AGENDA

Planning & Environment Committee Meeting

Tuesday, 8 August 2017

commencing at 9.30am

Committee Room, 9 Pelican Street, Tewantin

Committee: Crs Joe Jurisevic (Chair), Ingrid Jackson, Brian Stockwell, Tony Wellington

“Noosa Shire – different by nature”
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REPORTS FOR CONSIDERATION OF THE COMMITTEE

1 MCU16/0137 REPRESENTATIONS TO CONDITIONS DEVELOPMENT APPROVAL FOR MATERIAL CHANGE OF USE ENTERTAINMENT & DINING BUSINESS TYPE 2 RECREATION, AMUSEMENT & FITNESS (FITNESS CENTRE) AT 5/8 SELKIRK DRIVE NOOSAVILLE

Author Development Planner, Lisa Pienaar
Environment & Sustainable Development Department

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Attachments Nil

APPLICATION DETAILS

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<th>Applicant</th>
<th>Gelherult No 2 Pty Ltd</th>
</tr>
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<tr>
<td>Proposal</td>
<td>Development Permit for Material Change of Use of Premises - Entertainment &amp; Dining Business Type 2 - Recreation, Amusement &amp; Fitness (Fitness Centre)</td>
</tr>
<tr>
<td>Properly Made Date</td>
<td>7 November 2016</td>
</tr>
<tr>
<td>Information Request Date</td>
<td>19 December 2016</td>
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<tr>
<td>Information Response Date</td>
<td>02 March 2017</td>
</tr>
<tr>
<td>Decision Date</td>
<td>15 June 2017</td>
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<tr>
<td>Representations dated</td>
<td>20 June 2017</td>
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<tr>
<td>Number of Submissions</td>
<td>1</td>
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</table>

RECOMMENDATION

That Council note the report by the Development Planner to the Planning and Environment Committee Meeting dated 8 August 2017 regarding representations to conditions of approval for Development Permit for Material Change of Use of Premises - Entertainment & Dining Business Type 2 - Recreation, Amusement & Fitness (Fitness Centre) located at 5/8 Selkirk Drive Noosaville, and Approve the request to change Condition 7 as follows:

7. The use must be in accordance with the David Moore & Associates Pty Ltd report ‘Desk Top Environmental Noise Level Impact Assessment of Proposed Fitness Centre, 5/8 Selkirk Drive Noosaville’, conducted for Gelherdt No.2 Pty Ltd, Report No. R17015/D3218/Rev.0/1.03.2017, unless varied by the following:
   a. Ensure all windows and doors facing Walter Hay Drive are locked shut;
   b. The fitness room is to be sound proofed;
   c. Noise emanating from the premises, including amplified or non-amplified sound, must not exceed:
      i. daytime (0700 to 1800 hours): 94 dB(A) L_Aeq,adj,T when measured approximately 3 metres from the primary noise source;
ii. evening (1800 to 2200 hours): 89 dB(A) $L_{A_{eq},adj,T}$ when measured approximately 3 metres from the primary noise source;

iii. night-time (2200 to 0700 hours): 84 dB(A) $L_{A_{eq},adj,T}$ when measured approximately 3 metres from the primary noise source;

d. All amplified sound at the premises must be conducted through a sound limiting device at all times to ensure that noise does not exceed levels prescribed in condition c);

e. The sound limiting device is to have a locking mechanism or be located within a locked enclosure, which is to be locked at all times except for inspection or maintenance work on the device;

f. Access to the sound limiting device, except for maintenance work, is restricted to the gym manager, nominee and the person in charge of the premises at any time; and

g. The sound limiting device must be checked and if necessary adjusted by a qualified acoustic consultant at least every 12 months to ensure compliance with condition c). Acoustic certification is to be kept on site.

REPORT

1. PROPOSAL

The applicant seeks representations on a development approval for a Material Change of Use of Premises - Entertainment & Dining Business Type 2 - Recreation, Amusement & Fitness (Fitness Centre) located at 5/8 Selkirk Drive Noosaville.

The application is before Council as the Development Permit was originally approved by Council.

1.1. Background

On 15 June 2017 Council approved a Material Change of Use of Premises for a Fitness Centre within an existing tenancy within the Noosa Home building on Walter Hay Drive.

2. ASSESSMENT

Under the provisions of the Sustainable Planning Act the applicant suspended its appeal period and submitted representations to conditions of the approval. The superseded Sustainable Planning Act requires Council to consider the representations and give a new decision notice (a negotiated decision notice) to all relevant parties, where the representations are agreed with. The representations seek to amend a condition relating to acoustics. The applicant has provided information to support their case.

Representations to Conditions

Condition 7

7 The use must be in accordance with The ‘Desk Top Environmental Noise Impact Assessment of Proposed Fitness Centre, 5/8 Selkirk Drive Noosaville’, Report No. R17015, prepared by David Moore and Associates Pty Ltd dated 1 March 2017; unless varied by the following:

a. Ensure all windows and doors facing Walter Hay Drive cannot be opened;

b. Operating hours of the fitness room are to be limited to hours between 7am and 10pm;

c. Noise emanating from the premises including amplified or non-amplified noise and patron noise must not exceed 84db (A) when measured;

d. All amplified noise at the premises must be conducted through a sound limiting device at all times to ensure that noise does not exceed levels prescribed in condition c);

e. The sound limiting device is to have a locking mechanism, which is to be locked at all times except for inspection or maintenance work on the device;
f. Access to the sound limiting device, except for maintenance work, is restricted to the
gym manager, nominee and the person in charge of the premises at any time; and

g. The sound limiting device must be checked and if necessary calibrated by a qualified
acoustic engineer at least every 12 months to ensure compliance with condition c).

Applicant’s request

Condition 7 details restrictions on the operation of the proposed 24 hour gym with regard to hours
and noise. The condition is considered unreasonable and not relevant as it imposes conditions that
are not required and have no technical basis.

In response to the imposition of the above condition, further technical advice has been received
from Noise Consultant David Moore who suggests an alternative condition that effectively allows
the gym to operate and will control noise generated by the use.

Condition 7b) restricts the use of the internal fitness room to hours between 7am and 10pm. These
hours do not reflect the noise report nor permit the 24 hour gym to operate effectively as the
applicant proposes to run early morning classes for working women from 5.45am. These early
morning classes are integral to the operations of the gym.

The condition does not take this aspect into consideration nor does it consider that the group fitness
room:

- Is internal to the building and is over 55 metres to the external wall of the nearest residential
dwelling. Refer figure 1 below;
- Is separated from the nearest residential dwelling by internal rooms and the external wall of
the building;
- Is separated from the nearest residential dwelling by a divided road, landscaping and
acoustic fence. Refer figure 2 below;
- Will be sound proofed;
- Needs to operate at a level that does not disturb other activities within the actual gym such
as offices; and
- Is located in an existing industrial complex.

Mr David Moore (applicant’s acoustic consultant) confirms that condition 7b) is not relevant and
that the use can operate before 6am subject to defined noise limits and installation of sound limiting
device. Mr Moore indicates a revised condition 7 that reflects the conclusion of his report and will
ensure noise levels comply with relevant standards.

Proposed amended Condition 7 as requested by the applicant
The use must be in accordance with the David Moore & Associates Pty Ltd report ‘Desk Top Environmental Noise Level Impact Assessment of Proposed Fitness Centre, 5/8 Selkirk Drive Noosaville’, conducted for Gelherdt No 2 Pty Ltd, Report No. R17015/D3218/Rev.0/1.03.2017, unless varied by the following:

a) Whenever there is any amplified sound in the gymnasium ensure that all openable windows and doors facing Walter Hay Drive are closed. During those times when there is no management present at the gymnasium ensure that all openable windows and doors facing Walter Hay Drive are locked closed;

d) All amplified sound at the premises must be conducted through a sound limiting device at all times to ensure that noise does not exceed levels prescribed in condition c);

e) The sound limiting device is to have a locking mechanism or be located within a locked enclosure, which is to be locked at all times except for inspection or maintenance work on the device;

f) Access to the sound limiting device, except for maintenance work, is restricted to the gym manager, nominee and the person in charge of the premises at any time; and

The acoustic report didn’t address sound levels from the fitness room, albeit it is recognised that the room is internal, having greater acoustic ‘isolation’ from the closest residences. The applicant’s consultant advised that this room would be sound proofed and will be conditioned as such. This should overcome the need for any restriction on hours as previously proposed. Therefore it is agreed to amend b) of Condition 7 to ensure the fitness room is soundproofed.

The recommended decibel levels at various time periods were identified in the acoustic report which has calculated that those levels measured at 3 metres from the noise source will provide acceptable decibel levels if measured at the receiver.
Proposed amended Condition 7 (as recommended)

The use must be in accordance with the David Moore & Associates Pty Ltd report 'Desk Top Environmental Noise Level Impact Assessment of Proposed Fitness Centre, 5/8 Selkirk Drive Noosaville, conducted for Gelherdt No 2 Pty Ltd, Report No. R17015/D3218/Rev.0/1.03.2017, unless varied by the following:

a. Ensure all windows and doors facing Walter Hay Drive are locked shut;

b. Noise emanating from the premises, including amplified or non-amplified sound, must not exceed:

i. daytime (0700 to 1800 hours): 94 dB(A) LAeq,adj,T when measured approximately 3 metres from the primary noise source;

iv. evening (1800 to 2200 hours): 89 dB(A) LAeq,adj,T when measured approximately 3 metres from the primary noise source;

v. night-time (2200 to 0700 hours): 84 dB(A) LAeq,adj,T when measured approximately 3 metres from the primary noise source;

c. All amplified sound at the premises must be conducted through a sound limiting device at all times to ensure that noise does not exceed levels prescribed in condition c);

d. The sound limiting device is to have a locking mechanism or be located within a locked enclosure, which is to be locked at all times except for inspection or maintenance work on the device;

e. Access to the sound limiting device, except for maintenance work, is restricted to the gym manager, nominee and the person in charge of the premises at any time; and

f. The sound limiting device must be checked and if necessary adjusted by a qualified acoustic consultant at least every 12 months to ensure compliance with condition c). Acoustic certification is to be kept on site.

3. CONCLUSION

The proposed changes as suggested by the applicant and the further information from the applicant’s Noise Consultant have been assessed and it is considered the condition as recommended will ensure sound levels are appropriately mitigated for nearby residents.

