** Staging Plan, prepared by Lend Lease, 10 July 2008

**Plan No:** Drawing No: HC-DDS-080710  
**Description:** Vegetation Buffers prepared by Lend Lease dated 10 July 2008

**Plan No:** Drawing No HCBS-3F-BCB 080710 (Sheets 1 of 2)  
**Description:** Sub-Precinct 3F Beach Club Precinct Buffer Plan prepared by Lend Lease dated 10 July 2008  
**Amendments:** Nil

**Plan No:** Drawing No HCBS – 3F-BCB 080225 (Sheet 2 of 2)  
**Description:** Sub-Precinct 3F Beach Club Precinct Buffer Plan, prepared by Lend Lease  
Dated 25 February 2008

**Approved Plans associated with Reconfiguration of a Lot Application No REC05/0190**

**Plan No:** Drawing No 009169-S-3025- C  
**Description:** Hyatt Regency Coolum Vantage Stage 2 Proposed Reconfiguration – Sheet 1 of 2, prepared by Jensen Bowers dated 24 January 2007

**Plan No:** Drawing No 009169-S-3026-F  
**Description:** Hyatt Regency Coolum Vantage Stage 2 Proposed Reconfiguration – Sheet 2 of 2, prepared by Jensen Bowers dated 22 May 2008

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- Plan No:** Drawing No HC-VSTG2-LSRFI-080225  
**Description:** Vantage Stage 2 Streetscape prepared by Lend Lease dated 25 September 2008
- Plan No:** Drawing No: HC-VSTG2-ROL080225  
**Description:** Vantage Fill Screening Plan (Issues 46 – 48), ~~Sheets 1 – 2~~, prepared by Lend Lease, 25 February 2008
- Plan No:** Drawing No. VNTG-STG2BO51222J – Sheet 1 of 3  
**Description:** Development Outcomes Plan, prepared by Lend Lease, dated 27 August 2008
- Plan No:** Drawing No. VNTG-STG2BO51222K – Sheet 2 of 3  
**Description:** Development Outcomes Plan, prepared by Lend Lease, dated 27 August 2008
- Plan No:** Drawing No. VTGE-STG2BO51222I – Sheet 3 of 3  
**Description:** Development Outcomes Plan, prepared by Lend Lease, dated 20 August 2008
- Plan No.** HC-HSP LP01b  
**Description:** Regional Cycleway Connection Path Alignment Plan Warragah Parade to Tanah Street East prepared by Lend Lease, prepared 27/05/09  
**Amendments:** Amend in accordance with conditions of approval
- Plan No:** 740901-261, Revision A  
**Description:** Hyatt Regency Coolum External Civil Engineering Works Shared Path at Dune - General Arrangement prepared by Cardno, dated 01/09/2009
- Plan No.** 740901-262  
**Description:** Hyatt Regency Coolum External Civil Engineering Works Shared Path at Dune Cross Section Sheet 1 prepared by Cardno, dated 12/08/08  
**Amendments:** Amend in accordance with conditions of approval
- Plan No.** 740901-263  
**Description:** Hyatt Regency Coolum External Civil Engineering Works Shared Path at Dune Cross Section Sheet 2 prepared by Cardno Amendments, dated 12/02/08  
**Amendments:** Amend in accordance with conditions of approval
- Plan No.** 740901-264  
**Description:** Hyatt Regency Coolum External Civil Engineering Works Shared Path at Dune Cross Section Sheet 3 prepared by Cardno Amendments, dated 12/02/08  
**Amendments:** Amend in accordance with conditions of approval

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**Plan No.** 740901-265  
**Description:** Hyatt Regency Coolum External Civil Engineering Works Shared Path at Dune Retaining Wall Details prepared by Cardno Amendments, dated 12/08/08  
**Amendments:** Amend in accordance with conditions of approval

**Plan No.** 740901-143, Revision E  
**Description:** Hyatt Regency Coolum External Civil Engineering Works Typical Section - Sheet 3 prepared by Cardno, dated 01/09/2009

#### List of Approved Documents

The approved documents for this development approval are:

- (i) The documents referred to in the List of Approved Documents (including the amendments that are required to be made to those documents); and
- (ii) Where the amended version of the documents referred to in the List of Approved Documents have been approved by Council, the amended version of those documents.

The amended version of the documents referred to in the List of Approved Documents must:

- (i) Within 10 business days of the date of this development approval be submitted to the Council for approval; and
- (ii) Be approved by the Council if the amended documents comply with the List of Approved Documents

**Document:** Preliminary Approval Document  
**Description:** Coolum Hyatt Resort - Master Planned Document – January 2010 (Version 200110)

**Document:** Cultural Heritage Assessment, Reference BAMM - 03059  
**Description:** Prepared by Archaeo Cultural Heritage Services, May 2004  
**Amendments:** As required by the conditions of approval

**Document:** Internal Traffic Report  
**Description:** Internal Road Network, prepared by Sinclair Knight Merz, June 2006  
**Amendments:** As required by the conditions of approval

**Document:** Site Based Management Plan  
**Description:** Site Based Management Plan for the Design, Construction & Operation of the Hyatt Coolum Golf Course, prepared by Yurrah Pty Ltd, 10 May 2006  
**Amendments:** Amend to accord with Preliminary Approval Document and Plan of Development as amended

**Document:** Geotech Report  
**Description:** Geotechnical and Acid Sulfate Soil Investigation, prepared by Golder Associates, Sept 2003  
**Amendments:** As required by the conditions of approval

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**Document:** Water Supply & Sewage Investigation  
**Description:** Hyatt Regency Coolum Water Supply & Sewage Investigation, prepared by Cardno Pty. Ltd, June 2006  
**Amendments:** As required by the conditions of approval

**Document:** Flood Study  
**Description:** Approved Document -Flood Study for the Master Plan MCU Application, prepared by Cardno PL, 15 June 2006 & inc Response to Outstanding Issues For Tuflow Model, prepared by Cardno dated 13 Sept 2006

**Document:** Arborist Report  
**Description:** Tree Report/Assessment, prepared by Coastland Arbor Services Pty Ltd, 26 June 2006  
**Amendments:** As required by the conditions of approval

**Document:** Stormwater Quality Management Plan  
**Description:** For The Master Plan MCU Application prepared by Cardno Pty Ltd, 15 June 2006 inc Response to Information Request, prepared by Cardno Pty. Ltd, 18 Sept 2006

**Document:** Water Quality Analysis  
**Description:** Rainforest Water Quality Analysis, prepared by Cardno Pty Ltd, 3 May 2006  
**Amendments:** As required by the conditions of approval

**Document:** Acoustics Report  
**Description:** Prepared by Heggies Australia, 20 Sept 2006  
**Amendments:** As required by the conditions of approval

**Document:** Beach Access Management Plan  
**Description:** Prepared by Yurrah Pty. Ltd, Aug 2006  
**Amendments:** As required by the conditions of approval

**Document:** Vegetation Assessment Hyatt Beach Access Tracks  
**Description:** Prepared by Golder and Associates, 9 June 2006  
**Amendments:** As required by the conditions of approval

**Document:** Reference BAMB - 03059  
**Description:** Vegetation Assessment prepared by Jaeger-Moran Environmental dated November 2003  
**Amendments:** None

## 8 ADVISORY NOTES

These Advisory Notes do not form part of this approval or the conditions attached thereto. The following Advisory Notes are intended to provide guidance to the applicant where necessary and inform the applicant of actions that Council may take with respect to the development site or the approval:

### MAROOCHY WATER

Prior to any design or construction of any headworks infrastructure, the developer must contact Council to determine timings and responsibilities for the construction.

Council reserves the right to construct the required trunk infrastructure, subject to timeframes for the construction being suitable to both Council and the developer. Should Council undertake construction of the infrastructure the developer will be responsible for the prepayment of an amount of headworks contributions as determined by Council prior to construction.

### BUSHFIRE

Buildings within 100 metres of bushland must be constructed to meet the standards specified in the Building Code of Australia and AS3959-1999 – *Construction of Buildings in Bushfire Prone Areas*.

### LANDSCAPING

- 1 The applicant must obtain a Development Permit for Operational Work for the landscaping required on site. The Development Application for Operational Work must include 5 copies of a landscape plan (together with 1 reduced copy at A3 size) are required. The landscaping plan must be prepared by a qualified consultant at a scale of 1:100 (details at 1:10 or 1:20), and contain the following information:
  - (a) Location and name of existing trees. The existing trees to be retained/preserved are to be depicted on plan, as well as those proposed for removal. The location of these trees should be overlayed or be easily compared with the proposed development design
  - (b) Contextual information of the site (ie adjoining land use, streets). A photographic survey of the site is to be submitted to assist in a thorough assessment. The photographs are to detail the following areas:
    - i) The site as viewed from the road. The adjoining land uses should be photographed (ie panoramic view)
    - ii) Any trees or significant stands of vegetation
    - iii) Any existing structures
  - (c) Planting plan showing the position and canopy spread of all trees, shrubs and ground covers
  - (d) A plant schedule with the following information: botanic names, common names, total plant numbers, and pot sizes at the time of planting. (All feature trees shall have a minimum pot size of 45 litres with at least 10% of the remaining plants being suitably mature specimens.)
  - (e) Location of services such as drainage, water, sewerage and overhead power
  - (f) Details of landscape structures including areas of deep planting
  - (g) Important spot levels and/or contours. The levels of the trees to be retained should be provided in relation to the finished levels of the proposed buildings. In addition the heights and levels of retaining structures are to be indicated on plan
  - (h) Extent and type of works (i.e. paving, fences, garden bed edging etc.) All plants should be located within an edged garden
  - (i) Any landscape treatment on the street which may be required in the permit conditions (i.e. street trees, footpath)
  - (j) The name, contact details and qualifications of the landscape designer who drafted the plan

MCU05/0245.19

### DEVELOPMENT CONTRIBUTIONS PAYMENT ADVICE

Please contact Council's Development Contributions Officer at least 3 days prior to payment for issue of a payment advice (which is to accompany the payment).

The following contribution estimates are in accordance with the Planning Scheme Policies current at the time of the issue of this development approval. The contribution amounts will be subject to change with any subsequent amendments to the Planning Scheme Policies or the annual indexing of the Unit Charge:

Infrastructure Network	Increase in demand	Contribution Amount
Water Supply	268.80 ep	\$601,997.00
Sewerage	268.80 ep	\$482,234.03
Bikeways & Bicycle Facilities	84.00 du	\$4,493.82
Roads	630.00 cu	\$199,333.76
Stormwater Quality	84.00 cu	\$198,158.55
Public Parks	84.00 cu	\$686,401.53
Land for Community Facilities	84.00 cu	\$57,157.71

The approved Preliminary Approval Document (PAD) and conditions of approval (Condition Number 38) establish a maximum development density for the Hyatt site of 660 additional dwelling units within community title schemes. This maximum development density consists of:

- Beachside Precinct – 450 dwelling units
- Central Village – 125 dwelling units
- Vantage (Stage 2) - 85 dwelling units

Infrastructure Planning officers have advised that where the 'maximum development potential' for the site or precinct has been capped (identifying the maximum number of dwelling units allowable), the maximum figure will be used to calculate development contributions accordingly.

In the case of application REC05/0190 (Precinct 4 - Vantage), development contributions estimates have based on a maximum development potential for the site of 85 dwelling units as specified in the approved Preliminary Approval Document & approved Plan of Development (MCU05/0245) less the existing dwelling (eg  $3.2 \times 84 = 268.8 \times 2081 \times 1.0762$ ).

### EQUITABLE ACCESS AND FACILITIES

The plans for the proposed building work have NOT been assessed for compliance with the requirements of the Building Code of Australia – Part D3 as they relate to people with disabilities. Your attention is also directed to the fact that in addition to the requirements of the Building Code of Australia – Part D3 as they relate to people with disabilities, one or both of the following may impact on the proposed building work:

- (a) The *Disability Discrimination Act 1992* (Commonwealth)
- (b) *Anti-Discrimination Act 1991* (Queensland)

Maroochy Shire Council recommends that the following matters be considered to address equitable access and facilities in the building:

- (a) The building and environs should be designed to meet the requirements of the Human Rights and Equal Opportunity Commission "Advisory Notes on Access to Premises" and AS 1428.2

MCU05/0245.19

- (b) Applicants should be aware that a "Disability Standard on Access to premises" is currently being developed and most likely will impose changes on the Building Code of Australia
- (c) Any services and facilities in the building complex should allow independent, dignified and equitable use of the services and facilities for all people.

#### **ABORIGINAL CULTURAL HERITAGE ACT 2003**

There may be a requirement to establish a Cultural Heritage Management Plan and/or obtain approvals pursuant to the *Aboriginal Cultural Heritage Act 2003*.

The ACH Act establishes a cultural heritage duty of care which provides that: "A person who carries out an activity must take all reasonable and practicable measures to ensure the activity does not harm Aboriginal cultural heritage." It is an offence to fail to comply with the duty of care. Substantial monetary penalties may apply to individuals or corporations breaching this duty of care. Injunctions may also be issued by the Land and Resources Tribunal, and the Minister administering the Act can also issue stop orders for an activity that is harming or is likely to harm Aboriginal cultural heritage or the cultural heritage value of Aboriginal cultural heritage. You should contact the Cultural Heritage Co-ordination Unit on 07 3238 3838 to discuss any obligations under the ACH Act.

#### **9 PROPERTY NOTES**

The following property notation should be place on each new lot created under MCU05/0245.

*The Coolum Hyatt Resort Community: An Integrated Resort and Residential Community is a privately owned and operated resort community. Ownership and maintenance responsibilities for site access, internal roads, open space, street lighting, landscaping, stormwater (including bio-retention basins), water & sewerage infrastructure and all other infrastructure lie with the land owner and/or relevant body corporate(s). All future development of the subject land must be undertaken in accordance with approved Preliminary Approval Document (Coolum Hyatt Resort - Master Planned Document (Version IR250606), prepared by Ken Hicks and Associates, June 2006) and the approved Plan of Development (Drawing No: HC-OLL-RFI POD060915, prepared by Lend Lease, 15 Sept 2006).*

The following property notation should be place on each new lot created under REC05/0190.

#### **VANTAGE STAGE 2 - COMMUNITY TITLE SCHEME**

*This lot is as part of a community title scheme. Ownership and maintenance responsibilities for site access, internal roads, open space, street lighting, landscaping, stormwater (including bio-retention basins), water & sewerage infrastructure and all other infrastructure lie with the body corporate. All future development of the subject land must be undertaken in accordance with approved Preliminary Approval Document (Coolum Hyatt Resort - Master Planned Document (Version IR250606), prepared by Ken Hicks and Associates, June 2006) and the approved plans.*



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*Private vehicle access to the community title scheme must be from Jenyor Street or Centenary Heights Road (through Vantage Stage 1). No private vehicular access is permitted from the Coolum Hyatt Resort.*

*This lot has been approved subject to the implementation of stormwater recommendations contained in the approved Stormwater Management Plan.*

*All houses and dual occupancies within the community title scheme are limited to 2 storeys but not more than 8.5 metres in height.*

#### **10 PRELIMINARY APPROVAL OVERRIDING PLANNING SCHEME**

Not Applicable.

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

##### **For Preliminary Approval Application MCU05/0245**

Development Permit for Material Change of Use of Premises  
Development Permit to Reconfigure a Lot  
Development Permit for Building Work  
Development Permit for Plumbing Works  
Development Permit for Drainage Works  
Development Permit for Operational Works (Excavation, Extraction or Filling)  
Development Permit for Operational Works (Engineering Works)  
Development Permit for Operational Works (Landscaping)

##### **For Development Permit to Reconfigure a Lot Application REC05/0190**

Development Permit for Building Work  
Development Permit for Operational Works (Engineering Works)  
Development Permit for Operational Works (Landscaping)  
Development Permit for Operational Works (Plumbing and Drainage)

#### **12 SELF ASSESSABLE CODES**

Not Applicable.

#### **13 SUBMISSIONS**

There were 3,837 properly made submissions about the original development application. Please refer to the Negotiated Decision Notice dated 11 July 2007 dated for the name and address of the principal submitter for each properly made submission.

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

Not Applicable.

#### **15 RIGHTS OF APPEAL**

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

MCU05/0245.19

**16 OTHER DETAILS**

If you wish to obtain more information about Council's decision, electronic copies of which are available on line at [www.sunshinecoast.qld.gov.au](http://www.sunshinecoast.qld.gov.au), or at Council offices.

**DECISION NOTICE HISTORY**

28 Feb 2007 - Original Decision Notice - MCU05/0245  
11 July 2007 - Negotiated Decision Notice - MCU05/0245  
30 April 2008 - Changes to Existing Approval - CCC08/0015  
22 October 2008 - Changes to Existing Approval - CCC08/0042  
02 September 2009 - Changes to Existing Approval - CCC09/0021  
26 November 2013 - Changes to Existing Approval - MCU05/0245.12

- Refuse to change Condition No 99.
- Change Condition No 148.

29 June 2015 - **Changes to an Existing Approval** - MCU05/0245.16

- Delete Conditions 304 – 308 from Development Permit REC05/0190.

15 July 2016 - **Changes to an Existing Approval** - MCU05/0245.19

- Reissue the Council Approval with the latest Concurrence Agency Response and Conditions (dated 12 July 2016)

Yours faithfully



BRYCE MCKAY  
SENIOR DEVELOPMENT PLANNER

Encl. *Appeal Rights*

cc *Unitywater*  
*SARA for DILGP*

MCU05/0245.19



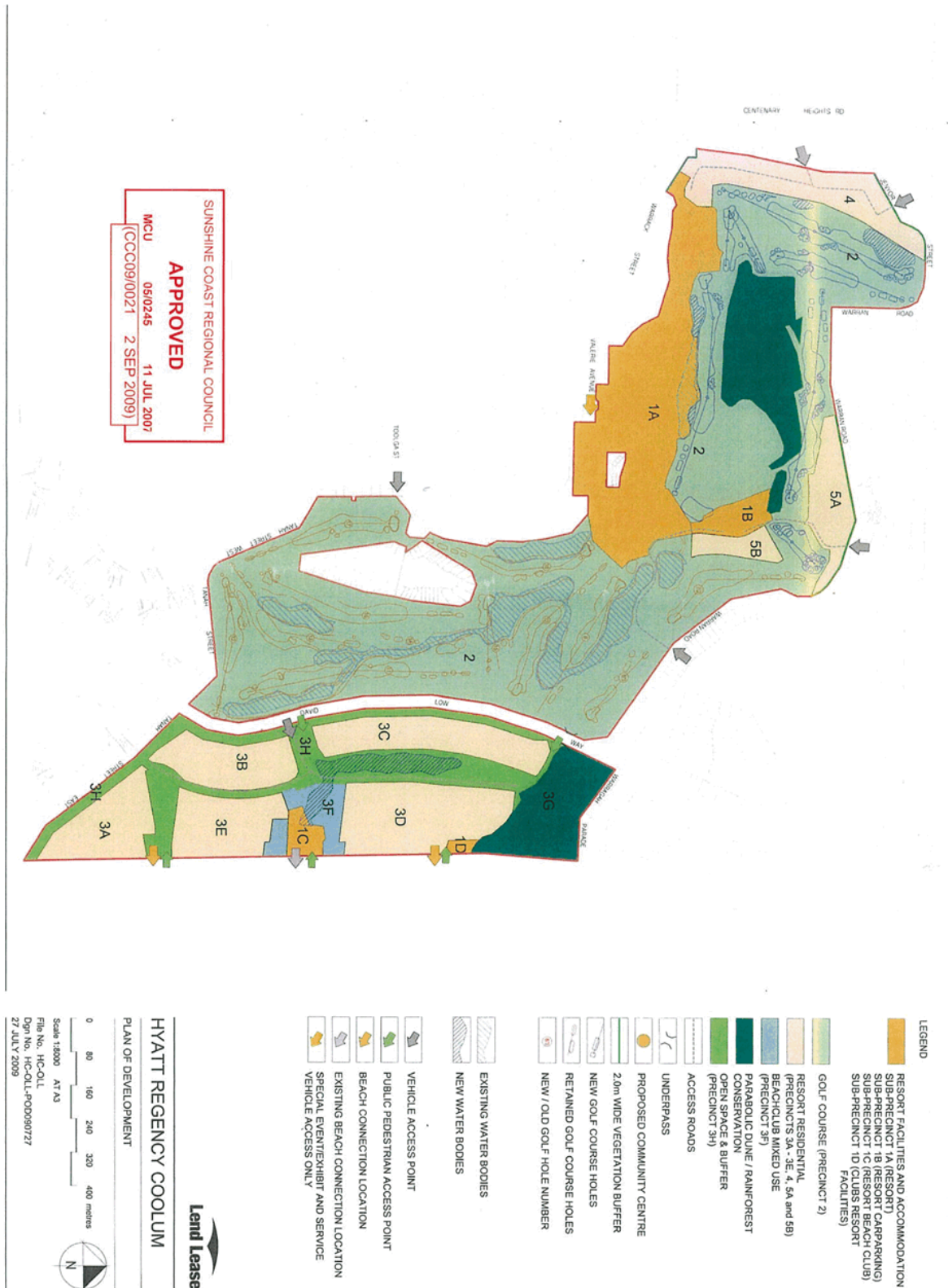
## Appeal Rights

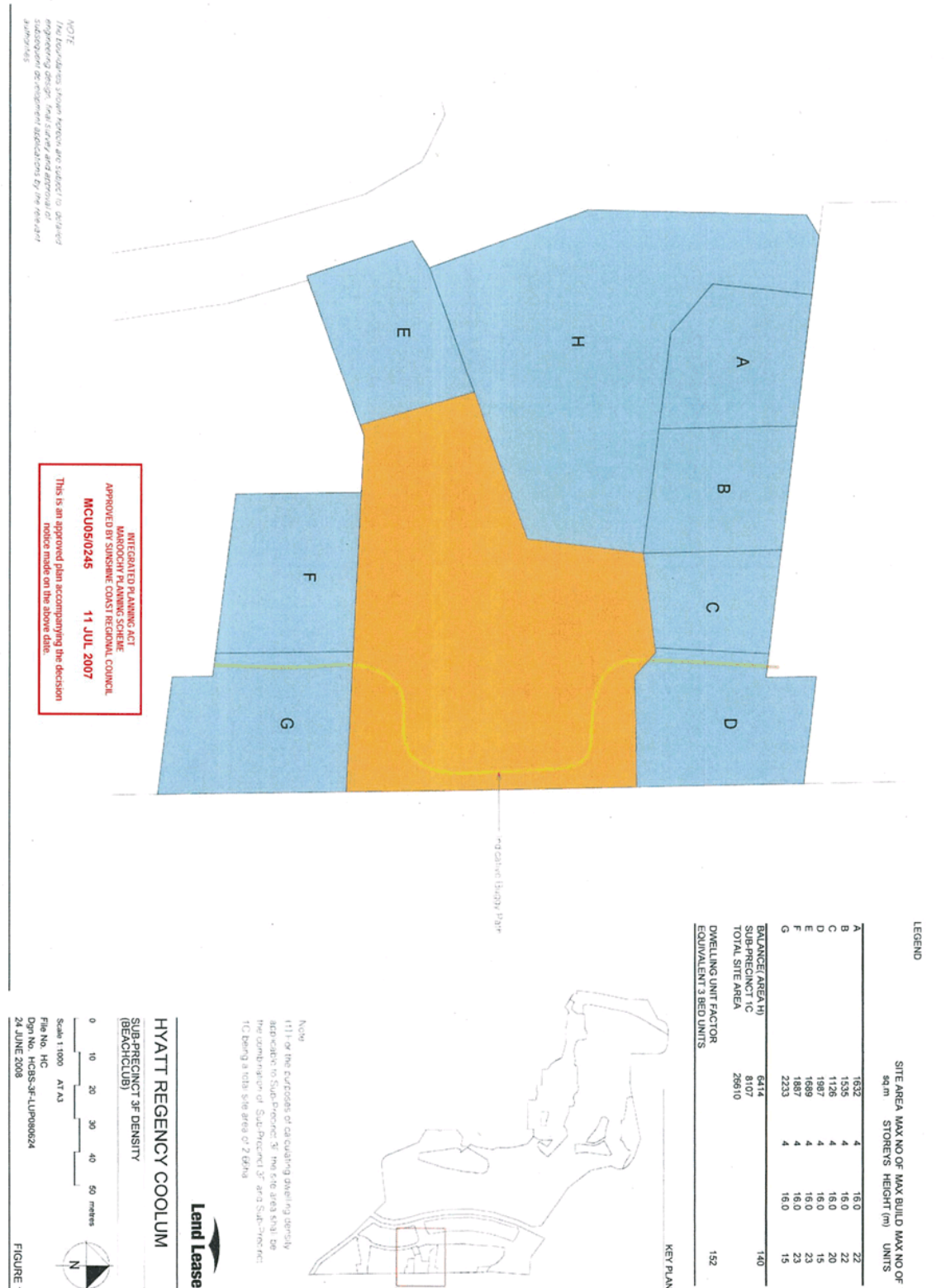
SUSTAINABLE PLANNING ACT 2009 & SUSTAINABLE  
PLANNING REGULATION 2009

The following is an extract from the  
*Sustainable Planning Act 2009* (Chapter 7)

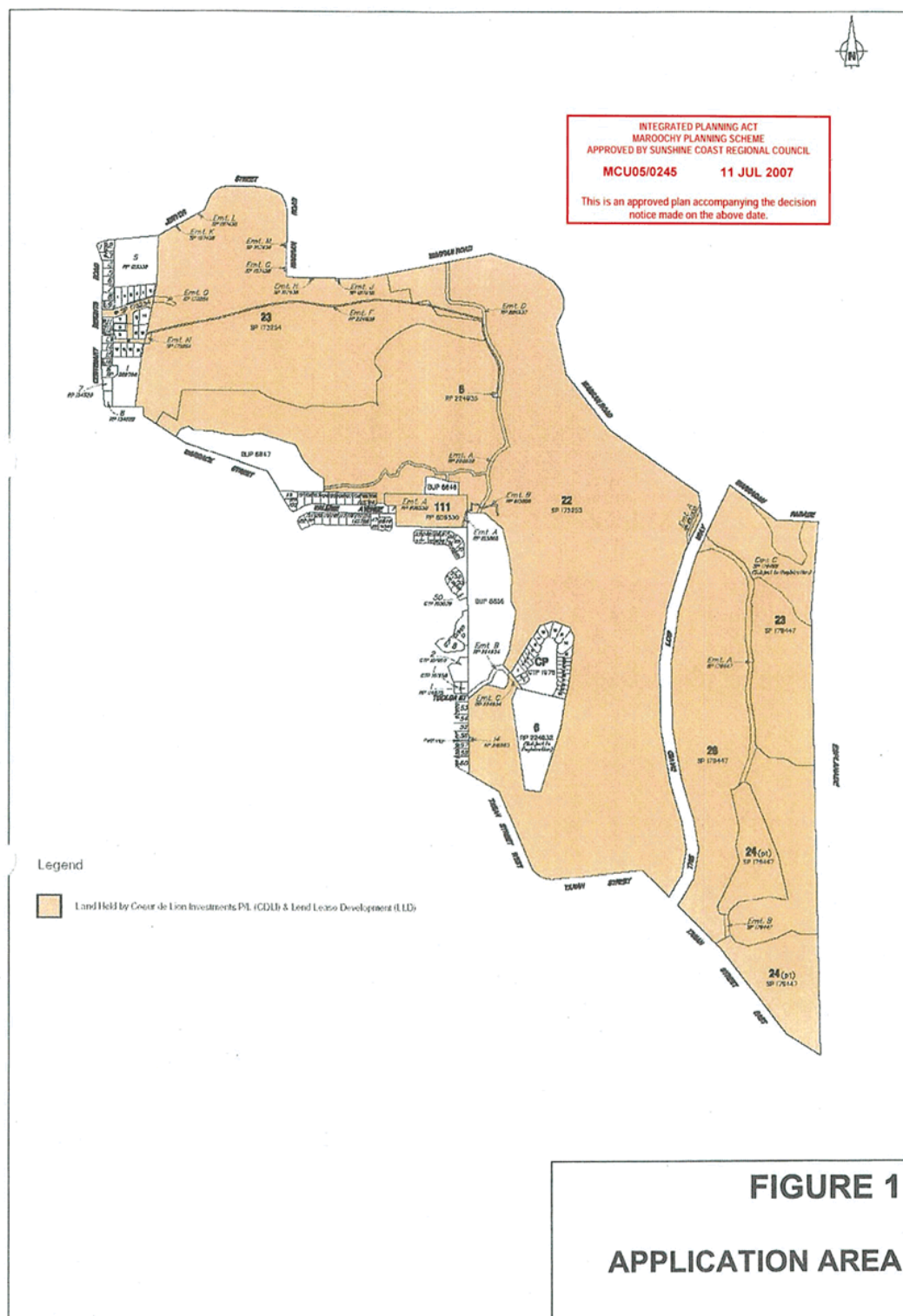
### **466 Appeals about decisions relating to permissible changes**

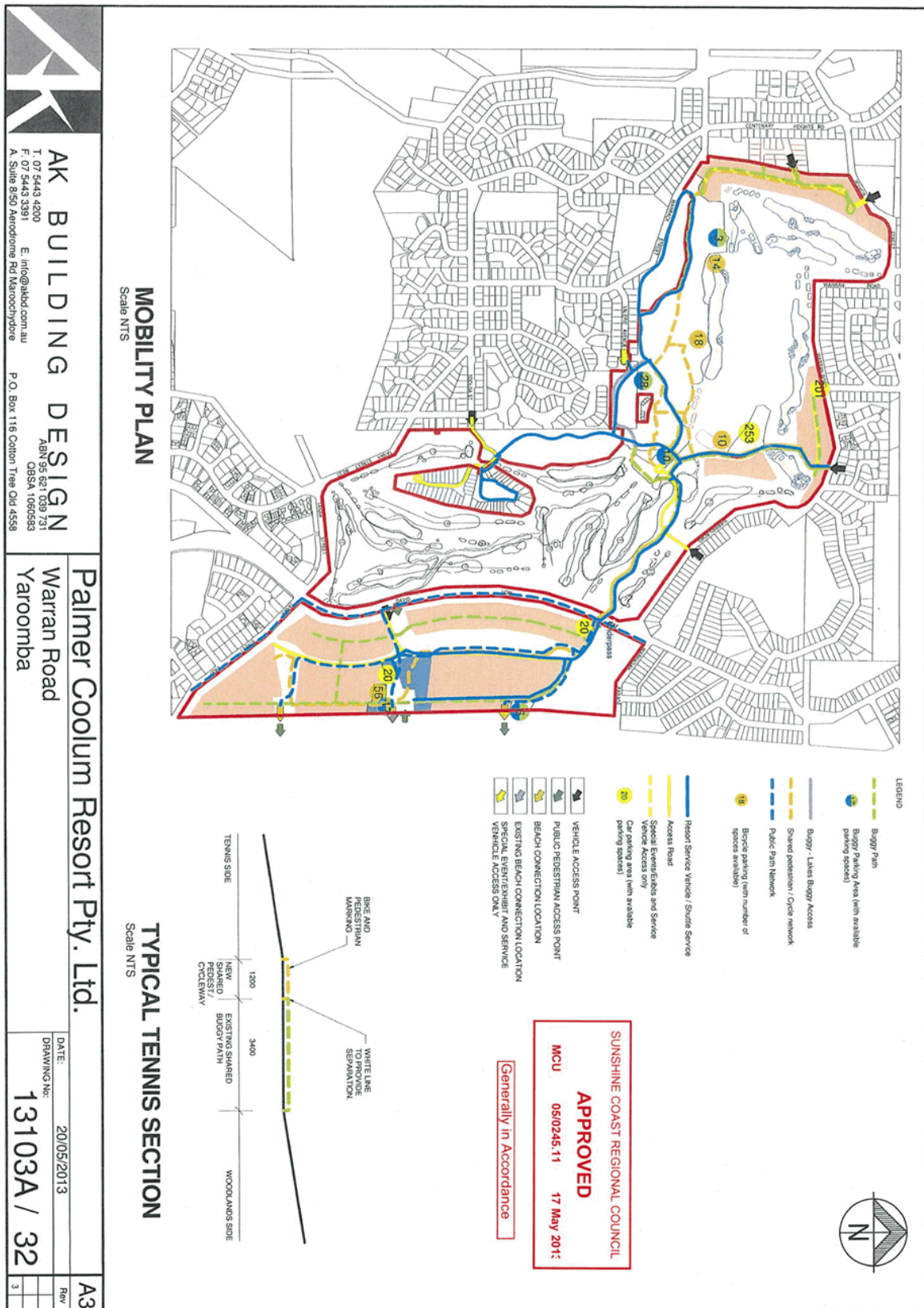
- (1) For a development approval given for a development application, the following persons may appeal to the court against a decision on a request to make a permissible change to the approval—
  - (a) if the responsible entity for making the change is the assessment manager for the application—
    - (i) the person who made the request; or
    - (ii) an entity that gave a notice under section 373 or a pre-request response notice about the request;
  - (b) if the responsible entity for making the change is a concurrence agency for the application—the person who made the request.
- (2) The appeal must be started within 20 business days after the day the person is given notice of the decision on the request under section 376.
- (3) Also, a person who has made a request under section 369 may appeal to the court against a deemed refusal of the request.
- (4) An appeal under subsection (3) may be started at any time after the last day the decision on the matter should have been made.



