

# Minutes

## Ordinary Meeting

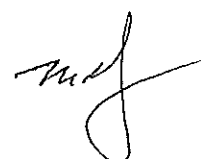
**Thursday 28 June 2012**

**Council Chambers, 9 Pelican Street, Tewantin**



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**1 DECLARATION OF OPENING**

The Chair declared the meeting open at 10.01am.

**2 RECORD OF ATTENDANCE AND LEAVE OF ABSENCE****COUNCILLORS**

Councillor M Jamieson	Mayor
Councillor R Baberowski	Division 1
Councillor T Dwyer	Division 2
Councillor P Cox	Division 3
Councillor J McKay	Division 5
Councillor C Dickson	Division 6
Councillor T Hungerford	Division 7
Councillor J O'Pray	Division 8
Councillor S Robinson	Division 9
Councillor G Rogerson	Division 10
Councillor R Green	Division 11
Councillor T Wellington	Division 12

**EXECUTIVE LEADERSHIP TEAM**

Chief Executive Officer  
Executive Director Finance and Business  
Executive Director Infrastructure Services  
Executive Director Community Services  
Executive Director Regional Strategy and Planning

**APOLOGIES**

Councillor C Thompson      Division 4

**COUNCIL OFFICERS**

Manager Planning Assessment

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**Please Note:** The resolutions as shown in *italics* throughout these minutes are the resolutions carried by the Council.



**3 RECEIPT AND CONFIRMATION OF MINUTES****3.1 CONFIRMATION OF MINUTES****3.1.1 POST ELECTION MEETING HELD ON 23 MAY 2012, ORDINARY MEETING HELD ON 30 MAY 2012 AND SPECIAL MEETING (BUDGET) 13 JUNE 2012****Council Resolution**

**Moved:** Councillor C Dickson  
**Seconded:** Councillor T Dwyer

*That the minutes of the Post Election Council Meeting 23 May 2012; Ordinary Meeting 30 May 2012 and the Special Meeting (Budget) 13 June 2012 be received and confirmed.*

Carried unanimously.

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**4 OBLIGATIONS OF COUNCILLORS****4.1 DECLARATION OF MATERIAL PERSONAL INTEREST ON ANY ITEM OF BUSINESS**

Pursuant to Section 172 (3) of the *Local Government Act 2009*, no declarations of material personal interest were made during this meeting.

**4.2 DECLARATION OF CONFLICT OF INTEREST ON ANY ITEM OF BUSINESS**

Pursuant to Section 173 (4) of the *Local Government Act 2009*, Councillor G Rogerson declared a perceived conflict of interest in relation to Item 7.4.1 due to his previous association with the Maroochy Water Ski Club.

Pursuant to Section 173 (4) of the *Local Government Act 2009*, Councillor M Jamieson declared a perceived conflict of interest in relation to Item 7.4.1 due to a contribution to his election campaign by an affected party.

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**5 MAYORAL MINUTE**

Nil.

**PROCEDURAL MOTION**

**Moved:** Councillor R Green  
**Seconded:** Councillor J McKay

*That Council bring forward Item 9 to be discussed following Item 6.2 due to public interest.*

**Carried unanimously.**

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**6 PRESENTATIONS****6.1 CORPORATE SUSTAINABILITY AWARD****Council Resolution** (OM12/72)

**Moved:** Councillor T Dwyer  
**Seconded:** Councillor G Rogerson

*That the award for the Corporate Sustainability Award at the Premier's Sustainability Awards on 8 June 2012 be received with gratitude.*

**Carried unanimously.**

**6.2 NATIONAL AWARD FOR ACTIVE ARTS - GREEN ART****Council Resolution** (OM12/73)

**Moved:** Councillor J McKay  
**Seconded:** Councillor R Baberowski

*That the national award for Active Arts category of the 2012 National Awards for Local Government for Council's Green Art be received with gratitude.*

**Carried unanimously.**

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(Item 9 was considered at this stage.)



**7 REPORTS DIRECT TO COUNCIL****7.1 EXECUTIVE OFFICE****7.1.1 AUDIT COMMITTEE REPORT 8 JUNE 2012****File No:** ECM 28 June 2012**Author:** Manager Audit and Assurance  
Executive Office**Appendices:** App A - Audit Committee Minutes (OM Att Pg 3)

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**Council Resolution** (OM12/74)**Moved:** Councillor T Dwyer**Seconded:** Councillor R Green*That Council:*

- (a) *receive and note the report titled "Audit Committee Report 28 June 2012"; and*
- (b) *note and implement the recommendations from the Audit Committee Minutes 8 June 2012 (Appendix A).*

**Carried unanimously.**



**7.1.2 COUNCILLOR PORTFOLIO SYSTEM AND PROTOCOLS – SUNSHINE COAST COUNCIL 2012**

**File No:** ECM 28 June 2012  
**Author:** Chief Executive Officer  
Executive Office  
**Appendices:** App A - Councillor Portfolio System and Protocols – Sunshine Coast Council 2012 (OM Att Pg 21)

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**Council Resolution** (OM12/75)

**Moved:** Councillor T Dwyer  
**Seconded:** Councillor J O'Pray

*That Council:*

- (a) *receive and note the report titled "Councillor Portfolio System and Protocols – Sunshine Coast Council 2012", and*
- (b) *adopt the Portfolio System and Protocols – Sunshine Coast Council 2012 (Appendix A) as amended.*

**Carried unanimously.**

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## 7.2 COMMUNITY SERVICES

### 7.2.1 PEREGIAN ORIGINALS CONCERTS AT PEREGIAN BEACH PARK

**File No:** TE11/0123

**Author:** Community Land Permits Project Manager  
Community Services

**Attachments:** Att 1 - Temporary Event Approval (OM Att Pg 27)  
Att 2 - Peregian Originals Permit Monitoring Summary (OM Att Pg 37)  
Att 3 - Aerial view of Peregian Beach Park (OM Att Pg 38)  
Att 4 - Peregian Originals Site Plan (OM Att Pg 39)

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#### Council Resolution (OM12/76)

