

Minutes

Ordinary Meeting

Thursday 20 September 2012

Council Chambers, 9 Pelican Street, Tewantin



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



1 DECLARATION OF OPENING

The Chair declared the meeting open at 9:00 am.

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

Councillor M Jamieson	Mayor (Chair)
Councillor R Baberowski	Division 1
Councillor T Dwyer	Division 2
Councillor P Cox	Division 3
Councillor C Thompson	Division 4
Councillor J McKay	Division 5
Councillor C Dickson	Division 6 (Absent item 3)
Councillor E Hungerford	Division 7
Councillor J O'Pray	Division 8
Councillor S Robinson	Division 9
Councillor G Rogerson	Division 10
Councillor R Green	Division 11 (Absent items 10-12)
Councillor T Wellington	Division 12

EXECUTIVE LEADERSHIP TEAM

Chief Executive Officer

Executive Director

A/Executive Director Finance and Business

Executive Director Infrastructure Services

Executive Director Community Services

Executive Director Regional Strategy and Planning

APOLOGIES

Nil.

COUNCIL OFFICERS

Director Development Services

Coordinator Planning Applications North

Manager Planning Assessment

Coordinator Hydraulics Water Quality

Principal Development Planner South

General Manager Airports

Solicitor

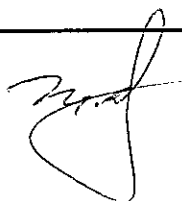
Coordinator Appeals Management

Community Sports Facility Planning Manager

Development Officer Community Sports Facility Planning

Manager Waste and Resource Management

Asset Investigations Manager



3 RECEIPT AND CONFIRMATION OF MINUTES**Council Resolution**

Moved: Councillor E Hungerford
Seconded: Councillor G Rogerson

That the minutes of the Ordinary Meeting held on 23 August 2012 be received and confirmed.

Carried unanimously.

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

Pursuant to Section 172 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 of the *Local Government Act 2009*, Councillor J O'Pray declared a perceived conflict of interest in relation to Items 7.1.3 and 8.1.1 due to a financial contribution to his election campaign.

Pursuant to Section 173 of the *Local Government Act 2009*, Councillor G Rogerson declared a perceived conflict of interest in relation to Item 10.1.3 due to an association with an affected party.

Pursuant to Section 173 of the *Local Government Act 2009*, Councillor R Baberowski declared a perceived conflict of interest in relation to Item 10.3.1 as a neighbouring landowner.



5 MAYORAL MINUTE

Nil.

6 PRESENTATIONS

Nil.

PROCEDURAL MOTION

Moved: Councillor T Wellington

Seconded: Councillor R Green

That the Standing Orders be suspended to allow item 8.1.2 to be discussed as first item on the agenda due to public interest.

Carried unanimously.

(Item 8.1.2 was considered at this stage).

(Councillor C Dickson absent when the vote was taken on this item.)



7 REPORTS DIRECT TO COUNCIL**7.1 REGIONAL STRATEGY AND PLANNING****7.1.1 DEVELOPMENT APPLICATION FOR MATERIAL CHANGE OF USE FOR RETIREMENT VILLAGE AND AGED CARE FACILITY AT 82 & 100 MCKINNON DRIVE, TEWANTIN**

File No: 132007.1965

Author/Presenter: Senior Development Planner, Planning Applications North
Coordinator, Planning Applications North
Planning Assessment

Attachments: Att 1 – Proposal Plans (Att Pg 3)
Att 2 – Overlay Maps (Att Pg 6)

MOTION

Moved: Councillor J McKay
Seconded: Councillor P Cox

That Council:

- (a) approve in Part Application No. 07/1965 (Sundale Garden Village Nambour) and issue a Preliminary Approval Overriding the Planning Scheme for a Material Change of Use of Premises for Multiple Housing - Type 3 Retirement and Special Needs (Stage 1) and Commercial Business Type 1 Office at 82 & 100 McKinnon Drive, Tewantin described as Lot 2 RP 220516 and Lot 86 MCH 1415 and delegate to the Chief Executive Officer to prepare appropriate conditions addressing the following:
1. the plan of development shall be amended to maintain the required riparian buffer to Wooroi Creek exclusive of any fire buffers and include only Precincts 1, 2 and 4;
 2. the Residential Aged Care building shall have a maximum building height of 2 storeys and 8 metres, except where allowing for a roof pitch, 9 metres;
 3. the riparian buffer to Wooroi Creek shall be rehabilitated with stage 1 of the development;
 4. flood modelling shall be revised to address the required amendments to the Plan of Development and demonstrate no off-site impacts;
 5. the provision of a Flood Emergency Management Plan which is suitable for use by the future operators and residents of the site and documents procedures and strategies that will be employed in a flood event to ensure the safety of people is not compromised. The plan is to consider events up to and including the Probable Maximum Flood and is to document both evacuation and refuge strategies; and
- (b) find the following are sufficient grounds to justify the decision despite the conflict with the Planning Scheme:-

1. there is a demonstrated need and community benefit for the development;
2. the development is compatible with surrounding residential development.

For: Councillor S Robinson; Councillor G Rogerson; Councillor J McKay;
Councillor J O'Pray and Councillor P Cox.

Against: Councillor R Green; Councillor T Wellington; Councillor C Thompson;
Councillor E Hungerford; Councillor C Dickson; Councillor T Dwyer;
Councillor R Baberowski and Councillor M Jamieson.

Lost.

CLOSURE OF THE MEETING TO THE PUBLIC

Moved: Councillor J McKay
Seconded: Councillor G Rogerson

That the meeting be closed to the public pursuant to section 72 (1) (h) of the Local Government (Operations) Regulation 2010 to consider the following items:

Item 7.1.1 Development Application for Material Change of Use for retirement village and aged care facility at 82 & 100 McKinnon Drive, Tewantin.

Carried unanimously.

RE-OPENING OF THE MEETING TO THE PUBLIC

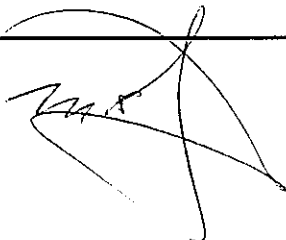
Moved: Councillor R Green
Seconded: Councillor T Wellington

That the meeting be re-opened to the public.

For: Councillor R Green; Councillor T Wellington; Councillor S Robinson;
Councillor C Thompson; Councillor G Rogerson; Councillor E
Hungerford; Councillor C Dickson; Councillor J McKay; Councillor J
O'Pray; Councillor T Dwyer; Councillor R Baberowski and Councillor M
Jamieson.

Against: Councillor P Cox.

Carried.



Council Resolution (OM12/118)

Moved: Councillor R Green
Seconded: Councillor T Wellington

That Council REFUSE Application No. 132007.1965 for a Preliminary Approval Overriding the Planning Scheme and Development Permit for Material Change of Use for Multiple Housing – Type 3 Retirement and Special Needs (Stage 1) and Commercial Business – Type 1 Office situated at 82 and 100 McKinnon Drive, Tewantin for the following reasons:

- 1. the proposed development conflicts with the Tewantin Doonan Locality Code as the proposed use is an inconsistent use in the Rural Settlement Zone and The Noosa Plan only envisages limited development on the site given the site's significant environmental constraints;*
- 2. the proposed development conflicts with the Biodiversity Overlay Code as it does not maintain a sufficient buffer to Wooroi Creek and the precautionary principle ought to be applied;*
- 3. the proposed development conflicts with the Natural Hazards Overlay Code as the proposal is likely to significantly compromise the safety of people and property from floods and seeks to modify the natural landform by extensive filling of the site to suit the development; and*
- 4. there are insufficient grounds to justify the proposal's conflict with the planning scheme, given the high risk to the safety of people and property from flooding and an insufficient buffer being proposed to Wooroi Creek.*

For: Councillor R Green; Councillor T Wellington; Councillor C Thompson; Councillor E Hungerford; Councillor C Dickson; Councillor J McKay; Councillor J O'Pray; Councillor T Dwyer; Councillor R Baberowski and Councillor M Jamieson.

Against: Councillor S Robinson; Councillor G Rogerson and Councillor P Cox.

Carried.



7.1.2 DEVELOPMENT APPLICATION FOR RECONFIGURING A LOT, 14 SANTA MONICA AVENUE, COOLUM BEACH

File No: REC12/0030
Author/Presenter: Development Planner, Planning Assessment
Coordinator, Planning Applications North, Planning Assessment
Appendices: App A – Conditions of Approval (Pg 38)
Attachments: Att 1 - Proposal Plans (Att Pg 9)

Council Resolution (OM12/119)

Moved: Councillor S Robinson
Seconded: Councillor G Rogerson

That Council APPROVE WITH CONDITIONS Application No. REC12/0030 and grant a Development Permit for a Reconfiguration of a Lot (1 Lot into 2 Lots) situated at 14 Santa Monica Avenue, Coolum Beach, in accordance with Appendix A.

Carried unanimously.



7.1.3 DEVELOPMENT APPLICATION FOR MATERIAL CHANGE OF USE (SHOPPING COMPLEX) - 242 PARKLANDS BOULEVARD, MERIDAN PLAINS

File No: MCU11/0160
Author/Presenter: Principal Development Planner, Planning Assessment
Appendices: App A – Conditions of Approval (Pg 60)
Attachments: Att 1 - Proposal Plans (Att Pg 11)
Att 2 - DTMR Concurrence Agency Response (Att Pg 17)
Att 3 - DERM Concurrence and Advice Agency Response (Att Pg 30)

Council Resolution (OM12/120)

Moved: Councillor C Thompson
Seconded: Councillor G Rogerson

That Council:

- (a) *grant a Development Permit for a Material Change of Use (Shopping Complex) for Application No. MCU11/0160 situated at 242 Parklands Boulevard, Meridan Plains, in accordance with Appendix A; and*
- (b) *find the following are sufficient grounds to justify the decision despite the conflict with the Planning Scheme:*
 - (i) *the proposed development would not significantly affect the role of other centres within the retail hierarchy;*
 - (ii) *the proposal will benefit the community by providing greater choice and convenience and increased competition; and*
 - (iii) *the location of the complex is consistent with the planning scheme requirements.*

For: Councillor S Robinson; Councillor C Thompson; Councillor G Rogerson; Councillor E Hungerford; Councillor C Dickson and Councillor M Jamieson.