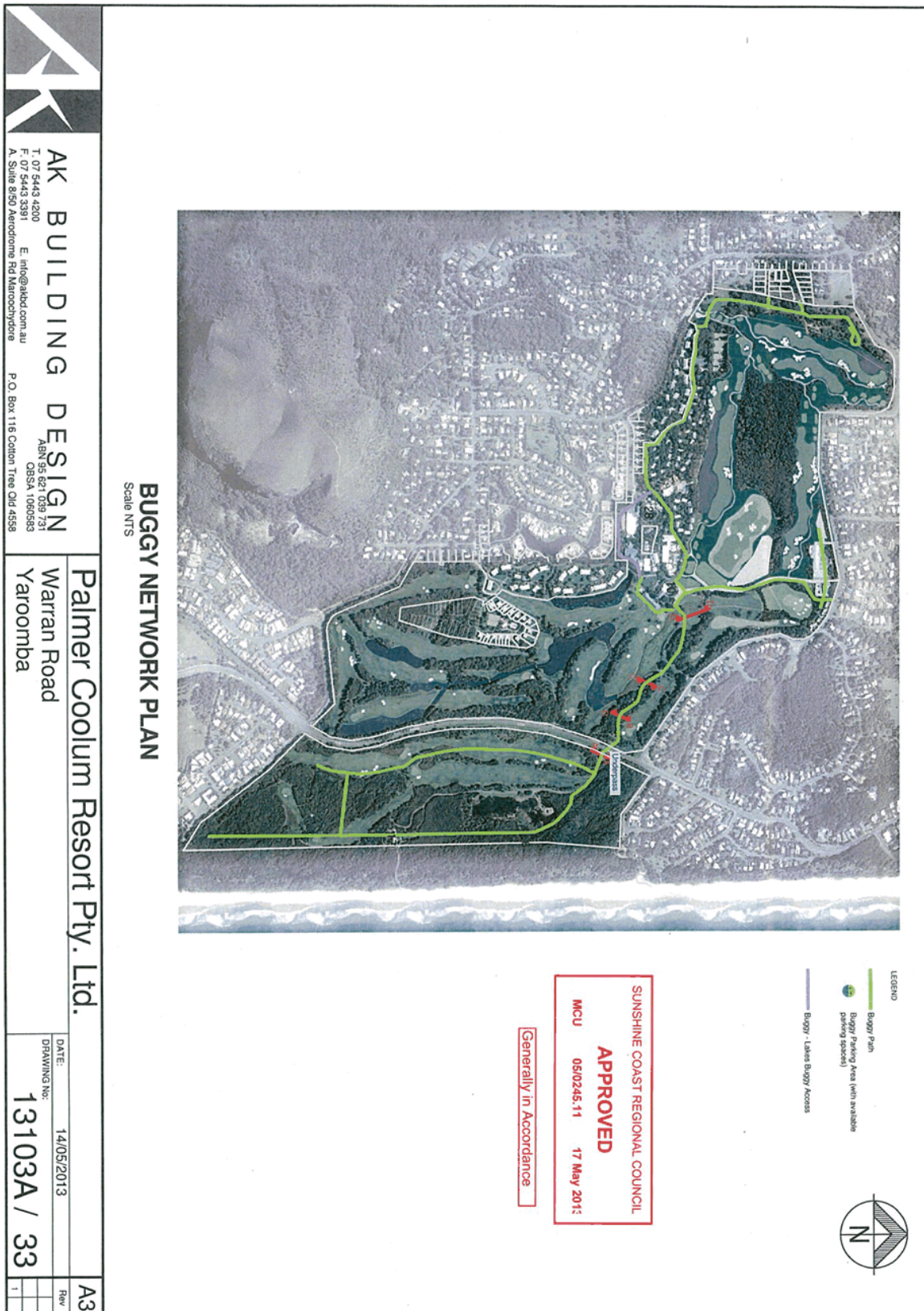




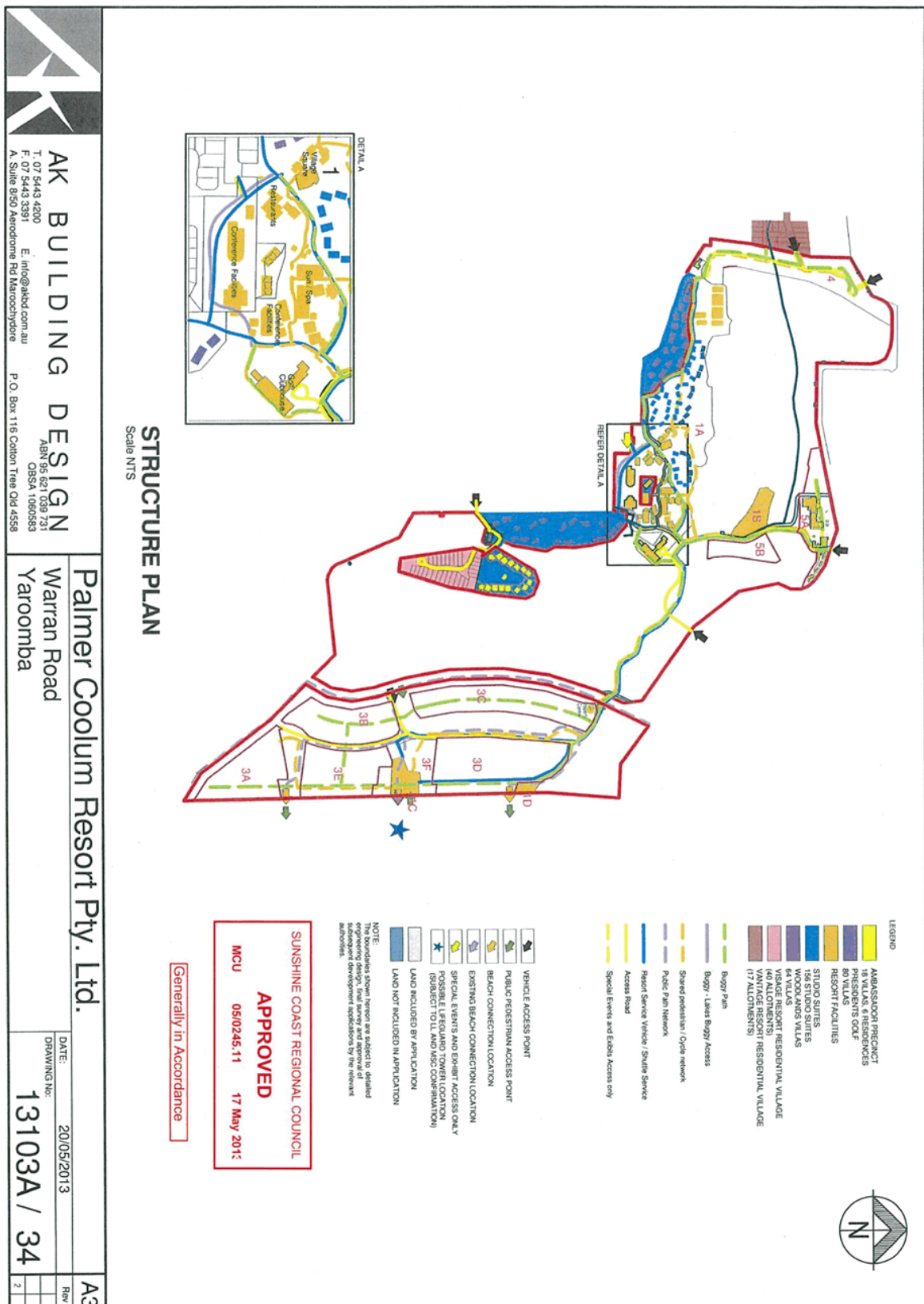


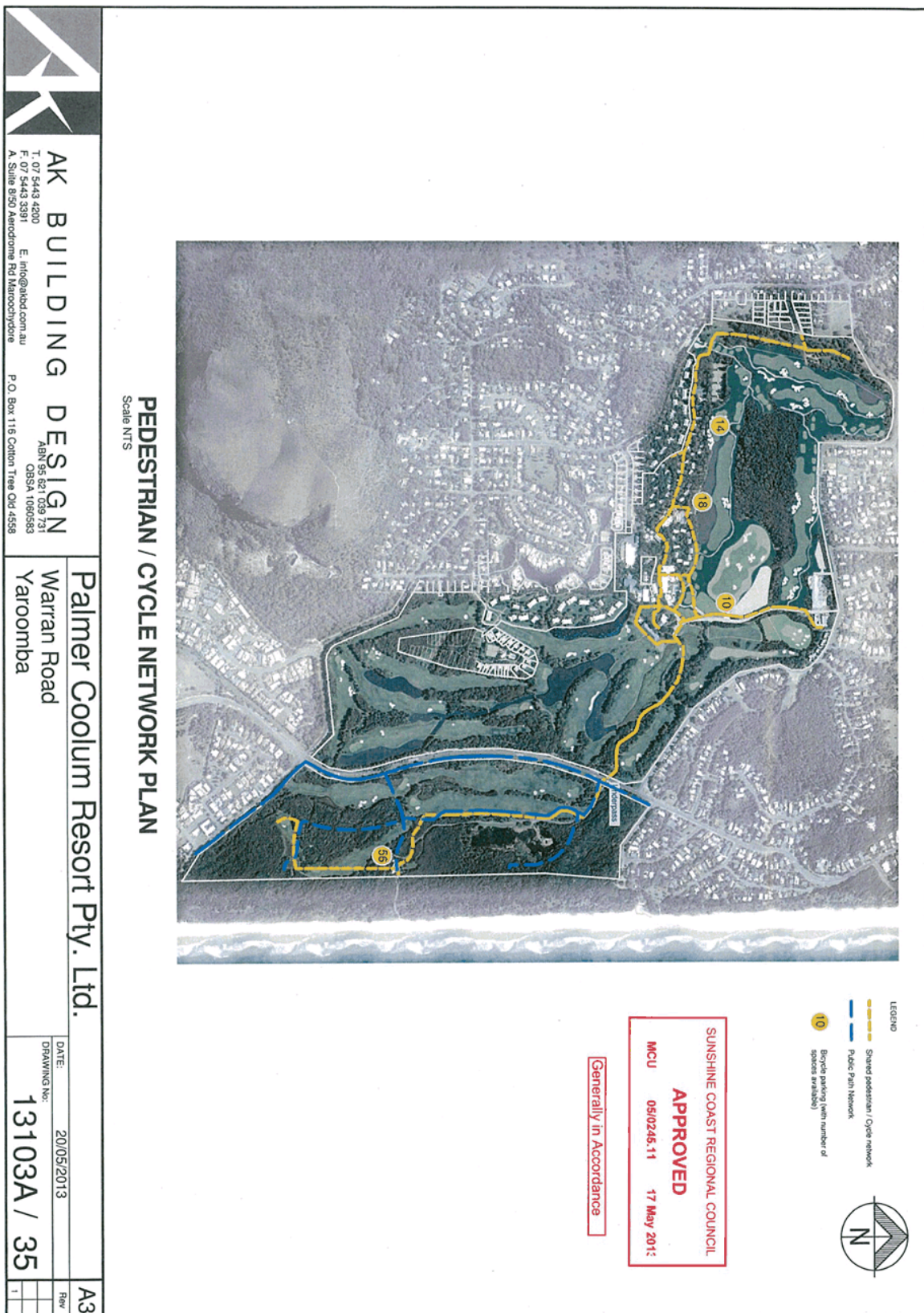
















LEGEND

Resort Service Vehicle / Shuttle Service

INTEGRATED PLANNING ACT  
MAROOCHY PLANNING SCHEME  
APPROVED BY SUNSHINE COAST REGIONAL COUNCIL  
MCU05/0245 11 JUL 2007

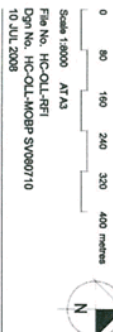
This is an approved plan accompanying the decision  
notice made on the above date.

Pathway location approximate only  
and subject to detail design.



HYATT REGENCY COOLUM

SERVICE VEHICLE NETWORK







## LEGEND

- Resort Access Road
- Access Road
- Special Events & Exhibit Access only
- Car parking area (with available parking spaces)

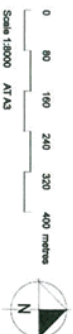
INTIGRATED PLANNING ACT  
MAROOCHY PLANNING SCHEME  
APPROVED BY SUNSHINE COAST REGIONAL COUNCIL  
MCU05/0245 11 JUL 2007  
This is an approved plan accompanying the decision  
notice made on the above date.

Pathway location approximate only  
and subject to detail design.

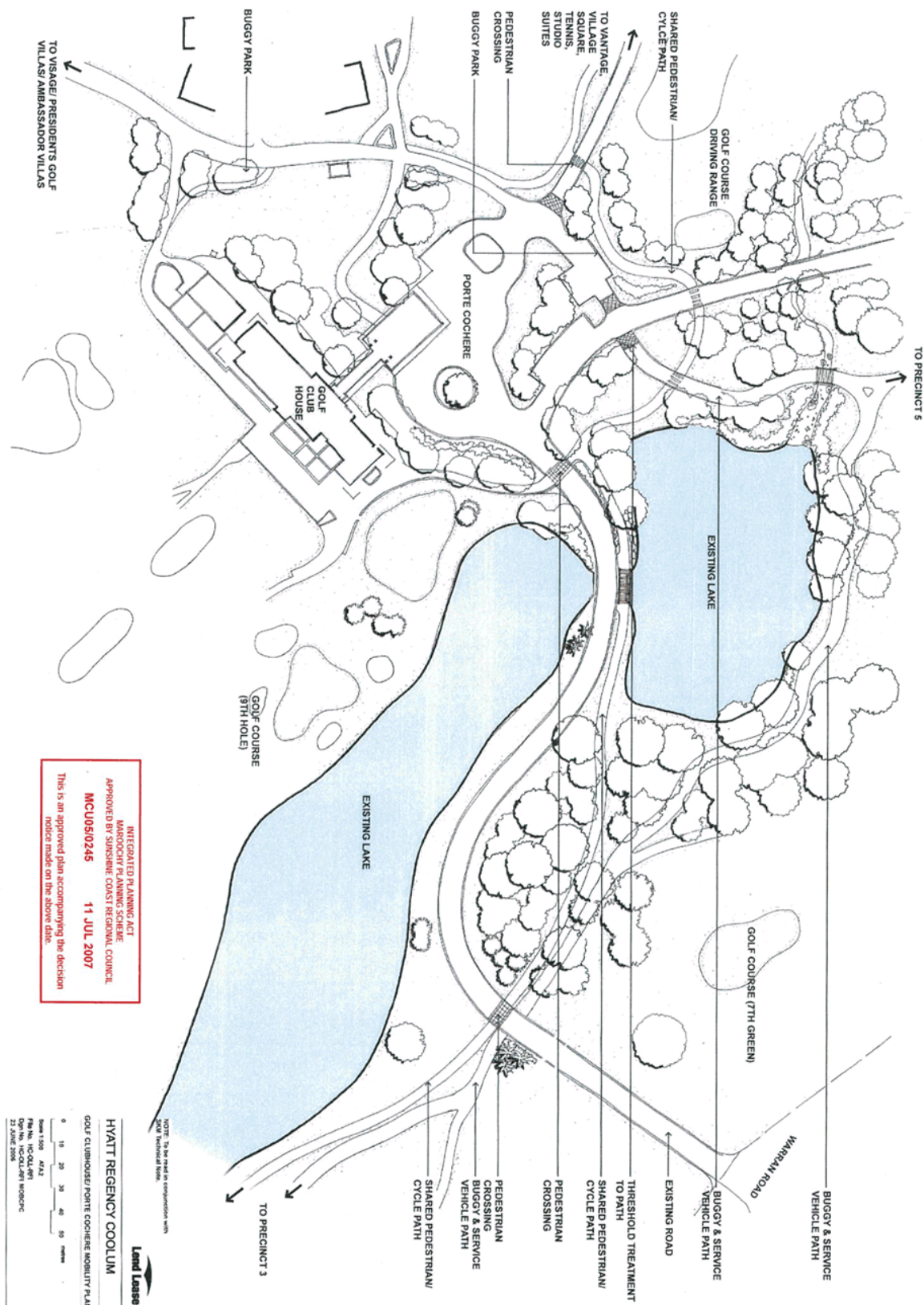


## HYATT REGENCY COOLUM

## VEHICULAR NETWORK



Scale 1:8000 AT/A  
File No. HC-CLL-RFI  
Dgn No. HC-CLL-MOBP V1000710  
10 JUL 2008







INTEGRATED PLANNING ACT  
MANOCHRY PLANNING SCHEME  
APPROVED BY SUNSHINE COAST REGIONAL COUNCIL  
MCU05/0245 11 JUL 2007  
This is an approved plan accompanying the decision  
notice made on the above date.

**Lend Lease**

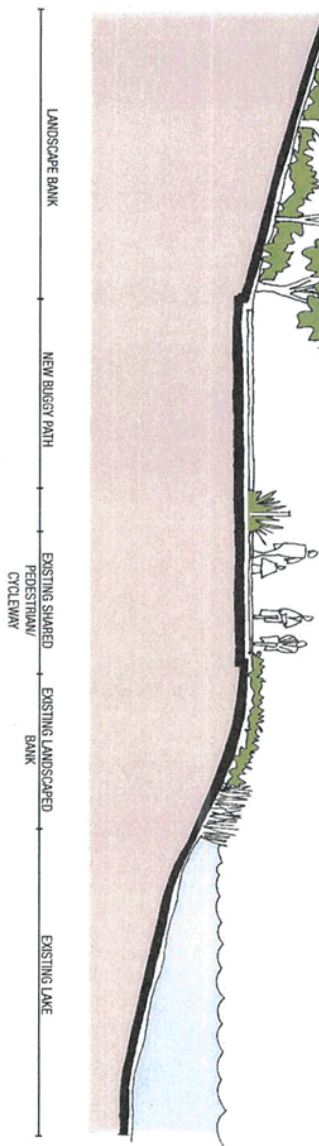
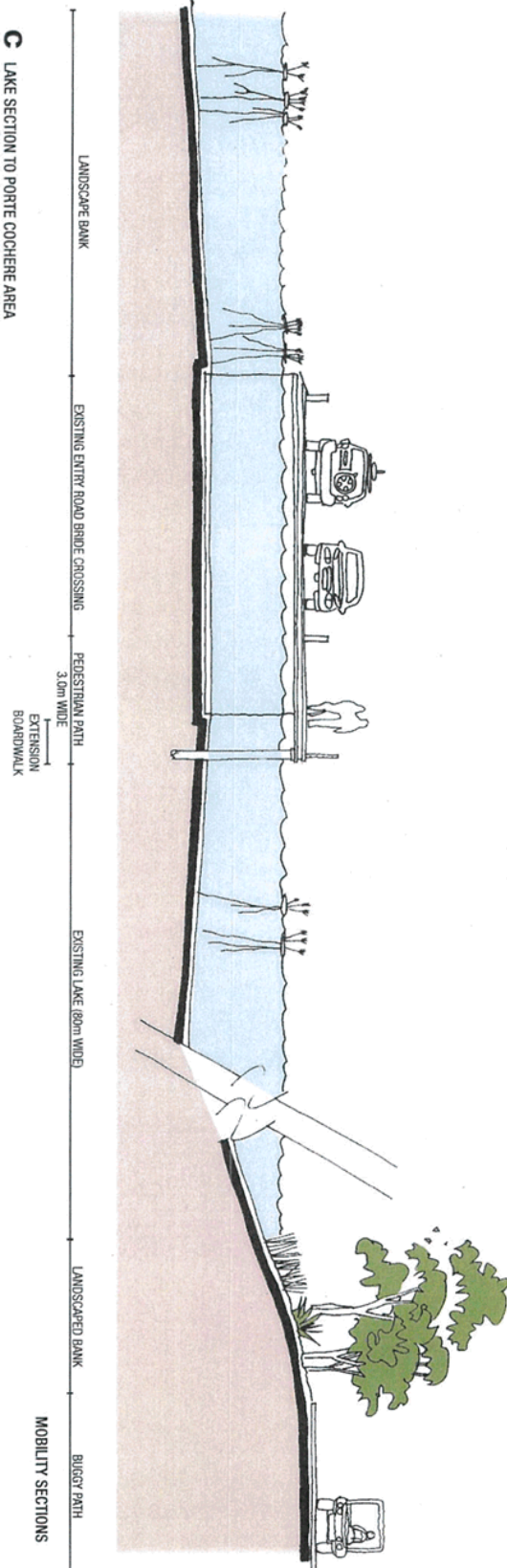
**HYATT REGENCY COOLUM**

MOBILITY SECTIONS/ ELEVATION

0 10 20 30 40 50 metres

Scale 1:100 AT A3

File No. HC-OL-RP1  
Dgn No. HC-OL-RP1 MOB SECTIONS/ ELEVATION  
23 JUNE 2006

**D** TYPICAL PATH TO LAKE SECTION**C** LAKE SECTION TO PORTE COCHERE AREA

INTEGRATED PLANNING ACT  
MAROOCHY PLANNING SCHEME  
APPROVED BY SUNSHINE COAST REGIONAL COUNCIL  
MCU050245 11 JUL 2007  
This is an approved plan accompanying the decision  
notice made on the above date.

**Lend Lease**

**HYATT REGENCY COOLUM****MOBILITY SECTIONS/ ELEVATION**

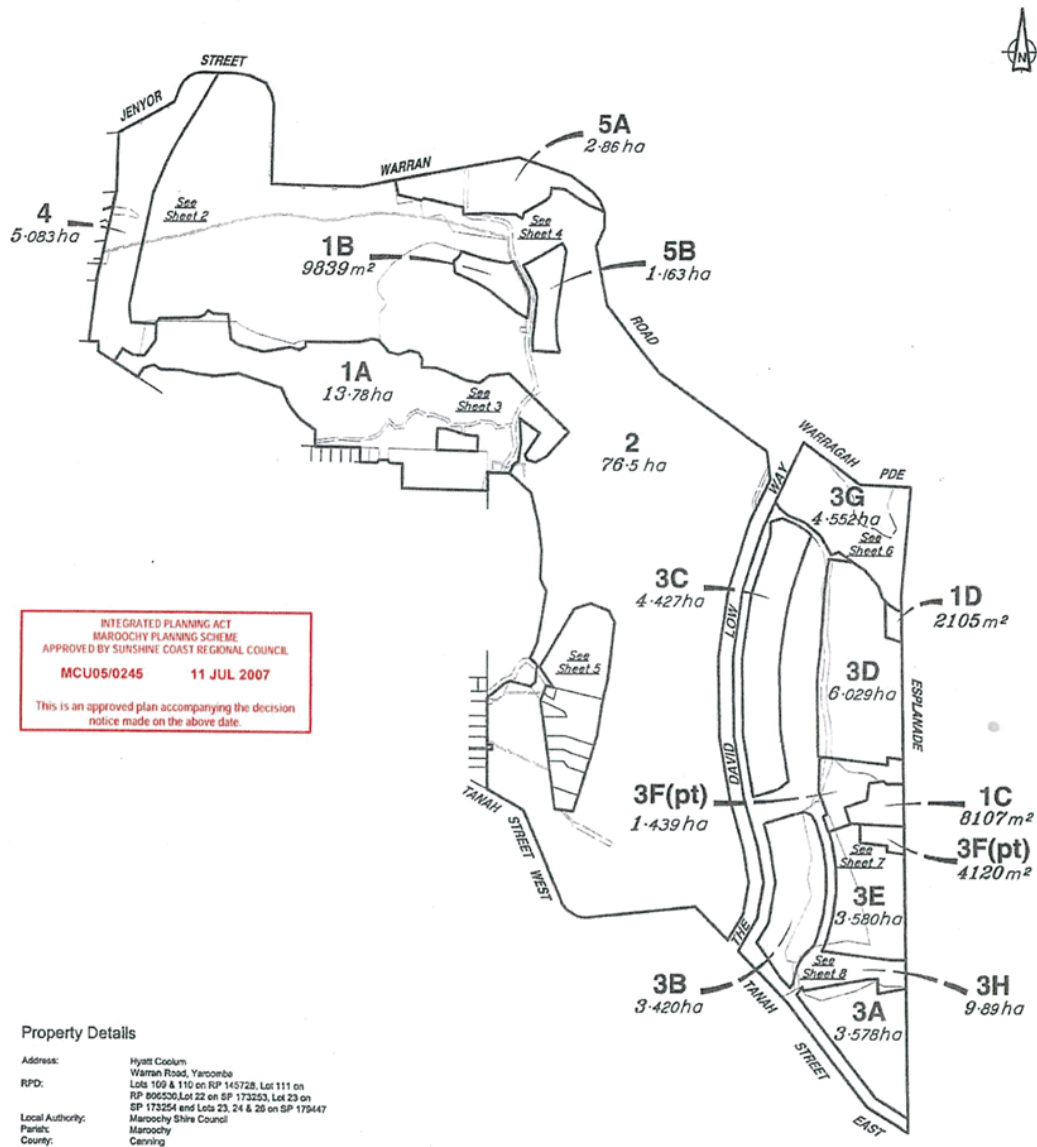
0 10 20 30 40 50 metres

Scale 1:100 AT A3

File No. MC04-071

Drawing No. MC04-071 MOB SECTIONS/ ELEVATION

22 JUNE 2006



## Notes

Design subject to Local Authority approvals and detailed design requirements. Areas and dimensions are approximate only and are subject to final survey.

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Issue A: Original Issue 29/06/2006  
Issue B: Precincts 1A, 1B & 1C Added and Precinct 3F Amended 12/06/2007  
Issue C: Precincts 3A, 3B, 3C, 3E & 3H Amended 25/09/07  
Issue D: Precincts 3A & 3H Amended 04/07/07  
Issue E: Precincts 3, 3C, 3H & 4 Amended 23/03/07  
Issue F: Precincts 1A, 2 & 4 Amended 27/09/07  
Issue G: Precincts 1D added & 3D Amended 15/02/08  
Issue H: Precinct 5A Amended 4/09/08  
Issue I: Precincts 3F & 1C Amended 06/07/08

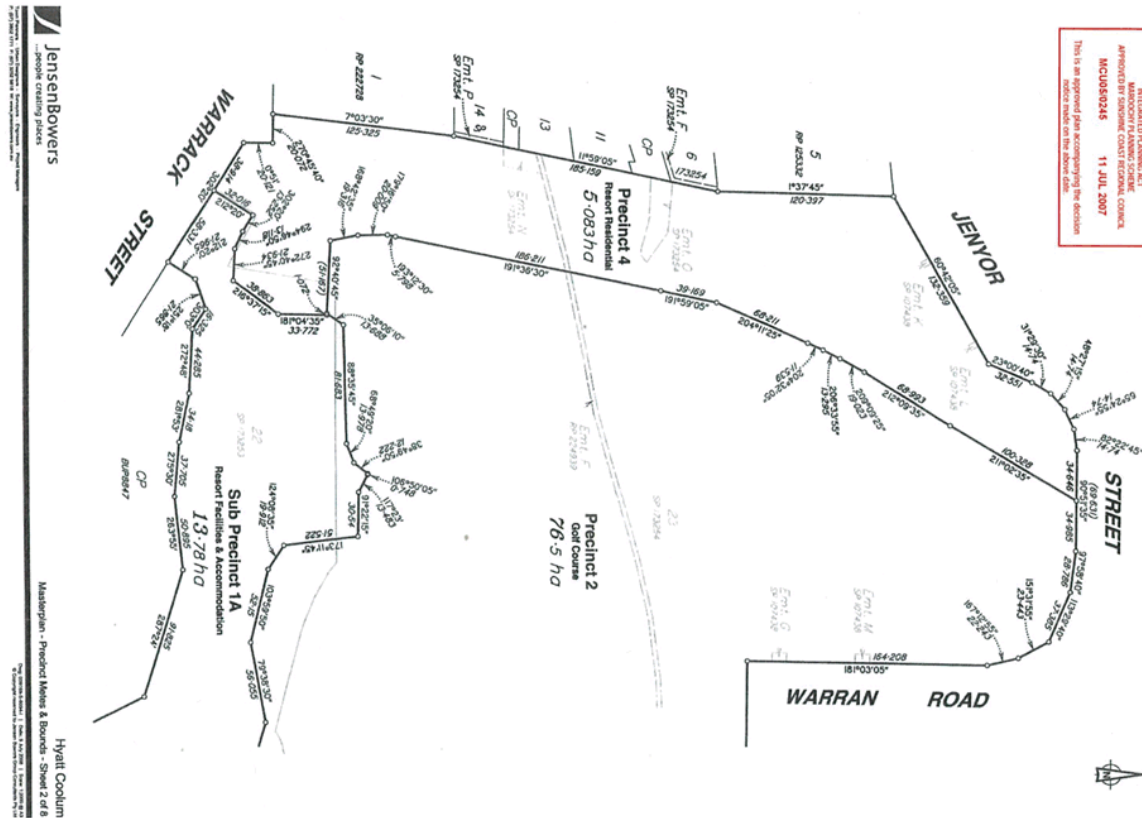
**JensenBowers**  
...people creating places

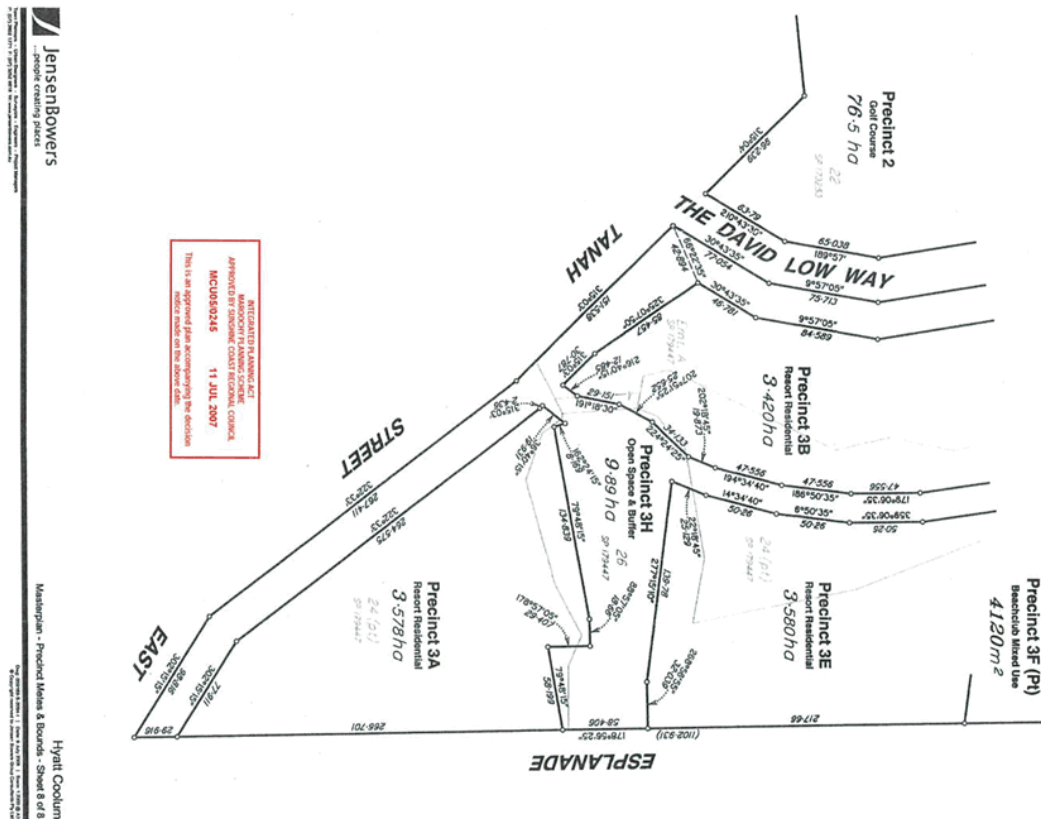
Team Planning - Urban Designers - Surveyors - Engineers - Project Managers  
P (07) 3022 1771 F (07) 3022 8918 W [www.jensenbowers.com.au](http://www.jensenbowers.com.au)

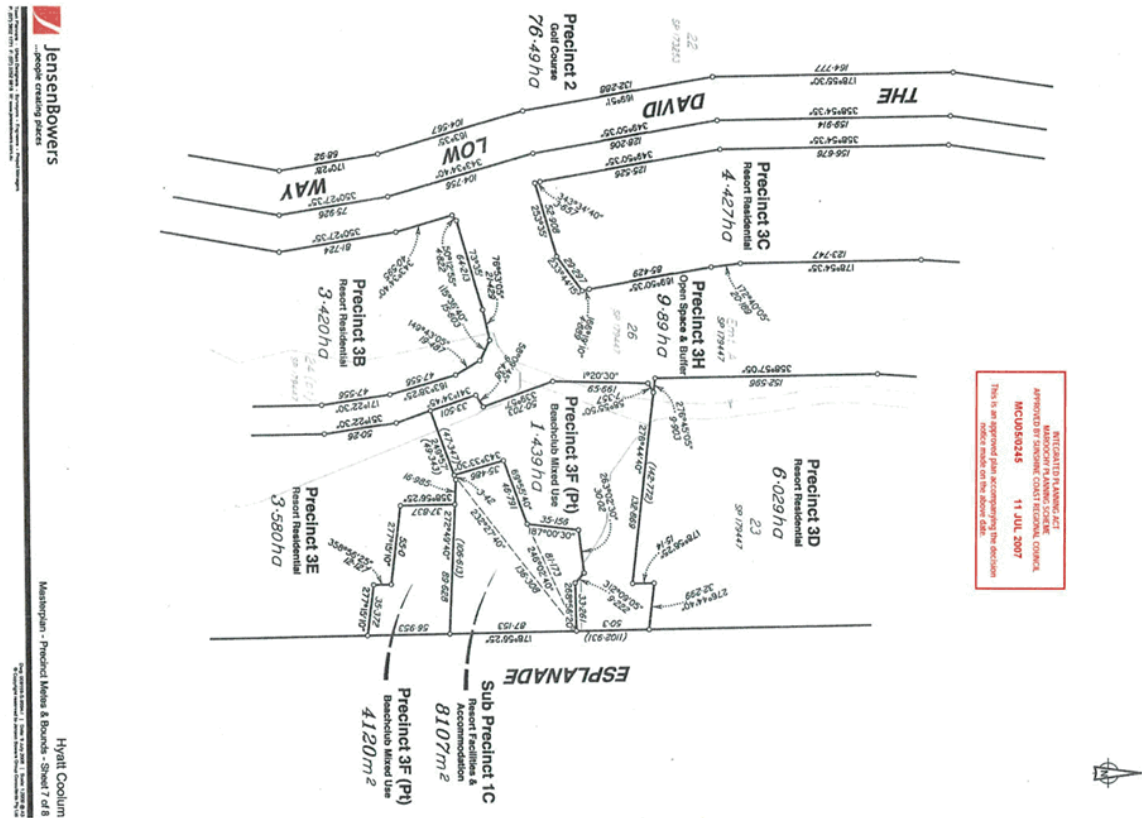
Hyatt Coolum  
Masterplan - Precinct Metes & Bounds - Sheet 1 of 8

