

Minutes

Ordinary Meeting

Thursday, 28 March 2013

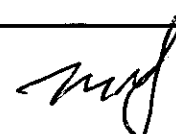
Council Chambers, 9 Pelican Street, Tewantin

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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 9:00am.

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

Councillor M Jamieson	Mayor
Councillor R Baberowski	Division 1
Councillor T Dwyer	Division 2 (absent items 10.1.1-10.4.1)
Councillor P Cox	Division 3
Councillor C Thompson	Division 4
Councillor J McKay	Division 5
Councillor C Dickson	Division 6
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 7.1.3; 7.1.4; 7.2.1)
Councillor T Wellington	Division 12

EXECUTIVE LEADERSHIP TEAM

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

APOLOGIES

Nil

COUNCIL OFFICERS

Senior Development Planner
Principal Development Planner
Response Services Manager
Healthy Places Manager
Director Development Services
General Manager Airports
Planning and Major Projects Manager
Principal Development Planner
Manager Environmental Operations
Project Coordinator
Manager Social Policy
Manager Property and Business
Project Delivery Design Manager
Manager Community Facilities
Solicitor Legal Services



3 RECEIPT AND CONFIRMATION OF MINUTES**Council Resolution****Moved: Councillor E Hungerford****Seconded: Councillor T Dwyer**

That the Minutes of the Ordinary Meeting held on 28 February 2013 be received and confirmed.

Carried unanimously.

PROCEDURAL MOTION**Moved: Councillor T Wellington****Seconded: Councillor R Baberowski**

That item 7.1.3 be dealt with as the first item on the agenda at the request of Councillor R Green.

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

Against: Councillor C Thompson.

Carried.

Councillor C Dickson and Councillor R Green were absent for the vote on this item.

Item 7.1.3 was dealt with at this time.



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

Councillor M Jamieson declared a perceived conflict of interest in relation to item 7.1.2 (as defined in section 173 of the *Local Government Act 2009*) due to his association with a submitter.

Councillor R Baberowski declared a perceived conflict of interest in relation to item 7.2.2 (as defined in section 173 of the *Local Government Act 2009*) due to his association with family attending the university.

Councillor E Hungerford declared a perceived conflict of interest in relation to item 7.2.2 (as defined in section 173 of the *Local Government Act 2009*) due to his association with family attending the university.

Councillor J McKay declared a perceived conflict of interest in relation to item 7.2.2 (as defined in section 173 of the *Local Government Act 2009*) due to her association with family attending the university.

5 MAYORAL MINUTE

Nil

6 PRESENTATIONS

Nil



7 REPORTS DIRECT TO COUNCIL**7.1 REGIONAL STRATEGY AND PLANNING****7.1.1 DEVELOPMENT APPLICATION FOR MATERIAL CHANGE OF USE -
MASTERS HOME IMPROVEMENT STORE & SHOWROOM FOR NOOSA
BUSINESS CENTRE - HOFMANN DRIVE, NOOSAVILLE****File No:** MCU12/0051**Author/Presenter:** Development Planner
Regional Strategy & Planning Department
Senior Development Planner
Regional Strategy & Planning Department**Appendices:** App A - Conditions of Approval**Attachments:** Att 1 - Proposal Plans
Att 2 - Noosa Business Centre Precinct Map**Council Resolution** (OM13/40)**Moved:** Councillor T Wellington**Seconded:** Councillor R Green

That Council REFUSE Application No. MCU12/0051 for a Material Change of Use of Premises for Masters Home Improvement Store and Retail Business Type 4 (Showroom) for the land situated at 2-18 Hofmann Drive Noosaville, for the following reasons:

- 1. the development is not sufficiently consistent with The Noosa Plan and there are insufficient grounds to justify approval of the development despite the conflict, and*
- 2. the proposed development has the potential to adversely impact on the economic viability of numerous existing businesses, particularly in the Noosaville Locality, and*
- 3. the specific outcomes of The Noosa Plan do not envisage any additional retail showrooms for the Noosa Business Centre, with an upper cap on gross floor area for Retail Business Type 4 - Showroom being "up to 7,000m²", an amount that has already been developed in the Noosa Business Centre.*

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

Carried.

Item 7.1.1 was considered following Item 7.2.2.



**7.1.2 MATERIAL CHANGE OF USE FOR ENTERTAINMENT & DINING
BUSINESS TYPE 1 - FOOD AND BEVERAGES (FUNCTION VENUE), 111
LUKES ROAD, COOROY MOUNTAIN**

File No: MCU12/0109
Author/Presenter: Principal Development Planner
Regional Strategy & Planning Department
Development Planner
Regional Strategy & Planning Department
Appendices: App A - Conditions of Approval
Attachments: Att 1 - Proposal Plan
Att 2 - Letters of Support

Councillor M Jamieson declared a real/perceived conflict of interest in this matter (as defined in section 173 of the *Local Government Act 2009*) due to his association with a submitter. Councillor M Jamieson left the meeting room for the debate and decision on this matter.

The Deputy Mayor took the chair.

Council Resolution (OM13/41)

Moved: Councillor T Wellington
Seconded: Councillor J McKay

That Council REFUSE Application No. MCU12/0109 for a Material Change of Use of Premises for Entertainment & Dining Business Type 1 - Food and Beverages (Function Venue) for the land situated at 111 Lukes Road, Cooroy Mountain, for the following reasons:

- 1. in accordance with Section 6.36 and Table 6.8 of the Noosa Plan, the proposed use is identified as an inconsistent use in the Rural Zone for the Cooroy and Lake Macdonald Locality and is therefore in conflict with the Planning Scheme. There are not sufficient grounds to justify approval of the development despite the conflict and*
- 2. the difficulty both monitoring and enforcing compliance of conditions required to manage the development will potentially result in a significant and adverse impact on the amenity of surrounding rural properties.*

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

Against: Councillor P Cox.

Carried.

Councillor M Jamieson was absent for the vote on this item.



7.1.3 REQUEST A CHANGE TO EXISTING APPROVAL FOR EXTENSION TO SHOPPING COMPLEX (BEERWAH MARKETPLACE) - PEACHESTER ROAD AND SIMPSON STREET, BEERWAH

File No: 2008/500078.01
Author/Presenter: Principal Development Planner
Regional Strategy & Planning Department
Appendices: App A - Proposed Schedule 2 in Infrastructure Agreement
App B - Conditions of Approval
Attachments: Att 1 - Proposal Plans (*Under Separate Cover*)
Att 2 - Concurrence Agency Conditions (*Under Separate Cover*)
Att 3 - Map BTP3 - Beerwah Township Structure Planning Elements and Urban Design (*Under Separate Cover*)
Att 4 - Negotiated Decision Notice as issued (*Under Separate Cover*)
Att 5 - Negotiated Decision Notice Plans (*Under Separate Cover*)
Att 6 - Previous Infrastructure Agreement (*Under Separate Cover*)

Council Resolution (OM13/42)

Moved: Councillor R Baberowski
Seconded: Councillor G Rogerson

That Council:

- (a) *authorise delegation to the Chief Executive Officer to approve a change to development approval, Application No. 2008/500078.01, generally in accordance with the conditions in Appendix B and*
- (b) *authorise delegation to the Chief Executive Officer to execute an infrastructure agreement with Village Fair Pty Ltd in accordance with the following Special Conditions:*
- 1. prior to the commencement of the use, the Owner shall design and construct a bicycle and pedestrian path extending from Pine Camp Road to Peachester Road traversing Lot 1 RP64563 and Lodge Lane. The path shall be constructed as a 2.5 metre wide concrete path in accordance with requirements of the Caloundra City Plan Development Design Planning Scheme Policy, IPWEAQ Standard-Drawing R-065 and Condition 47 of the Development Approval located generally in accordance with the areas described as "A & B" on the attached Schedule 2*
 - 2. the Owner shall at all times provide free and available vehicular access through Lot 271 SP126351, Lot 1 RP176802, Lot 1 and Lot 2 RP906174, Lot 5 RP55629 and Lot 206 B4412 (as amalgamated) located generally in accordance with the area described as "C & D" on the attached Schedule 2. The Owner shall ensure that all parking spaces shall be available for use between Lot 271 SP126351, Lot 1 RP176802, Lot 1 and Lot 2 RP906174, Lot 5 RP55629 and Lot 206 B4412 (as amalgamated) for users of the development*



3. *the Owner shall construct and maintain all landscape works, car parking areas and pedestrian footpath within Lot 1 RP64563 and Lodge Lane for the duration of this agreement, located generally in accordance with the area described as "A & B" on the attached Schedule 2*
4. *if Council elects to provide vehicular access from Pine Camp Road to the subject site through Lot 1 RP64563, the obligation for the applicant to maintain the above infrastructure within this lot will cease and*
5. *in the Special Conditions:*

"Planning Scheme Policies" means the Caloundra City Plan 2004 Planning Scheme Policies including those in respect of Development Design, Landscaping, Parking and Access (or equivalent) applying generally in the Sunshine Coast Regional Council Local Government Area.

Carried unanimously.

Item 7.1.3 was considered following Item 3.



**7.1.4 DEVELOPMENT APPLICATION FOR MATERIAL CHANGE OF USE,
SUNSHINE PLAZA, HORTON PARADE, MAROOCHYDORE**

File No: MCU07/0097
Author/Presenter: Principal Development Planner
Regional Strategy & Planning Department
Appendices: App A - Conditions of Approval
Attachments: Att 1 - Proposal Plans
Att 2 - Elevation Plans
Att 3 - Concept Master Plan

Council Resolution (OM13/43)

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

That Council:

- (a) *APPROVE WITH CONDITIONS Application No. MCU07/0097 and grant a Development Permit for a Material Change of Use for a Shopping Complex, Educational Establishment, Local Utility & Community Meeting Hall situated at Sunshine Plaza 154-164 Horton Parade Maroochydore, in accordance with Appendix A and*
- (b) *find the following are sufficient grounds to justify the decision despite the conflict with the Planning Scheme:*
1. *the proposed development will enable Maroochydore Principal Activity Centre to strengthen its longer term position in the retail hierarchy*
 2. *the proposed development satisfies economic and community needs, provides more retail choice and will assist to retain some escape expenditure leaving the Sunshine Coast*
 3. *the additional 9,394m² of floor space over the nominated cap represents a small market share in the primary trade area and will not delay or compromise the development of the Maroochydore Central Precinct and*
 4. *the development will deliver a number of infrastructure upgrades as a consequence of the development and will not adversely impact on the efficient provision of infrastructure to service Maroochydore.*

Carried unanimously.



7.2 COMMUNITY SERVICES**7.2.1 PEST SURVEY PROGRAMS**

File No: ECM
Author: Healthy Places Manager
Community Services Department

Council Resolution (OM13/44)

Moved: Councillor J McKay
Seconded: Councillor R Baberowski

That Council:

- (a) receive and note the report titled "***Pest Survey Programs***" and
- (b) ***approve the following pest survey programs for the Sunshine Coast Regional Council in accordance with the Land Protection (Pest and Stock Route Management) Act 2002, Section 241:***
 - (i) ***Survey Program 1:*** 14/04/13 to 30/06/13 for the localities of Maleny, Witta, Meridan Plains, Yandina, Yandina Creek, Ninderry, Pacific Paradise, Coolum, Mt Coolum, Valdora, Maroochy River, Twin Waters, Mudjimba and Marcoola
 - (ii) ***Survey Program 2:*** 01/07/13 to 30/09/13 for the localities of Maleny, Witta, Meridan Plains, Yandina, Yandina Creek, Ninderry, Pacific Paradise, Coolum, Mt Coolum, Valdora, Maroochy River, Twin Waters, Mudjimba and Marcoola
 - (iii) ***Survey Program 3:*** 01/10/13 to 31/12/13 for the localities of Maleny, Witta, Meridan Plains, Yandina, Yandina Creek, Ninderry, Pacific Paradise, Coolum, Mt Coolum, Valdora, Maroochy River, Twin Waters, Mudjimba, Marcoola, Kin Kin, Cootharaba and Pinbarren and
 - (iv) ***Survey Program 4:*** 01/01/14 to 31/03/14 for the localities of Kin Kin, Cootharaba and Pinbarren.

Carried unanimously.



7.2.2 UNIVERSITY OF THE SUNSHINE COAST'S PAID PARKING

File No: ECM
Author: Response Services Manager
Community Services Department
Appendices: App A - Draft Regulated Parking Agreement
App B - Amendment Subordinate Local Law No.1 (Parking) 2013
Attachments: Att 1 - University of the Sunshine Coast Act 1998 extract
Att 2 - SPER Schedule for fines

Council Resolution (OM13/45)

Moved: Councillor C Dickson
Seconded: Councillor G Rogerson

That Council:

- (a) *receive and note the report titled "University of the Sunshine Coast's Paid Parking"*
- (b) *authorise the Chief Executive Officer to enter into a six (6) month trial agreement between the University of the Sunshine Coast and Sunshine Coast Council to provide a regulated parking service at the University campus, as outlined in Appendix A (Proposed Regulated Parking Agreement)*
- (c) *subject to (b) above, authorise the Chief Executive Officer, in consultation with the Divisional Councillor, to evaluate Council's involvement in the regulation of the University of the Sunshine Coast paid parking system, and should the evaluation show a continuing benefit relating to Council's involvement in regulation that the Agreement then continue subject to the provisions in the Agreement, as outlined in Appendix A (Proposed Regulated Parking Agreement)*
- (d) *subject to (b) above, resolve:*
 - (i) *to propose to make Amendment Subordinate Local Law No. 1 (Parking) 2013 (Appendix B)*
 - (ii) *in relation to Amendment Subordinate Local Law No. 1 (Parking) 2013, to adjust its process for making local laws resolved on 1 June 2010 pursuant to section 29(1) of the Local Government Act 2009, by not conducting community consultation for the following reason:*

The University of the Sunshine Coast, as owners of the land affected, has requested and is in agreement with the proposal
 - (iii) *that proposed Amendment Subordinate Local Law No. 1 (Parking) 2013 has been reviewed in accordance with section 38 of the Local Government Act 2009 and that, taking into consideration the identification guidelines mentioned in section 15 of the Local Government Regulation 2012, the amendment does not contain any anti-competitive provisions; the subordinate local law relates to the regulation of parking and does not relate to a commercial activity and*
- (iv) *accordingly, resolve to make Amendment Subordinate Local Law No. 1 (Parking)*



2013.

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

Carried.

Councillor R Baberowski declared a perceived conflict of interest in this matter (as defined in section 173 of the *Local Government Act 2009*) due to his association with family attending the university. Councillor R Baberowski remained in the meeting room for the debate and decision on this matter.

Councillor E Hungerford declared a perceived conflict of interest in this matter (as defined in section 173 of the *Local Government Act 2009*) due to his association with family attending the university. Councillor E Hungerford remained in the meeting room for the debate and decision on this matter.

Councillor J McKay declared a perceived conflict of interest in this matter (as defined in section 173 of the *Local Government Act 2009*) due to his association with family attending the university. Councillor J McKay remained in the meeting room for the debate and decision on this matter.

Item 7.1.1 was considered following Item 7.2.2



7.3 INFRASTRUCTURE SERVICES

7.3.1 MARY CAIRNCROSS SCENIC RESERVE BUILDING RENEWAL PROJECT - BUSINESS CASE

File No: Environmental Management
Author: Manager Environmental Operations
Infrastructure Services Department
Attachments: Att 1 - Mary Cairncross Scenic Reserve Business Case Assessment (*Under Separate Cover*)
Att 2 - Mary Cairncross Scenic Reserve Business Case Assessment Financial Addendum (*Under Separate Cover*)
Att 3 - Mary Cairncross Scenic Reserve Building Renewal Project Community Consultation Report (*Under Separate Cover*)
Att 4 - Mary Cairncross Scenic Reserve Renewal - Design Inspiration (*Under Separate Cover*)

MOTION

Moved: Councillor J McKay
Seconded: Councillor R Baberowski

That Council:

- (a) receive and note the report titled "Mary Cairncross Scenic Reserve Building Renewal Project – Business Case"
- (b) request that the Chief Executive Officer present a report to council within twelve months about the detailed design and consultation outcomes, and funding requirements for the Mary Cairncross Scenic Reserve Building Renewal Project and
- (c) authorise the Chief Executive Officer to commence actions to secure arrangements for the protection of the view corridor.

AMENDMENT

Council Resolution (OM13/46)

Moved: Councillor R Green
Seconded: Councillor E Hungerford

That Council:

- (a) receive and note the report titled "*Mary Cairncross Scenic Reserve Building Renewal Project - Business Case*"
- (b) endorse for further analysis, design and consultation the preferred building renewal option (2a/2b)
- (c) request the Chief Executive Officer to provide a further report within six months, as a project hold point, on the total project costs, the outcomes of an initial design

development and funding review process, in order for council to consider full project costs and benefits

- (d) *authorise the Chief Executive Officer to commence actions to secure arrangement for the protection of the view corridor to the Glass House Mountains vistas and*
- (e) *the final acceptance of this project will only occur when council endorses appropriate funding sources.*

Carried unanimously.

The amendment became the motion.

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

Carried unanimously.



7.4 FINANCE AND BUSINESS**7.4.1 JANUARY 2013 FINANCIAL PERFORMANCE REPORT****File No:** Financial Reports**Author:** Acting Financial Services Manager
Finance & Business Department**Appendices:** App A - January 2013 Financial Performance Report

Council Resolution (OM13/47)**Moved:** Councillor C Thompson**Seconded:** Councillor E Hungerford*That Council:*

- (a) *receive and note the report titled "January 2013 Financial Performance Report" and*
- (b) *approve the budget amendments for operating and associated reserve transfers as outlined in the January 2013 Financial Performance Report (Appendix A).*

Carried unanimously.

