

**APPENDIX A - CONDITIONS OF APPROVAL****1. APPLICATION DETAILS**

Application No:	2007/520037
Street Address:	Coonowrin Road, Glass House Mountains
Real Property Description:	Lot 10 RP182273 and Lot 2 RP7643
Planning Scheme:	Caloundra City Plan 2004 (27 July 2007)

**2. DECISION DETAILS**

Council, on 27 October 2010, decided to issue the following type of approval

- (a) Preliminary Approval for Reconfiguration of a Lot (2 into 63 Lots)

In relation to the representations, Council decided to:

- (a) agree to delete condition 1 and issue a Development Permit for Reconfiguration of a Lot (2 into 63 lots subject to the conditions herein.

**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**

This development approval is subject to compliance with the following assessment manager conditions:

**PLANNING****When conditions must be complied with**

1. Unless otherwise stated, all works required by the conditions of this Decision Notice as relevant to each particular stage must be completed prior to submission of the subdivision plan to Council for compliance assessment for the particular stage.

**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.

3. All lot numbering on the subdivision plan to be submitted to Council for compliance assessment must remain as shown on the Approved Plans.

### **Subdivision Staging**

4. The development may be staged in accordance with the stage boundaries shown on the Approved Plans. If staged, the development need not be completed sequentially in the stage order indicated on the Approved Plans provided that any road access and infrastructure services required to service the particular stage are constructed with that stage.

### **Boundary Encroachments**

5. Certification must be submitted to Council from a Licensed Surveyor which certifies that:
  - (a) all constructed access and roadworks (including associated fill batters and retaining walls) are fully contained within a dedicated reserve or registered easement
  - (b) all utility services and connections (e.g. electricity, telecommunications, water, sewerage) are wholly located within the lot they serve or alternatively included within an easement
  - (c) all retaining walls and structures are fully contained within the lot they retain
  - (d) any fill, including fill batters, are wholly contained within the subject site and not on adjacent properties.

### **Plan of Development**

6. Prior to an application for Plan Sealing, the applicant must submit and gain approval for Plans of Development for approval which include the following information:
  - (a) building envelopes
  - (b) any proposed built to boundary wall
  - (c) nominated driveway location (clear of any infrastructure)
  - (d) only permit single storey construction on Lots 51-57 and 62
  - (e) indicative on street car parking.

All future dwellings must be sited and constructed in accordance with the approved building envelopes and dwelling controls (i.e. the "Plan of Development"). A copy of the approved Plan of Development must be included in the contract of sale for the approved lots, together with a clause which requires future dwellings to be constructed in accordance with it.

### **Sunset Clause for Completion of Approved Development**

7. Pursuant to s342 of the *Sustainable Planning Act 2009*, this development approval lapses if the subdivision plan for the last stage of the development has not been registered by the relevant titles authority by 21 August 2022.

### **Electricity and Telecommunication Services**

8. The existing powerlines along Fullertons Road are to be realigned (underground) into the estate roads.

9. An underground connection to reticulated electricity and telecommunication services must be provided to each lot in accordance with an approval for Operational Works and the standards and requirements of the relevant service provider.
10. 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.
11. Certification must be submitted from all relevant service providers which certifies that the development has met the requirements of this Decision Notice and all applicable legislation at the time of construction.

#### **Damage to Services and Assets**

12. 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.

#### **Dedication of Open Space**

13. The land area identified as Open Space (Park) on the Approved Plans as Lot 102 must be transferred to Council in fee simple on trust for Recreation purposes.
14. The land area to be transferred must be unencumbered by services such as pump stations, services easements or similar operational uses.
15. The land owner/developer must be responsible for all costs associated with the transfer of the land, including the requirement to obtain a valuation for the land from a registered property valuer and to pay all stamp duty upon transfer.
16. One original signed and 'stamped' Queensland Land Registry Transfer of Ownership and Forms 1, 24 and 20 must be lodged with Council for endorsement prior to the registration of title, together with a survey plan and a copy of the land valuation.

#### **Dedication of Road Reserve**

17. The land area identified as Open Space (Buffer) on the Approved Plans as Lot 103 must be transferred to Council in fee simple on trust for Road purposes.
18. The entire section of Lot 103 which front Coonowrin Road is to be widened (off the adjoining lots) to a minimum width of 6 metres.
19. The entire section of Lot 103 which front Fullertons Road is to be a minimum width of 5 metres.
20. The land area to be dedicated must be unencumbered by services such as pump stations, services easements or similar operational uses.