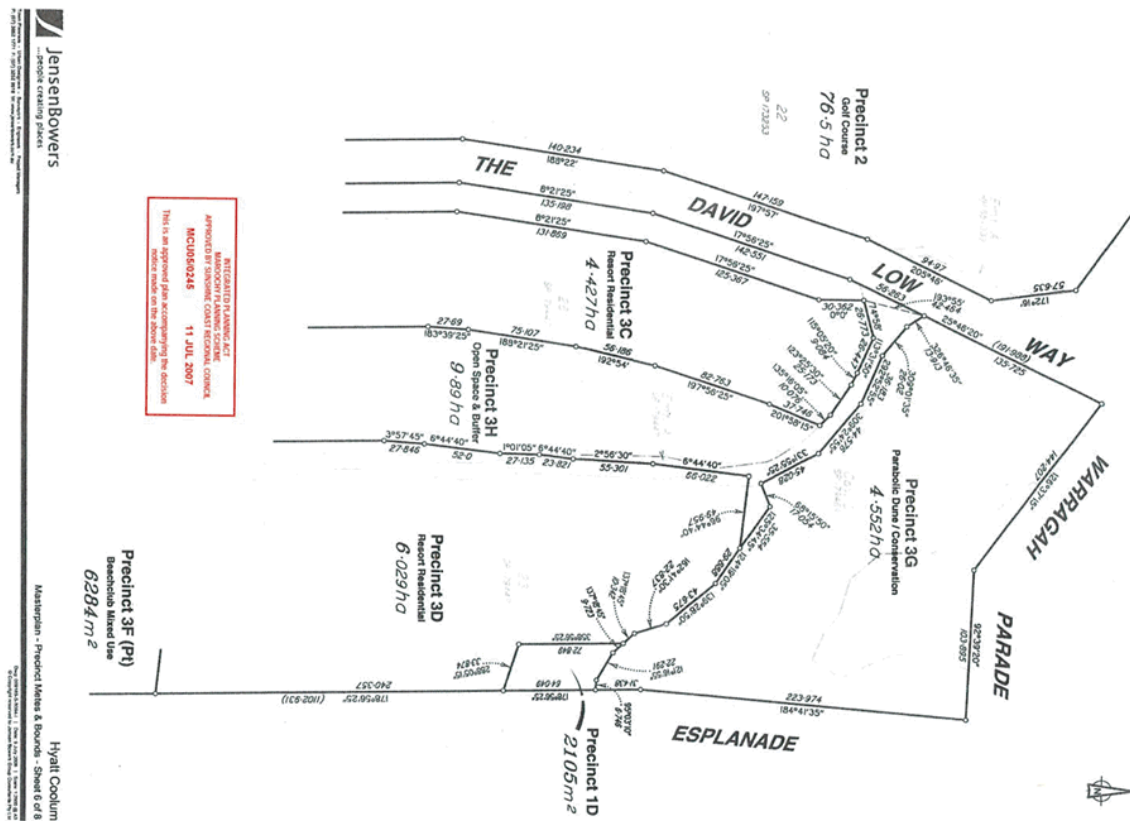
Dwg: 002160-S-0204-1 | Date: 9 July 2008 | Scale: 1:5000 @ A3  
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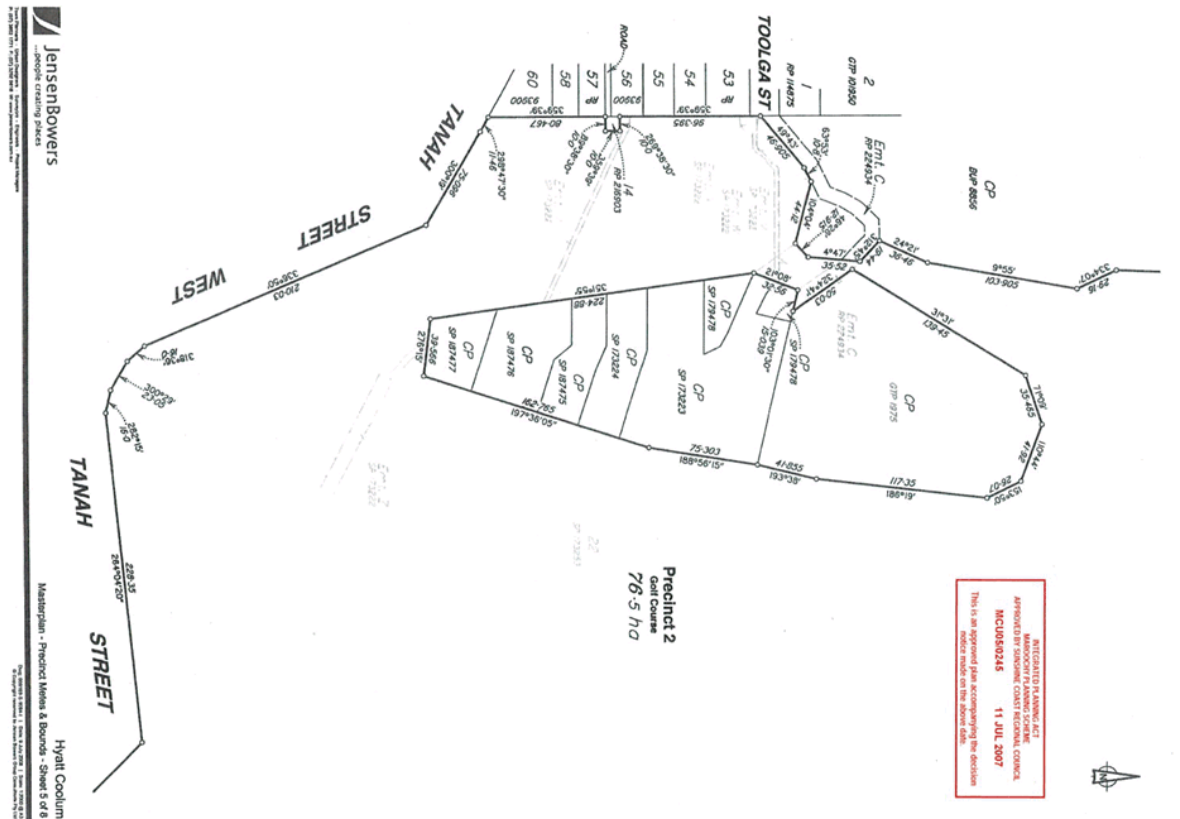


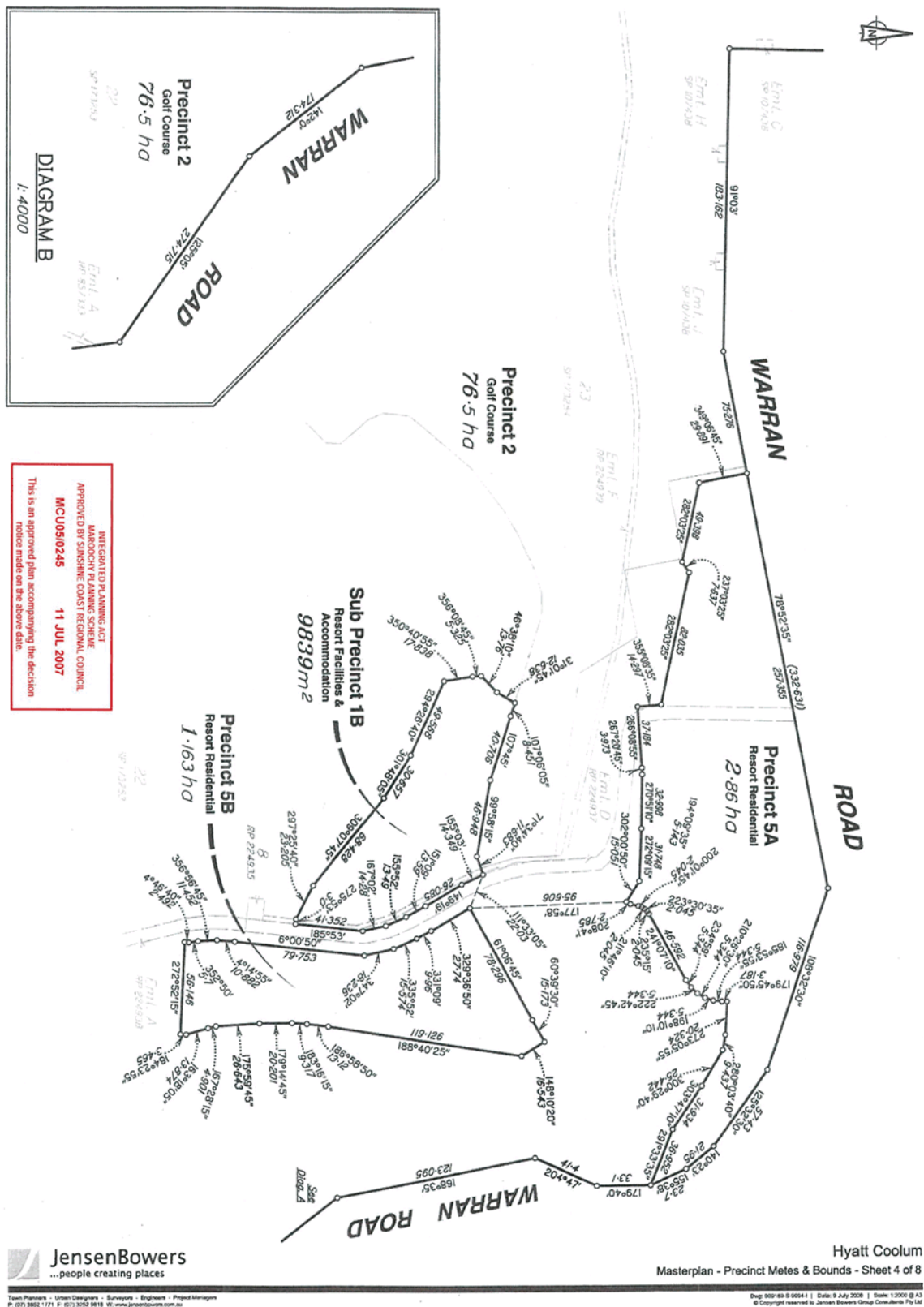


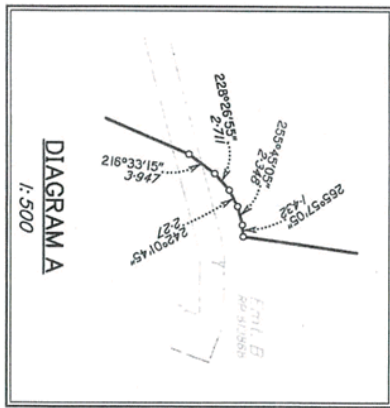


Item 4.1.1 Development Application for Material Change of Use (Preliminary Approval),  
Material Change of Use (Development Permit) and Reconfiguration of a Lot  
(Development Permit) - David Low Way, Yaroomba

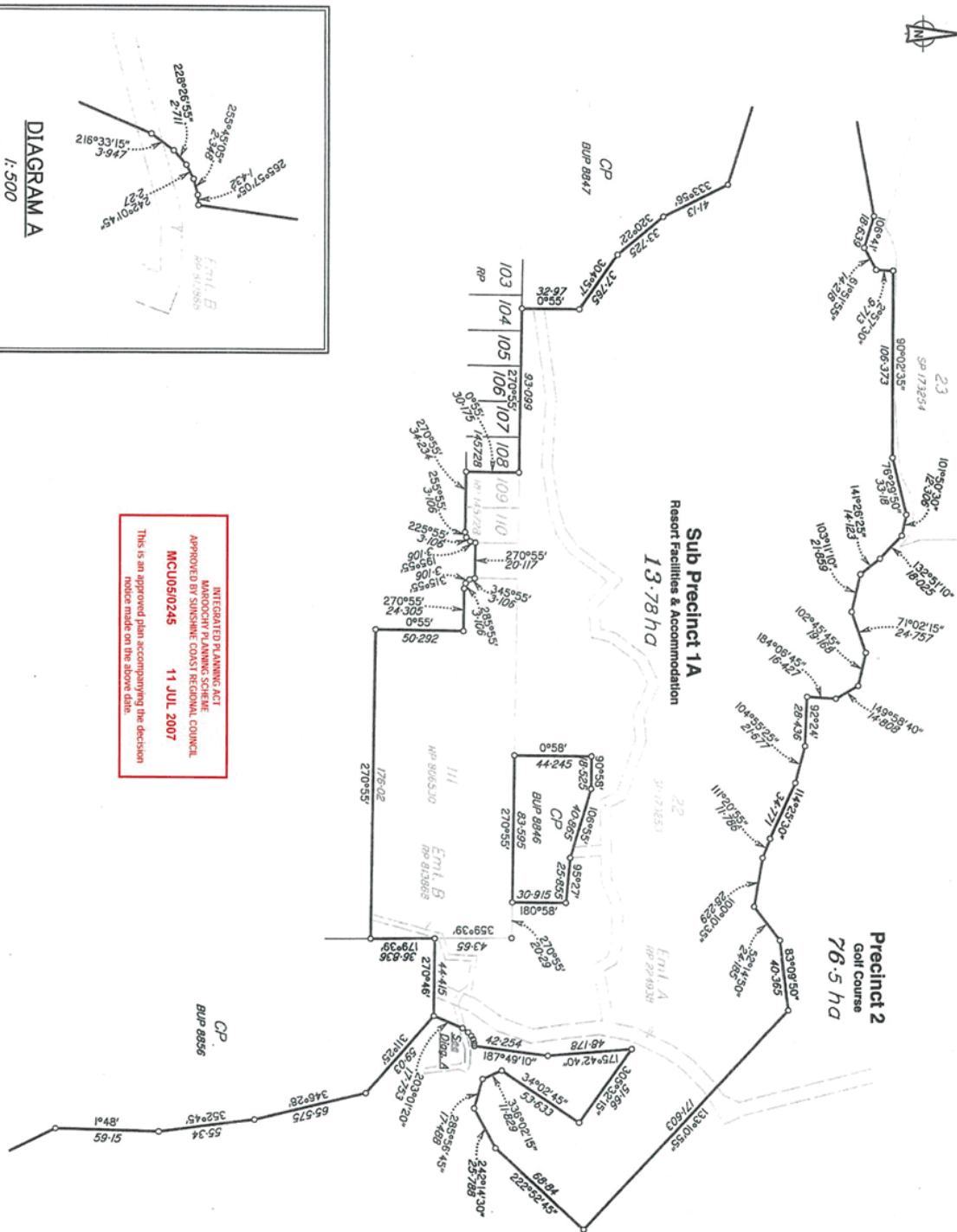
Attachment 6 Development History - Coolum Hyatt Resort Master Plan







INTEGRATED PLANNING ACT  
MAMOOCHY PLANNING SCHEME  
APPROVED BY SUNSHINE COAST REGIONAL COUNCIL  
MCU050245 11 JUL 2007  
This is an approved plan accompanying the decision  
notice made on the above date.



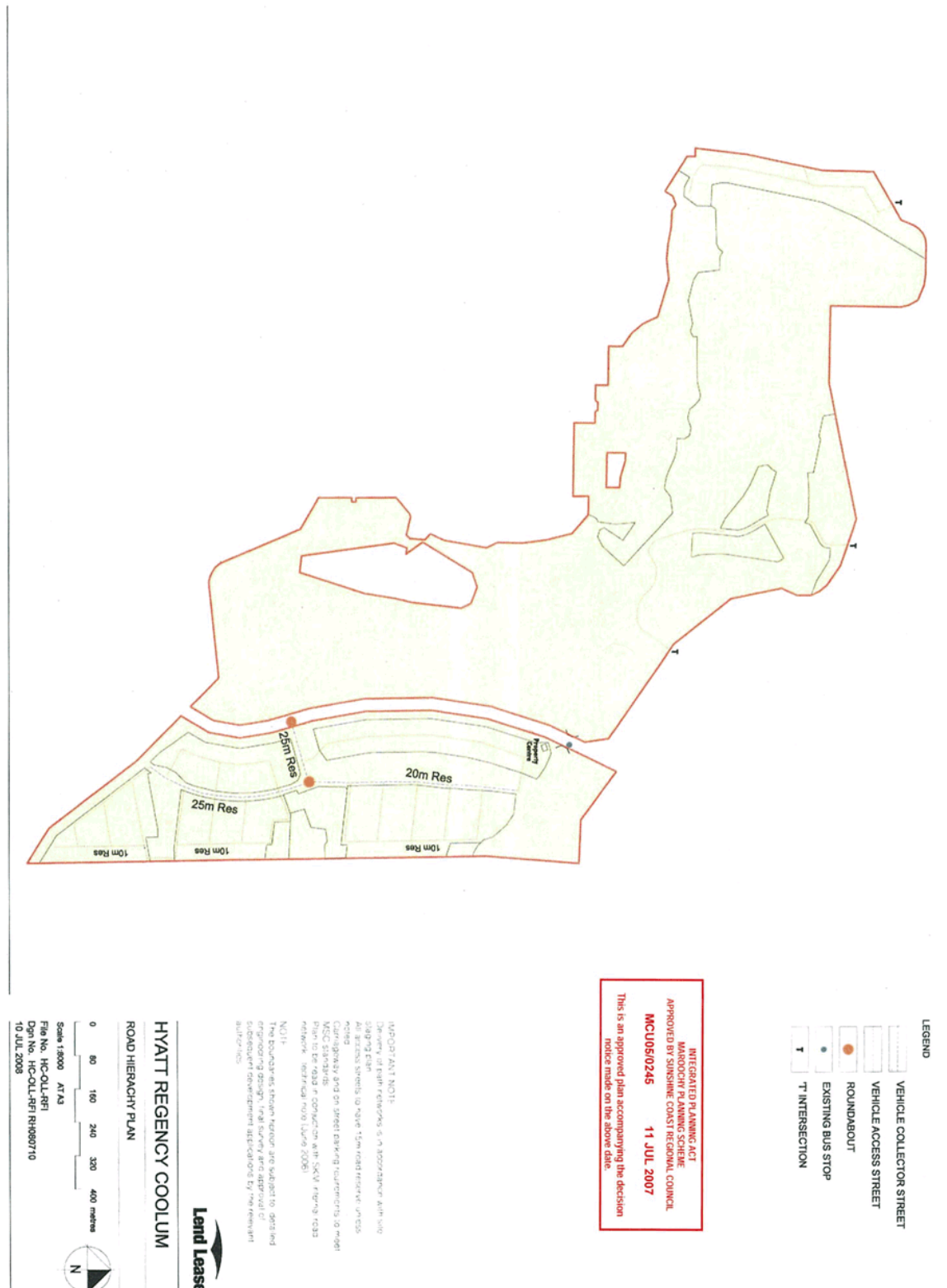
JensenBowers  
...people creating places

Town Planners - Urban Designers - Surveyors - Engineers - Project Managers  
P (07) 2622 1771 F (07) 2222 8518 W: www.jensenbowers.com.au

Hyatt Coolum  
Masterplan - Precinct Metes & Bounds - Sheet 3 of 8

Dwg: 009169-3-0004-1 | Date: 9 July 2008 | Scale: 1:2000 @ A3  
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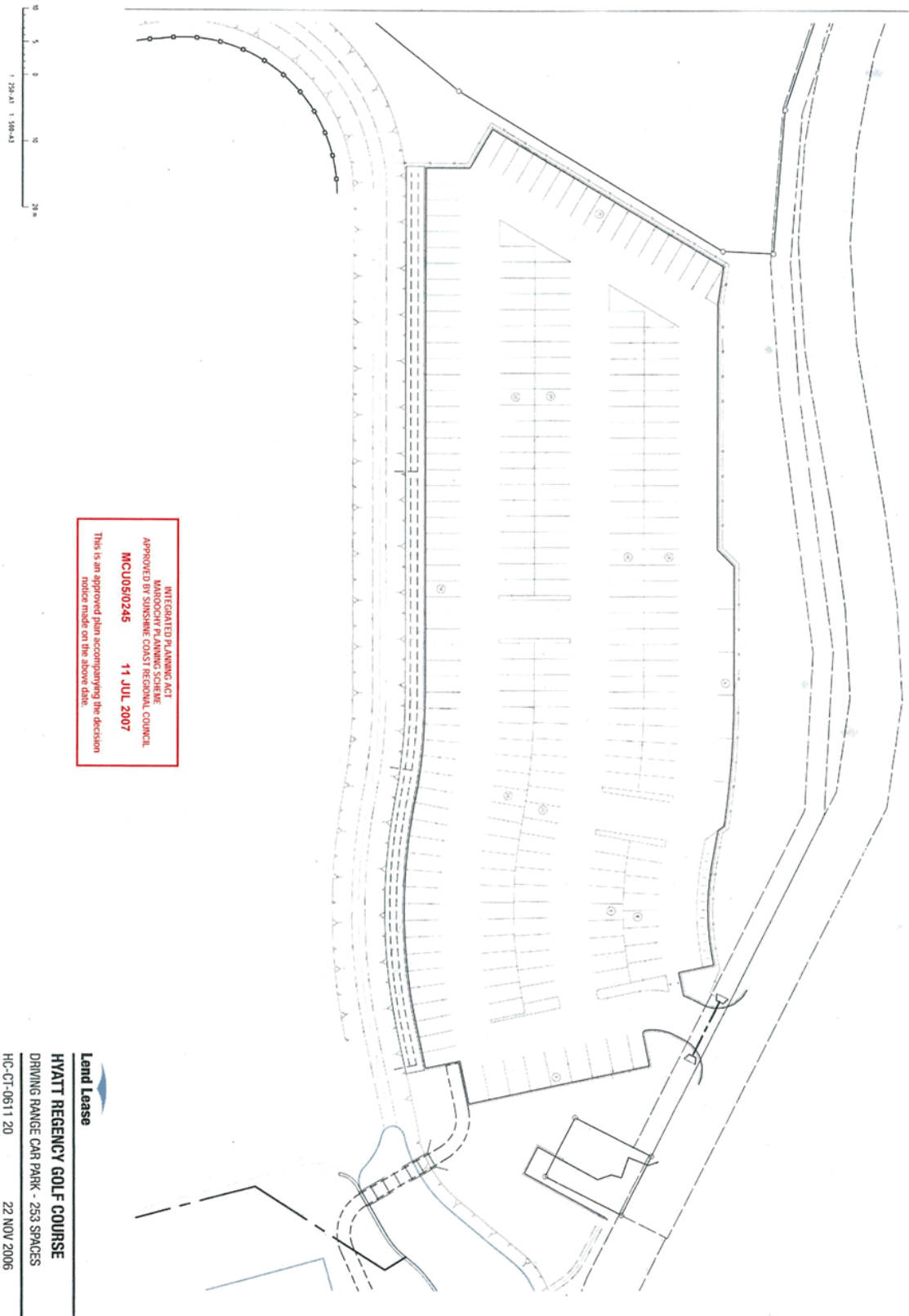
INTEGRATED PLANNING ACT  
 MAROOCHY PLANNING SCHEME  
 APPROVED BY SUNSHINE COAST REGIONAL COUNCIL  
 MC1050245 11 JUL 2007  
 This is an approved plan accompanying the decision  
 notice made on the above date.

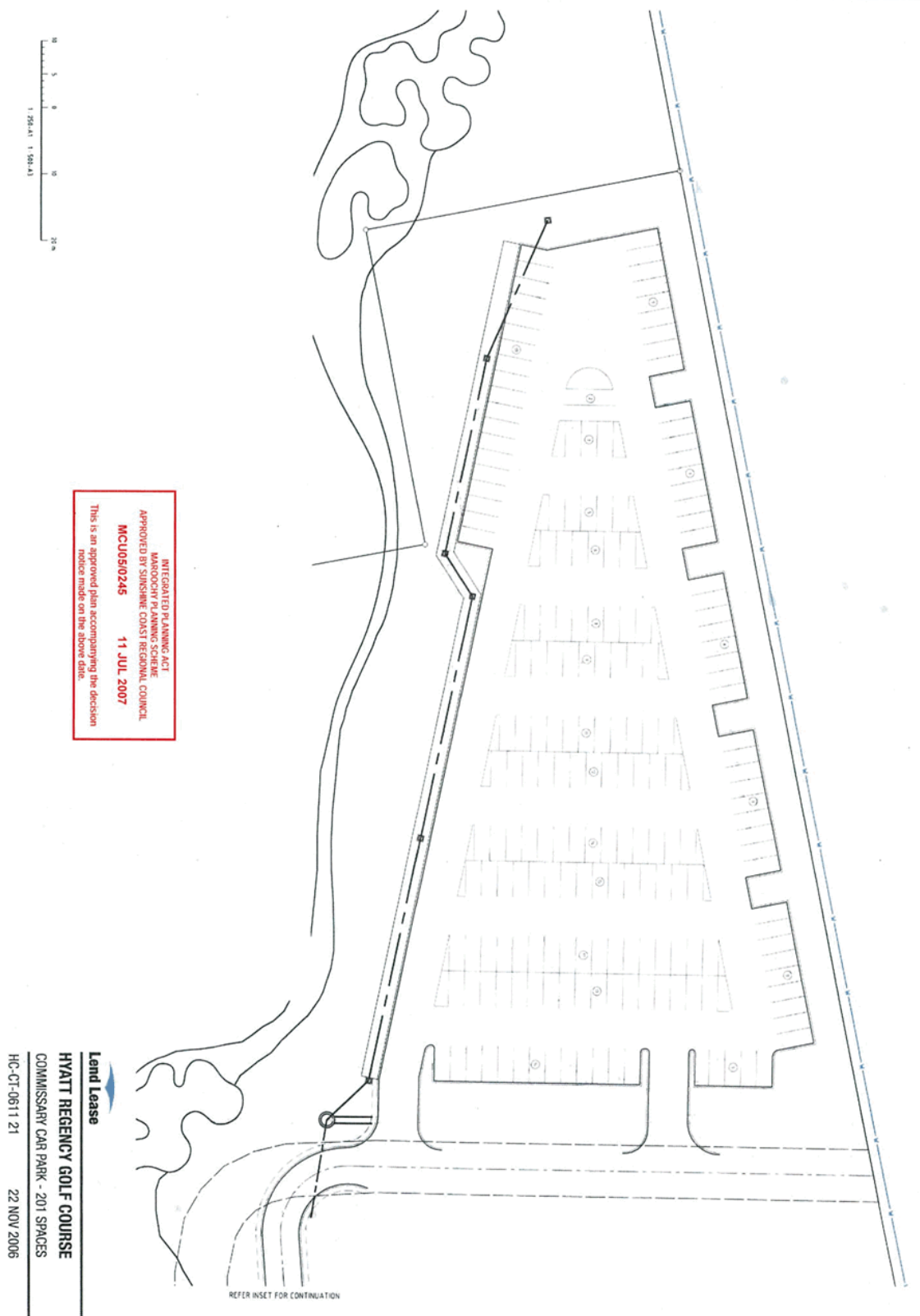
**HYATT CENTRAL**  
**PROPOSED CARPARKING LAYOUT**  
**Lend Lease**

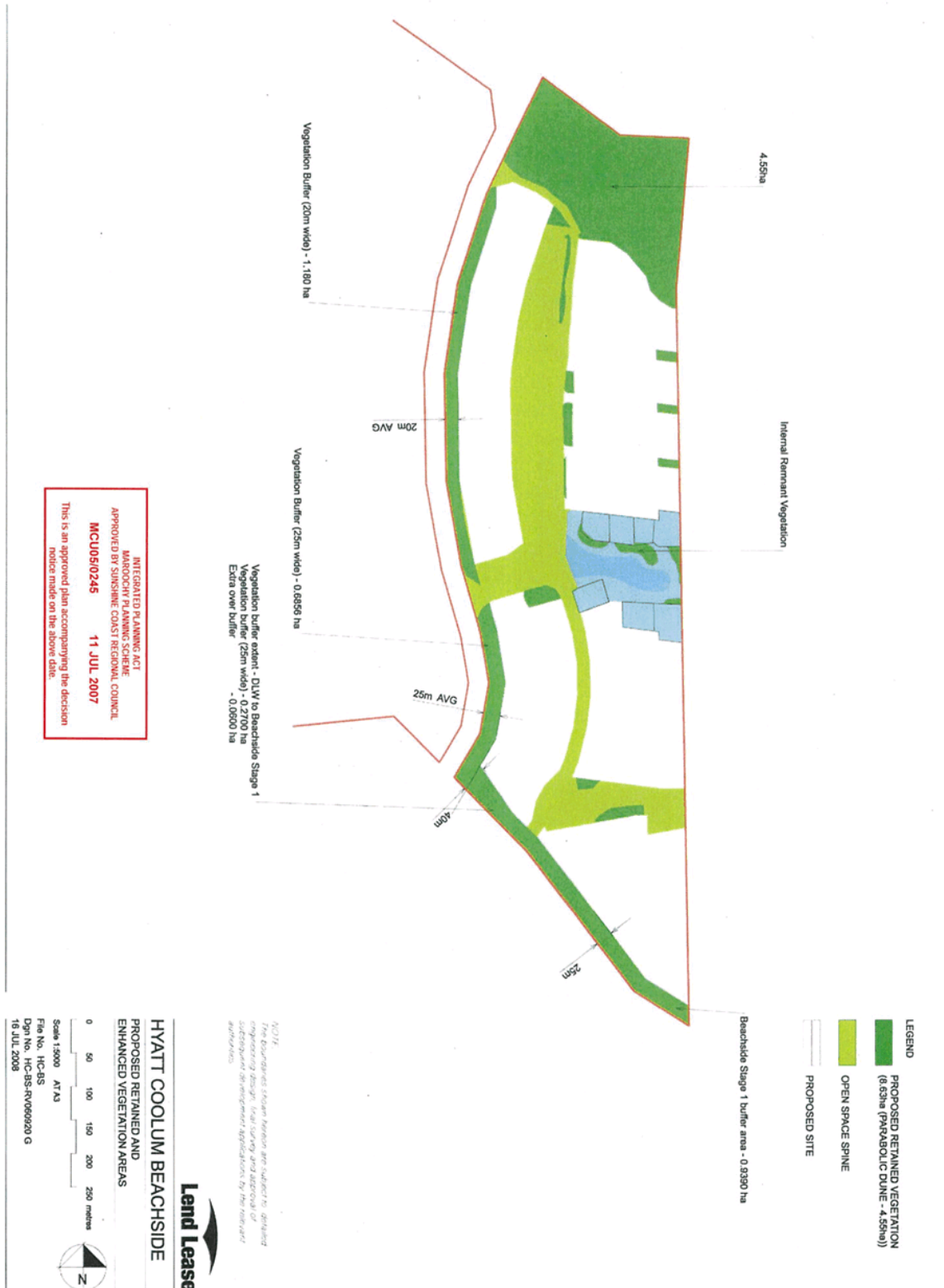
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 File No. HC - CTREL  
 Dgn No. HC-CT-000915  
 15 SEPT 2006

