

APPLICATION DETAILS

Application No: RAL20/0010 and MCU20/0014
Street Address: 21 Petrie Creek Rd NAMBOUR QLD 4560
Real Property Description: Lot 3 RP 176566
Planning Scheme: Sunshine Coast Planning Scheme (11 November 2019)

APPROVAL DETAILS

Nature of Approval: Approval with conditions
Type of Approval:

- Development Permit to Reconfigure a Lot (1 Lot into 16 Lots plus New Road, Access Easements and Drainage Reserve); and
- Preliminary Approval for Material Change of Use of Premises (including a Variation Request to vary the effect of the Sunshine Coast Planning Scheme 2014 to apply the provisions of the Low density residential zone – Precinct LDR1 (Protected Housing Area))

CURRENCY PERIOD OF APPROVAL

Unless lawfully extended, the currency period for this development approval is 6 years starting the day that this development approval first took effect (Refer to Section 85 “Lapsing of approval at end of currency period” of the *Planning Act 2016*).

INFRASTRUCTURE

Unless otherwise specified, all assessment manager conditions of this development approval relating to the provision of infrastructure are non-trunk infrastructure conditions for Chapter 4 of the *Planning Act 2016*.

ASSESSMENT MANAGER CONDITIONS**RECONFIGURATION OF A LOT (1 LOT INTO 16 LOTS PLUS NEW ROAD, ACCESS EASEMENTS AND DRAINAGE RESERVE)****PLANNING****When conditions must be complied with**

1. Unless otherwise stated, all works required by the below conditions of this development approval must be completed prior to approval of the plan of subdivision.

Approved Plans

2. Development authorised by this approval must be undertaken generally in accordance with the approved plans listed within this development approval (as annotated by Council).

3. All lot numbering on the plan of subdivision to be submitted to council must remain as shown on the approved plans.

Plan of development

4. All future dwellings and structures on the approved lots 1, 2, 4 to 10 and 16 must be sited and constructed clear of the 'Building Exclusion Zone' identified on the "Plan of Development" shown on the Approved Subdivision Layout Plan. A copy of the approved plan of development must be included in the contract of sale for the subject lots, together with a clause which requires future dwellings to be constructed in accordance with it.

Boundary Encroachments

5. Certification must be submitted to council (as relevant to each stage) from a cadastral surveyor which certifies that:
 - (a) the boundary clearances for any existing buildings or structures that are to remain on the site comply with the relevant provisions of the planning scheme and the *Building Act 1975* (unless varied by this development approval), where boundary clearances for buildings other than class 1 or 10 buildings are to be determined by a building certifier;
 - (b) all constructed access and roadworks (including associated fill batters and retaining walls) are fully contained within a dedicated reserve or registered easement;
 - (c) all existing and proposed utility services and connections (e.g. electricity, telecommunications, water, sewerage) are wholly located within the lot they serve, or alternatively included within an easement where location within the lot is not possible;
 - (d) all retaining walls and structures are fully contained within the lot they retain;
 - (e) any fill, including fill batters, are wholly contained within the subject site and not on adjacent properties.

Water and Sewerage Services

6. A certificate of completion from the Northern SEQ Distributor–Retailer Authority (Unitywater) must be submitted to council that certifies an underground connection to reticulated water and sewerage (where applicable) exists prior to endorsement of the survey plan.

ENGINEERING

External Works

7. Petrie Creek Road must be upgraded for the length of its frontage to the subject site, as described below. The works must be undertaken in accordance with an operational works approval and, unless otherwise agreed with Council, must include in particular construction of a pedestrian footpath in accordance with the conditions of this development approval.
8. Esther Place must be upgraded for the length of its frontage to the subject site, as described below. The works must be undertaken in accordance with an operational works approval and, unless otherwise agreed with Council, must include in particular:

- (a) Reconstruction of kerb and channelling in the vicinity of the tee-head turnaround generally as shown on the approved plans;
- (b) Construction of a pedestrian footpath in accordance with the conditions of this development approval;
- (c) Reinstatement of the kerb, footpath and verge area to match the balance of the site frontage, including the provision of topsoil and turf where the existing verge is grassed;
- (d) Provision of at least two new on-street parking bays within the road reserve for the former tee-head (in addition to the 3 spaces shown between Road A and Road B).

New Roads

- 9. The new roads shown on the Approved Plans must be constructed in accordance with the conditions of this development approval and dedicated as road reserve at no cost to Council.
- 10. New roads Road A and Road B as shown on the Approved Plans must be constructed. The works must be undertaken in accordance with an operational works approval and, unless otherwise agreed with Council, must include in particular:
 - (a) for Road A, a design standard matching that of an Access Place in accordance with Council's *Planning scheme policy* for the *Transport and parking code*, including in particular:
 - (i) A design speed/environment of 30 km/h;
 - (ii) Installation of Rate 3 street lighting;
 - (b) A minimum road reserve width of 14m, generally as shown on the approved plans.
 - (i) A design speed/environment of 30 km/h;
 - (ii) Installation of Rate 3 street lighting;
 - (c) for Road B, a layout generally as shown on the approved plans with a design standard generally matching that of an Access Street in accordance with Council's *Planning scheme policy* for the *Transport and parking code*, including in particular:
 - (iii) Provision of a minimum of 3 on-street parking bays and associated road reserve widening if necessary to accommodate all indented bays;
 - (iv) Installation of Rate 3 street lighting.
 - (d) provision of barrier (B1) kerb where adjacent to any bioretention basins and at the termination of Road A boundary with Lot 100.
 - (e) for Road A, termination in a turning area of sufficient size to accommodate the 3-point turn manoeuvre of a Waste Collection Vehicle (WCV).
 - (f) construction of pedestrian footpaths in accordance with the conditions of this development approval.