Departments/Sections Consulted:

- Chief Executive Officer
  - Executive Officer
  - Executive Support

- Executive Services
  - Community Engagement
  - Customer Service
  - Governance
  - People and Culture

- Community Services
  - Community Development
  - Community Facilities
  - Libraries & Galleries
  - Local Laws
  - Waste & Environmental Health

- Corporate Services
  - Financial Services
  - ICT
  - Procurement & Fleet
  - Property
  - Revenue Services

- Environment & Sustainable Development
  - Building & Plumbing Services
  - Development Assessment
  - Economic Development
  - Environmental Services
  - Strategic Land Use Planning

- Infrastructure Services
  - Asset Management
  - Buildings and Facilities
  - Civil Operations
  - Disaster Management
  - Infrastructure Planning, Design and Delivery
2 MCU17/0028, OPW17/0120 & REC17/0012 DEVELOPMENT APPLICATION FOR A MATERIAL CHANGE OF USE FOR MULTIPLE HOUSING TYPE 1, RECONFIGURE A LOT (1 LOT INTO 2 lots) AND OPERATIONAL WORKS (ENGINEERING WORKS) 23 TEWANTIN ROAD COOROY

Author Coordinator Planning, Patrick Murphy Environment & Sustainable Development Department

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Attachments Nil

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<th>APPLICATION DETAILS</th>
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<tr>
<td>Applicant</td>
<td>Tea 4 Two Pty Ltd TTE</td>
</tr>
<tr>
<td>Proposal</td>
<td>Development Permit for Material Change of Use of Premises - Multiple housing Type 1 – Duplex, Operational Works (Engineering Works) and Reconfiguration of a Lot – 1 Lot into 2 Lots</td>
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<tr>
<td>Properly Made Date</td>
<td>06 April 2017</td>
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<td>Information Request Date</td>
<td>9 May 2017</td>
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<td>Information Response Date</td>
<td>22 June 2017</td>
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<tr>
<td>Decision Due Date</td>
<td>17 August 2017</td>
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<tr>
<td>Number of Submissions</td>
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<tr>
<td>Property Address</td>
<td>23 Tewantin Rd COOROY QLD 4563</td>
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<tr>
<td>RP Description</td>
<td>Lot 102 C 5604</td>
</tr>
<tr>
<td>Land Area</td>
<td>1,012 Square Metres</td>
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<tr>
<td>Existing Use of Land</td>
<td>Detached House</td>
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<td>SEQRP Designation</td>
<td>Urban Footprint</td>
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<tr>
<td>Locality</td>
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<tr>
<td>Zone</td>
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<td>Overlays</td>
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<td>Assessment Type</td>
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RECOMMENDATION

That Council note the report by the Coordinator Planning, Patrick Murphy to the Planning & Environment Committee Meeting dated 8 August 2017 regarding Application No. MCU17/0028, OPW17/0120 and REC17/0012 for a Development Permit for Material Change of use of Premises Multiple Housing Type 1 – Duplex, Operational Works (Engineering Works) and Reconfigure a Lot 1 Lot into 2 Lots situated at 23 Tewantin Road, Cooroy described Lot 102 C5604 and approve the application in accordance with the following conditions:

MATERIAL CHANGE OF USE

Approved Plans

1. Development undertaken in accordance with this approval must generally comply with the approved plans of development. The approved plans are listed in the following table unless otherwise amended by these conditions.

<table>
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<th>Plan No.</th>
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<th>Plan/Document Name</th>
<th>Date</th>
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<tbody>
<tr>
<td>T42S1</td>
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<td>Site Plan</td>
<td>15.03.2017</td>
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<td>T42E1</td>
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<td>Elevations - Existing house</td>
<td>15.03.2017</td>
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<tr>
<td>1 of 6</td>
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<td>Site Plan drawn by Ausmar</td>
<td>13.03.2017</td>
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<td>2 of 6</td>
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<td>Ground Floor drawn by Ausmar</td>
<td>13.03.2017</td>
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<td>3 of 6</td>
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<td>Elevations drawn by Ausmar</td>
<td>13.03.2017</td>
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<td>4 of 6</td>
<td></td>
<td>Elevations drawn by Ausmar</td>
<td>13.03.2017</td>
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Dedication

2. Prior to the commencement of the use a two (2.0) metre wide strip extending across the full length of the frontage to Olivine Lane is to be dedicated to Council as ‘Road’.

Roof pitch and eaves

3. The roof of the new dwelling must have a roof pitch of no less than 12 degrees and have minimum 600mm eaves to at least 75% of the perimeter of the building.

Landscaping

4. The development site must be landscaped. The works must be undertaken in accordance with an Operational Works approval and the Noosa Plan for that specific area.

5. All landscape works must be established and maintained in accordance with the approved design for the life of the development, and in a manner that ensures 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.

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

External Works

7. All works required in the Tewantin Road road reserve must be completed prior to the commencement of the use.

Site Access and Driveways

8. A sealed access driveway must be provided from Tewantin Road and Olivine Lane to all parking and manoeuvring areas of the development. The works must include in particular driveway crossovers generally in accordance with Council’s standard drawings RS-049 and RS-050

Tewantin Road.

9. Approval from the Department of Transport and Main Roads for the final design of the site access and driveway works in Tewantin Road must be submitted in writing to Council prior to the commencement of the works. All works must be completed and accepted by the Department of Transport and Main Roads prior to the commencement of the use.
Olivine Lane

10. The existing access driveway from Olivine Lane may be retained provided that certification from a Registered Professional Engineer of Queensland (RPEQ) is submitted to Council. The certification must state that the driveway is in good order and is suitable for the intended use. If the certification cannot be provided the existing driveway must be removed and replaced with a compliant driveway.

Performance Bond

11. Security in the form of a cash bond or trading bank guarantee to the sum of $5,000 must be submitted to Council, to secure performance of all conditions of this approval, prior to the pre-start meeting. The cash bond or trading bank guarantee will be returned on performance of the conditions of approval less any costs incurred by Council in respect of enforcing performance of this permit. Council reserves the right to call upon the bond or guaranteed sum to effect compliance with conditions.

Building Appearance

12. 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

13. Any street fencing must be set back an average of 1 metre from the front property boundary. Any fencing on the front boundary must either:
   a. not exceed a maximum height of 1.2m
   b. be of open construction.

14. The area of land between the fence and the front property boundary must be densely landscaped to screen any fencing from the street.

Car Parking

15. Car parking spaces must be provided and marked on the site in accordance with the approved plans. The car parking must include in particular cross falls and gradients in accordance with Australian Standard AS/NZS2890.1:2004.

Stormwater Drainage

16. The site must be provided with a stormwater drainage system connecting to a lawful point of discharge.

17. The development must be constructed so as not to concentrate or redirect stormwater runoff onto neighbouring properties.

Electricity and Telecommunication Services

18. Reticulated electricity and telecommunication services must be provided to each lot in accordance with the standards and requirements of the relevant service provider.

19. 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.

20. Certification must be submitted to Council 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.

Easements

21. 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.
22. 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.

23. 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 and Retaining Walls**

24. All fill and associated batters must be contained entirely within the subject site unless written permission from the respective landowner(s) is provided to Council. All earthworks must be undertaken in accordance with the provisions of Australian Standard AS3798: Guidelines on Earthworks for Commercial and Residential Developments.

25. Where the development involves excavation or filling over, or adjacent to, drainage, water supply or sewerage infrastructure, all access chamber surface levels must be adjusted to provide a freeboard of 100mm above the finished ground surface level.

26. All retaining walls must be designed and constructed in accordance with the planning scheme and must be certified by an RPEQ where exceeding 1.0m in height. All retaining walls that are publicly accessible and exceed 1.0m in height must be fitted with a commercial grade safety fence.

**Damage to Services and Assets**

27. Any damage caused to existing services and assets as a result of the development works must be repaired at no cost to the asset owner at the following times:
   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.

**Community Management Statement**

28. 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.

### RECONFIGURING A LOT

<table>
<thead>
<tr>
<th>Plan No.</th>
<th>Rev.</th>
<th>Plan/Document Name</th>
<th>Date</th>
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<tbody>
<tr>
<td>16-4325AB</td>
<td></td>
<td>Plan of proposed Reconfiguration of Lot 102 on C5604 (Community Title Scheme) drawn by Max Waterson and Associates</td>
<td>30.03.2017</td>
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29. Unless otherwise stated, all works required by the conditions of this Decision Notice must be completed prior to submission of the subdivision plan to Council for plan sealing.
OPERATIONAL WORKS

APPROVED PLANS

30. Development undertaken in accordance with this approval must generally comply with the approved plans of development. The approved plans are listed in the following table unless otherwise amended by these conditions.

<table>
<thead>
<tr>
<th>Plan No.</th>
<th>Rev.</th>
<th>Plan/Document Name</th>
<th>Date</th>
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<tr>
<td>1622-01</td>
<td>C</td>
<td>Site Plan prepared by Callaghan and Toth for that part within the subject site</td>
<td>June 2017</td>
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<tr>
<td>1622-02</td>
<td>C</td>
<td>Driveway Layout &amp; Sediment Control Plan prepared by Callaghan and Toth for that part within the subject site</td>
<td>June 2017</td>
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<tr>
<td>1622-03</td>
<td>C</td>
<td>Driveway Detail Plan prepared by Callaghan and Toth for that part within the subject site</td>
<td>June 2017</td>
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<td>1622-06</td>
<td>C</td>
<td>Structural Detail Plan prepared by Callaghan and Toth for that part within the subject site</td>
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<tr>
<td>1622-07</td>
<td>C</td>
<td>Driveway Longitudinal Section prepared by Callaghan and Toth for that part within the subject site</td>
<td>June 2017</td>
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<tr>
<td>T42L1</td>
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<td>Landscape Plan</td>
<td>15.03.2017</td>
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PRIOR TO COMMENCEMENT OF WORKS

Engineering

31. All necessary approvals from external service providers (e.g. Unitywater) and external parties on which the development works are proposed have been obtained and a copy supplied to Council.

32. Copies of the approved plans, duly signed by the consultant Registered Professional Engineer of Queensland (RPEQ) must be provided to Council's Engineering Officer Construction at the “pre start” meeting.

33. A condition report including photographs of the frontage of the site (Olivine Lane and Tewantin Road) must be completed and submitted to Council at the prestart meeting / prior to any works commencing.

34. Certificates demonstrating currency of public liability insurance and works insurance covering the works must be submitted to Council at the prestart meeting.

35. Council must be contacted at least 5 working days prior to any works commencing to organise a prestart. The contact number to arrange a pre-start meeting is 5329 6245. The pre-start meeting must include the relevant parties for the following aspects of the works:
   a. Civil engineering works;
   b. Other relevant parties

36. A Construction Management Plan must be submitted to Council prior to the pre-start meeting and must specifically address the following:
   a. Traffic Management during all aspects of the construct phase including:
      i. A Traffic Management Control Plan in accordance with 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. Adequate parking arrangements for construction workers.
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.

37. Any changes to the details associated with the supervising RPEQ or Principal Contractor during construction must be notified to Council in writing within five business days of the change occurring.