Against: Councillor T Wellington; Councillor J McKay; Councillor P Cox; Councillor T Dwyer and Councillor R Baberowski.

Carried.

(Councillor R Green was absent when the vote was taken on this item.)

Councillor J O'Pray 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 election campaign. Councillor J O'Pray left the meeting room for the debate and decision on this matter.



7.2 FINANCE AND BUSINESS

7.2.1 JULY 2012 FINANCIAL PERFORMANCE REPORT

File No: ECM - 20 September 2012
Author: Acting Financial Services Manager
Finance and Business
Appendix: App A - July 2012 Financial Performance Report (Att Pg 43)

Council Resolution (OM12/121)

Moved: Councillor C Thompson
Seconded: Councillor P Cox

That Council:

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

Carried unanimously.

(Councillor T Wellington was absent when the vote was taken on this item.)



7.2.2 2012/2013 BUDGET AMENDMENT FOR 2011/2012 CARRY-OVER WORKS

File No: ECM
Author: Acting Financial Services Manager
Finance and Business
Appendices: App A - 2011-12 Financial Statements (Att Pg 53)
App B - 2012-13 Financial Statements (Att Pg 54)
Attachments: Att 1 - 2011-12 Capital Expenditure (Att Pg 63)
Att 2 - 2012-13 Operating Projects (Att Pg 87)
Att 3 - 2012-13 Capital Report (Att Pg 90)

Council Resolution (OM12/122)

Moved: Councillor C Thompson
Seconded: Councillor E Hungerford

That Council:

- (a) *note and receive the report "2012/2013 Budget Amendment for 2011/2012 Carry-Over Works";*
- (b) *adopt the interim transfer of \$35.3 million to reserves at 30 June 2012 as included in Appendix A, noting that a further report will be submitted to council detailing the final reserve balances as part of the completion of the 2011/2012 audited financial statements; and*
- (c) *adopt the amended 2012/2013 Budget to include works that have been carried over from the 2011/2012 financial year, 2012/2013 works that were completed in the 2011/2012 financial year and approve the associated reserves transfers to fund the amendments, as included in Appendix B.*

Carried unanimously.



7.2.3 REVIEW OF GROUPS, BOARDS, TASKFORCES, CORPORATIONS AND COMMITTEES

File No: ECM
Author: Business Integration & Projects Manager
Finance and Business
Appendices: App A - Committees Recommended to Continue (Att Pg 105)
App B - Committees Recommended to Cease (Att Pg 112)
App C - Committees - Ceased Operation (Att Pg 113)

MOTION

Moved: Councillor E Hungerford
Seconded: Councillor C Dickson

That Council:

- (a) receive and note the report titled "Review of Groups, Boards, Taskforces, Corporations and Committees";
- (b) endorse the continuation of Council endorsed committees including councillor representation, as listed in Appendix A;
- (c) endorse the cessation of the committees listed in Appendix B, noting the completion of the work by the committees;
- (d) endorse the cessation of the committees listed in Appendix C; and
- (e) request the Chief Executive Officer to advise committees of Councillor representation, cessation and, as necessary, acknowledge and thank ceasing committees.

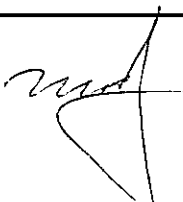
AMENDMENT

Council Resolution (OM12/123)

Moved: Councillor J McKay
Seconded: Councillor G Rogerson

That Council:

- (a) *receive and note the report titled "Review of Groups, Boards, Taskforces, Corporations and Committees";*
- (b) *endorse the continuation of Council endorsed committees including councillor representation, as listed in Appendix A as amended:*
 - (i) *with the inclusion of Mary Cairncross Scenic Reserve Management Committee; and*
 - (ii) *with the chair of the Sunshine Coast Local Disaster Management Group be noted as Councillor Mark Jamieson from 31 August 2012;*



- (c) *endorse the cessation of the committees listed in Appendix B, noting the completion of the work by the committees, as amended, namely removing Mary Cairncross Scenic Reserve Management Committee;*
- (d) *endorse the cessation of the committees listed in Appendix C as amended namely removing Sunshine Coast Sister Cities Association;*
- (e) *request the Chief Executive Officer to advise committees of Councillor representation, cessation and, as necessary, acknowledge and thank ceasing committees; and*
- (f) *delegate authority to the Chief Executive Officer, in consultation with the Mayor and Councillor J McKay, to put in place arrangements for engagement with the Sunshine Coast Sister Cities Association.*

Carried unanimously.

The amendment became the motion.

The motion moved by Councillor J McKay and seconded by Councillor G Rogerson was put.

Carried unanimously.



7.2.4 DRAFT CALOUNDRA AERODROME MASTER PLAN

File No: ECM 200912
Author: Planning and Major Projects Manager, Sunshine Coast Airport,
Finance and Business
Appendices: App A - Master Plan (Att Pg 117)
Attachments: Att 1 - Public and Stakeholder Notif Strategy (Att Pg 171)
Att 2 - Industry Subs - Prelim Draft MP (Att Pg 197)
Att 3 - Caloundra Aerodrome Bus Strategy (Att Pg 202)

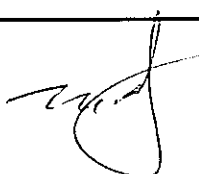
Council Resolution (OM12/124)

Moved: Councillor T Dwyer
Seconded: Councillor C Dickson

That Council:

- (a) *receive and note the report titled "Draft Caloundra Aerodrome Master Plan";*
- (b) *resolve to place the Draft Caloundra Aerodrome Master Plan (Appendix A) on public exhibition for a period of 30 business days;*
- (c) *note that a further report will be presented to Council following the completion of the public exhibition period;*
- (d) *note the Caloundra Aerodrome Management Plan (1997) is an endorsed document for the Caloundra Aerodrome; and*
- (e) *the "Commonwealth Deed 1992", relating to the Caloundra Aerodrome, be formally recognised as related documentation.*

Carried unanimously.



7.3 COMMUNITY SERVICES

7.3.1 PROPOSAL TO NAME COUNCIL PARKS AND INFRASTRUCTURE

File No: ECM
Author: Strategic Project Officer
Community Services

Council Resolution (OM12/125)

Moved: Councillor J McKay
Seconded: Councillor R Baberowski

That Council:

- (a) *receive and note the report titled "Proposal to Name Council Parks and Infrastructure";*
- (b) *resolve to name the bridge located on Mary River Road Cambroon and situated between Eastern Mary River Road and Maleny - Kenilworth Road as Cambroon Bridge;*
- (c) *resolve to name the park identified as property number 223618, lot 999 SP 153457 as Canavan Gracie Recreational Park; and*
- (d) *request the Chief Executive Officer to ensure Local Law No 4 (Local Government Controlled areas, facilities, Infrastructure and Roads) 2011 Section 7 Management of local government controlled areas, facilities, infrastructure and roads is amended as part of the current local law review.*

Carried unanimously.

PROCEDURAL MOTION

Moved: Councillor C Thompson
Seconded: Councillor T Dwyer

That the Standing Orders be suspended to allow presentation of a petition relevant to the next item on the agenda.

Carried unanimously.

(Item 9.1 was considered at this stage).



8 NOTIFIED MOTIONS**8.1 NOTICE OF MOTIONS****8.1.1 NOTICE OF MOTION - LIFE GUARD SERVICE REVIEW**

File No: ECM 200912
Author: Councillor T Dwyer
Notices of Motion

MOTION

Moved: Councillor T Dwyer
Seconded: Councillor C Thompson

That Council:

- (a) authorise the Chief Executive Officer to release the
 - (i) "99 Consulting" Proposal for Services, Lifeguard Service Sustainability Review dated May 2010;
 - (ii) the "99 Consulting" amended timeframe, project overview (undated);
 - (iii) the "99 Consulting" lifeguards service sustainability review", dated November 2010 as amended to remove names to be made public and any other publicly available documentation be made available as a package for viewing; and
 - (iv) late report Item 10.4.1 Ordinary Meeting 23 August 2012; and
- (b) request that these matters be discussed appropriately as part of this resolution to gain an understanding of the documents before Council and request that the content of all information contained be discussed appropriately.

AMENDMENT

Council Resolution (OM12/126)

Moved: Councillor R Green
Seconded: Councillor E Hungerford

That Council:

- (a) *authorise the Chief Executive Officer to release the*
 - (i) *"99 Consulting" Proposal for Services, Lifeguard Service Sustainability Review dated May 2010;*
 - (ii) *the "99 Consulting" amended timeframe, project overview (undated);*



- (iii) *the "99 Consulting" Lifeguards Service Sustainability Review", dated November 2010 as amended to remove names to be made public and any other publicly available documentation be made available as a package for viewing; and*
- (b) *request that these matters be discussed appropriately as part of this resolution to gain an understanding of the documents before Council and request that the content of all information contained be discussed appropriately.*

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

Against: Councillor C Thompson and Councillor G Rogerson.

Carried.

The amendment became the motion.

The motion moved by Councillor R Green and seconded by Councillor E Hungerford was put.

For: Councillor T Wellington; Councillor C Thompson; Councillor G Rogerson; Councillor E Hungerford; Councillor C Dickson; Councillor J McKay; Councillor P Cox; Councillor T Dwyer; Councillor R Baberowski and Councillor M Jamieson.

Against: Councillor R Green and Councillor S Robinson.

Carried.