Property Access and Driveways

- 11. Residential driveways must be constructed to Lots 1, 2, 3 and 14. The works must be undertaken in accordance with an operational works approval generally in accordance with standard drawings RS-049 and RS-050, for the full length of any access handles and including underground service conduits for all utility services.
- 12. Vehicle access to Lots 14-17 is limited to Road A only, except that only the existing dwelling (and not any subsequent dwelling) on Lot 16 may continue to gain access via the constructed driveway along Petrie Creek Road. A clause must be included in the contract of sale for Lots 14-16 which prohibits vehicle access being taken from Petrie Creek Road.

Concrete Bin Pad

13. A concrete bin pad for Lots 1 and 2 must be constructed on the kerbside of Road B, located immediately east of the shared crossover. The bin pad must be in accordance with an operational work approval and sufficiently sized to wholly accommodate 4 wheelie bins.
14. A concrete bin pad for Lots 3 and 4 must be constructed on the kerbside of Road B, located immediately south of the shared crossover in front of Lot 4. The bin pad must be in accordance with an operational work approval and sufficiently sized to wholly accommodate 4 wheelie bins.

Pedestrian and Bicycle Facilities

15. Pedestrian and bicycle facilities must be provided for the development, as noted below. The works must be undertaken in accordance with an operational works approval and must include in particular:
 - (a) a minimum 1.8 wide footpath within Esther Street external to the development, extending between this site and the existing footpath located near external Lot 0 SP306627 (No. 1 Esther Place);
 - (b) a minimum 1.8m wide footpath along one side of Road A between Esther Place and Lot 16;
 - (c) a minimum 1.8m wide footpath within a reserve located between Road A and Petrie Creek Road, connecting to the footpath on Petrie Creek Road;
 - (d) removal of the existing footpath along the site's frontage to Petrie Creek Road, and replacement with a minimum 2.0m wide footpath, including appropriate fencing on the northern side adjacent to the embankment and associated earthwork.

Utility Services

16. Underground reticulated electricity and telecommunication services must be provided to each lot in accordance with the requirements of the relevant service provider. The applicant must either provide a Certificate for Electrical Supply or apply for a further operational works approval, where Contestable Works are required.
17. An underground connection to reticulated water and sewerage must be available and provided to each lot in accordance with the standards and requirements of Northern SEQ Distributor–Retailer Authority (Unitywater).
18. Certification must be submitted to Council from all relevant service providers which certifies that the development has met the requirements of development approval and all applicable legislation at the time of construction.

Geotechnical Stability –Subdivisional Requirements

19. All subdivisional works must be carried out in accordance with the recommendations contained in Section 6 of the Geotechnical Investigation listed within this development approval Add where necessary.
20. Certification must be submitted to Council from a qualified person*. The certification must certify that the subdivisional works have been constructed in accordance with the

recommendations contained in Section 6 of the Geotechnical Investigation listed within this development approval.

*(Refer to Advisory Note)

Geotechnical Stability –Future Dwelling Requirements

21. All future dwellings and earthworks on the approved lots must be constructed in accordance with the relevant recommendations contained in Section 6 of the Geotechnical Investigation listed within this development approval (noting in particular obtaining site specific soil tests for each lot for the purposes described under Section 6.3.1), unless varied by a site specific investigation for a particular house lot.

Earthworks and Retaining Walls

22. All fill and associated batters must be undertaken in accordance with an operational works approval, and contained entirely within the subject site unless written permission from the respective landowner(s) is provided to Council.
23. All retaining walls must be designed and constructed in accordance with the planning scheme and must be certified by a Registered Professional Engineer of Queensland (RPEQ) where exceeding 1m in height.
24. Safety barriers must be implemented where steep slope or fall hazards exist naturally or are created by the design. The barrier type must be assessed and designed by a RPEQ as being appropriate for each location and the anticipated risks during construction, establishment, maintenance and end use, in accordance with the following criteria and standards:
- (a) Where located on public roadways, vehicle barriers must be designed in accordance with *Austroads* and the *DTMR* design guidelines;
 - (b) Where located adjacent to vehicle manoeuvring areas, vehicle barriers must be designed in accordance with *AS 2890.1 – Off-street Parking*;
 - (c) Where located near publicly accessible paths, pedestrian and cycle barriers must be designed in accordance with *Austroads Guide to Road Design – Part 6A Paths for Walking and Cycling*;
 - (d) Where located in areas with limited access, pedestrian barrier selection must be based on a suitable risk assessment method e.g. *AS 2156.2 Walking Tracks*;
 - (e) where located on residential boundary retaining walls greater than 1.0m high, a ‘full infill’ barrier (1.0m min height) or equivalent performance boundary fence (e.g. 1.8m high timber);
 - (f) All barriers must be certified to the appropriate load conditions from *AS 1170 - Structural Design Actions* by either the manufacturer or engineering calculations.

