

**ASSESSMENT MANAGER CONDITIONS**

The following conditions of approval apply to the amended Precinct Estate Plan – Birtinya 2007:

1. all walls/signage associated with entry points to the precinct shall be located on or within the boundaries of privately owned lots;
- 1A The Master Developer must provide the canoe launch facility shown on maps 9 and 10D prior to issue of Design Plan approval for the final stage of Detailed Planning Area 11 (Birtinya Island). The works must be provided in accordance with an Operational Works approval.

**ENVIRONMENT**

2. transfer and surrender to the Crown all parks (Neighbourhood, Precinct and Linear) and open space areas as identified in the relevant Precinct Estate Plan or relocated as a consequence of Environment Conditions included in this decision notice;
3. no clearing of native vegetation indigenous within any park identified in the Precinct Estate Plan is to occur without the prior written approval of Council's Growth Management Unit;
4. where the trunk collector road adjoins the Esplanade, this road is to be widened to provide parallel on street parking. This parking is to provide combined access for canoe launching into Currimundi Creek and to the relocated pedestrian/bikeway bridge access over Currimundi Creek in the vicinity of the Energex Easement.
5. a canoe launching area is to be co-located with the proposed pedestrian/bikeway bridge over Currimundi Creek in the vicinity of the Energex Easement;
6. provision for a future Pedestrian/Bikeway access is to be provided in the vicinity of the junction of Currimundi Creek (Nth Arm) and Pangali Canal;

**ENVIRONMENTAL HEALTH**

7. Stormwater Quality Improvement Devices (SQID) are to be provided in accordance with Council's Manual of Engineering Guidelines, the Development Design Planning Scheme Policy and other relevant Policy and Guidelines. The SQID treatment strategy shall be submitted for assessment at the time application is made for design plan approval under the Land Act 1994 and/or reconfiguring a lot under the Integrated Planning Act 1997. Detailed engineering design may be assessed as part of operational works applications for civil works;
8. The layout and design of the development including urban and landscaping design measures shall comply with section 3.4 of Council's Transitional Planning Scheme, with respect to acoustic controls. Acoustic treatments for road traffic noise shall be implemented generally in accordance with the noise report (report prepared by ASK Consulting Engineers, dated 10 August 2004, ref no. 3129R01V03.doc). Landscaping treatments of acoustic controls (eg noise barriers) will be required to mask and/or soften the visual presence of acoustic controls to public areas, including designated movement networks. Such landscaping and screening treatments shall be provided in accordance with the relevant policies of Council;

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*Note: refer to "advice to applicant"*

9. Site development works shall be undertaken in accordance with the relevant provisions of Council's Transitional Planning Scheme (including section 3.9), the Development Design Planning Scheme Policy, and the relevant requirements of other State and Federal Government Agencies, where those requirements are triggered via legislative provision.

*Site development works* means those works required to be undertaken to construct and establish the Birtinya development, including but not necessarily limited to soil stripping, bulk and minor earthworks, canal excavations and filling (land reclamation), civil works, landscaping works, infrastructure works, and water quality management including the handling and management of acid sulfate soils;

