

APPENDIX A - CONDITIONS OF APPROVAL

1. APPLICATION DETAILS

Application No:	MCU15/0305
Street Address:	53 The Esplanade MAROOCHYDORE QLD 4558
Real Property Description:	Lot 504, 505, 506, 514 & 515 M 5672
Planning Scheme:	Sunshine Coast Planning Scheme (7 December 2015)

2. DECISION DETAILS

The following type of approval has been issued:

Development Permit for Material Change of Use of Premises to establish Multiple Dwelling (143 units), Shops, Food & Drink Outlets, Health Care Services and Office (real estate office or bank)

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. INFRASTRUCTURE

Where conditions relate to the provision of infrastructure, these are non-trunk infrastructure conditions unless specifically nominated as a “necessary infrastructure condition” for the provision of trunk infrastructure as defined under chapter 8 of the Sustainable Planning Action 2009.

5. 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.

Nature and Extent of Approved Use

3. The use of the approved office located on the ground floor of the south building is limited to a real estate office or a bank.

4. Non-residential uses on the premises must not operate outside the hours of:
- (a) 7am to 10pm Monday to Thursday
 - (b) 7am to 11pm Friday and Saturday and
 - (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 non-residential uses on the premises (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.
6. Security measures must be installed such that building users do not have access to areas that are intended for the exclusive use of residents and visitors.
7. A pedestrian link through the site between Memorial Avenue and The Esplanade shall be provided generally in accordance with the approved plans. The pedestrian link shall be clearly identifiable through the use of consistent paving and shall remain open and accessible at all times.

Building Height

8. The maximum height of the development must not exceed 25 metres above RL3.12m.
9. Certification must be submitted to Council from a Cadastral Surveyor which certifies that the buildings do not exceed the maximum height requirement of this Decision Notice.

Street Identification

10. The street address of the development must be clearly visible and discernible from the frontages of the site by the provision of a street number/s and, where appropriate, building name/s.

Building Appearance

11. All air conditioning units, mechanical equipment and other service infrastructure must be visually integrated into the design and finish of the building, or otherwise fully enclosed or screened such that they are not visible from the street frontages nor adjoining properties.
12. All deck and balcony areas above ground floor must not be enclosed by permanent fixtures such as shutters, louvers, glass panelling or the like, except where required to satisfy any screening or privacy condition of this Decision Notice.
13. Ground floor shopfront glazing along The Esplanade frontage must be fully transparent to a minimum of 65% of the street frontage to allow passive surveillance and encourage social interaction. Internal walls and shelving must not be erected within 1 metre of the glazing where they would prevent views from the street into the retail space, unless otherwise agreed to in writing by Council.

14. Any security screens on the premises consist of grille or translucent screens and not solid shutters, screens or roller-doors.
15. Building materials and hard surfaces used in landscape or streetscape works are not highly reflective, or likely to create glare, slippery or otherwise hazardous conditions.

Weather Protection

16. Street awnings must be provided along the full length of The Esplanade frontage, generally in accordance with the approved plans.

Fencing and Walls

17. Any street fencing to Memorial Avenue must be set back behind all landscaping area/s located adjacent to Memorial Avenue, as shown on the approved plans, and must not exceed a maximum height of:
 - (a) 1.8m, where at least 50% of the fence or wall is transparent or
 - (b) 1.2m otherwise.
18. The area of land between any street fencing to Memorial Avenue and the Memorial Avenue property boundary must be densely landscaped to screen any fencing from the street.
19. A minimum 1.8 metre high solid screen fence is provided and maintained along the full length of any side or rear boundary.

Clothes Drying Facilities

20. Each dwelling unit must be provided with a non-mechanical (natural) clothes drying area, or alternatively, each dwelling unit must have access to a communal outdoor clothes drying area that is fitted with robust clothes lines. Where individual clothes drying areas are provided on balconies, they are to be concealed or screened from public view.

Protection of Privacy

21. To ensure privacy is protected between adjoining properties, privacy screens shall be provided to the easternmost and westernmost windows of units in the north building in the locations shown on the approved plans.