Easements

25. An easement for access and drainage purposes must be registered in favour of Council against the title of Lot 3. The easement must encompass the full access handle of Lot 3.
26. Easement for drainage purposes must be registered against the title of the properties in favour of Council over the proposed easements identified *Integrated Stormwater Management Plan* listed in this development approval.

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

Road Reserve Dedication

30. The land area identified as road reserve (including any bioretention basins) on the Approved Plans must be dedicated as road reserve.

HYDROLOGY

Stormwater Drainage

31. The site must be provided with a stormwater drainage system connecting to a lawful point of discharge. The works must be undertaken in accordance with an operational works approval and the *Queensland Urban Drainage Manual* and must include in particular:
 - (a) the works described in the *Integrated Stormwater Management Plan* listed in this development approval,
 - (b) extension of the site stormwater system to accommodate stormwater from external to the site, including registration of drainage easements;
 - (c) cut off drains where necessary.

Stormwater Quality Management

32. A stormwater quality treatment system must be provided for the development. The works must be undertaken in accordance with an operational works approval, and include stormwater quality treatment devices of a size and location generally in accordance with those shown in the *Integrated Stormwater Management Plan* listed in this development approval, with the exception of the following:
 - (a) Remove all swales and buffers from the MUSIC model and ensure that adequate space is available for the bioretention filter area to achieve Council's pollutant load reduction targets; and
 - (b) The height of retaining walls to Detention Basin 1 must be deleted or otherwise reduced in height by further lowering the detention basin floor level and steepening the 1V:3H batter to 1V:2H along with appropriate vegetation.
33. Permanent educational signage* must be erected to educate the residents of 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)

Flood Immunity

34. The surface levels of all lots, excluding drainage reserves, must be constructed to provide flood immunity. The works must be undertaken in accordance with an operational works approval and must include in particular surface levels that are consistent with the requirements of the *Flood hazard overlay code*.
35. An easement for drainage purposes must be registered against the title of any property (other than drainage reserve) in favour of council over any land area identified as being below the flood level for the Defined Flood Event on the subject site.

ECOLOGY

Landscaping Works

36. The development site must be landscaped. The works must be undertaken in accordance with an operational works approval and must include in particular:
 - (a) the works adjacent to Petrie Creek Road as generally shown on the Approved Plans
 - (b) provision of street trees within the road reserve at an average of 6 to 8m centres in accordance with the conditions of this development approval
 - (c) removal of all weeds species listed in the following standards and legislation:
 - (i) invasive plants listed in the *Biosecurity Act 2014*
 - (ii) *Sunshine Coast Council Local Government Area Biosecurity Plan 2017*.

Street Tree Landscaping

37. The street tree landscaping specified in the conditions of this development approval must:
 - (a) be centrally located between kerb and footpath OR where no paved footpath: be offset a minimum 1m from back of kerb
 - (b) be established in a planting bed that is positively drained
 - (c) have a balanced canopy and roots free of container deformation
 - (d) be provided to meet the intent of shading the road verge and pedestrian paths
 - (e) be located so as to facilitate ingress and egress from kerbside
 - (f) comply with *AS2303:2018* Tree stock for landscape use
 - (g) comply with council's *Planning scheme policy* for the transport and parking code
 - (h) be designed so that any soil areas less than 2m² are provided as planting (not turf)
 - (i) be designed for turf areas to be maintained by mowers with a 2.1m wide cutting deck.
 - (j) Comprise of the following species and configuration:
 - Fronting Lots 1,2, 4 to 10 inclusive, and Lot 17 within the water easement - plant *Melaleuca viminalis* (Dawson River Weeping Bottlebrush) at six metre spacing's,
 - Adjoining the existing fence line of the adjoining estate – plant a continuous "hedge planting" of *Leptospermum petersonii* (Lemon Scented Tea-tree) at 2 metre spacing's.
 - Fronting Lots 10 to 16 inclusive – plant *Harpullia pendula* (Queensland Tulipwood) at 8 metre spacing's.

Entrance Features

38. Any proposed entrance feature must be located entirely within private land and not within the public road reserve. Entrance features must:
- (a) reflect a local character
 - (b) comprise feature vegetation (either existing or planted) in preference to built forms
 - (c) integrate with the landscape design of the balance of the estate
 - (d) be constructed of durable and low maintenance materials
 - (e) be treated with a graffiti resistant coating
 - (f) not restrict pedestrian access.
39. The land area identified as Lot 100 "Drainage Reserve" on the Approved Plans must be rehabilitated in accordance with an operational works approval and must include the removal of all weeds species listed in the following standards and legislation:
- (a) invasive plants listed in the Biosecurity Act 2014
 - (b) *Sunshine Coast Council Local Government Area Biosecurity Plan 2017 and Pest Management Plan 2012-2016.*

Transfer of Land to Council

40. The land area identified as Lot 100 "Drainage Reserve" on the Approved Plans must be transferred to council in fee simple for Drainage Reserve purposes. The land to be transferred is "non-trunk infrastructure" for the purposes of the *Planning Act 2016*.
41. The land area to be transferred must be unencumbered by services such as pump stations, services easements or similar operational uses, but may include bioretention as shown on the approved plans.
42. The land owner/developer must be responsible for all costs associated with the transfer of the land, including the requirement to obtain a valuation for the land from a registered property valuer and to pay all transfer duty upon transfer.
43. One original signed and 'stamped' Queensland Titles Registry and Form 1 Transfer and Form 24 must be lodged with council for endorsement prior to the registration of title, together with a survey plan and a copy of the land valuation.