Councillor T Wellington; Councillor R Green; Councillor G Rogerson and Councillor J O'Pray were absent for the vote on this item.

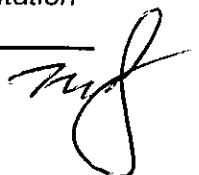


7.5 EXECUTIVE OFFICE**7.5.1 CALOUNDRA AERODROME MASTER PLAN**

File No:	Statutory Meeting
Author:	Planning and Major Projects Manager - Airports Executive Office
Appendices:	App A - Caloundra Aerodrome Master Plan (<i>Under Separate Cover</i>)
Attachments:	Att 1 - Queensland Air Museum expansion - proposed layout (<i>Under Separate Cover</i>) Att 2 - Master Plan - written submissions (<i>Under Separate Cover</i>)

Council Resolution (OM13/48)**Moved:** Councillor R Baberowski**Seconded:** Councillor T Dwyer*That Council:*

- (a) *receive and note the report titled "Caloundra Aerodrome Master Plan"*
- (b) *adopt the "Caloundra Aerodrome Master Plan" (Appendix A) with the following amendments;*
 - (i) *remove the runway extension shown in Figure 10 and reflect any consequential amendments to noise contour diagrams and obstacle limitation surfaces be formulated based on the fullest extent that the runways could be built to and*
 - (ii) *insert the following text into Figure 10 "the Caloundra Aerodrome has enduring rights that allow future infrastructure expansion to meet the future needs of the aerodrome" ensuring the text is easily seen and read*
- (c) *note that funding of the master plan is contingent on the future endorsement of supporting business cases and annual budget consideration by Council*
- (d) *seek the cooperation of the State Government in the establishment of a satellite helicopter training facility*
- (e) *engage with the State Government to facilitate the expansion of the Queensland Air Museum*
- (f) *request the Chief Executive Officer advise the Department of Transport and Main Roads that the alignment and design of the proposed 'East-West' link between Caloundra South and Pelican Waters:*
 - (i) *must not be in conflict with the Obstacle Limitation Surface as depicted in the Caloundra Aerodrome Master Plan and*
 - (ii) *consider the implications of the extent of wetlands that might give rise to an increase bird strike risk for aircraft using the aerodrome*
- (g) *request the Chief Executive Officer to develop a communication strategy in consultation*



with Division 1 and 2 Councillors and the Aviation Portfolio Councillor to provide an ongoing engagement with the communities surrounding the aerodrome, this is to include a set of measures to improve ongoing awareness of property owners and residents of the Caloundra Aerodrome operations and

(h) acknowledge the content and intent of the 1992 Commonwealth Government Deed prepared for the Caloundra Aerodrome.

For: Councillor R Baberowski, Councillor T Dwyer, Councillor P Cox, Councillor C Thompson, Councillor J McKay, Councillor C Dickson, Councillor J O'Pray, Councillor G Rogerson, Councillor R Green and Councillor T Wellington.

Against: Councillor E Hungerford, Councillor S Robinson and Councillor M Jamieson.

Carried.



7.6 OFFICE OF THE MAYOR AND CHIEF EXECUTIVE OFFICER**7.6.1 AUDIT COMMITTEE REPORT 1 FEBRUARY 2013**

File No: Council Meetings
Author: Manager Audit and Assurance
Office of the Mayor and Chief Executive Officer
Appendices: App A - Audit Committee Minutes 1 February 2013

Council Resolution (OM13/49)

Moved: Councillor C Thompson
Seconded: Councillor C Dickson

That Council:

- (a) *receive and note the report titled "Audit Committee Report 1 February 2013 and*
- (b) *note and implement the recommendations from the Audit Committee Minutes 1 February 2013 (Appendix A).*

Carried unanimously.

Councillor R Green was absent for the vote on this item.



8 NOTIFIED MOTIONS**8.1 NOTICES OF MOTION****8.1.1 FLYING FOX COLONIES - DAMAGE MITIGATION FEASIBILITY**

File No: Statutory Meetings
Author: Councillor Stephen Robinson
Notice of Motion

Council Resolution (OM13/50)

Moved: Councillor S Robinson
Seconded: Councillor J O'Pray

That Council request the Chief Executive Officer:

- (a) *to initiate investigations and report back to council regarding the cost and feasibility of a damage mitigation permit for the purpose of the flying fox colony located at Cassia Wildlife Corridor, to consider*
 - (i) *undertaking vegetation management to increase a buffer between residents and the flying fox roost site; and as an alternative and*
 - (ii) *undertaking a flying fox dispersal and vegetation management program to force the relocation of the flying fox colony to another site*

- (b) *to initiate investigations and report back to council regarding the cost and feasibility of a damage to mitigation permit for the purposes of the flying fox colony principally located on Stella Maris School lands adjacent to Tepequar Drive, to consider*
 - (i) *undertaking a flying fox dispersal and vegetation management program to force the relocation of the flying fox colony to another site; and in doing so and*
 - (ii) *ensure that the Stella Maris School, on behalf of the owners being Corporation of the Trustees of the Roman Catholic Archdiocese of Brisbane, are completely aware of the extent and implications associated with vegetation removal on their land that would be required to undertake a flying fox dispersal program.*

Carried unanimously.

8.1.2 HARD TO LOCATE SPORTS

File No: Statutory Meeting
Author: Councillor Greg Rogerson
Notice of Motion

COUNCILLOR RECOMMENDATION

Moved: Councillor G Rogerson
Seconded: Councillor T Dwyer

That Council request the Chief Executive Officer to prepare a report for the May 2013 Ordinary Meeting outlining:

- (a) the potential to establish a hard to locate sports precinct off Steve Irwin Way / Bruce Highway on the Sunshine Coast
- (b) council's current policy position in regard to hard to locate sports in particular (motor sports) and
- (c) status of land investigations (tenure, availability etc) in regard to hard to locate sports in particular (motor sports).

AMENDMENT**Council Resolution** (OM13/51)

Moved: Councillor R Baberowski
Seconded: Councillor C Thompson

That Council request the Chief Executive Officer to prepare a report for the May 2013 Ordinary Meeting outlining:

- (a) council's current policy position in regard to hard to locate sports in particular (motor sports) and*
- (b) status of land investigations (tenure, availability etc) in regard to hard to locate sports in particular (motor sports).*

For: Councillor R Baberowski, Councillor P Cox, Councillor C Thompson, Councillor J McKay, Councillor J O'Pray, Councillor R Green, Councillor T Wellington and Councillor M Jamieson.

Against: Councillor T Dwyer, Councillor C Dickson, Councillor E Hungerford, Councillor S Robinson and Councillor G Rogerson.

Carried



The amendment became the motion.

The motion moved by Councillor R Baberowski and seconded by Councillor C Thompson was put.

Carried unanimously.



9 TABLING OF PETITIONS

Nil.

10 CONFIDENTIAL SESSION**CLOSURE OF THE MEETING TO THE PUBLIC****Council Resolution**

Moved: Councillor S Robinson
Seconded: Councillor R Baberowski

That the meeting be closed to the public pursuant to section 275 (e), (f) and (h) of the Local Government Regulation 2012 to consider the following items:

- 10.1.1 *Confidential - Not for Public Release - Land Acquisition - Sports Grounds*
- 10.1.2 *Confidential - Not for Public Release - Temporary Local Planning Instrument for Vegetation Protection*
- 10.1.3 *Confidential - Not for Public Release - Health Hub - Car Parking Management Strategy*
- 10.2.1 *Confidential - Not for Public Release - Yandina Township - Land Acquisition*
- 10.2.2 *Confidential - Not for Public Release - Acquisition of Land - Yandina*
- 10.3.1 *Confidential - Not for Public Release - Trustee Lease on Reserve Land - Caloundra*
- 10.3.2 *Confidential - Not for Public Release - Maleny Community Precinct Leases*
- 10.3.3 *Confidential - Not for Public Release - Policy direction on providing land owners consent*
- 10.3.4 *Confidential - Not for Public Release - Acquisition of Land*
- 10.4.1 *Confidential - Not for Public Release - Planning Appeal - Little Mountain*

Carried unanimously.

RE-OPENING OF THE MEETING TO THE PUBLIC**Council Resolution**

Moved: Councillor T Wellington
Seconded: Councillor P Cox

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 - LAND ACQUISITION - SPORTS GROUNDS**

File No: ECM
Authors: Manager Social Policy
Regional Strategy & Planning Department
Acting Manager, Property and Business
Finance & Business Department

This report is confidential in accordance with section 275 (h) of the *Local Government Regulation 2012* as it contains information relating to business for which a public discussion would be likely to prejudice the interests of the local government or someone else, or enable a person to gain a financial advantage.

Council Resolution (OM13/52)

Moved: Councillor J McKay
Seconded: Councillor G Rogerson

That Council delegate authority to the Chief Executive Officer:

- (i) *to commence negotiations for the potential purchase of the properties as discussed in confidential session and*
- (ii) *to proceed with the purchase of the properties conditional on the satisfactory outcome of the geotechnical investigations.*

Carried unanimously.



10.1.2 CONFIDENTIAL - NOT FOR PUBLIC RELEASE - TEMPORARY LOCAL PLANNING INSTRUMENT FOR VEGETATION PROTECTION

File No: ECM
Authors: Planning Coordinator
Regional Strategy & Planning Department
Coordinator Biodiversity
Regional Strategy & Planning Department

This report is confidential in accordance with section 275 (h) of the *Local Government Regulation 2012* as it contains information relating to business for which a public discussion would be likely to prejudice the interests of the local government or someone else, or enable a person to gain a financial advantage.

Council Resolution (OM13/53)

Moved: Councillor R Green
Seconded: Councillor E Hungerford

That Council:

- (a) *resolve, in accordance with Statutory Guideline 02/12 - Making and amending local planning instruments, to forward a copy of the Temporary Local Planning Instrument (Protected Vegetation Overlay) 02-2013 to the Minister for consideration and request the Minister's permission to adopt the proposed Temporary Local Planning Instrument and*
- (b) *subject to receiving permission from the Minister to adopt the proposed Temporary Local Planning Instrument, delegate authority to the Chief Executive Officer to, in accordance with the Statutory Guideline 02/12 - Making and amending local planning instruments:*
 - (i) *adopt the proposed Temporary Local Planning Instrument with or without conditions as determined by the Minister*
 - (ii) *undertake public notification of the adoption of the proposed Temporary Local Planning Instrument and*
 - (iii) *undertake all actions for the making and implementation of the Temporary Local Planning Instrument including where necessary interpretive statements in council documents.*

Carried unanimously.



**10.1.3 CONFIDENTIAL - NOT FOR PUBLIC RELEASE - HEALTH HUB - CAR
PARKING MANAGEMENT STRATEGY**

File No: STR115
Author: Project Coordinator
Regional Strategy & Planning Department

This report is confidential in accordance with section 275 (h) of the *Local Government Regulation 2012* as it contains information relating to business for which a public discussion would be likely to prejudice the interests of the local government or someone else, or enable a person to gain a financial advantage.

Council Resolution (OM13/54)

Moved: Councillor P Cox
Seconded: Councillor R Baberowski

That Council:

- (a) *note the discussions held in confidential session and*
- (b) *delegate authority to the Chief Executive Officer to negotiate, finalise (including execution), implement and amend an Infrastructure Agreement and other legal documents with respect to the multi-deck car parking facility in Detailed Planning Area 12 (Health Hub).*

Carried unanimously.

10.2 INFRASTRUCTURE SERVICES**10.2.1 CONFIDENTIAL - NOT FOR PUBLIC RELEASE - YANDINA TOWNSHIP - LAND ACQUISITION**

File No: 21758
Author: Project Delivery and Design Manager
Infrastructure Services Department

This report is confidential in accordance with section 275 (h) of the *Local Government Regulation 2012* as it contains information relating to business for which a public discussion would be likely to prejudice the interests of the local government or someone else, or enable a person to gain a financial advantage.

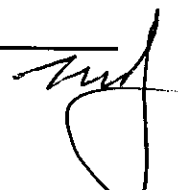
Council Resolution (OM13/55)

Moved: Councillor G Rogerson
Seconded: Councillor J McKay

That council:

- (a) *proceed with the acquisition of approximately 250m² of land from Lot 7 on RP213856 for road purposes and*
- (b) *proceed with a compulsory acquisition, should a satisfactory negotiated land acquisition not be achieved in a timely manner, in accordance with the Acquisition of Land Act, of 250m² from Lot 7 on RP213856 as shown on Drawing No. LA01 for road purposes.*

Carried unanimously.



**10.2.2 CONFIDENTIAL - NOT FOR PUBLIC RELEASE - ACQUISITION OF LAND
- YANDINA**

File No: Property File
Author: Asset and Investigations Manager
Infrastructure Services Department

This report is confidential in accordance with section 275 (h) of the *Local Government Regulation 2012* as it contains information relating to business for which a public discussion would be likely to prejudice the interests of the local government or someone else, or enable a person to gain a financial advantage.

Council Resolution (OM13/56)

Moved: Councillor G Rogerson
Seconded: Councillor S Robinson

That council:

- (a) *authorise the Chief Executive Officer to negotiate for the acquisition of approximately 760m² of land from **Lot 1 on RP152193 for road purposes** and*
- (b) *delegate authority to the Chief Executive Officer to proceed with a compulsory land acquisition, in accordance with the Acquisition of Land Act of 760m² of land from **Lot 1 on RP152193 for road purposes** as shown on drawing 12813 – LA01, should a satisfactory negotiated land acquisition not be achieved.*

Carried unanimously.



10.3 FINANCE AND BUSINESS**10.3.1 CONFIDENTIAL - NOT FOR PUBLIC RELEASE - TRUSTEE LEASE ON RESERVE LAND - CALOUNDRA**

File No: P & C: LEA0014
Author: Acting Manager, Property and Business
Finance & Business Department

This report is confidential in accordance with section 275 (e) of the *Local Government Regulation 2012* as it contains information relating to contracts proposed to be made by it. (This is a proposal for a commercial lease to an existing lessee.)

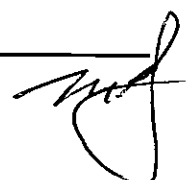
Council Resolution (OM13/57)

Moved: Councillor C Thompson
Seconded: Councillor J McKay

That Council:

- (a) *exempt the leased site situated at 60 George Street, Caloundra from public tender in accordance with section 236 of the Local Government Regulation 2012 and*
- (b) *authorise the Chief Executive Officer to offer STEPS GROUP Australia a twelve (12) year trustee lease agreement with consideration equal to market value as soon as possible after the existing lease is relinquished, with the lease expiring on the 31 July 2025.*

Carried unanimously.



**10.3.2 CONFIDENTIAL - NOT FOR PUBLIC RELEASE - MALENY COMMUNITY
PRECINCT LEASES**

File No: Statutory Meetings
Author: Acting Manager, Property and Business
Finance & Business Department

This report is confidential in accordance with section 275 (h) of the *Local Government Regulation 2012* as it contains information relating to business for which a public discussion would be likely to prejudice the interests of the local government or someone else, or enable a person to gain a financial advantage.

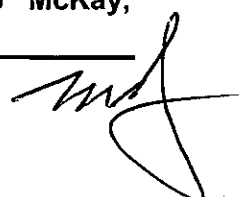
Council Resolution (OM13/58)

Moved: Councillor J McKay
Seconded: Councillor G Rogerson

That Council:

- (a) *note the request from Maleny and District Sport and Recreation Club that it no longer wishes to proceed with the establishment of sports fields on the Maleny Community Precinct and that the Club supports the possible establishment of an equestrian facility on the Sports and Recreation Sub Precinct within the Maleny Community Precinct*
- (b) *resolve to no longer proceed with plans for an aquatic facility within the Community Facility Sub Precinct based on the outcomes of the "Maleny Aquatic Facility Feasibility Study – January 2013"*
- (c) *request that the Chief Executive Officer review the Maleny Community Precinct Master Plan implications of (a) and (b) above taking account of the overall sport and recreation needs of the wider Maleny community and*
- (d) *resolve to refer the possible funding for the maximum value of \$450,000 of the proposed Maleny Golf Course via land sales (Lots 1 & 2 on SP242420) on the Precinct, for consideration in the preparation of the 2013/14 capital budget process, noting that such funding to be conditional on a further report to Council detailing:*
 - (i) *any necessary approvals under the Local Government Act*
 - (ii) *the identification and agreement of project performance and construction milestones*
 - (iii) *business case performance and satisfactory lease terms with "Maleny Golf Incorporated".*

For: Councillor R Baberowski, Councillor P Cox, Councillor J McKay,



Councillor C Dickson, Councillor E Hungerford, Councillor S Robinson, Councillor G Rogerson, Councillor T Wellington and Councillor M Jamieson.

Against: Councillor C Thompson, Councillor J O'Pray and Councillor R Green.

Carried.



10.3.3 CONFIDENTIAL - NOT FOR PUBLIC RELEASE - POLICY DIRECTION ON PROVIDING LAND OWNERS CONSENT

File No: Statutory Meeting
Author: Acting Manager, Property and Business
Finance & Business Department

This report is confidential in accordance with section 275 (h) of the *Local Government Regulation 2012* as it contains information relating to business for which a public discussion would be likely to prejudice the interests of the local government or someone else, or enable a person to gain a financial advantage.

Council Resolution (OM13/59)

Moved: Councillor R Green
Seconded: Councillor T Wellington

That Council:

- (a) *delegate authority to the Chief Executive Officer to approve owner's consent for Lot 2 RP889596, 29 Lanyana Way, Noosa Heads, adjacent Noosa Bowls Club and*
- (b) *delegate authority to the Chief Executive Officer to not approve owner's consent for Lot 95 SP137431, 253 David Low Way, Peregian Beach, adjacent Peregian Bowls Club.*

Carried unanimously.