38. Any conflict between the development and an existing or proposed service must be referred to the relevant service authority for determination prior to commencement of works.

**Landscaping Works**

39. The development must be landscaped in accordance with these conditions and the approved landscape plans prior to the commencement of use.

40. A minimum pot sized 100L street tree must be installed in the Tewantin road frontage and:
   b. Be located in accordance with engineering requirements for safe vehicle and pedestrian sight lines.
   c. Be of an approved Council species suitable for the location and of local origin.
   d. Planted in accordance with Planning Scheme Policy 3 Landscaping Plants and Guidelines.

41. Landscape works must be supervised, undertaken and certified by a horticulturist. All works must be completed in accordance with this Decision Notice.

**DURING CONSTRUCTION**

**Engineering**

42. 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. In circumstances where the damage does not create a hazard to the community, it must be repaired immediately on completion of the works associated with the development.

43. All works must be supervised by a Registered Professional Engineer of Queensland (RPEQ) who is independent of the Developer and Principal Contractor, and they must certify that all works conform to the Operational Works permit.

44. All works must be constructed and work procedure undertaken in accordance with:
   a. The approved plans/documents and conditions detailed in this Decision Notice.
   b. All relevant Noosa Council Planning Scheme Policies, standard drawings, standard specifications and guidelines.
Pavement Design and Construction

45. Pavement design for privately owned works must be undertaken in accordance with the relevant standards. Structural integrity of the driveway and car park areas will remain the responsibility of the property owner/developer and must be certified by an RPEQ.

Works within Road Reserve/Reinstatement

46. Safe pedestrian access on all streets in the vicinity of the development must be maintained at all times. Should footpath/road closures be necessary to carry out construction works, Council’s Engineering Officer must be notified prior to the proposed closure and all requirements complied with.

47. All frontage works must match neatly with existing road and verge/footpath features. Additional works beyond the frontage may be required to provide an acceptable transition to existing road and verge/footpath profiles.

48. Electrical conduits or other services proposed to be installed within existing and proposed road reserves under existing sealed carriageways, concrete pathways, concrete/sealed driveways or significant vegetation must be installed by boring. Trenching is not permitted, unless specifically approved by Council.

Site Access and Driveways

49. Any existing unnecessary or redundant property accesses must be removed, and the kerb, footpath and verge area reinstated to match the existing footpath and/or verge treatments. Grassed verge areas to be reinstated must be provided with 100 mm topsoil and grass seed or turf, and must be maintained by the developer until established.

50. The following must be complied with during the construction of the required crossovers/driveways:
   a. The driveway surfacing must consist of either an approved hot mixed asphaltic concrete or patterned/plain concrete.
   b. The driveway must be constructed so as not to concentrate or redirect stormwater runoff onto neighbouring properties.
   c. Underground service conduits for water supply, electricity and any other services must be provided as part of the access driveway.
   d. Where there is an existing pedestrian path, a matching crossfall must be provided for the driveway on the alignment of the path, for the full width of the path.
   e. The property access must be located a minimum of 1m clear of existing power poles, streetlights or other signage. The developer is responsible for any necessary relocation of existing services to provide this clearance and must contact the relevant service authorities and comply with their requirements in relation to these works.

Earthworks and Retaining Walls

51. All earthworks shall be undertaken in accordance with the provisions of AS 3798 Guidelines on Earthworks for Commercial and Residential Development, with geotechnical testing undertaken in accordance with Section 8 of the Standard, and to a minimum of ‘Level 1’ as defined in Appendix B. Test results as required by AS 3798, and a certificate of quality and uniformity of fill shall be provided by a RPEQ and submitted to Council prior to Council signing the Plan of Survey.

Stormwater Drainage

52. Appropriate scour protection must be provided at the outlet of all stormwater pipes including temporary outlets.

53. Works associated with this permit must not adversely impact on the existing drainage conditions on other properties (e.g. by blocking or interfering with natural overland flows).
54. Construction of all internal stormwater drainage works must comply with the relevant section/s of Australian Standard AS/NZS 3500.3.

Environment

55. Prescribed Water Contaminants (as defined in the Environmental Protection Act 1994) must not be released from the site or to waters within the site, or be likely to be released should rainfall occur, unless all reasonable and practicable measures are taken to prevent or minimise the release and concentration of contamination.

56. Erosion and sediment control measures must be installed and maintained to minimise erosion on the site and to minimise the export of sediment and associated pollutants from the site. The erosion and sediment control measures must be designed, installed and maintained in accordance with current best practice standards (refer to advisory notes).

57. Prior to the commencement of the use, all site surfaces must be effectively stabilised using methods which have achieved effective short-term stabilisation and which will continue to achieve effective stabilisation in the medium to long-term (refer to advisory notes). For the purpose of this condition, an effectively stabilised surface is defined as one that does not, or is not likely to result in visible evidence of soil loss caused by sheet, rill or gully erosion or lead to sedimentation, or lead to water contamination.

Damage to Services and Assets

58. Any damage caused to existing services and assets as a result of the development works must be repaired at no cost to the asset owner at the following times:
   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.

FOLLOWING CONSTRUCTION

Certification

59. Upon completion of the work a certificate must be issued by an RPEQ certifying that the works have been constructed in accordance with the Operational Works permit.

60. A final inspection and approval of the new works and completed reinstatement works by Council’s Inspector is required. Please contact Council on 5329 6245 to arrange for the inspection.

REPORT

1. PROPOSAL

This application seeks approval to construct a duplex dwelling on the site at Cooroy. The application involves three components including a Material Change of Use for a Multiple Housing Type 1 – Duplex, Operational Work (Engineering Works) and Reconfiguration of a Lot - 1 Lot into 2 Lots.

The proposal involves the retention of the existing dwelling which faces Tewantin Road and the construction of a second dwelling unit to the rear of the site which will face Olivine Lane. Works associated with the front unit include a new vehicular access from Tewantin Road leading to a carport and tandem visitor space located along the eastern boundary.

The new rear unit is proposed to be a single storey, 3 bedroom dwelling, clad with weatherboard and pitched roof form. This unit proposes to take vehicular access from Olivine Lane and provides an enclosed garage attached to the unit and a separate visitor carparking space and manoeuvring to the front of the site. (refer figure 1)
Operational Works plans detailing roadworks and stormwater are included as part of the application.

The applicant also seeks approval to reconfigure the site to create a Community Titles Scheme with services constructed for each lot. Proposed lot 1, which contains the existing dwelling, has a proposed area of 494m² with the rear lot 2 an area of 514m².
The applicant seeks approval to create these two titles prior to the actual construction of the duplex dwelling and proposes that conditions be included as part of the Community Management Statement to ensure that the newly created vacant lot be developed in accordance with the conditions of Development Approval. Written advice from the applicants’ solicitor details that they consider the conditions would be legal and enforceable.

The proposed Duplex is a code assessable use and has been referred to the Planning & Environment Committee meeting due to the conditions proposed for the widening of Olivine Lane and staging of the subdivision.

2. SITE DETAILS

2.1. Background

A pre-lodgement meeting was held with Council officers on 31 January 2017. A number of matters were raised including:

Access
The issue of most significance is accessing Cooroy Noosa Road. It is noted that the supplied DTMR letter includes the need for the applicant to obtain Council’s approval for the access. In this regard any application will need to demonstrate that the access can achieve compliance with the Noosa Plan - Driveways and Carparking Code and Transport, Roads and Drainage Code. It is expected that any application will need to include suitable engineering designs and it is highly likely that on-site manoeuvring will be required.

Frontage Works
The development will need to include improvements to the site’s frontage to Olivine Lane. The works will most likely include kerb and channel and any associated formation widening.

The site’s frontage to Cooroy Noosa Road is fully formed and at this time it is not expected that any works will be required.

Stormwater
The development will need to provide connection from the lots to the existing Council drainage system.

Services
The development will need to provide services to each lot normally associated with urban development (water, sewer, power and telecommunications). The developer is responsible for any costs associated with the provision of the services.

Reconfiguration
It is expected that all of the required works mentioned above will be completed prior to Council endorsing any survey plan for the subdivision of the land.

2.2. Site Description

The site is a rectangular shaped parcel of land located on the north western side of Tewantin Road, Cooroy. The site has frontage to both Tewantin Road and Olivine Lane and slopes down from the Tewantin Road frontage to Olivine Lane with a fall of approximately 4 metres and slope of 15%. An existing single storey brick dwelling is located on the site 4.5 to 5.0 metres from the Tewantin road frontage. Existing vegetation is limited to amenity landscaping around the periphery of the site.

2.3. Surrounding Land Uses

The site is located in an established residential area that is characterised by low set residential dwellings, however, is experiencing change with a number of sites being developed for units. Specifically, the site directly to the west of the site at 21 Tewantin Road has been developed for three, two storey units, whilst the northern section of Olivine Lane has a number of duplex dwellings developed.
3. ASSESSMENT

3.1. Instruments for Statutory Assessment

Under the Sustainable Planning Act 2009 the application must be assessed against each of the following statutory planning instruments to the extent they are relevant to the development:

- State Planning Policies;
- the South East Queensland Regional Plan;
- State Planning Regulatory Provisions;
- any Structure Plan or Master Plan in place for declared areas;
- any Preliminary Approval Overriding the Planning Scheme for the land;
- the Planning Scheme for the local government area; and
- any Temporary Local Planning Instrument in place for the local government area.

Of these, the statutory planning instruments relevant to this application are discussed in the sections that follow.

3.2. State and Other Statutory Instruments

State Planning Policies

The State Planning Policies have been deemed by the Minister for Local Government and Planning as appropriately reflected in the Planning Scheme and therefore do not warrant a separate assessment.

South East Queensland (SEQ) Regional Plan 2009 - 2031

The site is located within the Urban Footprint of the SEQ Regional Plan. The proposal is consistent with the regional policies of the SEQ Regional Plan.

State Planning Regulatory Provisions

The proposal is for an urban activity within the Urban Footprint and is consistent with the SEQ Regional Plan Regulatory Provisions

3.3. Statutory Instruments – Planning Scheme

The subject site is located in the Cooroy & Lake Macdonald Locality and is zoned semi-attached housing. The proposed use is identified as consistent use within the zone and is required to follow a code assessable application process.

Locality Provisions

- Cooroy & Lake Macdonald Locality Code

The site is located in the Cooroy and Lake Macdonald Locality and included in the Semi-Attached housing zone. The Type 2 Duplex is a consistent code assessable use in the zone and the proposal complies with intent of this locality.