Councillor R Green raised a point of order in relation to questions raised by Councillor T Dwyer not relating to the motion. The Mayor ruled the point out of order.

Councillor R Green raised a point of order in relation to Councillor T Dwyer digressing from the motion. The Mayor upheld the point of order.

Councillor R Green raised a further point of order in relation to Councillor T Dwyer digressing from the motion. The Mayor upheld the point of order.

Councillor T Dwyer raised a point of order in relation to a question by Councillor R Green as the question had already been addressed. The Mayor upheld the point of order.

Councillor T Dwyer raised a point of order in relation to Councillor R Green digressing from the motion before Council. The Mayor upheld the point of order.

Councillor G Rogerson raised a point of order in relation to a request to speak to the motion before the mover closes the motion. The Mayor ruled the point out of order.

Councillor T Wellington raised a point of order in relation to Councillor T Dwyer raising new information not relative to the debate. The Mayor upheld the point of order.



MOTION

Moved: Councillor T Dwyer
Seconded: Councillor C Thompson

That Council authorise the Chief Executive Officer to make available for public viewing late Confidential Report item 10.4.1 of Ordinary Meeting 23 August 2012, subject to appropriate review by qualified individuals in respect to material that should remain confidential under appropriate legislation and following consultation with Surf Life Saving Queensland.

PROCEDURAL MOTION

Moved: Councillor S Robinson
Seconded: Councillor T Wellington

That the motion be put.

For: Councillor R Green; Councillor T Wellington; Councillor S Robinson;
Councillor E Hungerford; Councillor P Cox and Councillor M Jamieson.

Against: Councillor C Thompson; Councillor G Rogerson; Councillor C Dickson;
Councillor J McKay; Councillor T Dwyer and Councillor R Baberowski.

The mayor exercised his casting vote in favour of the motion.

Carried.

The motion moved by Councillor T Dwyer and seconded by Councillor C Thompson was put.

For: Councillor C Thompson; Councillor G Rogerson; Councillor C Dickson;
Councillor J McKay and Councillor T Dwyer.

Against: Councillor R Green; Councillor T Wellington; Councillor S Robinson;
Councillor E Hungerford; Councillor P Cox; Councillor R Baberowski;
and Councillor M Jamieson.

Lost.

Councillor J O'Pray 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 election campaign. Councillor J O'Pray left the meeting room for the debate and decision on this matter.



8.1.2 NOTICE OF MOTION - NOOSA NORTH SHORE LANDING GROUND RESERVE**File No: ECM 200912****Author: Councillor T Wellington
Notices of Motion**

MOTION**Moved: Councillor T Wellington****Seconded: Councillor R Green**

That Council:

- (a) authorise the Chief Executive Officer to restrict use of the Noosa North Shore Landing Ground Reserve by banning commercial helicopter training and use by fixed wing aircraft (including missed approach practice) as of January 2013, but allowing continued use by model aircraft, ultralights and occasional use by emergency rescue helicopter services only, giving consideration to:
- (i) The 1991 Fitzgerald Commission of Inquiry into the Conservation Management & Use of Fraser Island & the Great Sandy Region recommendation that the airstrip be closed and added to the National Park; and
 - (ii) The Great Sandy Management Plan 2005 stating "The landing reserve of the Noosa North Shore will be rescinded and added to the Cooloola Section of the Great Sandy National Park. Continued use of the area by ultralight aircraft will be permitted";
- (b) request the Chief Executive Officer to write to the Commonwealth Government explaining that Council has requested that the Noosa North Shore Landing Ground Reserve be transferred into National Park in keeping with previous Noosa Council and State Government resolutions. Further noting that Council has restricted use of the Reserve for commercial helicopter and fixed wing pilot training, thus removing an impediment to World Heritage Listing for Cooloola; and
- (c) encourage the State Government and aviation authorities to consider alternative sites for such activities.

For: Councillor R Green; Councillor T Wellington and Councillor R Baberowski.**Against: Councillor S Robinson; Councillor C Thompson; Councillor G Rogerson; Councillor E Hungerford; Councillor C Dickson; Councillor J McKay; Councillor J O'Pray; Councillor P Cox; Councillor T Dwyer and Councillor M Jamieson.**

Lost.

Council Resolution (OM12/127)

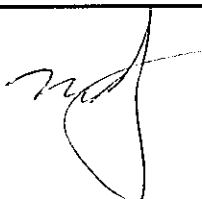
Moved: Councillor G Rogerson
Seconded: Councillor E Hungerford

That Council, noting the upcoming exhibition of the draft planning scheme and submissions still to be received, defer consideration of the potential increased restricted use of the Noosa North Shore Landing Reserve, including the barring of helicopter training, until such time that it has fully considered the views of operators, users and the needs of the aviation sector, along with community interests.

For: Councillor S Robinson; Councillor C Thompson; Councillor G Rogerson; Councillor E Hungerford; Councillor C Dickson; Councillor J McKay; Councillor J O'Pray; Councillor P Cox; Councillor T Dwyer and Councillor M Jamieson.

Against: Councillor R Green; Councillor T Wellington and Councillor R Baberowski.

Carried.



9 TABLING OF PETITIONS

9.1 PETITION – LIFEGUARD SERVICES

Council Resolution (OM12/128)

Moved: Councillor C Thompson

Seconded: Councillor T Dwyer

That Council resolve the petition tabled by Councillor C Thompson in relation to Lifeguard Services be received and referred to the Chief Executive Officer to determine appropriate action.

Carried unanimously.

(Item 8.1.1 was discussed at this time)

9.2 PETITION – PARKING NOOSA JUNCTION

Council Resolution (OM12/129)

Moved: Councillor R Green

Seconded: Councillor E Hungerford

That Council resolve the petition tabled by Councillor R Green in relation to Parking at Noosa Junction be received and referred to the Chief Executive Officer to determine appropriate action.

Carried unanimously.

(Councillor T Wellington and Councillor J O'Pray when the vote was taken on this item.)

9.3 PETITION – QUAD BIKES, COORAN

Council Resolution (OM12/130)

Moved: Councillor R Green

Seconded: Councillor G Rogerson

That Council resolve the petition tabled by Councillor R Green in relation to the operation of quad bikes at Tablelands Road, Cooran be received and referred to the Chief Executive Officer to determine appropriate action.

Carried unanimously.



9.4 PETITION – SHURVELL ROAD, PALMWOODS**Council Resolution** (OM12/131)

Moved: Councillor J McKay
Seconded: Councillor T Dwyer

That Council resolve the petition tabled by Councillor J McKay in relation to widening and sealing of Shurvell Road, Palmwoods, be received and referred to the Chief Executive Officer to determine appropriate action.

Carried unanimously.

9.5 PETITION – ROAD SEALING, EUDLO**Council Resolution** (OM12/132)

Moved: Councillor J McKay
Seconded: Councillor C Dickson

That Council resolve the petition tabled by Councillor J McKay in relation to road resealing Eudlo, be received and referred to the Chief Executive Officer to determine appropriate action.

Carried unanimously.



10 CONFIDENTIAL SESSION**CLOSURE OF THE MEETING TO THE PUBLIC****Moved: Councillor C Thompson****Seconded: Councillor T Dwyer**

That the meeting be closed to the public pursuant to section 72 (1) (f) and (h) of the Local Government (Operations) Regulation 2010 to consider the following items:

- 10.1.1 Confidential – Not For Public Release – Temporary Local Planning Instrument – Sunshine Coast Airport*
- 10.1.2 Confidential – Not For Public Release – Planning Appeal Pacific Paradise*
- 10.1.3 Confidential – Not For Public Release – Planning Appeal Coolum Beach*
- 10.2.1 Confidential – Not For Public Release – Alternative Waste Technology Business Case*
- 10.2.2 Confidential – Not For Public Release – Development of New Waste Collection Contract 2014*
- 10.2.3 Confidential – Not For Public Release – Draft Teewah Road Reserve Management Plan*
- 10.2.4 Confidential – Not For Public Release – Acquisition of Easement for Rising Main to Service Coolum Landfill*
- 10.3.1 Confidential – Not For Public Release – Jinibara People Native Title Claim*
- 10.4.1 Confidential – Not For Public Release – Sunshine Coast Investment Incentive Scheme Application*

Carried unanimously.

RE-OPENING OF THE MEETING TO THE PUBLIC**Moved: Councillor E Hungerford****Seconded: Councillor G Rogerson**

That the meeting be re-opened to the public.

Carried unanimously.



10.1 REGIONAL STRATEGY AND PLANNING**10.1.1 CONFIDENTIAL - NOT FOR PUBLIC RELEASE - TEMPORARY LOCAL PLANNING INSTRUMENT - SUNSHINE COAST AIRPORT**

File No: ECM
Author: Coordinator Planning Projects
Regional Strategy and Planning

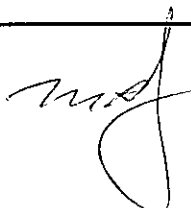
Council Resolution (OM12/133)

Moved: Councillor J O'Pray
Seconded: Councillor C Dickson

That Council:

- (a) *resolve to prepare Temporary Local Planning Instrument - Sunshine Coast Airport 01/2012 overriding Maroochy Plan 2000 as contained in Appendix A;*
- (b) *subject to (a) above, resolve to forward a copy of the Temporary Local Planning Instrument to the Minister for consideration in accordance with Part 3 Section 105 of the Sustainable Planning Act 2009;*
- (c) *subject to (b) above delegate the Chief Executive Officer to adopt the Temporary Local Planning Instrument with or without conditions as determined by the Minister; and*
- (d) *amend Sunshine Coast Regional Council Adopted Infrastructure Charges Resolution (No. 2) 2011 to continue to apply NIL infrastructure charge rate applying to Council networks for "air services" development and associated activities at Sunshine Coast Airport and Caloundra Airport on land owned and / or managed by Council.*

Carried unanimously.