**Moved:** Councillor R Green  
**Seconded:** Councillor J McKay

*That Council:*

- (a) *receive and note the report titled "Peregian Originals Concerts at Peregian Beach Park";*
- (b) *invite the East Coast Originals to the July Ordinary Meeting of Council to present a long term Business Plan (currently the Yearly Operational Plan 2012 – 2013) and their strategies for implementations of the Plan;*
- (c) *authorise the Chief Executive Officer to issue the East Coast Originals with a permit from 1 July 2012 to the 30 September 2012 to allow twice monthly concerts on the first and third Sunday of each month at Peregian Beach Park, where the permit holder is required to fully comply with all permit conditions;*
- (d) *post the presentation from the East Coast Originals long term Business Plan to Council, a further report be presented to the August 2012 Ordinary Meeting of Council to consider the future of Peregian Originals Concerts at Peregian Beach Park; and*
- (e) *request the Chief Executive Officer to organise an information forum between Council and local residents who are continually lodging complaints concerning the ongoing twice monthly events for Council to better understand their concerns.*

**Carried unanimously.**



### 7.3 FINANCE AND BUSINESS

#### 7.3.1 COUNCILLORS' EXPENSES REIMBURSEMENT AND PROVISION OF FACILITIES POLICY

**File No:** ECM 28 June 2012

**Author:** Team Leader Councillor Governance  
Finance and Business

**Appendices:** App A - Councillors Expenses Reimbursement and Provision of Facilities Policy (OM Att Pg 41)

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#### Council Resolution (OM12/77)

**Moved:** Councillor T Dwyer

**Seconded:** Councillor P Cox

*That Council:*

- (a) *note the report titled "Councillors' Expenses Reimbursement and Provision of Facilities Policy";*
- (b) *endorse the amended Councillors' Expenses Reimbursement and Provision of Facilities strategic policy (Appendix A) pursuant to section 45 of the Local Government (Operations) Regulation 2010; and*
- (c) *request the Chief Executive Officer to issue public notice of the amended policy in the Sunshine Coast Daily and on Sunshine Coast Council's website in accordance with section 46(2) of the Local Government (Operations) Regulation 2010.*

**Carried unanimously.**

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**7.3.2 MAY 2012 FINANCIAL PERFORMANCE REPORT**

**File No:** ECM 28 June 2012  
**Author:** Financial Services Manager  
Finance and Business  
**Appendix:** App A - May 2012 Financial Performance Report (OM Att Pg 49)

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**Council Resolution** (OM12/78)

**Moved:** Councillor R Green  
**Seconded:** Councillor R Baberowski

*That Council:*

- (a) *receive and note the report titled "May 2012 Financial Performance Report"; and*
- (b) *approve the budget amendments for operating as outlined in the May 2012 Financial Performance Report (Appendix A).*

**Carried unanimously.**

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## 7.4 REGIONAL STRATEGY AND PLANNING

### 7.4.1 MATERIAL CHANGE OF USE APPLICATION FOR OUTDOOR RECREATION (WATER SKI PARK AND ANCILLARY CARETAKER'S RESIDENCE AND TRAINING AND RECOVERY FACILITY) - 60 JUNCTION DRIVE, COOLUM BEACH - MCU 12/0033

File No: ECM 28 June 2012  
Author: Director, Development Services  
Regional Strategy and Planning

Councillor G Rogerson declared a perceived conflict of interest in this matter (as defined in section 173 of the *Local Government Act 2009*) due to his previous association with the Maroochy Water Ski Club and dealt with the perceived conflict of interest by leaving the meeting room, taking no part in the debate or decision on the matter.

Councillor M Jamieson declared a perceived conflict of interest in this matter (as defined in section 173 of the *Local Government Act 2009*) due to a financial contribution to his mayoral campaign. Councillor M Jamieson remained in the meeting room for the debate and decision on this matter

#### MOTION

Moved: Councillor T Hungerford

That Council REFUSE Application No. MCU12/0033 for a Material Change of Use (Outdoor Recreation) - Water Ski Park with Ancillary Training and Recovery Facility and Caretaker's Residence situated at 60 Junction Drive, Coolum Beach, for the following reasons:

1. the development conflicts with the planning area and precinct intent and cannot be conditioned to comply;
2. the caretaker's dwelling is of excessive size and will encourage wider family use adjacent to a large industrial area; and
3. the applicant has not satisfactorily demonstrated sufficient overriding need in the public interest for the proposed development to justify approval despite the conflicts with the planning scheme.

The motion lapsed for want of a seconder.



**PROCEDURAL MOTION****Moved: Councillor T Hungerford****Seconded: Councillor J McKay**

That Council move into confidential session to further discuss this item.

**For: Councillor E Hungerford, Councillor J McKay; Councillor J O'Pray;  
Councillor T Wellington and Councillor C Dickson.****Against: Councillor S Robinson; Councillor R Baberowski; Councillor R Green;  
Councillor P Cox; Councillor T Dwyer and Councillor M Jamieson.****Lost.****Council Resolution** (OM12/79)**Moved: Councillor T Dwyer****Seconded: Councillor R Green**

*That Council:*

- (a) *APPROVE WITH CONDITIONS Application No. MCU12/0033 and grant a Development Permit for a Material Change of Use of Premises (Outdoor Recreation - Water Ski Park) and Ancillary Caretaker's Residence and Training and Recovery Facility situated at 60 Junction Drive, Coolum Beach, in accordance with Appendix A; and*
- (b) *find the following are sufficient grounds, pursuant to Section 326 of Sustainable Planning Act 2009, to justify the decision despite the conflict with the Planning Scheme:*
1. *the site, which contains a man-made lake and has been dedicated to council for park or other purposes, is no longer required for extractive industry;*
  2. *a water ski park is an appropriate outdoor recreational use for a lake, which separates an industrial estate from the Arcoona Road Bushland Conservation reserve;*
  3. *a water ski park, capable of hosting local, national and international ski events, would strengthen Council's tourism profile and sports industry sector, and benefit local businesses including accommodation providers, restaurants and retailers;*
  4. *the ski park would be open to the public and by arrangement, provide opportunities for other clubs/associations, school groups, youth, seniors and people with disabilities;*
  5. *the impacts of the proposal can be mitigated to an acceptable level and the lake's water quality maintained in accordance with a Lake Risk Management Plan.*



**For:** Councillor S Robinson; Councillor R Baberowski; Councillor T Wellington; Councillor R Green; Councillor C Dickson; Councillor P Cox; Councillor T Dwyer; Councillor J McKay and Councillor M Jamieson.

