

APPENDIX A - CONDITIONS OF APPROVAL

1. APPLICATION DETAILS

Application No:	MCU14/0015
Street Address:	5 Tooringoor Close, Pelican Waters
Real Property Description:	Lot 334 SP166662
Planning Scheme:	Caloundra City Plan 2004 (16 September 2013)

2. DECISION DETAILS

The following type of approvals have been issued:

- Development Permit for Material Change of Use of Premises - Duplex Dwelling; and
- Development Permit for Operational Works (Road Works, Drainage Works, Landscaping, Stormwater, Water & Sewerage Infrastructure)

3. RELEVANT PERIOD OF APPROVAL

The relevant period for this development approval is four (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.

Building Height

3. The maximum height of the development must not exceed 8.5 metres above ground level.

Street Identification

4. The street address of the development must be clearly visible and discernible from the primary frontage of the site by the provision of a street number and, where appropriate, the building name.

Building Appearance

5. All air conditioning units or other mechanical equipment must be located at ground level, or otherwise fully enclosed or screened such that they are not visible from the street frontages nor adjoining properties.

Fencing and Walls

6. Common boundary fencing must be a minimum 1.8m high screen fence (unless otherwise shown on the approved plans).
7. Any street fencing and walls must not exceed a maximum height of:
 - (a) 1.8m, where at least 50% of the fence or wall is transparent, or
 - (b) 1.2m otherwise.

Clothes Drying Areas

8. Each dwelling unit must be provided with access to an outdoor clothes line which is screened from public view.

Community Management Statement

9. Any proposed Community Management Statement required for the development pursuant to the *Body Corporate and Community Management Act 1997* must be submitted to Council for endorsement at the same time as submission of the Building Format Plan (or similar) to Council for compliance assessment. All clauses and by-laws of the proposed Community Management Statement must accord with the requirements of this Decision Notice.

Waste Management

10. Refuse storage, removal and collection facilities must be provided in accordance with the Approved Plans and the following:
 - (a) provision of two 240L wheelie bins for each dwelling unit;
 - (b) provision of separate bins for general and recyclable waste for each dwelling unit, with an equal number of each being provided;
 - (c) collection by service vehicles from the kerbside; and
 - (d) provision of a hardstand impervious area within the private open space area of each unit for the permanent storage location of the bins, having minimum dimensions of 0.36m² (600mm x 600mm) per bin.

LANDSCAPE

11. The development site must be landscaped. The works must be undertaken in accordance with the approved Landscape Plan.
12. 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.
13. Any damage to the external road pavement, streetscape or other existing public asset as consequence of construction activities associated with this approval must be remedied.

UNITYWATER

14. 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).
15. The fire-fighting demand on Unitywater's water supply system from the development must not exceed 15 litres per second.
16. Reticulated water supply and sewerage must be provided to the development.

17. Connection to Unitywater live water mains and the Unitywater live sewer system must be undertaken by Unitywater at the applicant's cost.
18. Separate 25mm PE water services must be installed to a common lot boundary with independent meters installed outside the boundary of the lot in accordance with Unitywater and SEQ Standard Drawings.
19. A 100mm conduit must be provided, where required, under Tooringoor Close in accordance with Unitywater and SEQ Standard Drawings.
20. Water meters must be located on alternative boundaries to electrical pillars.
21. Buildings, and other structures must maintain a minimum clearance of 1.5 meters from Unitywater sewer mains, and 1.0 meter from a sewer manhole chamber or sewer inspection opening.
22. 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.
23. 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.

DEVELOPMENT PERMIT FOR OPERATIONAL WORKS

ENGINEERING

Existing Services

24. The alignment and level of any services/assets above or below ground, likely to be affected by the proposed development, must be identified prior to the operational works commencing. Any conflict between the development and an existing or proposed service must be referred to the relevant service authority for determination.
25. Construction over or near Council services must be carried out in accordance with the relevant Council Planning Scheme Policy.
26. The developer must meet any costs to repair damage to any Council asset during construction, where damage is a result of the development works. Damage to assets must be repaired immediately where it creates a hazard to the community.