**10.1.2 CONFIDENTIAL - NOT FOR PUBLIC RELEASE – PLANNING APPEAL
PACIFIC PARADISE**

File No: 1-18488 (MCU07/0130)

Authors/Presenters: Solicitor, Executive Office
Coordinator, Appeals Management, Regional Strategy and
Planning

Council Resolution (OM12/134)

Moved: Councillor J O’Pray

Seconded: Councillor E Hungerford

That Council request the Chief Executive Officer to continue to defend the appeal.

Carried unanimously.



**10.1.3 CONFIDENTIAL - NOT FOR PUBLIC RELEASE – PLANNING APPEAL
COOLUM BEACH**

File No: LEG-67 (MCU06/0087)
Authors/Presenters Solicitor, Executive Office
Coordinator, Appeals Management, Regional Strategy and
Planning

Council Resolution (OM12/135)

Moved: Councillor S Robinson
Seconded: Councillor E Hungerford

That Council request the Chief Executive Officer to progress the matter as discussed in confidential session.

For: Councillor S Robinson; Councillor C Thompson; Councillor G Rogerson;
Councillor E Hungerford; Councillor C Dickson; Councillor J McKay;
Councillor J O'Pray; Councillor P Cox; Councillor T Dwyer; Councillor R
Baberowski and Councillor M Jamieson.

Against: Councillor T Wellington.

Carried.

Councillor G Rogerson declared a conflict of interest (as defined in Section 173 of the *Local Government Act 2009*) due to his association with an affected party. Councillor G Rogerson remained in meeting room for the debate and decision on this matter.



10.2 INFRASTRUCTURE SERVICES

10.2.1 CONFIDENTIAL – NOT FOR PUBLIC RELEASE - ALTERNATIVE WASTE TECHNOLOGY BUSINESS CASE

File No: 1-14054
Author: Contract Development Manager
Infrastructure Services

Council Resolution (OM12/136)

Moved: Councillor T Dwyer
Seconded: Councillor C Dickson

That Council:

- (a) *authorise the Chief Executive Officer to call tenders for a 2 and 3 bin collection system for domestic kerbside services commencing 1 July 2014 with the collection system to consist of:*
- (i) *waste service provided weekly*
 - (ii) *recycling service provided fortnightly and*
 - (iii) *garden waste service provided fortnightly (3 bin option)*
- with final consideration of the tenders and configuration of the collection services by Council by May 2013;*
- (b) *undertake further community consultation and engagement to provide feedback on community views to inform the final decision;*
- (c) *develop an implementation plan that encompasses the development of a set of policies to allow opting in or out of the 3 bin service (if implemented), based on application and full audit process;*
- (d) *endorse the commencement of a market sounding process and call for tenders for the processing of garden waste if required;*
- (e) *note that a review of the adopted Waste Minimisation Strategy 2009-2014 is underway and will be presented to council in 2013; and*
- (f) *request the Chief Executive Officer to review the future Waste Minimisation Strategy providing strategic direction from 2014 that continues the technical, financial, environmental and community consideration of evolving Alternative Waste Technology and its best fit in the context of the Sunshine Coast region.*

For: Councillor T Wellington; Councillor S Robinson; Councillor C Thompson; Councillor G Rogerson; Councillor E Hungerford; Councillor C Dickson; Councillor J O'Pray; Councillor P Cox; Councillor T Dwyer and Councillor M Jamieson.

Against: Councillor J McKay and Councillor R Baberowski.

Carried.



**10.2.2 CONFIDENTIAL – NOT FOR PUBLIC RELEASE - NEW WASTE
COLLECTION CONTRACT 2014**

File No: 1-14054
Author: Manager Waste and Resource Management
Infrastructure Services

Council Resolution (OM12/137)

Moved: Councillor G Rogerson
Seconded: Councillor P Cox

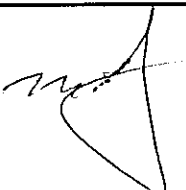
That Council:

- (a) *approve the preparation and calling of a tender with 3 separable portions for solid waste collection, liquid waste collection and processing of comingled recyclable waste with commencement of services 1 July 2014; and*
- (b) *note that the outcomes of the tender process will be reported to council by May 2013.*

For: Councillor T Wellington; Councillor S Robinson; Councillor C Thompson; Councillor G Rogerson; Councillor E Hungerford; Councillor C Dickson; Councillor J O'Pray; Councillor P Cox; Councillor T Dwyer and Councillor M Jamieson.

Against: Councillor J McKay and Councillor R Baberowski.

Carried.



10.2.3 CONFIDENTIAL – NOT FOR PUBLIC RELEASE - DRAFT TEEWAH ROAD RESERVE MANAGEMENT PLAN

File No: ECM 20 September 2012
Author: Asset and Investigations
Infrastructure Services

Council Resolution (OM12/138)

Moved: Councillor T Wellington
Seconded: Councillor E Hungerford

That Council:

- (a) *note the discussion held in confidential session; and*
- (b) *adopt the Teewah Master Plan and provide a copy of the plan to all Teewah residents for their information.*

Carried unanimously.



10.2.4 CONFIDENTIAL - NOT FOR PUBLIC RELEASE - ACQUISITION OF EASEMENT FOR RISING MAIN TO SERVICE COOLUM LANDFILL

File No: 1-14054
Author: Coordinator Projects
Infrastructure Services

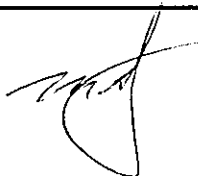
Council Resolution (OM12/139)

Moved: Councillor S Robinson
Seconded: Councillor G Rogerson

That Council:

- (a) *delegate authority to the Chief Executive Officer to proceed with the acquisition of an easement on Lot 33 RP909081 Yandina-Coolum Road, Yandina Creek by negotiated agreement; and*
- (b) *failing obtaining the easement by negotiated agreement, proceed to acquire the easement by compulsory acquisition in accordance with the Acquisition of Land Act 1967, for the purpose of liquid waste rising main.*

Carried unanimously.



10.3 EXECUTIVE OFFICE**10.3.1 CONFIDENTIAL – NOT FOR PUBLIC RELEASE - JINIBARA PEOPLE
NATIVE TITLE CLAIM**

File No: 1-10213
Author: Solicitor, Legal Services
Executive Office

Council Resolution (OM12/140)

Moved: Councillor T Wellington
Seconded: Councillor J McKay

That Council, acknowledging the Federal jurisdiction,

- (a) *consent to a determination of native title in the Jinibara People Claim (QUD6128/1998) substantially in the terms of the draft consent determination as discussed, with such amendments as may be required to enable the consent determination to be made by the Federal Court;*
- (b) *authorise the Chief Executive Officer instruct MacDonnells Law, as Council's representative, to sign an agreement under section 87 of the Native Title Act 1993 to record Council's consent to the draft determination referred to in (a) above;*
- (c) *delegate to the Chief Executive Officer the power to negotiate and agree, taking account of Council's interests, to such changes to the draft consent determination referred to in (a) above, as are required to enable the Federal Court to make the consent determination; and*
- (d) *request the Chief Executive Officer to write to the State Government Minister for National Parks, Recreation, Sport and Racing and the State Government Minister for Water and Energy, seeking that Council be consulted with in regard to any land management agreements developed as a result of the Jinibara People Claim as it relates to the Sunshine Coast region.*

Carried unanimously.

Councillor R Baberowski declared a conflict of interest in this matter (as defined in section 173 of the *Local Government Act 2009*) as a neighbouring landowner. Councillor R Baberowski left the meeting room for the debate and decision on this matter.



10.4 FINANCE AND BUSINESS**10.4.1 SUNSHINE COAST INVESTMENT INCENTIVE SCHEME APPLICATION**

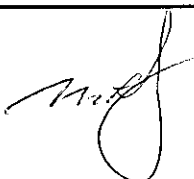
File No: SCIIS - No 4
Author: Investment Facilitation Officer
Finance and Business

Council Resolution (OM12/141)

Moved: Councillor M Jamieson
Seconded: Councillor J O'Pray

That Council approve and delegate authority to the Chief Executive Officer to negotiate, finalise and approve and execute an agreement under the Sunshine Coast Investment Incentive Scheme in accordance with the directions identified in the confidential session.

Carried unanimously.



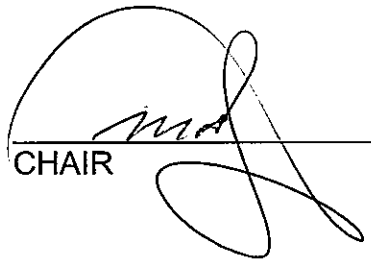
11 NEXT MEETING

The next Ordinary Meeting will be held on Thursday 18 October 2012 in the Council Chambers, 1 Omrah Avenue, Caloundra commencing at 9.00am.

12 MEETING CLOSURE

The meeting closed at 5:37pm.

Confirmed date: 18 / 10 / 12


CHAIR



13 APPENDICES

ITEM 7.1.2 DEVELOPMENT APPLICATION FOR RECONFIGURING A LOT, 14 SANTA MONICA AVENUE, COOLUM BEACH – APP A – CONDITIONS OF APPROVAL - APPENDIX A - CONDITIONS OF APPROVAL

1. APPLICATION DETAILS

Application No:	REC12/0030
Street Address:	14 Santa Monica Ave COOLUM BEACH QLD 4573
Real Property Description:	Lot 43 RP 86149
Planning Scheme:	Maroochy Plan 2000 (8 August 2011)

2. DECISION DETAILS

The following type of approval has been issued:

- Development Permit for Reconfiguration of a Lot (1 Lot into 2 Lots)

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 works required by the conditions of this Decision Notice must be completed prior to submission of the subdivision plan to Council for compliance assessment.
- **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*.
**(Refer to Advisory Note)*
 3. All lot numbering on the subdivision plan to be submitted to Council for compliance assessment must remain as shown on the Approved Plans.
- **Plan of Development**
 4. All future dwellings on the approved lots must be sited and constructed in accordance with the approved building envelopes and dwelling controls (i.e. the "Plan of Development") shown on the Approved Plans. A copy of the approved Plan of Development must be included in the contract of sale for the approved lots, together with a clause which requires future dwellings to be constructed in accordance with it.
- **Boundary Encroachments**



5. Certification must be submitted to Council from a Licensed Surveyor which certifies that:
 - (a) the boundary clearances for any existing buildings remaining on the site comply with the relevant provisions of the planning scheme and the *Building Act 1975*, unless varied by this Decision Notice;
 - (b) all constructed access and roadworks (including associated fill batters and retaining walls) are fully contained within a dedicated reserve or registered easement; and
 - (c) all utility services and connections (e.g. electricity, telecommunications, water, sewerage) are wholly located within the lot they serve or alternatively included within an easement.