Works with Protected Land

44. The following works must be undertaken within the land to be transferred to council in accordance with an operational works approval:
- (a) a 3m wide stabilized maintenance access track along the common boundary to 4 to 14 inclusive.

Fencing to Protected Land

45. A permanent fence must be constructed along the entire length of the interface of Lots 2 to 14 inclusive with the Drainage Reserve (Lot 100). The fence must be constructed in accordance with an operational works approval and must be to the following specifications:
- (a) A minimum 1.2m high
 - (b) Dog Proof

Fauna Management

46. Vegetation must only be removed or disturbed in accordance with a fauna management plan (or part thereof) prepared by a qualified person* and endorsed through an operational works approval.
*(Refer to Advisory Note)
47. Six (6) permanent artificial nesting boxes of mixed sizes and 30 years durability must be installed within the Drainage Reserve (Lot 100) to provide compensatory habitat for arboreal mammals and hollow dependent avian species. The works must be undertaken in accordance with an operational works approval.

Bushfire Management

48. The development must be carried out in accordance with the Bushfire Hazard Assessment and Management Plan as prepared by North Coast Environmental Services Environmental Management Consultants listed within this development approval.
*(Refer to Advisory Note)
49. A copy of the Bushfire Hazard Assessment and Management Plan listed within this development approval must be provided to the nearest fire authority.
50. Certification must be submitted to Council from a qualified person* which certifies that the development has been constructed in accordance with the bushfire management conditions of this development approval.
*(Refer to Advisory Note)

ENVIRONMENTAL HEALTH

Acoustic Amenity

51. A covenant must be registered against the title of all road traffic noise affected lots in accordance with Section 5: Predicated Noise Levels of the *Road Traffic Noise Assessment* listed within this development approval. The covenant documentation must be submitted for council's endorsement and must:
- include Sunshine Coast Council as covenantee
 - use the Queensland Land Registry Standard Terms Document No. 712386947
 - be in the form satisfactory to council that enables registration of a covenant pursuant to Section 97A (3)(a) of the *Land Title Act 1994*.
52. An acoustic covenant plan must be prepared and submitted for council's endorsement. The acoustic covenant plan must describe, for each lot as relevant, the following details from Section 5: Predicated Noise Levels of the *Road Traffic Noise Assessment* listed within this development approval:
- the lot number
 - the finished ground floor level not to be exceeded
 - the traffic noise level (LAeq, T) over the respective lot
 - the construction category in accordance with Appendix A of AS 3671 - *Acoustics – Road traffic noise intrusion – Building siting and construction* required to achieve the indoor sound levels recommended in AS 2107 - *Acoustics – Recommended design sound levels and reverberation times for building interiors*.

Waste Management

53. A level turfed area for all Lots must be constructed on the kerbside of the new Road A located proximate to the Lots it serves. The bin pad must be in accordance with an operational work approval and sufficiently sized to wholly accommodate 2X240L wheelie bins.

ENERGEX

54. Prior to the sealing of the survey plan, provide written evidence of the following to Council:
- (a) Any alterations to the approved plans are to be resubmitted to Energex for comment; and
 - (b) The Easement Terms and Conditions must be updated to Energex's current standard terms document (dealing number 708346714) for all lots encumbered by the Energex Easement, except for Lot 17.
(Please submit your documentation to update these easement conditions to PropertyEnquiries@energex.com.au. All costs for this are the responsibility of the developer).

55. No buildings, structures or pools are permitted within Easement A on RP114295, or the identified "Building Exclusion Zone" shown on the approved Plan of development.

56. All buildings on Lots 1, 2 & 4-10 must be sited clear of the 'Building Exclusion Zone' identified on the approved plan. (Note: the exclusion zone includes a 1.5m setback from the easement, in accordance with the recommendation of the EMF Report.

57. Lighting structures are not permitted within the easement (future road) without the prior written consent of Energex. Any costs incurred by Energex as a result of the works on the easement are to be met by the Developer.

(Note: due to the alignment of the proposed new road, any proposed street lighting has the potential to conflict with the existing overhead 11kV powerlines and may require reduced height structures).

**refer Advisory notes.*

58. All works must be in accordance with the requirements and guidelines stipulated in Energex's Letter dated 26 October 2020 (reference in this Decision Notice).

SEQWATER

59. Prior to the sealing of the survey plan:
- (a) the existing water main must be encased in concrete where the new road extension crosses over the main, in accordance with Seqwater's requirements.
 - (b) increase the width of the proposed 5m wide road reserve adjacent to the length of proposed Lot 17 to be 7m wide or otherwise within 1.5m of the existing dwelling.
 - (c) amalgamate lot 16 and 17 to form one lot such that a new building area is available outside of the Easement.
60. The applicant must achieve compliance with Seqwater's Consent Guidelines (SCG) and Supplementary Manual to WSAA Water Supply Code of Australia (SM).