**Against:** Councillor J O'Pray and Councillor T Hungerford.

**Carried.**

Councillor T Dwyer raised a point of order that Councillor J O'Pray had already spoken to the motion. The Chair ruled the point of order be upheld.

Councillor T Dwyer raised a point of order that Councillor T Hungerford had digressed from the motion. The Chair ruled the point of order be upheld.

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**8 NOTIFIED MOTIONS**

Nil.

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**9 TABLING OF PETITIONS****9.1 PETITION – PEREGIAN ORIGINALS**

Council Resolution (OM12/80)

**Moved:** Councillor R Green  
**Seconded:** Councillor J McKay

*That Council resolve the petition tabled by Councillor R Green in relation to a request by Peregian Originals be received and referred to the Chief Executive Officer to determine appropriate action.*

**Carried unanimously.**

**9.2 PETITION – REQUEST FOR FOOTPATH – VERNEY STREET, KINGS BEACH**

Council Resolution (OM12/81)

**Moved:** Councillor T Dwyer  
**Seconded:** Councillor G Rogerson

*That Council resolve the petition tabled by Councillor T Dwyer in relation to a request by the Residents Association South Sunshine Coast for a footpath in Verney Street, Kings Beach, be received and referred to the Chief Executive Officer to determine appropriate action.*

**Carried unanimously.**





**9.3 PETITION – REQUEST FOR FOOTPATH – SHEARER STREET, NAMBOUR****Council Resolution** (OM12/82)**Moved:** Councillor G Rogerson**Seconded:** Councillor J McKay

*That Council resolve the petition tabled by Councillor G Rogerson in relation to a request for a footpath in Shearer Street, Nambour, be received and referred to the Chief Executive Officer to determine appropriate action.*

**Carried unanimously.**

**Councillor R Green raised a point of order that no discussion could take place as a seconder for the motion had not been nominated. The chair upheld the point of order.**

**(Item 7.1.1 was considered at this stage.)**

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**10 CONFIDENTIAL SESSION****10.1 COMMUNITY SERVICES****10.1.1 PEREGIAN ORIGINALS LONG TERM BUSINESS PLAN****File No:** TE11/0123**Author:** Community Land Permits Project Manager  
Community Services

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**Note that no discussion was held regarding this item.**

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**11 NEXT MEETING**

The next Ordinary Meeting will be held on Thursday 26 July 2012 in the Council Chambers, 1 Omrah Avenue, Caloundra.

**12 MEETING CLOSURE**

The meeting closed at 11.30am.

Confirmed date: 26 July 2012

  
CHAIR



**13 APPENDICES**

**13.1 EXECUTIVE OFFICE**

**ITEM 7.1.1 AUDIT COMMITTEE REPORT 8 JUNE 2012 – APP A – AUDIT COMMITTEE MINUTES 8 JUNE 2012**

[http://www.sunshinecoast.qld.gov.au/addfiles/agendaAttachments/om\\_280612/Attach9.pdf](http://www.sunshinecoast.qld.gov.au/addfiles/agendaAttachments/om_280612/Attach9.pdf)

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**ITEM 7.1.2 COUNCILLOR PORTFOLIO SYSTEM AND PROTOCOLS – SUNSHINE COAST COUNCIL 2012 – APP A - COUNCILLOR PORTFOLIO SYSTEM AND PROTOCOLS – SUNSHINE COAST COUNCIL 2012 - AMENDED**

[http://www.sunshinecoast.qld.gov.au/addfiles/documents/meetingAttachments/7.1.2%20App%20A%20Councillor%20Portfolios\\_Amended.pdf](http://www.sunshinecoast.qld.gov.au/addfiles/documents/meetingAttachments/7.1.2%20App%20A%20Councillor%20Portfolios_Amended.pdf)

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**13.2 FINANCE AND BUSINESS**

**ITEM 7.3.1 COUNCILLORS' EXPENSES REIMBURSEMENT AND PROVISION OF FACILITIES POLICY – APP A – COUNCILLORS EXPENSES REIMBURSEMENT AND PROVISION OF FACILITIES POLICY**

[http://www.sunshinecoast.qld.gov.au/addfiles/agendaAttachments/om\\_280612/Attach15.pdf](http://www.sunshinecoast.qld.gov.au/addfiles/agendaAttachments/om_280612/Attach15.pdf)

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**ITEM 7.3.2 MAY 2012 FINANCIAL PERFORMANCE REPORT – APP A - MAY 2012 FINANCIAL PERFORMANCE REPORT**

[http://www.sunshinecoast.qld.gov.au/addfiles/agendaAttachments/om\\_280612/Attach16.pdf](http://www.sunshinecoast.qld.gov.au/addfiles/agendaAttachments/om_280612/Attach16.pdf)

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### 13.3 REGIONAL STRATEGY AND PLANNING

#### ITEM 7.4.1 MATERIAL CHANGE OF USE APPLICATION FOR OUTDOOR RECREATION (WATER SKI PARK AND ANCILLARY CARETAKER'S RESIDENCE AND TRAINING AND RECOVERY FACILITY) - 60 JUNCTION DRIVE, COOLUM BEACH - MCU 12/0033 - APPENDIX A - CONDITIONS OF APPROVAL

Development Application Number MCU12/0033

#### 1. APPLICATION DETAILS

Application No:	MCU12/0033
Street Address:	Park 60 Junction Dr COOLUM BEACH QLD 4573
Real Property Description:	Lot 5 SP 118756
Planning Scheme:	Maroochy Plan 2000 (8 August 2011)

#### 2. DECISION DETAILS

The following type of approval has been issued:

- Development Permit for Material Change of Use for Outdoor Recreation (Water Ski Park & Ancillary Caretakers Residence & Training & Recovery Facility)

#### 3. RELEVANT PERIOD OF APPROVAL

The relevant period for this development approval is 4 years starting the day that this development approval takes effect.

#### 4. ASSESSMENT MANAGER CONDITIONS

#### PLANNING

##### When Conditions must be Complied with

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

##### Approved Plans

2. Development authorised by this approval must be undertaken generally in accordance with the Approved Plans listed within this Decision Notice. The Approved Plans must be amended to incorporate the amendments listed within this Decision Notice and resubmitted to Council prior to the issue of any Development Permit for Operational Works.