21. The land owner/developer must be responsible for all costs associated with the transfer of the land, including the requirement to obtain a valuation for the land from a registered property valuer and to pay all stamp duty upon transfer.
22. One original signed and 'stamped' Queensland Land Registry Transfer of Ownership and Forms 1, 24 and 20 must be lodged with Council for endorsement prior to the registration of title, together with a survey plan and a copy of the land valuation.

### **Dedication of Land for Drainage Purposes**

23. The land area identified as Drainage Reserve on the approved plans as Lot 101 must be transferred to Council in fee simple on trust for Land for Drainage Purposes.
24. The land area to be dedicated must be unencumbered by services such as pump stations, services easements or similar operational uses.
25. The land owner/developer must be responsible for all costs associated with the transfer of the land, including the requirement to obtain a valuation for the land from a registered property valuer and to pay all stamp duty upon transfer.
26. One original signed and 'stamped' Queensland Land Registry Transfer of Ownership and Forms 1, 24 and 20 must be lodged with Council for endorsement prior to the registration of title, together with a survey plan and a copy of the land valuation.

## **CIVIL ENGINEERING**

### **Property Access and Driveways**

27. A residential driveway must be constructed to Lots 5, 9, 33 and 40. The works must be undertaken in accordance with an Operational Works approval.
28. The residential driveway to Lots 19 and 26 must be constructed to ensure that maximum separation from the intersection can be achieved. The works must be undertaken in accordance with an Operational Works approval.
29. Vehicle access to Lots 5, 9, 33 and 40 is limited to the constructed driveway only. A clause must be included in the contract of sale for Lots 5, 9, 33 and 40 which requires vehicle access to be from the constructed driveway only, and which prohibits the driveway from being relocated without Council agreement.

### **New Roads**

30. The new roads shown on the Approved Plans must be constructed in accordance with the conditions of this Decision Notice and dedicated as road reserve at no cost to Council.

31. New roads Road 1, Road 2, Road 3 and Road 4 as shown on the Approved Plans must be constructed. The works must be undertaken in accordance with an Operational Works approval and must include in particular:
- (a) a reserve width of 14 metres
  - (b) sealing, kerbing and channelling
  - (c) for Road 1, a cross-section profile matching that of an Access Street in accordance with Queensland Streets
  - (d) for Road 2, Road 3 and Road 4, a cross-section profile matching that of an Access Place in accordance with Queensland Streets
  - (e) construction of pedestrian footpaths in accordance with the conditions of this Decision Notice
  - (f) provision of on-street carparking, including indented on-street parking bays in cul-de-sacs and/or turning heads in accordance with the Caloundra Planning Scheme Policy No. 11.9
  - (g) installation of street lighting matching Table 3.15 of the Caloundra Planning Scheme Policy No. 11.9
  - (h) for Road 2, Road 3 and Road 4, termination in a turning area of sufficient size to accommodate the 3-point turn manoeuvre of a Waste Collection Vehicle (WCV) clear of private driveways and on-street parking.
32. A temporary turnaround facility must be constructed at the end of each road, including Road 1 at the boundary of Lot 2 on SP136948, left temporarily incomplete as a result of the development staging. The temporary turnaround facility/ies must be in accordance with an Operational Works approval must be of sufficient size to accommodate the 3-point turn manoeuvre of a Waste Collection Vehicle (WCV).

### **Pedestrian and Bicycle Facilities**

33. Pedestrian and bicycle facilities must be provided for the development. The works must be undertaken in accordance with an Operational Works approval and must include in particular:
- (a) a 2.5 metre wide footpath within the road verge for the entire length of the site's frontage to Coonowrin Road prior to sealing of the survey plans. Stage 1 must include the construction of the pathway from Stage 1 to the intersection of Coonowrin Road and Fullertons Road. The remainder of the footpath must be constructed prior to sealing of Stage 3
  - (b) a 2.0 metre wide footpath within the road verge of Fullertons Road from Coonowrin Road to the eastern boundary of Lot 101 (Drainage Reserve) prior to sealing of the survey plans for Stage 2
  - (c) a 1.5 metre wide footpath from Coonowrin Road to Fullerton Road at the turning head to Road 2 prior to sealing of the survey plans for Stage 2
  - (d) a 2.0 metre wide footpath within the road verge of Fullertons Road from the eastern boundary of Lot 101 (Drainage Reserve) to the western boundary of the site prior to sealing of the survey plans for Stage 3
  - (e) a 1.5 metre wide footpath from the turning head of Road 3 to Coonowrin Road prior to sealing of the survey plans for Stage 3
  - (f) a 1.5 metre wide footpath from Road 1 to Fullerton Road through Lot 101 (Drainage Reserve) prior to sealing of the survey plans for Stage 3.