10.3.4 CONFIDENTIAL - NOT FOR PUBLIC RELEASE - ACQUISITION OF LAND

File No: ECM PropertyLandCommercial
Author: Manager Property
Finance & Business Department

This report is confidential in accordance with section 275 (h) of the *Local Government Regulation 2012* as it contains information relating to business for which a public discussion would be likely to prejudice the interests of the local government or someone else, or enable a person to gain a financial advantage.

Council Resolution (OM13/60)

Moved: Councillor G Rogerson
Seconded: Councillor E Hungerford

That Council delegate authority to the Chief Executive Officer to negotiate the acquisition of land as discussed in confidential session.

Carried unanimously.



10.4 OFFICE OF THE MAYOR AND CHIEF EXECUTIVE OFFICER**10.4.1 CONFIDENTIAL - NOT FOR PUBLIC RELEASE - PLANNING APPEAL -
LITTLE MOUNTAIN**

File No: Council Meetings
Author: Solicitor
Office of the Mayor and Chief Executive Officer

This report is confidential in accordance with section 275 (f) of the *Local Government Regulation 2012* as it contains information relating to starting or defending legal proceedings involving it.

Council Resolution (OM13/61)

Moved: Councillor R Green
Seconded: Councillor R Baberowski

That Council:

- (a) *authorise the Chief Executive Officer to defend Planning and Environment Court Appeal no. 4876/11 and*
- (b) *authorise the Chief Executive Officer to oppose the declarations sought in Originating Application no. 421/13.*

Carried unanimously.



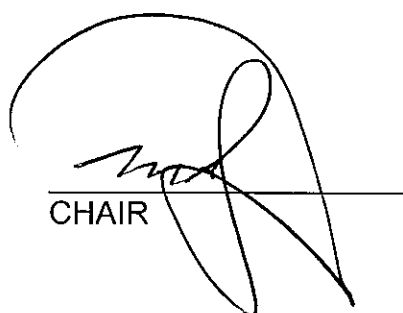
11 NEXT MEETING

The next Ordinary Meeting will be held on 24 April 2013 in the Council Chambers, 1 Omrah Avenue, Caloundra.


12 MEETING CLOSURE

The meeting closed at 5:26pm.

Confirmed 24 April 2013.



CHAIR



13 APPENDICES

7.1.3 REQUEST A CHANGE TO EXISTING APPROVAL FOR EXTENSION TO SHOPPING COMPLEX (BEERWAH MARKETPLACE) - PEACHESTER ROAD AND SIMPSON STREET, BEERWAH – APPENDIX A

7.1.3 Peachester Road and Simpson Street Beerwah Appendix A



7.1.3 REQUEST A CHANGE TO EXISTING APPROVAL FOR EXTENSION TO SHOPPING COMPLEX (BEERWAH MARKETPLACE) - PEACHESTER ROAD AND SIMPSON STREET, BEERWAH – APPENDIX B – CONDITIONS OF APPROVAL

CONDITIONS OF APPROVAL

1. APPLICATION DETAILS

Application No:	2008/500078.01
Street Address:	Peachester Road and Simpson Street, Beerwah
Real Property Description:	Lot 271 SP126351, Lot 1 RP176802, Lot 1 & Lot 2 RP906174, Lot 5 RP55629 & Lot 206 B4412
Planning Scheme:	Caloundra City Plan 2004 (8 August 2011)

2. DECISION DETAILS

Council, on 1 July 2010, decided to issue the following type of approval:-

- Development Permit for Material Change of Use to Establish a Shopping Complex and Preliminary Approval for Building Works.

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

- A. Approve a change to the development approval; and
- B. Delete the previous Negotiated Decision Notice and replace with the following detail.

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.

Amalgamation of Lots

3. The six separate titles comprising the development site are to be amalgamated into two separate titles, one either side of Lodge Lane together with reciprocal access easements registered over each new lot in favour of the other. That is, Lot 271 SP126351 and Lot 1 RP176802 are to be amalgamated into a single lot west of Lodge Lane and Lot 1 RP906174, Lot 2 RP906174, Lot 5 RP55629 and Lot 206 B4412 are to be amalgamated into a single lot east of Lodge Lane. The reciprocal access easements are to be registered in favour of each new lot and are to cover the entire area required for car parking and manoeuvring areas on each site. The plan(s) of survey is to be registered with the relevant State Government Agency and evidence of this is to be provided to Council's delegate prior to the commencement of the use.

Nature and Extent of Approved Use

4. The approved use must not operate outside the hours of 7am to 10pm Monday to Sunday. 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 7pm Monday to Sunday and not at all on public holidays, and must occur entirely on the subject site. The requirements of this condition must be included in the Community Management Statement for any body corporate for the subject site.

Building Appearance

6. Ground floor shopfront glazing along the Simpson Street and Peachester Road frontages must be fully transparent to a minimum of 65% of the street frontage to allow passive surveillance and encourage social interaction unless specified in these conditions.
7. A textured/three-dimensional treatment is to be applied to the eastern façade of the IGA building fronting the Staff Car Park and Simpson Street (along the Target Country building) to deter graffiti and add visual interest. The treatment of this wall may be incorporated as part of the public art requirement (see Condition 11 below).
8. Any security screens on the premises consist of grille or translucent screens and not solid shutters, screens or roller-doors.
9. 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.



10. 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.

Weather Protection

11. Street awnings must be provided along the full length of the Simpson Street and Peachester Road property frontages, as shown on the Approved Plans. The awnings must be designed to provide continuous solar and rain protection and promote all weather activity.

Public Art

12. Public art must be established on the premises that responds to the unique qualities of the location and reflects the heritage, character and/or aspirations of the region. Details of the proposed Public Art are to be assessed and referenced in a Development Permit for Operational Works*.
**(Refer to Advisory Note)*

Public Safety

13. 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.
14. During operating hours, all parking areas, pedestrian areas and entrances/exits to all 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.
15. After hours access to loading docks and storage areas must be restricted by a security gate, lockable doors and/or other suitably appropriate means.

Community Management Statement

16. 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.
17. All clauses and by-laws of the proposed Community Management Statement must accord with the requirements of this Decision Notice.



Contributions

18. The following City Plan Infrastructure Policy Contributions apply to this development and are payable prior to commencement of the use, unless otherwise stated. The contribution amounts are based on June 2004 rates and will be indexed on a quarterly basis at the time of payment.

Network	2004 Base (as per policies)	Amount as at 01 July 2012
Biting Insects	\$293.00	\$370.00
Off-Site Car Parking	\$315,000.00	\$400,995.00
Public Transport	\$126.46	\$174.00
Stormwater & Flooding	\$5,811.00	\$7,333.00
Water	\$41,865.51	\$52,834.00
Sewer	\$46,765.73	\$59,018.00
TOTAL	\$409,861.70	\$520,724.00

19. In respect of the Off-Site Car Parking Contribution above, the payment of this contribution may be made by providing to the Council, before commencement of the use, an unconditional Bank Guarantee (unlimited as to expiry date and on terms satisfactory to the Council). In this regard:
- (a) The Council will draw upon the Guarantee to meet the Off-Site Car Parking Contribution no earlier than 18 months after the commencement of the use, unless the applicant can demonstrate to the satisfaction of Council (in accordance with the following) that, given the actual use of the Shopping Complex at full capacity including the expansion resulting from this application, no additional car parking bays are required as a result of this application;
 - (b) In order to demonstrate that no additional car parking bays are required as a result of this application, the applicant must provide to the Council, at its cost, a Car Parking Study that has a minimum level of information as follows:
 - (i) the Study will contain factual data and report on actual car parking demands and use over the course of a continuous 12 month period of full operation of the expanded Shopping Complex, including a minimum of four (4) Car Parking Surveys of the expanded Shopping Complex taken after the commencement of the use and undertaken at generally even intervals throughout the year. The Study will establish demands and identify any trends during the course of the 12 month period (such as the occupation rates of the car park on site being utilised by non-users of the Shopping Complex). The Study will contain the full data sets to enable a review of parking occupancy rates throughout the course of the days surveyed including the available number of off-street car parks and street parking on Peachester and Simpson Streets (excluding local laneways). Data sets must contain full details of the survey times, prevailing weather conditions at the time of the surveys, and car parking and tenancy occupancy and use rates for the expanded Shopping Complex at the time of the Surveys;
 - (ii) the information contained in the Study must be reflective of peak periods, and it must correlate to the 85th percentile operating times of the centre;



- (iii) during each Car Parking survey, the applicant will conduct a Usage Survey (using an independent and appropriately qualified person) of person/s using the Shopping Complex to determine their method of arrival (by private vehicle, public transport, or other non-motorised means) and whether such users have utilised on site car parking or street parking. This Usage Survey will form part of the Car Parking Study;

The applicant must, at its cost, ensure that the Car Parking and Usage survey results are independently peer reviewed by a suitably qualified person, as stipulated by Council, and provide the results of that peer review to the Council with the Car Parking Study;

- (c) Upon receipt of the Car Parking Study and Peer Review, the Council will advise the applicant within 20 business days if it accepts the results of the Study and Peer Review, and if necessary provide reasons for any disagreement;
 - (d) The amount of the contribution is equates to a shortfall of 35 car parking bays as identified in the policy. Should the results of this Car Parking Study and/or peer review identify a shortfall in required parking bays, the applicant may elect to construct the additional bays required, subject to the approval of a further development application which must be lodged within 20 business days of Council's written agreement with the Study that a shortfall exists. Such an application shall be assessed against the relevant Planning Scheme in force at the time of lodgement. If the applicant does not elect to construct the additional bays, or if the application to do so is not pursued by the applicant or refused, the Council may call on the Guarantee for the identified shortfall in accordance with the relevant Infrastructure Contributions Policy in place at the time of payment;
 - (e) If the results of this Study and subsequent peer review identify that there is no shortfall in required parking bays, the Bank Guarantee will be released by Council;
 - (f) If agreement is reached that a parking shortfall is evident on the site but it is less than 35 parking bays, a proportional release of the Guarantee will be made upon provision of the required parking bays, or the Council calling upon the Guarantee as the case may be;
 - (g) For the avoidance of doubt, the Council may draw on the Guarantee if the applicant fails to provide the Car Parking Study and the peer review within 18 months of the commencement of the use; and
 - (h) Indexing according to the CPI continues to apply to the Off-Site Car Parking Contribution up until the time the additional bays are provided, or the Guarantee is called upon.
20. The applicant shall ensure that the requirements of the Infrastructure Agreement between Village Fair Investments Pty Ltd and Sunshine Coast Regional Council are implemented.



ENGINEERING**Car Parking**

21. A minimum of 450 car parking spaces must be provided and marked on the site. The works must be undertaken in accordance with an Operational Works approval and must include in particular:
 - (a) 28 staff parking spaces within the total, which are clearly marked for that purpose
 - (b) 11 disabled parking spaces within the total
22. 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.
23. A bicycle parking spaces and facilities must be provided in accordance with the Parking and Access Code, and Austroads Part 14.

Loading Bay

24. The loading dock must be designed and constructed to accommodate the largest expected service vehicle.

Pedestrian Footpath

25. The pedestrian footpath and service vehicle access on Simpson Street must be treated to ensure safety for pedestrians (including children, elderly, vision impaired and people with disabilities). The treatment is likely to include tactile pavement treatments, colour contrasts, a raised pedestrian refuge etc. The treatment must be designed and certified by a suitably qualified professional.
26. All necessary alterations to public utility mains and services arising from construction of external works associated with the development must be undertaken at no cost to the service provider.

TRAFFIC AND TRANSPORT**External Works**

27. Peachester Road must be upgraded and widened for the length of its frontage to the subject site between Turner Street and Simpson Street to accommodate the works required by the Queensland Department of Transport and Main Roads' concurrence agency response. The works must be undertaken in accordance with an Operational Works approval and, unless otherwise required by the Queensland Department of Transport and Main Roads, must include in particular:
 - (a) construction of re-aligned kerb and channelling and underground stormwater drainage to the development side only

- (b) widening and sealing of the existing road pavement to create at least a 3.1 metre wide right-turn lane, 3.5 metre wide through / left-turn lane and 1.5 metre wide bicycle lane on the eastbound Peachester Road approach to the Simpson Street intersection. The existing westbound carriageway on Peachester Road must not be reduced in width to accommodate the eastbound lane requirements
- (c) construction of a raised and landscaped pedestrian refuge island on Peachester Road east of Turner Street, with associated kerb ramps on the northern and southern sides of Peachester Road. The island should be 3 metres wide and at least 15 metres long. The gap in the island for pedestrians should be at least 3 metres wide
- (d) construction of a fully paved and landscaped verge, at least 4 metres wide, along the site frontage
- (e) removal of the existing crossover at Lodge Lane and reinstatement of the kerb, footpath and verge area to match the balance of the site frontage, including the provision of topsoil and seed/turf for grassed verges
- (f) dedication of sufficient land as road reserve from the Peachester Road frontage of the site to accommodate the required road widening and verge works
- (g) dedication as road reserve of at least a 6 metre by 1 chord truncation of the south-east corner of the site at the Peachester Road / Simpson Street intersection
- (h) installation of street lighting
- (i) relocation of the existing overhead electricity to an underground alignment in accordance with the conditions of this Decision Notice.

28. Peachester Road must be upgraded and widened for the length of its frontage to the subject site between the existing vehicle access near the western end of the site and Turner Street to accommodate the works required by the Queensland Department of Transport and Main Roads' concurrence agency response. The works must be undertaken in accordance with an Operational Works approval and, unless otherwise required by the Queensland Department of Transport and Main Roads, must include in particular:

- (a) construction of re-aligned kerb and channelling and underground stormwater drainage to the development side only
- (b) widening and sealing of the existing road pavement to create at least a 3.5 metre wide through lane and 1.5 metre wide bicycle lane on the eastbound Peachester Road carriageway
- (c) construction of a left-turn treatment at the proposed mid-block left-in / left-out site access to the requirements of the Queensland Department of Transport and Main Roads
- (d) provision of a right-turn lane, at least 3.1 metre wide, on Peachester Road at the intersection with Turner Street. The vehicle storage length should be at least 25 metres, measured from the western Turner Street reserve boundary
- (e) a raised concrete median island, which should be at least 1.2 metres wide, on Peachester Road between Turner Street and the commencement of the entry taper to the proposed mid-block left-turn treatment into the site. The raised median should be widened to at least 2 metres adjacent to the commencement of the right-turn lane into Turner Street to provide for a pedestrian refuge crossing across Peachester Road to the raised corner island



associated with the proposed mid-block left-in / left-out site access. A raised concrete island should be constructed on the southern side of Peachester Road at the pedestrian refuge crossing location, with the outside edge of the kerb buildout located 2 metres from the existing kerb and the clear westbound carriageway width between the kerb buildout and raised median being at least 5 metres. A 'no u-turn' sign must be installed at each end of the raised median island

- (f) modification of the existing kerb buildout on the south-west corner of the Turner Street intersection as necessary to accommodate a turning Austroads single unit truck/bus
 - (g) relocation of the existing concrete pathway along the frontage of the site to accommodate the road widening works and construction of a pathway connection and associated kerb ramps across the proposed mid-block left-in / left-out site access to maintain pedestrian movement along the northern verge
 - (h) dedication of sufficient land as road reserve from the Peachester Road frontage of the site to accommodate the required road widening and a verge that should have a width of at least 4 metres
 - (i) installation of street lighting
 - (j) relocation of the existing overhead electricity to an underground alignment in accordance with the conditions of this Decision Notice.
29. Provide an indented bus bay and bus stop shelter on the western side of Simpson Street. The bus bay and bus shelter must be designed and constructed in a form acceptable to Council's delegate.

HYDRAULICS AND WATER QUALITY

Stormwater Drainage

30. As part of Stage 1, the site must be provided with a stormwater drainage / detention 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 section 6 of the Engineering Report listed in this Decision Notice and associated Engineering Drawings SK01, SK02 and SK03.
 - (b) extension of the site stormwater system to accommodate stormwater from allotments external to the site, including registration of drainage easements
 - (c) the existing drainage system in Lodge Lane must be re-designed to compliment the new streetscape and to accommodate the ultimate flows associated with the proposed development and external catchments
 - (d) a relief overland flowpath shall be provided for all areas, in particular the eastern carpark / loading dock area accessed from Simpson Street
 - (e) the existing detention basin volume shall not be reduced. Covered areas of the basin shall be stabilised using approved non vegetated means
 - (f) the use of gravity stormwater drainage and not surcharge pits.

Water Sensitive Urban Design

31. As part of Stage 1, 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 Section 6 of the of the Engineering Report listed in this Decision Notice and associated Engineering Drawings SK01, SK02 and SK03.
 - (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) where pipes outlet into the designed generally in accordance with IPWEQA Standard Drawing No. WSUD-005
 - (iii) have safe, unobstructed and all weather for maintenance purposes, particularly for the coarse sediment forebay
 - (iv) have the extent of safety fencing minimised through designing out the hazard
 - (v) provided with litter baskets installed in the overflow pits
 - (vi) are provided with a free-draining outlet from the sub-soil drainage system
32. As part of Stage 1, permanent educational signage* must be erected to educate the customers to the development about the function of the bioretention devices. The dimensions, standard, presentation and location of the educational signage must be in accordance with an Operational Works approval.
**(Refer to Advisory Note)*
33. All stormwater quality treatment devices must be maintained in accordance with the Water by Design (2009) Maintaining Vegetated Stormwater Assets (Version 1). The approved Operational Works drawings for the stormwater quality treatment system and detailed life cycle costing of the system must be attached as an addendum to this document. Records of all maintenance activities undertaken must be kept and made available to Council upon request.