##### Nature and Extent of Approved Use

3. The approved use is for outdoor recreation (water ski park and ancillary caretaker's residence and training and recovery facility) in accordance with the approved plans and conditions.
4. The hours of operations for the approved use are limited between the hours of 6.30 a.m. – 7 p.m. Monday to Sunday.



5. The site must not be used as a 'sensitive land use' as defined in the *Queensland Planning Provisions* and the *State Planning Policy 5/10: Air, Noise and Hazardous Materials*.
6. The training and recovery facility must not be used as an accommodation building as defined in Maroochy Plan 2000 or a dwelling class 1, 2, 3 or 4 as defined under Part A3 of the Building Code of Australia, Volume 1.
7. Only 1 caretaker's residence may be established on the site at any time. When the stage 2 temporary caretaker's residence is no longer required, its use must revert of storage.

#### Public Access

8. The 'primary public access area' and associated public facilities nominated on the *Public Access Concepts Plan* prepared by KHA Development Managers (undated) must remain open to the public during business hours.
9. The operator/caretaker of the site is permitted to restrict site access by closing the site access gate outside of business hours as required for security purposes.

#### Building Height

10. The maximum height of the development must not exceed 2 storeys or 8.5 metres above ground level.
11. Buildings must be on piers and re-locatable such that they can be removed from the site in the event that the lease is not renewed.

#### Staging

12. Staging must be undertaken in accordance with the conditions of approval and the following table:

Stage 1	<ul style="list-style-type: none"> <li>• Car park and entry</li> <li>• Connection to Unitywater water and sewerage systems and provision of public toilets</li> <li>• Portable office to serve as temporary clubhouse</li> <li>• Boat ramp and pontoon</li> <li>• Public shelter/viewing platform</li> <li>• Establishment of vegetation buffers</li> <li>• Establishment of perimeter planting to water body bank</li> <li>• Public access</li> </ul>
Stage 2	<ul style="list-style-type: none"> <li>• 87m<sup>2</sup> clubhouse</li> <li>• 252m<sup>2</sup> storage shed (temporary caretakers residence)</li> <li>• Additional landscaping, amenities and site rehabilitation</li> </ul>
Stage 3	<ul style="list-style-type: none"> <li>• 171m<sup>2</sup> training &amp; recovery facility</li> <li>• 144m<sup>2</sup> caretakers residence</li> </ul>

13. The applicant must obtain all necessary building approvals for stage 2 within 12 months of this approval taking effect.
14. The applicant must commence construction of stage 2 buildings within 24 months of commencing the use of stage 1.

#### Sunset Clause for Completion of Approved Development

15. Pursuant to s342 of the *Sustainable Planning Act 2009*, this development approval lapses if stages 1 and 2 of the approved use have not happened by within 6 years of the approval taking effect.



16. All buildings, except the storage shed, must be elevated on piers and be relocatable, such that they could be relocated from the site in the event that the use ceases.
17. Buildings must be removed from the site, which must be generally restored to its original condition to council's satisfaction in the event that the uses ceases.

## URBAN DESIGN

### Buildings

18. Building design, size and location must be in accordance with the approved plans.
19. All buildings must be on piers and be relocatable such that they can be removed from the site in the event that the use ceases.

## ENGINEERING

### Electricity and Telecommunication Services

20. An underground connection to reticulated electricity and telecommunication services must be provided in accordance with an approval for Operational Works and the standards and requirements of the relevant service provider.
21. Unless otherwise stipulated by telecommunications legislation at the time of construction, the development must be provided with all necessary conduits, pits and pipes to accommodate the future connection of optic fibre technology telecommunications.
22. Certification must be submitted from all relevant service providers which certifies that the development has met the requirements of this Decision Notice and all applicable legislation at the time of construction.

### Earthworks and Retaining Walls

23. All fill and associated batters must be must be undertaken in accordance with an Operational Works approval, and contained entirely within the subject site unless written permission from the respective landowner(s) is provided to Council.

### Damage to Services and Assets

24. Any damage caused to existing services and assets above or below the ground must be repaired:
  - (a) where the damage would cause a hazard to pedestrian or vehicle safety, immediately; or
  - (b) where otherwise, upon completion of the works associated with the development.Any repair work which proposes to alter the alignment or level of existing services and assets must first be referred to the relevant service authority for approval.

## TRAFFIC & TRANSPORT

### Site Access and Driveways

25. A sealed access driveway must be provided extending from the roundabout at the intersection of Junction Drive, Lysaght Street and Access Crescent to all parking and manoeuvring areas of Stage 1 of the development (the first 15 car spaces, the service vehicle areas and the associated aisle). The works must be undertaken in accordance with an Operational Works approval and must include in particular:
  - (a) a driveway crossover in accordance with IPWEAQ standard drawing SEQ 051,
  - (b) a driveway width of 6 metres within the Junction Drive road reserve, widened where necessary to facilitate service vehicle manoeuvring at the property boundary,
  - (c) any necessary modifications to the existing vehicle crossover,
  - (d) underground service conduits for water supply, electricity and any other services.



**Car Parking**

26. All vehicles generated by events and activities associated with the proposed use on a weekday (public holidays excluded) must be parked on the subject site. No spillover parking on to public roadways is permitted during these periods.
27. A total of 65 car parking spaces must be provided and marked on the site. The works must be undertaken in accordance with the approved plans and an Operational Works approval and must include:
  - (a) A sealed surface to all driveways, parking and manoeuvring areas the development, including the first 15 car spaces, the service vehicle areas and the associated aisle, to be complete prior to the commencement of use for stage 1.
  - (b) The provision of space for informal car parking generally in accordance with the approved plans to provide for a minimum of 50 vehicles.
28. The sealing of the balance of the driveway and manoeuvring areas identified on the approved plans, including the driveway for servicing the caretaker's residence, the southern boat ramp and the overflow parking area, can be constructed with a gravel surface as part of their relevant stage.
29. All car parking areas and access driveways must be maintained exclusively for vehicle parking and manoeuvring and kept in a tidy and safe condition at all times.

**Service Vehicles**

30. Service vehicle parking, manoeuvring and standing spaces must be provided on the site. The works must be undertaken in accordance with an Operational Works approval and must include in particular:
  - (a) a SRV space; and
  - (b) a MRV space.