### Stormwater Drainage

34. The site must be provided with a stormwater drainage system connecting to a lawful point of discharge. The works must be undertaken in accordance with an Operational Works approval and must include in particular:
- (a) collection and discharge of stormwater to existing drainage structures in Fullertons Road, including the provision of Level II interallotment drainage and/or connection to kerb for all new lots
  - (b) extension of the site stormwater system to accommodate stormwater from Lot 1 on RP191220 and Lot 2 on SP136948 external to the site, including registration of drainage easements.

### Easements

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

### Earthworks

37. 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.

### TRAFFIC & TRANSPORT

#### External Works

38. Coonowrin Road must be upgraded for the length of its frontage to the subject site prior to sealing of the survey plans for Stage 1. The works must be undertaken in accordance with an Operational Works approval, generally in accordance with approved plan 0267-P05 prepared by Contour Consulting Engineers, and must include in particular:
- (a) construction of kerb and channelling and underground stormwater drainage to the development side only
  - (b) widening and sealing of the existing eastbound carriageway road pavement to at least 5.5 metres, with additional widening to allow for the intersection works in accordance with the conditions of this Decision Notice
  - (c) construction of a pedestrian footpath in accordance with the conditions of this Decision Notice
  - (d) reinstatement of the verge area to match the balance of the site frontage, including the provision of topsoil and seed/turf for grassed verges
  - (e) re-alignment of the existing Coonowrin Road property boundary to accommodate the necessary roadworks and to achieve safe intersection distance in both directions at the proposed access intersection to the site

- (f) truncation of the existing property boundary at the eastern end of the site at the intersection of Coonowrin Road with Fullertons Road, as indicated on the approved plan of reconfiguration
  - (g) installation of street lighting
  - (h) relocation of the existing overhead electricity to an underground alignment in accordance with the conditions of this Decision Notice.
39. A new intersection must be constructed joining Coonowrin Road with the access road to the development prior to sealing of the survey plans for Stage 1. The works must be undertaken in accordance with an Operational Works approval, generally in accordance with approved plan 0267-P05 prepared by Contour Consulting Engineers, designed in accordance with the requirements of Austroads' Guide to Road Design and must include in particular:
- (a) establishment of 3.5 metre wide right turn lanes on Coonowrin Road at the access road intersection and the adjacent Poole Road intersection
  - (b) provision of sight distances adequate for the design speed of the road
  - (c) maintenance of at least the existing westbound (southern) carriageway width on Coonowrin Road. The westbound carriageway is not to be reduced in width to accommodate the intersection works
  - (d) provision of a raised concrete pedestrian refuge island, with associated kerb ramps, on Coonowrin Road on the western side of the access road intersection. The refuge island is to be located clear of existing driveways
  - (e) relocation of the existing footpath, services and property accesses
  - (f) truncation of the subject site and dedication to road reserve where necessary to provide adequate space for all required road works.
40. Fullertons Road must be upgraded from Coonowrin Road to the eastern boundary of Lot 101 (Drainage Reserve) prior to sealing of the survey plans for Stage 2. The works must be undertaken in accordance with an Operational Works approval and must include in particular:
- (a) construction of table drain to the development side only
  - (b) construction of a pedestrian footpath in accordance with the conditions of this Decision Notice
  - (c) re-alignment of the existing Fullertons Road property boundary to accommodate the necessary roadworks and pedestrian footpath.
41. Fullertons Road must be upgraded from the eastern boundary of Lot 101 (Drainage Reserve) to the western boundary of the site prior to sealing of the survey plans for Stage 3. The works must be undertaken in accordance with an Operational Works approval and must include in particular:
- (a) construction of table drain to the development side only
  - (b) construction of a pedestrian footpath in accordance with the conditions of this Decision Notice
  - (c) re-alignment of the existing Fullertons Road property boundary to accommodate the necessary roadworks and pedestrian footpath.

