

## 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 35,731m<sup>2</sup> and Gross Floor Area of 37,394m<sup>2</sup> 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 100m<sup>2</sup> 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 XXXXm<sup>2</sup> 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 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 administering 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 m<sup>3</sup> 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) 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 (m<sup>3</sup> 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:
- (a) 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;
  - (b) provision of hardstand impervious areas for the permanent storage of separate waste bins for general and recyclable waste;
  - (c) 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
  - (d) 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 1m<sup>2</sup>.
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<sub>eq</sub> for living and work areas
  - (b) 35 dB(A) L<sub>eq</sub> for sleeping areas
  - (c) 45 dB(A) L<sub>max</sub> 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 PO Box 1600 Sunshine Plaza Postal Shop MAROOCHYDORE QLD 4558	State controlled roads, public passenger transport and railways	The agency provided its response on 13 September 2012 (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 &amp; 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
<b>Amendments</b>		<ol style="list-style-type: none"> <li>1. Update to include the required Plaza Parade and Southern Drive road and verge works (including pathways) as per conditions of approval;</li> <li>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;</li> <li>3. Remove part of the shopping complex GFA/GLA located within Lot 654 SP113361 (corner tenancy near the proposed new pedestrian bridge);</li> <li>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</li> <li>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.</li> </ol>	
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
<b>Amendments</b>		<ol style="list-style-type: none"> <li>1. Update to include the required Plaza Parade and Southern Drive road and verge works (including pathways) as per conditions of approval;</li> <li>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;</li> <li>3. Update to include the northern Cornmeal Creek promenade extension to the existing multi-level bridge in accordance with the conditions of this Decision Notice;</li> <li>4. Update to amended pedestrian access ramps to Level 1</li> </ol>	

		<p>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;</p> <ol style="list-style-type: none"> <li>5. Update to include the required interim car park works, landscape buffers and surrounding pathways in accordance with the conditions of this Decision Notice;</li> <li>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;</li> <li>7. Remove part of the shopping complex GFA/GLA located within Lot 654 SP113361 (corner tenancy near the proposed new pedestrian bridge);</li> <li>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</li> <li>9. Update to include the landscape areas to the north of the multi-deck car park to Maroochydore Road.</li> </ol>	
<b>Plan No.</b>	<b>Rev</b>	<b>Plan Name</b>	<b>Date</b>
DA100	B	<i>Plaza Parade Sub Precinct Ground Floor Plan, prepared by Lend Lease</i>	5/03/2012
<b>Amendments</b>		<ol style="list-style-type: none"> <li>1. Update to include the required Plaza Parade and Southern Drive road and verge works (including pathways) as per conditions of approval;</li> <li>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;</li> <li>3. Remove part of the shopping complex GFA/GLA located within Lot 654 SP113361 (corner tenancy near the proposed new pedestrian bridge);</li> <li>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</li> <li>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.</li> </ol>	
<b>Plan No.</b>	<b>Rev</b>	<b>Plan Name</b>	<b>Date</b>
DA200	B	<i>North Sub Precinct - North West Lower Ground Floor Plan Parking Level P1, prepared by Lend Lease</i>	5/03/2012
DA201	B	<i>North Sub Precinct - North West Ground Floor Plan Parking Level P1, prepared by Lend Lease</i>	5/03/2012
DA202	B	<i>North Sub Precinct - North West Parking Level P2, prepared by Lend Lease</i>	5/03/2012
DA203	B	<i>North Sub Precinct - North West Ground Level 1 Plan Parking Level P3, prepared</i>	5/03/2012

		by Lend Lease	
DA204	B	<i>North Sub Precinct - North West Level 1A Parking Level P4, prepared by Lend Lease</i>	5/03/2012
DA205	B	<i>North Sub Precinct - North West Parking Level P5, prepared by Lend Lease</i>	5/03/2012
DA206	B	<i>North Sub Precinct - North West Parking Level P6, prepared by Lend Lease</i>	5/03/2012
DA207	B	<i>North Sub Precinct - North West Roof Plan, prepared by Lend Lease</i>	5/03/2012
<b>Amendments</b>		<ol style="list-style-type: none"> <li>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;</li> <li>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;</li> <li>3. Remove part of the shopping complex GFA/GLA located within Lot 654 SP113361 (corner tenancy near the proposed new pedestrian bridge);</li> <li>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</li> <li>5. Update to include the required interim car park works, landscape buffers and surrounding pathways in accordance with the conditions of this Decision Notice.</li> </ol>	
<b>Plan No.</b>	<b>Rev</b>	<b>Plan Name</b>	<b>Date</b>
	.		
DA211	B	<i>North Sub Precinct - North West Sections AA, BB, CC &amp; DD, prepared by Lend Lease</i>	5/03/2012
DA212	B	<i>North Sub Precinct - North West Section EE, FF, GG &amp; HH, prepared by Lend Lease</i>	5/03/2012
DA213	B	<i>North Sub Precinct - North West Cornmeal Promenade &amp; Creek Part Sections EE, GG &amp; HH, prepared by Lend Lease</i>	5/03/2012
DA214	B	<i>North Sub Precinct - North West Cornmeal Creek Study Sections EE &amp; GG, prepared by Lend Lease</i>	5/03/2012
<b>Amendments</b>		<ol style="list-style-type: none"> <li>1. Update to include the minimum height for the Southern Drive to Amaroo Street road link in accordance with condition of this Decision Notice.</li> </ol>	
<b>Plan No.</b>	<b>Rev</b>	<b>Plan Name</b>	<b>Date</b>
	.		
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</i>	5/03/2012

		Lease	
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
<b>Amendments</b>		<ol style="list-style-type: none"> <li>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;</li> <li>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</li> <li>3. Update to include the landscape areas to the north of the multi-deck car park to Maroochydore Road.</li> </ol>	
<b>Plan No.</b>	<b>Rev</b>	<b>Plan Name</b>	<b>Date</b>
	.		
DA307	B	<i>North Sub Precinct - North East Carpark Sections and Elevations, prepared by Lend Lease</i>	5/03/2012
<b>Amendments</b>		1. Update to include the landscape areas to the north of the multi-deck car park to Maroochydore Road.	
<b>Plan No.</b>	<b>Rev</b>	<b>Plan Name</b>	<b>Date</b>
	.		
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
<b>Amendments</b>		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</i>	12

		<i>of Use (MCU07/0097) Information Request Response Report: Integrated Water Management Plan</i> , prepared by BMT WBM	March 2012
236202.001	1	<i>Sunshine Plaza Redevelopment (MCU07/0097) Water and Sewerage Analysis Information Request Response</i> , prepared by Cardno	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 9,394m<sup>2</sup> 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](http://www.sunshinecoast.qld.gov.au) or at Council Offices.