**Pedestrian and Bicycle Facilities**

31. Pedestrian and bicycle facilities must be provided for the development. The works must be undertaken in accordance with an Operational Works approval and must include in particular:
  - (a) pedestrian pathways in accordance with the approved plans, including between the proposed car parking area and the buildings.
  - (b) clear demarcation of all specific pedestrian routes by pavement marking, signposts or changes in surface materials or levels.
  - (c) signage and lighting at strategic locations to direct people to building entries and public toilet facilities.
32. The path network must be provided in accordance with the approved staging for the development.

**HYDRAULICS & WATER QUALITY****Stormwater Drainage**

33. The site must be provided with a stormwater drainage system connecting to a lawful point of discharge. The works must be undertaken in accordance with an Operational Works approval and the Queensland Urban Drainage Manual.

**Stormwater Quality Management**

34. A stormwater quality treatment system must be provided for the development. The works must be undertaken in accordance with an Operational Works approval and the latest version of the *Water Sensitive Urban Design Technical Design Guidelines for South East Queensland*, and must include in particular:
  - (a) Stormwater quality treatment devices including rainwater storage tanks of a size and location must be provided in accordance with those shown in attached plans

to the Stormwater Quality Management & Assessment (Empire Engineering Pty Ltd, Integrated Water Management Plan, Job Ref. SC-3116, June 2011) listed in this Decision Notice.

35. Certification must be submitted from a qualified person which certifies that the rainwater collection tank/s and associated reticulation has/have been installed in accordance with the requirements of this Decision Notice.
36. All stormwater quality treatment devices must be maintained in accordance with Water by Design (2012) Maintaining Vegetated Stormwater Assets (Version 1) which is available to download from [www.waterbydesign.com.au](http://www.waterbydesign.com.au). The approved Operational Works drawings for the stormwater quality treatment system must be attached as an addendum to this document. Records of all maintenance activities undertaken must be kept and made available to Council upon request.

#### **Bioretention Basin Vegetation**

37. Landscape plans to be provided with an operational works (landscaping) must include a mixture of at least five (5) of the following species for planting in the bioretention swale surface at a minimum density of 8 plants/m<sup>2</sup> (higher density is preferred for faster establishment):

*Carex appressa*  
*Carex fascicularis*  
*Ficinia nodosa*  
*Juncus usitatis*  
*Lomandra longifolia*  
*Ghania sieberiana*

38. Landscape plans to be submitted with Operational Works (landscaping) must include a mixture of following species for planting in the bioretention basin batters at a suitable density and ensuring the species that are taller and/ or have longer denser leaf growth are planted towards the top of the batter (e.g. *Lomandra* and *Ghania*) to minimise shading of the treatment area:

*Carex appressa*  
*Carex fascicularis*  
*Ficinia nodosa*  
*Juncus usitatis*  
*Lomandra longifolia*  
*Ghania sieberiana*  
*Banksia robur*  
*Dianella brevipedunculata*  
*Themada triandra*  
*Cymbopogon refractus*  
*Melaleuca thymifolia*

39. Trees and shrubs must not be planted in the bio-retention swale treatment area to prevent loss of treatment area, damage to related components (e.g. subsurface drainage) and ongoing maintenance issues unless otherwise directed by a representative of Councils Hydraulics and Water Quality Unit.
40. Permanent educational signage must be erected to educate the customers to the development about the function of the bio-retention device. The dimensions, standard, presentation and location of the educational signage must be in accordance with an Operational Works approval.

#### **Public Health**

41. A revised detailed *Lake Risk Management Plan* must be submitted with an application for Operational Works, which demonstrates compliance with the NHMRC's *Guidelines for Managing Risks in Recreational Water (2008)*. It must generally incorporate the recommendations and provisions presented in the *Lake Risk Assessment*



*Management Plan* (Future-Plus Environmental, Lake Risk Management Plan, Ref No. 3812, 1 June 2012) with particular attention to the following requirements:

- (a) Addresses the onsite sewage pumping station, including specific management commitments and measures that in particular address events which warrant immediate attention such as malfunctions and where sewage enters the lake.
  - (b) Address the possible impacts of the installation and /or maintenance of any on-water infrastructure on water quality of the lake.
  - (c) Provides clarification with respect to the level of baseline sampling and ongoing monitoring, initially for cyanobacteria – algae, with respect to the acknowledged “high to very high risk”, required to reconcile with the Red Level Action Mode.
  - (d) Provides for further monitoring to determine trends with respect to the microbial quality of the lake, including cyanobacteria – algae, as described in the *Lake Risk Assessment/Management Plan*, and provides amendments and/or additional management actions as necessary.
  - (e) Provides a detailed monitoring program with respect to chemical hazards/pollutants and water quality in general, as acknowledged by the *Lake Risk Assessment/ Management Plan*.
42. The applicant is solely responsible for taking actions to resolve any public health/safety and water quality issues that arise during the life of the development irrespective of whether the issue is caused by either internal or external factors (e.g. spillage associated with an industrial use resulting in degraded stormwater entering the lake or onsite sewage pumping station malfunctioning and causing sewage to enter the lake).

#### **Flood Immunity**

43. The minimum floor level of all buildings (including temporary) constructed on the site, including the storage shed, must be 4.2m AHD.
44. The level of all internal pedestrian pathways and the internal access roadway must be raised to a level which will allow them to remain trafficable in a 1 in 100 year ARI flood event.

#### **Rainwater Harvesting**

45. Operating rainwater collection tanks must be provided for each building. The tanks must be provided in accordance with policy based on roof area and in accordance with an Operational Works approval.
46. The tanks must be plumbed to internal toilets, the wash down area, any washing facilities and outlets for landscaping use.
47. Certification must be submitted to Council from a qualified person, which certifies that the rainwater collection tanks and associated reticulation have been installed in accordance with the requirements of this Decision Notice.

### **LANDSCAPE & ECOLOGY**

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

48. Existing trees and endemic vegetation on the site must be retained in accordance with *AS 4970 -2009 Protection of Trees on Development Sites* and referenced in a Development Permit for Operational Works.

#### **Land Rehabilitation**

49. Prior to stage 2, the subject site must be rehabilitated in accordance with an approved rehabilitation plan including:
  - (a) Weed management.