**HYDRAULICS & WATER QUALITY**

42. A stormwater quantity management system must be provided for the development as part of Stage 1. The works must be undertaken in accordance with an Operational Works approval and the Queensland Urban Drainage Manual, and must include in particular the detention basin and works associated with the detention basin described in Section 5 of the Stormwater Management Plan listed in this Decision Notice.
43. A stormwater quality treatment system must be provided for the development as part of Stage 1. 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 on Drawing No. DE07726/03A and DE07726/04A listed in this Decision Notice, with the exception of the following:
    - (i) outlet scour protection shall not be located over filter media but located on compacted fill. Filter media area of 800m<sup>2</sup> is still required
    - (ii) the filter media surface shall be level and not include a swale
    - (iii) the proposed GPT for catchment B is not approved
  - (b) a bioretention basin which:
    - (i) is designed generally in accordance with IPWEQA Standard Drawing No. WSUD-001
    - (ii) incorporates scour protection and flow spreading devices (in addition to the required filter media surface area) at locations where stormwater enters and exists the basin
    - (iii) has safe, unobstructed and all weather access from Road 1 for maintenance purposes, particularly for the filter media surface
    - (iv) are provided with a free-draining outlet from the sub-soil drainage system.
44. A Maintenance Manual\* must be prepared for the stormwater quality treatment system by a qualified person\* and submitted to Council prior to the issue of any Development Permit for Operational Works for Stage 1.  
*\*(Refer to Advisory Note)*
45. Permanent educational signage\* must be erected to educate the residents of the development about the function of the bioretention basin. The dimensions, standard, presentation and location of the educational signage must be in accordance with an Operational Works approval for Stage 1.  
*\*(Refer to Advisory Note)*

**LANDSCAPE & ECOLOGY**

46. No clearing of native vegetation indigenous to the Park (and buffer reserves) as identified on the approved plan(s) is permitted without the prior written approval of Council's delegate.
47. The subject site must be removed of all weeds species listed in the following standards and legislation:
- (a) declared plants under the *Land Protection (Pest and Stock Route Management) Act 2002* and sub-ordinate Regulation 2003
  - (b) Sunshine Coast Local Government Area Pest Management Plan 2012-2016.
- The works must be undertaken in accordance with an Operational Works approval.



48. Landscaping within the Reserve for Park and the Drainage Reserve is to comprise of Australian Native plants endemic to the Glass House Mountains area.
49. The following tree species are to be planted within the street network:
- (a) Entrance road fronting Lots 1 to 3 and 60 to 63 *Grevillea baileyana* (White Oak) at 10 metre spacings
  - (b) Roads 1, 2 and 4 – *Buckinghamia celsissima* (Ivory Curl Flower) at 10 metre spacings
  - (c) Road 3 and to the eastern frontage to the Park (Lot 102) and Lots 44 to 46 – *Banksia integrifolia* (Coast Banksia) at 5 metre spacings
  - (d) Clumps of *Allocasuarina littoralis* (Black She-oak) are to be distributed throughout the street planting network and within Park Lot 102.
50. Two metre high screening fences are to be provided within all lots fronting Coonowrin Road and Fullertons Road. These fences are to be located immediately inside the adjoining allotment boundaries.

### Vegetation Buffers

51. Screen/buffer plantings are to be provided as follows:
- (a) The entire frontage to Coonowrin Road to a width of 6.5 metres (measured from the property boundaries as per the Approved Plan) leaving the balance 3.5 metres of road verge to accommodate a 2.5 metre wide (plus 2 x 0.5 metre offsets) pedestrian/cycleway
  - (b) The entire frontage to Fullertons Road to a minimum width of 6 metres (measured from the property boundaries as per the Approved Plan) leaving a balance of 3 metres of road verge to accommodate a 2 metre wide pedestrian/cycleway plus 2 x 0.5 metre wide offsets.
52. The screen/buffer plantings for Coonowrin Road (from the pedestrian/cycle path) are to comprise of the following species:
- (a) *Harpullia pendula*
  - (b) *Orthosiphon aristatus* (under/surrounding the *Harpullia*)
  - (c) *Petalostigma triloculare*
  - (d) *Pittosporum rhombifolium*.