Rainwater Harvesting

34. Operating rainwater collection tanks must be provided as part of Stage 1. The tanks must be provided in accordance with an Operational Works approval and must include in particular:
- (a) the details identified in Section 6 of the Engineering Report listed in this Decision Notice
 - (b) a total tank capacity of 30,000 litres
 - (c) a minimum rainwater collection catchment of 44% of the building roof area
 - (d) re-use of harvested rainwater for internal non-potable uses and outdoor uses.
35. As part of Stage 1, certification must be submitted to Council from a qualified person* which certifies that the rainwater collection tank/s and associated reticulation has/have been installed in accordance with the requirements of this Decision Notice.
**(Refer to Advisory Note)*



ENVIRONMENTAL HEALTH

36. An acoustic barrier is to be constructed (and maintained) in accordance with the submitted Noise Impact Assessment Report prepared by ASK Consulting Engineers, Ref 65I5ROIVOldocx, dated 9 October 2012. Prior to or at the time application is made for operational works, detailed design plans of the acoustic barrier must be submitted to Council for endorsement.
37. Prior to or at the time application is made for Operational Works for any stage of development, an Environmental Management Plan must be submitted to Council for endorsement. This plan is to be prepared by a suitably qualified person in accordance with section 2.0 of the Council's Development Design Planning Scheme Policy and is to address, as a minimum, the following:
- (a) air quality and dust control – including specific requirements for dust screens (and rubbish chutes where applicable);
 - (b) sediment and erosion control – linked to stage specific erosion and sediment control engineering drawings;
 - (c) flora and fauna;
 - (d) hazardous substance management;
 - (e) light management;
 - (f) mosquito and biting midge control;
 - (g) noise control;
 - (h) site management;
 - (i) stormwater management;
 - (j) traffic management – linked to site specific management plan;
 - (k) waste management – recycling initiatives; and
 - (l) water quality and sampling (including a detailed basement excavation de-watering procedure).
38. The development is to be carried out in accordance with the provisions of the endorsed Environmental Management Plan (in its most recently endorsed format);
39. Lighting must be provided to pedestrian paths, building entries, driveways and car parking areas in accordance with the Design for Safety Code. Such lighting devices are to be appropriately designed, sited and installed in accordance with Australian Standard AS4282-1997 "Control of the obtrusive effects of outdoor lighting". Within one month of the use commencing, certification must be provided to Council from a RPEQ certified Electrical Engineer, to demonstrate that the above requirements have been met.
40. Within one month of the use commencing, the services of a suitably qualified acoustic consultant shall be engaged to conduct operational noise compliance testing for all mechanical plant and equipment. After completion of the compliance testing, a report, prepared by the acoustic consultant, must be submitted to Council for endorsement demonstrating that the measured levels comply with any relevant statutory noise limits, and limits detailed in the submitted Noise Impact Assessment Report prepared by ASK Consulting Engineers, Ref 65I5ROIVOldocx, dated 9 October 2012. This condition does not apply where noise is not audible beyond the boundary of the premises.

41. Prior to or at the time application is made for operational works, a Waste Management Plan (WMP) must be submitted to Council for endorsement. This plan must:
- appoint person(s)/entity(s) responsible for administering the plan;
 - require that all solid wastes generated for tenancies on site be disposed of within refuse containers stored at the approved refuse container storage areas (the storage areas) detailed on the approved plans;
 - appoint person(s)/entity(s) responsible for the transportation of refuse containers to and from the storage area and the pickup point;
 - appoint the person(s)/entity(s) responsible for cleaning bins on-site and maintaining the storage areas and pick up point in a clean and tidy state; and
 - include provisions for dealing with complaints and disputes which shall be administered by the person(s)/entity(s) responsible for administering the waste management plan.
42. The provided WMP must be included into any tenancies management agreement, site by-laws document, community management statement or equivalent document.
43. On refuse collection day, the responsible person(s)/entity(s) identified in the WMP shall be responsible for the placement of refuse bins at a location which affords easy, safe and unobstructed access for the cleansing contractor.
44. Any restaurant tenancies must be provided with a refuse container storage areas located generally in accordance with the approved plans. These areas are to be:
- enclosed on at least three sides to a height of at least 1.8m using materials compatible with the site (e.g. palings, lattice work, brick or block work, etc) to screen the area from adjoining properties and the road;
 - adequate in size for general refuse bins and recycling bins;
 - imperviously sealed (e.g. concrete, bitumen, etc) and provided with a wash-down pit lawfully directed to sewer with a stormwater catchment area not exceeding 1m²;
 - provided with a hose cock either in or adjacent to the wash down area;
 - provided with signage in a conspicuous location adjacent to the wash-down pit with letters at least 50mm high and 30mm wide stating:
BIN WASHDOWN WASTE ONLY DISPOSAL OF ANY OTHER LIQUID OR WASTE IS PROHIBITED; and
 - constructed in accordance with Section 2 of Council's Development Design Planning Scheme Policy.
45. The loading dock must be provided with refuse container storage areas located generally in accordance with the approved plans. These areas are to be:
- adequate in size for general refuse bins and recycling bins;
 - imperviously sealed (e.g. concrete, bitumen, etc) and provided with a wash-down pit lawfully directed to sewer in accordance with Council's plumbing and drainage requirements;
 - provided with a hose cock either in or adjacent to the wash down area;
 - provided with signage in a conspicuous location adjacent to the wash-down pit with letters at least 50mm high and 30mm wide stating:
BIN WASHDOWN WASTE ONLY DISPOSAL OF ANY OTHER LIQUID OR WASTE IS PROHIBITED; and
 - constructed in accordance with Section 2 of Council's Development Design Planning Scheme Policy.



46. Prior to or at the time application is made for operational works, a Traffic Management Plan (Construction Phase) must be submitted to Council for endorsement. This plan is to be prepared by a suitably qualified person, and as a minimum shall address the following:
- (a) The type and volume capacity of trucks expected to be utilised to remove/deliver fill material from the site;
 - (b) The expected number of truck movements to and from the site everyday;
 - (c) The anticipated end-point for any excavated fill and the haulage route nominated for movement of trucks to that point;
 - (d) Identify marshalling areas for use by waiting trucks;
 - (e) The time periods during which trucks will utilise the marshalling area and move to and from the construction site;
 - (f) Details of any traffic control services to be provided within the local road network (identify locations); and
 - (g) Nomination of car parking areas to be utilised by sub-contractors and staff private vehicles.

ENVIRONMENT

47. The development site must be landscaped*. The works must be undertaken in accordance with an Operational Works approval and the Sunshine Coast Council Beerwah Town Centre Masterplan materials palette for that specific area and must include in particular:
- (a) the works shown on the referenced Landscape Concept Plan and
 - (b) landscape works to the northern and southern extent of Lodge Lane must create a linear linkage park and must include:
 - (i) a fully paved pedestrian/cyclist pathway connection from Pine Camp Road to Peachester Road at a minimum width of 2.5 metres
 - (ii) meandering of this connection must provide interest and opportunity for seating nodes
 - (iii) three (3) paved seating nodes, each with one seat with back and arm rests
 - (iv) Lighting to a P2 category
 - (v) All access and travel designed in accordance with Disability Discrimination Act and relevant Australian Standards
 - (vi) Provision of one set of refuse and recycling wheeled bins with council standard enclosures (located adjacent to Peachester Road frontage)
 - (vii) Treatment to any blank building facades that directly interface with Lodge Lane by dense screening with vegetation buffers. Minor areas of mural or similar artistic treatment may be incorporated.
 - (viii) Tree shading to pathways and seating nodes
 - (ix) Gentle mounding of turf areas to provide visual interest and drainage
 - (x) compliance with CPTED principles
 - (c) hard and soft landscape elements that promote an active, central plaza space to Beerwah featuring shade, shelter, recreation and which encourages public interaction and engagement with the mall area;
 - (d) all water quality devices and measures must be located and structurally designed* to integrate with the landscape intent. The floor and batters of water quality device are to be planted out with a suitable palette that includes appropriate trees, shrubs and grasses tolerant of the dynamic conditions to

deliver water quality outcomes as well as the required shade and visual amenity landscape objectives of the planning scheme.

- (e) the creation of landscape nodes incorporating shade trees within the car park layout within a plastic structural system capable of delivering compressive structural integrity for the surrounding pavements. The system is to include volumetric soil capacity as well as irrigation and drainage to sustain the plant materials required by the planning scheme.
- (f) the creation of a shade tree corridor located parallel with the existing section and proposed pedestrian pathway linking Target and Woolworths incorporating a design that receives stormwater flow from hardstand areas without erosion or damage to the landscape.
- (g) the integration of adequate drainage infrastructure to ensure optimum soil moisture conditions for the establishment and longevity of the established vegetation
- (h) the vegetated screening of the acoustic barrier in accordance with the conditions of this Decision Notice
- (i) vegetated screening of any electrical transformers, bin storage areas and the like from the road frontage.

(*Refer Advisory Note)

- 48. 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.
- 49. All landscape works must be maintained generally in accordance with the approved design for the life of the development.

UNITYWATER

- 50. Reticulated water supply and sewerage must be provided to the development.
- 51. The existing 150mm AC watermain within Peachester Road and Simpson Street must be replaced in 150mm DICL watermain to Unitywater Standards for the full frontage of the development site prior to the commencement of construction of Stage 1 of the development. The replacement works must be completed and prior to placing construction materials or site offices adjacent to the water main alignment.
- 52. The 150mm uPVC sewer located within Lot 5 RP55629 is to be disused and removed back to the manhole within Lodge Lane prior to the commencement of the construction Stage 2 of the development.
- 53. 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).
- 54. The fire-fighting demand on Unitywater water supply system from the development must not exceed 30 litres per second.



55. 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.
56. A separate metered domestic main and bypass fire main must be provided within the development in accordance with Unitywater Standards.
57. Buildings, basements, and other structures must maintain a minimum clearance of 1.5 metres from Unitywater sewer mains and a minimum clearance of 1.0 metre from sewer manhole chambers.
58. Stormwater retention systems and gross pollutant traps must maintain a minimum clearance of 1.5 metres from Unitywater water supply and sewerage infrastructure.
59. 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.
60. 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 Status	Referral Agency and Address	Referral Trigger	Response
Concurrence	Department of Transport and Main Roads PO Box 1600 Sunshine Plaza Post Shop MAROOCHYDORE QLD 4558	State Controlled Road Matters Railways Public Transport	The agency provided its response on 19 February 2013 (Reference No. TMR12-004465). A copy of the response is attached.



Advice	Environmental Protection Agency Licensing Permit Coordination Unit PO Box 155 ALBERT STREET QLD 4002	Wetlands	The agency provided its response on 28 October 2008 (Reference No. 329165).
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A copy of the responses is attached.

6. APPROVED PLANS

The following plans are Approved Plans for the development:

Approved Plans

Plan No.	Rev.	Plan Name	Date
DA-01-03	A	<i>Site Plan - Masterplan</i> , prepared by Powe Architects	18 October 2012
DA-01-04	A	<i>Site Plan – Stage 1</i> , prepared by Powe Architects	18 October 2012
DA-02-02	A	<i>Plan Part 1</i> , prepared by Powe Architects	18 October 2012
DA-02-03	A	<i>Plan Part 2 - Masterplan</i> , prepared by Powe Architects	18 October 2012
DA-02-04	A	<i>Plan Part 2 – Stage 1</i> , prepared by Powe Architects	18 October 2012
DA-02-12	A	<i>Roof Plan Part 1</i> , prepared by Powe Architects	18 October 2012
DA-02-13	A	<i>Roof Plan Part 2</i> , prepared by Powe Architects	18 October 2012
DA-03-01	A	<i>Elevations</i> , prepared by Powe Architects	18 October 2012

7. REFERENCED PLANS AND DOCUMENTS

The following plans and documents are referenced in the assessment manager conditions:



Referenced Plans

Plan No.	Rev.	Plan Name	Date
114128 DA [A] 4	A	<i>Landscape Plan</i> prepared by RPS Group	27 September 2012
114128 DA [A] 5	A	<i>Landscape Sections</i> prepared by RPS Group	27 September 2012
114128 DA [A] 6	A	<i>Landscape Sections</i> prepared by RPS Group	27 September 2012

Referenced Documents

Document No.	Rev.	Document Name	Date
65I5ROIVOldocx		Noise Impact Assessment Report prepared by ASK Consulting Engineers (Addendum)	9 October 2012
S3205/12/ENG	A	Engineering Report, Proposed Commercial Development at Corner of Peachester Road and Simpson Street, Beerwah prepared by Tate Professional Engineers	September 2012
		Infrastructure Agreement between Village Fair Investments Pty Ltd.	To be dated

8. ADVISORY NOTES

The following Advisory Notes are for information purposes only and do not form conditions of approval:

PLANNING**General**

1. Council requests an informal pre-lodgement meeting between Sunshine Coast Regional Councils Environment and Landscaping Unit and the applicants landscape architects prior to lodgement of Operational Works applications.
2. The applicant is informed that payment via credit card transaction will not be an acceptable method of payment for infrastructure contributions conditioned in this permit or for infrastructure charge notices issued separately;
3. The Preliminary Approval for Building Works has been granted following assessment of the proposed building(s) against the relevant provisions of Council's Planning Scheme. The buildings have not been assessed for compliance with the Building Act 1975, Building Regulations 2006 or the Building Code of Australia. Such assessment will be undertaken by a licensed Building Certifier as part of the assessment of a Development Application for Building Work;
4. Buildings are not to be occupied prior to the issue of a Certificate of Classification;

Development Compliance Inspection

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

Nature and Extent of Approved Development

6. The applicant is advised that this development approval comprises:
- Material Change of Use for Shopping Complex (total of 11,241m² gross floor area over all sites); and
 - Preliminary Building Works Assessable against the Planning Scheme.

Preparation of a Public Art Master Plan

7. The conditions of this Decision Notice require submission of details relating to Public Art for the site to be provided to Council prior to the issue of a Development Permit for Operational Works. Supporting information regarding the proposed Public Art must:
- (a) document the conceptual framework and artistic vision (e.g. themes / image / identity aims)
 - (b) identify building structures and areas of the site suitable for artwork (eg. building faces, retaining walls, awnings, shelter structures, landscaped areas, and street furniture such as seating/benches)
 - (c) identify opportunities for art (e.g. entry statements, signature works, integrated art options or community art projects)
 - (d) identify integrated and sophisticated design methods
 - (e) identify and document designs for longevity, low-maintenance and graffiti-proofing
 - (f) identify community engagement strategies.

Qualified Person

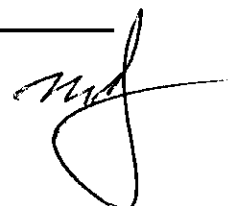
8. For the purpose of preparing a Public Art Master Plan, a qualified person is considered to be an arts consultant/artist with a minimum of 3 years current experience in the field of public art.

Aboriginal Cultural Heritage Act 2003

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

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

You should contact the Cultural Heritage Co-ordination Unit on 07 3238 3838 to discuss any obligations under the ACH Act.



LANDSCAPE**Co-ordination of Operational Works Assessment**

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

Preparation of a Landscape Plan

11. All landscape works required by this approval must be demonstrated on a detailed Landscape Plan submitted to Council for Operational Works approval. The detailed Landscape Plan must:
- (a) be prepared by a qualified person* and submitted in A3 size (3 x hardcopies)
 - (b) be of a scale suitable for clear interpretation at A3 size
 - (c) include accurate depiction of trees to be retained and protected in relation to the proposed development
 - (d) show all existing and proposed services including overhead power, drainage, water and sewerage
 - (e) include important spot levels and/or contours
 - (f) include contextual information of the site including adjoining roads, land uses and photographs of site
 - (g) show the extent and type of works, including hard surfaces, landscape structures, podium planters, signage, amenity lighting, fencing, edging, plantings and turf
 - (h) include a plant schedule with the following information: botanic names, common names, total plant numbers, and pot sizes at the time of planting
 - (i) show landscape works for the full frontage of the development site
 - (j) include a north point, scale and legend as well as the name, contact details and qualifications of the landscape consultant who prepared the plan.

*(Refer to Advisory Note)

Qualified Person

12. 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.

Integration of the water quality devices with the landscape intent

13. The Healthy Waterways 'Multiple Uses of Open Spaces Discussion Paper' provides guidance on integrated design of water quality devices and measures with landscape and open space.
14. The Healthy Waterways Bioretention-Technical-Design-Guideline-October 2012 provides guidance on device design and vegetation objectives.

HYDROLOGY**Qualified Person**

15. For the purpose of certifying that the design of the rainwater harvesting system is in accordance with the requirements of this decision notice, a qualified person is considered to be a Registered Professional Engineer of Queensland (RPEQ), builder or plumber.

Bioretention Basin Educational Signage

16. Suggested wording for the permanent educational signage required by this Decision Notice is as follows:
"BIORETENTION BASIN - This bioretention basin reduces the pollution of our waterways by reducing the amount of heavy metals, litter, suspended solids, and nutrients discharged to Coochin Creek.

ENVIRONMENTAL HEALTH

17. 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 effect, or potential adverse effect 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 administering authority to cause undue disturbance or annoyance to persons or affect property not connected with the use.

18. All areas where food is to be stored, handled or prepared for sale or sold must be constructed and equipped in accordance with the provisions of the Food Act 2006 and the Food Standards Code. The premises must be registered and the operators licensed with Council under the aforementioned Act prior to the use commencing or prior to application being made for a Development Permit for building works (whichever is applicable).
19. Trade waste generated on-site shall be subject to Council's Trade Waste Policy and the Water Act 2000. Prior to an application being made for building approval for the site the applicant is advised to contact Council's Trade Waste Officer on 07 5420 8200 to determine Council's trade waste requirements.
20. In accordance with the Public Health Act 2005, rainwater tanks must be constructed with mosquito proof screens (made from either brass, copper, aluminium or stainless steel), and constructed with a mesh size of no more than 1mm, and must be installed in a way that does not accelerate corrosion. Tanks that contain flap valves must be installed so that when closed, mosquitoes cannot pass through the valve. It is unlawful



under the Public Health Act 2005 to construct, install or be in possession of a tank that does not comply with these requirements.