Land Use & Works Provisions

The following codes which regulate land use and design are most applicable to this application:

- Residential Uses Code
- Landscaping Code
- Engineering Works Code
- Reconfiguring a Lot Code

The application has been assessed against each of the above applicable codes. The table below details the proposals compliance with key criteria.
### Criteria

<table>
<thead>
<tr>
<th>Criteria</th>
<th>Planning Scheme</th>
<th>Proposal</th>
<th>Complies</th>
</tr>
</thead>
<tbody>
<tr>
<td>Site Area</td>
<td>800m²</td>
<td>1012m²</td>
<td></td>
</tr>
<tr>
<td>Population density</td>
<td>1dwelling/400m²</td>
<td>2 units or 6.6 persons</td>
<td></td>
</tr>
<tr>
<td>Gross Floor Area</td>
<td>0.45:1 = 240.4m²</td>
<td>238m²</td>
<td></td>
</tr>
<tr>
<td>Site Cover</td>
<td>40%</td>
<td>39%</td>
<td></td>
</tr>
<tr>
<td>Landscaping</td>
<td>264m²</td>
<td>367m²</td>
<td></td>
</tr>
<tr>
<td>Roof form</td>
<td>12 degree minimum pitch</td>
<td>6 degree and eaves 450mm eaves</td>
<td></td>
</tr>
<tr>
<td>Boundary setbacks</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Tewantin Olivine</td>
<td>4.5m 2.8m</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Building Height</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>1 storey</td>
<td>1 storey</td>
<td></td>
<td></td>
</tr>
<tr>
<td>4.5m</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Length of wall</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>15.8m</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Carparking</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>1 covered space per dwelling unit and 1 additional space</td>
<td>2 covered spaces and 1 uncovered space</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

The pertinent issues arising out of the assessment against the codes are discussed below:

<table>
<thead>
<tr>
<th>Code</th>
<th>Discussion</th>
</tr>
</thead>
</table>
| Cooroy & Lake Macdonald Locality Code | SO4 and SO5 relate to the use of laneways in the locality. Specific Outcome O4 states that uses are not to diminish the ability of laneways to:  
  a) relieve traffic on streets;  
  b) provide convenient and safe rear access to premises; and  
  c) add to the heritage character of Cooroy;  
Specific Outcome O5 states:  
O5 Access for new uses is only taken off a laneway where upgrading works are carried out to the laneway to enable the laneway to accommodate the anticipated levels of traffic.  
The applicant indicates that the existing dwelling currently takes access off Olivine Lane with the new rear dwelling unit continuing to use this rear access. No further works are proposed to be undertaken in the lane as the applicant submits that they have provided works that are the same width as the remainder of Olivine Lane and retains the existing vegetation further to the east along the Lane.  
Council’s Development Engineer has identified that the most suitable outcome is a condition of the permit requiring a 2.0 metre wide dedication along the whole frontage to facilitate future works by Council to widen Olivine Lane.  
In response to this the applicant has provided the following request:  
|
We request a ‘one off’ consideration by Council to reduce fees or infrastructure charges as there is a discrepancy between the estimated cost of the frontage works and the value of the land.

The estimated market value of the land, based on comparative prices in the area, would be $240,000 being $466 a square metre, so 40.234m² of land would be $18,750. At the beginning of the project, our engineer's estimated cost of kerb & channel and stormwater pipe in lieu of the open drain in the laneway was approximately $8000.

This proposal was not known at the beginning of the application process or discussed at the pre-lodgement meeting. There is a cost to us to extend the decision period by another month while it is presented to August Council meeting. Subsequent new applicants for this immediate location will have the benefit of knowing at the time of making application that this will be a Council requirement.

The applicants request for a ‘one off’ consideration is not supported as the dedication is required in lieu of the applicant undertaking public works within Olivine Lane. The dedication and future dedications resulting from the development of properties abutting the lane will allow for Council to undertake a co-ordinated upgrade of Olivine Lane which will be to a higher standard than what would be required should a Public Works condition be imposed. The dedication is required to ensure that the laneway continues to function satisfactorily as properties adjacent the laneway be developed for duplex dwellings. Furthermore whilst the dedication results in a reduction to the site area the dedication does not impact the proposed layout.

Cooroy & Lake Macdonald Locality Code

O8 Setbacks – The Noosa Plan details a minimum 6.0metre rear boundary setback for duplex dwellings. As the site has two road frontages there is no defined rear boundary for the entire site. However, as the applicant is proposing to subdivide the site and create two Standard Format Lots a rear boundary setback could be applied. The reduced setback to Olivine Lane is for an existing garage. The reduced setback between the units is considered appropriate as there is sufficient open space on site for each unit and the sloping topography and single storied design reduces the impact of the new unit on the existing dwelling.

Cooroy & Lake Macdonald Locality Code

O16 Roof Form – The Locality Code details that buildings are to have a 12 degree roof pitch with 600m eaves. The proposal indicates a maximum 6 degree roof pitch with 450m eaves.

It is noted that roof pitches within the area are predominantly compliant with this requirement. As there is no overriding reason for a roof of a lesser pitch a condition to the permit will require compliance with this outcome.

Cooroy & Lake Macdonald Locality Code

O37 Length of wall – The proposed new dwelling unit to the rear of the site slightly exceeds scheme requirements in relation to maximum length of wall requirements of 15m with a length of 15.8m. This slight increase is considered acceptable based on the single storied presentation of the building and windows that break up the rear facade.

Reconfiguring a Lot Code

The creation of individual titles for unit development normally occurs when the units have been completed which provides assurance that the development is occurring generally in accordance with relevant planning approvals. The applicant however seeks approval to subdivide the site and create the title for 2 standard format lots prior to the construction of the actual unit development. This subdivision will result in two separately titled lots of 494m² and 514m² that are below the minimum lot size of 800m² for the Semi-Attached Housing zone and could be disposed of separately.

The applicant has included legal correspondence which states that their solicitors believe that conditions imposed on the development approval would ensure that any future purchaser would be required to develop the site in accordance with any relevant Development Approval.
However, the titling timing and approach proposed by the applicant is not supported as it will create individual lots that are well below minimum lot size requirements. The undeveloped lot could be sold without the development proceeding. It would then be possible for a private certifier to approve a new dwelling which is not in accordance with the approved plans, potentially resulting in a new dwelling with a greater site cover or floor area than that permitted by the Noosa Plan for the development. Conditions on a reconfiguring a lot permit are not able to satisfactorily control the use of the land.

Accordingly, a condition of the permit will require that plan sealing not occur until the approved dwelling is completed and conditions for the duplex dwelling are met.

Overlay Provisions

No overlays are applicable to this application.

4. CONSULTATION

IDAS Referral Agencies

The application was referred to the following IDAS Referral Agencies:

Concurrence

Department of Transport and Main Roads

The Department is a concurrence agency for the development as Tewantin Road is a State Controlled Road. DTMR has provided concurrence conditions that approve the works and location of the driveway to Tewantin Road.

4.1. Other Referrals

The application was referred to the following internal Council specialists whose comments form part of this report

5. CONCLUSION

The proposed Material Change of Use of Premises - Multiple Housing Type 1 – in the Detached House Zone Duplex is a consistent use within the zone and does not raise any planning concerns. The proposal demonstrates a high level of compliance with the applicable codes and required variations are considered to be minor and will not result in loss of amenity or have a detrimental effect on the streetscape. The proposed staging of the lot reconfiguration is not supported and accordingly a condition of the approval will require that the dwelling be completed to frame stage prior to plan sealing. The application for Operational Works (Engineering Works) is also supported.
3 MCU17/0035 APPLICATION FOR A DEVELOPMENT PERMIT FOR A MATERIAL CHANGE OF USE OF PREMISES OPEN SPACE TYPE 2 CAMPground FOR 240 WILDERNESS TRACK AND ROAD 205 NOOSA NORTH SHORE

Author Coordinator Planning, Patrick Murphy
Environment & Sustainable Development Department

Index Application/ECM/MCU17/0035

Attachments 1. Proposal Plan

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<th>APPLICATION DETAILS</th>
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</thead>
<tbody>
<tr>
<td>Applicant</td>
</tr>
<tr>
<td>Proposal</td>
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<tr>
<td>Properly Made Date</td>
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<tr>
<td>Information Request Date</td>
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<tr>
<td>Information Response Date</td>
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<tr>
<td>Decision Due Date</td>
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<table>
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<tr>
<th>PROPERTY DETAILS</th>
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<tbody>
<tr>
<td>Property Address</td>
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<tr>
<td>RP Description</td>
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<tr>
<td>Land Area</td>
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<tr>
<td>Existing Use of Land</td>
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</tbody>
</table>

<table>
<thead>
<tr>
<th>STATUTORY DETAILS</th>
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</thead>
<tbody>
<tr>
<td>SEQRP Designation</td>
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<tr>
<td>Locality</td>
</tr>
<tr>
<td>Zone</td>
</tr>
<tr>
<td>Overlays</td>
</tr>
<tr>
<td>Assessment Type</td>
</tr>
</tbody>
</table>

RECOMMENDATION

That Council note the report by the Coordinator Planning to the Planning & Environment Committee Meeting dated 8 August regarding Application No. MCU17/0035 for a Development Permit for Material Change of Use of Premises - Open Space Type 2 Campground situated at 240 Wilderness Track, Noosa North Shore and approve the application in accordance with the following conditions:

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 undertaken in accordance with this approval must generally comply with the approved plans of development. The approved plans are listed in the following table unless otherwise amended by these conditions.

<table>
<thead>
<tr>
<th>Plan No.</th>
<th>Rev.</th>
<th>Plan/Document Name</th>
<th>Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>D-02174-01-C</td>
<td></td>
<td>Proposal Concept Plans</td>
<td>24/04/2016</td>
</tr>
</tbody>
</table>

Use

3. Resident guests of the campground must not stay longer than 12 weeks in a year.

4. The maximum number of camp sites permitted is 200 on site at any one time.

Environmental Health

5. Sanitary Facilities are to be installed to the following requirements:
   a. Unless an accommodation is fitted with a sanitary convenience, as a minimum standard provide for the exclusive use of the park occupants separate sanitary conveniences for each sex in accordance with the table below; and

<table>
<thead>
<tr>
<th>No. of sites</th>
<th>No. of water closets and pans for females</th>
<th>No. of water closets and pans for males</th>
<th>Length of urinals for males</th>
</tr>
</thead>
<tbody>
<tr>
<td>Up to 40</td>
<td>1 for every 12 sites of part thereof</td>
<td>1 for every 15 sites or part thereof</td>
<td>0.6m</td>
</tr>
<tr>
<td>Above 40</td>
<td>An additional 1 for every 20 sites or part thereof</td>
<td>An additional 1 for every 20 sites or part thereof</td>
<td>0.6m for every 40 sites or part thereof</td>
</tr>
</tbody>
</table>

   b. Sanitary facilities must be located generally in the locations shown on the approved plan and at least 6 metres from any camp site.

   c. Where 10 or more water closet fixtures are provided, ensure that at least 1 such closet fixture and its compartment or cubicle is constructed, equipped and provided with access in accordance with AS1428, Code of Practice for Design Rules for Access by the disabled; and

   d. Ensure all sanitary conveniences are constructed to ensure privacy to the satisfaction of an authorized person; and

   e. Ensure shower facilities are installed:
      i. With separate drainage points for the discharge of water into the drainage system; and
      ii. In a separate compartment or cubicle which is constructed to ensure privacy to the satisfaction of an authorized person; and

   f. Provide for suitable laundry facilities including laundry tubs, washing machines and clothes lines in a centrally located area; and

   g. Provide sewage or a drainage system in conformity with the requirements of the local government for the carrying off and disposal of all wastes from every water closet fixture, urinal, ablutionary facility, laundry facility and site; and

   h. Provide waste water disposal points throughout the site which are:
      i. Provided with a water stand pipe; and
      ii. Provided with an impervious paved area measuring not less than 1m x 1m and graded to a central drainage inlet which is connected to sewage or drainage system.
Retention of Existing Trees

6. Existing trees on the site and in the road reserve must be assessed by a qualified arborist and retained and protected where possible. Where mature trees are to be removed, reasonable grounds must be given by the qualified arborist. Any tree removed must be replaced with a similar suitable tree species in a similar location, where practicable.