- (b) Rehabilitation of endemic species to ensure density of desired vegetation to inhibit weed establishment.
50. The works must be undertaken in accordance with an Operational Works approval\*(Refer to Advisory Note).

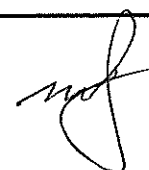
### Landscaping

51. The applicant must provide a detailed Landscape and Rehabilitation Plan prior to the lodgement of an operational works application.
52. Prior to stage 1, the development site must be landscaped in accordance with an Operational Works approval including:
- (a) establishment of vegetation along the entire water body perimeter (exclusive of the access ramp) using endemic aquatic vegetation to provide erosion protection to the bank
  - (b) establishment of a minimum 5 metre wide vegetated screen along the northern and eastern boundaries, designed such that 95% of the adjacent industrial development/s will be screened within 5 years
  - (c) protection and rehabilitation of all existing vegetation along the eastern boundary.
53. Prior to stage 2, the applicant must provide:
- (a) a minimum of 1 shade tree along the peninsular for every 7 lineal metres
  - (b) a minimum of 2 park shelters including tables and benches (undercover) and 4 park seating on the peninsular.
  - (c) removal of all weeds species listed in the following standards and legislation:
    - (i) declared plants under the *Land Protection (Pest and Stock Route Management) Act 2002* and sub-ordinate Regulation 2003
    - (ii) *Maroochy Pest Management Plan 2006-2010* pest species of significance in Group 1, Group 2 and Group 6 \*(Refer to Advisory Note).
  - (d) a publically accessible BBQ located such that it is easily accessible to the public and within the 'primary public access area' nominated on the *Public Access Concepts Plan* prepared by KHA Development Managers.
  - (e) pedestrian connections to spectator points, gathering spaces and surrounds to buildings and facilities identified on the *Public Access Concepts Plan* to Universal Access standards. All pathways and external areas must be designed and constructed to comply with the Disability Discrimination Act (DDA), Access to Premises Standard and relevant sections of AS1428.
54. All landscape works must be maintained generally in accordance with the approved design for the life of the development.

## ENVIRONMENTAL HEALTH

### Acoustic and Environmental Amenity

55. Noise emanating from the site must not exceed levels identified in the referenced Acoustic Reports.
56. The use of motorised watercraft associated with the approved use on the site must not occur outside the hours of 6.30am to 7pm Monday to Sunday.
57. With the exception of emergency and support watercraft, a maximum of 2 motorised boats described as '*Ski Nautique 196 waterskiing boats*' (or equivalent low wake ski boats approved for use for World Record capable events by the International governing body IWWF) are permitted to operate at the site at any time within the approved hours of operation. In the event that an equivalent boat is to be used, the equivalent boat must have sound power levels less than or equal to the '*Ski Nautique 196 waterskiing boat*' as detailed in the acoustic report referenced in this decision notice.



58. Any boats not owned or operated by the operator/ caretaker must comply with all conditions of approval, including boat specifications, driver training and provision of public liability insurance, and be inspected and approved by the operator/ caretaker.
59. All other motorised boats are prohibited on the lake.
60. The drivers of any boats used at the site must have undertaken prior safety instruction from the site operators/caretakers.
61. No operation or maintenance of boats that involves operation of the engines out of the water is to be carried out on site.
62. The use of a Public Announcement (PA) System associated with the approved use is prohibited.

#### **Outdoor Lighting Devices**

63. Lighting associated with the use must be designed, sited, installed and tested to comply with Table 2.1 & 2.2 of Australian Standard AS4282-1997 "*Control of the obtrusive effects of outdoor lighting*" using a control level of 1.

#### **Waste Management**

64. The applicant must provide strategically located waste bins for public waste disposal within the public access area.
65. Refuse storage, removal and collection facilities must be provided in accordance with the Approved Plans and the following:
  - (a) provision of a wash-down area in the vicinity of the permanent waste storage location fitted with a hosecock and a drain connected to the sewer that has a stormwater catchment area of no more than 1m<sup>2</sup>
  - (b) Conveniently located waste bins must be provided for waste disposal within the public access area.
66. Boat washing must only be carried out in a hardstand wash-down area which is designed to prevent the ingress of stormwater and is connected to the reticulated sewerage system.

#### **UNITYWATER**

67. The applicant must connect to Unitywater reticulated water and sewerage prior to commencement of use for stage 1.
68. Any onsite private sewage pumping station that is required as part of the development must be constructed in a manner that has at least 24 hours of spillage containment in the event of a malfunction and fitted with suitable alarms to alert the relevant personnel to take immediate action to remedy the situation.
69. The fire-fighting demand on Unitywater's water supply system from the development must not exceed 30 litres per second.
70. A single Unitywater installed primary water meter must be provided immediately inside the property boundary. Additional water meters must be installed for each title of a community title or sub-lease scheme. Meters must be Unitywater approved, installed in accordance with Unitywater requirements and remain accessible at all times for reading and maintenance purposes.
71. Water meters must be located on alternative boundaries to electrical pillars.
72. Buildings and other structures must maintain a minimum clearance of 1.5 metres from Unitywater sewerage infrastructure, and 1.0 metre from sewer manhole chambers and the sewerage inspection opening.
73. A 3.0 metre wide easement must be provided over Unitywater sewerage infrastructure located within the development site.
74. Storm water retention systems and gross pollutant traps must maintain a minimum clearance of 1.5 metres from Unitywater water supply and sewerage infrastructure.

75. The existing Unitywater sewer must be extended to within the boundary of the development site with a sewerage connection point 1.0 metre inside the property boundary, in accordance with Unitywater standards. The development must connect to the Unitywater reticulated sewerage system prior to commencement of use.
76. Written approval to enter and construct must be provided from the property owner of Lot 955 SP193886. This must be submitted with lodgment of the associated development application for Operational Works.
77. Written approval must be provided from Sunshine Coast Regional Council for a 4.0 metre wide water supply easement for a future watermain from the existing watermain at the western end of junction Drive to the north eastern corner of the development site. This must be submitted with lodgment of the associated development application for Operational Works.
78. Tree plantings must maintain a minimum horizontal clearance of 1.0 metre from Unitywater water mains and 1.5 metres from Unitywater sewerage mains. Landscaping plants within these clearances must be low growing when mature and suitable approved varieties.
79. Construction works undertaken in the vicinity of Unitywater water supply or sewerage infrastructure must not adversely affect the integrity of the infrastructure. All costs associated with repair, replacement or alteration of infrastructure must be met by the applicant.