Communal Recreation Area/s

22. Communal recreation area/s must be provided as shown on the approved plans.

Community Management Statement

23. Any proposed Community Management Statement required for the development pursuant to the *Body Corporate and Community Management Act 1997* must be submitted to Council for endorsement at the same time as submission of the Building Format Plan (or similar) to Council for compliance assessment.

24. All clauses and by-laws of the proposed Community Management Statement must accord with the requirements of this Decision Notice. In particular, the Community Management Statement must include the operations and maintenance manual for the proprietary devices for stormwater quality management, and must include the full cost of maintaining the system in accordance with the manual including replacement of any Cartridges (refer to engineering conditions).

Renewable Energy (Sustainable Design Code)

25. The development must implement the use of solar power or other pollution reducing renewable energy sources to supply part or all of the development's energy needs (e.g. the inclusion of solar panels, solar hot water, or energy efficient devices such as a heat pump).

Public Safety

26. All ground floor shopfront glazing must be protected against unlawful entry by the use of a form of safety glass such as toughened or laminated glass. All other windows provided at the ground floor must include toughened or laminated glass, or security screens.
27. Vandal proof materials and anti-graffiti paint must be used in the building construction.
28. Signs must be provided and located to direct people to entries and exits and to parking spaces within the site. Parking areas for customers of the business activities in the north building and the office in the south building, and visitors to the multiple dwelling units, must be clearly designated as such and have clearly defined access points.
29. During operating hours, all building entrances, parking areas, pedestrian areas and entrances/exits to all stairwells, lifts, foyers/reception areas, loading docks, and toilets for customers of the business activities in the north building and customers of the office in the south building, must be well lit with vandal resistant lighting and with intensities to satisfy the requirements of *AS1158 - Lighting for Roads and Public Spaces and the Sunshine Coast Public Lighting Plan*. Lighting must be directed onto the site or building and away from neighbouring sites. Lighting must be designed to reduce the contrast between shadows and well lit areas.
30. The location of the controlled access points in the Level 1 basement of the north building and the location of the roller shutter in the basement of the south building must be in accordance with the approved plans.
31. Multi-level car parks must include the following:
- emergency telephones to security personnel
 - mechanical surveillance
 - alarms or poles or
 - other similarly effective safety and security measures.

ENGINEERING

External Works

32. The Esplanade 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, the removal of all existing kerb crossovers and reinstatement of kerb and channel.
33. Memorial Ave 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) removal of all existing kerb crossovers and reinstatement of kerb and channel;
 - (b) removal of the existing bus shelter and linemarking
 - (c) removal of existing carparking linemarking and reinstallation of 3 carparking bays between the proposed entrance driveways and
 - (d) relocation of the existing overhead electricity to an underground alignment in accordance with the conditions of this Decision Notice.

Property Access and Driveways

34. Sealed access driveways must be provided from Memorial Ave to all parking and manoeuvring areas of the development. The works must be undertaken in accordance with the approved plans and an Operational Works approval and must include in particular:
 - (a) driveway crossovers in accordance with IPWEAQ standard drawing SEQ RS-051, Type A
 - (b) suitable safety measures, including warning signage, to improve driver awareness of pedestrians and enhance pedestrian safety. Warning signage must be provided near the exit ramp from the underground parking area to warn motorists of pedestrian movement along the frontage street and
 - (c) an intercom device, or approved alternative, must be installed where any visitor parking is provided behind a security gate.

Car Parking

35. A minimum of 218 car parking and 21 motorcycle parking spaces must be provided and marked on the site, and made available and accessible at all times while the use is open for business. The works must be undertaken in accordance with an Operational Works approval and must include in particular:
 - (a) a minimum of 143 car parking spaces and 15 motorcycle spaces for the multiple dwelling within the total
 - (b) 30 visitor car parking spaces for the multiple dwelling within the total, which are clearly marked for that purpose and accessible at all times for visitor use
 - (c) 35 car parking spaces and 3 motorcycle spaces for the business activities in the north building within the total
 - (d) 10 car parking spaces and 3 motorcycle spaces for the office use in the south building within the total
 - (e) pedestrian routes in accordance with the conditions of this Decision Notice;
 - (f) 2 disabled parking spaces within the total and
 - (g) crossfalls and gradients in accordance with Australian Standard AS2890: Parking Facilities.

36. 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.