9. PROPERTY NOTES

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

- (i) This site is provided with stormwater quality treatment devices (bioretention basins) 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 Water by Design (2009) Maintaining Vegetated Stormwater Assets (Version 1). 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 (Civil Works, Landscaping and Stormwater)
- Development Permit for Building Work

12. SELF ASSESSABLE CODES

Not Applicable.

13. SUBMISSIONS

Not Applicable.

14. REASONS / GROUNDS FOR APPROVAL DESPITE CONFLICT WITH SCHEME

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

1. There is a strong level of planning need and demand to warrant expansion of the existing shopping centre and redevelopment of the site;



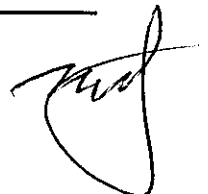
15. RIGHTS OF APPEAL

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.



7.1.4 DEVELOPMENT APPLICATION FOR MATERIAL CHANGE OF USE, SUNSHINE PLAZA, HORTON PARADE, MAROOCHYDORE – APPENDIX A – CONDITIONS OF APPROVAL

1. APPLICATION DETAILS

Application No:	MCU07/0097
Street Address:	Sunshine Plaza 154-164 Horton Parade MAROOCHYDORE
Real Property Description:	Lot 63 RP 866871, Lot 65 SP 113361, Lot 38 RP 854195, Lot 2 RP 895067, Lot 68 SP 146004, Lot 64 CP 906065, Lot 60 RP 862779, Lot 61 CP 816941, Lot 69 SP 155129, Lot 8 RP 181890
Planning Scheme:	Maroochy Plan 2000 (1 December 2006)

2. DECISION DETAILS

The following type of approval has been issued:

- Development Permit for Material Change of Use of Premises - Shopping Complex, Educational Establishment, Local Utility & Community Meeting Hall

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)

Nature and Extent of Approved Use

3. The shopping complex area of expansion approved in this Development Permit must not exceed a gross leasable area of 35,731m² and Gross Floor Area of 37,394m² in accordance with the following definitions:
"Gross Leasable Area" - *That part of the gross floor area of a building accommodating non-residential activities available to be rented by a tenant for exclusive use.*
"Gross Floor Area" –
The total floor area of all storeys of a building (measured from the outside of the external walls or the centre of a common wall), other than areas used for the following:
 - (a) *building services, plant and equipment;*
 - (b) *access between levels;*
 - (c) *ground floor public lobby;*
 - (d) *a mall;*
 - (e) *the parking, loading and manoeuvring of motor vehicles;*
 - (f) *unenclosed private balconies whether roofed or not.*
4. A detailed as-constructed survey by a licensed surveyor must be submitted of all demolished gross floor areas and all new gross floor areas within the approved development.
5. The development must be completed in one stage.

Building Height

6. The maximum height of the development is to be generally in accordance with those heights nominated on the approved plans.
7. Certification must be submitted to Council from a Licensed Surveyor which certifies that the buildings do not exceed the maximum height requirement of this Decision Notice.

Sunset Clause for Completion of Approved Development

8. Pursuant to s3.5.21 of the *Integrated Planning Act 1997*, this development approval lapses if the whole of the approved use has not happened within six years of the date of development approval.



Building Appearance

9. Ground floor shopfront glazing fronting Amaroo Street 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). Internal walls and shelving must not be erected within 1 metre of the glazing so views are retained from the street into the retail space, unless otherwise agreed to in writing by council.
10. Any security screens on the premises, visible from creek walkways or beyond the site, 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 within the built form
 - (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 located within an approved loading dock specified on the Approved Plans or otherwise mentioned in the conditions of this Decision Notice.
13. Roof materials must be non-reflective and designed with colours and styles to minimise the visual impact of the development.
14. Façade treatments are to be generally in accordance with the approved plans, subject to additional information being provided in relation to:
 - (i) the façade treatment to the elevation of the car park facing the intersection of Amaroo Street and Maroochydore Road;
 - (ii) the Loading Dock (and blank wall above) on Amaroo Street; and
 - (iii) the southern facing walls of the proposed pedestrian access ramp to Level 1 from the western side of the north/south vehicle link adjacent to Cornmeal Creek.

The additional information is to provide detail in relation to the design, colour, texture, etc. of the "Feature Precast Concrete Panels" and the "Painted Selected Wall Graphic". The detailed façade treatment must be submitted with the first operational works application for approval. The approved façade treatment details must be submitted with the associated application for Building Works approval.

Weather Protection

15. Awnings and pergolas must be provided where nominated on the approved plans and must be designed to provide solar and rain protection and promote all weather activity.



Public Safety

16. 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.
17. 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.

Energy Efficiency

18. Where appropriate, solar radiation through external glazing must be controlled by at least one of the following:
 - (a) a permanently fixed overhang
 - (b) glazed window or door assemblies with a minimum WERS (Window Energy Rating Scheme developed by the Australasian Window Council Inc.) rating of 4 stars for cooling
 - (c) a permanent external assembly containing adjustable shading devices or fixed screens with a maximum transparency of 25%.Glazing generally orientated to the south is excluded from this requirement.
19. The car park must be light-coloured to maximise lux levels and minimise the need for electrical lighting.
20. The development must be constructed in accordance with an Energy Performance Statement for the development submitted to Council prior to the issue of any Development Permit for Operational Works. The Energy Performance Statement must demonstrate how energy efficiency techniques will be optimised in the design of the building.
21. The development must implement a range of green initiatives in its design and construction to comply with the requirements of the Building Code of Australia. The green initiatives may include:
 - (a) maximisation of internal environment quality (increased daylight, fresh air movement and low VOC materials
 - (b) naturally ventilated car parks and automated lighting controls (to minimise energy use in areas of low utilisation
 - (c) low energy-consumption refrigeration systems
 - (d) efficient mechanical exhaust systems
 - (e) Centralised water-cooled air conditioning plant and supplied chilled water to minimise air cooled condenser energy
 - (f) use of low energy lighting, including LED fittings
 - (g) highly insulated roofing and walling systems
 - (h) use of building materials with low-embodied energy
 - (i) use of recycled building materials for construction and fill
 - (j) operational waste recycling through on-site sorting and recovery process



- (k) high level of performance for water efficiency (fittings, rainwater collection and reuse – thirdpipe non-potable distribution system)
- (l) waterless urinals
- (m) flow restrictors on all taps
- (n) sub-metering to monitor energy and water use.

22. *Green Star – Retail Centre Design Certification* must be submitted to Council prior to commencement of the use.

Maintenance of Private Areas

23. The owner/s of the development are responsible for maintaining all publicly accessible private areas and street furniture located within private areas of the subject site and the area to the west of the Sunseeker Parade formation (i.e. driveway to the showroom and bank development). No bulk waste bins are to be stored in this location.

Equitable Access and Facilities

24. The Applicant must engage an Access Consultant who is an accredited member of the Association of Consultants in Access Australia Inc, to prepare a report certifying that the detailed design of all public spaces of the development provides appropriate design solutions for pedestrians in terms of:
- (a) General access along all development frontages and road reserves
 - (b) Access into commercial areas along frontages
 - (c) The public pedestrian corridors through the development site
 - (d) Access to the public car parking spaces and the car park areas
 - (e) Access to public facilities located within the development
 - (f) Ensuring appropriate footpath treatments are utilised
 - (g) Bollard and street furniture
 - (h) Landscape elements
 - (i) Outdoor dining areas
 - (j) Requirements for the design to meet access and equity standards, including AS.1428.1 which are to be strictly adhered to
 - (k) Proposed plantings which are not to impinge on sight lines, nor pose a problem with sight lines for guide dogs

The report must be submitted with the application for operational works.

Contributions

25. The Applicant must pay contributions towards infrastructure in accordance with the following Planning Scheme Policies:
- (a) Planning Scheme Policy DC1 - Water Supply and Sewerage Infrastructure
 - (b) Planning Scheme Policy DC2 - Provision of Bikeways and Bicycle Facilities
 - (c) Planning Scheme Policy DC3 - Roads Infrastructure
 - (d) Planning Scheme Policy DC4 - Stormwater Quality
 - (e) Planning Scheme Policy DC5 - Public Parks Infrastructure
 - (f) Planning Scheme Policy DC6 - Land for Community Facilities

The contributions must be in accordance with the relevant Policy at the time of payment and must be paid prior to the commencement of the use. This condition can be satisfied by the payment of an adopted infrastructure charge in accordance with an adopted infrastructure charges notice.

Public Access

26. 24/7 public access shall be provided through the site, including, as a minimum:
- (a) Pedestrian and cycle access along both sides of Cornmeal Creek west of Southern Drive
 - (b) Pedestrian access along the northern side of Cornmeal Creek east of Southern Drive
 - (c) Pedestrian access along the southern side of Cornmeal Creek east of Maud Canal
 - (d) Pedestrian and cycle access on the southern side of Cornmeal Creek between Southern Drive and Maud Canal
 - (e) Pedestrian and cycle access along the western side of Maud Canal
 - (f) Pedestrian, cycle and vehicular access between Southern Drive and Amaroo Street; and
 - (g) Pedestrian and cycle access along the western boundary between Millwell Road and School Road.

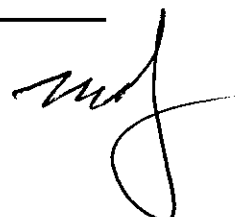
ENGINEERING**Site Access and Driveways**

27. All internal access roads and driveways shown on the Approved Plans must be constructed in accordance with the conditions of this Decision Notice.
28. Sealed access driveways must be provided to all parking and manoeuvring areas of the development. The works must be undertaken in accordance with an Operational Works approval and must include in particular:
- (a) the access driveway from Amaroo Street to the multi-deck car park ramp must be designed to limit vehicle speeds. The design is to include a raised pedestrian crossing where it crosses the Amaroo Street verge and a curvilinear ramp entry alignment to limit vehicle speeds where possible within the constraints of ramp geometry and adjacent car parking.
 - (b) a high entry-angle access from the North/South Vehicle Link to the northern entry of the Myer multi-deck car park to limit vehicle speeds over the adjacent pedestrian access. The design is to include a raised pedestrian crossing.
 - (c) suitable safety measures, including warning signage, to improve driver awareness of pedestrians and enhance pedestrian safety.



Car Parking

29. A minimum of 3,535 car parking spaces must be provided for the entire development for the duration of the construction works. The spaces must be available for the use of existing tenants and customers during all operating hours and must not be occupied by construction vehicles and/or construction workers vehicles during these times. Any application for Operational Works must be accompanied by a Car Parking Staging Plan clearly showing car parking spaces to be removed and equivalent replacement spaces.
30. Car parking is to be provided for the expanded centre in accordance with the following requirements:
- (a) at least 3,535 car parking spaces plus car parking spaces for the additional area approved in this Decision Notice (excluding floor space demolished and reinstated) at a rate of 4.2 spaces per 100m² of Gross Leasable Area, and excluding construction parking required by the conditions of this Decision Notice. [For example, if the development has additional area of GLA of XXXXm² then the number of car parking spaces required for the expanded centre would be $3,535 + (XXXX \times 4.2/100) =$]
 - (b) pedestrian routes in accordance with the conditions of this Decision Notice.
 - (c) provision of vandal resistant public lighting with intensities to satisfy the requirements of Australian Standard AS1158: *Public Lighting Code*.
 - (d) disabled parking space/s within the total at a minimum rate of 2% for the first 1,000 spaces and 1% thereafter.
 - (e) on site circulation, turning areas and driveways designed and constructed in accordance with AS2890.1.
 - (f) wheel stops on all spaces located adjacent to landscaping and/or pedestrian routes to prevent vehicle overhang of landscaping and/or pedestrian routes.
 - (g) The works must be undertaken in accordance with an Operational Works approval.
31. Prior to removal of any existing car parking spaces, the car parking on Lot 38 on the north west corner of Plaza Parade and Southern Drive must be constructed. The works must be undertaken in accordance with an Operational Works approval and must include in particular:
- (a) provision for construction of road works, pathways and landscaping, as required by conditions of this Decision Notice, along Plaza Parade, Southern Drive and Cornmeal Creek.
 - (b) pedestrian directional signage between the Interim Car Park and the Shopping Centre
 - (c) pedestrian routes between the Interim Car Park and Shopping Centre. Pedestrian routes are to provide universal access
 - (d) where the Interim Car Park is to be used for all-day parking and/or staff parking, provision of vandal resistant public lighting with intensities to satisfy the requirements of Australian Standard AS1158: *Public Lighting Code* and security patrols to ensure safety of customers and/or staff



utilising the car park. Lighting is to include all pedestrian routes between Sunshine Plaza and the car park.

During construction, the setback and landscaping areas may be utilised for temporary car parking subject to the car parking being removed and required landscape and buffer works being completed after construction is complete.

32. Parking must be provided off-site for all construction workers and vehicles prior to commencement of construction. Construction parking must be clearly signed and located clear of customer parking and pedestrian access to existing shops. All vehicles associated with the construction must be parked within the designated construction site. Details must be provided prior to any works commencing on site and part of the construction management plan.
33. 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.
34. Directional signage must be provided to direct customers to/from the car parking spaces provided on site.

Service Vehicles

35. Service vehicle parking, manoeuvring and standing spaces must be provided adjacent to the Amaroo Street roundabout prior to commencement of the use. The works must be undertaken in accordance with an Operational Works approval and must include in particular:
 - (a) sufficient spaces to accommodate all vehicle parking, manoeuvring and standing spaces in the existing Myer Loading Dock
 - (b) the width of vehicle access / egress points to the north-south vehicle link must be the minimum necessary to accommodate turning vehicles.
36. Service vehicle parking, manoeuvring and standing spaces must be provided at the Millwell Road entrance to the site generally in accordance with the approved plans prior to commencement of the use.

Stormwater Drainage

37. 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.

Electricity and Telecommunication Services

38. 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.

Earthworks and Retaining Walls

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

Damage to Services and Assets

40. 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

41. Amaroo Street must be upgraded between Pikki Street and Maroochydore Road. The works must be undertaken in accordance with an Operational Works approval and must include in particular:
- (a) provision of traffic lanes in each direction in accordance with the conditions of development issued by the Queensland Department of Transport and Main Roads for the subject development. The minimum traffic lane width is 3.2 metres, except that the single southbound traffic lane between the mid-block car park access ramp and the Pikki Street roundabout should be at least 3.5 metres wide and the exclusive right-turn lane on the approach to Maroochydore Road should be at least 3 metres wide
 - (b) a raised median for the full length of Amaroo Street. The raised median is to be landscaped and at least 2 metres wide between Pikki Street and the northern end of the entry taper for the exclusive right turn lane on the approach to the Maroochydore Road intersection. A 3 metre wide opening for a pedestrian refuge crossing treatment, with associated pedestrian kerb ramps and pathway connections on each side of Amaroo Street, is to be provided in the median 6 metres from the give way line for the Pikki Street roundabout
 - (c) re-construction of the left-turn slip lane on the south-east corner of the intersection of Amaroo Street with Maroochydore Road so as to create a high entry-angle slip lane. A give-way sign and associated line marking is to be installed on the slip lane
 - (d) provision of at least a 5 metre wide verge on the eastern side of Amaroo Street
 - (e) construction of paths in accordance with the conditions of this Decision Notice
 - (f) installation of street lighting
 - (g) relocation of existing services



- (h) dedication of land from the subject site to provide adequate space for all required road and verge works.
42. Millwell Road must be upgraded on its approach to the site entrance. The works must be undertaken in accordance with an Operational Works approval and must include in particular:
- (a) removal of the existing vehicle turn-around area near the end of Millwell Road and reinstatement of kerb and channel
 - (b) construction of a pedestrian refuge island, at least 3 metres wide, and zebra crossing on a raised platform suitable for large vehicles
 - (c) construction of paths on both Millwell Road verges, within the extent of the road reserve, in accordance with the conditions of this Decision Notice
 - (d) the Millwell Road carriageway up to the site boundary must be marked as one traffic lane only in each direction, with a general carriageway width in each direction past the pedestrian refuge island of not more than 5 metres
 - (e) relocation of existing services.
43. The intersection of Evans Street and Millwell Road must be upgraded to a four-way signalised intersection. The works must be undertaken in accordance with an Operational Works approval, be consistent with the Council design plans for the upgrade of Evans Street current at the time an Operational Works approval is applied for, and unless otherwise agreed by Council must include in particular:
- (a) traffic signals, with pedestrian crossings across all four signalised approaches
 - (b) the relocation as necessary of all existing services and kerb and channel
 - (c) pavement widening and construction on Evans Street, including provision of:
 - (i) two through lanes and an on-road bicycle lane in each direction on Evans Street between the Plaza Parade / Maroochy Boulevard intersection and Millwell Road
 - (ii) two through lanes and an on-road bicycle lane in each direction on Evans Street north of Millwell Road as far north as possible within available road reserve
 - (iii) a raised concrete median and a right-turn lane on both Evans Street approaches to the intersection. The right-turn lane on the southern Evans Street approach is to extend for the full length back to the intersection of Plaza Parade with Maroochy Boulevard
 - (iv) a right-turn lane and a shared left-turn / through lane on the western Millwell Road approach
 - (v) a right-turn lane, a through lane and an auxiliary left-turn slip lane on the eastern Millwell Road approach. The left-turn lane must have a storage length of at least 70 metres and its