#### 5. REFERRAL AGENCIES

The referral agencies applicable to this application are:

Reason for Referral	Referral Type	Referral Agency	Agency Address
Wetlands	Advice	Dept of Environment & Resource Management	GPO Box 2454 BRISBANE QLD 4001
Land Adjoining A Conservation Estate			

#### 6. APPROVED PLANS

The following plans are Approved Plans for the development:

##### Approved Plans

Plan	Rev.	Plan Name	Date
DA 01	C	Site Plan prepared by Ashley Camp Design	10 March 2012
DA 02	C	Site Plan prepared by Ashley Camp Design	10 March 2012
DA 03	C	Site Plan prepared by Ashley Camp Design	10 March 2012
DA 04	C	Club House prepared by Ashley Camp Design	10 March 2012
DA 06	C	Caretakers Residence prepared by Ashley Camp Design	10 March 2012
DA 07	C	Storage Shed prepared by Ashley Camp Design	10 March 2012
		Oz Ski Public Access Concepts prepared by KHA Development Managers	

**Plans Requiring Amendments**

DA 05	C	Training and Recovery Facility prepared by Ashley Camp Design	10 March 2012
Amendments		Amend the plan to delete what appear to be individual bedrooms with bunk beds. The recovery facility can include a bathroom facility and separate recovery, treatment, physio, massage rooms, etc.	

**7. REFERENCED DOCUMENTS**

The following documents are referenced in the assessment manager conditions:

**Referenced Documents**

Document No.	Rev.	Document Name	Date
Job Ref: SC- 3116		Integrated Water Management Plan prepared by Empire engineering	June 2011
Ref: Q8536-01-F01	2	Acoustic Report prepared by Ron Rumble Renzo Toni	7 June 2011
Q9007-01F02	0	Addendum acoustic report prepared by Ron Rumble Renzo Toni	2 May 2012
38121		Lake Risk Management Plan (LRMP) – Quanda Water Ski Park, Quanda Lake prepared by future plus environmental	1 June 2012

**8. ADVISORY NOTES**

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

**PLANNING****Development Compliance Inspection**

1. Prior to the commencement of the use, please contact Council's Development Audit & Response Unit to arrange a Development Compliance Inspection.

**Nature and Extent of Approved Development**

2. The applicant is advised that this development approval comprises:
  - Material Change of Use for outdoor recreation (water ski park & ancillary caretaker's residence & training & recovery facility) in accordance with the approved plans and conditions of approval.

**Resubmission of Amended Plans Required**

3. The conditions of this Decision Notice require resubmission of plan/s to Council with amendments. Please address the amended plan/s to Council's Planning Assessment Branch with the Reference No. MCU12/0033. To avoid delays and assessment issues with the Operational Works application, it is recommended the plan/s be resubmitted prior to lodgement of any Operational Works application

**Infrastructure Charges**

4. This Development Permit may trigger an "Adopted Infrastructure Charge Notice" (if applicable) to be issued in accordance with Council's "Adopted Infrastructure Charges Resolution" under the State Planning Regulatory Provision (Adopted Charges) and the *Sustainable Planning Act 2009*.

**ENGINEERING****Building and Construction Industry (Portable Long Service Leave) Levy**

5. From 1 January 2000, the Building and Construction Industry (Portable Long Service Leave) Levy must be paid prior to the issue of a development permit where one is required for the 'Building and Construction Industry'. This applies to Building Works, Operational Works and Plumbing and Drainage Works applications, as defined under the *Sustainable Planning Act 2009*, where the works are \$80,000 or more and matching the definition of 'Building and Construction Industry' under the *Building and Construction Industry (Portable Long Service Leave) Act 1991*. Council will not be able to issue a Decision Notice without receipt of details that the Levy has been paid. Should you require clarification in regard to the amendments to the *Building and Construction Industry (Portable Long Service Leave) Act 1991*, you should contact QLeave on 1800 803 481 (free call) or (07) 3212 6855.

**Co-ordination of Operational Works Assessment**

6. To assist Council to undertake an integrated assessment of the operational works application, all aspects of the works must be included in one (1) application and be in accordance with Council's planning scheme. Additional application fees apply to applications where the different aspects of the works are lodged separately. Significant savings in application fees will result if all works are lodged in a single application.

**Preparation of a Preliminary Construction Management Plan**

7. The works identified in this Decision Notice will be required to be carried out in accordance with a Construction Management Plan endorsed by Council through an approval for Operational Works. To ensure expedient assessment of any Operational Works application, the applicant is advised to submit a preliminary Construction Management Plan that addresses the requirements of the planning scheme. In particular, the preliminary Construction Management Plan should address the following:
- (a) provisions that ensure the proposed construction does not unduly impact on the surrounding area and ensure the site is safe for members of the public, implementing appropriate traffic signage in accordance with the Manual of Uniform Traffic Control Devices (MUTCD) and making provision for safe pedestrian access across the frontage of the site both during daily construction and after daily construction has ceased.
  - (b) traffic management during all aspects of the construction phase including:
    - (i) a Traffic Management Control Plan in accordance with the Manual of Uniform Traffic Control Devices (MUTCD) detailing all temporary signage and traffic control measures prior to construction
    - (ii) maintenance of safe pedestrian access across the frontage of the site both during daily construction and after daily construction has ceased
    - (iii) proposed fencing to the site during the construction phase of the development
    - (iv) approval of the Traffic Management Control Plan by the Department of Main Roads (DMR) for any works on State controlled roads



- (c) maintenance and protection of water quality and existing drainage lines through the construction site, through the implementation of appropriate erosion and sediment control measures
- (d) works programme identifying key components of the works and their respective durations
- (e) establishment of a communication protocol with the general public, adjoining owners, emergency services and local businesses to advise of agreed construction times, impacts on traffic and services and other relevant issues
- (f) identification of complaint management procedures including:
  - (i) contact details for the on-site manager
  - (ii) dispute resolution procedures
- (g) details on the location of external fill sites/sources, the haulage route, type of vehicle to be utilised during filling operations and frequency of usage. **NB** any damage to the existing road system as a result of haulage operations shall be fully repaired at the applicant's expense
- (h) it is acknowledged that the Construction Management Plan will be a draft document requiring finalisation upon appointment of the Principal Contractor employed to construct the works and a final document will be required to be submitted at the Pre-Start Meeting for the project.