Security Access to Carpark

37. Where access to the carpark is proposed to be restricted by a security gate, provision must be made for queuing of vehicles clear of the roadway while waiting for the security gate to open.

Service Vehicles

38. Service vehicle parking, manoeuvring and standing spaces must be provided on the site. The works must be undertaken in accordance with an Operational Works approval and must include in particular:
- (a) 2 van spaces
 - (b) 1 MRV space and
 - (c) occasional access for a LRV.

Pedestrian and Bicycle Facilities

39. Pedestrian and bicycle facilities must be provided for the development. The works must be undertaken in accordance with an Operational Works approval and must include in particular:
- (a) a 1.8 metre wide concrete footpath within the road verge for the entire length of the site's frontage to Memorial Ave
 - (b) pedestrian pathways/links between the proposed car parking area/s and the buildings
 - (c) 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
 - (d) signage and lighting at strategic locations to direct people to building entries and public toilet facilities
 - (e) pedestrian refuge areas at strategic locations within the carpark to ensure safe and convenient congregating of pedestrians waiting to cross major access driveways
 - (f) a total of 179 class B (AS2890.3:2015) bicycle parking spaces for the multiple dwelling
 - (g) a total of 6 class B (AS2890.3:2015) bicycle parking spaces for the office use in the south building
 - (h) a total of 16 class C (AS2890.3:2015) bicycle parking spaces for the business activities in the north building and
 - (i) end of trip facilities involving lockers, male and female showers and change rooms for office use in the south building and the business activities in the north building.

Stormwater Drainage

40. 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 shown on the Approved Plans and described in section 3 of the Stormwater and Flooding Report listed in this Decision Notice and
 - (b) the use of gravity stormwater drainage and not surcharge pits.

Stormwater Quality Management

41. A stormwater quality treatment system must be provided for the development. The works must be undertaken in accordance with an Operational Works approval, and include stormwater quality treatment devices of a size and location generally in accordance with those shown in section 3 of the of the Stormwater and Flooding Report listed in this Decision Notice.
42. All Stormwater proprietary stormwater quality treatment devices must be routinely checked, serviced and cleaned in accordance with the manufacturer's recommendations. Records of all maintenance activities undertaken must be kept and made available to Council upon request. Where replacement cartridges or other necessary components for the system become unavailable, an alternative system is required to be retrofitted into the development to achieve an equivalent pollutant reduction outcome.

Stormwater Harvesting

43. Operating rainwater collection tanks must be provided as shown on the Approved Plans and as identified in section 3 of the Stormwater and Flooding Report listed in this Decision Notice. The tanks must be provided in accordance with a Building Works approval.
44. 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)*

Flood Immunity

45. The minimum floor level of all buildings constructed on the site must be in accordance with the Approved Plans.

Electricity and Telecommunication Services

46. 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.
47. Certification must be submitted to Council 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.

Undergrounding of Existing Overhead Powerlines

48. The existing overhead electricity reticulation across the Memorial Ave frontage of the site must be placed underground. The works must be undertaken in accordance with an Operational Works approval and must include, in particular, placement on Council's standard alignment as shown on Standard Drawings SEQ R-100 and R-101.

Water and Sewerage Services

49. An underground connection to reticulated water and sewerage must be provided to the development site in accordance with the standards and requirements of Northern SEQ Distributor-Retailer Authority (Unitywater).
50. A Certificate of Completion from the Northern SEQ Distributor-Retailer Authority (Unitywater) must be submitted to Council that certifies an underground connection to reticulated water and sewerage has been provided to the development site at the time of commencement of use.

Earthworks and Retaining Walls

51. 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.