61. Access to the Seqwater Trunk Water Main for operational purposes must be maintained at all times during subdivisional construction works.
62. Prior to the commencing operational works, the applicant must submit to Seqwater, a Consent application along with detailed design drawings and work methodologies to Consents@seqwater.com.au for review and acceptance. The designer must provide the minimum documentation, including:
- (a) All proposed works or installations that may impact Seqwater's access and its ability to maintain its assets within the pipeline corridor or easement area. These include but are not limited to:
 - (i) Any proposed lot boundary intersecting Seqwater's easement or pipeline shall have a gate installed in accordance with Seqwater's Stockproof Double Gate Construction and Fabrication Details C-DWG- STD-001.
 - (ii) Proposed road reserve have a minimum of 1200mm cover to the crown of Seqwater's Trunk Water Main and is designed in accordance with Seqwater's Consent Guidelines (A.15 Roads, carparks, trafficable areas and crossovers).
 - (iii) Any diversion of water or changes to surface levels does not cause ponding of water over our pipeline or erosion of land over or adjoining the pipeline.
 - (iv) Show the location of markers located as per Seqwater's standard drawings D-DWG-STD-003 and D-DWG-STD-004.
 - (b) Longitudinal drawings of Seqwater's pipeline with details of any service crossings and surface level changes in accordance with Seqwater Standard Drawing D-DWG-STD-001 and Drawing & Spatial Data Standards X-PRO- STD-007.
 - (c) Cross sectional drawings of any proposed service or road crossings.
 - (d) Note on the 'For construction' drawings or work methodologies Seqwater operational requirements. E.g maximum vibration, allowable working loads (AS/NZS 2566.1).
 - (e) List any potential conflicts and provide an engineering report on how these risk and hazards are mitigated or comply with SCG and SM.
 - (f) Verify the physical location of Seqwater's assets and confirm proposed services and works meet minimum requirements.
63. Any changes to the proposed plans or works within the lots with the potential to impact the easement or the pipeline should be referred back to Seqwater for review and approval.
64. Within 20 business days of works interfacing the Seqwater trunk water main being completed, submit to Seqwater, Registered Professional Engineer Queensland (RPEQ) signed copies of as constructed drawings along with a CAD file to consents@seqwater.com.au.
65. The applicant must compensate Seqwater for the surrender of any easement. The value is to be determined by a jointly appointed valuer at the applicant's expense*.
**(refer Advisory Notes)*

**PRELIMINARY APPROVAL FOR MATERIAL CHANGE OF USE OF PREMISES
(INCLUDING A VARIATION REQUEST TO VARY THE EFFECT OF THE SUNSHINE
COAST PLANNING SCHEME 2014 TO APPLY THE PROVISIONS OF THE LOW
DENSITY RESIDENTIAL ZONE - PRECINCT LDR1 (PROTECTED HOUSING AREA))**

When conditions must be complied with

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

Approved Plans

67. Future development associated with this preliminary approval must be undertaken in accordance with the Approved Plans listed within this Decision Notice.

Building Height

68. The maximum height of the development for all sites must not exceed 8.5 metres above natural ground level at any point.

Nature and Extent of Approved Use

69. A preliminary approval is granted for a Material Change of Use for Residential Uses (including a variation Request to vary the Effect of the *Sunshine Coast Planning Scheme 2014*) by applying the provisions of the *Low-density residential zone – Precinct LDR1 (Protected Housing Area)*.
70. This Variation Approval has no effect until the subdivision plan associated with Reconfiguring a lot approval (RAL20/0010) has been registered by the relevant titles authority.
71. This development approval is a *local categorising instrument* pursuant to s43(3)(c) of the *Planning Act 2016* and, except where expressly stated otherwise, overrides the current and future versions of the *Sunshine Coast Planning Scheme 2014* and any future planning scheme for the life of the approval.
72. Where the conditions of this approval and the plans and documents referenced are “silent” and/or have no regulatory instructions about how a particular development matter within the Approved Plan of Development area is to be dealt with, then the provisions of the current applicable planning scheme will have effect for the development matter.
73. This development approval lapses and ceases to have effect pursuant to sections 71(5)(b) and 88(2)(a) of the *Planning Act 2016* (reprint 1 October 2020) when the first of the following occurs:
- (a) development under the Variation Approval is completed; or
 - (b) the commencement of an amendment to a planning scheme that integrates and reflects the provisions of this approval; or
 - (c) 30 April 2027.
74. Lodgement requirements and assessment criteria of future development within the land subject to this preliminary approval will be as follows:
- (a) for any future Material change of use, as directed by the Supplementary Table of Assessment listed in this development approval;
 - (b) for any future Operational Work, as per the requirements of the planning scheme in effect at the time of lodgement of a future application for the Operational Work; and

- (c) for any future Building Work, as per the Supplementary Table of Assessment listed in this development approval, or where this approval is silent on such matters, the planning scheme in effect at the time of lodgement of a future application for the Building Work.