7. In order to protect existing vegetation and natural habitat values, waste water must not be disposed of on-site and must be collected and appropriately treated or disposed of off-site.

8. Pest plant species, including “Undesirable species” as listed in Planning Scheme Policy 3 Landscaping Plants and Guidelines and Noosa Council’s Pest Management Plan as amended from time to time, must be controlled on site.

Bushfire and Natural Hazards

9. The development must be carried out in accordance with section 6 of the Bushfire Risk Assessment and Bushfire Risk Management Plan for the Noosa North Shore Beach Campground Upgrade Revision 1 March 2017 prepared by Ecological Natural Area Management.

10. A copy of the Bushfire Risk Assessment and Bushfire Risk Management Plan for the Noosa North Shore Beach Campground Upgrade Revision 1 March 2017 prepared by Ecological Natural Area Management must be provided to the nearest fire authority.

11. The development must be carried out in accordance with the Bushfire Risk Assessment and Bushfire Risk Management Plan for the Noosa North Shore Beach Campground Upgrade Revision 1 March 2017 prepared by Ecological Natural Area Management.

Vegetation Management

Works within Protected Land

12. The following works must be undertaken within the land generally located east of the site and to the north of the site to remedy historic camping encroachment on the dune system.

   a. Restoration of the cleared areas of the dune system to a natural state similar to dune vegetation structure found at immediately north of the Third Cutting.


   c. The establishment of restoration works must commence within 12 months from date this development permit takes effect.

   d. Restoration establishment works must be successfully completed within 36 months from date this development permit takes effect.

   e. The restoration works must be maintained in good order for the life of the development.

   f. Public access from the camp ground, through the esplanade, to the beach must be controlled to prevent disturbance to the restoration area.

Fencing to Protected Land

13. A permanent fence must be constructed along the entire length of the eastern interface of the site. The fence must be constructed to protect the esplanade from public access generally in accordance with the alignment on the approved plan and include:

   a. Controlled beach access points;

   b. Signage promoting the restoration works.
REPORT

1. PROPOSAL

This application seeks to formalise use of the area of historic encroachment to the south of Lot 32 for the purpose of a campground. Lot 32 has existing use rights for the campground whereas the area of encroachment does not. The tenure arrangements for the encroachment area are currently being formalised. The following image clarifies the delineation between Lot 32 and the encroachment area to the south of the site:

![Lot 32 and the area of encroachment to the south of the site](image)

The application includes advice that the applicant also intends to rehabilitate, revegetate and upgrade the entire campground with works to include:

- Weed removal.
- Removal of camping from sensitive esplanade and dune area.
- Rehabilitation and replanting of encroachments to the north and east.
- Full fencing and rehabilitation of the dune area (Esplanade), including a multitude of informal beach access tracks and campground encroachment.
- Formalisation/consolidation of a small number of beach access tracks/boardwalks.
- Revegetation across the campground site to create individual, defined “bush camping” style sites.
- New effluent and wastewater system to cease on-site treatment. Holding tanks will be used and waste will be carted for treatment at a Unitywater treatment plant.
- Minimised disturbance/removal of existing native vegetation.
The existing entrance to the site will be maintained and improved with a new kiosk and reception area proposed.

The area of the extension will be used for camping purposes with grassed sites and road access however no further amenities will be provided on this portion of the site.

The proposed works remain within the existing approved 200 camping sites limit.

**Attachment 1** provides concept plans of the proposed upgrade.

### 2. SITE DETAILS

#### 2.1. Background

In 1986, Noosa Council approved a rezoning of the site to the Special Facilities (Campground) zone to permit camping from the site. A lease was subsequently entered into with the State allowing for a campground of up to 200 sites and associated facilities.

In April 2006, Council resolved to:

- Adjust the boundary of the Noosa North Shore Beach Campground to the south involving revocation of part of Lot 1010 NPWS 686.
- Dedicate the road reserve over the existing formation of the Wilderness Track through Lot 1010 NPW 686 (Regional Park - Great Sandy Resource Reserve), requiring excision from National Park.
- Transfer the balance area west of the road dedication to National Park (very small piece of land that would be alienated as part of the road dedication).

In December 2015, Council resolved to engage a multi-disciplinary team to assess options and develop a master plan for the upgrade of the campground.

The Department of Environment and Heritage Protection (DEHP) are currently progressing the excision of the southern portion of the site from National Park.

Separate to this application, Council has lodged survey plans with the State which detail the creation of road to the west of the site (including the carparking area in front of the main access) and inclusion of the area to the south of the existing boundary.

#### 2.2. Site Description

The report submitted with the application provides the following description of the site:

*The land, the subject of this application (to be known as the site), is located at 240 Wilderness Track, Noosa North Shore and described as Lot 32 on MCH4399 and Part of Lot 1010 on NPW686.*

Lot 32 contains an approved existing campground known as the Noosa North Shore Beachfront Campground and is of an irregular shape with direct frontage to the unmade gazetted road called the Esplanade which forms the eastern boundary of the site. Lot 32 is bounded to the north, west and south by the Great Sandy Resources Reserve. The existing campground is approved for up to 200 sites which comprise informal grassed and wooded camp sites which are located within the existing vegetation and are accessed by sand and gravel tracks that wind through the vegetation. The south-eastern corner of this lot site is relatively open with grassed camping extending into the road and adjoining lot.

The Noosa North Shore Beachfront Campground also provides an entry kiosk and office, manager’s residence and central amenities block with septic tanks and shed to the centre front of the site. Car parking facilities for 21 cars and 3 trailers are provided to the front of these facilities. This lot is well vegetated with a mixture of native vegetation and some cleared camping sites.

The existing campground has extended beyond the boundaries of Lot 32 into the Esplanade to the west and southwards into Lot 1010 which is the Great Sandy Resources Reserve. The northern corner of this portion of the site has been cleared through camping activities with a loop road extending from the approved campground to this portion of the site.
The site currently gains access off a sealed access track that extends through the Great Sandy Resources Reserve and connects to Beach Road to the south which is a gazetted road.

Documentation and aerial photography provided with the application indicates that the campground has been operating beyond the approved boundaries since the 1980’s. The following images detail the locality plan.

Figure 2: Subject site
Separate zoning applies to the existing campground and the Great Sandy Reserve. The following image details the relevant land zoning.
2.3. Surrounding Land Uses

| North       | National Park - Great Sandy Resources Reserve |
| South      | National Park - Great Sandy Resources Reserve – further south of the National Park is freehold land |
| East       | National Park - Great Sandy Resources Reserve |
| West       | Foreshore |

3. ASSESSMENT

3.1. Instruments for Statutory Assessment

Under the Sustainable Planning Act 2009 the application must be assessed against each of the following statutory planning instruments to the extent they are relevant to the development:

- State Planning Policies;
- the South East Queensland Regional Plan;
- State Planning Regulatory Provisions;
- any Structure Plan or Master Plan in place for declared areas;
- any Preliminary Approval Overriding the Planning Scheme for the land;
- the Planning Scheme for the local government area; and
- any Temporary Local Planning Instrument in place for the local government area.

Of these, the statutory planning instruments relevant to this application are discussed in the sections that follow.

3.2. State and Other Statutory Instruments

State Planning Policies

The following State Planning Policies are applicable to this application:

- Biodiversity
- Coastal Environment
- Water Quality
- Natural Hazards Risk and Resilience
**Biodiversity**

The application does not propose to remove vegetation whilst remediation works will reinstate areas which have been impacted by the encroachment of the campground on to foreshore land. Existing camping areas and the new camping areas to the south are to be located within existing cleared areas.

**Coastal Environment**

Previous encroachment within the Crown foreshore land has resulted in a deterioration of environmental values. The rectification of the use area will stop the use of the foreshore land. Furthermore, the foreshore land is to be fenced to allow for defined beach access areas.

The proposal requires assessment against the State Assessment Development Provision Module 10 – Coastal Protection. The applicant has provided an assessment against this module. It is considered that the applicant’s assessment satisfactorily addresses the relevant performance outcomes of this module. Of note is that the development does not propose any habitable structures, is located outside of medium and high storm inundation areas and involves the removal of campsites within the frontal dunes.

**Water Quality**

Not triggered.

**Natural hazards Risk and Resilience**

The majority of the site is mapped as being affected by the Potential Impact Buffer. The applicant has provided a Bushfire Risk Assessment and Bushfire Risk Management Plan which has been reviewed by an Environmental Officer who advises:

*The applicant has provided a bushfire management plan and disaster management plan which adequately identifies and addresses the natural hazards associated with the use of the site. The development can be conditioned to comply with these plans.*

**South East Queensland (SEQ) Regional Plan 2009 - 2031**

The site is located within the Regional Landscape and Rural Production Area (RLRPA) of the SEQ Regional Plan. The RLRPA identifies land with regional landscape, rural production or other non-urban values. It protects this land from inappropriate development, particularly urban or rural residential development.

The RLRPA includes land with one or more of the following values:

- significant biodiversity
- regional ecosystems that are endangered or of concern
- national parks, conservation parks, resources reserves or other conservation areas
- koala habitat
- good quality agricultural land and other productive rural areas
- cultural and landscape heritage values (traditional and non-indigenous)
- natural economic resources, including extractive resources and forestry plantations
- water catchments, water storages and groundwater resources
- native forests
- coastal wetlands
- land that forms strategic and regionally significant inter-urban breaks

The designation maintains existing land use rights which ensure that activities such as tourism and outdoor recreation can continue. The campground site has existing use rights for 200 camp sites and it is considered that the expansion of the campground into the southern lot will not compromise the above values as the proposal will not impact on the management of natural assets and no vegetation is proposed to be removed.