ENVIRONMENTAL HEALTH

Amenity

52. Acoustic measures and treatments must be incorporated into the development in accordance with Section 6 Recommended Acoustic Treatments and Section 7.6 Ground Floor/Commercial of the *Noise Impact Assessment* listed within this Decision Notice.
53. Certification must be submitted to Council from a qualified person* which certifies that the development has been constructed in accordance with Section 6 Recommended Acoustic Treatments and Section 7.6 Ground Floor/Commercial of the *Noise Impact Assessment* listed within this Decision Notice.
**(Refer to Advisory Note)*
54. Any fixed plant and equipment* that causes either tonal (L_{eq}) sound (e.g. from basement car-park exhaust, air conditioning unit or pool filtration unit), or impulse (L_{max}) sound, must be enclosed, shielded and/or positioned to ensure that sound pressure does not exceed the following levels for habitable rooms within dwellings:
 - (a) 45 dB(A) L_{eq} for living and work areas
 - (b) 40 dB(A) L_{eq} for sleeping areas
 - (c) 50 dB(A) L_{max} for all areas
 - (d) Note: Measurement of sound pressure levels (adjusted for tonality and impulse) must be in accordance with Australian Standard AS1055.1 "*Acoustics - Description and measurement of environmental noise - General procedures*".
**(Refer to Advisory Note)*
55. Certification must be submitted to Council from a qualified person* which certifies that operational noise from any fixed plant and equipment complies with the requirements of this Decision Notice.
**(Refer to Advisory Note)*

Commercial Kitchen Exhaust

56. The development must be constructed with reticulated ducting inside the building to exhaust heat and odours from the ground floor commercial tenancies that may be used for a café/restaurant use to a discharge point above the roof of the highest storey.
57. The commercial kitchen heat and odour discharge point/s above the roof of the highest storey must be located and managed in accordance with the Australian Standard AS1668.2-2012 *"The use of ventilation and air-conditioning in buildings"* (Section 3.10 - *Air Discharges*).
58. Certification must be submitted to Council from a qualified person* which certifies that reticulated ducting and the heat and odour discharge point/s for ground floor commercial tenancies comply with the requirements of this Decision Notice.
*Refer to Advisory Note

Outdoor Lighting Devices

59. 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.

Acid Sulfate Soils

60. All works must be carried out in accordance with Section 5.3 Neutralisation of Disturbed ASS and Appendix C Acid Sulfate Soil Management Plan of the *Geotechnical Investigation* listed in this Decision Notice and the works specified in accordance with an Acid Sulfate Soil and Groundwater Management Plan (or part thereof) prepared by a qualified person* and endorsed through an Operational Works approval.
*(Refer to Advisory Note)
61. The basement must be designed and constructed as a water excluding structure in accordance with Australian Standard AS3735 *"Concrete Structures for Retaining Liquids"* to ensure groundwater does not enter the basement after construction is completed.

Waste Management

62. Refuse storage, removal and collection facilities must be provided in accordance with the *Waste Management Plan* listed within this Decision Notice and the following:
- (a) provision of bulk bins* for general and recyclable waste for the site
 - (b) an at-grade movement path (8% or less) between the temporary on-site bin storage area and the on-site Waste Collection Vehicle i.e. no steps, edging, ledges or the like
 - (c) provision of waste chutes connected to each floor of the building/s for the disposal of general waste only (not recyclable waste). The waste chutes must be:
 - (i) vertical and cylindrical with a minimum diameter of 450mm
 - (ii) constructed of non-corrosive, smooth, impervious and noise-dampening material
 - (iii) contained within fire rated shafts

- (iv) constructed to finish at least 25mm below the ceiling level of the collection room and not more than 300mm above the height of the waste containers
 - (v) ventilated without causing odour within the building
 - (vi) fly and vermin proof
 - (vii) fitted with maintenance access and cleaning appliances and
 - (viii) fitted with self-closing hoppers on each level located between 1.0m and 1.5m above the floor level, and with wall and floor surfaces around the hopper of an impervious easy to clean material
- (d) provision of a waste room at the bottom of the waste chutes for the collection and permanent storage location of general and recyclable waste collection bins. The waste room must be:
- (i) constructed of fire rated, impervious and smooth materials to all walls, floors, doors and junctions
 - (ii) fly and vermin proof
 - (iii) fitted with a lock capable of being opened from the inside without a key at any time
 - (iv) refrigerated or otherwise ventilated to reduce odour and
 - (v) co-located with a hose-cock and drain connected to the sewer.
- *(Refer to Advisory Note)*

Certification must be submitted to Council from a qualified person* which certifies that all waste chutes and waste rooms have been constructed in accordance with the requirements of this Decision Notice.