Category of development and category of assessment for future development for a material change of use

75. The Assessment benchmarks for assessable development and requirements for accepted development from the current applicable planning scheme will have effect for future development applications unless otherwise expressly stated.
76. Assessment criteria of future development for a material change of use within the land shown as Low Density Residential Zone - Precinct LDR1 (Protected Housing Area) on the approved Zone Plan subject to this preliminary approval will be as follows:

LOT 3 RP 176566 - 21 PETRIE CREEK RD NAMBOUR – LOW DENSITY RESIDENTIAL ZONE - PRECINCT LDR1 (PROTECTED HOUSING AREA) (as identified on the approved Zone Plan)		
Defined Use	Category of development and category of assessment	Assessment benchmarks for assessable development and requirements for accepted development
Residential activities		
Dwelling house	Accepted development	<ul style="list-style-type: none"> Dwelling house code
Business activities		
Home based business	Accepted development if:- (a) For a <i>home office</i> ; or (b) Involving a home based child care service licensed under the Child Care Act 2002.	<ul style="list-style-type: none"> No requirements applicable
	Accepted development if for an activity other than a <i>high impact home based business activity</i> .	<ul style="list-style-type: none"> Home based business code
	Impact assessment if for a <i>high impact home based business activity</i> .	<ul style="list-style-type: none"> The planning scheme
Other defined uses		
All other uses defined in Schedule 1 (Definitions)	Impact assessment	<ul style="list-style-type: none"> The planning scheme
Undefined uses		
Any use not defined in Schedule 1 (Definitions)	Impact assessment	<ul style="list-style-type: none"> The planning scheme

77. Assessment criteria of future development for a material change of use for a dwelling house where located within the mapped Biodiversity, waterways and wetlands overlay subject to this preliminary approval will be as follows:

LOT 3 RP 176566 - 21 PETRIE CREEK RD NAMBOUR – ASSESSMENT BENCHMARKS FOR ASSESSABLE DEVELOPMENT AND REQUIREMENTS FOR ACCEPTED DEVELOPMENT FOR OVERLAYS		
Development subject to overlay	Category of development and category of assessment	Assessment benchmarks for assessable development and requirements for accepted development
Biodiversity, waterways and wetlands overlay		
Material change of use, other than in an existing building if on land subject to the biodiversity, waterways and wetlands overlay as identified on a Biodiversity, Waterways and Wetlands Overlay Map;	Accepted development if for a <i>Dwelling house</i>	<ul style="list-style-type: none"> No requirements applicable

REFERRAL AGENCIES

The referral agencies applicable to this application are:

Referral Status	Referral Agency and Address	Referral Trigger	Response
Advice	Energex Limited PO Box 1461 BRISBANE QLD 4001	Electricity Infrastructure	The agency provided its response on 26 October 2020 (reference No. HBD 7071986).

DEVELOPMENT PLANS

The following development plans are Approved Plans for the development:

Approved Plans

Plan No.	Rev.	Plan Name	Date
1924-DA-S0-1J	J	<i>Subdivision Layout Plan</i> , prepared by Subdivisions Queensland, as annotated by SCC	5/11/2020
1924-DA-S0-3J	J	<i>Coloured Subdivision Layout Plan Zone Map</i> , prepared by Subdivisions Queensland, as annotated by SCC	5/11/2020
ED 20126 CP- 01	B	<i>Landscape Buffer Plan - Concept</i> , prepared by element design landscape architecture	March 2020
ED 20126 CP - 02	B	<i>Landscape Buffer Plan - Concept</i> , prepared by element design landscape architecture	April 2020

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

Not applicable.

REFERENCED DOCUMENTS

The following documents are referenced in the assessment manager conditions:

Referenced Documents

Document No.	Rev.	Document Name	Date
1274R1	0	<i>Road Traffic Noise Assessment</i> , prepared by Road Pro Acoustics	10/12/2019
J000467	3	<i>Bushfire Hazard Assessment and Management Plan</i> , prepared by North Coast Environmental Services for Lucia and Rudolph Hoermann, Lot 3 on RP176566, 21 Petrie Creek Road, Nambour	27/11/2019
19299-001	0	<i>Geotechnical Investigation</i> , prepared by Tectonic Geotechnical Pty Ltd	15/01/2020
1924 ISMP012020	2	<i>Integrated Stormwater Management Plan</i> , prepared by Subdivisions (QLD) Pty Ltd.	October 2020

ADVISORY NOTES

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

PLANNING**Aboriginal Cultural Heritage Act 2003**

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

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

You should contact the Cultural Heritage Unit on 1300 378 401 to discuss any obligations under the *ACH Act*.

Easements and Future Works over External Land

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

Other Laws and Requirements

3. This approval relates to development requiring approval under the Planning Act 2016 only. It is the applicant's responsibility to obtain any other necessary approvals, licences or permits required under State and Commonwealth legislation or council local law, prior to carrying out the development. Information with respect to other council approvals, licences or permits may be found on the Sunshine Coast Council website (www.sunshinecoast.qld.gov.au). For information about State and Commonwealth requirements please consult with these agencies directly.

Restriction on Building Approval until all other Permits are Effective

4. Pursuant to the statutory provisions of the Building Act, a private building certifier must not grant any building development approval related to this development until all necessary development permits for the development (including, for example, operational works approvals) have taken effect under the *Planning Act 2016*. This legislative requirement is critical to ensure that a private certifier's approval about a component of the development is consistent with the assessment managers' decisions on other aspects of the overall development.

Infrastructure Charges

5. Infrastructure charges, determined in accordance with council's Infrastructure Charges Resolution, apply to this development approval. The Infrastructure Charges Notice, for council's proportion of the infrastructure charge, has been issued. Unitywater may issue an infrastructure charges notice for their proportion of the infrastructure charge.