Access (Footpath Crossover and Driveway)

27. The required driveways must be constructed in accordance with IPWEAQ standard drawing SEQ R-050 and the following requirements:
 - (a) The driveway surfacing must consist of either an approved hot mixed asphaltic concrete or patterned/plain concrete
 - (b) The driveways must be constructed so as not to concentrate stormwater runoff onto neighbouring properties
 - (c) the longitudinal gradient and crossfall of all driveways must comply with the requirements of AS2890.1 *Off-street Car Parking*.

Stormwater - Discharge to Approved Stormwater System

28. Construction of all internal stormwater drainage works must comply with the relevant section/s of Australian Standard AS/NZS 3500.3.2:1998.
29. Stormwater from roofed and sealed areas (including overflow pipes from proposed rainwater tanks) must be collected and discharged by way of sealed underground pipe directly to the approved connection point. Where no underground stormwater system exists, connection must be made to the street channel, via an approved galvanised metal kerb adaptor that suits the profile of the existing kerb.

Engineer's Certification / Supervision of Works

30. A Registered Professional Engineer must supervise the execution of the works, with all executed works being detailed on a certificate of supervision. A copy of the supervision certificate must be submitted to Council upon completion of the works.

LANDSCAPE

31. Landscape works must be coordinated with all other aspects of the Operational Works relating to the development. Drainage and finished levels of works associated with engineering approvals shall take precedence in the case of any ambiguity.
32. The supervising landscape consultant must ensure that the works have been undertaken generally in accordance with the approved plan, have been inspected and confirm acceptability at the completion of construction.
33. The following requirements apply to all landscape works:
 - (a) all topsoil imported onto the site complies with AS4419; and
 - (b) all tree stock used within the landscape works conforms to the criteria outlined in NATSPEC Guide: Specifying Trees.
34. A suitably qualified landscape consultant must submit to Council, certification that all landscaping works have been undertaken and completed in accordance with the approved plans and specifications.
35. The site must be maintained to aesthetically compliment the surrounding local area for the life of the development. The maintenance must include:
 - (a) mulching, fertilising and aeration of landscape areas;
 - (b) replacement of dead or poorly performing plants;
 - (c) inspection and assessment of all vegetation such that it does not adversely affect adjoining property or pedestrians; and
 - (d) remedial action if any vegetation poses a health or safety risk to site users or adjoining property.

UNITYWATER**Prior to Commencement of Construction**

36. Unitywater must be advised in writing of the contractor's name and the proposed date of commencement of construction. A minimum of five days' notice is required to enable inspections to be arranged, including a pre-start meeting on site. Phone Unitywater: 07 5409 3870.

37. Pipe layer accreditation must be provided at the Pre-start meeting including “Century Plus” accreditation for DICTL, “Pipeline Installation” for PVC and “Electrofusion/Butt Welding” for Polyethylene Pipe.

During Construction

38. Water meters must be installed to each lot of the development in accordance with Unitywater requirements and SEQ Standard Drawings.
39. Electrical pillars must be located on alternative boundaries to water meters.
40. A minimum horizontal clearance of 1.0 metre must be maintained between stormwater pipes greater than 225mm diameter and Unitywater water supply or sewerage infrastructure.
41. A minimum of 0.5 metres separation must be maintained between the outermost edge of sewer access chambers or sewerage mains and the property boundary.
42. Proposed 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.
43. During the maintenance period the applicant must carry out necessary repairs to: defects and/or damage of road works; drainage and associated work; water supply and sewerage reticulation and pump stations and associated equipment. These repairs include damage and/or alterations caused by third parties carrying out works within the development.
44. Construction works undertaken in the vicinity of Unitywater’s existing water supply or sewerage infrastructure must not adversely affect the integrity of the infrastructure. All costs associated with repair, replacement or alteration to existing infrastructure must be met by the applicant.