**(Refer to Advisory Note)*

LANDSCAPING

63. The development site must be landscaped. The works must be undertaken in accordance with an Operational Works approval and the Sunshine Coast Council landscape materials palette for that specific area and must include in particular:
- (a) the works shown on the approved plans including podium planting
 - (b) a landscaping strip along the Memorial Avenue road frontage of the subject site, exclusive of the access driveway, generally uncompromised by infrastructure items, to the areas indicated on the approved plans
 - (c) mounding of the landscape bed addressing the Memorial Avenue frontage to an approximate 1:4 grade
 - (d) construction detailing demonstrating basement set downs addressing Memorial Drive in accordance with the approved plans
 - (e) vegetated screening to the area between the fire hydrant pump room and transformer designed to achieve an effective screen within 2 years **OR** at maturity *(Note: ensure that the elevation of both the fire hydrant pump room and the transformer remain unobstructed by landscaping as per the relevant service providers requirements)*
 - (f) footway works to Memorial Ave shall include:
 - (i) provision of 1 street tree within the road reserve for every 6 metres of road frontage located in garden beds of maximum size 1.2m x 2m (Ensure locations are cognisant of access and egress from adjacent roadside parking bays) and
 - (ii) a 1.8m wide concrete pathway, setback 1.2m from the back of kerb, provide turf to the balance of the verge

- (g) footway works to The Esplanade shall include
 - (i) full width concrete from property boundary to back of kerb, (finishes to be agreed with the Landscape Officer Development Services) and
 - (ii) street trees (*Elaeocarpus obovatus*) provided in mulched beds to the rear of kerb (1.2m x 2m) with low under planting. (Ensure locations are cognisant of access and egress from adjacent roadside parking bays)
- (h) detail drawings for the build out/s within the Esplanade road carriageway including:
 - (i) engineering construction details (build out size shall be determined in consultation with Council's Assessment Manager)
 - (ii) excavated planting areas with large trees (e.g. *Melaleuca quinquenervia*) provided at appropriate spacings
 - (iii) flush kerbing and
 - (iv) groundcovers provided to ensure full coverage of the bed
- (i) control of all weeds species listed in the following standards and legislation:
 - (i) declared plants under the *Land Protection (Pest and Stock Route Management) Act 2002* and sub-ordinate Regulation 2003 and
 - (ii) *Sunshine Coast Local Government Area Pest Management Plan 2012-2016*.

64. All landscape works must be established and maintained in accordance with the approved design for the life of the development, and in a manner that ensures 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.

6. REFERRAL AGENCIES

Not Applicable.

7. APPROVED PLANS

The following plans are Approved Plans for the development:

Approved Plans

Plan No.	Rev.	Plan Name	Date
152545_A-D-N-02-01_C	C	North Building Basement Level 2 Plan, prepared by Core Architecture	08/12/2015
152545_A-D-N-02-02_C	C	North Building Basement Level 1 Plan, prepared by Core Architecture	08/12/2015
152545_A-D-N-02-03_G	G	North Building Ground Floor Plan, prepared by Core Architecture	08/12/2015
152545_A-D-N-02-04_D	D	North Building Level 1 Floor Plan (Podium), prepared by Core Architecture	08/12/2015
152545_A-D-N-02-05_D	D	North Building Levels 2 – 6 Floor Plan (Typical), prepared by Core Architecture	08/12/2015
152545_A-D-N-02-010_D	D	North Building Level 7 Floor Plan (Penthouse), prepared by Core Architecture	08/12/2015