Road Naming Procedure

6. Road names must be approved by council before the plan of subdivision is submitted for approval. A written request for proposed naming of roads must be submitted to council together with a plan of the proposed roads and a completed road naming application form. Further details can be found on council's website.

Street Lighting (Energex requirements)

7. Energex requires submission of electrical design plans for their approval. This can be undertaken by your Energex Accredited Subdivision Consultant as part of the network connection process. The drawings must clearly show the following;
 - (a) Proposed height of the lighting structures and the ground level at the structure base,
 - (b) Relative (to lighting structures) ground levels at Energex structures (towers, pole etc) either side of the lighting structures, and
 - (c) The location of the Energex structures in relation to the proposed lighting.

Seqwater

8. For purposes of the Seqwater conditions and requirements listed in this decision notice:
 - (a) The Construction Contractor is to make a formal Consent Application to Seqwater prior to commencing works proximate to the Trunk Water Main.
 - (b) This application shall include the relevant certified 'For Construction' Drawings.
 - (c) Fees for Seqwater's Site Audit works will be assessed and advised at that time.

- (d) Seqwater is to retain easement over proposed Lot 1 & 2.
- (e) For compensation matters, please contact property@seqwater.com.au
- (f) Please note that any revised survey plans that are to be registered with the Titles Office will require prior approval from by Seqwater before sealing. These plans must to be submitted to property@seqwater.com.au and an administrative fee will apply. All costs associated with registering the survey plans are at Developer's expense.
- (g) This advice is valid for a period of two years from the date of this response. Should the development not be initiated within that period, the applicant should resubmit the application for reconsideration if required.
- (h) Please note that this letter does not indicate Seqwater's consent to any proposed works under section 192 of the *Water Supply (Safety and Reliability) Act 2008 (Act)*.

ENGINEERING

Pre-Design Meeting Services

- 9. Council offers a free pre-design meeting service specifically for operational works applications. Applicants are encouraged to utilise this service prior to the submission of their operational works application to ensure that their application is not held up by avoidable design issues. It is anticipated that the pre-design meeting will ultimately assist in fast tracking the assessment of an operational works application once it is lodged with Council as a result of design and application issues being resolved or substantially resolved prior to the application being submitted. For more information on this service or to book a pre-design meeting please visit Council's website or contact (07) 5475 PLAN.

Building and Construction Industry (Portable Long Service Leave) Levy ("Qleave")

- 10. The QLeave levy must be paid prior to the issue of a Development Permit for Operational Works where required. Council will not be able to issue a development approval for operational works without receipt of details that the Levy has been paid. QLeave contact: 1800 803 491 (free call) or (07) 3212 6844.

Co-ordination of Operational Works

- 11. Additional application fees apply to operational work 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.

Unitywater - Water and Sewerage Services

- 12. Where water and sewerage infrastructure is proposed to be constructed within an existing road reserve controlled by Council, a further consent approval for the alignment and extent of works will be required under Section 75 of the *Local Government Act 2009*. This consent must be obtained prior to any water and sewerage related works occurring within the road reserve. The consent request must be submitted in the approved form to Council's Infrastructure Services Department.
- 13. Where water and sewerage infrastructure is proposed to be constructed within an existing park or reserve controlled or owned by Council, consent approval from Council,

as owner of the land, is required for the alignment and extent of works. This consent must be obtained prior to any water and sewerage related works occurring within the park or reserve. The consent request must be submitted in the approved form to Council's Land Management Unit.

Preparation of a Preliminary Construction Management Plan

14. A preliminary construction management plan must be submitted with the Operational Works application and must address the following:
- (a) traffic management during all aspects of the construction phase including:
 - (v) 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..
 - (vi) maintenance of safe pedestrian access for the areas affected by the works during and after daily construction has ceased.
 - (vii) proposed fencing to the site during the construction phase of the development.
 - (viii) provision for worker car parking.
 - (b) maintenance and protection of water quality and existing drainage lines through the construction site, through the implementation of appropriate erosion and sediment control measures.
 - (c) works programme identifying key components of the works and their respective durations.
 - (d) establishment of a communication protocol with the general public, adjoining owners, emergency services and local businesses to advise of agreed construction times, impacts on traffic, services and other relevant issues.
 - (e) identification of complaint management procedures including:
 - (i) contact details for the on-site manager.
 - (ii) dispute resolution procedures.
 - (f) details on the location of external fill sites/sources, the haulage route, type of vehicle to be utilised during filling operations and frequency of usage. NOTE: any damage to the existing road system as a result of haulage operations shall be fully repaired at the applicant's expense.

It is acknowledged that the preliminary 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.

HYDROLOGY

Bioretention Basin Educational Signage

15. Suggested wording for the permanent educational signage required by this development approval 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)".

ECOLOGY

Qualified Person

16. 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 three (3) years current experience in the field of landscape design.
17. For the purpose of preparing a rehabilitation plan, a qualified person is considered to be a landscape architect or ecologist with a minimum of three (3) years current experience in the field of landscape design.
18. For the purpose of preparing a fauna management plan, a qualified person is considered to be an ecologist with a minimum of three (3) years current experience in the field of fauna assessment and management.