0 25 50 75 100 125 metres

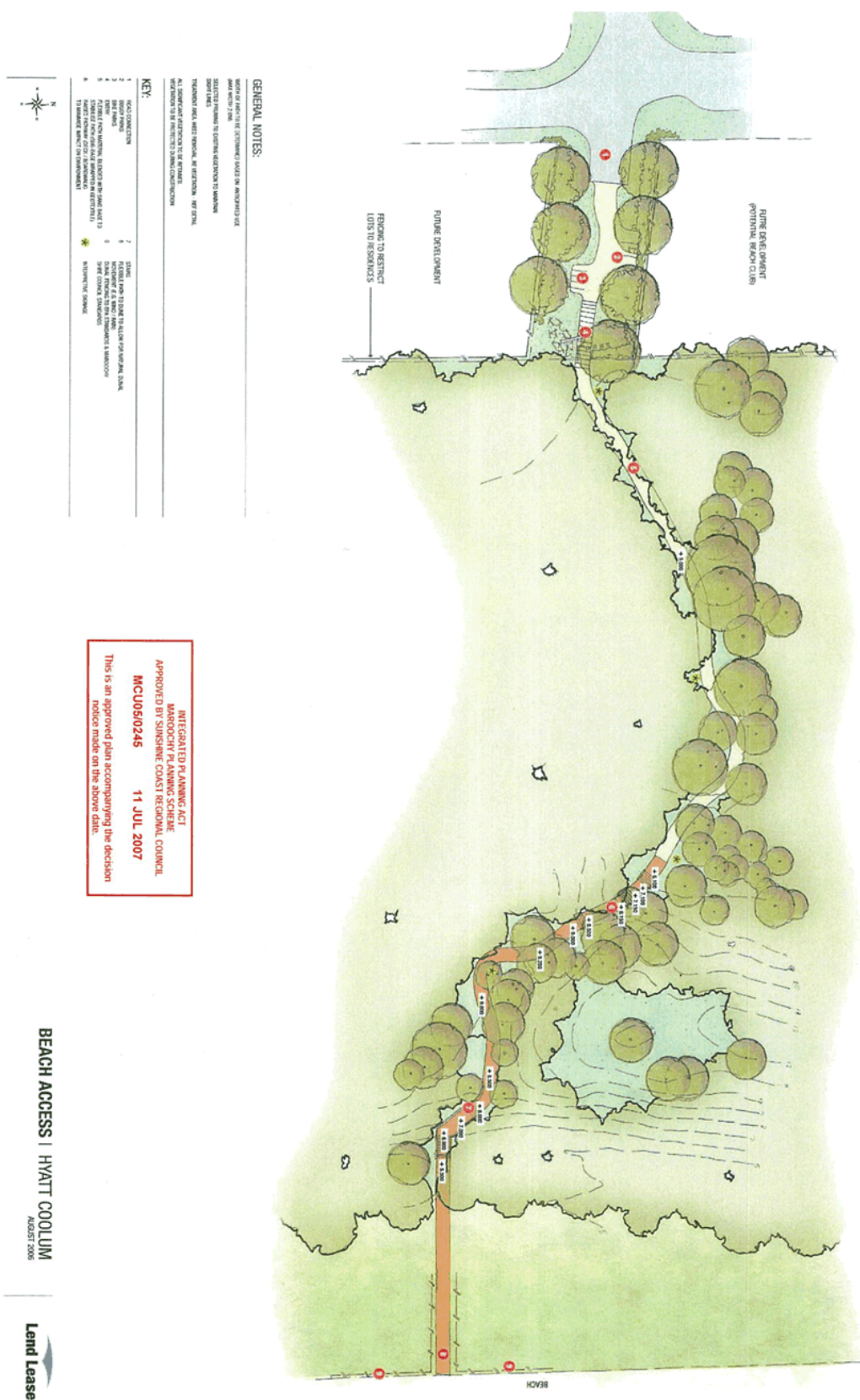
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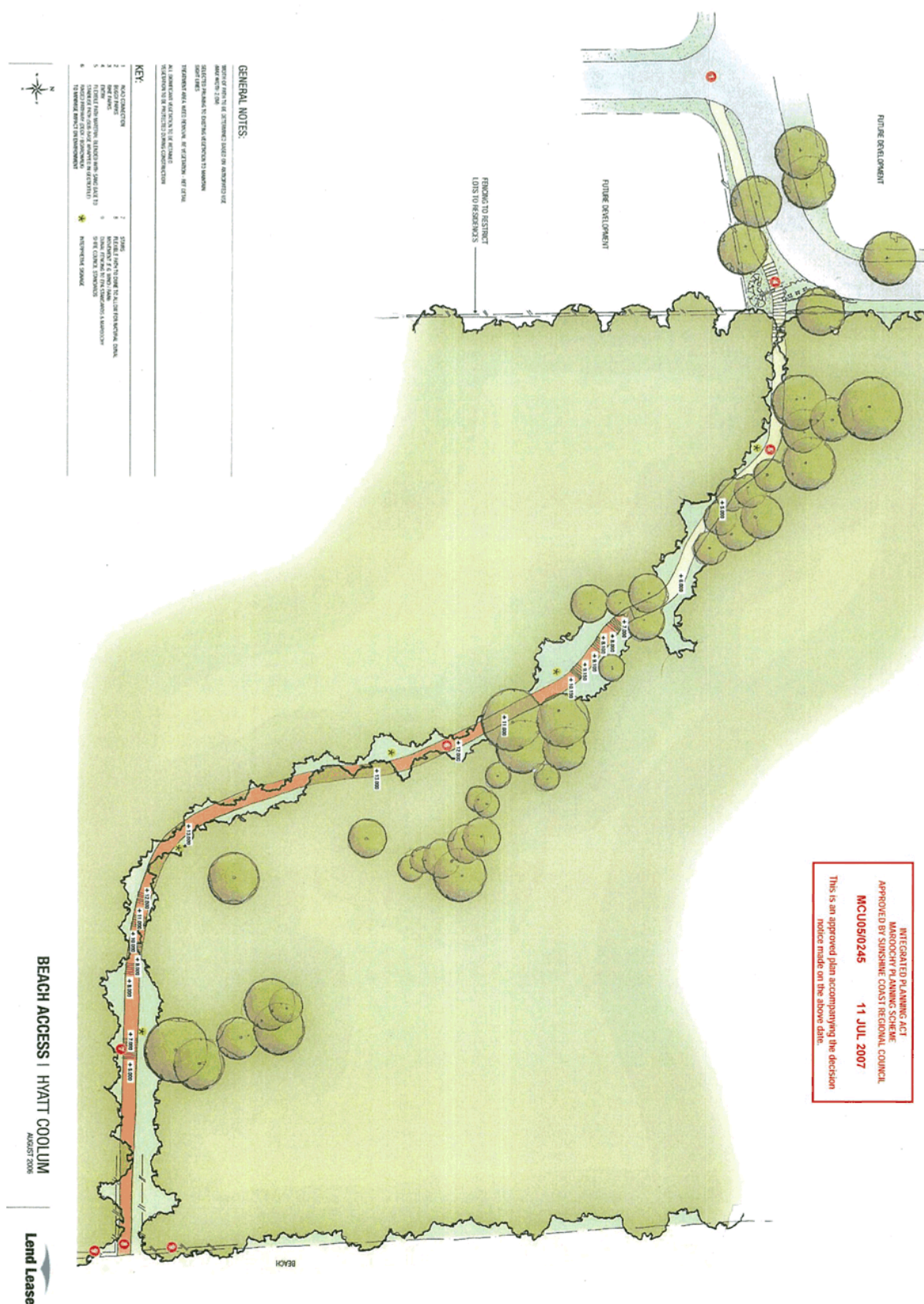


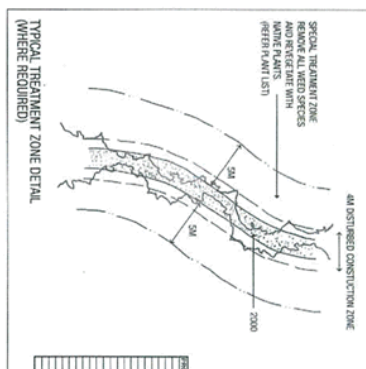
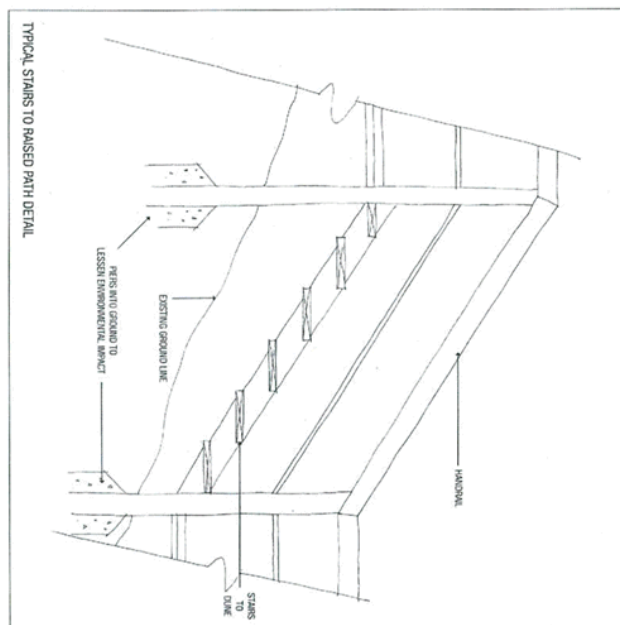
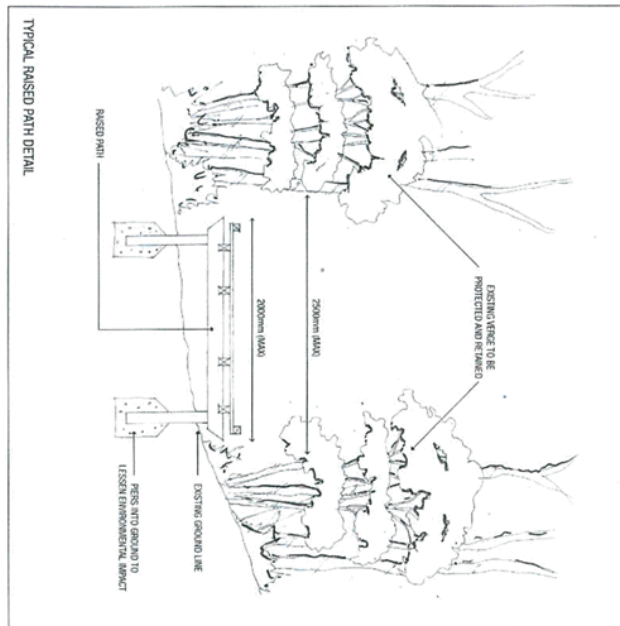










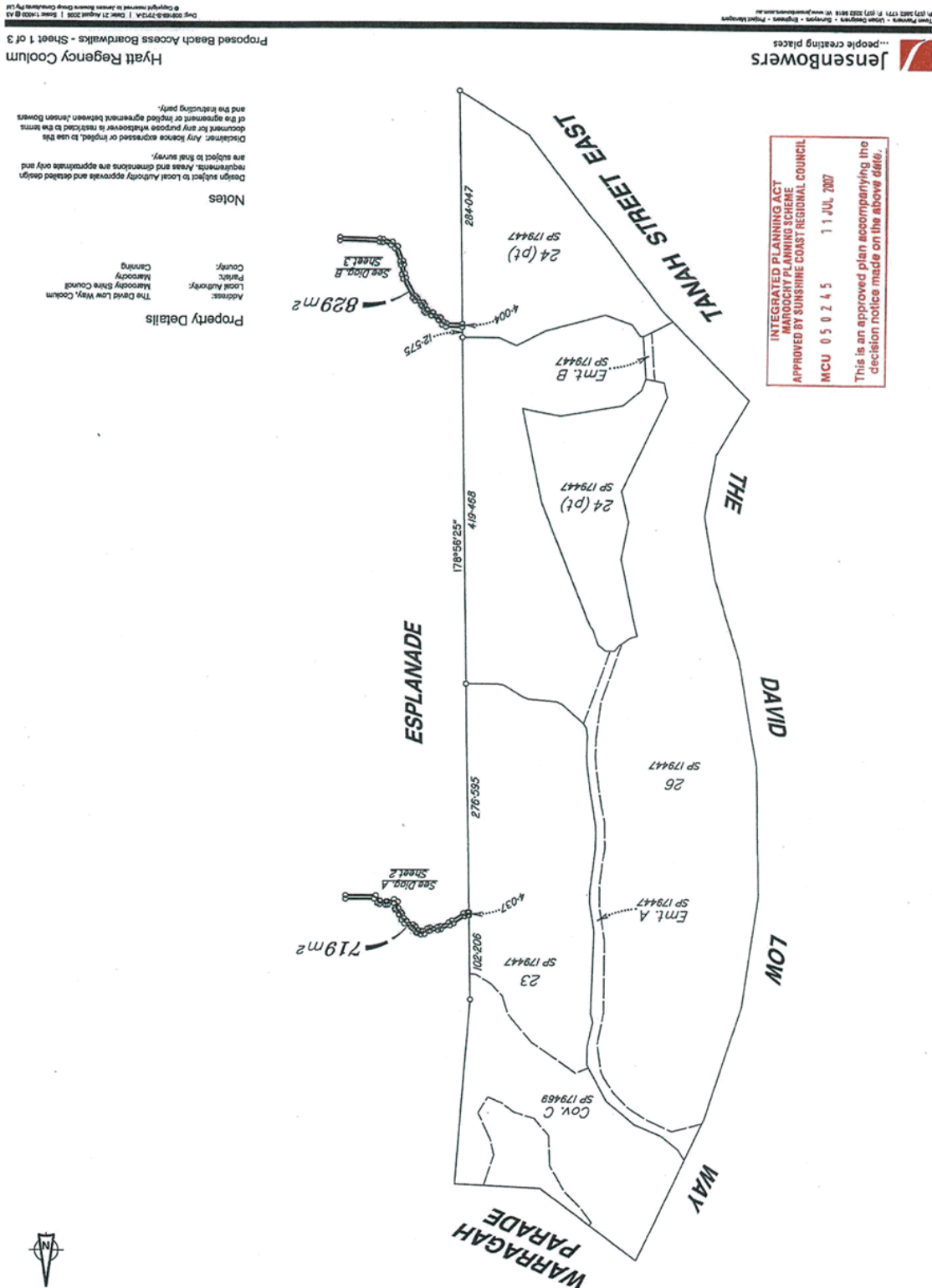
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INTEGRATED PLANNING ACT  
MAROOCY PLANNING SCHEME  
APPROVED BY SUNSHINE COAST REGIONAL COUNCIL  
MCU05/0245      11 JUL 2007

BEACH ACCESS | HYATT COLUMBIA

**Lend Lease**







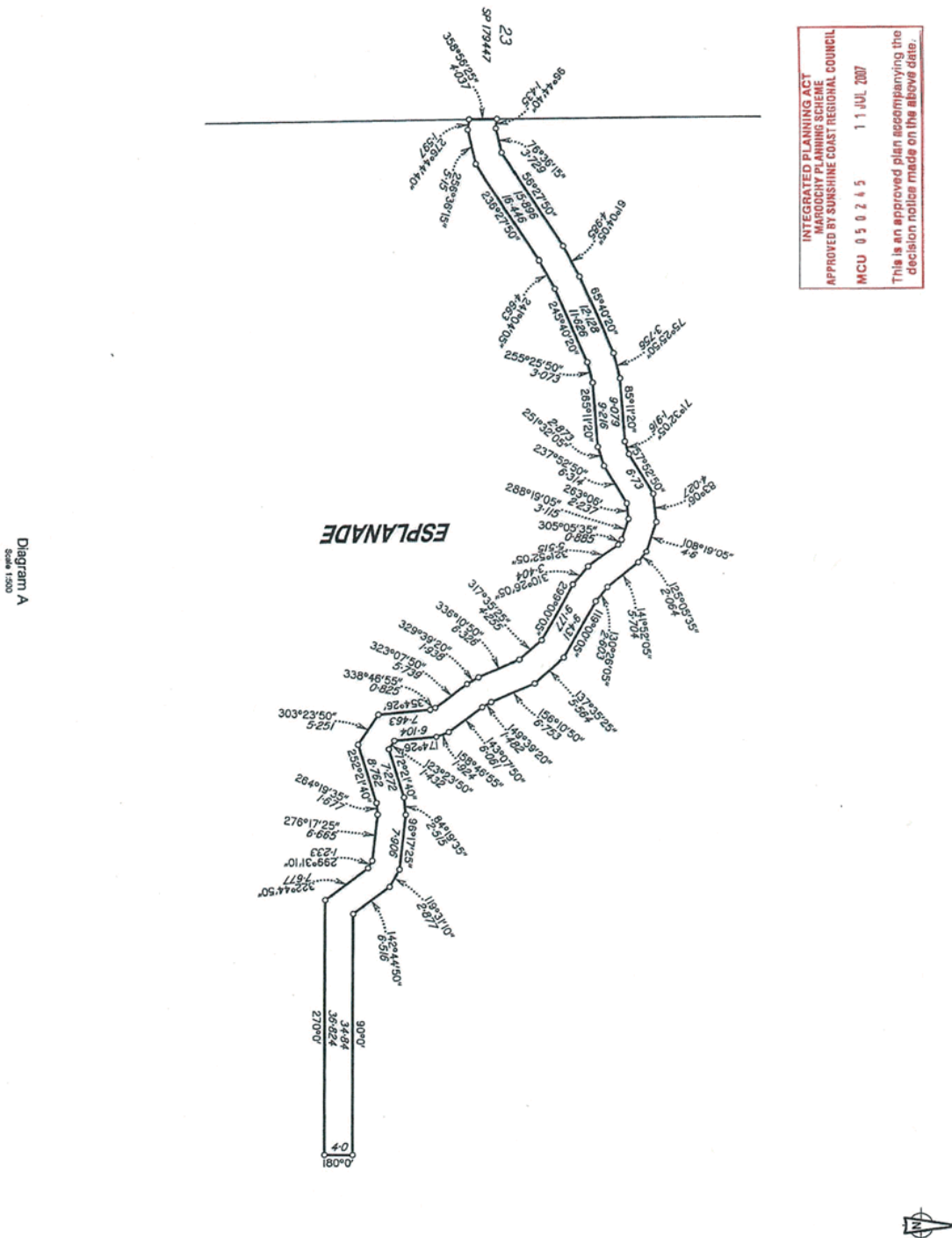
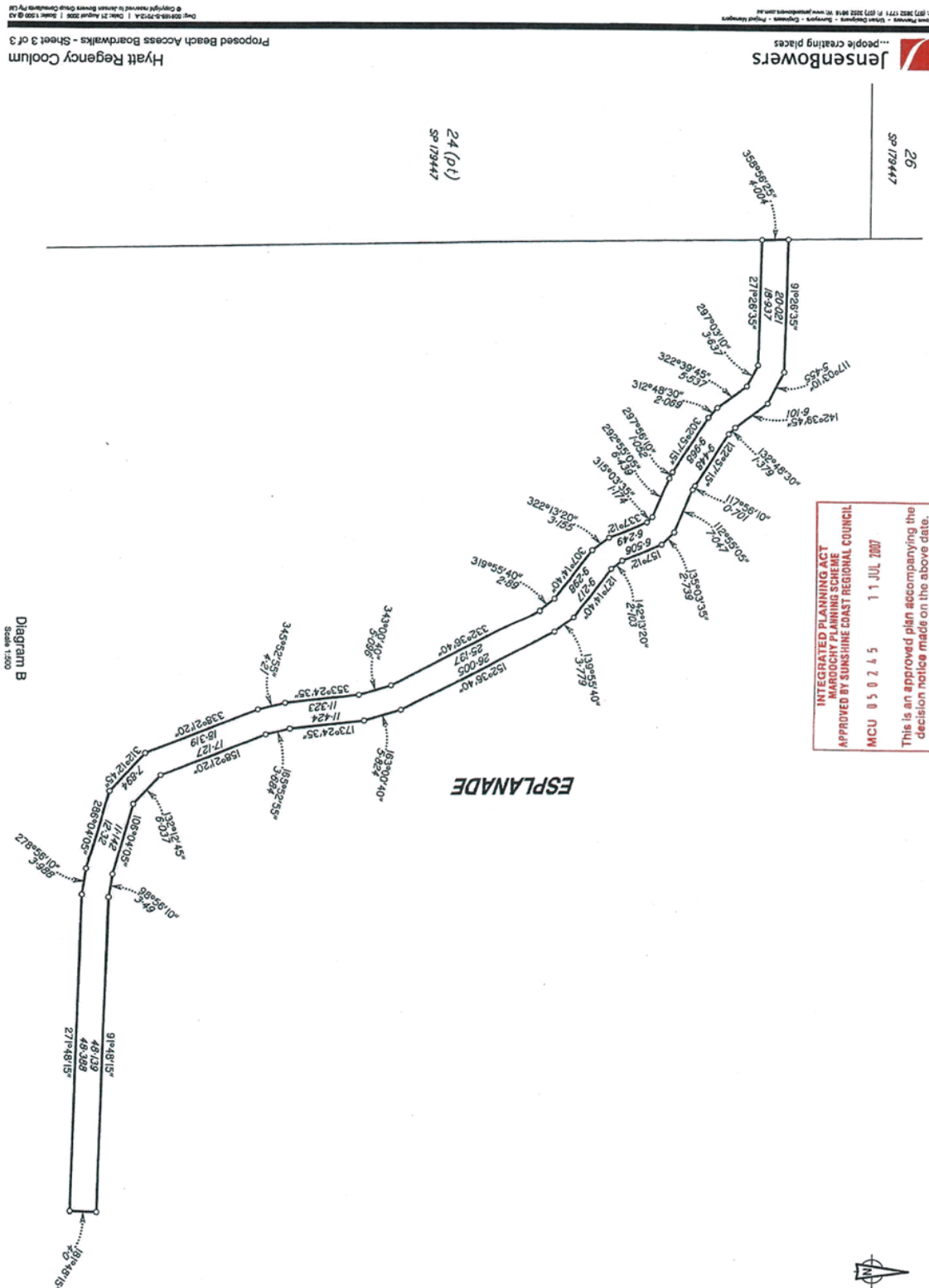
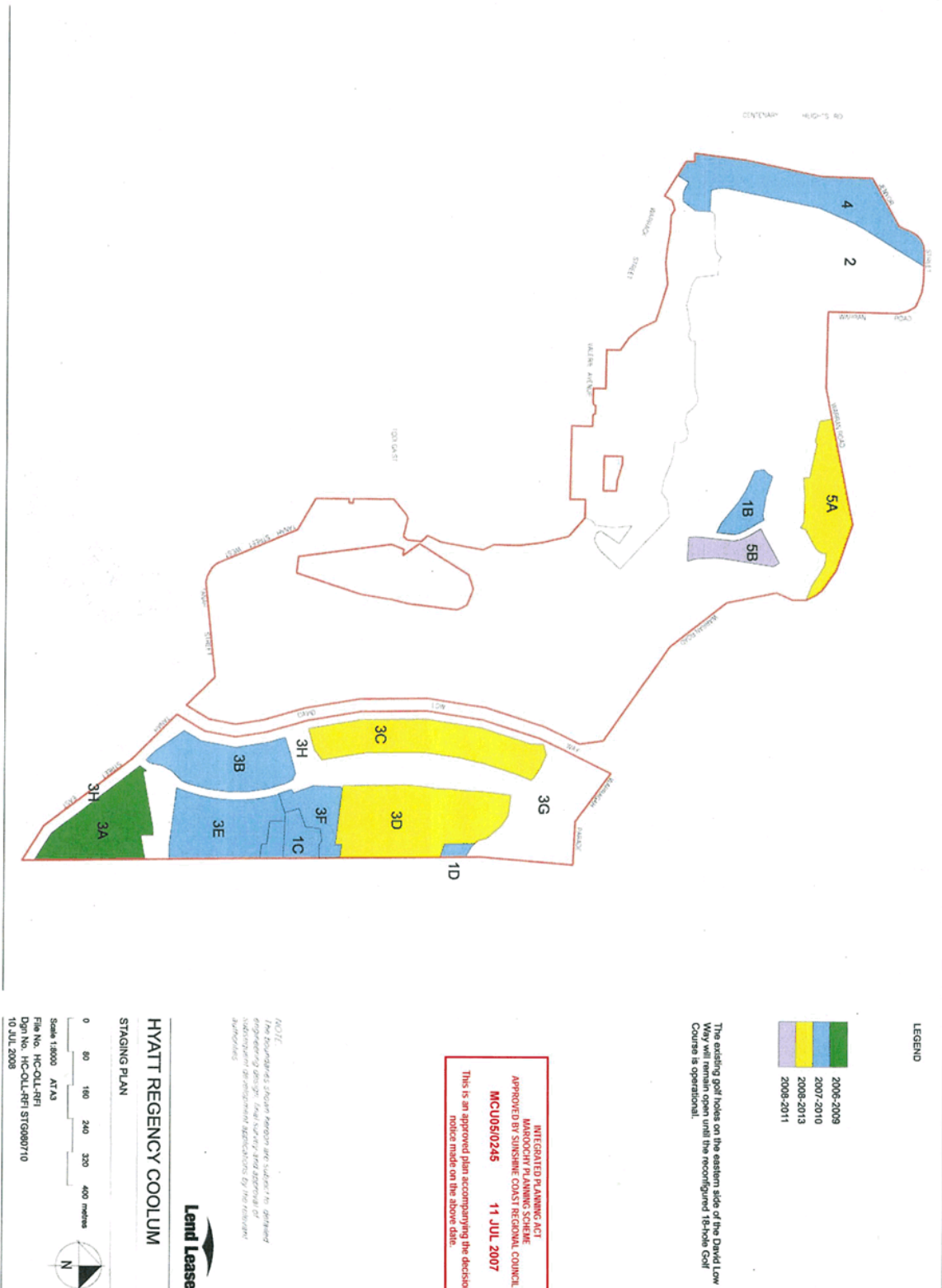


Diagram A  
Scale 1:500

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

Attachment 6 Development History - Coolum Hyatt Resort Master Plan









0 80 160 240 320 400 metres  
Scale 1:5000 AT RJ  
File No. HC-OL-RF1  
Dpn No. HC-DOS-400710  
10 JUL 2008

## HYATT REGENCY COOLUM



*NOTE*  
The boundaries shown herein are subject to detailed  
engineering design, land survey and approval of  
authorities. Development applications by the relevant  
authorities.

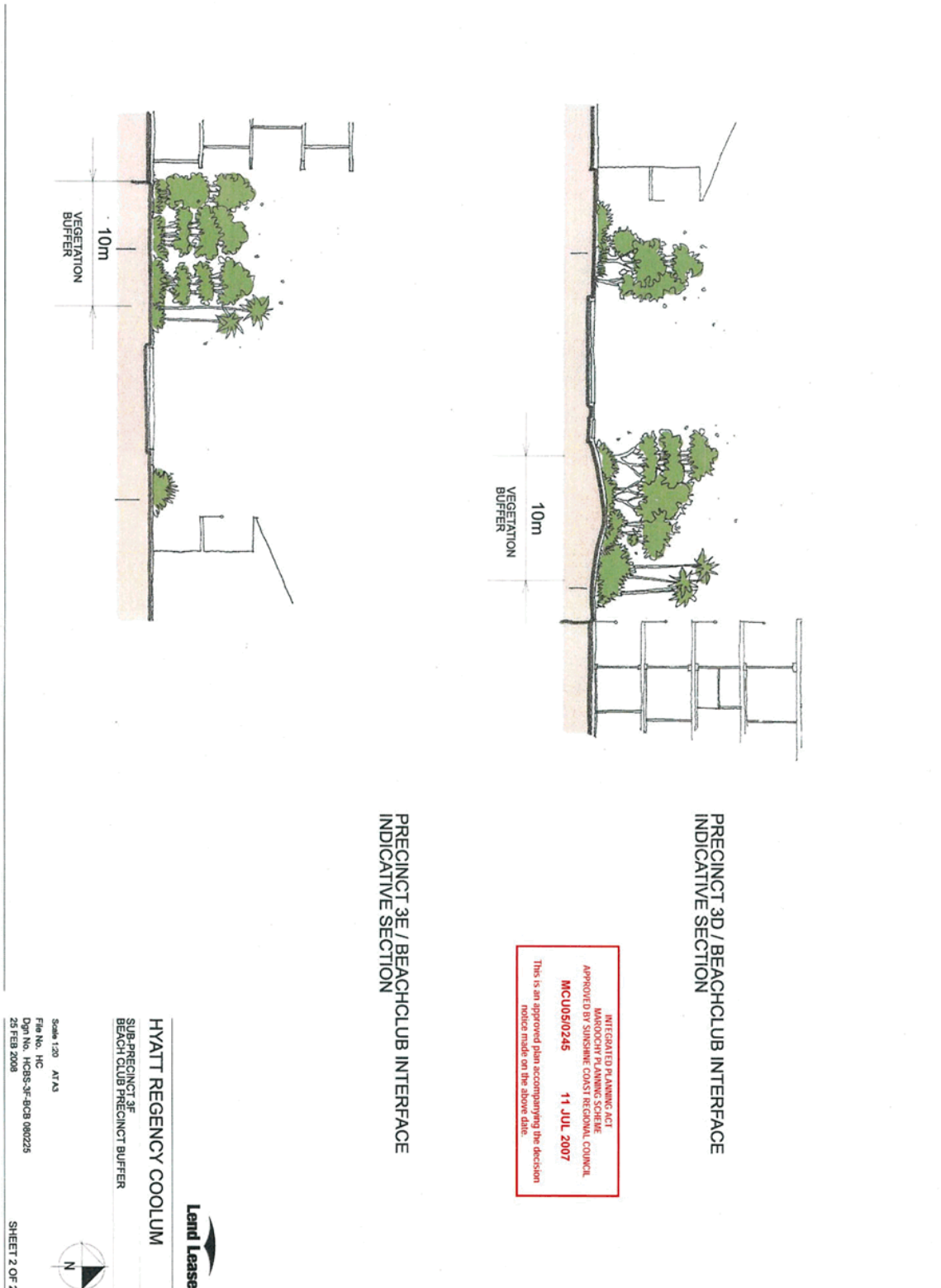
INTEGRATED PLANNING ACT  
MAROOCHY PLANNING SCHEME  
APPROVED BY SUNSHINE COAST REGIONAL COUNCIL

MCU05/0245 11 JUL 2007

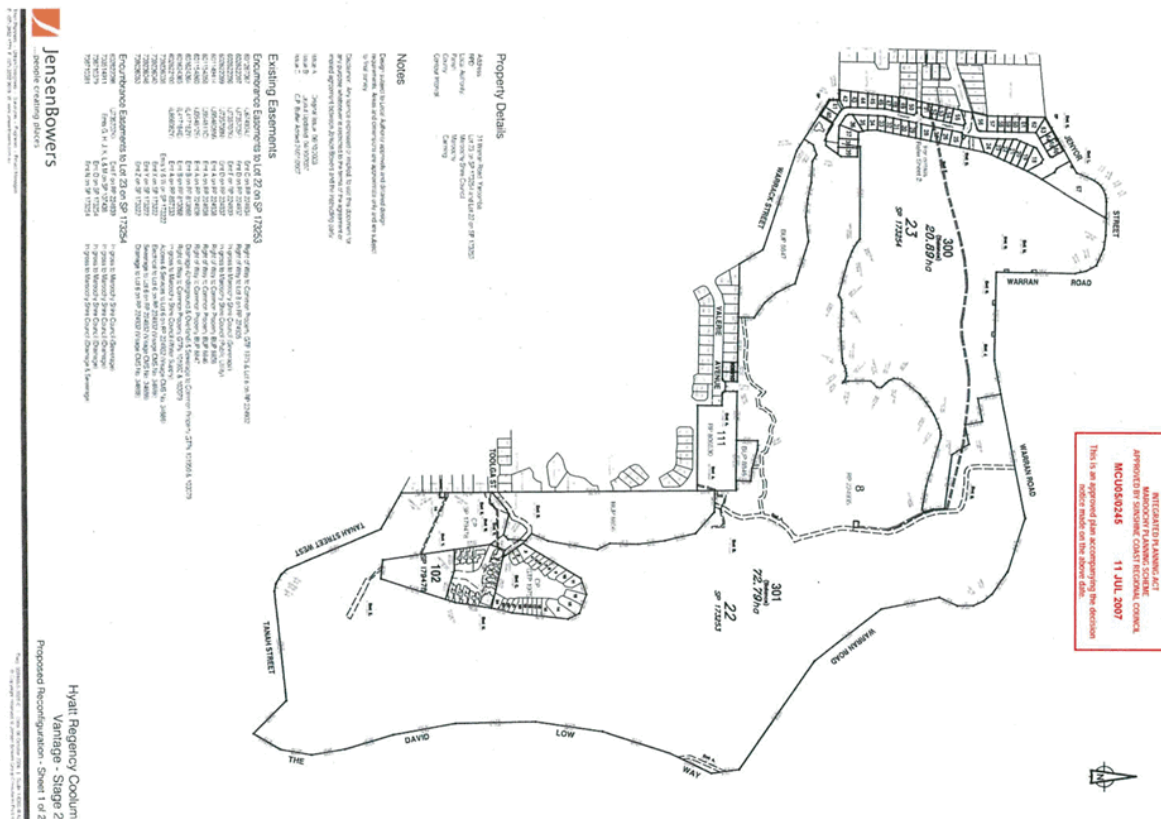
This is an approved plan accompanying the decision  
notice made on the above date.

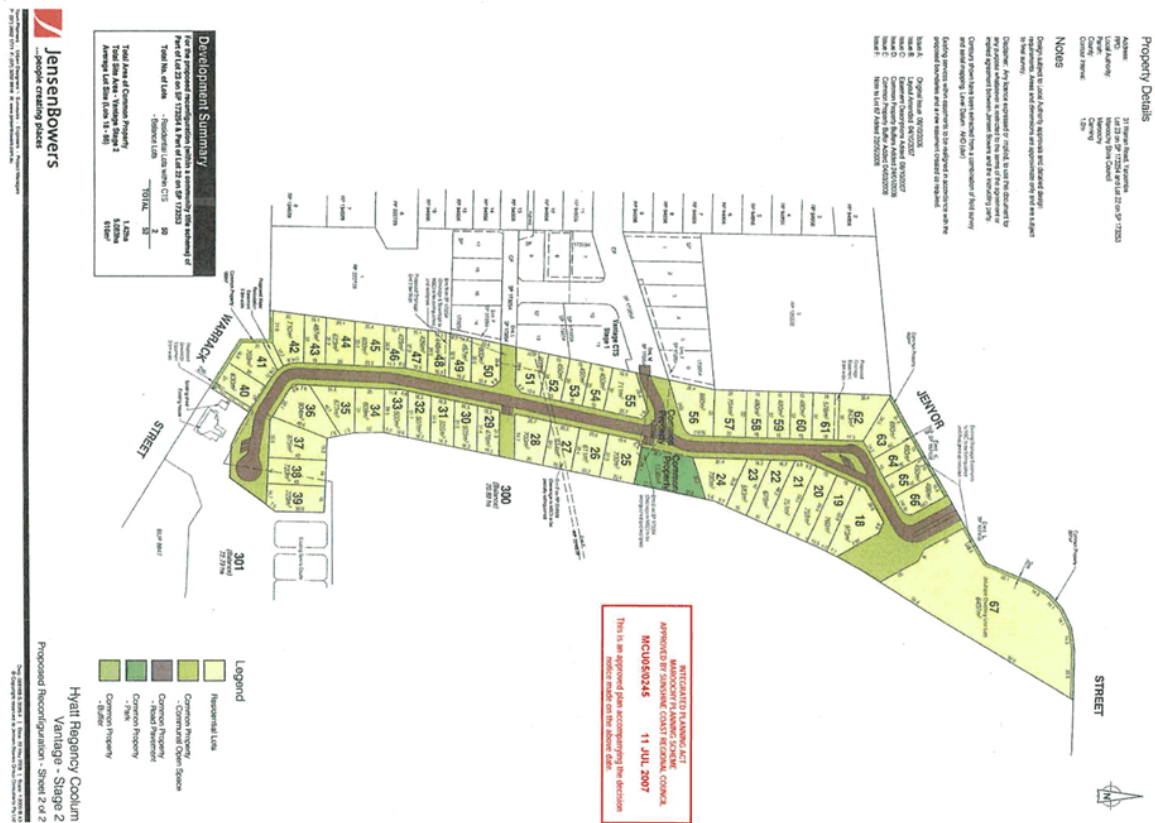
LEGEND  
DEVELOPMENT AREA RETAINED BUFFER  
RETAINED VEGETATION BUFFER  
TO BOUNDARY  
2m BUFFER





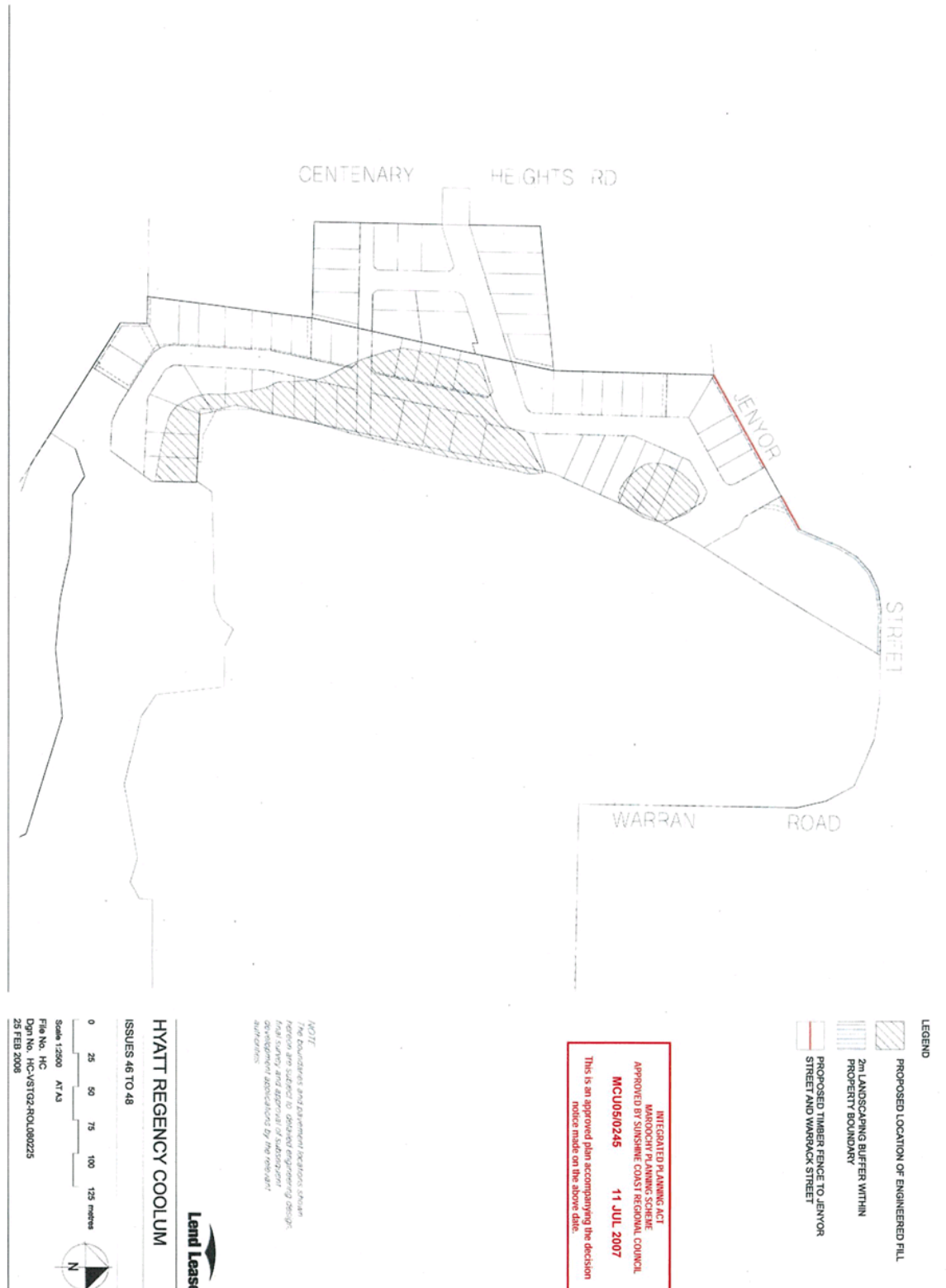












**VANTAGE DEVELOPMENT CODE**

The requirements of the Queensland Development Code (QDC) and Maroochy Plan 2000 (MP2000) shall apply as a minimum with the following exceptions:

**DESIGN AND SITING OF BUILDINGS****General**

All dwellings shall have eaves with a minimum width of 750mm with the exception of built to boundary areas.