Plan No.	Rev.	Plan Name	Date
152545_A-D-N-02-11_A	A	North Building Roof Plan, prepared by Core Architecture	08/12/2015
152545_A-D-N-04-01_B	B	North Building North Elevation, prepared by Core Architecture	08/12/2015
152545_A-D-N-04-02_D	D	North Building East Elevation, prepared by Core Architecture	08/12/2015
152545_A-D-N-04-03_C	C	North Building South Elevation, prepared by Core Architecture	08/12/2015
152545_A-D-N-04-04_D	D	North Building West Elevation, prepared by Core Architecture	08/12/2015
152545_A-D-N-05-01_C	C	North Building Section, prepared by Core Architecture	06/11/2015
152545_A-D-S-02-01_B	B	South Building Basement Floor Plan, prepared by Core Architecture	08/12/2015
152545_A-D-S-02-02_D	D	South Building Ground Floor Plan, prepared by Core Architecture	08/12/2015
152545_A-D-S-02-03_B	B	South Building Levels 1-7 Floor Plan (Typical), prepared by Core Architecture	08/12/2015
152545_A-D-S-02-10_A	A	South Building Roof Plan, prepared by Core Architecture	08/12/2015
152545_A-D-S-04-01_B	B	South Building Elevation – South, prepared by Core Architecture	08/12/2015
152545_A-D-S-04-02_B	B	South Building Elevation – West, prepared by Core Architecture	08/12/2015
152545_A-D-S-04-03_B	B	South Building Elevation – North, prepared by Core Architecture	08/12/2015
152545_A-D-S-04-04_B	B	South Building Elevation – East, prepared by Core Architecture	08/12/2015
152545_A-D-S-05-01_A	A	South Building Section, prepared by Core Architecture	08/12/2015
152545_A-D-A-01-01_C	C	Site Plan – Basement Level 2, prepared by Core Architecture	08/12/2015
152545_A-D-A-01-02_C	C	Site Plan – Basement Level 1, prepared by Core Architecture	08/12/2015
152545_A-D-A-01-03_C	C	Site Plan – Ground Level, prepared by Core Architecture	08/12/2015
152545_A-D-A-01-04_C	C	Site Plan – Level 1 (Podium), prepared by Core Architecture	08/12/2015
152545_A-D-A-01-05_C	C	Site Plan – Levels 2-6 (Typical), prepared by Core Architecture	08/12/2015
152545_A-D-A-01-06_C	C	Site Plan – Level 7 (Penthouse), prepared by Core Architecture	08/12/2015
152545_A-D-A-01-07_A	A	Site Plan – Roof, prepared by Core Architecture	08/12/2015
C03	4	Civil Services Waste Management Plans, prepared by Core Architecture	19/10/2015
SD-02[G] 2 of 6	G	Landscape Concept Strategy, Cotton Tree Apartments, Concept Plan – The Esplanade Entrance, prepared by Core Architecture	04/12/2015

Plan No.	Rev.	Plan Name	Date
SD-03[G] 3 of 6	G	<i>Landscape Concept Strategy, Cotton Tree Apartments, Concept Plan – Memorial Avenue Entrance, prepared by Core Architecture</i>	04/12/2015
SD-04[G] 4 of 6	G	<i>Landscape Concept Strategy, Cotton Tree Apartments, Section A, prepared by Core Architecture</i>	04/12/2015
SD-05[G] 5 of 6	G	<i>Landscape Concept Strategy, Cotton Tree Apartments, Concept Plan – Podium Level 1, prepared by Core Architecture</i>	04/12/2015
SD-06[G] 6 of 6	G	<i>Landscape Concept Strategy, Cotton Tree Apartments, Sketch Perspectives, prepared by Core Architecture</i>	04/12/2015

8. REFERENCED DOCUMENTS

The following documents are referenced in the assessment manager conditions:

Referenced Documents

Document No.	Rev.	Document Name	Date
VS15041	6	<i>Stormwater and Flooding Report Cotton Tree Apartments, Maroochydore QLD, prepared by Vital Design Solutions</i>	11/09/2015
20150735.1/1906A/R2/BW	1	<i>Noise Impact Assessment, prepared by Acoustic Logic</i>	19/06/2015
015-139A		<i>Geotechnical Investigation Residential Development 51-55 the Esplanade & 96-98 Memorial Avenue Maroochydore, prepared by Butler Partners</i>	16/06/2015

9. 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. An Infrastructure Charges Notice for Council's proportion of the infrastructure charge, applicable to this development approval, is attached. Unitywater may issue an Infrastructure Charges Notice for their proportion of the infrastructure charge.

Balance Lot for Staged Building Format Plans

3. In accordance with the Sustainable Planning Act 2009, any proposal to stage the titling arrangements of the development such that a Building Format Plan is registered with a balance lot for future development will first require a Development Permit for Reconfiguring a Lot be obtained from Council.