#### ENGINEERING

10. a turnaround area (for use by refuse collection vehicles) must be provided at the end of each street, generally in accordance with the requirements of Queensland Streets. At ends of streets where it is proposed to provide "driveway" type accesses beyond the designated turnaround areas, a common collection point for refuse collection must be provided near the entrance to each "driveway access";
11. wherever an acoustic fence is proposed to be erected at a property boundary, the fence and its associated infrastructure must be within the property, so that the property owner will be responsible for its future maintenance;
12. wherever a retaining wall is proposed to be erected at a property boundary (for lots abutting the waterfront esplanade), the wall and its associated infrastructure must be within the property, so that the property owner will be responsible for its future maintenance;
13. no boat mooring facilities are permitted within the Lake until such time as the Lake Management Plan is endorsed by Council;
14. quay lines adjacent to proposed stormwater drainage outlets must be a minimum of 3 metres clear of the stormwater pipe and concrete outlet structure;
15. each allotment with a quay line allocation must have constructed stairway access from the allotment directly to the waterfront esplanade. These stairs must be located within the property, so that the property owner will be responsible for its future maintenance;
16. The road cross-sections shown on Maps 6A – 6D are indicative only. The final cross-sections shall be agreed with Council prior to submission of a design plan application and shall be subject to a revised road network performance study to cater for changing surrounding land uses;
17. The road bridges proposed within the Birtinya development shall be designed in accordance with current Australian Standards. The design criteria shall be considered as follows in accordance with AS5100:
- The Lake Kawana Boulevard Bridge is located on a heavy vehicle access route and must be designed for the HLP320 and T44 design loads;
  - The balance bridges must be designed for the likely loading associated with their road designation;

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- Final bridge arrangements shall be determined and agreed with Council prior to application for Operational Works;
18. any existing water and sewer infrastructure located within the proposed development shall be fully contained within road reserve. In areas where this is not possible, an easement in the favour of Council shall be placed over said infrastructure;

#### ADVICE TO APPLICANT

- (a) please provide an electronic copy of the final version of the Master Plan document in 'word' format along with six (6) hard copies (including one (1) set of A1 plans detailing the entire Precinct / Estate Plan area) of the Master Plan document for Council's endorsement;
- (b) at the time application is made for Material Change of Use for those sites described as "Residential 2" on the approved Master Plan, a detailed noise report will be required, for those "Residential 2" land use areas which were not included in the noise impact report assessment;
- (c) The layout of the Master Plan may require amendment, where residential land use areas abut the 132kv power line easement, in order to accommodate the potential requirements of the power supplier, with respect to existing easement widths adjoining proposed residential development;
- (d) The *Environmental Protection Act 1994* states that a person must not carry out any activity that causes, or is likely to cause, environmental harm unless the person takes all reasonable and practicable measures to prevent or minimise the harm. Environmental harm includes environmental nuisance. In this regard persons and entities, involved in the civil, earthworks and construction phases of this development, are to adhere to their "general environmental duty" to minimise the risk of causing environmental harm.
- Environmental harm is defined by the Act as any adverse affect, or potential adverse affect whether temporary or permanent and of whatever magnitude, duration or frequency on an environmental value and includes environmental nuisance. Therefore, no person should cause any interference with the environment or amenity of the area by reason of the emission of noise, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit, sediment, oil or otherwise, or cause hazards likely in the opinion of the Council to cause undue disturbance or annoyance to persons or affect property not connected with the use;
- (e) It is acknowledged that a revised Local Area Traffic Network Study for Birtinya has been provided for Council's consideration. The revised LATNS incorporates two additional road links for the Birtinya area. Both links are located within the area marked for further investigation and as such will require further consideration and amendments to the documents mentioned above;
- (f) Your advice is requested on the timing, construction and location of pedestrian and cycle links from Birtinya to Kawana Forest. Council is seeking two central links through to Kawana Forest.
- (g) natural revegetation is to be encouraged in the esplanade neighbourhood parks adjacent to Pangali canal and Currimundi creek (north arm);

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- (h) The Further Investigation Area identified in the Precinct / Estate Plan has been established to consider further planning implications upon the Birtinya Neighbourhood as a result of the proposed state hospital and associated uses;
- (i) Condition 10(2) of the Structure Plan approval requires the applicant to prepare a Lake Management Plan for Lake Kawana. The Lake Management Plan for Lake Kawana has been submitted and is currently being assessed by Council staff;
- (j) Notwithstanding the Further Investigation Area and the establishment of a regional hospital in the Birtinya Precinct / Estate Plan area, the full quota of open space as required by the Development Agreement and Development Control Plan 1 must be provided;
- (k) At the time of subsequent Master Plan and/or design plan applications for this area, the undergrounding of the existing high voltage power lines must be addressed.

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