**Setbacks – General**

All setbacks are to be measured to the Outer Most Projection (OMP) as defined by the QDC.

**Road Boundary Setback**

The minimum road boundary setbacks for dwellings shall be as shown on the Development Outcomes Plan.

The road boundary setbacks for garages shall be a minimum of 5.5 metres and a minimum of 2.5 metres behind the front setback line.

The minimum road boundary setbacks for corner lots shall be as shown on the Development Outcomes Plan.

The minimum road boundary setbacks for swimming pools shall be a minimum of 1.5 metres.

The minimum road boundary setbacks for roofed gatehouses and arches are the same as for the dwellings and are as indicated on the Development Outcomes Plan.

**Side and Rear Boundary Setbacks**

The minimum side and rear boundary setbacks for dwellings shall be as indicated on the Development Outcomes Plan. The setbacks indicated shall apply for the full height (first and second storey) of the dwelling, unless noted elsewhere in this Development Code.

The minimum setback for structures shall be as per the QDC with the following exception:

(a) a pergola or other structure as defined in A2(c)(iii) must comply with the minimum setbacks of the dwelling.

The maximum area covered by the dwelling and structures shall not exceed the percentage of the lot area as shown on the Development Outcomes Plan. The area is to be measured using the definition contained in the QDC.

In case where built to boundary is indicated on the Development Outcomes, the built to boundary allowance shall apply to the first storey only and above the first storey the minimum setback that applies to the remainder of the side with the built to boundary shall apply.

The maintenance free requirements (as defined in QDC) for walls within 750mm shall not apply.

**SPACE FOR ON-SITE CAR PARKING****Resident car parking**

Space is to be provided within the dwelling for parking two vehicles.

**Visitor car parking**

Space is to be provided for visitor car parking to allow one vehicle to park between the garage door and the road boundary, refer to the minimum road boundary setback for garages.

**OUTDOOR LIVING SPACE****Private Open Space**

A dwelling shall have a clearly defined outdoor living space having –

- (i) an area of at least 16 square metres; and
  - (ii) no dimension less than 4 metres; and
  - (iii) access from a living area; and
  - (iv) slope of space is not more than 1 in 10.
- The private open space requirements of MP2000 Code for Residential Development, Element 4, Small Lot Housing, A1.2 and A1.3 shall not apply.

**DRIVEWAYS****Gradient**

A driveway shall have a maximum gradient of 1 in 5.

*Any change to the building envelope and/ or building setbacks will require an application to Council for a siting variation.*

SUNSHINE COAST REGIONAL COUNCIL

**APPROVED**

MCU05/0245.15

17 April 2015

**Lend Lease**

**VANTAGE****DEVELOPMENT OUTCOMES PLAN**

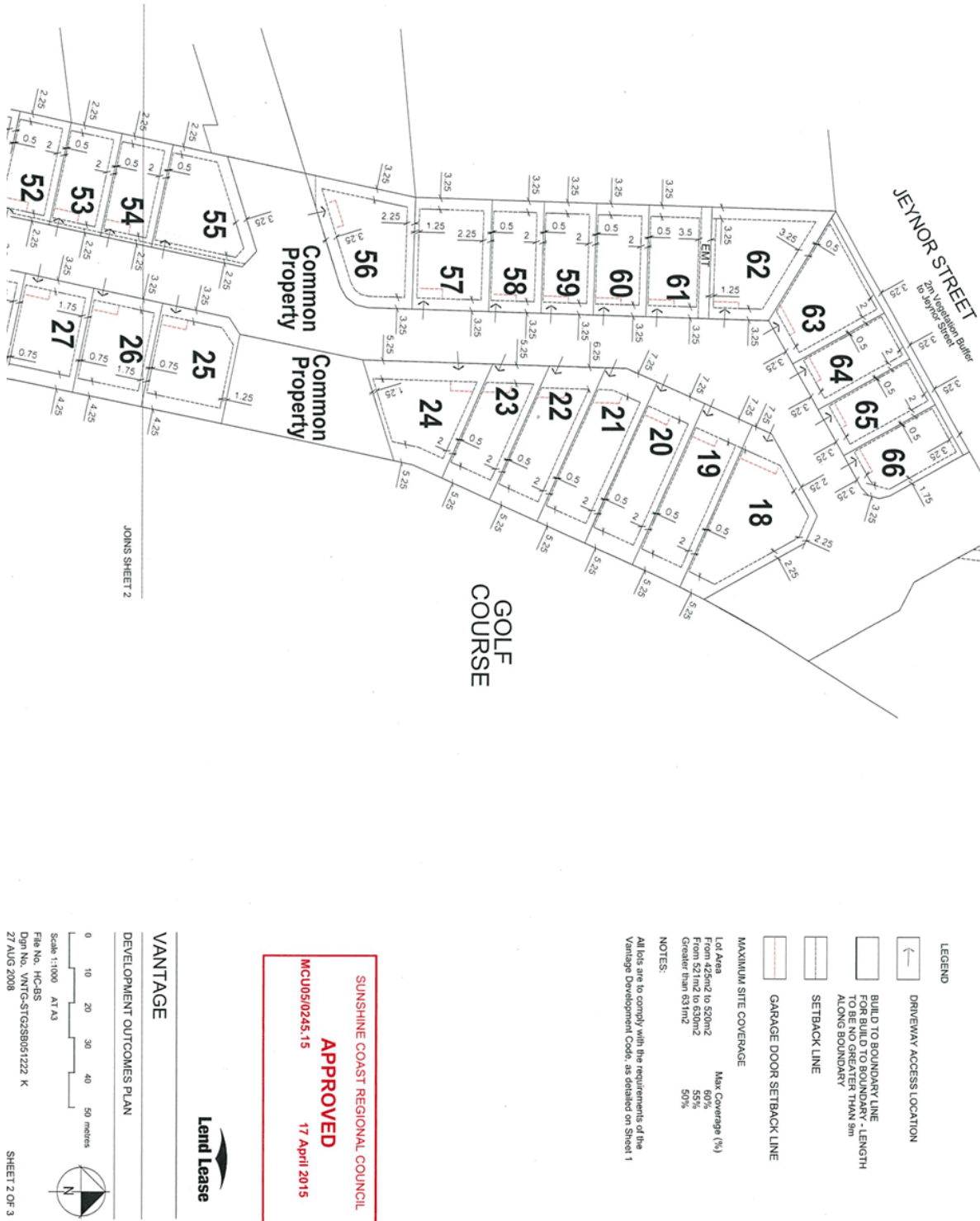
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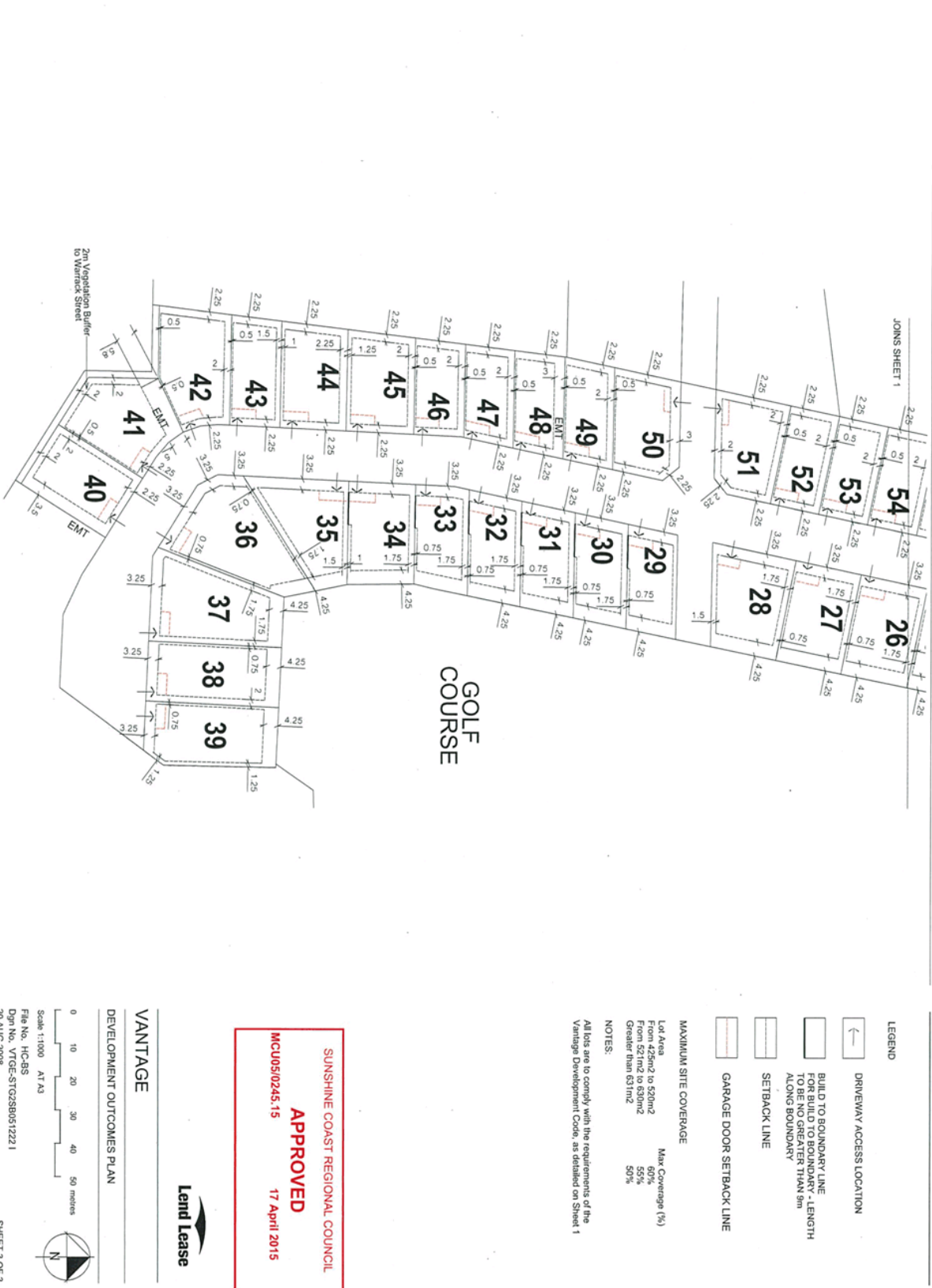
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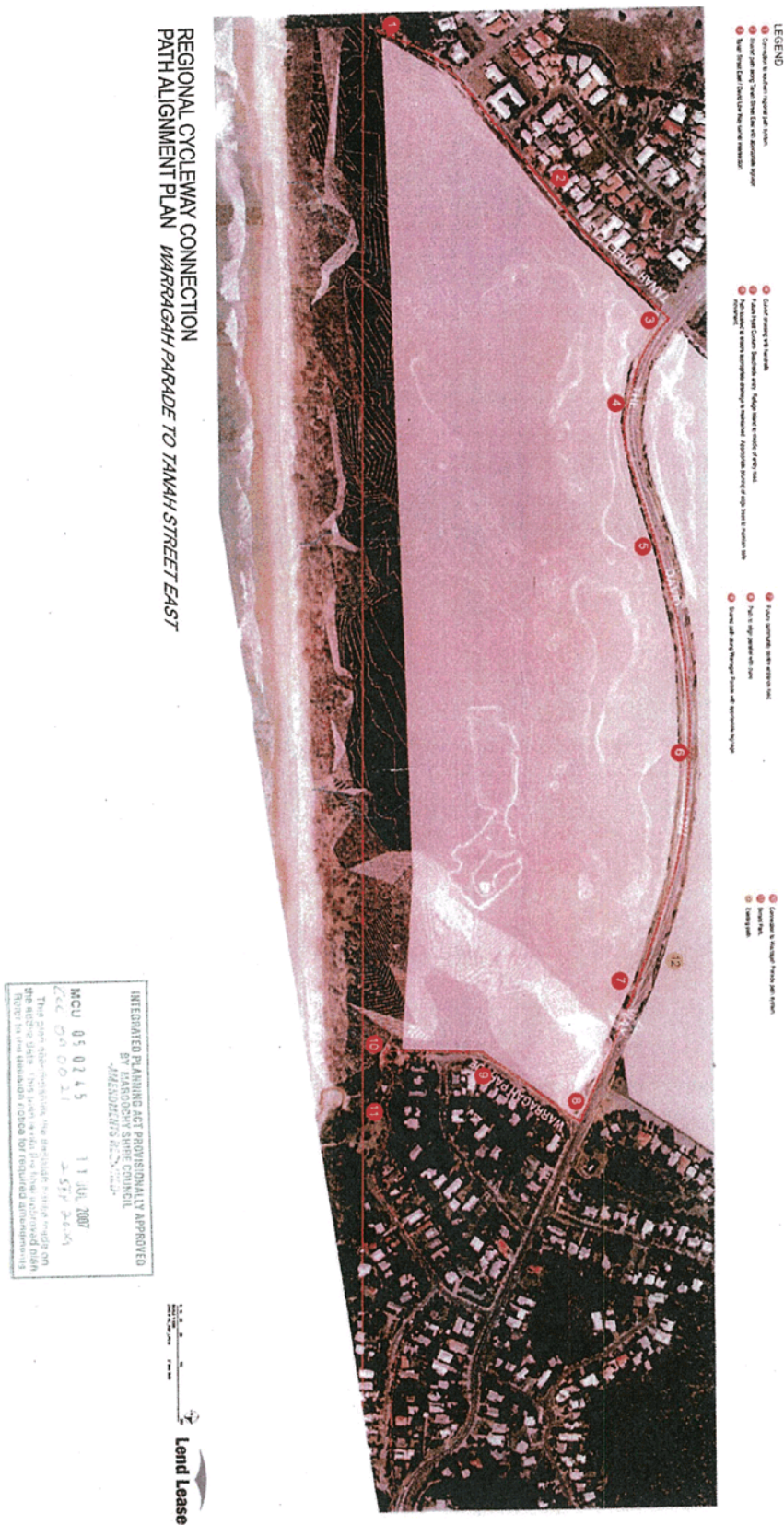
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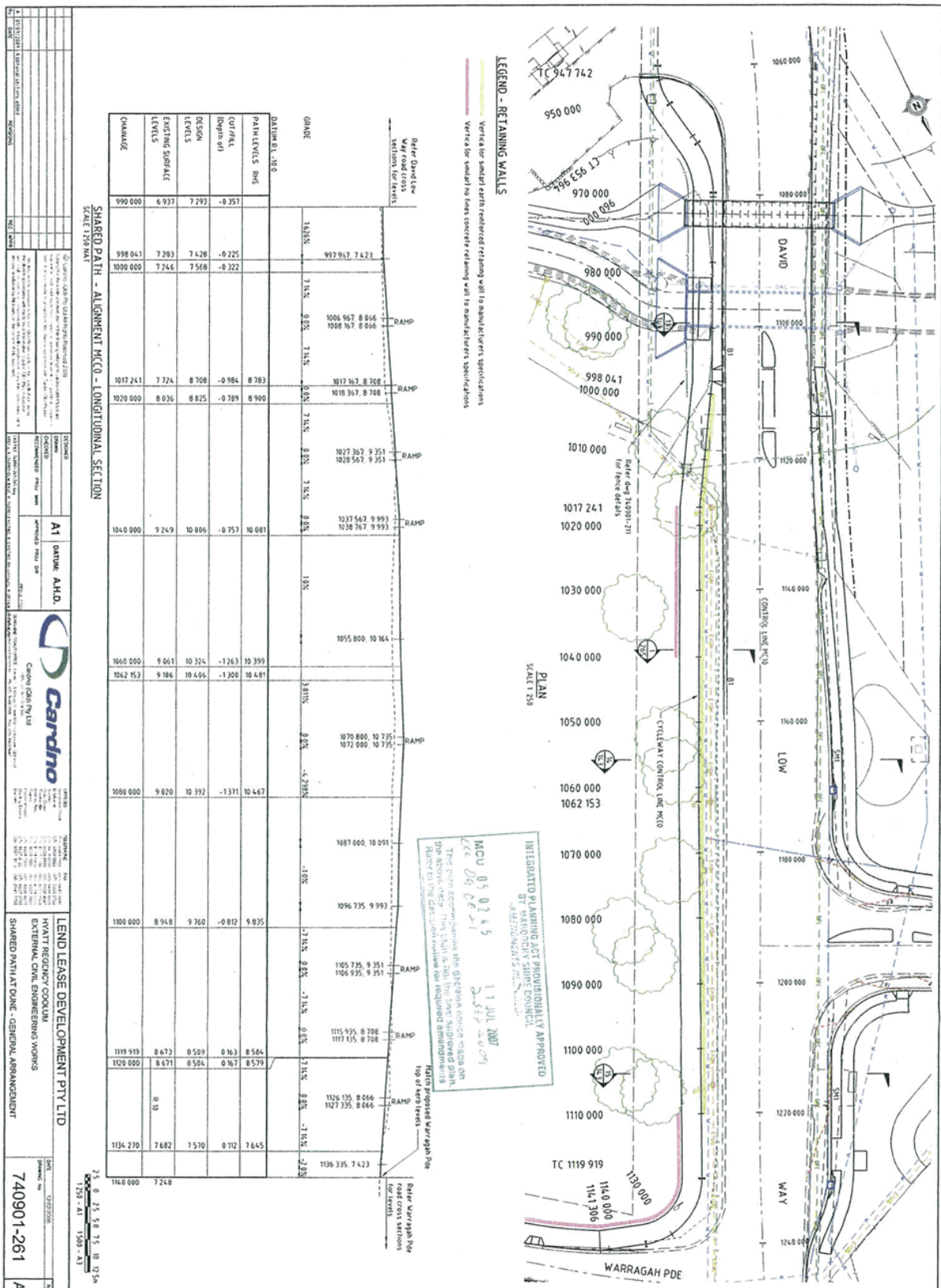






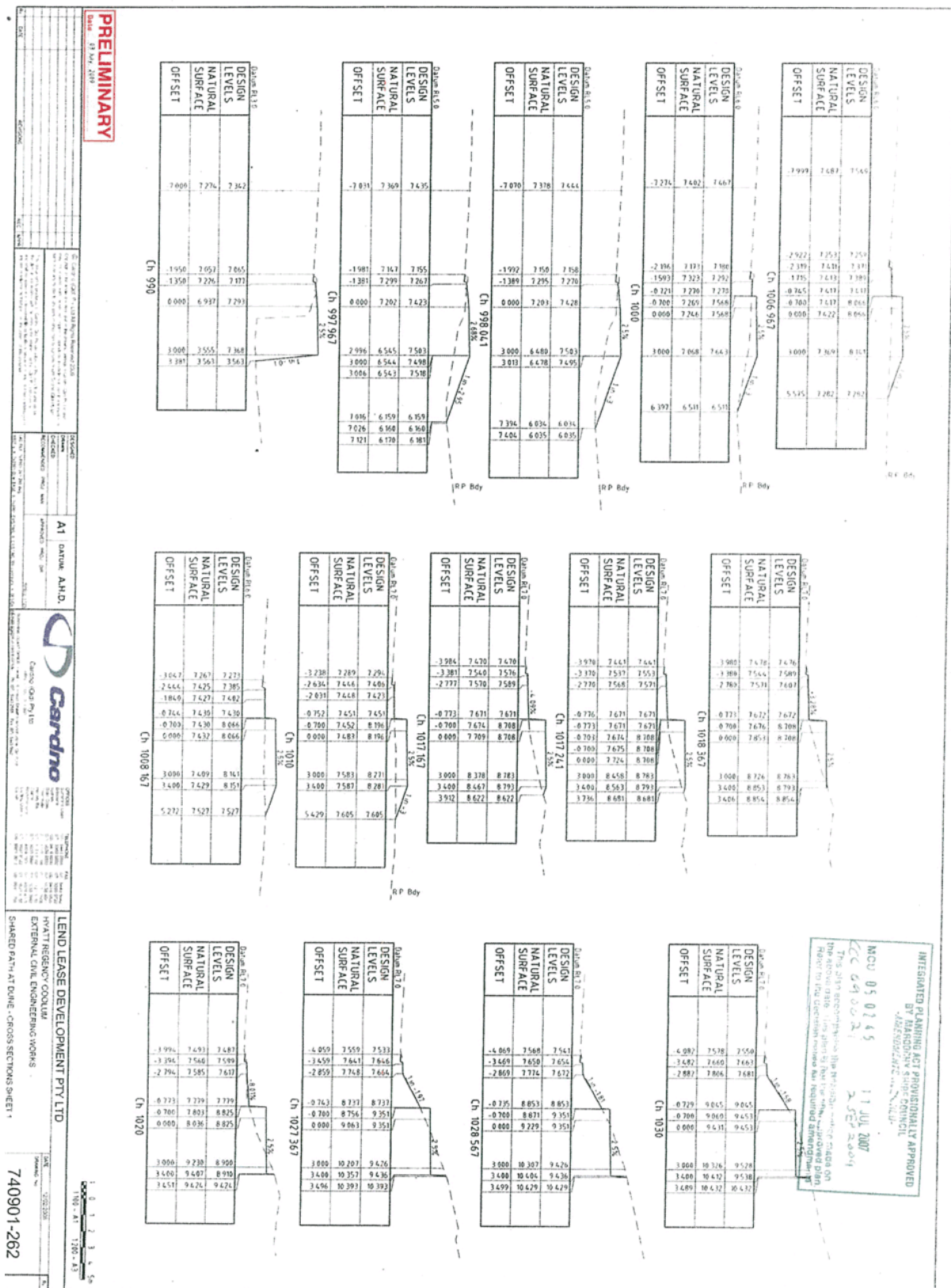






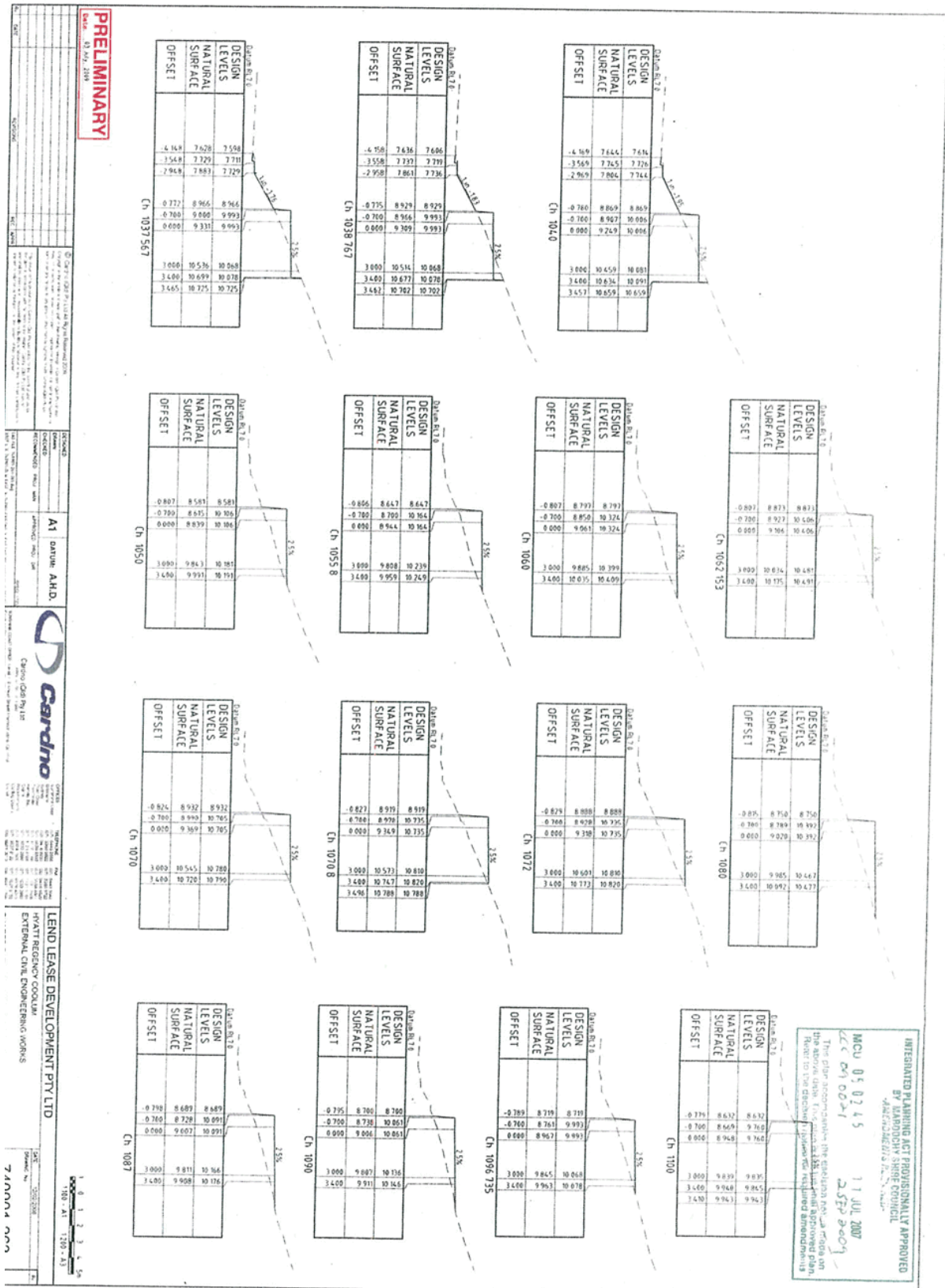
**Development Application for Material Change of Use (Preliminary Approval),  
Material Change of Use (Development Permit) and Reconfiguration of a Lot  
(Development Permit) - David Low Way, Yaroomba**

## Attachment 6 Development History - Coolum Hyatt Resort Master Plan



**Development Application for Material Change of Use (Preliminary Approval),  
Material Change of Use (Development Permit) and Reconfiguration of a Lot  
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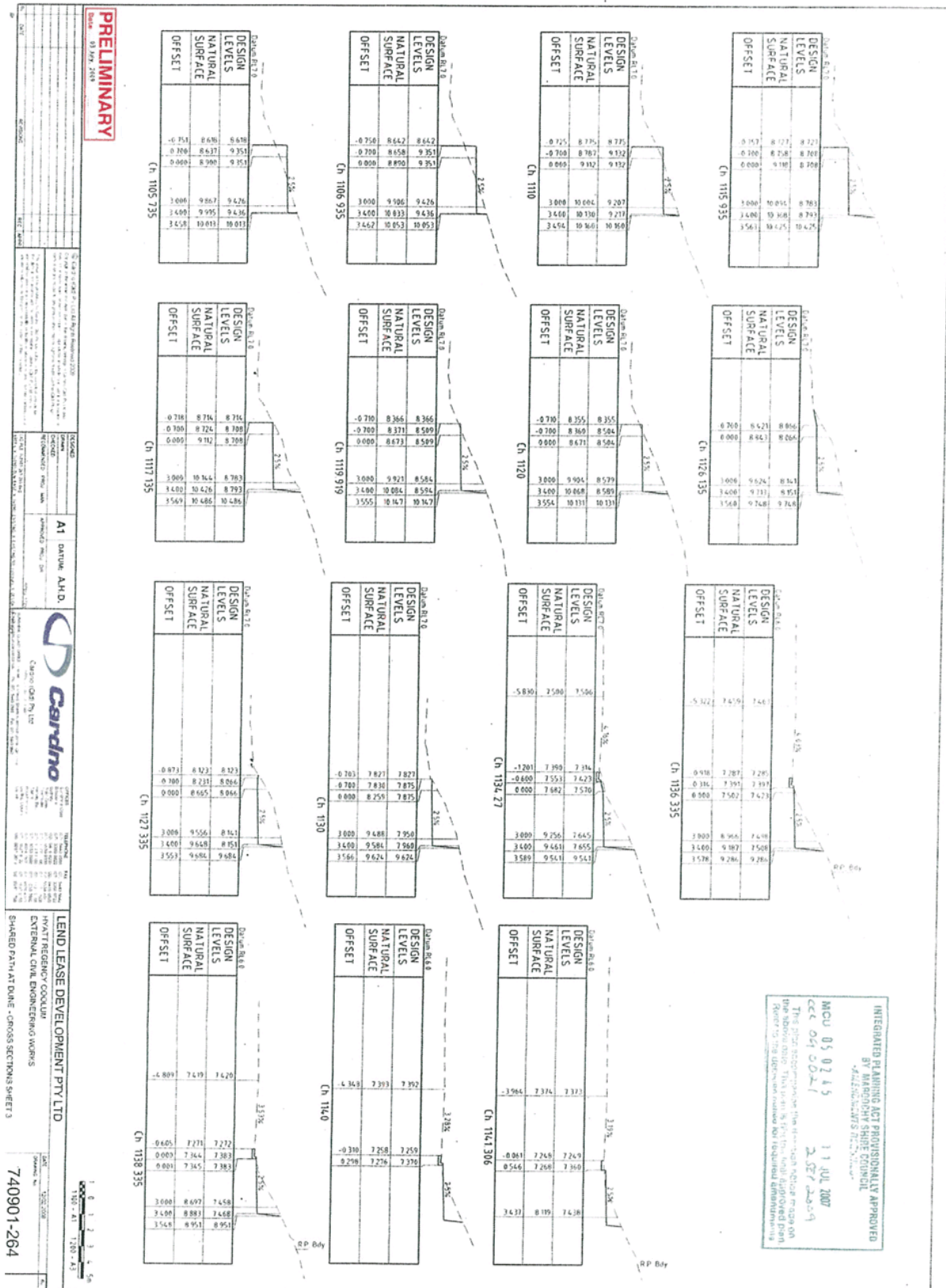
**Attachment 6 Development History - Coolum Hyatt Resort Master Plan**