Equitable Access and Facilities

4. The plans for the proposed building work have NOT been assessed for compliance with the requirements of the National Construction Code - Building Code of Australia (Volume 1) as they relate to people with disabilities. Your attention is also directed to the fact that in addition to the requirements of the National Construction Code as they relate to people with disabilities, one or more of the following may impact on the proposed building work:
 - (a) the Disability Discrimination Act 1992 (Commonwealth)
 - (b) the Anti-Discrimination Act 1991 (Queensland) and
 - (c) the Disability (Access to Premises – Buildings) Standards.

Aboriginal Cultural Heritage Act 2003

5. There may be a requirement to establish a Cultural Heritage Management Plan and/or obtain approvals pursuant to the *Aboriginal Cultural Heritage Act 2003*. The *ACH Act* establishes a cultural heritage duty of care which provides that: “A person who carries out an activity must take all reasonable and practicable measures to ensure the activity does not harm Aboriginal cultural heritage.” It is an offence to fail to comply with the duty of care. Substantial monetary penalties may apply to individuals or corporations breaching this duty of care. Injunctions may also be issued by the Land Court, and the Minister administering the Act can also issue stop orders for an activity that is harming or is likely to harm Aboriginal cultural heritage or the cultural heritage value of Aboriginal cultural heritage.

You should contact the Cultural Heritage Unit on 07 3247 6212 to discuss any obligations under the *ACH Act*.

Other Laws and Requirements

6. This approval relates to development requiring approval under the Sustainable Planning Act 2009 only. It is the applicant's responsibility to obtain any other necessary approvals, licences or permits required under State and Federal legislation or Council local law, prior to carrying out the development. Information with respect to other Council approvals, licences or permits may be found in the “Laws & Permits” page of the Sunshine Coast Council website (www.sunshinecoast.qld.gov.au). For information about State and Federal requirements please consult with these agencies directly.

Easements and Future Works over External Land

7. Should the conditions of this Decision Notice require easements or works to be undertaken over land external to the site, Council recommends that easement and works requirements are negotiated with the relevant land owner/s prior to advancing to detailed design stages of the development to avoid unexpected costs or delays. To discuss easement or works requirements over Council owned or controlled land, please liaise directly with Council's Property Management Branch and note that compensation may be payable.

Waste Management

8. Council's Waste Management Branch provides bulk bins of varying capacity which may be serviced multiple times per week for general and recyclable waste. The Branch also provides waste collection vehicle dimensions and the vehicle weight for the purpose of road design and on-site manoeuvrability. Please liaise with the Branch for the preferred type and frequency of bin service required weekly and the methods of bin service.
9. For the building design and construction of the approved use, the direction of a qualified acoustic consultant will ensure the installation of fixed plant and equipment (e.g. air-conditioning condenser units, refrigeration plant and mechanical exhaust discharge) are suitably located and/or shielded to avoid nuisance being caused by any noise from the plant and equipment.

Qualified Persons

10. For the purpose of certifying installation of rainwater harvesting tanks, a qualified person is considered to be a Registered Professional Engineer of Queensland (RPEQ) experienced in structural engineering.
11. 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.
12. For the purpose of preparing an Acid Sulfate soil and Groundwater Management Plan, a qualified person is considered to be either:
- (a) a Registered Professional Engineer of Queensland (RPEQ) or
 - (b) a soil scientist with a minimum of 5 years experience in the field of acid sulfate soils.
13. For the purpose of certifying acoustic treatments or the exhaust of heat and odour from commercial tenancies for the development, a qualified person is considered to be either:
- (a) an environmental consultant with a minimum of 3 years current experience in the field of acoustics
 - (b) a Registered Professional Engineer of Queensland
14. 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.

15. For the purpose of certifying waste chute and waste storage room construction for the development, a qualified person is considered to be a Registered Professional Engineer of Queensland.

10. PROPERTY NOTES

Not Applicable.

11. PRELIMINARY APPROVAL OVERRIDING PLANNING SCHEME

Not Applicable.

12. FURTHER DEVELOPMENT PERMITS REQUIRED

- Development Permit for Operational Work (engineering work and landscape work); and
- Development Permit for Building Work.

13. SELF ASSESSABLE CODES

Not Applicable.

14. SUBMISSIONS

There were 23 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.

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.