## HYDRAULICS & WATER QUALITY

### Qualified Person

8. For the purpose of preparing a Maintenance Manual for stormwater quality treatment devices, a qualified person is considered to be a Registered Professional Engineer of Queensland (RPEQ).

### Bioretention Basin Educational Signage

9. Suggested wording for the permanent educational signage required by this Decision Notice is as follows:

*"BIORETENTION BASIN - This bioretention basin reduces the pollution of our waterways by reducing the amount of heavy metals, litter, suspended solids, and nutrients discharged to (insert name of receiving waters)".*

## LANDSCAPE & ECOLOGY

### Co-ordination of Operational Works Assessment

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

### Preparation of a Landscape Plan

11. All landscape works required by this approval must be demonstrated on a detailed Landscape Plan submitted to Council for Operational Works approval. The detailed Landscape Plan must:
- (a) be prepared by a qualified person\* and submitted in A3 size (3 x hardcopies)
  - (b) be of a scale suitable for clear interpretation at A3 size
  - (c) include accurate depiction of trees to be retained and protected in relation to the proposed development
  - (d) show all existing and proposed services including overhead power, drainage, water and sewerage
  - (e) include important spot levels and/or contours

- (f) include contextual information of the site including adjoining roads, land uses and photographs of site
- (g) show the extent and type of works, including hard surfaces, landscape structures, podium planters, signage, amenity lighting, fencing, edging, plantings and turf
- (h) include a plant schedule with the following information: botanic names, common names, total plant numbers, and pot sizes at the time of planting
- (i) show landscape works for the full frontage of the development site
- (j) include a north point, scale and legend as well as the name, contact details and qualifications of the landscape consultant who prepared the plan\*(*Refer to Advisory Note*).

#### **Preparation of a Rehabilitation Plan**

12. All rehabilitation works required by this approval must be demonstrated on a detailed Rehabilitation Plan prepared by a qualified person\* and submitted to Council for Operational Works approval. When preparing a Rehabilitation Plan, the applicant is advised to refer to Planning Scheme Policy No. 3 – *Rehabilitation Plans* contained within the Maroochy Plan 2000.  
*\*(Refer to Advisory Note)*

#### **Qualified Person**

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

#### **UNITYWATER**

15. Connection to Unitywater live water mains and the Unitywater live sewer system must be undertaken by Unitywater at the applicants cost.
16. A 150mm diameter watermain is located within the road boundary fronting the development site in Junction drive. Construction works, heavy traffic crossing the main, excessive vibration and excavation close to the main may cause damage to the pipe. Extreme care is required when working close to this infrastructure. All costs associated with repair, replacement or alteration of infrastructure must be met by the applicant.
17. An Operational works application is required for the sewerage extension works. Alternatively Unitywater can complete the works at the applicant's cost.

#### **Equitable Access and Facilities**

18. 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); and
  - (b) *Anti-Discrimination Act 1991* (Queensland).





Sunshine Coast Regional 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;
- (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; and
- (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**

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

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

You should contact the Cultural Heritage Co-ordination Unit on 07 3239 3647 to discuss any obligations under the *ACH Act*.

### **9. PROPERTY NOTES**

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

#### **Hydraulics & Water Quality**

*For MCU12/0033 (outdoor recreation – water ski park) water quality must be continuously monitored and maintained in accordance with the findings and recommendations of the in accordance with the recommendations of the Lake Risk Management Plan (LRMP) as amended. This site is provided with stormwater quality treatment devices which capture and store pollutants from stormwater runoff generated on the site. These devices are required to be routinely checked and serviced/cleaned out as per Water by Design (2012) Maintaining Vegetated Stormwater Assets (Version 1). Records of maintenance activities undertaken are to be kept and made available to Council Officers upon request.*

#### **Trade Waste Permit – Unitywater**

*A Trade Waste Permit from Unitywater must be obtained prior to proceeding with any plumbing or drainage work that involves the sewerage system receiving liquids from any pre-treatment system or discharge to sewer. The applicant should contact a Trade Waste Officer from Unitywater directly with any enquiries.*

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

Not Applicable.



**11. FURTHER DEVELOPMENT PERMITS REQUIRED**

Development Permit for Operational Work (Engineering and Landscaping)

**12. SELF ASSESSABLE CODES**

Not Applicable.

**13. SUBMISSIONS**

There were 337 properly made submissions about the application, of which 319 supported the proposal and 18 objected to it. In accordance with *Sustainable Planning Act 2009*, the name and address of the principal submitter for each properly made submission is provided and attached.

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

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

1. The site, which includes a man made lake, is no longer suitable for extractive industry.
2. The site has been dedicated to council for park or other purposes as determined by council.
3. A water ski park is an appropriate outdoor recreational use for the water body and would separate the existing industrial estate from the Arcoona Road Bushland Conservation reserve located to the west.
4. A water ski park would strengthen council's tourism image and complement similar facilities with the region.
5. The water ski park would be constructed to an international standard and be capable of hosting local, national and international ski events.
6. Sunshine Coast businesses, including accommodation providers, restaurants and retailers, would potentially benefit from increased tourism.
7. The facility, which would be open to the public, would provide additional outdoor recreational opportunities at no cost to council.
8. The facility would accommodate all sectors of the community, including other clubs/ associations, youth groups, school groups, seniors and people with disabilities.
9. The lake's water quality would be constantly monitored and maintained, ensuring it environmental sustainability in accordance with the *Lake Risk Management Plan (LRMP)*.
10. The impacts of the proposal can be mitigated to an acceptable level.



**15. RIGHTS OF APPEAL**

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

During the appeal period, you as the applicant may suspend your appeal period and make written representations to Council about the conditions contained within the development approval. If Council agrees or agrees in part with the representations, a "negotiated decision notice" will be issued. Only one "negotiated decision notice" may be given. Taking this step will defer your appeal period, which will commence again from the start the day after you receive a "negotiated decision notice".

**16. OTHER DETAILS**

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