The application has been reviewed by Council’s Environment Officer who has made the following observations:
Vegetation within the site
No new clearing of the site is proposed with the proposed camp sites being located within and under the existing canopy. It is anticipated on-going vegetation management will be required associated with site maintenance.

Restoration of esplanade and previously disturbed areas subject to historic camping encroachment
The applicant has proposed to restore areas where historic camping encroachment has occurred on the esplanade and National Park land. Suitable conditions can be applied to rectify the encroachments and restore the dune system, which will provide added resilience to storm surge impacts.

Lawful disposal of waste waters
A recent site visit noted the discharge of grey water into the dune system. These areas are highly sensitive to changes in nutrient status. Increases in phosphates and nitrates in this low nutrient system will cause damage to the ground water and associated vegetation community. Regulation of waste water discharge will reduce vegetation management requirements and groundwater pollution.

State Planning Regulatory Provisions
The SEQ Regional Plan Regulatory Provisions do not apply to the application as Lot 32 is considered urban property in the context of the SEQ Regional Plan and approximately 20 camp sites will be located on the existing National Park. Therefore, it is considered that the 300 person threshold will not be exceeded.

Statutory Instruments – Planning Scheme
The subject site is located in the Noosa North Shore Locality and is zoned Open Space Recreation and Open Space Conservation. The proposed use is identified as a consistent use within the zone and is required to follow an impact assessable application process.

Locality Provisions
- Noosa North Shore Locality Code
A number of overall outcomes of the Noosa North Shore Locality Code are applicable to this application, specifically:

10.7.2 The overall outcomes sought for the Noosa North Shore Locality are the following—

c. New uses and works are located, designed and managed to—
   i. be compatible with other uses and works;
   ii. maintain the safety of people and works;
   iii. avoid significant adverse impacts on the amenity enjoyed by users of other premises, including acoustic and visual qualities; and
   iv. avoid significant adverse effects on the natural environment, including native habitat removal, fragmentation and attrition;

d. The Noosa North Shore Locality retains its primary role as a substantial coastal area largely dedicated to conservation;
e. Development is secondary to and dominated by its open space setting with a very low intensity and scale of operation;
f. Limited visitor accommodation and services are provided in the locality, confined to the Visitor Mixed Use Zone, and the wilderness camp in the Open Space Recreation Zone;
h. The locality maintains its substantially natural state, with little effect from development;

It is considered that the proposal complies with these outcomes as:
- The proposed works and extension to the campground area are consistent with the existing approved use on Lot 32;
- Site amenity and safety is improved with facilities upgrades;
- The re-vegetating of the foreshore area improves the natural environment;
The proposal will not detract from the Noosa North Shore primary role as a substantial coastal area largely dedicated to conservation;

The proposed campground is open space and of low scale within existing cleared areas and generally surrounded by vegetation; and

Whilst the campground is to extend into the Open Space Conservation Zone it is noted that this extension has the support of the Department of Environment and Heritage Protection (DEHP) and that as part of a separate process land is to be transferred to National Park west of the road dedication.

The Noosa North Shore Locality Code also seeks the following outcomes in respect to the site:

rr. For the Open Space Recreation Zone—areas of open space contribute to the desired lifestyle of residents by offering a variety of recreational experiences conducive to community interaction and wellbeing;

ss. For the Open Space Conservation Zone—natural environmental values of the highest order and warranting conservation status are—

i. protected for their importance in contributing to ecological sustainability including maintenance of water quality, beach protection, and provision of habitat and open space linkages; and

ii. appropriately managed to the general exclusion of development or any further subdivision of freehold lots.

The proposal provides for a recreational experience consistent with how the land is currently enjoyed by the community.

The proposal formalises the existing land use within the Open Space Conservation Zone resulting from the encroachment into this area. The amount of sites remains at 200 which is consistent with the original lease with the State. The proposal also rectifies encroachment which has occurred in the foreshore area and remediates the environmental values within this area.

The proposal complies with the Specific Outcomes and Probable Solutions of the Noosa North Shore Locality Code, the Open Space Recreation Zone and the Open Space Conservation Zone.

The following items are also of note:

Specific Outcome O44 and Probable Solution for the Open Space Recreation Zone

O44 The scale and intensity of development on Lot 32 on MCH4399 is not increased.

S44.1 For Lot 32 on MCH4399 there is no intensification or expansion of population density, building height, site cover, gross floor area or plot ratio of the development in existence at the time of gazettal of this Plan.

The proposal complies with this provision as the lease with the State provides for 200 camp sites and the number of camp sites is not being increased. The proposed new structures provide for the amenity of the occupants of the campground and are of a reasonable form and scale.

Specific Outcomes 48, 49 and 50 for the Open Space Conservation Zone

O48 Public lands are dedicated to conservation outcomes; AND

O49 Public lands are used for passive recreation with facilities limited to sand tracks for access; AND

O50 Private lands are retained in their natural state.

Noosa Council is currently working with the State Government to rectify land tenure arrangements on the Noosa North Shore.

Land Use & Works Provisions

The following codes which regulate land use and design are most applicable to this application:

- Community Uses Code
- Engineering Works Code
- Landscaping Code
The application has been assessed against each of the above applicable codes. The pertinent issues arising out of the assessment against the codes are discussed below:

**Probable Solution S28.1 of the Community Uses Code** requires that for campgrounds outside of urban settlements:

1. The site density does not exceed 20 camp sites per hectare
2. The maximum number of camp sites on any site does not exceed 100;

Whilst the facility does not comply with this probable outcome it is noted that the existing facility has a lease for 200 campsites. The proposal maintains the 200 campsites, is accommodated within the natural landscape and will not detract from the rural or environmental character of the area.

**Overlay Provisions**

The following overlay codes are applicable to this application:

- Biodiversity Overlay – Environmental Protection
- Natural Hazard – Bushfire and Acid Sulphate Soils

Whilst the Biodiversity Overlay applies to the site there is no assessment required against this provision as the proposal does not seek to remove vegetation. Campsites are to be located within existing cleared areas.

As the proposal only involves minor earthworks the development does not trigger assessment against the Acid Sulphate Soil provision of the Natural Hazard Code.

The proposal does require assessment against the Natural Hazard Bushfire Overlay. A Bushfire Risk Assessment and Bushfire Risk Management Plan were submitted with the application. This report has been reviewed by Council’s Environment Officer who has provided conditions to ensure compliance with these plans.

4. **CONSULTATION**

**IDAS Referral Agencies**

The application was not required to be referred to any IDAS Referral Agencies.

**4.1. Other Referrals**

The application was forwarded to the following internal Council specialists:

- Environmental Officer
- Environmental Health
- Climate Change Adaptation - Strategic Land Use Planning Branch

Their comments form part of the consideration of this application.

**4.2. Public Notification**

The application was publicly notified for 15 business days in accordance with the *Sustainable Planning Act 2009*. Two properly made submissions were received. The following table provides a summary and assessment of the issues raised by submitters.

<table>
<thead>
<tr>
<th>Issues</th>
<th>Comments</th>
</tr>
</thead>
<tbody>
<tr>
<td>Request for a day use area for picnics</td>
<td>It is noted that day use facilities/activities are available between the 1st and 3rd cutting in an area that is accessible for two-wheel drive vehicles. Furthermore it is reasonable for the campground to provide facilities only for users of the campground. Provision of public facilities within the campground may cause conflict with other users of the park and result in excessive demand on facilities. The level of service is not changing – visitors to the park will still need to be self-sufficient.</td>
</tr>
<tr>
<td>Preference for current level of service which is basic and occupants need to be self-sufficient.</td>
<td></td>
</tr>
</tbody>
</table>
5. CONCLUSION

The proposed Community Use - Open Space Type 2 (Campground) in the Open Space Conservation zone is a consistent use within the zone and does not raise any significant planning concerns. The land to the south of the existing campground is owned by the Queensland Parks and Wildlife Service who have consented to the making of the application. The application seeks to formalise a historic encroachment into this area with camp sites to be located in degraded areas. Therefore no vegetation is proposed to be removed and the environmental values of the remainder of the site and the surrounding areas will be maintained or improved.

The application has demonstrated compliance with the relevant provisions of the Noosa Plan and will allow for the continuing use of the site for the purpose of recreational camping within the natural setting. The continuing use will comply with the number of sites approved under the lease and is considered to be consistent with provisions of the Noosa Plan.

Departments/Sections Consulted:

- Chief Executive Officer
  - Executive Officer
  - Executive Support
- Community Services
  - Community Development
  - Community Facilities
  - Libraries & Galleries
  - Local Laws
  - Waste & Environmental Health
- Corporate Services
  - Financial Services
  - ICT
  - Procurement & Fleet
  - Property
  - Revenue Services
- Executive Services
  - Community Engagement
  - Customer Service
  - Governance
  - People and Culture
- Environment & Sustainable Development
  - Building & Plumbing Services
  - Development Assessment
  - Economic Development
  - Environmental Services
  - Strategic Land Use Planning
- Infrastructure Services
  - Asset Management
  - Buildings and Facilities
  - Civil Operations
  - Disaster Management
  - Infrastructure Planning, Design and Delivery
INCREASES SITE VEGETATION COVERAGE BY 45%

The design aims to re-establish the natural vegetation and nestle the campers into the landscape allowing them to enjoy a natural camping experience.

To re-establish and protect established vegetation, the proposed design looks at increasing overall vegetation cover and access ways and will equate to these areas to be used as campers, access roads, pedestrian access and oases.

The remaining existing cleared and designated areas, both in the proposed site and site boundary will be reestablished increasing the vegetation coverage. Weed removal will occur across the site with supplementary planting to restore the site's native vegetation communities.