ENGINEERING

• Property Access and Driveways

6. A residential driveway must be constructed to each Lot in their respective Santa Monica Avenue frontage.
7. The residential driveway to Lots 1 and 2 must be constructed to ensure that the maximum sight distances and maximum separation from the intersection can be achieved. The works must be undertaken in accordance with the IPWEAQ standard drawing SEQ R-050.
8. Vehicle access to Lot 2 is limited to the Santa Monica Avenue frontage only. A clause must be included in the contract of sale for Lot 2 which requires vehicle access to be from the Santa Monica Avenue only and prohibits vehicle access being taken from Daytona Avenue.

• Stormwater Drainage

9. Each lot must be provided with a stormwater drainage system connecting to a lawful point of discharge.
10. Stormwater runoff from the development must be disposed of without causing scour or damage to the subject site or any adjoining property.

• Electricity and Telecommunication Services

11. An underground connection to reticulated electricity and telecommunication services must be provided to each lot in accordance the standards and requirements of the relevant service provider.
12. 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.
13. 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.

• Easements

14. Unless otherwise agreed in writing by the relevant service provider, any public or third party infrastructure located on the subject site must be placed within an easement registered against the title of the property. All easements must be designed in accordance with the planning scheme and granted at no cost to the Grantee. Where the Grantee is Council or a service authority, the easement documentation must be in accordance with the Grantee's standard easement terms.
15. Draft easement documentation must be submitted to Council for endorsement.



16. All works must be kept clear of any existing or proposed easements on the subject land, unless agreed otherwise in writing by the Grantee.

• **Damage to Services and Assets**

17. 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.

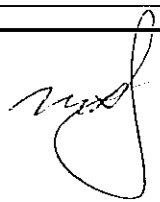
UNITYWATER

- 18. Reticulated water must be provided to each lot in the development. This must include:
 - (a) Ensuring that existing internal water pipes are wholly contained within the lot they will serve.
 - (b) An approved water meter for each lot in accordance with Unitywater Standard Drawings SCW 350,355 and 360.
 - (c) Provision of a water service for each lot in accordance with Unitywater Standard Drawings SCW 350, 355 and 360.
 - (d) Water meters located on alternative boundaries to electrical pillars.
- 19. Reticulated sewerage must be provided to each lot in the development.
- 20. A 3.0 metre wide easement must be provided over all Unitywater sewers located in private property.
- 21. A minimum clearance of 1.0 metres must be maintained between Unitywater sewers and proposed buildings and other structures.
- 22. A deed of indemnity must be completed by the property owners and submitted to Unitywater prior to survey plan release.
- 23. The applicant must adjust the level of the existing sewerage inspection opening as necessary to suit the proposed finished surface levels. Work must be undertaken by Unitywater at the applicants cost. Where the sewerage inspection opening point is located within a sealed or concreted area, a brass cap is required to be fitted.
- 24. Stormwater retention systems and gross pollutant traps must maintain a minimum clearance of 1.5 metres from Unitywater water supply and sewerage infrastructure.
- 25. 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 Unitywater approved varieties.
- 26. Construction works undertaken in the vicinity of Unitywater water supply or sewerage infrastructure must not adversely affect the integrity of the infrastructure. All costs associated with repair, replacement or alteration of infrastructure must be met by the applicant.

5. REFERRAL AGENCIES

The referral agencies applicable to this application are:

Referral Type	Referral Agency	Referral Trigger	Response
Advice	Department of Environment & Resource	Wetlands	The agency provided its response on 2 April 2012



Management GPO Box 2454 BRISBANE QLD 4001	(Reference SPAR04025512)	No.
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6. APPROVED PLANS

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

Plans Requiring Amendment

Plan No.	Rev.	Plan Name	Date
SH-8/1112	A	<i>Plan of Development</i> , prepared by Ocean Architects	7/03/12
Amendments		<ol style="list-style-type: none"> The plan of development must comply with requirements Conditions 6-7, relating to moving the access driveway to the Santa Monica Ave frontage. The plan of development must demonstrate compliance with the applicable requirements of the Code for Detached Houses and Display Homes (Elements 1, 2, 3 and 4). 	

7. REFERENCED DOCUMENTS

Not Applicable.

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

Resubmission of Amended Plan Required

- The conditions of this Decision Notice require resubmission of plan to Council with amendments. Please address the amended plan to Council's Planning Assessment Branch with the Reference No. REC12/0030.

Infrastructure Charges

- 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

Integrated Water Management Guidelines

- The applicant is advised that when addressing the requirements of Council's Integrated Water Management Code and Section 7 of Planning Scheme Policy No. 5 – *Operational Works*, reference should also be made to Council's Integrated Water Management Guidelines for further guidance on stormwater management outcomes.

UNITYWATER

4. Connection to the Unitywater live water supply and live sewerage system must be undertaken by Unitywater at the applicants cost.
5. The detachable eaves may encroach to 950 metres from the sewer pipe.

GENERAL**Aboriginal Cultural Heritage Act 2003**

6. 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:

REC12/0030 – Property Access Driveway

The following notation applies to approved lot 2:

1. To ensure the safety and efficiency of the road network vehicle access to this lot must be from Santa Monica Avenue only (refer to Council Approval REC12/0030).
2. To ensure that the maximum sight distances can be achieved and maximum separation from the intersection can be achieved, vehicle access to this lot must be from the constructed driveway only. The driveway must not be relocated without Council agreement (refer to Council Approval REC12/0030).

10. PRELIMINARY APPROVAL OVERRIDING PLANNING SCHEME

Not Applicable.

11. FURTHER DEVELOPMENT PERMITS REQUIRED

- Development Permit for Building Works

12. SELF ASSESSABLE CODES

Not Applicable.



13. SUBMISSIONS

There were 26 properly made submissions about the application. In accordance with *Sustainable Planning Act 2009*, the name and address of the principal submitter for each properly made submission is provided and attached.

14. REASONS / GROUNDS FOR APPROVAL DESPITE CONFLICT WITH SCHEME

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.

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 or at Council Offices.



**ITEM 7.1.3 DEVELOPMENT APPLICATION FOR MATERIAL CHANGE OF USE
(SHOPPING COMPLEX) - 242 PARKLANDS BOULEVARD, MERIDAN
PLAINS - APPENDIX A - CONDITIONS OF APPROVAL**

1. APPLICATION DETAILS

Application No: MCU11/0160
Street Address: 242 Parklands Boulevard, MERIDAN PLAINS
Real Property Description: Lot 3 SP 242451
Planning Scheme: Caloundra City Plan 2004 (27 June 2011)

2. DECISION DETAILS

The following type of approval has been issued:

- Development Permit for Material Change of Use (Shopping Complex)

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*.

**(Refer to Advisory Note)*

Location of Tavern/Convenience Restaurant Building

3. The tavern/convenience restaurant building is to be relocated adjacent to the CAMCOS corridor to the south of the entrance to the future train station. The building should be designed to ensure all noisy activities (children's play areas, Designated Outdoor Smoking Areas, loading bays etc) are located on the western side of the building (away from the Retirement Village to the east), and in accordance with an amended Acoustic Report.

Nature and Extent of Approved Use

4. The approved use must not operate outside the hours of:



- (a) 7am to 10pm Monday to Thursday
- (b) 7am to 12pm Friday and Saturday
- (c) 9am to 10pm Sunday or any public holiday.

The requirements of this condition must be included in the Community Management Statement for any body corporate for the subject site.

5. Service vehicle movements associated with the approved use (including loading and unloading) must not occur outside the hours of 7am to 6pm Monday to Saturday and not at all on Sundays or public holidays. The requirements of this condition must be included in the Community Management Statement for any body corporate for the subject site.

Building Height

6. The maximum height of the development must not exceed 12 metres above natural ground level.

Sunset Clause for Completion of Approved Development

7. The development may be staged with the Shopping Complex as Stage 1, and the Tavern as Stage 2. All conditions associated with that stage must be completed prior to commencement of the use.
8. Pursuant to s342 of the *Sustainable Planning Act 2009*, this development approval lapses if the whole of the approved use has not happened by 20 September 2020.

Building Appearance

9. Ground floor shopfront glazing must be fully transparent to a minimum of 65% of the street frontage to allow passive surveillance and encourage social interaction, and must be provided at full height (floor to ceiling).
10. Any security screens on the premises consist of grille or translucent screens and not solid shutters, screens or roller-doors.
11. All mechanical equipment and other service infrastructure located on the site must be:
 - (a) located not less than 2 metres from a property boundary
 - (b) fully enclosed or screened such that they are not visible from the street frontages nor adjoining properties. Where screened by landscaping, landscaping beds must be at least 1.5 metres wide.
12. No part of the site may be used for outdoor storage of materials unless specified on the Approved Plans or the conditions of this Decision Notice.
13. The eastern and northern elevation of the shopping complex and tavern must be finished with a graffiti proof paint, with any graffiti removed within 48 hours of incident.