The understory/groundcover species are to include the following:

- (a) *Lomandra longifolia*
- (b) *Dianella revolute*
- (c) *Dianella longifolia*
- (d) *Dianella caerulea*
- (e) *Austromyrtus dulcis*
- (f) *Myoporum ellipticum* 'Prostrate'
- (g) *Plumbago zeylanica*.

53. The screen/buffer plantings for Fullertons Road (from the pedestrian/cycle path) are to comprise of the following species:
- (a) Eucalyptus tindaliae
  - (b) Eucalyptus racemosa
  - (c) Corymbia intermedia
  - (d) Lophostemon confertus (mixed plantings)
  - (e) Orthosiphon aristatus (under and surrounding the Eucalypt planting next to the pedestrian/cycleway)

Followed by mixed plantings within the central zone of:

- (a) Acacia disparrima
- (b) Acacia concurrens
- (c) Allocasuarina littoralis
- (d) Alphitonia excelsa
- (e) Banksia integrifolia.

Followed by mixed plantings adjacent to the adjoining screen fence(s) of:

- (a) Acacia complanata
- (b) Elaeocarpus reticulatus
- (c) Grevillea banksii
- (d) Clerodendrum floribundum
- (e) Banksia spinulosa
- (f) Petalostigma triloculare
- (g) Leptospermum luehmannii
- (h) Hibiscus divaricatus
- (i) Pittosporum revolutum.

The understory/groundcover species are to include the following:

- (a) Hibbertia scandens
- (b) Austromyrtus dulcis
- (c) Myoporum ellipticum 'Prostrate'
- (d) Lomandra longifolia
- (e) Dianella revolute
- (f) Dianella longifolia
- (g) Dianella caerulea.

## ENVIRONMENTAL HEALTH

54. Prior to or at the time application is made for Operational Works for any stage of development, the applicant shall develop an Environmental Management Plan which shall be implemented during the operational works phase of the development. This plan is to be prepared by a suitably qualified person in accordance with section 2.0 of the Council's Development Design Planning Scheme Policy and is to address, as a minimum, the following:
- (a) air quality and dust
  - (b) flora and fauna
  - (c) hazardous substance management
  - (d) light management
  - (e) mosquito and biting midge control
  - (f) noise control (including the hours of operation detailed in section 440R of the Environmental Protection Act 1994)
  - (g) site management

- (h) traffic management
- (i) waste management
- (j) off-site impacts associated with trucks and machinery, i.e. sediment and soil deposition on roads and dust control

55. The layout and design of the development shall be designed and constructed to allow safe, easy and unobstructed access and manoeuvring for the design refuse collection vehicle to service the development.

## UNITYWATER

The following Unitywater conditions are applied in accordance with the Chapter 4c, part 7 and sections 135 and 140(c) *South East Queensland (Distribution and Retail) Restructuring Act 2009* and Unitywater's Interim Connections Policy. The conditions below form part of a water connection aspect which are taken to be a water approval for a staged connection. You are entitled to appeal against the water connection aspects of this application in accordance with section 99 and Chapter 4c, part 4, Divisions 1 and 2 of the *South East Queensland (Distribution and Retail) Restructuring Act 2009*.

Unitywater can be contacted as follows:

Phone: 1300 0 Unity (1300 086 489)

Email: [Development.Services@unitywater.com](mailto:Development.Services@unitywater.com)

Web: [www.unitywater.com](http://www.unitywater.com).

56. Reticulated water must be provided to each lot in the development. This must include:
- (a) ensuring that existing internal water pipes are wholly contained within the lot they will serve
  - (b) an approved water meter for each lot in accordance with Unitywater Standard Drawings SCW 350,355 and 360
  - (c) works in accordance with the approved findings of the water supply network analysis by MWH, dated February 2008, including a 150mm diameter water main connecting the existing 300mm diameter water main in Fullertons Road to the existing 150mm diameter water main in Coonowrin Road.
57. Reticulated sewerage must be provided to each lot in the development. This must include:
- (a) ensuring existing sewer house drains are wholly contained within the Lot they will serve
  - (b) provision of sewerage infrastructure to the North – Eastern property boundaries of Lot 2 SP 136948 and Lot 1 RP191220 to enable future mains extensions
  - (c) connection to the existing sewerage system by way of an external gravity sewer generally in accordance with Plan No. 0267-P07 Rev A, dated 03-04-08 by V.B for Contour Consulting Engineers.
58. 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 (where approved by Unitywater). Easements must be located centrally over the main. Sewers on side boundary alignments may require easements within adjacent properties.
59. Stormwater retention systems and gross pollutant traps must maintain a minimum clearance of 1.5 metres from Unitywater water supply and sewerage infrastructure.