- intersection with Evans Street designed as a high entry-angle slip lane
- (vi) a concrete shared path, at least 2.5 metres wide, on the eastern side of Evans Street between Millwell Road and the Plaza Parade / Maroochy Boulevard intersection
- (d) indented bus bays with bus shelters in accordance with the requirements of the Queensland Department of Transport and Main Roads on both sides Evans Street, located north of Millwell Road for the northbound bus stop and south of Millwell Road for the southbound bus stop. The bus shelters are to be provided clear of pathways along Evans Street
 - (e) installation of street lighting.
 - (f) all works identified within this condition will be offset against Transport Infrastructure contributions. The process for administrating this offset will be determined through an Infrastructure Agreement.
44. If, prior to the commencement of use of the proposed development, the intersection of Evans Street and Millwell Road has been upgraded by others to a four-way signalised intersection, the applicant must undertake works at the intersection in accordance with an Operational Works approval as necessary to ensure the following are provided:
- (a) the right-turn lane on the southern Evans Street intersection approach extends for the full length back to the intersection of Plaza Parade with Maroochy Boulevard
 - (b) the left-turn lane on the eastern Millwell Road intersection approach has a vehicle storage length of at least 70 metres.
45. The intersection of Southern Drive and Plaza Parade must be upgraded to a four-way signalised intersection. The works must be undertaken in accordance with an Operational Works approval and must include in particular:
- (a) traffic signals, with pedestrian crossings across all four signalised approaches
 - (b) the relocation as necessary of all existing services and kerb and channel
 - (c) pavement widening and construction on Plaza Parade, including provision of:
 - (i) two through lanes, each at least 3.2 metres wide, and an on-road bike lane, at least 1.5 metres wide, in each direction between Cornmeal Creek and Carnaby Street
 - (ii) a minimum verge width of 4.5 metres on each side of Plaza Parade between Cornmeal Creek and Southern Drive
 - (iii) an auxiliary left-turn lane, at least 3.1 metres wide and with a vehicle storage length of at least 30 metres, on the northern side of Plaza Parade. Land must be dedicated from the site as road reserve to accommodate the auxiliary left-turn lane
 - (iv) a raised concrete median and right-turn lane on the western Plaza Parade approach, designed to allow for at least a 13.1

- metre diameter vehicle u-turn from this right-turn lane. The right-turn lane is to be designed to maximise its length by extending it as close as possible to the existing bridge on Cornmeal Creek
- (v) a raised concrete median and right-turn lane on the eastern Plaza Parade approach, designed to allow for at least a 13.1 metre diameter vehicle u-turn from this right-turn lane. The right-turn lane is to extend up to the right-turn lane at the adjacent Carnaby Street intersection and is to be designed to maximize vehicle storage length. Approach tapers to each right turn lane should be 10 metres long
 - (vi) extension of the existing kerb and channel, on its existing alignment, on the southern side of Plaza Parade on the eastern intersection approach up to Southern Drive
- (d) the widening and upgrade works associated with the Southern Drive (north) leg of the intersection must match the upgrade works required for Southern Drive in accordance with the conditions of this Decision Notice. The intersection is to be designed to permit a dual right-turn from Southern Drive (north) to Plaza Parade (west), allowing for the simultaneous movement of an articulated vehicle and a car
- (e) relocation of the existing bus stop on Plaza Parade east of Southern Drive to the west of Southern Drive
- (f) installation of street lighting.
- (g) works required in Condition 45(a), (c)(iii) & (d) and any associated service relocation are not eligible for an offset against Transport Infrastructure contributions. All remaining works identified within this condition and the relocation of the required 2.5m pathway on the northern side of Plaza Parade between Southern Drive and Maud Canal will be offset against Transport Infrastructure contributions. The process for administrating this offset will be determined through an Infrastructure Agreement.
46. If, prior to the commencement of use of the proposed development, the intersection of Southern Drive and Plaza Parade has been upgraded by others to a four-way signalised intersection, the applicant must undertake works at the intersection in accordance with an Operational Works approval as necessary to ensure the following are provided:
- (a) an auxiliary left-turn lane, at least 3.1 metres wide and with a vehicle storage length of at least 30 metres, on the northern side of Plaza Parade. Land must be dedicated from the site as road reserve to accommodate the auxiliary left-turn lane
 - (b) intersection modifications as necessary to incorporate the required upgrading and widening of Southern Drive in accordance with the conditions of this Decision Notice
 - (c) the relocation as necessary of all existing services, kerb and channel and paths to accommodate the auxiliary left-turn lane and widening of Southern Drive.

47. The intersection of Carnaby Street and Plaza Parade must be upgraded. The works must be undertaken in accordance with an Operational Works approval and must include in particular:
- (a) the relocation as necessary of all existing services and kerb and channel
 - (b) pavement widening and construction on Plaza Parade, including provision of two through lanes, each at least 3.2 metres wide, and an on-road bike lane, at least 1.5 metres wide, in each direction between Southern Drive and Carnaby Street and in an eastbound direction between Carnaby Street and Maud Canal
 - (c) the existing kerb alignment on the southern side of Plaza Parade must not be altered. The existing median on Plaza parade west of Carnaby Street may be reduced in width to help accommodate the works
 - (d) the re-alignment of the existing indented bus bay on the northern side of Plaza Parade east of Carnaby Street to accommodate the required road widening works. Land must be dedicated from the site as road reserve to accommodate the realigned bus bay and to ensure at least a 3.1 metre wide verge is provided along the northern side of Plaza Parade adjacent to the length of the indented bus bay and between the bus bay location and Maud Canal
 - (e) an increase in size of the raised concrete island on the north-west corner of the intersection to provide a greater area to accommodate waiting pedestrians and cyclists. This can be achieved by reducing the width of the adjacent left-turn slip lane by approximately 1 metre
 - (f) installation of a give way sign and associated line marking on the left-turn slip lane on the north-west corner of the intersection. The northbound departure carriageway into the site from the intersection is to be re-linemarked as a single lane
 - (g) re-linemarking of the eastern intersection approach lanes on Plaza Parade. This should include removal of all pavement arrows (except in the right turn lane), such that it operates as two through lanes through the intersection (plus the right turn lane), and provision of an on-road bike lane
 - (h) installation of street lighting.
 - (i) all works identified within this condition will be offset against Transport Infrastructure contributions. The process for administrating this offset will be determined through an Infrastructure Agreement.
 - (j)
48. Southern Drive must be upgraded between Plaza Parade and Cornmeal Creek. The works must be undertaken in accordance with an Operational Works approval and must include in particular:
- (a) a roundabout on the southern side of Cornmeal Creek, providing vehicle access to the interim car park west of Southern Drive and the existing loading bays on the eastern side of Southern Drive. The roundabout is to have an outside diameter of at least 27.2 metres. Pedestrian refuges and associated kerb ramps are to be provided across the southern and western roundabout approaches, with the



- centre of the 3 metre wide pedestrian opening in the splitter islands to be located at least 6 metres from the give way line
- (b) a zebra crossing on a raised platform and associated pathway connections on the northern side of the proposed roundabout
 - (c) a raised concrete median for the full length between Plaza Parade and the required roundabout south of Cornmeal Creek. Any driveway on this section of road must operate as left-in / left out only. The raised median should be at least 1.5 metres wide
 - (d) on-road bicycle lanes at least 1.5 metres wide in each direction for the full length between the proposed roundabout south of Cornmeal Creek and Plaza Parade
 - (e) two southbound traffic lanes for the full length between the proposed roundabout south of Cornmeal Creek and Plaza Parade
 - (f) all traffic lanes to have a width of at least 3.2 metres
 - (g) provision of at least a 4.25 metre wide verge on the western side
 - (h) construction of paths in accordance with the conditions of this Decision Notice
 - (i) installation of street lighting
 - (j) relocation of existing services
 - (k) dedication of land from the subject site to provide adequate space for all required road and verge works.
49. A bus stop shelter must be installed at the bus stop on the northern side of Plaza Parade east of Carnaby Street. The works must be undertaken in accordance with an Operational Works approval and must include in particular:
- (a) a bus stop shelter in accordance with Translink requirements (Intermediate Stop)
 - (b) the bus stop shelter must be located at least 3.1 metres clear of the kerb of the indented bus bay realigned in accordance with the conditions of this Decision Notice
50. As part of upgrading the intersection of Maroochydore Road, Evans Street and Broadmeadows Road, as required by the conditions of the Queensland Department of Transport and Main Roads, the left-turn slip lanes and associated corner islands required to be modified on the south-west and south-east corners of the intersection must be designed as a high-entry angle slip lanes.

Pedestrian and Bicycle Facilities

51. 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) retention of the existing walkway through the multi-deck car park at the entry to Myer
 - (b) 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
 - (c) signage and lighting at strategic locations to direct people to building entries and public toilet facilities
 - (d) pedestrian refuge areas at strategic locations within the car park to ensure safe and convenient congregating of pedestrians waiting to cross major access driveways
 - (e) pedestrian pathways between the Interim Car park and the building entries, to be provided prior to commencement of stage 1 construction works
 - (f) where pedestrian pathways, walkways and/or routes traverse construction sites, provision for the safe and convenient passage of all users through the construction site
 - (g) an additional 2 x 36 Class 2 bicycle parking spaces and associated end-of-trip facilities in the north east car park
 - (h) an additional 72 class 3 bicycle parking spaces shared between the front plaza and access north of Cornmeal Creek adjacent to the North/South Vehicle Link.
52. Pedestrian and bicycle paths and crossing facilities must be provided for the development within the site, undertaken in accordance with an Operational Works approval and must include in particular:
- (a) a landscaped pedestrian / cycle connection along the eastern / southern side of the north-south vehicle link through the site between Amaroo Street and Southern Drive at Cornmeal Creek and must include in particular:
 - (i) the connection must be at least 4.5 metres wide, consisting of at least a 1.5 metre wide landscaping / clearance strip (measured from the kerb face), incorporating street trees adjacent to the roadway kerb, and a 3 metre wide concrete paved area, except that the connection should be at least 5.5 metres wide for the section between Amaroo Street and the adjacent loading dock vehicle entrance. Where the connection passes beneath the proposed building to be constructed over the north-south vehicle link, the overall 4.5 metre width of the connection may be reduced at specific locations as necessary where it can be demonstrated this overall width cannot be reasonably achieved due to significant building design constraints. In all cases, the 3 metre wide concrete paved area is to be provided;
 - (ii) the 3 metre wide concrete paved area must be clear of all poles, posts and vertical obstructions. Where an existing stair case to a multi-storey car park may encroach into this area, the concrete

- paved area may be deviated into the landscaping strip past the stair case;
- (iii) the adjacent north-south vehicle link through the site must be realigned as necessary to accommodate the landscaped pedestrian / cycle connection. Existing retaining walls must be relocated as necessary to accommodate the realigned carriageway, such that the minimum clearance between a retaining wall and adjacent kerb is 300mm. The minimum width of the north-south vehicle link carriageway is 6.5 metres and a minimum clearance height under the proposed building of 3.4 metres; and
 - (iv) crossings of the pedestrian / cycle connection by car park and loading dock vehicle driveways from the adjacent north-south vehicle link should be on an alignment as close as possible to in line with the pedestrian / cycle desire line along the pathway
- (b) at least a 3 metre wide concrete path adjacent to the northern side of Cornmeal Creek from Southern Drive to Millwell Road. All walls, signposts, poles, fences and other vertical obstructions or hazards must be located at least 500 mm from each side of the path. The path must be lit to sub-category P2, in accordance with *AS 1158.3.1:2005, Pedestrian area (Category P) lighting – Performance and design requirements*, for the full length of the path up to the proposed zebra crossing on the eastern end of Millwell Road
 - (c) re-locate and re-design as necessary the proposed pedestrian access ramp to Level 1 of the shopping complex from the western side of the north / south vehicle link adjacent to Cornmeal Creek, such that the bottom of the ramp and associated walls are at least 4.5 metres clear from the realigned kerb of the north / south vehicle link required in accordance with the conditions of this Decision Notice
 - (d) a 3 metre wide concrete path adjacent to the southern side of Cornmeal Creek from Southern Drive, southwest to Plaza Parade. All signposts, poles, fences and other vertical obstructions must be located at least 500 mm from each side of the path. The path must be lit to sub-category P2, in accordance with *AS 1158.3.1:2005, Pedestrian area (Category P) lighting – Performance and design requirements*, for the full length of the path. The path must be provided prior to the commencement of the proposed use but may be constructed after spaces in the interim car park are no longer required to meet minimum site car parking requirements during the development construction period
 - (e) all zebra crossings on the north-south vehicle link through the site between the roundabout on Amaroo Street and the roundabout south of Cornmeal Creek must be located on speed platforms designed in accordance with *Part 1.29 of the Queensland Department of Transport & Main Roads' Traffic and Road Use Management Manual*. Additional speed platforms must be installed at other locations on the north-south vehicle link as necessary such that the maximum spacing between speed platforms is approximately 70 metres



- (f) Provision of a minimum 4m wide unencumbered concrete and/or suspended timber walkway along the northern side of Cornmeal Creek from Southern Drive for the full creek frontage of Lot 63 RP866871 and connecting to the existing 2 storey bridge traversing Cornmeal Creek. The walkway must be generally in accordance with the Pedestrian Promenade Indicative Section included within the Maroochydore PAC Structure Plan and include a pedestrian crossing over Southern Drive to tie in with the other nominated pathways
 - (g) a 3 metre wide concrete path adjacent to the southern side of Cornmeal Creek from Southern Drive, east to the existing pedestrian bridge over Maud Canal. All walls, signposts, poles, fences and other vertical obstructions must be located at least 500 mm from each side of the path. The path must be lit to sub-category P2, in accordance with AS 1158.3.1:2005, *Pedestrian area (Category P) lighting – Performance and design requirements*, for the full length of the path
 - (h) a 4 metre wide concrete bridge provided in the location identified on the approved plan and connecting to the pathway and promenade on both the south and eastern side of Cornmeal Creek. The bridge must be lit to sub-category P2, in accordance with AS 1158.3.1:2005, *Pedestrian area (Category P) lighting – Performance and design requirements*, for the full length of the path.
 - (i) Finger wharves provided in the locations shown on the approved plans and connecting smoothly to the pathway and promenade network, with a minimum of one on each side of Cornmeal Creek providing disabled access.
53. Pedestrian and bicycle paths and crossing facilities must be provided for the development external to the site. The works must be undertaken in accordance with an Operational Works approval and must include in particular:
- (a) a 2.5 metre wide concrete path within the road verge for the entire length of the site's eastern and southern frontage to Amaroo Street. All signposts, poles and other vertical obstructions must be located at least 500 mm from each side of the path. A zebra crossing on a raised speed platform must be installed where the path crosses the mid-block vehicle access to the proposed car park ramp and the alignment of the path crossing must be as close as possible to in line with the pedestrian / cycle desire line
 - (b) a path connection on the western side of the Amaroo Street / Pikki Street roundabout, including in particular:
 - (i) a pedestrian zebra crossing, on a raised platform suitable for buses, across the Pikki Street intersection leg and located 6 metres from the roundabout holding line
 - (ii) a 2.5 metre wide path from the Pikki Street zebra crossing to the zebra crossing across the north-south vehicle link intersection leg
 - (c) dedication of land from the subject site as necessary to ensure the required paths on the site's frontage to Amaroo Street and around the



- perimeter of the roundabout at the Pikki Street / Amaroo Street roundabout are contained within road reserve
- (d) a 2.5 metre wide concrete path within the road reserve along the southern side of Millwell Road between Evans Street and the site boundary. The path should be constructed along the southern boundary of the road reserve
 - (e) a 2.5 metre wide concrete path on the northern side of Millwell Road along the community centre frontage and connecting to the existing north-south pathway adjacent to the western boundary of the site, within the existing road reserve only. The path should be constructed at least 1 metre clear of the adjacent kerb
 - (f) Extend the existing 2.5 metre wide concrete path along the southern boundary of the Pikki Street reserve from the existing shared path along the southern boundary of the Maroochydore State School to the pedestrian crossing on the north-south vehicle link through the site to the east. Existing retaining walls must be relocated as necessary to accommodate the path. All signposts, poles, fences and other vertical obstructions or hazards must be located at least 500 mm from each side of the path
 - (g) a 2.5 metre wide concrete path along the northern side of Plaza Parade between Cornmeal Creek and Maud Canal. Land must be dedicated from the site as necessary at the north-west corner of the Carnaby Street / Plaza Parade intersection and at the pathway crossing of the left-turn vehicle site entry from Plaza Parade east of Carnaby Street such that the required 2.5 metre wide concrete path is located within road reserve with a verge width of at least 3.1 metres
 - (h) a 2.5 metre wide concrete path along the western side of Southern Drive between Plaza Parade and Cornmeal Creek. The path should be constructed at least 1 metre from the adjacent kerb. All signposts, poles and other vertical obstructions must be located at least 500 mm from each side of the path
 - (i) a zebra crossing and associated signage on the left-turn slip lane on the north-west corner of the Carnaby Street / Plaza Parade intersection
 - (j) a zebra crossing and associated signage on the left-turn site entry from Plaza Parade east of Carnaby Street
 - (k) installation of parallel white lines, at least 100mm wide and at least 2 metres apart, along the driveway crossover for the service vehicle site access on Plaza Parade immediately east of Maud Canal
54. All pedestrian and bicycle paths external to the site, and the following shared paths internal to the site, required to be provided by conditions of this Decision Notice must be designed in accordance with the requirements of Austroads' *Guide to Road Design Part 6A : Pedestrian and Cyclist Paths*, including clearances between paths and potential hazards:
- (a) the shared path adjacent to the north-south vehicle link between the Amaroo Street roundabout and Cornmeal Creek
 - (b) the shared path adjacent to the northern side of Cornmeal Creek between Millwell Road and the north-south vehicle link



- (c) the shared path adjacent to the southern side of Cornmeal Creek between Plaza Parade and Southern Drive
 - (d) the shared path on the southern side of Cornmeal Creek between Southern Drive and the existing pedestrian bridge over Maud Canal.
55. The outdoor dining areas identified on the approved plans must not extend into the pedestrian walkways and maintain a minimum 2 metre minimum clear zone.
56. A minimum 4 metre wide pedestrian connection (excluding kiosks, shop displays and indoor dining areas) must be provided during operational hours for the life of the development between the Amaroo Street Plaza and the new Cornmeal Creek Bridge.
57. A 24/7 pedestrian connection must be provided for the life of the development from the existing pedestrian bridge over Maud Canal connecting to Sunseeker Parade.
58. The existing pathway between Millwell Road and School Road must be maintained and made available to the public 24/7 for the life of the development.