Public Safety

14. All ground floor shopfront glazing must be protected against vandalism by the use of a form of safety glass such as toughened or laminated glass.
15. During operating hours, all parking areas, pedestrian areas and entrances/exits to all stairwells, travelators, lifts, foyers and public toilets must be well lit with vandal resistant lighting and with intensities to satisfy the requirements of Australian Standard AS1158 "*Public Lighting Code*". Lighting must be designed to reduce the contrast between shadows and well lit areas.



16. After hours access to loading docks, storage areas and the basement carpark (including the vehicle ramp and all stairwells) must be restricted by a security gate, lockable doors and/or other suitably appropriate means. The basement carpark must be kept closed and locked at all times while the use is not operating.

ENGINEERING

Site Access and Driveways

17. A sealed access driveway must be provided from Parklands Boulevard to all parking and manoeuvring areas of the development. The works must be undertaken in accordance with an Operational Works approval prior to commencement of the use for Stage 1 and must include, in particular, a separate dedicated right turn lane into future CAMCOS car park.

Car Parking

18. A minimum of 290 car parking spaces must be provided and marked on the site prior to commencement of the use for Stage 1. The works must be undertaken in accordance with an Operational Works approval and must include in particular:
- (a) pedestrian routes in accordance with the conditions of this Decision Notice
 - (b) provision of vandal resistant public lighting with intensities to satisfy the requirements of Australian Standard AS1158: *Public Lighting Code*
 - (c) sufficient disabled parking spaces within the total as per the applicable standards.
19. A minimum of 306 for the entire development must be provided and marked on the site prior to commencement of the use for Stage 2. The works must be undertaken in accordance with an Operational Works approval and must include in particular:
- (a) pedestrian routes in accordance with the conditions of this Decision Notice
 - (b) provision of vandal resistant public lighting with intensities to satisfy the requirements of Australian Standard AS1158: *Public Lighting Code*
 - (c) sufficient disabled parking spaces within the total as per the applicable standards.
20. 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

21. 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 a total of:
- (a) 3 van spaces;
 - (b) 2 SRV spaces;
 - (c) 2 MRV spaces;
 - (d) 1 HRV spaces; and
 - (e) 1 AV space.

Pedestrian and Bicycle Facilities

22. Pedestrian and bicycle facilities must be provided for the development prior to commencement of the use. The works must be undertaken in accordance with an Operational Works approval and must include in particular:
- (a) a 2.5 metre wide concrete footpath within the road verge for the entire length of the site's frontage to Parklands Boulevard;



- (b) pedestrian pathways between the proposed plaza area and the future CAMCOS railway station;
- (c) a 2.0 metre wide concrete footpath from Parklands Boulevard to development;
- (d) pedestrian pathways between the proposed car parking area and the plaza and within the car parking area generally in accordance with drawing number 0221-SD241M Site Plan prepared by Brad Read Design Group and dated 27.10.11;
- (e) adequate separation of all specific pedestrian routes from vehicle access and manoeuvring areas, and clear demarcation by pavement marking, signposts or changes in surface materials or levels;
- (f) signage and lighting at strategic locations to direct people to building entries and public toilet facilities;
- (g) pedestrian refuge areas at strategic locations within the carpark to ensure safe and convenient congregating of pedestrians waiting to cross major access driveways;
- (h) a total of 19 class 1 bicycle parking spaces; and
- (i) a total of 12 class 3 bicycle parking spaces.

Easements

23. Unless otherwise agreed in writing by the relevant service provider, any public or third party infrastructure located on the subject site must be placed within an easement registered against the title of the property. All easements must be designed in accordance with the planning scheme and granted at no cost to the Grantee. Where the Grantee is Council or a service authority, the easement documentation must be in accordance with the Grantee's standard easement terms.
24. Draft easement documentation must be submitted to Council for endorsement.

Earthworks

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


Damage to Services and Assets

26. 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 AND TRANSPORT

External Works

27. Parklands Boulevard must be upgraded for the length of its frontage to the subject site. The works must be undertaken in accordance with an Operational Works approval and must include in particular:
- (a) pedestrian crossings across all four intersection approaches;
 - (b) the relocation and/or construction as necessary of all services, pathways, and retaining walls;
 - (c) pavement widening and construction on the southern side of Parklands Boulevard west of Sunset Drive as generally shown on Approved Drawing



- 11/7608 to create a 16.35 metre wide carriageway, except that the initial interim lane configuration to be provided on the western leg must consist of at least:
- (i) a 1.5 metre wide eastbound bikelane/shoulder;
 - (ii) a 3.5 metre wide through lane in each direction;
 - (iii) a 3.1 metre wide right turn lane. The right turn lane is to be at least 75 metres long, plus at least a 20 metre long entry taper;
 - (iv) a raised concrete median extending through to the existing central median on Parklands Boulevard west of the intersection, with breaks provided opposite existing driveways. The median is to be at least 2 metres wide adjacent to the right turn lane. The existing central median is to be modified as necessary such that the transition of the alignment of the eastbound through lane on Parklands Boulevard is in accordance with the *Queensland Department of Transport & Main Roads' Road Planning & Design Manual*;
 - (v) a 2.75 metre wide westbound bikelane/shoulder;
- (d) pavement widening and construction on both sides of Parklands Boulevard east of Sunset Drive as generally shown on Approved Drawing 11/7608 to create a widened carriageway, except that the initial interim lane configuration to be provided on the eastern leg must consist of at least:
- (i) a 4.7 metre wide verge along the northern side of Parklands Boulevard;
 - (ii) a 7.9 metre wide eastbound carriageway marked as a 2.6 metre wide parking lane, 1.8 metre wide bike lane, and 3.5 metre wide through lane;
 - (iii) a 2 metre wide raised concrete median;
 - (iv) a 3.1 metre wide right turn lane. The right turn lane is to be at least 70 metres long, plus at least a 20 metre long entry taper;
 - (v) a 4.8 metre wide westbound carriageway marked as a 3.3 metre wide through lane and 1.5 metre wide sealed bikelane/shoulder;
- (e) pavement widening and construction on the Sunset Drive leg of the intersection as generally shown on Approved Drawing 11/7608 except that, in addition to a left-turn slip lane on the south-west corner of the intersection, further widening is required to incorporate the following:
- (i) at least a 5 metre wide through carriageway in each direction on Sunset Drive for the length of the required works, incorporating a 3.5 metre wide traffic lane and 1.5 metre wide sealed shoulder/bike lane;
 - (ii) at least a 3 metre wide exclusive right turn lane on the Sunset Drive intersection approach. The storage length of the right-turn lane should be at least 18 metres;
 - (iii) pavement widening as necessary to accommodate a turning articulated vehicle in all directions. The left-turn slip lane and associated corner island must be designed in accordance with the *Queensland Department of Transport & Main Roads' Road Planning & Design Manual* and have a minimum approach angle to Parklands Boulevard of 70 degrees;
- (f) pavement widening and construction on the proposed development leg of the intersection as generally shown on Approved Drawing 11/7608 except that, in addition to a left-turn slip lane on the north-east corner of the intersection, further widening is required to incorporate the following:
- (i) at least a 3 metre wide exclusive right turn lane on the intersection approach. The storage length of the right-turn lane should be at least 18 metres;



- (ii) pavement widening as necessary to accommodate a turning articulated vehicle in all directions. The left-turn slip lane and associated corner island must be designed in accordance with the *Queensland Department of Transport & Main Roads' Road Planning & Design Manual* and have a minimum approach angle to Parklands Boulevard of 70 degrees; and
 - (iii) land must be dedicated as road reserve from the site as necessary to ensure pedestrian travel paths along the northern verge of Parklands Boulevard across the intersection are located within road reserve.
28. A sealed indented bus bay and bus stop shelter must be constructed at the existing bus stop on the southern side of Parklands Boulevard near the eastern boundary of the site. The works must be undertaken in accordance with an Operational Works approval and must include in particular:
- (a) pavement widening and sealing such that the bus bay, at least 3 metres wide, is located clear of the carriageway and shoulder;
 - (b) raised barrier kerb for the length of the bus bay (excluding tapers);
 - (c) a bus stop shelter in accordance with Translink requirements;
 - (d) a raised concrete pedestrian refuge island and associated kerb ramps must be incorporated into the adjacent existing painted median; and
 - (e) a concrete footpath, at least 1.5 metres wide, must be constructed on the southern side of Parklands Boulevard between the bus shelter and pedestrian refuge island.

HYDRAULICS & WATER QUALITY

29. The site must be provided with a stormwater drainage system connecting to a lawful point of discharge. The works must be undertaken in accordance with an Operational Works approval and the Queensland Urban Drainage Manual, and must include in particular:
- (a) the works described in the Stormwater Management Plan listed in this Decision Notice;
 - (b) collection and discharge* of stormwater in accordance with QUDM;
 - (c) extension of the site stormwater system to accommodate stormwater external to the site, including registration of drainage easements; and
 - (d) the use of gravity stormwater drainage and not surcharge pits.
- *(Refer to Advisory Note)
30. 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 of a size and location generally in accordance with those shown in the of the Stormwater Management Plan listed in this Decision Notice;
 - (b) bioretention devices which:
 - (i) are designed generally in accordance with IPWEQA Standard Drawing No. WSUD-001;
 - (ii) incorporate a coarse sediment forebay (in addition to the required filter media surface area), which is sized in accordance with the latest version of the *Water Sensitive Urban Design Technical Design Guidelines for South East Queensland* and designed generally in accordance with IPWEQA Standard Drawing No. WSUD-005;