60. Tree plantings must maintain a minimum horizontal clearance of 1.0 metre from Unitywater water mains and 1.5 metres from Unitywater sewerage mains. Landscaping plants within these clearances must be low growing when mature and suitable Unitywater approved varieties.
61. 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.
62. The provision of water service pipework for the full length of the access strips serving Lots 5, 9, 33, 40 and 50 (25mm NB minimum).
63. The provision of a sewer house drain for the full length of the access strips serving Lots 5 and 9.
64. Water meters must be located on alternative boundaries to electrical pillars.
65. Written approval to enter and construct must be obtained from the owners of properties through which external sewers will traverse, and be submitted with lodgement of the associated development application for Operational Works.
66. Written approval to enter and construct must be obtained from the owners of properties through which external watermains will traverse. This must include approval for a 3.0 metre wide easement over the mains, and be submitted with lodgement of the associated development application for Operational Works.
67. A minimum clearance of 1.5 metres must be maintained between Unitywater sewers and proposed building envelopes.

## 5. REFERRAL AGENCIES

Not Applicable.

## 6. APPROVED PLANS

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

### Plans Requiring Amendment

Plan No.	Rev.	Plan Name	Date
7417-PRO-13.1	A	<i>Plan of Reconfiguration</i> prepared by Definium	8 September 2011
<b>Amendments</b>	1.	The entire section of Lot 103 which fronts the Glass House Mountains Coonowrin Road is to be widened (off the adjoining Lots) to a minimum width of 6 metres.	
	2.	The entire section of Lot 103 which fronts Fullertons Road is to be a minimum width of 5 metres.	

Plan No.	Rev.	Plan Name	Date
	3.	The Open Space (Park) – Lot 102 must be relocated to Lots 55 and 63 with a minimum size of 2060m <sup>2</sup> . The current location of the Open Space (Park) - Lot 102 may revert to residential allotments with a minimum lot size of 650m <sup>2</sup> .	

## 7. REFERENCED DOCUMENTS

### Referenced Plans

Document No.	Rev.	Document Name	Date
0267-P05	A	<i>Coonowrin Road Conceptual Roadworks &amp; Linemarking</i> , prepared by Contour Consulting Engineers	21 January 2008
DE07726/03	A	<i>Bioretention Detail Plan</i> prepared by Duke Environmental	9 April 2008
DE07726/04	A	<i>GPT &amp; Bioretention Detail Plan</i> prepared by Duke Environmental	9 April 2008

### Referenced Documents

Document No.	Rev.	Document Name	Date
AF07726SMP	A	Stormwater Management Plan	April 2008

## 8. ADVISORY NOTES

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

### Infrastructure Charges

- 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*.

### Co-ordination of Operational Works Assessment

- 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.

### Lawful Point of Discharge

- 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.

**Preparation of a Maintenance Manual**

4. To ensure expedient assessment of any Operational Works application, the applicant is advised that the Maintenance Manual required by this Decision Notice must include:
- (a) a plan showing the location of the individual components of the system
  - (b) location of inspection and monitoring points shown clearly on the plan
  - (c) a schedule or timetable for the proposed regular inspection, maintenance and monitoring of the devices.

**Bioretention Basin Educational Signage**

5. 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 Coonowrin Creek".*

**Road Naming Procedure**

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

**Unitywater**

7. Connection to the Unitywater live water supply and live sewerage system must be undertaken by Unitywater at the applicants cost.

**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:
- (a) provisions that ensure the proposed construction does not unduly impact on the surrounding area and ensure the site is safe for members of the public, implementing appropriate traffic signage in accordance with the Manual of Uniform Traffic Control Devices (MUTCD) and making provision for safe pedestrian access across the frontage of the site both during daily construction and after daily construction has ceased.
  - (b) maintenance and protection of water quality and existing drainage lines through the construction site, through the implementation of appropriate erosion and sediment control measures
  - (c) works programme identifying key components of the works and their respective durations
  - (d) establishment of a communication protocol with the general public, adjoining owners, emergency services and local businesses to advise of agreed construction times, impacts on traffic and services and other relevant issues
  - (e) identification of complaint management procedures including:
    - (i) contact details for the on-site manager
    - (ii) dispute resolution procedures

- (f) 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.