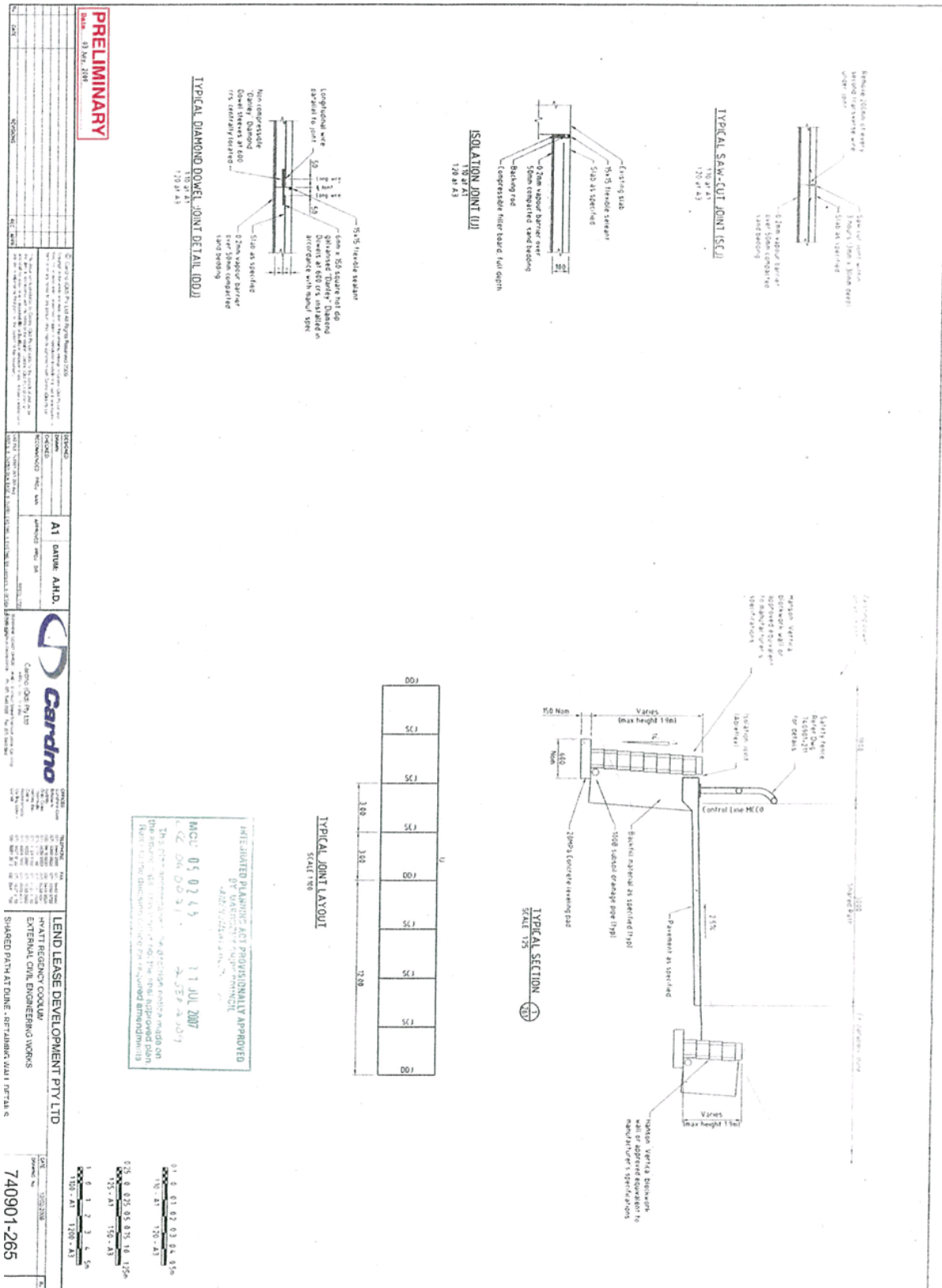


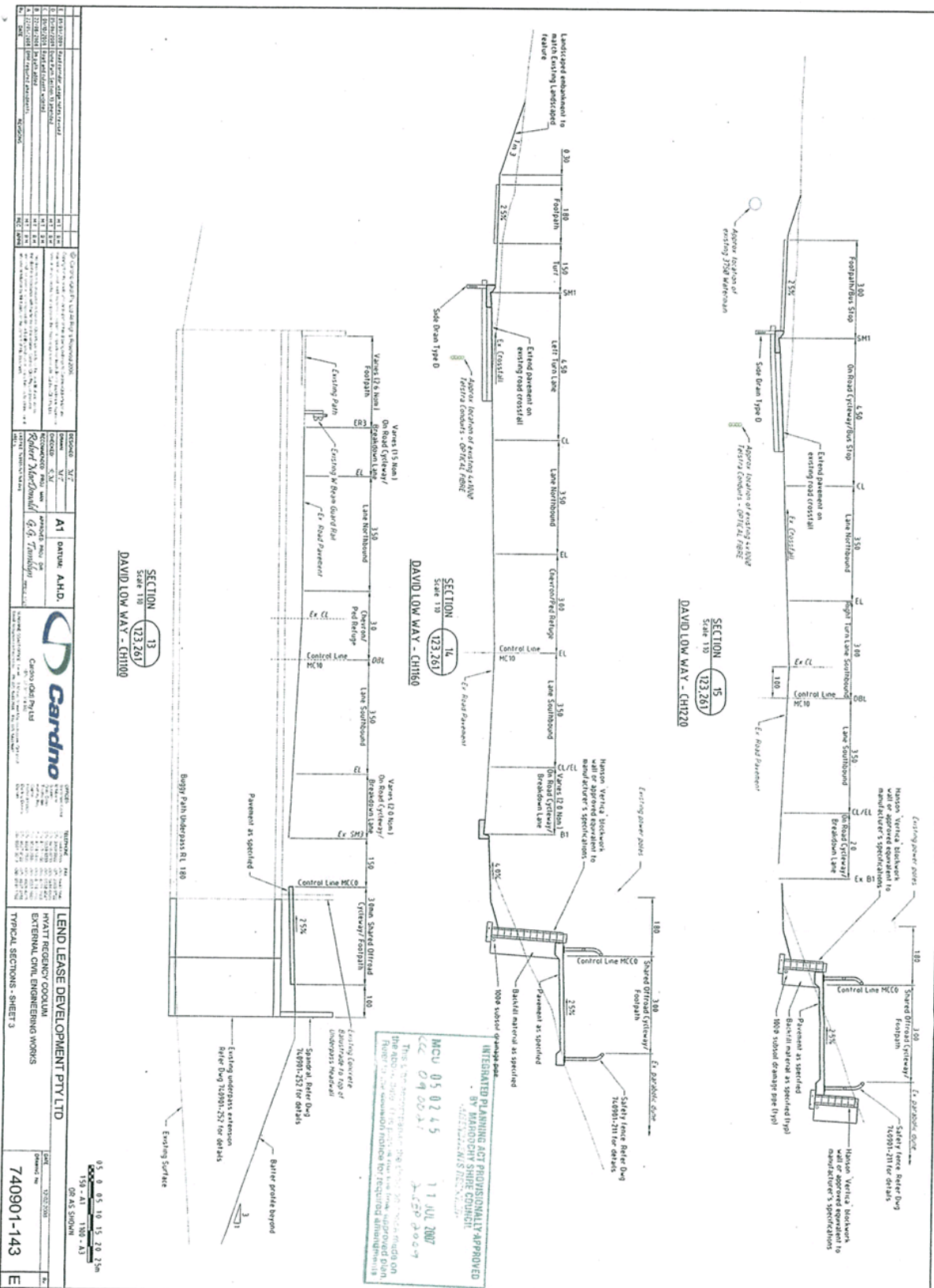


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**COOLUM HYATT RESORT COMMUNITY:**

***“AN INTEGRATED RESORT AND RESIDENTIAL COMMUNITY”***



Coolum Hyatt Resort – Master Plan Document

January 2010

FINAL APPROVED DOCUMENT

Version 200110

INTEGRATED PLANNING ACT  
MAROOCHY PLANNING SCHEME  
APPROVED BY SUNSHINE COAST REGIONAL COUNCIL  
MCU05/0245 CDA100001  
17 JUN 2007 16 MAR 2010

This is an approved document accompanying the  
decision notice made on the above date.

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### ANNEXURES

Annexure A – Precinct Master Plan  
Annexure B - Coolum Hyatt Resort Integrated Access and Mobility Plan  
Annexure C – Precinct Metes and Bounds Descriptions  
Annexure D – Sub-Precinct 3F Density (Beachclub)

## 1. Statutory Context

- 1.1. This Preliminary Approval Document applies to land described as Lot 23 SP173254, Lot 22 SP173253, Lots 23, 24 & 26 SP179447, Lot 111 RP806530 & Lots 109 & 110 RP145728 and Lot 0 SP173254 identified by the Maroochy Plan 2000 (Maroochy Plan 2000) as within Planning Area 10 (Mt Coolum) Precinct 8 (Coolum Hyatt Resort), Precinct Class - Master Planned Community and Precinct 7 (Warrack Street), Precinct Class - Neighbourhood Residential.
- 1.2. This Preliminary Approval Document shall be read in conjunction with the Maroochy Plan 2000.
- 1.3. Unless otherwise stated, words in this Preliminary Approval Document have the same meaning as words within Maroochy Plan 2000.
- 1.4. Where unstated within Maroochy Plan 2000, words shall have the same meaning as found within the Australian Macquarie Dictionary 2005.
- 1.5. In accordance with Section 3.1.6 of the Integrated Planning Act 1997 this Preliminary Approval overrides Maroochy Plan 2000 in that it identifies development as Self Assessable, Code Assessable and Impact Assessable. Where a land use is not indicated as Code or Self Assessable within the Precinct Tables of Development Assessment, it becomes Impact Assessable.
- 1.6. The values of any Special Management Areas applying to the land are taken to have been fully resolved by this preliminary approval, and are accordingly, waived pursuant to Section 4.3 (2) of Volume 1 of Maroochy Plan 2000 for all subsequent development. The level of assessment for all future development applications shall be in accordance with the Tables of Development Assessment contained within this Preliminary Approval Document. To remove any doubt, the Special Management Area (SMA) provisions of Volume 1 of the Maroochy Plan 2000 do not apply to development under the Coolum Hyatt Resort Master Plan. The Special Management Area requirements have been adequately addressed in the preparation of the Master Plan. Any future environmental management requirements or considerations will be regulated by the Coolum Hyatt Resort Master Plan, any relevant State or Commonwealth Government legislation, applicable Planning Codes or any development approval applicable to the subject site.
- 1.7. Where no provision of this Preliminary Approval Document overrides an equivalent or similar provision of the Maroochy Plan 2000, the provisions contained within Maroochy Plan 2000, including all applicable Planning Scheme Codes shall apply.
- 1.8. The currency period of the preliminary approval is 8 years starting the day the approval takes effect.
- 1.9. In accordance with Section 3.1.6(6) of the Integrated Planning Act, where there is a conflict between the provisions of this Preliminary Approval and the provisions of the Maroochy Plan 2000, this Preliminary Approval prevails.
- 1.10. For assessment of development under this preliminary approval by Council as Assessment Manager, where there is any question as to the applicability of the Master Plan Document, Master Plan or an applicable Planning Code to the development, the applicability of the Master Plan Document, Master Plan and Applicable Planning Code shall be as determined by Council.

## 2. Components of the Preliminary Approval Document

2.1. This Preliminary Approval Document contains the following components:

- Coolum Hyatt Resort Master Plan, which establishes the location and areas of individual precincts within the Master Plan as indicated at [Annexure A](#).

- Coolum Hyatt Resort Integrated Access and Mobility Plan, which identifies the location of the internal and external movement network as indicated in [Annexure B](#).
- Statement of maximum development density for the site and individual precincts.
- Master Plan Precinct Designations
- Statements of Desired Precinct Character, which are general statements of planning intent for land identified in individual precincts. The Statements of Desired Precinct Character describe the intended development outcomes for each precinct through controls on landscape and built form, preferred acceptable land uses.
- Precinct Tables of Development Assessment, which outline the level of assessment applicable to Material Change of Use and Reconfiguration of a Lot Development within individual precincts.
- Supplementary Tables for Building Height and Density which outline the maximum building heights and density provisions within each precinct and/or sub-precinct.

### 3. Development Density

- 3.1. This Preliminary Approval Document provide for a maximum development density of an additional 660 dwelling units within community title schemes for the subject site. This maximum development density consists of:
- Beachside Precinct – 450 dwelling units
  - Central Village – 125 dwelling units
  - Vantage (stage 2) - 85 dwelling units

### 4. Master Plan Precinct Designations

- 4.1. The Master Plan identifies 5 precincts including Resort, Golf, Beachside, Vantage and Central. Metes and Bounds descriptions for these precincts and relevant sub-precincts has been provided in Annexure C.

Final boundaries of these precincts and associated sub-precincts will be determined by detailed design at the Development Permit Stage but Precinct/Sub Precinct Areas shall not exceed the areas identified in the relevant Supplementary Table for Density for the relevant Precinct/Sub Precinct. Any refinements will be subject to the following in addition to the above:-

- Any boundary adjoining a nominated buffer along David Low Way and Tanah Street East is to be fixed.
- Any boundary adjoining the Resort precinct is to be fixed.
- Residential sub-precincts boundaries within the Beachside Precinct may vary as a result of detailed design.

### 5. Definitions

The following **land use definitions** override any equivalent land use definitions of Volume 1 of Maroochy Plan 2000:



***"Community nursery"** means the use of premises for the propagation, growing on and distribution from the premises by the Coolum Community Nursery Group or otherwise as approved by the CEO of Maroochy Shire Council.*

The following **administrative definitions** override equivalent administrative definitions of Volume 1 of Maroochy Plan 2000:

***"Finished surface level"** means the level of fill measured in reduced levels, set by an approved level of filling via Development Permit for Bulk Earthworks over the site, or natural ground level whichever is the greater in order to achieve flood immunity to the Q100 in accordance with the requirements of the Planning Scheme.*

***"Preliminary Approval Area"** means all land subject of this Preliminary Approval identified at the time of approval as Lot 23 SP173254, Lot 22 SP173253, Lots 23, 24 & 26 SP179447, Lot 111 RP806530 & Lots 109 & 110 RP145728 and Lot 0 SP173254*

***"Applicable Planning Scheme Codes"** means a Planning Scheme Code which is included within Volume 4 of Maroochy Plan 2000 (or planning scheme for the Maroochy Shire applicable at the time of any future application over the Preliminary Approval Area), and which has been identified as being applicable to self-assessable and assessable development in the Guide to Code Applicability, Volume 4 of Maroochy Plan 2000 (or the planning scheme for the Maroochy Shire applicable at the time of any future application over the Preliminary Approval Area), or Codes contained in regulations and identified as Codes for the purposes of IDAS pursuant to the Integrated Planning Act 1997.*

## 6. Levels of Assessment

The following table establishes the level of assessment for Material Change of Use and Lot Reconfiguration within the Preliminary Approval Area. This table needs to be read in conjunction with the Intent, Preferred Uses, Landscape and Built Form, Building Height and Lot Reconfiguration for each precinct, which also include provisions for determining the level of assessment for development under this Master Plan Document.

Development	Column 1: Circumstances under which Development is Self Assessable	Column 2: Circumstances under which Development is Code Assessable	Column 3: Impact Assessable
Material Change of Use	(i) Where the use is specified as Self Assessable in the Supplementary Table of Development Assessment – Material Change of Use for the relevant precinct and complies with the Applicable Planning Scheme Codes	(i) Where the use is specified as Code Assessable in the Supplementary Table of Development Assessment – Material Change of Use for the relevant precinct; or (ii) Where the use would otherwise have been self assessable in accordance with Column 1, except that the use does not meet the acceptable measures of the Applicable Planning Scheme Codes	Other than referred to in Columns 1 & 2
Development	Column 1: Circumstances under which Development is Self Assessable	Column 2: Circumstances under which Development is Code Assessable	Column 3: Impact Assessable
Lot Reconfiguration	None	Where creating one or more additional lots in accordance with: (i) the Supplementary Table for Lot Reconfiguration for the relevant precinct, or (ii) the Approved Plan of Development creating Precinct and Sub-Precinct Lots	Other than referred to in Column 2

Note: Development which would be self-assessable except that they do not comply with an Acceptable Measure of one or more Applicable Planning Scheme Codes, becomes Code Assessable for the purpose of assessment only against those Planning Scheme Codes that the development does not comply with. The development remains self-assessable for the purposes of assessment against all other Applicable Planning Scheme Codes.

Note: Where there is any question as to the level of assessment of a Development Application for Reconfiguring a Lot or Material Change of use, the level of assessment is as determined by Council.

To determine the level of assessment for **Building Works** and **Operational Works** applications, refer to Maroochy Plan 2000 (or relevant Planning Scheme).



## 7. Statements of Desired Precinct Character

### 7.1. Precinct 1 (Resort) - Statement of Desired Precinct Character

#### Intent

Precinct 1 has an area of 15.77ha and encompasses the following sub-precincts:

Sub Precinct 1A includes the central facilities buildings which accommodates some of the resort operations and ancillary activities, including reception, day spa, conference facilities, indoor and outdoor recreation, special events, art and craft centre, restaurants and shops, short term accommodation. The resort central facilities and associated accommodation will generally remain unchanged. Some consolidation and refurbishment of the central resort facilities may occur together with the provision of additional resort facilities ancillary to the resorts ongoing operation. This may include the relocation of the existing Commissary on Warren Road into the Resort precinct.

Sub Precinct 1B includes the existing centralized car parking facility, located to the north of the golf driving range, will continue to provide for Resort Guests and Visitors and will be retained in its general location. This area will be extended to accommodate spaces for staff and valet parking relocated to allow for the new golf course layout adjacent to the commissary on Warran Road.

Sub Precinct 1C includes a new Resort Beach Club facility centrally located within the Beachside Precinct. The existing pool, change rooms and canteen will be removed and replaced with new beach club facility incorporating shop and restaurant/café facilities adjacent a new lagoon style pool for use by both resort guests and residents. An upgraded beach access and new lifesaving tower will be provided to compliment the new Resort Beach Club.

Sub Precinct 1D includes a new Beach Club facility located to the south of the Parabolic Dune, which will temporarily replace the existing Beach Club facility while it is upgraded and will then become the existing President's and Ambassador's Clubs Beach Club accessible to club owners and resort guests.

Existing resort vehicle and pedestrian access paths integrating the central resort precinct to the adjoining resort and residential precincts will be retained. Utilization of the existing pathway network within this precinct will be limited to Resort Vehicles and buggies, pedestrian and cycles only.

Vehicle access to this precinct will be via the existing resort entry drive on Warren Road connecting to the port-cohere and resort central car park adjacent to the golf driving range. No private vehicles will be permitted to enter the resort precinct. With the exception of limited trade deliveries associated with special events or exhibits no access is permitted by Valerie Street.

The existing centralized car parking facility provided for Resort Guests and Visitors will be retained in its general location. This area will be extended to accommodate spaces for staff and valet parking relocated to allow for the new golf course layout adjacent to the commissary on Warren Road.

#### Preferred Uses

Preferred Uses consistent with the planning intent for this precinct are identified in the Supplementary Table of Development Assessment for Precinct 1, provided below:

Supplementary Table of Development Assessment for Precinct 1 – Material Change of Use		
	Column 1	Column 2
Purpose	Circumstances under which 'material change of use' is self	Circumstances under which 'material change of use' is code

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	assessable	assessable
<b>Sub Precinct 1A – Central Resort Facilities</b>		
Child Care Centre	None	All - Where having a height not exceeding the maximum height specified for a Child Care Centre in the Supplementary Table for Building Height for the Precinct and where there is only one Child Care Centre within the Precinct
Indoor Recreation where: <ul style="list-style-type: none"> <li>Amusement parlor</li> <li>Gym</li> </ul>	None	All - Where all Indoor Recreation, Restaurant and other Commercial uses within the Precinct do not exceed a maximum combined total gross floor area of 1250m <sup>2</sup> in the precinct and where having a height not exceeding the maximum height specified for Indoor Recreation in the Supplementary Table for Building Height for the Precinct
Indoor Recreation where: <ul style="list-style-type: none"> <li>Theatre</li> <li>Cinema</li> <li>Nightclub</li> <li>Indoor Sports Centre</li> </ul>	None	All - Where all Indoor Recreation, Restaurant and other Commercial uses within the Precinct do not exceed a maximum total combined gross floor area of 1250m <sup>2</sup> in the precinct and where having a height not exceeding the maximum height specified for Indoor Recreation in the Supplementary Table for Building Height for the Precinct
Restaurant	All - Where in premises which: <ul style="list-style-type: none"> <li>require <b>no</b> building work or only minor building work is required to accommodate the use; and</li> <li>do not result in greater than 1250m<sup>2</sup> maximum combined gross floor area for Indoor Recreation, Restaurant and other Commercial uses within the precinct; and</li> <li>have a height not exceeding the maximum height specified for Restaurant use in the Supplementary Table for Building Height for the Precinct</li> </ul>	All - Where all Indoor Recreation, Restaurant and other Commercial uses within the Precinct do not exceed a maximum total combined gross floor area of 1250m <sup>2</sup> in the precinct and where having a height not exceeding the maximum height specified for Restaurants in the Supplementary Table for Building Height for the Precinct
Park	All	None
<b>Sub Precinct 1B – Car Parking Facility</b>		
Car Park	None	All -Where having a height not exceeding the maximum height specified for a Car Park in the Supplementary Table for Building Height for the Precinct
<b>Sub Precinct 1C – Beach Club Facility</b>		
Restaurant	All - Where: <ul style="list-style-type: none"> <li>In premises which require <b>no</b> building work or only minor building work to accommodate the use; and</li> </ul>	All - Where all Restaurant, Shop or other commercial uses gross floor within the Precinct does not exceed a maximum total combined gross floor area of 1250m <sup>2</sup> in the

Item 4.1.1 Development Application for Material Change of Use (Preliminary Approval),  
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	<ul style="list-style-type: none"> <li>all Restaurant, Shop or other commercial uses gross floor area does not exceed a total combined gross floor area of 500m<sup>2</sup> in the precinct; and</li> <li>in premises having a height not exceeding the maximum height specified for Restaurant use in the Supplementary Table for Building Height for the Precinct</li> </ul>	precinct and where having a height not exceeding the maximum height specified for Restaurants in the Supplementary Table for Building Height for the Precinct
Shop	<p>All - Where:</p> <ul style="list-style-type: none"> <li>In premises which require no building work or only minor building work to accommodate the use; and</li> <li>all Restaurant, Shop or other commercial uses gross floor area does not exceed a total combined gross floor area of 500m<sup>2</sup> in the precinct; and</li> <li>in premises having a height not exceeding the maximum height specified for Restaurant use in the Supplementary Table for Building Height for the Precinct</li> </ul>	All - Where all Restaurant, Shop or other commercial uses gross floor within the Precinct does not exceed a maximum total combined gross floor area of 1250m <sup>2</sup> in the precinct and where having a height not exceeding the maximum height specified for Shops in the Supplementary Table for Building Height for the Precinct
Outdoor Recreation where only: <ul style="list-style-type: none"> <li>Swimming Pool</li> <li>Outdoor Court</li> </ul>	All - Where having a height not exceeding the maximum height specified in the Supplementary Table for Building Height for the precinct	None
<b>Sub Precinct 1D – Club's Beach Club Facility</b>		
Outdoor Recreation where only: <ul style="list-style-type: none"> <li>Swimming Pool</li> <li>Outdoor Court</li> <li>Kiosk</li> </ul>	All - Where having a height not exceeding the maximum height specified in the Supplementary Table for Building Height for the precinct	None

**Landscape and Built Form**

New buildings should contribute to a high level of amenity, and exhibit a similar character and respect to the scale amenity of existing premises.

Premises should incorporate landscaping that complements the precinct's established landscaping. Where practical, natural vegetation should be incorporated into streetscape planting and in open spaces.



### Building Height

Building Height consistent with the planning intent, landscape and built form for the precinct is identified within the Supplementary Table for Building Height, provided below.

Supplementary Table for Building Height	
Use	Maximum Building Height
Car Park	Up to but not exceeding 8.5 metres
Child Care Centre	8.5 metres (but not more than 2 storeys)
Indoor Recreation	8.5 metres (but not more than 2 storeys)
Restaurant	8.5 metres (but not more than 2 storeys)
Shop	8.5 metres (but not more than 2 storeys)
All other development	8.5 metres (but not more than 2 storeys)

### Density

Dwelling Density consistent with the planning intent, landscape and built form for the precinct is identified within the Supplementary Table for Density, provided below.

Supplementary Table for Density					
Precinct Area (Ha)	Total Number of Dwelling units permitted in the precinct	Maximum Proportion of dwelling units permitted by dwelling unit type			Dwelling Unit Factor for Multiple Dwelling Units
		Detached House	Dual Occupancy	Multiple Dwelling Units	
15.77	0 - residential development is not permitted in this precinct				

### Lot Reconfiguration

Lot design and sizes are to be in accordance with the Supplementary Table for Lot Reconfiguration provided below.

Supplementary Table for Lot Reconfiguration		
Lot Type	Minimum Area	Minimum Frontage
All	The minimum lot size will be as determined by Council having regard to the existing and proposed use of the land. Lot size, frontage and dimensions are to be commensurate with the particular use, taking into account the height controls, setback requirements, landscaping, car parking and other like design criteria outlined in this Master Plan Document or other Applicable Planning Scheme Codes.	

*Note: Reconfiguring a lot is **code assessable** where in accordance with the Supplementary Table for Lot Reconfiguration, otherwise it is impact assessable.*

## 7.2. Precinct 2 (Golf Course) – Statement of Desired Precinct Character

### Intent

Precinct 2 covers an area of 76.5ha. It comprises the existing golf course west of the David Low Way and proposed new 6 holes located in the western portion of the preliminary approval area surrounding the remnant vegetation area.

The golf course will be configured and continue to operate as an 18 hole Championship Golf Course.

This precinct together with the Resort precinct will continue to be utilized for the Special Events Programme undertaken on the site. The Special Events program will continue in accordance with the existing approval, terms and conditions.

Vehicle access and car parking for the golf course is via the existing Warran Road entry. Existing external access gates to the Golf Course precinct will be retained for maintenance and Special Event Program purposes.

The existing vine forest will be retained and protected by a vegetation protection covenant. This area has been nominated a Conservation designation under the master plan. This area will also include an upgrade of the existing walking trail to an interpretive trail educating residents, guests and visitors of the native flora and fauna of the local area.

### Preferred Uses

Preferred and Acceptable Uses consistent with the planning intent for this precinct are identified in the Supplementary Table of Development Assessment for Precinct 2, provided below:

Supplementary Table of Development Assessment for Precinct 2 – Assessment of Material Change of Use		
	Column 1	Column 2
Purpose	Circumstances under which 'material change of use' is <b>self assessable</b>	Circumstances under which 'material change of use' is <b>code assessable</b>
Community Nursery	None	All - Where having a height not exceeding the maximum height specified for a Community Nursery in the Supplementary Table for Building Height for the Precinct
Outdoor Recreation where: <ul style="list-style-type: none"> <li>Golf courses, driving range and ancillary maintenance facilities.</li> </ul>	All - Where having a height not exceeding the maximum height specified for Outdoor Recreation in the Supplementary Table for Building Height for the Precinct	None
Park	All	None

### Landscape and Built Form

The built form of this precinct includes only minor and ancillary buildings to the golf course use (i.e. course toilets and pavilions, landscaping and maintenance sheds and storage areas).

Landscape elements will reflect and enhance the existing landscape qualities within the resort, utilizing existing and locally endemic species where appropriate.



### Building Height

Building Height consistent with the planning intent, landscape and built form for this precinct is identified within the Supplementary Table for Building Height, provided below.

Supplementary Table for Building Height	
Use	Maximum Building Height
Outdoor Recreation where golf course, driving range and ancillary maintenance facilities activities	6 metres (but not more than 1 storey)
Community Nursery	8 metres (but not more than 1 storey)
All other development	0 metres

### Density

Dwelling Density consistent with the planning intent, landscape and built form for the precinct is identified within the Supplementary Table for Density, provided below.

Supplementary Table for Density					
Precinct Area (Ha)	Total Number of Dwelling Units permitted in the precinct	Maximum Proportion of dwelling units permitted by dwelling unit type			Dwelling Unit Factor for Multiple Dwelling Units
		Detached House	Dual Occupancy	Multiple Dwelling Units	
76.5	0 - residential development is not permitted in this precinct				

### Lot Reconfiguration

Lot design and sizes are to be in accordance with the Supplementary Table for Lot Reconfiguration provided below.

Supplementary Table for Lot Reconfiguration		
Lot Type	Minimum Area	Minimum Frontage
Community Nursery Site	The minimum and maximum lot size will be as determined by Council	
All other	Not applicable – subdivision is not permitted	

*Note: Reconfiguring a lot is **code assessable** where in accordance with the Supplementary Table for Lot Reconfiguration, otherwise it is **impact assessable**.*

**7.3. Precinct 3 (Beachside Villages) - Statement of Desired Precinct Character****Intent**

Precinct 3 is located to the east of David Low Way. The precinct is bounded by the David Low Way, Warragah Parade to the north, and Tanah Street East to the south and the beach dunes to the east. The precinct covers an area of 37.34 ha. The parabolic dune located in the north of the precinct is the most prominent topographical feature of the locality and is to be protected, via an expanded vegetation covenant.

Development is intended to take the form of six distinct resort residential villages community title schemes set amongst green open spaces that will provide for both conservation and recreation. These resort residential villages (comprising sub-precincts 3a – 3f) will incorporate a mix of accommodation types including detached dwellings, dual occupancy and multiple dwelling units.

Vehicle access to the Beachside Villages will be via a new roundabout entry on David Low Way. A central collector road will provide access to each of the individual resort residential precincts and the beach club. No private vehicle access will be permitted via the David Low way underpass. The beachside villages and resort beach club precinct will be linked to the central resort facilities via an integrated pathway network allowing for the safe movement of pedestrians, bicycles, resident buggies and resort shuttle and service vehicles.

The existing beach access adjacent the existing resort beach club will be retained. Two additional beach access points will be located adjacent to the open space network providing access from the residential precincts to the beachfront.

Substantial open space corridors will be accommodated within the precincts, which will serve to separate and define the boundaries of these villages, maintain vistas to the parabolic dune and Mt Coolum and accommodate stormwater treatment through a series of water bodies and wetland areas. Vegetation buffers to David Low Way and Tanah Street East will be retained and enhanced to ensure the visual amenity and character of the precinct is maintained.

**Preferred Uses**

Preferred Uses consistent with the planning intent for each sub-precinct are identified within the Supplementary Table of Development Assessment for Precinct 3, provided below.