- (iii) have safe, unobstructed and all weather access from the road frontage for maintenance purposes, particularly for the coarse sediment forebay; and
 - (iv) are provided with a free-draining outlet from the sub-soil drainage system.
- 31. All stormwater quality treatment devices must be maintained in accordance with a Maintenance Manual* for the stormwater quality treatment system prepared by a qualified person* and referenced in a Development Permit for Operational Works. Records of all maintenance activities undertaken must be kept and made available to Council upon request.
**(Refer to Advisory Note)*
- 32. Operating rainwater collection tanks must be provided for the development. The tanks must be provided in accordance with an Operational Works approval and must include in particular:
 - (a) minimum total tank capacity of 40,500 litres;
 - (b) a rainwater collection catchment of at least 60% of the building roof area; and
 - (c) re-use of harvested rainwater for internal non-potable uses and outdoor uses.
- 33. 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.
**(Refer to Advisory Note)*
- 34. The minimum floor level of all buildings constructed on the site must be 10.60 m AHD.
- 35. The internal access road which provides access to the northern portion of the site shall be designed and constructed to fully contain peak 100 year ARI flow with freeboard to basement access in accordance with QUDM.
- 36. In conjunction with the submission of an operational works development application, submit a detailed Flood Assessment undertaken in accordance with Council's DDPSP. The detailed Flood Assessment must consider the catchment draining to the southern side of Parklands Boulevard between Sunset Drive and Rosevale Avenue. If it is found through preparation of a detailed flood assessment that during extreme events the capacity of the culverts under Parklands Boulevard is exceeded and there will be flood flows through the eastern portion of the site (CAMCOS corridor), then the CAMCOS corridor shall be shaped to convey these flood flows in an overland flowpath designed in accordance with Council's DDPSP.
- 37. The basement must be designed and constructed as a water excluding structure in accordance with AS 3735 - Concrete Structures for Retaining Liquids to prevent groundwater being discharged from the basement after construction. If basement carpark seepage is noted and deemed problematic by an authorised Council officer, approved remedial action will need to be carried out to the satisfaction of an authorised Council officer.



LANDSCAPE AND ECOLOGY

38. The development site must be landscaped*. The works must be undertaken in accordance with an Operational Works approval and must include in particular:
- (a) 3 metre wide landscaping strip along the Parklands Boulevard frontage, exclusive of the access driveway, uncompromised by infrastructure items;
 - (b) 1.5 metre wide landscaping strip located between the western boundary of the lot and the acoustic barrier, uncompromised by infrastructure items. The landscaping strip must provide vegetated screening designed such that 90% of the acoustic barrier will be screened within 5 years;
 - (c) 1.5 metre wide landscaping strip located between the western boundary of the driveway entry road and the acoustic barrier, uncompromised by infrastructure items. The landscaping strip must provide vegetated screening designed such that 90% of the acoustic barrier will be screened within 5 years;
 - (d) densely planted 2 metre wide landscaping strip located between the northern boundary of the staff carpark and the bioretention devices, exclusive of the access ramp, uncompromised by infrastructure items;
 - (e) densely planted 2 metre wide landscaping strip located on the eastern boundary between the bioretention devices and the Parklands Boulevard frontage, uncompromised by infrastructure items;
 - (f) shade trees located at 5 metre centres on both sides of the central pedestrian pathway within the shopping centre carpark with designed sub-surface root zones for establishment and longevity of the trees;
 - (g) landscaping to the centre plaza entrance for provision of shade, amenity and entrance definition. The landscaping must include feature trees with designed sub-surface root zones for establishment and longevity of the trees;
 - (h) provision of 1 street tree within the road reserve for every 8 metres of road frontage;
 - (i) provision of 1 tree for every 4 carparks with designed sub-surface root zones for establishment and longevity of the trees;
 - (j) the provision of street furniture, specifically 4 public bench seats and 1 drinking fountain within the public plaza; and
 - (k) removal of all weeds species listed as Declared Plants under the *Land Protection (Pest and Stock Route Management) Act 2002* and sub-ordinate Regulation 2003.

*(Refer to Advisory Note)

39. All landscape works must be established and maintained in accordance with horticultural best practice with construction techniques and irrigation that allow for healthy, sustained and vigorous plant growth. All plant material must be allowed to grow to full form and be refurbished when its life expectancy is reached.
40. All landscape works must be maintained generally in accordance with the approved design for the life of the development.
41. Where some or all of the land remains vacant or undeveloped for more than 3 months, or buildings are demolished and redevelopment is delayed for more than 3 months, the following works must to be carried out:
- (a) the site must be cleared of all rubble, debris and demolition materials;
 - (b) the site must be graded (to the same level as the adjoining footpath wherever practicable), turfed and mown at a minimum 3 weekly intervals;
 - (c) the site must be landscaped with perimeter planting consisting of advanced specimens of fast growing tree species;
 - (d) drainage must be provided to prevent ponding;



- (e) the site must be maintained so there is no sediment run-off onto adjacent premises, roads or footpaths;
- (f) the site must be maintained to ensure no nuisance to adjacent premises, roads or footpaths;
- (g) public access must be provided where public safety can be maintained; and
- (h) where fencing is installed to secure boundaries:
 - (i) the fencing must be durable and not capable of being pushed or blown over;
 - (ii) the fencing type must not detract from local amenity (barbed wire is not acceptable);
 - (iii) vandalism must be promptly repaired and any graffiti removed.

ENVIRONMENTAL HEALTH

Waste Management

42. Refuse storage, removal and collection facilities must be provided in accordance with the Approved Plans and the following:
- (a) collection by service vehicles from within the site only, and not from the kerbside;
 - (b) provision of a communal hardstand impervious area for the permanent storage location and service collection of all bulk bins, having minimum dimensions of 1.5 m² (1100mm x 1300mm) per bin and located no closer than 3 metres to the site frontage and 1.5m to any other boundary;
 - (c) provision of a 1.8m high purpose built enclosure to the communal bin store, which is screened from the street and adjoining properties by landscaping; and
 - (d) provision of a wash-down area in the vicinity of the permanent storage location fitted with a hosecock and a drain connected to the sewer that has a stormwater catchment area of no more than 1 m².

Acoustic Amenity

43. Acoustic measures and treatments must be incorporated into the development in accordance with Section 11 of the Acoustic Report listed within this Decision Notice.
**(Refer to Advisory Note)*
44. Certification must be submitted to Council from a qualified person* which certifies that the development has been constructed in accordance with Section 11 of the Acoustic Report listed within this Decision Notice.
**(Refer to Advisory Note)*
45. A complaints management procedure for the site must be prepared and submitted to Council prior to the issue of any Development Permit for Operational Works. The complaints management procedure must include the following:
- (a) a contact person with whom complaints can be lodged;
 - (b) a clearly defined procedure for responding to and investigating complaints; and
 - (c) a notification protocol to all complainants of the outcome of complaint investigations.
46. A record of all complaints and investigation results including corrective actions must be maintained and made available for inspection at any time upon request by Council.



Outdoor Lighting Devices

47. 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.
48. Certification must be submitted to Council from a qualified person* which certifies that all outdoor lighting devices comply with the requirements of this Decision Notice.
**(Refer to Advisory Note)*

UNITYWATER

49. Construction activities must not impede the access of Unitywater or Fire Brigade personnel to vital infrastructure (e.g. valves, fire hydrants and sewer access chambers).
50. Reticulated water must be provided to the development. This must include:
 - (a) ensuring that existing internal water pipes are wholly contained within the lot;
 - (b) the fire-fighting demand on Unitywater's water supply system from the development must not exceed 30 litres per second;
 - (c) 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; and
 - (d) the water meter must be located on an alternative boundary to the electrical pillar.
51. Reticulated sewerage must be provided to the development generally in accordance with the Concept Drawing UW-SK01 dated 10 Aug 2011. This must include:
 - (a) ensuring existing sewer house drains are wholly contained within the lot;
 - (b) connection to sewer must be made to the 500dia gravity sewer to the north of the site, via a 300dia gravity sewer;
 - (c) a 300dia sewer main must be extended to the Parklands Boulevard boundary in the south eastern corner of the lot to enable future mains extensions; and
 - (d) a 225dia sewer connection must be provided to adjoining Lot 2 RP171508 to the west to enable future mains extensions.
52. A 3.0 metre wide easement must be provided over all Unitywater sewers located in private property. A 4.0 metre wide easement must be provided over Unitywater sewers greater than 3.0 metres deep (where approved by Unitywater). Easements must be located centrally over the main. Sewers on side boundary alignments may require easements within adjacent properties.
53. Where necessary, written approval to enter and construct, must be obtained from the owners of properties through which external sewers traverse. The approval must be submitted with lodgement of the associated development application for Operational Works.
54. A Trade Waste permit must be obtained prior to stormwater, groundwater or sump pump discharge into Unitywater's sewerage system.
55. Buildings, basements and other structures must maintain a minimum clearance of 1.5 metres from Unitywater sewer mains and 1.0 metre from sewer manhole chambers and inspection openings.



56. Storm water retention systems and gross pollutant traps must maintain a minimum clearance of 1.5 metres from Unitywater water supply and sewerage infrastructure.
57. 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 of suitable approved varieties.
58. 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:

Concurrence	State Agency	Referral Trigger	Response
Concurrence	Department of Transport & Main Roads	Public Passenger Transport and Railways	The agency provided its response on 15 March 2012 (Reference No. TMR12-001109). A copy of the response is attached.
Concurrence	Department of Environment & Resource Management	Clearing Vegetation	The agency provided its response on 12 August 2011 (Reference No. IC0811NAM0014). A copy of the response is attached.
Advice	Department of Environment & Resource Management	Wetlands	The agency provided its response on 13 September 2011 (Reference No. IC0811NAM0014).
Advice	Department of Environment & Resource Management	Acid Sulphate Soils	The agency provided its response on 10 August 2011 (Reference No. IC0811NAM0014).

A copy of any referral agency conditions is attached.