Prior to Commencement of Use

45. As Constructed drawings shall be lodged to Unitywater in both hardcopy and ADAC digital format in GDA94 Zone 56 coordinate values. As constructed drawings will be required prior to works being accepted On Maintenance. The GDA co-ordinates and AHD levels of all permanent survey marks installed shall be provided. The surveyed location, meter numbers and readings of water meters installed by the developer must be included in the as constructed information.
46. A water meter record sheet must be completed and submitted to Unitywater prior to works being accepted on-maintenance.
47. Upon completion of the works a certificate must be issued by a RPEQ certifying that the works have been constructed in accordance with Unitywater standards, and in compliance with the approved plans and specifications. The works must be supervised by the Engineer in a planned and timely manner to ensure the integrity of the certification is upheld.

5. REFERRAL AGENCIES

Not Applicable.

6. APPROVED PLANS

Approved Plans

Plan No.	Rev.	Plan Name	Date
14/03, Sheet 1 / 5	-	<i>Site Plan</i> , prepared by Rollercoaster Developments P/L	10/03/2014
14/03, Sheet A/L	-	<i>Landscape Plan</i> , prepared by Rollercoaster Developments P/L	10/03/2014
14/03, Sheet 2 / 5	-	<i>Floor Plan</i> , prepared by Rollercoaster Developments P/L	03/02/2014
14/03, Sheet 3 / 5	-	<i>Floor Plan – Dwelling 1</i> , prepared by Rollercoaster Developments P/L	03/02/2014
14/03, Sheet 4 / 5	-	<i>Floor Plan – Dwelling 2</i> , prepared by Rollercoaster Developments P/L	03/02/2014
14/03, Sheet 5 / 5	-	<i>Elevations</i> , prepared by Rollercoaster Developments P/L	03/02/2014

7. REFERENCED DOCUMENTS

Not Applicable.

8. ADVISORY NOTES

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

Equitable Access and Facilities

1. 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

2. 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*.

Development Compliance Inspection

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

Infrastructure Charges

4. 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*.

Unitywater

5. A 100mm diameter watermain is located within the road boundary across from the development site in **Tooringoor Close**. Construction works, heavy traffic crossing the main, excessive vibration and excavation close to the main may cause damage to the pipe. Extreme care is required when working close to this infrastructure. All costs associated with repair, replacement or alteration of infrastructure must be met by the applicant.

Unitywater - Operational Works

6. Connection of the proposed works to existing water supply and sewerage reticulation can only be performed by Unitywater. A quotation for such works will be prepared upon request.
7. Unitywater currently requires the installation of Elster PSM 50100/39 dual check meters. Water meters may be purchased direct from “Elster” and installed by the developer, or Unitywater can provide the meters and undertake the works.
8. Where connection to the existing reticulation system is required, the depth of the existing pipework must be determined prior to initiation of works to ensure that the connection can be made without the use of vertical bends. Approval from Unitywater must be obtained where minimum pipe cover cannot be maintained.
9. Unitywater is not responsible for alterations to existing services that may be required when Unitywater is connecting new water mains to the live water network. This may involve negotiations with other service authorities.

Other Laws and Requirements

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

Operational Works Drawings

11. Council has undertaken an audit check of the Operational Works drawings in relations to the proposed works. A detailed check of the calculations and drawings has not been undertaken. The RPEQ bears full responsibility for all aspects of the engineering design. Council reserves the right to require further amendments and/or additions at a later date should design errors become apparent.

9. PROPERTY NOTES

Not Applicable.

10. PRELIMINARY APPROVAL OVERRIDING PLANNING SCHEME

Not Applicable.

11. FURTHER DEVELOPMENT PERMITS REQUIRED

- Development Permit for Building Work

12. SELF ASSESSABLE CODES

Not Applicable.

13. SUBMISSIONS

Not Applicable.

14. REASONS / GROUNDS FOR APPROVAL DESPITE CONFLICT WITH SCHEME

Not Applicable.

15. RIGHTS OF APPEAL

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

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

16. OTHER DETAILS

If you wish to obtain more information about council’s decision, electronic copies are available on line at www.sunshinecoast.qld.gov.au or at council offices.