Supplementary Table for Development Assessment for Precinct 3 – Assessment of Material Change of Use		
	Column 1	Column 2
Purpose	Circumstances under which 'material change of use' is <b>self assessable</b>	Circumstances under which 'material change of use' is <b>code assessable</b>
Sub-Precinct 3A – Residential Village		
Detached House	All – Where: (a) having a height not exceeding the maximum height specified for a Detached House use in the Supplementary Table for Building Height for the Sub Precinct; and (b) where resulting in a density not exceeding the maximum total number dwelling units permitted in the sub-precinct or the maximum proportion of dwelling units by dwelling unit type as specified in the	None

	Supplementary Table for Density; and (c) where the total number of existing and approved dwelling units for the Precinct does not exceed 450 and for the Preliminary Approval Area does not exceed 660	
Display Home	All – Where: (a) having a height not exceeding the maximum height specified for a Display Home use in the Supplementary Table for Building Height for the Sub Precinct; and (b) resulting in a density not exceeding the maximum total number dwelling units permitted in the sub-precinct or the maximum proportion of dwelling units by dwelling unit type as specified in the Supplementary Table for Density; and (c) the total number of existing and approved dwelling units for the Precinct does not exceed 450 and for the Preliminary Approval Area does not exceed 660	None
Dual Occupancy	All – Where: (a) on a dual occupancy lot nominated on an approved plan of subdivision and compliant with Code requirements and which identifies development parameters (setbacks, private open space, etc) on a Plan of Development; and (b) having a height not exceeding the maximum height specified for a Dual Occupancy in the Supplementary Table for Building Height for the Sub Precinct; and (c) resulting in a density not exceeding the maximum total number dwelling units permitted in the sub-precinct or the maximum proportion of dwelling units by dwelling unit type as specified in the Supplementary Table for Density; and (d) the total number of existing and approved	None

	dwelling units for the Precinct does not exceed 450 and for the Preliminary Approval Area does not exceed 660	
Multiple Dwelling Units	None	<p>All – Where:</p> <p>(a) on a Multiple Dwelling Unit lot nominated on an approved plan of subdivision; and</p> <p>(b) having a height not exceeding the maximum height specified for Multiple Dwelling use in the Supplementary Table for Building Height for the Sub Precinct; and</p> <p>(c) resulting in a density not exceeding the maximum total number dwelling units permitted in the sub-precinct and as specified in the Supplementary Table for Density; and</p> <p>(d) having a DUF not exceeding the maximum DUF specified in the Supplementary Table for Density; and</p> <p>(e) on a lot complying with the minimum and maximum lot sizes for Multiple Dwelling Unit sites specified in the Supplementary Table for Density and Supplementary Table for Lot Reconfiguration; and</p> <p>(f) the proportion of dwellings by dwelling type for the Precinct does not exceed the maximum specified in the Supplementary Table for Density; and</p> <p>(g) the total number of existing and approved dwelling units for the Precinct does not exceed 450 and for the Preliminary Approval Area does not exceed 660</p>
<p>Outdoor Recreation where only:</p> <ul style="list-style-type: none"> <li>Swimming Pool</li> <li>Outdoor Court</li> </ul>	<p>All - Where nominated on an approved plan of subdivision and where having a height not exceeding the maximum height specified for Outdoor Recreation in the Supplementary Table for Building Height for the precinct</p>	None
<b>Sub-Precinct 3B – Residential Village</b>		
Detached House	<p>All – Where:</p> <p>(a) having a height not exceeding the maximum height specified for a Detached House use in the Supplementary Table for Building Height for the Sub Precinct; and</p> <p>(b) where resulting in a density not exceeding the</p>	None



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	<p>maximum total number dwelling units permitted in the sub-precinct or the maximum proportion of dwelling units by dwelling unit type as specified in the Supplementary Table for Density; and</p> <p>(c) where the total number of existing and approved dwelling units for the Precinct does not exceed 450 and for the Preliminary Approval Area does not exceed 660</p>	
Display Home	<p>All – Where:</p> <p>(a) having a height not exceeding the maximum height specified for a Display Home use in the Supplementary Table for Building Height for the Sub Precinct; and</p> <p>(b) where resulting in a density not exceeding the maximum total number dwelling units permitted in the sub-precinct or the maximum proportion of dwelling units by dwelling unit type as specified in the Supplementary Table for Density; and</p> <p>(c) where the total number of existing and approved dwelling units for the Precinct does not exceed 450 and for the Preliminary Approval Area does not exceed 660</p>	None
Dual Occupancy	<p>All – Where:</p> <p>(a) on a dual occupancy lot nominated on an approved plan of subdivision and compliant with Code requirements and which identifies development parameters (setbacks, private open space, etc) on a Plan of Development; and</p> <p>(b) having a height not exceeding the maximum height specified for a Dual Occupancy in the Supplementary Table for Building Height for the Sub Precinct; and</p> <p>(c) resulting in a density not exceeding the maximum total number dwelling units permitted in the sub-precinct or the maximum proportion of</p>	None



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	dwelling units by dwelling unit type as specified in the Supplementary Table for Density; and (d) the total number of existing and approved dwelling units for the Precinct does not exceed 450 and for the Preliminary Approval Area does not exceed 660	
Multiple Dwelling Units	None	All – Where: (a) on a Multiple Dwelling Unit lot nominated on an approved plan of subdivision; and (b) having a height not exceeding the maximum height specified for Multiple Dwelling use in the Supplementary Table for Building Height for the Sub Precinct; and (c) resulting in a density not exceeding the maximum total number dwelling units permitted in the sub-precinct and as specified in the Supplementary Table for Density; and (d) having a DUF not exceeding the maximum DUF specified in the Supplementary Table for Density; and (e) on a lot complying with the minimum and maximum lot sizes for Multiple Dwelling Unit sites specified in the Supplementary Table for Density and Supplementary Table for Lot Reconfiguration; and (f) the proportion of dwellings by dwelling type for the Precinct does not exceed the maximum specified in the Supplementary Table for Density; and (g) where the total number of existing and approved dwelling units for the Precinct does not exceed 450 and for the Preliminary Approval Area does not exceed 660
Outdoor Recreation where only: • Swimming Pool • Outdoor Court	All - Where nominated on an approved plan of subdivision having a height not exceeding the maximum height specified for Outdoor Recreation in the Supplementary Table for Building Height	None
<b>Sub-Precinct 3C – Residential Village</b>		
Detached House	All – Where: (a) having a height not exceeding the maximum height specified for a Detached House use in the	None

	<p>Supplementary Table for Building Height for the Sub Precinct; and</p> <p>(b) resulting in a density not exceeding the maximum total number dwelling units permitted in the sub-precinct or the maximum proportion of dwelling units by dwelling unit type as specified in the Supplementary Table for Density; and</p> <p>(c) the total number of existing and approved dwelling units for the Precinct does not exceed 450 and for the Preliminary Approval Area does not exceed 660</p>	
Display Home	<p>All – Where:</p> <p>(a) having a height not exceeding the maximum height specified for a Display Home use in the Supplementary Table for Building Height for the Sub Precinct; and</p> <p>(b) resulting in a density not exceeding the maximum total number dwelling units permitted in the sub-precinct or the maximum proportion of dwelling units by dwelling unit type as specified in the Supplementary Table for Density; and</p> <p>(c) the total number of existing and approved dwelling units for the Precinct does not exceed 450 and for the Preliminary Approval Area does not exceed 660</p>	None
Dual Occupancy	<p>All – Where:</p> <p>(a) on a dual occupancy lot nominated on an approved plan of subdivision and compliant with Code requirements and which identifies development parameters (setbacks, private open space, etc) on a Plan of Development; and</p> <p>(b) having a height not exceeding the maximum height specified for a Dual Occupancy in the Supplementary Table for Building Height for the Sub Precinct; and</p> <p>(c) resulting in a density</p>	None

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	not exceeding the maximum total number dwelling units permitted in the sub-precinct or the maximum proportion of dwelling units by dwelling unit type as specified in the Supplementary Table for Density; and (d) the total number of existing and approved dwelling units for the Precinct does not exceed 450 and for the Preliminary Approval Area does not exceed 660	
Multiple Dwelling Units	None	All – Where: (a) on a Multiple Dwelling Unit lot nominated on an approved plan of subdivision; and (b) having a height not exceeding the maximum height specified for Multiple Dwelling use in the Supplementary Table for Building Height for the Sub Precinct; and (c) resulting in a density not exceeding the maximum total number dwelling units permitted in the sub-precinct and as specified in the Supplementary Table for Density; and (d) having a DUF not exceeding the maximum DUF specified in the Supplementary Table for Density; and (e) on a lot complying with the minimum and maximum lot sizes for Multiple Dwelling Unit sites specified in the Supplementary Table for Density and Supplementary Table for Lot Reconfiguration; and (f) the proportion of dwellings by dwelling type for the Precinct does not exceed the maximum specified in the Supplementary Table for Density; and (g) the total number of existing and approved dwelling units for the Precinct does not exceed 450 and for the Preliminary Approval Area does not exceed 660
Outdoor Recreation where only: • Swimming Pool • Outdoor Court	All - Where nominated on an approved plan of subdivision having a height not exceeding the maximum height specified for Outdoor Recreation in the Supplementary Table for Building Height	None

Sub-Precinct 3D – Residential Village		
Detached House	<p>All – Where:</p> <p>(a) having a height not exceeding the maximum height specified for a Detached House use in the Supplementary Table for Building Height for the Sub Precinct; and</p> <p>(b) resulting in a density not exceeding the maximum total number dwelling units permitted in the sub-precinct or the maximum proportion of dwelling units by dwelling unit type as specified in the Supplementary Table for Density; and</p> <p>(c) the total number of existing and approved dwelling units for the Precinct does not exceed 450 and for the Preliminary Approval Area does not exceed 660</p>	None
Display Home	<p>All – Where:</p> <p>(a) having a height not exceeding the maximum height specified for a Display Home use in the Supplementary Table for Building Height for the Sub Precinct; and</p> <p>(b) resulting in a density not exceeding the maximum total number dwelling units permitted in the sub-precinct or the maximum proportion of dwelling units by dwelling unit type as specified in the Supplementary Table for Density; and</p> <p>(c) the total number of existing and approved dwelling units for the Precinct does not exceed 450 and for the Preliminary Approval Area does not exceed 660</p>	None
Dual Occupancy	<p>All – Where:</p> <p>(a) on a dual occupancy lot nominated on an approved plan of subdivision and compliant with Code requirements and which identifies development parameters (setbacks, private open space, etc) on a Plan of Development; and</p>	None

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	<p>(b) having a height not exceeding the maximum height specified for a Dual Occupancy in the Supplementary Table for Building Height for the Sub Precinct; and</p> <p>(c) resulting in a density not exceeding the maximum total number dwelling units permitted in the sub-precinct or the maximum proportion of dwelling units by dwelling unit type as specified in the Supplementary Table for Density; and</p> <p>(d) the total number of existing and approved dwelling units for the Precinct does not exceed 450 and for the Preliminary Approval Area does not exceed 660</p>	
Multiple Dwelling Units	None	<p>All – Where:</p> <p>(a) on a Multiple Dwelling Unit lot nominated on an approved plan of subdivision; and</p> <p>(b) having a height not exceeding the maximum height specified for Multiple Dwelling use in the Supplementary Table for Building Height for the Sub Precinct; and</p> <p>(c) resulting in a density not exceeding the maximum total number dwelling units permitted in the sub-precinct and as specified in the Supplementary Table for Density; and</p> <p>(d) having a DUF not exceeding the maximum DUF specified in the Supplementary Table for Density; and</p> <p>(e) on a lot complying with the minimum and maximum lot sizes for Multiple Dwelling Unit sites specified in the Supplementary Table for Density and Supplementary Table for Lot Reconfiguration; and</p> <p>(f) the proportion of dwellings by dwelling type for the Precinct does not exceed the maximum specified in the Supplementary Table for Density; and</p> <p>(g) the total number of existing and approved dwelling units for the Precinct does not exceed 450 and for the Preliminary Approval Area does not exceed 660</p>
<p>Outdoor Recreation where only:</p> <ul style="list-style-type: none"> <li>Swimming Pool</li> </ul>	All -Where nominated on an approved plan of subdivision having a height not exceeding the	None



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• Outdoor Court	maximum height specified for Outdoor Recreation in the Supplementary Table for Building Height	
<b>Sub-Precinct 3E – Residential Village</b>		
Detached House	<p>All – Where:</p> <p>(a) having a height not exceeding the maximum height specified for a Detached House use in the Supplementary Table for Building Height for the Sub Precinct; and</p> <p>(b) resulting in a density not exceeding the maximum total number dwelling units permitted in the sub-precinct or the maximum proportion of dwelling units by dwelling unit type as specified in the Supplementary Table for Density; and</p> <p>(c) the total number of existing and approved dwelling units for the Precinct does not exceed 450 and for the Preliminary Approval Area does not exceed 660</p>	None
Display Home	<p>All – Where:</p> <p>(a) having a height not exceeding the maximum height specified for a Display Home use in the Supplementary Table for Building Height for the Sub Precinct; and</p> <p>(b) resulting in a density not exceeding the maximum total number dwelling units permitted in the sub-precinct or the maximum proportion of dwelling units by dwelling unit type as specified in the Supplementary Table for Density; and</p> <p>(c) the total number of existing and approved dwelling units for the Precinct does not exceed 450 and for the Preliminary Approval Area does not exceed 660</p>	None
Dual Occupancy	<p>All – Where:</p> <p>(a) on a dual occupancy lot nominated on an approved plan of subdivision and compliant with Code requirements and which identifies development parameters (setbacks,</p>	None.

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	<p>private open space, etc) on a Plan of Development; and</p> <p>(b) having a height not exceeding the maximum height specified for a Dual Occupancy in the Supplementary Table for Building Height for the Sub Precinct; and</p> <p>(c) resulting in a density not exceeding the maximum total number dwelling units permitted in the sub-precinct or the maximum proportion of dwelling units by dwelling unit type as specified in the Supplementary Table for Density; and</p> <p>(d) the total number of existing and approved dwelling units for the Precinct does not exceed 450 and for the Preliminary Approval Area does not exceed 660</p>	
Multiple Dwelling Units	None	<p>All – Where:</p> <p>(a) on a Multiple Dwelling Unit lot nominated on an approved plan of subdivision; and</p> <p>(b) having a height not exceeding the maximum height specified for Multiple Dwelling use in the Supplementary Table for Building Height for the Sub Precinct; and</p> <p>(c) resulting in a density not exceeding the maximum total number dwelling units permitted in the sub-precinct and as specified in the Supplementary Table for Density; and</p> <p>(d) having a DUF not exceeding the maximum DUF specified in the Supplementary Table for Density; and</p> <p>(e) on a lot complying with the minimum and maximum lot sizes for Multiple Dwelling Unit sites specified in the Supplementary Table for Density and Supplementary Table for Lot Reconfiguration; and</p> <p>(f) the proportion of dwellings by dwelling type for the Precinct does not exceed the maximum specified in the Supplementary Table for Density; and</p> <p>(g) the total number of existing and approved dwelling units for the Precinct does not exceed 450 and for the Preliminary Approval Area does not exceed 660</p>

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Outdoor Recreation where only: <ul style="list-style-type: none"> <li>Swimming Pool</li> <li>Outdoor Court</li> </ul>	Where nominated on an approved plan of subdivision having a height not exceeding the maximum height specified for Outdoor Recreation in the Supplementary Table for Building Height	None
<b>Sub-Precinct 3F – Beach Club/Medium Density Precinct</b>		
Detached House	All – Where: (a) having a height not exceeding the maximum height specified for a Detached House use in the Supplementary Table for Building Height for the Sub Precinct; and (b) resulting in a density not exceeding the maximum total number dwelling units permitted in the sub-precinct or the maximum proportion of dwelling units by dwelling unit type as specified in the Supplementary Table for Density; and (c) the total number of existing and approved dwelling units for the Precinct does not exceed 450 and for the Preliminary Approval Area does not exceed 660	None
Display Home	All – Where: (a) having a height not exceeding the maximum height specified for a Display Home use in the Supplementary Table for Building Height for the Sub Precinct; and (b) resulting in a density not exceeding the maximum total number dwelling units permitted in the sub-precinct or the maximum proportion of dwelling units by dwelling unit type as specified in the Supplementary Table for Density; and (c) the total number of existing and approved dwelling units for the Precinct does not exceed 450 and for the Preliminary Approval Area does not exceed 660	None
Dual Occupancy	All – Where: (a) on a dual occupancy lot nominated on an approved	None

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	<p>plan of subdivision and compliant with Code requirements and which identifies development parameters (setbacks, private open space, etc) on a Plan of Development; and</p> <p>(b) having a height not exceeding the maximum height specified for a Dual Occupancy in the Supplementary Table for Building Height for the Sub Precinct; and</p> <p>(c) resulting in a density not exceeding the maximum total number dwelling units permitted in the sub-precinct or the maximum proportion of dwelling units by dwelling unit type as specified in the Supplementary Table for Density; and</p> <p>(d) the total number of existing and approved dwelling units for the Precinct does not exceed 450 and for the Preliminary Approval Area does not exceed 660</p>	
Multiple Dwelling Units	None	<p>All – Where:</p> <p>(a) on a Multiple Dwelling Unit lot nominated on an approved plan of subdivision; and</p> <p>(b) having a height not exceeding the maximum height specified for Multiple Dwelling use in the Supplementary Table for Building Height for the Sub Precinct; and</p> <p>(c) resulting in a density not exceeding the maximum total number dwelling units permitted in the sub-precinct and as specified in the Supplementary Table for Density; and</p> <p>(d) having a DUF not exceeding the maximum DUF specified in the Supplementary Table for Density; and</p> <p>(e) on a lot complying with the minimum and maximum lot sizes for Multiple Dwelling Unit sites specified in the Supplementary Table for Density and Supplementary Table for Lot Reconfiguration; and</p> <p>(f) the proportion of dwellings by dwelling type for the Precinct does not exceed the maximum specified in the Supplementary Table for Density; and</p> <p>(g) the total number of existing</p>

		and approved dwelling units for the Precinct does not exceed 450 and for the Preliminary Approval Area does not exceed 660
Outdoor Recreation where only: <ul style="list-style-type: none"> <li>Swimming Pool</li> <li>Outdoor Court</li> </ul>	All - Where nominated on an approved plan of subdivision and where having a height not exceeding the maximum height specified for Outdoor Recreation in the Supplementary Table for Building Height for the Precinct	None
<b>Sub-Precinct 3G – Parabolic Dune</b>		
No uses are permitted on the parabolic dune		
<b>Sub-Precinct 3H – Open Space &amp; Buffers</b>		
Outdoor Recreation where only: <ul style="list-style-type: none"> <li>Swimming Pool</li> <li>Outdoor Court</li> </ul>	All - Where not located within a 'buffer' area and where nominated on an approved plan of subdivision and where having a height not exceeding the maximum height specified for Outdoor Recreation in the Supplementary Table for Building Height for the Precinct	None
Park	All	None

NOTE: Material change of use not referred to in this table is impact assessable.

#### **Landscape & Built Form**

The height of buildings and structures within the resort residential villages will predominantly be low rise with some 3 storey multiple dwelling units. The beach club precinct will comprise 4 storey apartment style buildings up to but not exceeding 16 metres. The sighting and visual appearance of these buildings will give due regard to the amenity of the beach and David Low Way. These buildings will be softened through incorporation of local landscaping themes together with the height and nature of the existing foredune systems.

Vehicular access to this precinct is via a direct intersection with the David Low Way while internal traffic between the villages and the resort central facilities (via golf buggy) will be retained through the existing underpass.

Clearly defined pedestrian/buggy linkages connect Precinct 3 to the Resort and Golf Course, and integrate with external pedestrian linkages moving beyond the boundaries of the precinct.

Development will be screened from the David Low Way and Tanah Street East with existing vegetation and augmented with mature plantings to present a green buffer to the precinct.



### **Building Height**

Building Height consistent with the planning intent, landscape and built form for each sub-precinct is identified within the Supplementary Table for Building Height, provided below.

Supplementary Table for Building Height	
Dwelling Unit Type	Maximum Building Height
<b>Sub-Precinct 3A – Residential Village</b>	
Detached House	8.5 metres (but not more than 2 storeys)
Dual Occupancy	8.5 metres (but not more than 2 storeys)
Multiple Dwelling Units	8.5 metres (but not more than 2 storeys) where on a lot directly adjacent to the buffer to Tanah Street East 12 metres (but not more than 3 storeys) where nominated on an approved plan of subdivision. 8.5 metres (but not more than 2 storeys) in all other locations/instances
All other Development	8.5 metres but not more than 1 storey
<b>Sub-Precinct 3B – Residential Village</b>	
Detached House	8.5 metres (but not more than 2 storeys)
Dual Occupancy	8.5 metres (but not more than 2 storeys)
Multiple Dwelling Units	8.5 metres (but not more than 2 storeys) where on a lot adjacent to the buffer to David Low Way 12 metres (but not more than 3 storeys) where nominated on an approved plan of subdivision. 8.5 metres (but not more than 2 storeys) in all other locations/instances
All other Development	8.5 metres but not more than 1 storey
<b>Sub-Precinct 3C – Residential Village</b>	
Detached House	8.5 metres (but not more than 2 storeys)
Dual Occupancy	8.5 metres (but not more than 2 storeys)
Multiple Dwelling Units	8.5 metres (but not more than 2 storeys) where located on a lot directly adjacent to the buffer to David Low Way 12 metres (but not more than 3 storeys) where nominated on an approved plan of subdivision. 8.5 metres (but not more than 2 storeys) in all other locations/instances
All other Development	8.5 metres but not more than 1 storey
<b>Sub-Precinct 3D – Residential Village</b>	
Detached House	8.5 metres (but not more than 2 storeys)
Dual Occupancy	8.5 metres (but not more than 2 storeys)
Multiple Dwelling Units	12 metres (but not more than 3 storeys)
All other Development	8.5 metres but not more than 1 storey
<b>Sub-Precinct 3E – Residential Village</b>	
Detached House	8.5 metres (but not more than 2 storeys)
Dual Occupancy	8.5 metres (but not more than 2 storeys)
Multiple Dwelling Units	12 metres (but not more than 3 storeys)
All other Development	8.5 metres but not more than 1 storey

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Sub-Precinct 3F – Beach Club/Medium Density Precinct		
Multiple Dwelling Units	Dwelling	As per Figure 1 – Sub-Precinct 3F – Beach Club/Medium Density Precinct
All other Development		8.5 metres but not more than 1 storey
Sub-Precinct 3G – Parabolic Dune (Conservation)		
0 metres - No buildings are proposed in this precinct		
Sub-Precinct 3H – Open Space & Buffers		
Park		5 metres (but not more than 1 storey)

### Density

The maximum development density for the beachside precinct is 450 dwellings. The Beach club precinct will incorporate a maximum development density of 140 dwelling units with the balance within the adjoining resort residential villages. Dwelling density consistent with the planning intent, landscape and built form for each sub-precinct is identified within the Supplementary Table for Density, provided below.

Supplementary Table for Density								
Sub Precinct Area (Ha)	No of dwelling units permitted in Sub-Precinct	Maximum proportion of Dwelling units by dwelling unit type			Average Lot Size (m <sup>2</sup> )	Min Lot Size (m <sup>2</sup> )	DUF Factor (Multiple Dwelling Units)	Maximum lot size for Multiple Dwelling Unit sites (m <sup>2</sup> )
		Detached Houses	Dual Occupancy	Multiple Dwelling Unit				
Sub-Precinct 3A – Residential Village								
3.58	30-55	100%	20%	20%	450	300	150	1500
Sub-Precinct 3B – Residential Village								
3.42	40-85	100%	20%	20%	450	300	150	1500
Sub-Precinct 3C – Residential Village								
4.43	50-85	100%	20%	20%	450	300	150	1500
Sub-Precinct 3D – Residential Village								
6.03	45-90	100%	20%	20%	450	300	150	1500
Sub-Precinct 3E – Residential Village								
3.58	35 - 50	100%	20%	20%	450	300	150	1500
Sub-Precinct 3F – Beach Club Precinct								
2.66 <sup>1</sup>	90 - 140	0%	0%	100%	Refer to Figure 1. Beach Club sub-precinct plan.			
Sub-Precinct 3G – Parabolic Dune (Conservation)								
4.55	0 – dwellings not permitted in this precinct							
Sub-Precinct 3H – Open Space and Buffers								
9.89	0 – dwellings not permitted in this precinct							

Note: A summary table of development density for the whole precinct is to be provided with all Reconfiguration of Lot applications lodged over the sub precincts within the Beachside Precinct. This table is to detail the existing, approved and proposed numbers of dwellings within each precinct/sub precinct.

<sup>1</sup> For the purposes of calculating dwelling density applicable to Sub-Precinct 3F the site area shall be the combination of Sub-Precinct 3F and Sub-Precinct 1C being a total site area of 2.66 ha.

**Lot Reconfiguration**

Lot design and sizes are to be in accordance with the Supplementary Table for Lot Reconfiguration provided below.

Supplementary Table for Lot Reconfiguration			
Lot Type	Minimum Area (m <sup>2</sup> )	Average/ Maximum Area (m <sup>2</sup> )	Minimum Frontage (m)
Sub-Precinct 3A – Residential Village			
Detached House	300	450 (average)	10
Dual Occupancy	600	450 (average)	15
Multiple Dwelling Units	900	1500 (maximum)	20
Sub-Precinct 3B – Residential Village			
Detached House	300	450 (average)	10
Dual Occupancy	600	450 (average)	15
Multiple Dwelling Units	900	1500 (maximum)	20
Sub-Precinct 3C – Residential Village			
Detached House	300	450 (average)	10
Dual Occupancy	600	450 (average)	15
Multiple Dwelling Units	900	1500 (maximum)	20
Sub-Precinct 3D – Residential Village			
Detached House	300	450 (average)	10
Dual Occupancy	600	450 (average)	15
Multiple Dwelling Units	900	1500 (maximum)	20
Sub-Precinct 3E – Residential Village			
Detached House	300	450 (average)	10
Dual Occupancy	600	450 (average)	15
Multiple Dwelling Units	900	1500 (maximum)	20
Sub-Precinct 3F – Beach Club/Medium Density Precinct			
Multiple Dwelling Units	Refer to Beach Club Sub-Precinct Plan.		
Sub-Precinct 3G – Parabolic Dune (Conversation)			
Not Applicable - No Subdivision Intended			
Sub-Precinct 3H – Open Space & Buffers			
Not applicable - No Subdivision Intended			

Note: Reconfiguring a lot is **code assessable** where in accordance with the Supplementary Table for Lot Reconfiguration, otherwise it is **impact assessable**.



#### 7.4. Precinct 4 (Vantage Village) - Statement of Desired Precinct Character

##### Intent

Precinct 4 includes land located between the western boundary of the Hyatt Coolum Resort and Precinct 2 – Golf Course with frontage to Jenyor Street, and an area of 5.083 ha.

Precinct 4 is generally intended for within community title schemes detached and dual occupancy dwelling types together with a limited number of multi unit residences for permanent residential accommodation extending the existing Vantage Stage 1 residential development located to the immediate west, to capitalise on east facing slopes with views over the golf course.

Access to the Vantage will be via a new entry to Jenyor Street. No vehicle access to the golf course or Resort precincts is envisaged. Residents will be integrated to the resort and beachside precincts through connection to the existing access pathway network. Buggies will be required to utilize a dedicated movement path outside the Resort precinct with buggy parking provided at key activity centres including tennis centre, Village Square, day spa and golf club house together with the beach club.

##### Landscape & Built Form

Built form is respectful of the topography and solar orientation of the precinct. All buildings and structures are designed to compliment their natural setting.

Direct vehicular access is obtained from Jenyor Street, while internal traffic between the precinct and the resort central facilities is facilitated by an existing and expanded pedestrian/buggy network.

Site landscaping aims to soften buildings and utilizing existing and local endemic species establishing a consistent landscape character throughout the resort.

##### Preferred Uses

Preferred Uses consistent with the planning intent for the precinct is identified within the Supplementary Table of Development Assessment for Precinct 4, provided below.

Supplementary Table of Development Assessment for Precinct 4 – Assessment of Material Change of Use		
Use	Column 1 Circumstances under which 'material change of use' is self assessable)	Column 2 Circumstances under which 'material change of use' is code assessable
Car Park	None	All - Where height does not exceed the maximum height specified in the Supplementary Table for Building Height for the Precinct
Detached House	All – Where: (a) having a height not exceeding the maximum height specified for a Detached House use in the Supplementary Table for Building Height for the Precinct; and (b) the maximum proportion of dwelling units by dwelling unit type does not exceed the maximum specified in the Supplementary Table for Density; and (c) the total number of existing and approved dwelling units for the Precinct does not exceed 85 and for the Preliminary Approval Area does not exceed 660	None
Display Home	All – Where: (a) having a height not exceeding the maximum height specified for a Display Home use in the Supplementary Table for Building Height for the Precinct; and (b) the maximum proportion of dwelling units by dwelling unit type does not exceed the maximum specified in the Supplementary Table for Density; and (c) the total number of existing and approved dwelling units for the Precinct does not exceed 85 and for the Preliminary Approval Area does not exceed 660	None



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Dual Occupancy	<p>All – Where:</p> <p>(a) on a dual occupancy lot nominated on an approved plan of subdivision and compliant with Code requirements and which identifies development parameters (setbacks, private open space, etc) on a Plan of Development; and</p> <p>(b) having a height not exceeding the maximum height specified for a Dual Occupancy in the Supplementary Table for Building Height for the Precinct; and</p> <p>(c) the maximum proportion of dwelling units by dwelling unit type does not exceed the maximum specified in the Supplementary Table for Density; and</p> <p>(d) the total number of existing and approved dwelling units for the Precinct does not exceed 85 and for the Preliminary Approval Area does not exceed 660</p>	None
Multiple Dwelling Units	None	<p>All – Where:</p> <p>(a) on a Multiple Dwelling Unit lot nominated on an approved plan of subdivision; and</p> <p>(b) having a height not exceeding the maximum height specified for Multiple Dwelling use in the Supplementary Table for Building Height for the Precinct; and</p> <p>(c) resulting in a density not exceeding the maximum total number dwelling units permitted in the precinct and as specified in the Supplementary Table for Density; and</p> <p>(d) having a DUF not exceeding the maximum DUF specified in the Supplementary Table for Density; and</p> <p>(e) on a lot complying with the minimum and maximum lot sizes for Multiple Dwelling Unit sites specified in the Supplementary Table for Density and Supplementary Table for Lot Reconfiguration; and</p> <p>(f) the proportion of dwellings by dwelling type for the Precinct does not exceed the maximum specified in the Supplementary Table for Density; and</p> <p>(g) the total number of existing and approved dwelling units for the Precinct does not exceed 85 and for the Preliminary Approval Area does not exceed 660</p>
Local utility	None	All - Where the height does not exceed the maximum building height specified in the Supplementary Table for Building Height for Local Utility for the Precinct
Park	All	None

NOTE: Material change of use not referred to in this table is impact assessable.

### Building Height

Building Height consistent with the planning intent, landscape and built form for the precinct is identified within the Supplementary Table for Building Height, provided below.

Supplementary Table for Building Height	
Dwelling Unit Type	Maximum Building Height
Detached House	8.5 metres (but not more than 2 storeys) or 10 metres (but not more than 2 storeys) where the natural slope of the land exceeds 15%
Dual Occupancy	8.5 metres (but not more than 2 storeys) or 10 metres (but not more than 2 storeys) where the natural slope of the land exceeds 15%
Multiple Dwelling Units	8.5 metres (but not more than 2 storeys) or 10 metres (but not more than 2 storeys) where the natural slope of the land exceeds 15%
All other Development	8.5 metres (but not more than 2 storeys)

### Density

The maximum development density for the Precinct 4 (Vantage Village) is 85 dwellings. Dwelling Density consistent with the planning intent, landscape and built form for the precinct is identified within the Supplementary Table for Density, provided below.

Supplementary Table for Density								
Sub Precinct Area (Ha)	No of dwelling units permitted in Precinct	Maximum proportion of Dwelling units by dwelling unit type			Average Lot Size (m <sup>2</sup> )	Min Lot Size (m <sup>2</sup> )	DUF Factor (Multiple Dwelling Units)	Maximum lot size for Multiple Dwelling Unit sites (m <sup>2</sup> )
		Detached Houses	Dual Occupancy	Multiple Dwelling Units				
Precinct 4 – Vantage Village								
5.08	85	100%	10%	35%	450	400	150	7000

### Lot Reconfiguration

Lot design and sizes are to be in accordance with the Supplementary Table for Lot Reconfiguration provided below.

Supplementary Table for Lot Reconfiguration			
Lot Type	Minimum Area (m <sup>2</sup> )	Average/ Maximum Area (m <sup>2</sup> )	Minimum Frontage (m)
Detached House	400	450 (average)	10
Dual Occupancy	600	450 (average)	15
Multiple Dwelling Units	1000	5000 (maximum)	20

Note: Reconfiguring a lot is **code assessable** where in accordance with the Supplementary Table for Lot Reconfiguration, otherwise it is impact assessable.

#### 7.5. Precinct 5a & 5b (Central Village) – Statement of Desired Precinct Character

##### Intent

Precincts 5a & 5b currently accommodate the central support and back-of-house facilities for resort operations, existing staff accommodation and the Lend Lease Project office, together with the area currently occupied by the 1<sup>st</sup> golf hole. This precinct has an area of 4.023ha

Precinct 5a currently incorporates the "back-of-house" land uses ancillary to the operations of the Hyatt Coolum Resort. It is intended that these facilities will be retained however they will be reviewed in order to consolidated in part or full to be relocated within the central resort precinct. Upon full or partial relocation of the facilities this area will include a number of residential buildings within community titles schemes adjacent the golf course. Buildings directly fronting Warren Road will provide a built form and height consistent with the adjacent residential precincts. Note – Prior to any application for residential development in Precinct 5a the developer shall submit to Council for their endorsement, a plan demonstrating how the back of house facilities are relocated/reallocated, and obtain all approvals as are necessary to facilitate the relocation/reallocation in support of the ongoing operation of the resort.

Precinct 5b is located on part of the area currently occupied by the 1<sup>st</sup> golf hole and will include a resort residential precinct within a community titles scheme achieving views of the adjacent golf course.

Access to the Central Village will be via a new entry off Warran Road. This new entry will be gated and not provide any through traffic access to the resort. Resort vehicles will continue to have access from the back of house facilities to the resort. The existing entry to the commissary and back of house facilities will be retained until such time that relocation can be achieved.

Provision of a café/restaurant or shop up to but not exceeding 200m<sup>2</sup> commercial gross floor area is considered appropriate within Precinct 5b. These facilities will capitalize on the unique golf course amenity and predominantly service guests and residents within the resort.

##### Preferred Uses

Preferred Uses consistent with the planning intent for the precinct is identified within the Supplementary Table of Development Assessment for Precinct 5, provided below.

Supplementary Table of Development Assessment for Precinct 5 – Assessment of Material Change of Use		
	Column 1	Column 2
Purpose	Circumstances under which 'material change of use' is <b>self assessable</b>	Circumstances under which 'material change of use' is <b>code assessable</b>
Sub-Precinct 5A – Residential Village		
Car Park	None	Where height does not exceed the building height specified in the Supplementary Table for Building Height for the Precinct
Detached House	All – Where: (a) having a height not exceeding the maximum height specified for a Detached House use in the Supplementary Table for Building Height for the Precinct; and	None



Item 4.1.1 Development Application for Material Change of Use (Preliminary Approval),  
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	<p>(b) the total number of existing and approved dwelling units for the sub-precinct does not exceed the maximum permitted in the sub-precinct or the maximum proportion of dwelling units by dwelling unit type as specified in the Supplementary Table for Density; and</p> <p>(c) the total number of existing and approved dwelling units for the Precinct does not exceed 125 and for the Preliminary Approval Area does not exceed 660; and</p> <p>(d) Where Council has previously endorsed the relocation of the back of house facilities</p>	
Display Home	<p>All – Where:</p> <p>(a) having a height not exceeding the maximum height specified for a Display Home use in the Supplementary Table for Building Height for the Precinct; and</p> <p>(b) the total number of existing and approved dwelling units for the sub-precinct does not exceed the maximum permitted in the sub-precinct or the maximum proportion of dwelling units by dwelling unit type as specified in the Supplementary Table for Density; and</p> <p>(c) the total number of existing and approved dwelling units for the Precinct does not exceed 125 and for the Preliminary Approval Area does not exceed 660; and</p> <p>(d) Where Council has previously endorsed the relocation of the back of house facilities</p>	None
Dual Occupancy	<p>All – Where:</p> <p>(a) on a dual occupancy lot nominated on an approved plan of subdivision and compliant with Code requirements and which identifies development parameters (setbacks, private open space, etc) on a Plan of Development; and</p> <p>(b) having a height not exceeding the maximum height specified for a Dual Occupancy in the</p>	All other than referred to in Column 1.

	<p>Supplementary Table for Building Height for the Precinct; and</p> <p>(c) the total number of existing and approved dwelling units for the sub-precinct does not exceed the maximum permitted in the sub-precinct or the maximum proportion of dwelling units by dwelling unit type as specified in the Supplementary Table for Density; and</p> <p>(d) the total number of existing and approved dwelling units for the Precinct does not exceed 125 and for the Preliminary Approval Area does not exceed 660; and</p> <p>(e) Where Council has previously endorsed the relocation of the back of house facilities</p>	
Local Utility	None	All - Where height does not exceed the maximum building height specified in the Supplementary Table for Building Height for the Precinct
Multiple Dwelling Units	All	<p>All – Where:</p> <p>(a) on a Multiple Dwelling Unit lot nominated on an approved plan of subdivision; and</p> <p>(b) having a height not exceeding the maximum height specified for Multiple Dwelling use in the Supplementary Table for Building Height for the Precinct; and</p> <p>(c) resulting in a density not exceeding the maximum total number dwelling units permitted in the sub-precinct and as specified in the Supplementary Table for Density; and</p> <p>(d) having a DUF not exceeding the maximum DUF specified in the Supplementary Table for Density; and</p> <p>(e) on a lot complying with the minimum and maximum lot sizes for Multiple Dwelling Unit sites specified in the Supplementary Table for Density and Supplementary Table for Lot Reconfiguration; and</p> <p>(f) the proportion of dwellings by dwelling type for the Precinct does not exceed the maximum specified in the Supplementary Table for Density; and</p> <p>(g) the total number of existing and approved dwelling units for the Precinct does not exceed 125 and for the Preliminary Approval Area does not exceed 660; and</p> <p>(h) Where Council has previously endorsed the relocation of the back of house facilities</p>



Sub-Precinct 5B – Residential Village		
Car Park	None	Where the height does not exceed the maximum building height specified in the Supplementary Table for Building Height for the Precinct
Detached House	<p>All – Where:</p> <p>(a) having a height not exceeding the maximum height specified for a Detached House use in the Supplementary Table for Building Height for the Precinct; and</p> <p>(b) the total number of existing and approved dwelling units for the sub-precinct does not exceed the maximum permitted in the sub-precinct as specified in the Supplementary Table for Density; and</p> <p>(c) the total number of existing and approved dwelling units for the Precinct does not exceed 125 and for the Preliminary Approval Area does not exceed 660</p>	None
Display Home	<p>All – Where:</p> <p>(a) having a height not exceeding the maximum height specified for a Display Home use in the Supplementary Table for Building Height for the Precinct; and</p> <p>(b) the total number of existing and approved dwelling units for the sub-precinct does not exceed the maximum permitted in the sub-precinct or the maximum proportion of dwelling units by dwelling unit type as specified in the Supplementary Table for Density; and</p> <p>(c) the total number of existing and approved dwelling units for the Precinct does not exceed 125 and for the Preliminary Approval Area does not exceed 660</p>	None
Dual Occupancy	<p>All – Where:</p> <p>(a) on a dual occupancy lot nominated on an approved plan of subdivision and compliant with Code requirements and which identifies development parameters (setbacks, private</p>	All other than referred to in Column 1.