#### **Preparation of a Landscape Plan**

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

\*(Refer to Advisory Note)

#### **Environmental Harm**

10. The *Environmental Protection Act 1994* states that a person must not carry out any activity that causes, or is likely to cause, environmental harm unless the person takes all reasonable and practicable measures to prevent or minimise the harm. Environmental harm includes environmental nuisance. In this regard persons and entities, involved in the civil, earthworks and construction phases of this development, are to adhere to their 'general environmental duty' to minimise the risk of causing environmental harm.

Environmental harm is defined by the Act as any adverse affect, or potential adverse affect whether temporary or permanent and of whatever magnitude, duration or frequency on an environmental value and includes environmental nuisance. Therefore, no person should cause any interference with the environment or amenity of the area by reason of the emission of noise, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit, sediment, oil or otherwise, or cause hazards likely in the opinion of the administering authority to cause undue disturbance or annoyance to persons or affect property not connected with the use.

#### **Equitable Access and Facilities**

11. The plans for the proposed building work have NOT been assessed for compliance with the requirements of the National Construction Code - Building Code of Australia (Volume 1) as they relate to people with disabilities. Your attention is also directed to the fact that in addition to the requirements of the National Construction Code as they relate to people with disabilities, one or more of the following may impact on the proposed building work:

- (a) the *Disability Discrimination Act 1992* (Commonwealth);
- (b) the *Anti-Discrimination Act 1991* (Queensland); and
- (c) the Disability (Access to Premises – Buildings) Standards

### **Aboriginal Cultural Heritage Act 2003**

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

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

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

### **Easements and Future Works over External Land**

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

## **9. PROPERTY NOTES**

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

### **2007/520037 – Property Access Driveway**

*The following notation applies to approved Lots 41:*

To ensure that the integrity of on-street parking is maintained, vehicle access to this lot must be from the constructed driveway only. The driveway must not be relocated without Council agreement (refer to Council Approval 2007/520037).

### **2007/520037 – Property Access Driveway**

*The following notation applies to approved Lots 19 and 26*

To ensure that maximum separation from the intersection can be achieved, vehicle access to this lot must be from the constructed driveway only. The driveway must not be relocated without Council agreement (refer to Council Approval 2007/520037).



**10. PRELIMINARY APPROVAL OVERRIDING PLANNING SCHEME**

Not Applicable.

**11. FURTHER DEVELOPMENT PERMITS REQUIRED**

- Development Permit for Operational Work (Civil Works, Landscaping & Electrical Reticulation)

**12. SELF ASSESSABLE CODES**

Not Applicable.

**13. SUBMISSIONS**

There were 19 properly made submission about the application. In accordance with *Sustainable Planning Act 2009*, the name and address of the principal submitter for each properly made submission is provided and attached.

**14. REASONS / GROUNDS FOR APPROVAL DESPITE CONFLICT WITH SCHEME**

Council find the following are sufficient planning grounds to justify the decision despite the conflict with the Planning Scheme:

- (a) council resolved in December 2009 to amend the Caloundra City Plan 2004 to change the designation of the subject allotment from Rural Residential Settlement to Township Residential
- (b) the site is located between existing Township Residential and Rural Residential Settlement development
- (c) the proposal complies substantially with the minimum lot size and intent of the Township Residential Precinct designation
- (d) the constraints on the site can be appropriately managed through the layout and design of development
- (e) the site can be connected to all urban services as required
- (f) the primary school is within easy walking distance of the site.

**15. RIGHTS OF APPEAL**

You are entitled to appeal against this decision. A copy of the relevant appeal provisions from the *Sustainable Planning Act 2009* is attached.

During the appeal period, you as the applicant may suspend your appeal period and make written representations to council about the conditions contained within the development approval. If council agrees or agrees in part with the representations, a “negotiated decision notice” will be issued. Only one “negotiated decision notice” may be given. Taking this step will defer your appeal period, which will commence again from the start the day after you receive a “negotiated decision notice”.

## 16. OTHER DETAILS

If you wish to obtain more information about council's decision, electronic copies are available on line at [www.sunshinecoast.qld.gov.au](http://www.sunshinecoast.qld.gov.au) or at council offices.