HYDRAULICS & WATER QUALITY

Stormwater Quality Management

59. A stormwater quality treatment system must be provided for the development (including the car park on Lot 38 RP854195) and must be located within the subject site. 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 sections 4 and 5 of the Integrated Water Management Report listed in this Decision Notice
 - (b) bioretention devices which:
 - (i) are designed generally in accordance with IPWEQA Standard Drawing No. WSUD-001
 - (ii) if required, 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
 - (iv) are provided with a high flow bypass, if required to ensure that flows which exceed the treatment capacity of the device are



- bypassed in order to avoid damaging of the filter media or subjecting the filter media to excessive sediment loads.
- (v) are provided with a free-draining outlet from the sub-soil drainage system
 - (c) SFEP treatment trains as described by the Integrated Water Management Report to achieve the required water quality objectives.
60. 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)*
61. All 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.
62. Permanent educational signage* must be erected to educate the customers to the development about the function of the bioretention device(s). The dimensions, standard, presentation and location of the educational signage must be in accordance with an Operational Works approval.
**(Refer to Advisory Note)*

Rainwater Harvesting

63. 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) the details identified in section 6 of the Integrated Water Management Report listed in this Decision Notice, with the exception of the following:
 - (i) section 6.4.4 Storage and Reliability Optimisation.
 - (b) existing and anticipated water consumption profiles are to be verified by an appropriately qualified person*;
 - (c) provision for sufficient recycled water, rainwater and/or stormwater harvesting, storage and appropriate fit-for-purpose treatment to satisfy 85% reliability of water demand for all non-potable uses throughout the development (extension) excluding water required for cooling
 - (d) drinking water is not provided for garden watering and landscape irrigation.
64. 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

65. The minimum internal floor level of all new buildings constructed on the site must be designed to be a minimum level of 3.3m AHD, excluding transition areas from existing floor levels. The minimum level is to be confirmed through the provision of a Flood Search Certificate from Council prior to the lodgement of an application for Building Works.
66. The operational procedures and safety manual for the centre must be updated to take into account evacuation procedures, warning systems and management procedures for patron, staff and services within the centre during adverse flood and weather events, including a flood event up to the probable maximum flood (PMF).
67. Channel conditions (depth and width) are to be obtained via survey between Plaza Parade and the mouth of Cornmeal Creek to confirm assumptions for adopted design floor levels are consistent with model bathymetry data. The appropriateness of the modelled channel bathymetry must be verified by an appropriately qualified person* and submitted with the application for Operational Works. All associated works must be undertaken in accordance with an Operational Works approval.

Acid Sulfate Soils

68. All works must be carried out in accordance with an Acid Sulfate Soil and Groundwater Management Plan for the development prepared by a qualified person* and referenced in a Development Permit for Operational Works.
**(Refer to Advisory Note)*
69. All waters, including stormwater runoff, groundwater seepage and leachate from acid sulfate soils must achieve the following quality prior to release from the site:
- (a) a pH range of 6.5-8.5 pH units
 - (b) 50mg/L maximum total suspended solids concentration
 - (c) 0.3mg/L maximum total iron concentration
 - (d) 0.2mg/L maximum total aluminium concentration
 - (e) no visible plume at either the point of release from the site or within a waterway.
70. All treated material must undergo verification testing at the rate of one sample per 250 m³ throughout the duration of the excavation phase of the development. The verification testing must be undertaken by a qualified person* using the SPOCAS or Chromium Reducible Sulphur testing suite, and the results must be submitted to Council for appraisal.
**(Refer to Advisory Note)*

LANDSCAPE AND ECOLOGY

Existing Open Space Upgrade Works

71. The open space area to the southern frontage of Cornmeal Creek must be upgraded. The works must be undertaken in accordance with an Operational Works approval and must include in particular:
- (a) upgrade and expansion of existing playground area with equipment in two separate areas to cater for ages 2 to 5 and 5 to 12;
 - (b) seating, refuse bins and shade trees/devices at the termination of all finger wharves and internal bridges with the promenade and waterfront walkways, multiple sets adjoining the playground area/s and strategically located within the remaining open space areas;
 - (c) shade trees in coordination with the required pedestrian and cyclist connections;
 - (d) interactive physical and visual connections to the creek;
 - (e) incorporation of public art elements as identified in the Public Art Master Plan; and
 - (f) upgrades to the area adjacent Cornmeal Creek and Maud Canal junction with landscape design elements that encourage activation of the space and interaction with the adjacent shop fronts.

General Landscaping Works

72. The development site must be landscaped*. The works must be undertaken in accordance with an Operational Works approval that includes an updated Landscaping Plan that provides for the following:
- (a) to the Plaza Parade boundary of Lot 38 RP854195 a minimum 3 metre wide landscape buffer strip must be established wholly within the lot boundary. The buffer must be designed to sustain planting that achieves visual buffering of the car park area and the requirements of the Code for Landscaping Design. The buffer strip area must include trees that are 1.5 metres tall at installation and at 3 metre centres, with other smaller stock trees at regular centres for successional growth. The buffer area must be free from all infrastructure items other than pathway connections and co-ordination with stormwater infiltration devices
 - (b) a deep planting zone/vegetated buffer with an average width of 3 metres must be established within the subject site east of the realigned Amaroo Street footpath (as required by other conditions). All landscape areas to include tall trees for vertical scale and built form softening. This buffer must include trees that are 1.5 metres tall at installation and at 3 metre centres, with other smaller stock trees at regular centres for successional growth
 - (c) street tree planting to Plaza Parade (adjacent Lot 38 RP854195), Southern Drive and Amaroo Street must be established using suitable shade and amenity species at a maximum of 6 metre centres. Street trees must be approximately 1.5 metres tall at installation (to balance height and growth vigour) and be co-ordinated through design and growing methods with infrastructure, services and sightlines to create maximum amenity with minimal conflict
 - (d) landscaping of the Amaroo Street raised median with street trees approximately 1.5 metres tall at installation (to balance height and



- growth vigour) and be co-ordinated through design and growing methods with infrastructure, services and sightlines to create maximum amenity with minimal conflict
- (e) (e) a minimum 1.5m wide continuous landscape screening buffer (including vertical landscaping/green walls) planted west of the fencing for the Millwell Road loading dock and west elevation
 - (f) vegetated screening (including vertical landscaping/green walls) as indicated on the approved plans
 - (g) refurbishment of existing Maroochydore Road and Plaza Parade frontage landscape treatments with additional trees at 1.5metres tall at installation outside the drip line of all existing trees, with other smaller stock trees and shrubs for understorey planting at regular centres for successional growth and to screen the built form and car parking areas
 - (h) key locations for public art within the new development area of the site, integrated with the landscaping and built form and incorporating elements relating to the cultural and environmental values of Cornmeal Creek and Maud Canal
 - (i) identification of suitable locations within Sunshine Plaza for spaces that can function as meeting, waiting, recreation, rest and celebration spaces for users within the centre complementing the Sunshine Plaza built form and incorporating built form and vegetative landscape/amenity elements.
73. 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. Screening trees or shrubs are not to be removed or hard pruned in order to improve visibility of advertising signage or building facades for commercial purposes.
74. All landscape works must be maintained generally in accordance with the approved design for the life of the development.
75. Public art must be established within the new development area of the site and maintained generally in accordance with the approved Landscaping Plan for the life of the development.

Retention of Existing Trees

76. Existing trees on the site and in the road verge must be retained where not in conflict with approved new building or infrastructure works and in accordance with an Arborist Report for the development prepared by a qualified person* and referenced in a Development Permit for Operational Works.

**(Refer to Advisory Note)*

Fauna Management

77. Vegetation within the Cornmeal Creek corridor must only be removed or disturbed in accordance with a Fauna Management Plan for the development prepared by a qualified person* and referenced in a Development Permit for Operational Works.

Fauna Management Plan

78. As part of the first application for Operational Works over the subject land, the applicant must lodge a detailed Fauna Management Plan (FMP) for the vegetation along the Cornmeal Creek Corridor detailing the steps that will be taken to protect fauna species during development activity on the subject land.

The FMP shall include details of at least the following information:

- (a) The name of the fauna catchers/re-locators to be used, noting that they must be approved by the Queensland Parks and Wildlife Service, along with a copy of the fauna catchers'/re-locators' Rehabilitation Permit;
 - (b) A Fauna Spotter Report including a fauna assessment of the site and any fauna likely to be impacted;
 - (c) Confirmation that the direction of clearing is from an open area to a less open area to allow fauna to escape into neighbouring bushland;
 - (d) A pre-clearing trapping and release plan, noting that any trappings and releases are to be conducted at least two weeks before clearing commences;
79. A final report by the fauna spotter must be provided to Council's ecologist no more than two weeks after clearing is finished, stating the following:
- (c) The length of time of the clearing;
 - (d) Details of any animal/s that were caught and/or sighted and released, and the placement of any release/s;
 - (e) Details of any animals that were destroyed due to injury; and
 - (f) Confirmation of the follow up monitoring of nesting boxes.

Rehabilitation within the Cornmeal Creek Waterway Area

80. The land area below the top of bank along Cornmeal Creek on the subject site outside proposed walkways, car parks, boardwalks, bridges and timber jetties must be rehabilitated, if required, and include both the terrestrial and mangrove communities of vegetation*. The works must be undertaken in accordance with an Operational Works approval.

**(Refer to Advisory Note)*



Separation of Walkways and Car Park

81. The car park and pedestrian pathway on Lot 38 RP854195 must be constructed adjacent to the Cornmeal Creek top of bank and existing vegetation. A survey locating the top of bank must be submitted with the application for operational works.

ENVIRONMENTAL HEALTH**Outdoor Lighting Devices**

82. 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.
83. 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)

Waste Management-Demolition Phase

84. Prior to commencement of demolition and construction activities on the site, a Waste Management Plan must be prepared and implemented during demolition and construction activities. The plan must aim to re-use and/or recycle a minimum of 75% of all hard and soft waste material generated on the construction site to minimise the quantity of waste material disposed to Council's Landfill Waste Facilities. A copy of the Waste Management Plan must be submitted prior to construction activities occurring on the site. Certification must be submitted prior to commencement of use including details of the quantum of recycled materials (m³ and tonnage) compared to the waste taken to land fill.

Waste Management - Shopping Centre Operational Phase

85. Refuse storage, removal and collection facilities must be provided in accordance with the following:
- provision of separate waste bins for general and recyclable waste included through-out the development and positioned so as to be conveniently accessible to the shopping complex patrons and tenants;
 - provision of hardstand impervious areas for the permanent storage of separate waste bins for general and recyclable waste;
 - waste bins are to be stored within loading dock areas or purpose built enclosures to provide visual and aesthetic screening from streets, pedestrian pathways and any adjoining properties; and
 - provision of roofed wash-down area in the vicinity of each permanent storage area fitted with a hosecock and a drain connected to the sewer that has a stormwater catchment area of no more than 1m².

86. The development site must provide for the entry and exit of waste vehicles during all service times in a forward direction and without difficulty to align the vehicle with any waste container (includes waste compactor equipment).
*(Refer to Advisory Note)

Acoustic Amenity

87. Any fixed plant and equipment*, must be enclosed, shielded and/or positioned to ensure that sound pressure does not exceed the following levels for habitable rooms within dwellings and all new loading docks must ensure that sound pressure does not exceed the following levels for habitable rooms within dwellings:
- (a) 40 dB(A) L_{eq} for living and work areas
 - (b) 35 dB(A) L_{eq} for sleeping areas
 - (c) 45 dB(A) L_{max} for all areas
- 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)
88. Certification must be submitted to Council from a qualified person* which certifies that operational noise from new loading docks and any fixed plant and equipment complies with the requirements of this Decision Notice.
*(Refer to Advisory Note)

UNITYWATER

89. 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).
90. The fire-fighting demand on Unitywater's water supply system from the development must not exceed 30 litres per second.
91. 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.
92. Buildings, basements and other structures must maintain a minimum clearance of 1.5 metres from Unitywater sewer mains, and 1.5 metre from sewer manhole chambers and inspection openings.
93. Storm water retention systems and gross pollutant traps must maintain a minimum clearance of 1.5 metres from Unitywater water supply and sewerage infrastructure.



94. Tree plantings must maintain a minimum horizontal clearance of 1.0 metre from Unitywater water mains and 1.5 metres from Unitywater sewerage mains. Landscaping plants within these clearances must be low growing when mature and suitable approved varieties.
95. 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.
96. The applicant must provide sewerage infrastructure generally in accordance with Concept plans 23602-SK150 Rev D, 23602-SK151 Rev C, 23602-SK153 Rev B, 23602-SK154 Rev B and 23602-SK155 Rev A prepared by Cardno. The cost of the planning, design and construction of these works will be offset against water supply and sewerage infrastructure contributions. The process for administrating this offset will be determined through an Infrastructure Agreement between GPT RE Limited, Lend Lease Real Estate Investments Limited and Lend Lease Funds Management Limited and Northern SEQ Distributor-Retailer Authority (Unitywater).
97. The applicant must provide water supply infrastructure generally in accordance with the Figure 5 of the Sunshine Plaza Redevelopment (MCU07/0097) Water and Sewage Network Analysis by Cardno dated 5 March 2012.
98. 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. Easements must be located centrally over the main. For sewers on side boundary alignments easements may be partially located within neighboring properties.
99. The level of the existing sewer manholes must be adjusted to suit the proposed finished surface levels. Work must be undertaken by Unitywater at the applicants cost.
100. A Trade Waste permit is required prior to any stormwater, groundwater or sump pump discharge into Unitywater's sewerage system.

5. REFERRAL AGENCIES

The referral agencies applicable to this application are:

Referral Status	Referral Agency and Address	Referral Trigger	Response
Concurrence	Department of Transport & Main Roads	State controlled roads, public	The agency provided its response on 13 September 2012



Referral Status	Referral Agency and Address	Referral Trigger	Response
	Roads PO Box 1600 Sunshine Plaza Postal Shop MAROOCHYDORE QLD 4558	passenger transport and railways	(Reference No. TMR11-000473). A copy of the response is attached.
Concurrence	Department of Natural Resources and Mines GPO Box 2454 BRISBANE QLD 4001	Coastal Management Matters	The agency did not provide a response.
Concurrence	Department of State Development, Infrastructure and Planning PO Box 15009 CITY EAST QLD 4002	SEQ Regional Plan	The agency provided its response on 29 April 2012 (Reference No. F10/4425). A copy of the response is attached.
Concurrence	Department of Employment, Economic Development & Innovation PO Box 5083 SCMC QLD 4560	Marine Plants	The agency provided its response on 29 May 2012 (Reference No. 140/363p3). A copy of the response is attached.
Advice	Department of Natural Resources and Mines GPO Box 2454 BRISBANE QLD 4001	Acid Sulfate Soils	The agency did not provide a response. (Reference No. IA0707NAM0016).