LEGEND
1. Campground entry area
2. Main access road
3. Access road
4. Enlarged (suit) and beach access
5. MULTISEASON CAMP SITE
6. Group camp site
7. Paved tarred or temporary structures - Buffer on site report
8. Addition structure - Buffer on site report
9. Existing integrated vegetation block - Buffer on site report
10. Campsite number - Buffer on site report
11. Esplanade park
12. Recreational and protection to flora and fauna
13. Existing MESS high ecological significance woodlands & integrated vegetation
14. Retaining for hard times
15. Emergency exit
16. MUGGIES ROADWAY
17. Screened 'back of house' areas for bin storage dumping function and waste water treatment disposal (Q & A location options)
18. Car park

LANDSCAPE CONCEPT PLAN
4 MCU17/0014 APPLICATION FOR DEVELOPMENT PERMIT FOR MATERIAL CHANGE OF USE OF PREMISES MULTIPLE HOUSING TYPE 4 CONVENTIONAL 10 UNITS AND COMMERCIAL BUSINESS TYPE 1 OFFICE AND TYPE 2 MEDICAL FOR 30-32 DOONELLA STREET TEWANTIN

Author Coordinator Planning, Patrick Murphy
Environment & Sustainable Development Department

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Attachments 1. Proposal Plans

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</tr>
<tr>
<td>Proposal</td>
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<tr>
<td>Properly Made Date</td>
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<tr>
<td>Information Request Date</td>
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<td>Information Response Date</td>
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<tr>
<td>Decision Due Date</td>
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<tr>
<th>PROPERTY DETAILS</th>
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<tbody>
<tr>
<td>Property Address</td>
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</table>
| RP Description    | Lot 32 RP 893427  
Lot 903 T 1631 |
| Land Area         | 516 Square Metres  
2023 Square Metres |
| Existing Use of Land | Single Dwelling and Multiple Housing |

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<th>STATUTORY DETAILS</th>
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<tr>
<td>SEQRP Designation</td>
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</tr>
<tr>
<td>Overlays</td>
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<td>Assessment Type</td>
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</table>

RECOMMENDATION
That Council note the report by the Coordinator Planning, Patrick Murphy to the Planning & Environment Committee Meeting dated 8 August 2017 regarding Application No. MCU17/0014 for a Development Permit for Material Change of Premises – Multiple Housing Type 4 Conventional (10 units) and Commercial Business Type 1 Office and Type 2 Medical situated at 30 and 32 Doonella Street Tewantin described as Lot 903 on T1631 and Lot 32 on RP893427, and:
A. Approve the application in accordance with the following 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 undertaken in accordance with this approval must generally comply with the approved plans of development. The approved plans are listed in the following table unless otherwise amended by these conditions.

<table>
<thead>
<tr>
<th>Plan No.</th>
<th>Rev.</th>
<th>Plan/Document Name</th>
<th>Date</th>
</tr>
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<tr>
<td>1646-SD01</td>
<td>11</td>
<td>Site Plan By Archiology</td>
<td>11/05/2017</td>
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<tr>
<td>1646-SD02</td>
<td>10</td>
<td>Ground/Carpark Plan By Archiology</td>
<td>02/05/2017</td>
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<td>1646-SD03</td>
<td>8</td>
<td>Level 1 Plan By Archiology</td>
<td>02/02/2017</td>
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<td>1646-SD04</td>
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<td>Level 2 Plan By Archiology</td>
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<td>Level 3 Plan By Archiology</td>
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<td>1646-SD07</td>
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<td>Northern and Eastern Elevations By Archiology</td>
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<td>1646-SD08</td>
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<td>Southern and Western Elevations By Archiology</td>
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<td>SD-1</td>
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<td>15.02.2017</td>
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<td>B</td>
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<td>15.02.2017</td>
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<td>Entry Driveway Long Section – Western Side, prepared Greys Consulting (certified by Brett Franklin RPEQ 18447)</td>
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<td>Front Boundary Long Section – Western Side, prepared Greys Consulting (certified by Brett Franklin RPEQ 18447)</td>
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</table>
Amended plans

3. The built form presentation of the commercial building and undercroft car parking area to Doonella Street must maintain the 3 building forms, but the façade treatments must be amended to reflect and complement the heritage character of the locality by incorporating materials, finishes and colours consistent with the Tewantin domestic vernacular. The façade treatment of the 3 building forms must also complement and be compatible with each other.

Amended plans demonstrating compliance with this condition must be lodged with Council prior to issue of a Development Permit for Operational Works.

4. Additional details of the proposed finished ground levels and treatment to boundaries must be lodged with Council prior to issue of a development permit for operational works. These additional details must demonstrate that the basement and car parking areas are appropriately screened and landscaped to the adjoining properties.

Building Height

5. The maximum height of the development must not exceed 8 metres above the natural ground level and finished ground level (with the exception of the driveway entrance to the basement carpark and refuse store area).

6. Certification must be submitted to Council from a Licensed Surveyor which certifies that the building does not exceed the maximum height requirement of this Decision Notice.

Performance Bond

7. Security in the form of a cash bond or trading bank guarantee to the sum of $20,000 must be submitted to Council, to secure performance of all conditions of this approval, prior to the site pre-start meeting. The cash bond or trading bank guarantee will be returned on performance of the conditions of approval less any costs incurred by Council in respect of enforcing performance of this permit. Council reserves the right to call upon the bond or guaranteed sum to effect compliance with conditions.

Street Identification

8. 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.

Water & Sewer Connections

9. An underground connection to reticulated water and sewerage must be provided to the development site in accordance with the standards and requirements of Northern SEQ Distributor–Retailer Authority (Unitywater).

10. A Certificate of Completion from the Northern SEQ Distributor–Retailer Authority (Unitywater) must be submitted to Council that certifies an underground connection to reticulated water and sewerage has been provided to the development site.

Building Appearance

11. All air conditioning units or other mechanical equipment must be fully enclosed or screened such that they are not visible from the street frontages nor adjoining properties.

12. All deck and balcony areas above ground floor must not be enclosed by permanent fixtures such as shutters, louvres, glass panelling or the like.

13. Undercroft areas toward the building’s Doonella Street frontage shall be screened/battened to the reasonable satisfaction of Council and Condition 3.

14. Balustrading to balcony areas must be glazed, as indicated on the approved plans.
Fencing and Walls
15. Any street fencing must be set back an average of 1 metre from the front property boundary. Any fencing on the front boundary must either:
   a. not exceed a maximum height of 1.2m
   b. be of open construction.
16. The area of land between the fence and the front property boundary must be densely landscaped to screen any fencing from the street.

Clothes Drying Areas
17. A common access outdoor clothes line shall be provided for resident’s use, which is screened from public view.

Storage
18. Each dwelling unit must be provided with an allocated secure storage area(s) within the basement carpark.

Community Management Statement
19. 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.
20. All clauses and by-laws of the proposed Community Management Statement must accord with the requirements of this Decision Notice.

Landscaping Works
21. The development site must be landscaped. The works must be undertaken in accordance with an Operational Works approval and the Noosa Plan and must include:
   a. The works generally shown on the approved plans numbered SD-01(B), SD-02[B] titled “Landscape Concept Strategy” by Project Urban dated 15/02/17.
   b. Local species suitable for the location and generally consistent with requirements of Planning Scheme Policy 3 – Landscaping Plants & Guidelines.
   c. Retention of exiting trees toward the eastern boundary and south-eastern corner of the site as shown on the approved Landscape Concept Plan (with consideration to be given to the viability of retaining the tree(s) close to the building in the context of the likely construction disturbance).
   d. Retention of existing street trees (with consideration to be given to the viability of retaining the tree(s) close to the new vehicle crossover(s) in the context of the likely construction disturbance).
   e. Replacement for any street tree proposed to be removed with advanced ex-ground street tree(s).
   f. Screening vegetation along the western boundary and front setback.
   g. The all-weather pedestrian surface treatment to the 3m wide access easement at the north of the site.
   h. Clearly detail any proposed front fencing.
22. All landscape works must be maintained generally in accordance with the approved design for the life of the development.
External Works

23. Roadworks must be provided within the proposed 3.0m wide “Public Thoroughfare” easement adjacent to the northern boundary of the site, extending from the eastern side of the bin area to remaining length of the northern boundary. The works must be undertaken in accordance with an Operational Works approval and must include in particular:

a. 2.0m wide concrete pavement along full length of the easement. The formation must be designed to cater for the potential future use by vehicles and be in accordance with Council’s Planning Scheme Policy 5 – Engineering Design Standards – Roads, Drainage and Earthworks.

b. Landscaping works to provide a suitable visual screening buffer between the building and the easement with a minimum garden bed width of 800mm.

c. Pram ramps where required.

d. Any necessary alteration and reinstatement works beyond the boundary of the site to connect and match existing public carparks or pathways pavements.

Site Access and Driveways

24. A sealed access driveway must be provided from Doonella Street to all parking and maneuvering areas of the development generally in accordance with the approved plans (16416–SD02 dated 02/05/2017 by Archicology). The works must be undertaken in accordance with an Operational Works approval and must include in particular:

a. A driveway crossover 4.0m wide with grades generally in accordance with IPWEAQ standard drawings SEQ R-049 and R-050 with line marking and modified driveway tapers at 45 degree at the kerb line to encourage left-in and left-out from the site (refer to Parking & Traffic Impact Assessment Report – Addendum 1, Reference 210442017TIA-Add, dated 21 April 2017 by Greys Australia Pty Ltd).

b. Signage and linemarking in accordance with Manual of Uniform Traffic Control Devices (MUTCD) installed within the site to indicate left-out only traffic.

c. Grades to allow for a compliant concrete pathway along the frontage.

d. Any landscaping, fences and fixtures near the access entry point must comply with AS 2890.1 requirements for sight visibility for pedestrians and cyclists at driveways.

Frontage Reinstatement Works

25. All redundant driveways and existing kerb laybacks along the frontage of the site must be removed and the kerb, footpath and verge area reinstated to match the balance of the site frontage, including the provision of topsoil and turf where the existing verge is grassed. The works must be undertaken in accordance with an Operational Works approval and must include in particular:

a. The existing driveway layback be removed and the kerb reinstated to match the type and alignment of the adjoining existing sections of kerb line. The driveway layback must be saw-cut and removed to allow for a smooth and neat join finish between the new and the existing kerb.

b. Reinstatement of concrete footpath to provide even and consistent gradients in longitudinal and across profiles generally in compliance with IPWEAQ standard drawing SEQ R-065 Concrete Pathway Construction Details, this may necessitate replacement of sections of the existing footpaths beyond the edges of the redundant driveways and the frontage of the site.
c. Any affected trees within the grassed verge must be replaced with similar species in accordance with the landscaping conditions of this permit.

Car Parking
26. A minimum of 54 car parking spaces must be provided and marked on the site generally in accordance with the approved plans. The works must be undertaken in accordance with an Operational Works approval and must include in particular:
   a. 3 disabled parking spaces within the total.
   b. 3 visitor parking spaces within the total, which are clearly marked for that purpose and accessible at all times for visitor use.
   c. 18 bicycle parking spaces.
   d. Dimensions, crossfalls, gradients and vehicle headroom in accordance with Australian Standard AS2890: Parking Facilities.

27. All car parking areas and access driveways must be maintained exclusively for vehicle parking and maneuvering and kept in a tidy and safe condition at all times.

28. All car and bicycle parking areas must be line marked in accordance with approved plans, no dividing walls be constructed unless a further application for amendment is approved by Council.