Item 4.1.1 Development Application for Material Change of Use (Preliminary Approval),  
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	<p>open space, etc) on a Plan of Development; and</p> <p>(b) having a height not exceeding the maximum height specified for a Dual Occupancy in the Supplementary Table for Building Height for the Precinct; and</p> <p>(c) the total number of existing and approved dwelling units for the sub-precinct does not exceed the maximum permitted in the sub-precinct or the maximum proportion of dwelling units by dwelling unit type as specified in the Supplementary Table for Density; and</p> <p>(d) the total number of existing and approved dwelling units for the Precinct does not exceed 125 and for the Preliminary Approval Area does not exceed 660</p>	
Local Utility	None	Where the height does not exceed the maximum building height specified in the Supplementary Table for Building Height for the Precinct
Multiple Dwelling Units	None	<p>All – Where:</p> <p>(a) on a Multiple Dwelling Unit lot nominated on an approved plan of subdivision; and</p> <p>(b) having a height not exceeding the maximum height specified for Multiple Dwelling use in the Supplementary Table for Building Height for the Precinct; and</p> <p>(c) resulting in a density not exceeding the maximum total number dwelling units permitted in the sub-precinct and as specified in the Supplementary Table for Density; and</p> <p>(d) having a DUF not exceeding the maximum DUF specified in the Supplementary Table for Density; and</p> <p>(e) on a lot complying with the minimum and maximum lot sizes for Multiple Dwelling Unit sites specified in the Supplementary Table for Density and Supplementary Table for Lot Reconfiguration; and</p> <p>(f) the proportion of dwellings by dwelling type for the Precinct does not exceed the maximum specified in the Supplementary Table for Density; and</p> <p>(g) the total number of existing and approved dwelling units for the Precinct does not exceed 125 and for the Preliminary Approval Area does not exceed 660</p>

Restaurant	<p>All – Where:</p> <ul style="list-style-type: none"> <li>In premises which require <b>no</b> building work or only minor building work to accommodate the use; and</li> <li>all Restaurant, Shop or other commercial uses gross floor area does not exceed a total combined gross floor area of 200m<sup>2</sup> in the precinct; and</li> <li>in premises having a height not exceeding the maximum height specified for Restaurant use in the Supplementary Table for Building Height for the Precinct</li> </ul>	All - Where all Restaurant, Shop or other commercial uses gross floor within the Precinct does not exceed a maximum total combined gross floor area of 200m <sup>2</sup> in the precinct and where having a height not exceeding the maximum height specified for Shops in the Supplementary Table for Building Height for the Precinct
Shop	<p>All – Where:</p> <ul style="list-style-type: none"> <li>In premises which require <b>no</b> building work or only minor building work to accommodate the use; and</li> <li>all Restaurant, Shop or other commercial uses gross floor area does not exceed a total combined gross floor area of 200m<sup>2</sup> in the precinct; and</li> <li>in premises having a height not exceeding the maximum height specified for Restaurant use in the Supplementary Table for Building Height for the Precinct</li> </ul>	All - Where all Restaurant, Shop or other commercial uses gross floor within the Precinct does not exceed a maximum total combined gross floor area of 200m <sup>2</sup> in the precinct and where having a height not exceeding the maximum height specified for Shops in the Supplementary Table for Building Height for the Precinct

#### Landscape and Built Form

Precinct 5a will incorporate generally low rise buildings adjacent to Warran Street to compliment the existing residential nature of this street. Buildings in this area will be up to 12 metres in height incorporating local landscaping themes to soften their external appearance to the Warran Road frontage. Lots with direct frontage to Warren Road will be limited to 2 storeys and 8.5m.

The height of buildings and structures within Precinct 5b will include number of buildings up to 3 storeys/12 metres in height, located along the eastern side of the existing access road. The visual appearance of buildings is softened through the retention of the existing mature landscaping and the site topography.

Vehicular access to this precinct is via a gated entry to Warran Road with internal traffic between the villages and the resort central facilities (via golf buggy) will be retained via the expanded pedestrian/buggy network. No private vehicle access to the resort is permitted from this precinct.

Clearly defined pedestrian/buggy linkages connect Precinct 5 to the Central Resort and Golf Course, and integrate with external pedestrian linkages moving beyond the boundaries of the precinct and the resort as a whole.



**Building Height**

Building Height consistent with the planning intent, landscape and built form for the precinct is identified within the Supplementary Table for Building Height, provided below.

Supplementary Table for Building Height	
Dwelling Unit Type	Maximum Building Height
<b>Sub-Precinct 5A – Residential Village</b>	
Detached House	8.5 metres (but not more than 2 storeys)
Dual Occupancy	8.5 metres (but not more than 2 storeys)
Multiple Dwelling Units	8.5 metres (but not more than 2 storeys) where on lot fronting Warran Road. 12 metres (but not more than 3 storeys)
All other development	8.5 metres (but not more than 1 storey)
<b>Sub-Precinct 5B – Residential Village</b>	
Detached House	8.5 metres (but not more than 2 storeys)
Dual Occupancy	8.5 metres (but not more than 2 storeys)
Multiple Dwelling Units	12 metres (but not more than 3 storeys)
All other development	8.5 metres (but not more than 1 storey)

**Density**

The maximum development density for the Central Village precinct is 125 dwellings. Dwelling Density consistent with the planning intent, landscape and built form for the precinct is identified within the Supplementary Table for Density, provided below.

Supplementary Table for Density								
Sub Precinct Area (Ha)	No of dwelling units permitted in Sub-Precinct	Maximum proportion of Dwelling units by dwelling unit type			Average Lot Size (m <sup>2</sup> )	Min Lot Size (m <sup>2</sup> )	DUF Factor (Multiple Dwelling Units)	Maximum lot size for Multiple Dwelling Unit sites (m <sup>2</sup> )
		Detached Houses	Dual Occupancy	Multiple Dwelling Units				
Precinct 5A – Residential Village								
2.86	35-55	100%	50%	25%	400	300	150	1500
Precinct 5B – Residential Village								
1.16	8-80	100%	10%	100%	400	300	100	3000

**Lot Reconfiguration**

Lot design and sizes are to be in accordance with the Supplementary Table for Lot Reconfiguration provided below.

Supplementary Table for Lot Reconfiguration			
Lot Type	Minimum Area (m <sup>2</sup> )	Average /Maximum Area (m <sup>2</sup> )	Minimum Frontage (m)
<b>Sub-Precinct 5A – Residential Village</b>			
Detached House	300	400 (average)	10
Dual Occupancy	600	400 (average)	15
Multiple Dwelling Units	900	1500 (maximum)	20
<b>Sub-Precinct 5B – Residential Village</b>			
Detached House	300	400 (average)	10
Dual Occupancy	600	400 (average)	15
Multiple Dwelling Units	900	3000 (maximum)	20

Note: Reconfiguring a lot is **code assessable** where in accordance with the Supplementary Table for Lot Reconfiguration, otherwise it is impact assessable.

# **ANNEXURE A**

## **COOLUM HYATT RESORT MASTER PLAN**



## **ANNEXURE B**

# **COOLUM HYATT RESORT INTEGRATED ACCESS AND MOBILITY PLAN**

## **ANNEXURE C**

# **PRECINCT METES AND BOUNDS DESCRIPTIONS**

**ANNEXURE D**

**SUB-PRECINCT 3F DENSITY**

**(BEACHCLUB)**

Deed

## Deed of Novation of Infrastructure Agreement

SH (Coolum Western) Pty Limited (formerly LLD  
(Coolum Western) Pty Limited)

Coeur De Lion Investments Pty Limited

Sunshine Coast Regional Council

Christopher.blue@freehills.com

**Freehills**

Central Plaza 1345 Queen Street Qld 4000 Australia  
GPO Box 3124 Brisbane Qld 4001 Australia  
Sydney Melbourne Perth Brisbane Singapore

Telephone +61 7 3258 6686 Facsimile +61 7 3258 6444  
www.freehills.com DX 255 Brisbane  
Correspondent offices in Hanoi Ho Chi Minh City Jakarta

## Freehills

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Freehills

Deed of Novation

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Date ► EIGHTEENTH DAY OF JULY, 2011

Between the parties

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CW	<b>SH (Coolum Western) Pty Limited (formerly LLD (Coolum Western) Pty Limited)</b> ACN 109 412 759 of Level 4, 30 The Bond, 30 Hickson Road, Millers Point in the State of New South Wales
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CDLI	<b>Coeur De Lion Investments Pty Limited</b> ACN 006 334 872 of Level 4, 30 The Bond, 30 Hickson Road, Millers Point in the State of New South Wales
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Council	<b>Sunshine Coast Regional Council</b> of Cnr Bury and Currie Streets, Nambour in the State of Queensland
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Background	<ol style="list-style-type: none"><li>1 CW, CDLI and Council are parties to the Infrastructure Agreement.</li><li>2 The parties have agreed to novate obligations under the Infrastructure Agreement on the terms of this deed.</li></ol>
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This deed witnesses as follows

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## Freehills

### Operative part

#### 1 Definitions and interpretation

##### 1.1 Deed components

This deed includes any attachment.

##### 1.2 Definitions

The meanings of the terms used in this deed are set out below.

Term	Meaning
Contract of Sale	a contract for the sale of the Land entered into between CW and CDLI dated 27 August 2010.
Deed of Variation	the agreement to vary the Infrastructure Agreement entitled 'Deed of Variation' dated 7 September 2010, between CW, CDLI and Council.
Effective Date	that day on which the Contract of Sale is completed.
Infrastructure Agreement	the agreement entitled 'Infrastructure Agreement' dated 2 September 2005, between CW, CDLI and Council (formerly know as Maroochy Shire Council), as amended by the Deed of Variation.
Land	Land described as Lot 300 on SP210913, County of Canning, Parish of Maroochy, Title Reference 50754289.
Power	any right, power, authority, discretion or remedy conferred on a party under or by the virtue of this deed or applicable law.

##### 1.3 Interpretation

- (a) The principles of interpretation contained in clause 1.2 of the Infrastructure Agreement and clause 1.2 of the Deed of Variation apply, with any necessary changes, to this deed.
- (b) Unless the context requires otherwise, a reference to a clause, party or attachment is a reference to a clause of, and a party and attachment to, this deed and a reference to this deed includes any attachment.

##### 1.4 Incorporated definitions

A word or phrase, other than one defined in clause 1.2, defined in the Infrastructure Agreement or Deed of Variation has the same meaning when used in this deed.

## Freehills

2 Novation

## 2 Novation

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### 2.1 Novation

On and from the Effective Date, the parties novate the Infrastructure Agreement so that:

- (a) CDLI replaces CW under the Infrastructure Agreement as if it is the only original party to the Infrastructure Agreement; and
- (b) a reference in the Infrastructure Agreement to CW must be read as a reference to CDLI.

### 2.2 Assumptions of rights and obligations

- (a) On and from the Effective Date, CDLI:
  - (1) must comply with the Infrastructure Agreement;
  - (2) obtains the rights and assumes the obligations of CW under the Infrastructure Agreement; and
  - (3) assumes liability for any obligations of CW that accrued or arose under or in respect of the Infrastructure Agreement before the Effective Date.
- (b) On and from the Effective Date, the Council must comply with the Infrastructure Agreement on the basis that CDLI has replaced CW under it in accordance with this deed.

### 2.3 Release by the Council

- (a) The Council, on the Effective Date releases CW from any obligation and liability under or in respect of the Infrastructure Agreement and any action, claim and demand it has, or but for this clause 2.3 would have had, against CW under or in respect of the Infrastructure Agreement.
- (b) The Council gives this release regardless of when the obligation, liability action, claim or demand arises and whether or not it is now or in the future aware of the facts and circumstances relevant to any obligation, liability, action, claim or demand.

### 2.4 Release by CW

- (a) CW, on the Effective Date, releases the Council from any obligation and liability under or in respect of the Infrastructure Agreement and any action, claim and demand it has, or but for this clause 2.4 would have had, against the Council under or in respect of the Infrastructure Agreement.
- (b) CW gives this release regardless of when the obligation, liability, action, claim or demand arises and whether or not it is now or in the future aware of the facts and circumstances relevant to any obligation, liability, action, claim or demand.

## 3 Duties, costs and expenses

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### 3.1 Stamp duty

CDLI must pay all stamp, transaction, registration and other duties and taxes including, but not limited to, any fines and penalties which may be payable in relation to the execution, delivery, performance or enforcement of this deed.

## Freehills

4 General

### 3.2 Costs and expenses

Each party must pay their own costs and expenses in relation to the negotiation, preparation, execution, delivery, registration and performance of this deed and any agreement, transaction or document entered into or signed under this deed.

## 4 General

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### 4.1 Governing law and jurisdiction

- (a) This deed is governed by the laws of Queensland.
- (b) Each party irrevocably submits to the non-exclusive jurisdiction of the courts of Queensland.
- (c) Each party irrevocably waives any objection to the venue of any legal process on the basis that the process has been brought in an inconvenient forum.

### 4.2 Prohibition and enforceability

- (a) Any provision of, or the application of any provision of, this deed or any Power which is prohibited in any jurisdiction is, in that jurisdiction, ineffective only to the extent of that prohibition.
- (b) Any provision of, or the application of any provision of, this deed which is void, illegal or unenforceable in any jurisdiction does not affect the validity, legality or enforceability of that provision in any other jurisdiction or of the remaining provisions in that or any other jurisdiction.

### 4.3 Waivers

- (a) Waiver of any right arising from a breach of this deed or of any Power, arising upon default under this deed must be in writing and signed by the party granting the waiver.
- (b) A failure or delay in exercise, or partial exercise, of a Power arising from a breach of this deed, or created or arising upon default under this deed, does not result in a waiver of that Power.
- (c) A party is not entitled to rely on a delay in the exercise or non-exercise of a Power arising from a breach of this deed or on a default under this deed as constituting a waiver of that Power.
- (d) A party may not rely on any conduct of another party as a defence to exercise of a Power by that other party.
- (e) This clause may not itself be waived except by writing.

### 4.4 Variation

A variation of any term of this deed must be in writing and signed by the parties.

### 4.5 Assignment

- (a) Rights arising out of or under this deed are not assignable by one party without the prior written consent of the other party.
- (b) A party must not unreasonably withhold its consent.

## Freehills

4 General

- (c) A breach of clause 4.5(a) by a party entitles the other party to terminate this deed.
- (d) Clause 4.5(c) does not affect the construction of any other part of this deed.

### **4.6 Further assurances**

Each party must do all things and execute all further documents necessary to give full effect to this deed.

### **4.7 Counterparts**

- (a) This deed may be executed in any number of counterparts.
- (b) All counterparts, taken together, constitute one instrument.
- (c) A party may execute this deed by signing any counterpart.

### **4.8 To the extent not excluded by law**

The rights, duties and remedies granted or imposed under this deed operate to the extent not excluded by law.

### **4.9 Attorneys**

Each of the attorneys executing this deed states that the attorney has no notice of the revocation of the power of attorney appointing that attorney.



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## Signing page

Executed as a deed

CW

The Common Seal of:

**SH (Coolum Western) Pty Limited (formerly LLD (Coolum Western) Pty Limited)**was affixed hereto by authority of the Directors  
in the presence of:

sign here ▶



Director

print name

Toru Abe

sign here ▶

  
Director/Secretary

print name

Masakatsu Yoshida

Freehills

Signing page

**CDLI**

The Common Seal of:  
**Coeur De Lion Investments Pty Limited**  
 was affixed hereto by authority of the Directors  
 in the presence of



sign here ►

Director

print name

**George Nicolas Saoud**

sign here ►

Director/Secretary

print name

**Kenneth Leslie James****Council**

Signed sealed and delivered for  
**Sunshine Coast Regional Council**

sign here ►

**CEO / DIRECTOR DEVELOPMENT SERVICES**

print name

**JULIE EDWARDS**

in the presence of

sign here ►

Witness

print name

**MARIA RICHMOND**

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

**Attachment 6   Development History - Coolum Hyatt Resort Master Plan**

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## Deed

Hyatt Coolum

## Deed of Novation of Infrastructure Agreement

Sunshine Coast Regional Council

Coeur De Lion Investments Pty Limited

SH Coolum Pty Ltd

christopher.blue@freehills.com

**Freehills**

Central Plaza | 345 Queen Street QLD 4000 Australia  
GPO Box 3124 Brisbane QLD 4001 Australia  
Sydney Melbourne Perth Brisbane Singapore

Telephone +61 7 3258 6666 Facsimile +61 7 3258 6444  
www.freehills.com DX 255 Brisbane  
Correspondent Offices in Hanoi Ho Chi Minh City Jakarta

## Freehills

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## Freehills

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## Schedule 1

### Amended Items Schedule

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#### Item 1 – Date

---

#### Item 2 – Name of Document

---

Infrastructure Agreement in respect of implementation of Infrastructure Works and  
payment of Infrastructure Contributions

#### Item 3 – Council

---

**Name of Local Government**

Sunshine Coast Regional Council

**Address of Public Office**

Cnr Bury and Currie Streets, Nambour in the State of Queensland

#### Item 4 – CDLI

---

**Name**

Coeur De Lion Investments Pty Limited ACN 006 334 872

**Address**

Level 4, 30 The Bond, 30 Hickson Road, Millers Point in the State of New South Wales

#### Item 5 – SHC

---

**Name**

SH Coolum Pty Ltd LLD ACN 146 376 972

## Freehills

Schedule 1 Amended Items Schedule□

### Address

Level 18, 60 Castlereagh Street, Sydney in the State of New South Wales

### Item 6 – Applicant

---

#### Name

Lend Lease Development Pty Limited ACN 000 311 277

#### Address

Level 4, 30 The Bond, 30 Hickson Road, Millers Point in the State of New South Wales

### Item 7 – Site

---

#### Description

CDLI Land – Lots 12, 14 & 19 on SP238214, Lots 10 & 13 on SP 238215, Lot 111 on RP 806530, Lots 109 & 110 on RP 145728.

SHC Land – Lots 15, 16, 18, 20, 21, 22 & 25 on SP 238214 and Lots 27 & 28 on SP238215.

#### County

Canning

#### Parish

Maroochy

#### Address

David Low Way, Yaroomba, 4573

### Item 8 – Development Application

---

Preliminary Approval for Material Change of Use (Master Planned Community) (Council Ref: MCU05/0245) & Development Permit for Reconfiguration of Lot (Moderate Urban Subdivision – 55 Lots) (Council Ref: REC05/0190) for the proposed use of the Site described in the Development Application.

### Item 9 – Security

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\$2,500,000

Freehills

Schedule 1 Amended Items Schedule□

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**Item 10 – CDLI Special Conditions**

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**Recreational Open Space****Restriction of Development of the Golf Course**

CDLI shall not make a Development Application or give consent to the making of a Development Application in respect of the Golf Course for a Use other than:

- recreational open space (golf course); and
- special events in accordance with existing approvals (MCU02/0161) with associated parking; and
- occasional recreational purposes as approved by the Council; and
- a water recycling and reuse project located in non play areas of the golf course; and
- access roads and paths for resort and residential purposes,

in accordance with the approval plans or as otherwise approved by Council.

**Registration of the Golf Course Covenant**

Subject to the Council executing the statutory covenant, CDLI must lodge for registration a statutory covenant for environmental purposes, generally in the form contained in Schedule 6, over the Golf Course Land owned by CDLI by the date the Golf Course is open for play. The statutory covenant will require CDLI to retain the Golf Course Land owned by CDLI as recreational open space and will allow CDLI to use or permit the use of the Golf Course Land owned by CDLI for the purposes of recreational open space (a golf course), special events in accordance with existing approvals (MCU02/0161) with associated parking, occasional recreational purposes as approved by the Council, a water recycling and reuse project located in non play areas of the golf course and access roads and paths for resort and residential purposes in accordance with the approval plans or as otherwise approved by Council.

**Paperbark Rainforest and Parabolic Dune**

Subject to the Council executing the statutory covenants, CDLI must lodge for registration statutory covenants for environmental purposes, generally in the form contained in Schedule 6, over that part of the CDLI Land as shown on the plans contained in Schedule 7 prior to plan sealing for the second stage of development for the Beachside Precinct.

**North Shore Multi-Sports Complex Contribution**

CDLI must pay the Council the North Shore Multi-Sports Complex contribution in the amount of \$300,000 indexed to the CPI or construction cost index (**North Shore Multi-Sports Complex Contribution**) upon the Development Approval taking effect, to enable the Council to refurbish the North Shore Multi-Sports Complex at Pacific Paradise adjacent to the David Low Way and Mudjimba Beach Road prior to plan sealing for the second stage of the Beachside Precinct.

**Life Guard Tower & Services**

Subject to Council obtaining all necessary approvals, which Council must use reasonable endeavours to obtain, CDLI must construct a life guard tower adjacent to the existing Hyatt beach access way in accordance with the plans and specification contained in Schedule 3 within 6 months of receipt of required approvals. CDLI must pay for all costs associated with design, construction and obtaining approvals for the life guard tower.

## Freehills

Schedule 1 Amended Items Schedule□

CDLI must procure the provision of lifeguard services at the existing Hyatt beach access for a period of 25 years from the commencement date unless otherwise agreed with the Council.

### **Dune Bushfire Contribution**

CDLI must pay to the Council a dune bushfire contribution in the amount of \$50,000 indexed to the CPI or construction cost index upon the Development Permit taking effect.

## **Item 11 – SHC Special Conditions**

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### **Vegetation Buffers**

Subject to the Council executing the statutory covenants, SHC must progressively lodge for registration statutory covenants for environmental purposes, generally in the form contained in Schedule 6, over the proposed vegetation buffers to the David Low Way and Tanah Street East identified on the Open Space Plan contained in Schedule 7. Each statutory covenant must be lodged for registration in conjunction with the survey plan for the subdivision of the immediately adjacent stage of development of the Beachside Precinct.

### **Community Centre**

SHC must prior to transferring the Community Centre Land to the Council keep the Community Centre Land and the existing sales and marketing centre on the Community Centre Land in good order and repair.

Subject to obtaining the necessary authority approvals (including an exemption under the *Land Sales Act 1984*), which SHC must use reasonable endeavours to obtain, SHC must construct an additional 20 car parks and provide a water fountain and street furniture (ie. seating benches and picnic tables) on the Community Centre Land generally in accordance with the Community Centre Land Plan and must transfer to the Council the Community Centre Land prior to the earlier of the following dates:

- 31 December 2013; or
- the date the marketing and sales suite is no longer required for the marketing and sale of lots within the Hyatt Coolum Community.

Subject to Council obtaining the relevant authority approvals for the northern beach access way, SHC must prior to the plan sealing for Beachside Sub-Precinct 3C or 3D or the commencement of use for development within Beachside Sub-Precinct 3C or 3D, whichever is the later:

- design and construct a 2.5 metre wide path which provides access from the Community Centre Land to the northern beach access way; and
- grant a public access easement to the Council over the Public Access Way to allow pedestrian access to the northern beach access way.

Subject to Council obtaining the relevant authority approvals for the southern beach access way, SHC must prior to the plan sealing for Beachside Sub-Precinct 3B or 3E or the commencement of use for development within Beachside Sub-Precinct 3B or 3E, whichever is the later:

- design and construct a 2.5 metre wide path which provides access from the David Low Way roundabout to the southern beach access way; and
- grant a public access easement to the Council over the Public Access Way to allow pedestrian access to the southern beach access way.



## Freehills

Schedule 1 Amended Items Schedule□

SHC must prior to the plan sealing for Beachside Sub-Precinct 3F or 1C or the commencement of use for development within Beachside Sub-Precinct 3F or 1C, whichever is the later:

- design and construct a 2.5 metre wide path which provides access from the Community Centre Land to the existing beach access way; and
- grant a public access easement to the Council over the Public Access Way to allow pedestrian access to the existing beach access way.

### **Beach Access Ways**

Subject to Council obtaining the relevant authority approvals, which Council must use all reasonable endeavours to obtain, SHC must construct the 2 new beach access ways generally in accordance with the Beach Access Plans. SHC must pay for all costs associated with design, construction and obtaining approvals for the new beach access ways. The beach access ways must be constructed within 9 months of receipt of relevant approvals.

Prior to the plan sealing of the first stage within the Resort Residential Precinct 3F for residential purposes under the Development Permit, SHC must refurbish the existing beach access way to a standard reasonably acceptable to the Council. If works are required as part of this refurbishment Council must obtain all relevant authority approvals for such works, which Council must use all reasonable endeavours to obtain. SHC must pay for all costs associated with the design, construction and approvals for such refurbishment.

SHC must also maintain to a reasonable standard or procure the body corporate of any residential community titles scheme created within the Resort Residential Precincts 3A – 3F to maintain to a reasonable standard the 2 new beach access ways and the existing beach access way.

### **Roadworks**

#### **Jenyor Street / Centenary Heights Road / Yarrock Street Intersection**

Prior to the plan sealing of the Resort Residential Precinct 4 or Resort Residential Precinct 5 (whichever is the earlier) for residential purposes under the Development Permit, SHC must:

- undertake works including any associated works such as pavement widening, relocation of kerb and channel, pathways, verges, bus set-downs, services and lighting to upgrade the Jenyor Street, Centenary Heights Road and Yarrock Street approaches to the Jenyor Street / Centenary Heights Road / Yarrock Street intersection by:
  - aligning the Yarrock Street and Jenyor Street approaches; and
  - installing raised concrete median islands on each approach; and
  - installing kerb and channel for a distance of at least 30 metres on both sides of each approach; and
  - relocating the stop line on the Yarrock Street approach to improve sight distances as far as practicable;
  - provide an alternative roundabout configuration as agreed with Council;
- ensure that the design and layout of the works is in accordance with the Council's Planning Scheme Policy No. 6 (Transport, Traffic and Parking).

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Schedule 1 Amended Items Schedule□

### Warran Road / David Low Way Intersection

Prior to the plan sealing of the Resort Residential Precinct 4 or Resort Residential Precinct 5 (whichever is the earlier) for residential purposes under the Development Permit, SHC must:

- undertake works including any associated works such as pavement widening, relocation of kerb and channel, pathways, verges, bus set-downs, services and lighting to:
  - upgrade the Warran Road approach to the Warran Road / David Low Way intersection to include a median pedestrian / cycle refuge island and a left turn auxiliary lane with a minimum vehicle storage length of 35 metres; and
  - replace the existing bus stop shelter on the eastern side of the David Low Way south of the Warran Road / David Low Way intersection with a new bus stop shelter at a location agreed with the Council; and
  - upgrade David Low Way south of the Warran Road / David Low Way intersection to include a median pedestrian / cycle refuge island on David Low Way and connecting pathways to facilitate safe and convenient access to the bus stop shelter; and
  - ensure that the design, location and layout of the works is in accordance with:
    - the Council's Planning Scheme Policy No. 6 (Transport, Traffic and Parking); and
    - the requirements of the Queensland Department of Main Roads and the Council.

### Warrack Street

SHC must at its own cost prior to the commencement of Use of Development in Precinct 4 (Vantage) undertake works on the development side, including completion of kerb and channel, stormwater drainage, verges, landscaping, services and lighting to upgrade Warrack Street from Centenary Heights Road to Valerie Street to minor collector standard ensuring that the works:

- comply with the Council's Planning Scheme Codes and Policies and QUDM; and
- include semi-mountable kerb and channel where possible; and
- provide retaining walls as required; and
- provide for stormwater drainage in accordance with QUDM where possible; and
- provide verges where possible which are formed, topsoiled, landscaped and/or turfed / grassed from the back of kerb

### Road Network Contribution

SHC shall contribute \$1,000,000 to the Council for the upgrade and or construction of proposed shire roads in the Mt Coolum area. This money includes specifically targeted works including rectification of existing known problems with the road infrastructure or contribution towards the construction of proposed road infrastructure within the Mt Coolum Area. This contribution is to be paid to Council in four equal sums of \$250,000 prior to the endorsement of any plan of survey or commencement of any use (whichever occurs first) within any of the next four stages (or sub-stages eg: 30, 3E, 3F, 5A etc) of development undertaken on the subject land (once the development approval takes effect) as identified on the approved Staging Plan (as amended) Drawing No. HC-OLL-RFI STG060623 REV A dated 23 June 2006. The requirement to pay this contribution is a requirement separate

## Freehills

Schedule 1 Amended Items Schedule□

and over and above any other requirement in this Infrastructure Agreement or the conditions of the Development Approval.

### **Mt Coolum Public Car Park**

SHC agrees to undertake upgrade works to the existing Mt Coolum car park at the base of the Mt Coolum walk located on Tanah Street West within 6 months of the commencement date of this agreement. These works will include the bitumen sealing of the current car park surface area together with the entry / exit from Tanah Street West.

### **Bikeway**

SHC must design and construct (subject to Council issuing the necessary approvals) a minimum 3.0 metre wide concrete cycle/pedestrian path from the Esplanade at Tanah Street East to David Low Way and along David Low Way from Tanah Street East to Warragah Parade and along Warragah Parade from David Low Way to the Council Park in Warragah Parade, in accordance with the requirements of Planning Scheme Policy DC 2 – *Provision of Bikeways and Bicycle Facilities* and the Regional Cycleway Connection Path Alignment Plan (the Bikeway) and revegetate any areas disturbed by the Bikeway using native plants endemic to the area.

SHC must complete construction of the Bikeway from Tanah Street to Warragah Parade within 12 months of the Approval (CCC09/0021) taking effect.

SHC must commence construction of the Bikeway along Tanah Street within 3 months of the Approval (CCC09/0021) taking effect. SHC must complete construction of the Bikeway by 31 December 2010.

## **Item 12 – Council Special Conditions**

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### **Life Guard Tower**

The Council must use all reasonable endeavours to obtain all required authority approvals to permit the construction of the Life Guard Tower by CDLI.

### **Community Centre**

The Council will indemnify CDLI and SHC if application fees, infrastructure charges or other contributions in respect of the application to create the Community Centre Land to be transferred to the Council.

### **Beach Access Ways**

The Council must use all reasonable endeavours to obtain all required authority approvals to permit the construction of the beach access ways by SHC.

### **Mt Coolum Car Park**

The Council must use all reasonable endeavours to obtain or provide all required authority approvals in a timely manner to permit the upgrade works to be undertaken by SHC.

### **Bikeway**

The Council must use all reasonable endeavours to obtain all required authority approvals to permit the construction of the bikeway by SHC.

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Schedule 2 Completed Works

## Schedule 2

## Completed Works

## Completed Works

## Responsible Party

## RECREATIONAL OPEN SPACE:

- Restriction of Development of the Golf Course CDLI
- Registration of the Golf Course Covenant CDLI

PAPERBARK RAINFOREST AND PARABOLIC DUNE CDLI

NORTH SHORE MULTI-SPORTS COMPLEX CONTRIBUTION CDLI

LIFE GUARD TOWER CDLI

DUNE BUSHFIRE CONTRIBUTION CDLI

## BEACH ACCESS WAYS: SHC

- Construction of New Access Ways

## ROADWORKS:

- Jenyor Street/Centenary Heights Road/Yarrook Street Intersection CDLI carried out these works. SHC is responsible for maintenance requirements or additional minor works required.
- Warran Road/David Low Way Intersection SHC
- Warrack Street CDLI carried out these works. SHC is responsible for maintenance requirements or additional minor works required.

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Schedule 2 Completed Works□

MT COOLUM PUBLIC CARPARK

CDLI carried out these works. SHC is  
responsible for maintenance requirements or  
additional minor works required

BIKEWAY

SHC



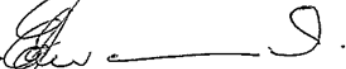
Freehills

Signing page

Executed as a deed

**Council**Signed sealed and delivered for  
**Sunshine Coast Regional Council**  
by its attorneys

sign here ▶



Attorney DIRECTOR DEVELOPMENT SERVICES Attorney

print name

JULIE EDWARDS

in the presence of

sign here ▶



Witness

Witness

print name

MARIA RICHMOND

**CDLI**Signed sealed and delivered for **THE COMMON SEAL of**  
**Coeur De Lion Investments Pty Limited**  
by its attorneys  
was hereunto affixed by the  
authority of the Directors  
in the presence of:

sign here ▶



Attorney

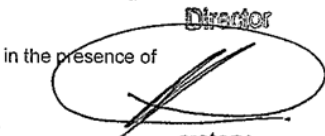
Attorney

print name

George Nicolas Saoud

in the presence of

sign here ▶



Witness

Witness

print name

Kenneth Leslie James



Freehills

Signing page

SHC

Signed sealed and delivered for  
**SH Coolum Pty Ltd**  
by its attorneys

sign here ▶

Attorney

Attorney

print name

Tom Abe

in the presence of

sign here ▶

Witness

Witness

print name

Masakatsu Yoshida

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

**Attachment 6   Development History - Coolum Hyatt Resort Master Plan**

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

**Attachment 6   Development History - Coolum Hyatt Resort Master Plan**

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