6. APPROVED PLANS

The following plans are Approved Plans for the development:



Approved Plans

Plan No.	Rev.	Plan Name	Date
CP.01		<i>Sunseeker Parade – Pedestrian, Cycle & Landscape Improvements prepared by Sunshine Coast Regional Council</i>	26/9/2012
DA030	B	<i>Ground Demolition Plan, prepared by Lend Lease</i>	5/03/2012
DA031	B	<i>Level 1 Demolition Plan, prepared by Lend Lease</i>	5/03/2012
DA032	B	<i>Roof Demolition Plan, prepared by Lend Lease</i>	5/03/2012
DA208	B	<i>North Sub Precinct - North West Elevations, prepared by Lend Lease</i>	5/03/2012
DA209	B	<i>North Sub Precinct - North West Cornmeal Promenade Elevations, prepared by Lend Lease</i>	5/03/2012
DA210	B	<i>North Sub Precinct - North West Elevations - North, prepared by Lend Lease</i>	5/03/2012
DA306	B	<i>North Sub Precinct - North East Carpark Sections and Elevations, prepared by Lend Lease</i>	5/03/2012
DA190	B	<i>Amaroo St Entry Plaza, prepared by Lend Lease</i>	5/03/2012
DA191	B	<i>Cornmeal Promenade View From New Pedestrian Bridge, prepared by Lend Lease</i>	5/03/2012
DA192	B	<i>Cornmeal Promenade View From East, prepared by Lend Lease</i>	5/03/2012
DA193	B	<i>Cornmeal Promenade East Node Mall Entry prepared by Lend Lease</i>	5/03/2012
DA194	B	<i>Cornmeal Promenade View From West At North-South Vehicle Link prepared by Lend Lease</i>	5/03/2012
DA195	B	<i>Cornmeal Promenade Looking East From West Node Mall Entry, prepared by Lend Lease</i>	5/03/2012
23602-SK150	D	<i>Proposed Gravity Sewer Augmentation sheet 1 of 2, prepared by Cardno</i>	18/09/12
23602-SK151	C	<i>Proposed Gravity Sewer Augmentation sheet 2 of 2, prepared by Cardno</i>	18/09/12
23602-SK153	B	<i>Proposed Gravity Sewer Augmentation Long Section Sheet 1, prepared by Cardno</i>	18/09/12
23602-SK154	B	<i>Proposed Gravity Sewer Augmentation Long Section Sheet 2, prepared by Cardno</i>	18/09/12
23602-SK155	A	<i>Proposed Sewer Easement, prepared by Cardno</i>	18/09/12



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

Plans Requiring Amendment

Plan No.	Rev	Plan Name	Date
DA003	B	<i>Overall Plan Lower Ground Floor Plan Parking Level P1, prepared by Lend Lease</i>	5/03/2012
Amendments		<ol style="list-style-type: none"> 1. Update to include the required Plaza Parade and Southern Drive road and verge works (including pathways) as per conditions of approval; 2. Update to include the required Southern Drive to Amaroo extension road widening works and pathway connections in accordance with the conditions of this Decision Notice; 3. Remove part of the shopping complex GFA/GLA located within Lot 654 SP113361 (corner tenancy near the proposed new pedestrian bridge); 4. Update to include the northern Cornmeal Creek promenade extension to the existing multi-level bridge in accordance with the conditions of this Decision Notice; and 5. Update to amended pedestrian access ramps to Level 1 of the shopping complex from the western side of the north / south vehicle link (Southern Drive extension to Amaroo Street) adjacent to Cornmeal Creek, in accordance with the conditions of this Decision Notice. 	
Plan No.	Rev	Plan Name	Date
DA004	B	<i>Overall Plan Ground Floor Plan Parking Level P1, prepared by Lend Lease</i>	5/03/2012
DA005	B	<i>Overall Plan Parking Level P2, prepared by Lend Lease</i>	5/03/2012
DA006	B	<i>Overall Plan Level 1 Plan Parking Level P3, prepared by Lend Lease</i>	5/03/2012
DA007	B	<i>Overall Plan Parking Level P4, prepared by Lend Lease</i>	5/03/2012
DA008	B	<i>Overall Plan Parking Level P5, prepared by Lend Lease</i>	5/03/2012
DA009	B	<i>Overall Plan Parking Level P6, prepared by Lend Lease</i>	5/03/2012
Amendments		<ol style="list-style-type: none"> 1. Update to include the required Plaza Parade and Southern Drive road and verge works (including pathways) as per conditions of approval; 2. Update to include the required Southern Drive to Amaroo extension road widening works and pathway connections in accordance with the conditions of this Decision Notice; 3. Update to include the northern Cornmeal Creek promenade extension to the existing multi-level bridge in 	



	<p>accordance with the conditions of this Decision Notice;</p> <ol style="list-style-type: none"> 4. Update to amended pedestrian access ramps to Level 1 of the shopping complex from the western side of the north / south vehicle link (Southern Drive extension to Amaroo Street) adjacent to Cornmeal Creek, in accordance with the conditions of this Decision Notice; 5. Update to include the required interim car park works, landscape buffers and surrounding pathways in accordance with the conditions of this Decision Notice; 6. Update to include the required extension of the pedestrian promenade along Maud Canal from the existing bridge to Plaza Parade in accordance with the conditions of this Decision Notice; 7. Remove part of the shopping complex GFA/GLA located within Lot 654 SP113361 (corner tenancy near the proposed new pedestrian bridge); 8. Update to include the required widening of Amaroo Street and associated re-design of the at grade parking in accordance with the conditions of this Decision Notice; and 9. Update to include the landscape areas to the north of the multi-deck car park to Maroochy Road. 		
Plan No.	Rev	Plan Name	Date
DA100	B	<i>Plaza Parade Sub Precinct Ground Floor Plan, prepared by Lend Lease</i>	5/03/2012
Amendments	<ol style="list-style-type: none"> 1. Update to include the required Plaza Parade and Southern Drive road and verge works (including pathways) as per conditions of approval; 2. Update to include the northern Cornmeal Creek promenade extension to the existing multi-level bridge in accordance with the conditions of this Decision Notice; 3. Remove part of the shopping complex GFA/GLA located within Lot 654 SP113361 (corner tenancy near the proposed new pedestrian bridge); 4. Update to include the required interim car park works, landscape buffers and surrounding pathways in accordance with the conditions of this Decision Notice; and 5. Update to include the required extension of the pedestrian promenade along Maud Canal from the existing bridge to Plaza Parade in accordance with the conditions of this Decision Notice. 		



Plan No.	Rev	Plan Name	Date
DA200	B	North Sub Precinct - North West Lower Ground Floor Plan Parking Level P1, prepared by Lend Lease	5/03/2012
DA201	B	North Sub Precinct - North West Ground Floor Plan Parking Level P1, prepared by Lend Lease	5/03/2012
DA202	B	North Sub Precinct - North West Parking Level P2, prepared by Lend Lease	5/03/2012
DA203	B	North Sub Precinct - North West Ground Level 1 Plan Parking Level P3, prepared by Lend Lease	5/03/2012
DA204	B	North Sub Precinct - North West Level 1A Parking Level P4, prepared by Lend Lease	5/03/2012
DA205	B	North Sub Precinct - North West Parking Level P5, prepared by Lend Lease	5/03/2012
DA206	B	North Sub Precinct - North West Parking Level P6, prepared by Lend Lease	5/03/2012
DA207	B	North Sub Precinct - North West Roof Plan, prepared by Lend Lease	5/03/2012
Amendments		<ol style="list-style-type: none"> 1. Update to include the required Southern Drive to Amaroo extension road widening works and pathway connections in accordance with the conditions of this Decision Notice; 2. Update to include the northern Cornmeal Creek promenade extension to the existing multi-level bridge in accordance with the conditions of this Decision Notice; 3. Remove part of the shopping complex GFA/GLA located within Lot 654 SP113361 (corner tenancy near the proposed new pedestrian bridge); 4. Update to amended pedestrian access ramps to Level 1 of the shopping complex from the western side of the north / south vehicle link (Southern Drive extension to Amaroo Street) adjacent to Cornmeal Creek, in accordance with the conditions of this Decision Notice; and 5. Update to include the required interim car park works, landscape buffers and surrounding pathways in accordance with the conditions of this Decision Notice. 	
Plan No.	Rev	Plan Name	Date
DA211	B	North Sub Precinct - North West Sections AA, BB, CC & DD, prepared by Lend Lease	5/03/2012
DA212	B	North Sub Precinct - North West Section EE, FF, GG & HH, prepared by Lend Lease	5/03/2012
DA213	B	North Sub Precinct - North West	5/03/2012



		<i>Cornmeal Promenade & Creek Part Sections EE, GG & HH, prepared by Lend Lease</i>	
DA214	B	<i>North Sub Precinct - North West Cornmeal Creek Study Sections EE & GG, prepared by Lend Lease</i>	5/03/2012
Amendments	1. Update to include the minimum height for the Southern Drive to Amaroo Street road link in accordance with condition of this Decision Notice.		
Plan No.	Rev	Plan Name	Date
DA300	B	<i>North Sub Precinct - North East Ground Floor Plan Parking Level P1, prepared by Lend Lease</i>	5/03/2012
DA301	B	<i>North Sub Precinct - North East Level GA Plan Parking Level P2, prepared by Lend Lease</i>	5/03/2012
DA302	B	<i>North Sub Precinct - North East Level Plan Parking Level P3, prepared by Lend Lease</i>	5/03/2012
DA303	B	<i>North Sub Precinct - North East Parking Level P4, prepared by Lend Lease</i>	5/03/2012
DA304	B	<i>North Sub Precinct - North East Parking Level P5, prepared by Lend Lease</i>	5/03/2012
DA305	B	<i>North Sub Precinct - North East Parking Level P6, prepared by Lend Lease</i>	5/03/2012
Amendments	<ol style="list-style-type: none"> 1. Update to include the northern Cornmeal Creek promenade extension to the existing multi-level bridge in accordance with the conditions of this Decision Notice; 2. Update to include the required widening of Amaroo Street and associated re-design of the at grade parking in accordance with the conditions of this Decision Notice; and 3. Update to include the landscape areas to the north of the multi-deck car park to Maroochydoore Road. 		
Plan No.	Rev	Plan Name	Date
DA307	B	<i>North Sub Precinct - North East Carpark Sections and Elevations, prepared by Lend Lease</i>	5/03/2012
Amendments	1. Update to include the landscape areas to the north of the multi-deck car park to Maroochydoore Road.		
Plan No.	Rev	Plan Name	Date
DA004	A	<i>Construction Staging Plan - Stage 1 March 2013 – April 2014, prepared by Lend Lease</i>	3/02/2012



DA004	A	<i>Construction Staging Plan - Stage 2 February 2014 – March 2014, prepared by Lend Lease</i>	3/02/2012
DA004	A	<i>Construction Staging Plan - Stage 3 December 2013 – September 2015, prepared by Lend Lease</i>	3/02/2012
Amendments		1. Amend Stage 1 to show construction of Interim Car Park and rooftop parking prior to closure of existing north east car parking.	

7. REFERENCED DOCUMENTS

The following documents are referenced in the assessment manager conditions:

Referenced Documents

Document No.	Rev.	Document Name	Date
R.B17997.003.04.IWMP.doc	4	<i>Sunshine Plaza Redevelopment Development Permit for Material Change of Use (MCU07/0097) Information Request Response Report: Integrated Water Management Plan, prepared by BMT WBM</i>	12 March 2012
236202.001	1	<i>Sunshine Plaza Redevelopment (MCU07/0097) Water and Sewerage Analysis Information Request Response , prepared by Cardno</i>	5 March 2012

8. ADVISORY NOTES

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

PLANNING

Development Compliance Inspection

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

Resubmission of Amended Plans Required

2. The conditions of this Decision Notice require resubmission of plan/s to Council with amendments. Please address the amended plan/s to Council's Planning Assessment Branch with the Reference No. MCU07/0097, separate to any Operational Works application. To avoid delays and assessment issues with the Operational Works application, it is recommended the plan/s be resubmitted prior to lodgement of any Operational Works application. However, should the plan/s not be submitted, the applicant is advised that a Preliminary Approval may be issued in lieu of a Development Permit.

Infrastructure Charges

3. 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*.
4. Costs associated with the construction of infrastructure identified as Trunk Infrastructure may be offset against infrastructure charges payable for the development.

Reciprocal Access Easements

5. In accordance with the *Sustainable Planning Act 2009*, any proposed registration of reciprocal access easements (as an alternative to land amalgamation) will first require a Development Permit for Reconfiguring a Lot be obtained from Council.

ENGINEERING**Preparation of Operational Works Application**

6. The applicant is advised to refer to section 2.1.2 of Planning Scheme Policy No. 5 – *Operational Works* prior to preparation of any Operational Works application for the development.

Co-ordination of Operational Works Assessment

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



Preparation of a Preliminary Construction Management Plan

8. 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:
- (g) 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 Transport and Main Roads (DTMR) for any works on State controlled roads
 - (h) maintenance and protection of water quality and existing drainage lines through the construction site, through the implementation of appropriate erosion and sediment control measures
 - (i) works programme identifying key components of the works and their respective durations
 - (j) 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
 - (k) identification of complaint management procedures including:
 - (i) contact details for the on-site manager
 - (ii) dispute resolution procedures
 - (l) 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.

Lawful Point of Discharge

9. 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.

Works within a Watercourse

10. The applicant is advised that the proposal involves works within a watercourse which will require referral to the Department of Environment & Heritage

Protection under the *Water Act 2000* and *Sustainable Planning Act 2009* at the time of making an application for operational works.

HYDRAULICS & WATER QUALITY

Qualified Person

11. 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).
12. 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).
13. 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.

Integrated Water Management Guidelines

14. 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.

Preparation of a Maintenance Manual

15. To ensure expedient assessment of any Operational Works application, the applicant is advised that the Maintenance Manual required by this Decision Notice must include:
 - (d) a plan showing the location of the individual components of the system
 - (e) manufacturer's data and product information sheets for any proprietary products
 - (f) location of inspection and monitoring points shown clearly on the plan
 - (g) a schedule or timetable for the proposed regular inspection, maintenance and monitoring of the devices.

Bioretention Basin Educational Signage

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

"BIORETENTION BASIN - This bioretention basin reduces the pollution of our waterways by reducing the amount of heavy metals, litter,



suspended solids, and nutrients discharged to (insert name of receiving waters)".

LANDSCAPE & ECOLOGY

Preparation of a Landscape Plan

17. 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.

Qualified Persons

18. 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.
19. For the purpose of preparing an Arborist Report, a qualified person is considered to be a person with either:
- (a) ISA certification; or
 - (b) a Diploma of Arboriculture in addition to a minimum of 3 years current experience in the field of arboriculture.
20. For the purpose of preparing a Rehabilitation Plan, a qualified person is considered to be a landscape architect or ecologist with a minimum of 3 years current experience in the field of landscape design.

Preparation of a Rehabilitation Plan



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

ENVIRONMENTAL HEALTH

Qualified Person

22. For the purpose of certifying outdoor lighting devices for the development, a qualified person is considered to be either:
- (c) a Registered Professional Engineer of Queensland; or
 - (d) an environmental or electrical design consultant with a minimum of 3 years current experience in the field of outdoor lighting.
23. 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.
24. For the purpose of certifying acoustic barrier construction for the development, a qualified person is considered to be a Registered Professional Engineer of Queensland.

Waste Management-Shopping Centre Operational Phase

25. For the purpose of demonstrating compliance with condition 97 the applicant is requested to contact Council's Waste Management Branch. The respective waste collection vehicles (i.e. for collection of 240l wheelie bins, 1100l and greater bulk bins) and their dimensions will be provided upon standard drawings when requested.

Note: Council's Waste Contract does not include the supply of waste compactor equipment. Only the service of a compactor is provided under the contract by Council. Subsequently the applicant must ensure that any compactor intended for use by the development can be serviced utilising the Contractor provided Waste Compactor Servicing Vehicle.



Acoustic Amenity

26. The applicant is advised to ensure during the detailed building design and selection of fixed plant and equipment (e.g. A/C units, refrigeration plant, mechanical exhaust and the like) that the advice and design input of a qualified acoustic consultant (includes the location and/or shielding/enclosure of equipment) is sought to ensure that the operation of plant and equipment will comply with the conditioned noise limits.

Noise

27. 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.

Trade Waste Permit – Unitywater

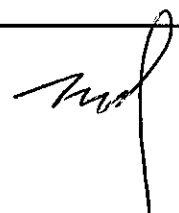
28. A Trade Waste Permit from Unitywater must be obtained prior to proceeding with any plumbing or drainage work that involves the sewerage system receiving liquids from any pre-treatment system or discharge to sewer. The applicant should contact a Trade Waste Officer from Unitywater directly with any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

UNITYWATER

29. Connection to Unitywater live water mains and the Unitywater live sewer system must be undertaken by Unitywater at the applicants cost.
30. Plans and documentation must be submitted to Unitywater with a completed application for a trade waste permit. This is required prior to obtaining a plumbing approval from Council.

GENERAL**Equitable Access and Facilities**

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



- (a) the *Disability Discrimination Act 1992* (Commonwealth); and
- (b) *Anti-Discrimination Act 1991* (Queensland).

Sunshine Coast Regional Council recommends that the following matters be considered to address equitable access and facilities in the building:

- (a) the building and environs should be designed to meet the requirements of the Australian Human Rights 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

32. 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:

Not Applicable.

10. PRELIMINARY APPROVAL OVERRIDING PLANNING SCHEME

Not Applicable.

11. FURTHER DEVELOPMENT PERMITS REQUIRED



- Development Permit for Operational Works (Bulk Earthworks and Retaining Walls, External Works, Water and Sewerage Works, Car parking, Driveways, Stormwater Drainage Works, Electrical Reticulation and Street lighting, Landscaping)
- Development Permit for Operational Works (Prescribed Tidal Works)
- Development Permit for Building Work

12. SELF ASSESSABLE CODES

The following codes for self-assessable development related to the development approval issued under this Decision Notice must be complied with.

- Code for Siting and Design of Advertisements

13. SUBMISSIONS

There were 15 properly made submissions about the application. In accordance with *Integrated Planning Act 1997*, the name and address of the principal submitter for each properly made submission is provided and attached.

14. REASONS / GROUNDS FOR APPROVAL DESPITE CONFLICT WITH SCHEME

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

1. the proposed development will enable Maroochydore Principal Activity Centre to strengthen its longer term position in the retail hierarchy;
2. the proposed development satisfies economic and community needs, provides more retail choice and will assist to retain some escape expenditure leaving the Sunshine Coast;
3. the additional 9,394m² of floor space over the nominated cap represents a very small market share in the primary trade area and will not delay or compromise the development of the Maroochydore Central Precinct; and
4. the development will deliver a number of infrastructure upgrades as a consequence of the development and will not adversely impact on the efficient provision of infrastructure to service Maroochydore.

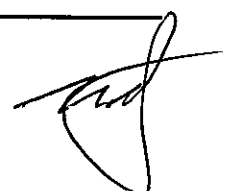
15. RIGHTS OF APPEAL

You are entitled to appeal against this decision. A copy of the relevant appeal provisions from the *Integrated Planning Act 1997* 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.



7.2.2 UNIVERSITY OF THE SUNSHINE COAST'S PAID PARKING – APPENDIX A – DRAFT REGULATED PARKING AGREEMENT

7.2.2 University of the Sunshine Coast's Paid Parking Appendix A

7.2.2 UNIVERSITY OF THE SUNSHINE COAST'S PAID PARKING – APPENDIX B – AMENDMENT SUBORDINATE LOCAL LAW NO. 1 (PARKING) 2013

7.2.2 University of the Sunshine Coast's Paid Parking Appendix B

7.5.1 CALOUNDRA AERODROME MASTER PLAN – APPENDIX A

7.5.1 Caloundra Aerodrome Masterplan Appendix A

7.6.1 AUDIT COMMITTEE REPORT 1 FEBRUARY 2013 – APPENDIX A

7.6.1 Audit Committee Report 1 February 2013 Appendix A