6. APPROVED PLANS

The following plans are Approved Plans for the development:

Approved Plans

Plan No.	Rev.	Plan Name	Date
0221-SD242B	B	<i>Basement Carpark Plan</i> , prepared by Brad Read Design Group Pty Ltd	15 April 2011
0021-SD243C	C	<i>Shops Ground Floor Plan</i> , prepared by Brad Read Design Group Pty Ltd	15 April 2011

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

Plans Requiring Amendment

Plan No.	Rev.	Plan Name	Date
0221-SD241M	M	Site Plan, prepared by Brad Read Design Group Pty Ltd	27 October 2011
0221 – SD245A	A	Retail Elevations, prepared by Brad Read Design Group Pty Ltd	15 April 2011
Amendments		<ol style="list-style-type: none"> 1. Plan to be amended to provide for acoustically enclosed loading dock for the retail and supermarket loading facilities in accordance with the recommendations and Figure 6.1 of the acoustic report listed within this decision notice 2. Amend as per condition 3 of this approval 3. Amend to incorporate required landscape buffers set out in the LANDSCAPE AND ECOLOGY section of the conditions. 	

Plan No.	Rev.	Plan Name	Date
0221-SD246B	B	Tavern Ground Floor Plan, prepared by Brad Read Design Group Pty Ltd	15 April 2011
0021 – SD248B	B	Tavern Elevations, prepared by Brad Read Design Group Pty Ltd	15 April 2011
Amendments		1. Amend as per condition 3 of this approval (as required)	

Plan No.	Rev.	Plan Name	Date
11/7608-	A	Intersection Stage 1 prepared by Crocker & Associates Pty Ltd	17 October 2011
Amendments		<ol style="list-style-type: none"> 1. Traffic lanes, bicycle lanes and verges to be amended to match conditions. 2. Traffic lanes to be aligned to match designed road alignment west of Meridan State School. 	

7. REFERENCED DOCUMENTS

The following documents are referenced in the assessment manager conditions:

Referenced Documents

Document No.	Rev.	Document Name	Date
11/7608	Unspecified	Stormwater Management Plan, Retail Development Location at Lot 101 SP223686, 242 Parklands Boulevard, Meridan Plains prepared by Crocker & Associates Pty Ltd (As submitted as part of the Response to	Undated

		Council's Information Request as Appendix E)	
6116R01V01		Noise Impact Assessment, prepared by ASK Consulting Engineers	7/12/11
ED 11210 DA - 01	B	Landscape Plan – Development Application, prepared by JS of Element Design	17.11.11

8. ADVISORY NOTES

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

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.

Infrastructure Charges

2. 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*.

Nature and Extent of Approved Development

3. The applicant is advised that this development approval comprises a Material Change of Use for a Shopping Complex (4,850 m² Shopping Complex and 1,150 m² Tavern)

Resubmission of Amended Plans Required

4. The conditions of this Decision Notice require resubmission of plan/s to Council with amendments. Please address the amended plans to Council's Planning Assessment Branch with the Reference No. MCU11/0160, separate to any Operational Works application. To avoid delays and assessment issues with the Operational Works application, it is recommended the plans be resubmitted prior to lodgement of any Operational Works application. However, should the plans not be submitted, the applicant is advised that a Preliminary Approval for Operational Work may be issued in lieu of a Development Permit.

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.

Noise

6. The applicant is advised to ensure that during the detailed building design and construction phase, including the design, selection and installation of fixed plant and

equipment, A/C units and refrigeration plant, mechanical exhausts, acoustic enclosures/plant rooms and the like, that the ongoing advice and design input of a qualified acoustic consultant is sought and implemented to ensure that the operation of such plant and equipment complies with statutory and planning noise limits. Mechanical plant and equipment must be provided with appropriate acoustic enclosures/screening and located away from adjacent noise sensitive premises.

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) 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
 - (b) maintenance and protection of water quality and existing drainage lines through the construction site, through the implementation of appropriate erosion and sediment control measures
 - (c) works programme identifying key components of the works and their respective durations
 - (d) establishment of a communication protocol with the general public, adjoining owners, emergency services and local businesses to advise of agreed construction times, impacts on traffic and services and other relevant issues
 - (e) identification of complaint management procedures including:
 - (i) contact details for the on-site manager
 - (ii) dispute resolution procedures
 - (f) details on the location of external fill sites/sources, the haulage route, type of vehicle to be utilised during filling operations and frequency of usage. **NB** any damage to the existing road system as a result of haulage operations shall be fully repaired at the applicant's expense
 - (g) 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.

Co-ordination of Operational Works Assessment

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



Qualified Person

9. For the purpose of certifying acoustic treatments for the development, a qualified person is considered to be either:
 - (a) a Registered Professional Engineer of Queensland;
 - (b) an environmental consultant with a minimum of 3 years current experience in the field of acoustics.
10. For the purpose of certifying acoustic barrier construction for the development, a qualified person is considered to be a Registered Professional Engineer of Queensland.
11. For the purpose of certifying outdoor lighting devices for the development, a qualified person is considered to be either:
 - (a) a Registered Professional Engineer of Queensland;
 - (b) an environmental or electrical design consultant with a minimum of 3 years current experience in the field of outdoor lighting.
12. 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).
13. For the purpose of certifying the design of rainwater collection tanks, a qualified person is considered to be a Registered Professional Engineer of Queensland (RPEQ).
14. 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.

Lawful Point of Discharge

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

Extension of Drainage System for Stormwater External to the Site

16. During all but extreme rainfall events stormwater external to the site is intercepted by the drain on the southern side of Parklands Boulevard and is directed to the east where it is discharged under Parklands Boulevard. During extreme events when the capacity of the culverts is exceeded there is the potential that the eastern portion of the site (CAMCOS corridor) forms a relief overland flowpath. If it is found through preparation of a detailed flood assessment that this is the case then the CAMCOS corridor will need to be shaped to convey these flood flows in an overland flowpath designed in accordance with Council's DDPSP.

Preparation of a Maintenance Manual

17. To ensure expedient assessment of any Operational Works application, the applicant is advised that the Maintenance Manual required by this Decision Notice must include:
 - (a) a plan showing the location of the individual components of the system
 - (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 schedule or timetable for the proposed regular inspection, maintenance and monitoring of the devices.



Preparation of a Landscape Plan

18. 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.

Unitywater

19. Connection to Unitywater live water mains and the Unitywater live sewer system must be undertaken by Unitywater at the applicants cost.
20. 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.

Equitable Access and Facilities

21. 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).

The 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

22. 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:

MCU11/0160 – Stormwater Quality Treatment Devices

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 the endorsed maintenance manual. Records of maintenance activities undertaken are to be kept and made available to Council Officers upon request.

10. PRELIMINARY APPROVAL OVERRIDING PLANNING SCHEME

Not Applicable.

11. FURTHER DEVELOPMENT PERMITS REQUIRED

- Development Permit for Operational Work
- Development Permit for Building Work

12. SELF ASSESSABLE CODES

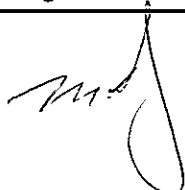
Not Applicable

13. SUBMISSIONS

There were 11 properly made submissions including 2 petitions containing a total of 48 and 43 signatures respectively about the application. In accordance with *Sustainable Planning Act 2009*, the name and address of the principal submitter for each properly made submission is provided and attached.

14. REASONS / GROUNDS FOR APPROVAL DESPITE CONFLICT WITH SCHEME

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



- (i) the proposed development would not affect the role of retail centres within the hierarchy;
- (ii) the proposal will benefit the community by providing greater choice and convenience and increased competition; and
- (iii) the location of the complex is consistent with the planning scheme requirements.

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 or at Council Offices.



ITEM 7.2.1 JULY 2012 FINANCIAL PERFORMANCE REPORT – APP A – JULY 2012 FINANCIAL PERFORMANCE REPORT

http://s1.sunshinecoast.qld.gov.au/addfiles/agendaAttachments/OM_200912/Attach7.pdf

ITEM 7.2.2 2012/2013 BUDGET AMENDMENT FOR 2011/2012 CARRY-OVER WORKS – APP A – 2011-12 FINANCIAL STATEMENTS

http://s1.sunshinecoast.qld.gov.au/addfiles/agendaAttachments/OM_200912/Attach8.pdf

ITEM 7.2.2 2012/2013 BUDGET AMENDMENT FOR 2011/2012 CARRY-OVER WORKS – APP B – 2012-13 FINANCIAL STATEMENTS

http://s1.sunshinecoast.qld.gov.au/addfiles/agendaAttachments/OM_200912/Attach9.pdf

ITEM 7.2.3 REVIEW OF GROUPS, BOARDS, TASKFORCES, CORPORATIONS AND COMMITTEES – APP A – COMMITTEES RECOMMENDED TO CONTINUE AMENDED

http://cms.sunshinecoast.qld.gov.au/addfiles/agendaAttachments/OM_200912/Attach19.pdf

ITEM 7.2.3 REVIEW OF GROUPS, BOARDS, TASKFORCES, CORPORATIONS AND COMMITTEES – APP B – COMMITTEES RECOMMENDED TO CEASE - AMENDED

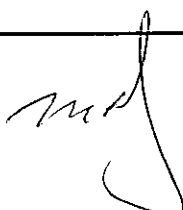
http://cms.sunshinecoast.qld.gov.au/addfiles/agendaAttachments/OM_200912/Attach20.pdf

ITEM 7.2.3 REVIEW OF GROUPS, BOARDS, TASKFORCES, CORPORATIONS AND COMMITTEES – APP C – COMMITTEES – CEASED OPERATION - AMENDED

http://cms.sunshinecoast.qld.gov.au/addfiles/agendaAttachments/OM_200912/Attach21.pdf

ITEM 7.2.4 DRAFT CALOUNDRA AERODROME MASTER PLAN – APP A – MASTER PLAN

Due to the size of this document an electronic link has not been provided.



**ITEM 10.1.1 CONFIDENTIAL – NOT FOR PUBLIC RELEASE – TEMPORARY LOCAL
PLANNING INSTRUMENT – SUNSHINE COAST AIRPORT – APP A – 01/2012
TEMPORARY LOCAL PLANNING INSTRUMENT**

http://cms.sunshinecoast.qld.gov.au/addfiles/agendaAttachments/OM_200912/Attach22.pdf