Pre-Design Meeting Services

19. Council offers a pre-design meeting service specifically for operational works applications. Applicants are encouraged to utilise this service prior to the submission of their operational works application to ensure that their application is not held up by avoidable design issues. It is anticipated that the pre-design meeting will ultimately assist in fast tracking the assessment of an operational works application once it is lodged with council as a result of design and application issues being resolved or substantially resolved prior to the application being submitted. For more information on this service or to book a pre-design meeting please visit council's website or contact (07) 5475 PLAN.

PROPERTY NOTES

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

RAL20/0010 – Variation to Planning Scheme Provisions

1. The following notation applies to the all approved Lots:

This property forms part of, and is in part governed by, a variation approval issued under the Planning Act 2016 (council file reference RAL20/0010). The variation approval contains a supplementary table of assessment that replaces the planning scheme in declaring the level of assessment for development to the extent stated within the table. Applicants and private certifiers must refer to the variation approval prior to undertaking development on the property.

RAL20/0010 – Plan of Development

2. The following notation applies to the approved Lots 1, 2 and 4-10:

This lot includes is affected by a 'Building Exclusion Zone' that provides a minimum of 1.5m setback from the edge of the easement, as identified on the approved Plan of Development. Buildings, structures and pools are not permitted within the exclusion zone. Where not affected by the 'Building Exclusion Zone', all building work must otherwise accord with the planning scheme. (For further information Refer Energex letter dated 26 October 2020 referenced within this approval).

3. The following notation applies to the approved Lot 16:

This lot includes is affected by a 'Future Building Exclusion Zone' that provides a minimum of 1.5m setback from the edge of the easement, as identified on the approved Plan of Development. If and when the existing dwelling under the power lines is removed, any new dwelling and associated permanent structures (including pools) must be located outside of the exclusion zone.

RAL20/0010 – Overhead Electricity Infrastructure

4. The following notation applies to the approved Lots 1, 2, 4-10 and 16:

This lot is located proximate to high voltage overhead electrical infrastructure.

Easement A on RP114295 is an electricity easement registered in favour of Energex Limited. This easement currently contains 11kV overhead powerlines, however, please be advised that this is a strategic easement corridor with the capacity for the powerlines to be upgraded to higher voltages in the future.

RAL20/0010 – Acoustic Covenant

5. The following notation applies to the approved Lots 6-16:

A Statutory Covenant applies to this lot for the purpose of minimising annoyance from road noise. The Covenant requires that construction treatments are undertaken subject to building approval for dwelling construction or renovation to achieve appropriate internal noise levels within habitable rooms. The property owner, purchaser and building certifier should familiarise themselves with the requirements of the Covenant and ensure they have been met prior to resale or purchase of the land and for construction or renovation of a dwelling on the land. A copy of the 'Acoustic Covenant Plan' referred to in the Covenant may be obtained by contacting council and quoting development approval number RAL20/0010.

RAL20/0010 – Bushfire Management

6. The following notation applies to Lots 1 to 16 inclusive:

To ensure the safety of people and property on this lot is maintained, all buildings and structures must be sited and/or constructed in accordance with the bushfire management conditions of Council approval RAL20/0010 and associated Operational Work approvals.

RAL20/0010 - Property Access Driveway

7. The following notation applies to approved Lots 14-16:

To ensure the safety and efficiency of the road network, vehicle access to this lot must be from internal road only (refer to Council approval RAL20/0010). The only access permitted via Petrie Creek Road is in service of the existing dwelling (not any future dwelling) located on Lot 16 via the existing constructed driveway.

RAL20/0010 - Geotechnical Stability

8. The following notation applies to all approved lots:

To ensure the geotechnical stability of this lot is maintained, all buildings and structures must be constructed in accordance with the geotechnical conditions of Council approval RAL20/0010 and associated Operational Work approvals.

RAL20/0010 - Concrete Bin Pad

9. The following notation applies to approved Lots 1 & 2:

A concrete bin pad for this lot has been constructed on the kerbside immediately east of the shared driveway. Bins must be placed on the concrete bin pad on collection day.

10. The following notation applies to approved Lots 3 & 4:

A concrete bin pad for this lot has been constructed on the kerbside in front of Lot 4. Bins must be placed on the concrete bin pad on collection day.

11. The following notation applies to approved Lot 4:

A concrete bin pad for Lots 3 & 4 has been constructed on the kerbside in front of this lot. The property owner should be aware that bins associated with Lot 3 could be placed on the concrete bin pad on collection day.

VARIATION APPROVAL

A variation approval under the *Planning Act 2016* has been granted. Variations from the planning scheme that are applicable to any future development application over the premises are identified in this approval.

FURTHER DEVELOPMENT PERMITS REQUIRED

- Development Permit for Operational Work (Engineering and Landscaping works)

SUBMISSIONS

There was one (1) properly made submission made about the application. In accordance with the *Planning Act 2016*, the name, residential or business address, and electronic address of the principal submitter is provided and attached.

INCONSISTENCY WITH EARLIER APPROVAL

Not applicable.

ENVIRONMENTAL AUTHORITY

Not applicable.

RIGHTS OF APPEAL

You are entitled to appeal against this decision. A copy of the relevant appeal provisions from the *Planning Act 2016* is attached.

OTHER DETAILS

If you wish to obtain more information about council's decision, please refer to the approval package for the application on Council's Development.i webpage at www.sunshinecoast.qld.gov.au, using the application number referenced herein.