Stormwater Drainage
29. 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. Stormwater system that caters for all storms up and including 1 in 100 years storm event.
   b. No adverse impact on other properties and the road’s footpath and grassed verge (eg by diverting flows and/or blocking flows and causing additional ponding).
   c. Where applicable, extension of the site stormwater system to accommodate stormwater from external site, including registration of drainage easements.
   d. The use of gravity stormwater drainage only and not surcharge pits or pumps.

30. Stormwater runoff from the development must be disposed of without causing scour or damage to the subject site or any adjoining property.

Electricity and Telecommunication Services
31. 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.

32. Certification must be submitted to Council 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.

Easements
33. A 3 metre wide easement for “Public Thoroughfare” purposes must be registered against the title of the property in favour of Council. The easement must be located adjacent to the northern boundary of the subject property. The easement must:
   a. Be clearly shown on all plans submitted for Operational Works.
   b. Be registered prior to the commencement of the use.
c. The terms of the easement must allow for the use of the easement by the public whether in vehicles, cycles or on foot.

34. 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.

35. 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 and Retaining Walls

37. All earthworks, associated batters and retaining walls must be undertaken in accordance with an Operational Works approval, and must in particular:


b. Be carried out in accordance with a site-specific Geotechnical Investigation Report prepared by a suitably qualified person* that addresses, in particular:
   i. the impact of excavation and the construction works on the stability of nearby building and infrastructures
   ii. Acid Sulfate Soil assessment report in accordance with State Planning Policy 2/02 Planning and Managing Development Involving Acid Sulfate Soils and supported by appropriate testing and documentation.

c. Have all access chamber surface levels for drainage, water supply or sewerage infrastructure within the work site be adjusted to provide a freeboard of 100mm above the finished ground surface level or be in accordance with the requirements and directions of the service provider.

d. All fill and associated batters must be contained entirely within the subject site unless written permission from the respective landowner(s) is provided to Council.

(*) refer to Advisory Notes

Acid Sulfate Soils

38. Where excavations of non-imported soils below the elevation of 5m AHD are necessary for construction, the application for Operational Works for Bulk Earthworks, Stormwater and/or Landscaping must demonstrate and include certification from a suitably experienced and qualified geotechnical engineer of methods necessary to ensure construction and operation of the development:

a. Shall be consistent with Queensland Acid Sulphate Soil Technical Manual: Soil Management Guidelines; and

b. will not result in the release of acid or associated metals; and

c. will not cause localised lowering of groundwater.

Erosion and Sediment Control

39. Prior to the completion of the development, all site surfaces must be effectively stabilised. For the purpose of this condition, an effectively stabilised surface is defined as one that does not, or is not likely to result in visible evidence of soil loss caused by sheet, rill or gully erosion or lead to sedimentation, or lead to water contamination.
Water Quality and Quantity

40. Except as otherwise modified herein, the development must be designed, constructed and maintained to achieve the stormwater quality and quantity outcomes detailed in the Site Based Stormwater Management Plan for 30-32 Doonella Street, Tewantin Rev C by Bornhorst and Ward dated May 2017.

41. The development must include measures to prevent oils, hydrocarbons or other pollutants likely to be released in basement areas from being released into Council’s Stormwater system or other receiving waters.

42. Water quality treatment devices must be shaped and designed to be low maintenance, and integrate into the landscape. Where bioretention devices are proposed, the Operational Works Application for Stormwater Drainage, Landscaping and Earthworks must demonstrate how the design is consistent with the most current version of the Water by Design Bioretention Technical Design Guidelines.

43. Water Quality Treatment devices must be operated and maintained in accordance with manufacturer’s specifications and relevant maintenance manuals.

44. Prior to commencement of use the Community Management Statement must include provision for the engagement of personnel to operate and maintain Water Quality Treatment devices in accordance with manufacturer’s specifications, relevant maintenance manuals and the Site Based Stormwater Management Plan for 30-32 Doonella Street, Tewantin Rev C by Bornhorst and Ward dated May 2017.

Water Reuse

45. Detail design plans submitted with the Operational Works Application must demonstrate how waters will be reticulated from the rainwater storage tank to reuse areas with a minimum water use of 342KL per annum.

46. A suitable backflow prevention device must be installed on water reuse facilities to protect the potable water within the reticulated water supply in accordance with AS/NZS 3500:2003 Plumbing and Drainage.

WASTE MANAGEMENT

Waste Storage

47. The development must provide waste storage and disposal facilities in accordance with Planning Scheme Policy 9, Waste Management, including an external imperviously paved area correctly sized for all refuse and recycling containers and suitably screened from public places and neighbouring properties.

The waste management facilities should ensure recyclables bins are appropriately sited and accessible, and/or provided with their own waste shute, to ensure recyclable waste is not placed in the general waste shute.

48. The site must be provided with a bin wash area with a cold-water tap, hose and drain outlet connected to sewer, via a bucket trap. The drain outlet is to be designed to prevent storm water entry to the sewerage system which can be achieved by a bunded area, with a nib wall height of 100mm maximum, enclosing a wash area of 700mm x 700mm minimum (max 0.7m²). Alternatively, the waste area can be roofed, or any other appropriate design approved by Council.

Building Demolition/Removal/Relocation

49. A Waste Management Plan (construction and demolition) must be submitted and approved by Council’s Environmental Health Officer prior to issue of a development permit for operational works for demolition, removal or relocation of any building other than a shed.
The purpose of the Waste Management Plan is to facilitate the segregation of waste for the effective reuse and recycling of such materials. Segregated wastes attract significantly reduced disposal fees at the landfill with some items free. Higher gate fees are charged for mixed waste.

Waste Management Plans (construction and demolition) are required to be submitted in accordance with Planning Scheme Policy 11, Waste Management Plans.

Waste storage areas must provide adequate separation of all reusable, recyclable and waste materials. These must be located so that they are convenient and safe to use.

The Plan must contain the following information:

- The site area for the storage and separation of waste is to be shown on the plan drawings accompanying the application.
- A waste management table as indicated below is to be completed showing how waste material is to be segregated - recycled – reused or disposed.

### Table – Waste Management Table

<table>
<thead>
<tr>
<th>MATERIALS ON-SITE</th>
<th>DESTINATION</th>
<th>Re-use and Recycling</th>
<th>Disposal</th>
</tr>
</thead>
<tbody>
<tr>
<td>Expected waste materials</td>
<td>Estimated volume (m³)</td>
<td>On-site *specify proposed re-use or on-site recycling methods</td>
<td>Off-site *specify contractor and recycling outlet</td>
</tr>
</tbody>
</table>

- Excavation material
- Green waste
- Bricks
- Concrete
- Timber – please specify
- Plasterboard
- Metals – please specify
- Asbestos
- Other - please specify

Note * If a demolition contractor is undertaking works, then the Waste Management table is to be completed by the demolition contractor.

### ENVIRONMENTAL HEALTH

**Noise**

50. Written certification is required from a suitably qualified person confirming that sound pressure levels from all mechanical plant and equipment comply with the following:

- Air-conditioning and Refrigeration:
  - 7am to 10pm: Maximum level allowable = background + 5dB(A)
  - 10pm to 7am: Maximum level allowable = background + 3dB(A)

- Pumps:
  - 7am to 7pm: Maximum level allowable = background + 5dB(A)
  - 7pm to 10pm: Maximum level allowable = background + 3dB(A)
  - 10pm to 7am: No audible noise.
Assessment and certification is required immediately after installation of the equipment and prior to any occupation of the building. All equipment should be operating at the same time to test the overall noise level created, with the measurement location at either the residential boundary or outside the most exposed part of an affected building - whichever is the closest to the plant/equipment.

The certification must be submitted to Council, which certifies that operational noise from any fixed plant and equipment complies with the requirements of this Decision Notice.

B. Find the following are sufficient grounds to justify the decision despite conflict with the Planning Scheme:
   1. The multiple dwelling use is existing on the site.
   2. The development will provide centrally located small dwelling units with access to Tewantin’s facilities and services.
   3. The development’s small dwelling units will increase residential housing options in the locality and are likely to be relatively affordable.
   4. There is no identified need for further community or infrastructure facilities within Tewantin and the development will not unduly constrain land available for commercial or community uses consistent with the site’s zoning provisions.

REPORT

1. PROPOSAL

The application seeks development approval for a Material Change of Use for a Multiple Dwelling – Type 4 Conventional for 10 residential units and Commercial Business Type 1 - Office and Type 2 - Medical. The applicant intends to demolish the existing buildings on site and redevelop the site for a mixed use development that will comprise four separate buildings over a partially buried carpark that extends across the entire site. The residential units are to be located in one building located to the northern rear part of the site with three commercial buildings located to the Doonella Street frontage.

The ground floor of the development extends over both lots and comprises a partially buried carpark that includes parking for 54 vehicles, bike parking, plant and store rooms. Due to the slope of the site, the carpark is at ground level at the Doonella Street frontage and significantly buried at the northern rear boundary of the site.

The commercial component of the development is orientated across the Doonella Street frontage and comprises three commercial buildings located over the carpark podium and are to be used for either offices or medical uses. The buildings present as three separate entities and are connected by stairways and elevated decks. The western and eastern buildings include a pitched roof form whilst the central building has a skillion roof form to provide views for the units at the rear. External building materials include FC weatherboard and Matrix Wall System (exterior cladding of a geometric style), and Colorbond roof along with balustrades and screening.

The residential component of the development is located to the rear of the site behind the proposed commercial buildings and accessed via elevated and ground level pathways and a lift. The units are two storeys in height with five units located on each floor level. The units comprise two bedrooms, kitchen, dining and living areas with a combined bathroom and laundry. The units each have an internal area of approximately 87m² with two small decks totalling approximately 27m² that also provide access to a small store and drying area.

The residential building includes a traditional pitched roof form of 7.5 degrees with external materials comprising FC weatherboard and Colorbond roofing. The figures below illustrate the site layout and building form. Full proposal plans are included at Attachment 1.
Figure 1 – Ground floor plan

Figure 2 – North and West Elevations
As part of the development application, the applicant also proposes a 3.0 metre wide easement across the rear of the site for services and access. Bins associated with both the commercial and residential use are located in this easement with the applicant proposing that refuse trucks access the bins through Sidoni Lane and Council's Sidoni Street carpark.

2. SITE DETAILS

2.1. Background

The site contains an existing detached house and an existing unit building with 4 units on Lot 903, which appears to have been constructed in the 1960s or 1970s and pre-dates planning approvals for the area.

A development application for a Multiple Dwelling of 16 units under MCU15/0053 was lodged and approved by Council in October 2015. The unit development was approved with Council noting that the whilst the residential use was inconsistent with the community services zoning there was not an identifiable need for additional community services in Tewantin, the small units had good access to urban services and were consistent with the developed character. The approval is still current until 2019. The following image details the elevations of this approval.
The applicant has had a number of pre-lodgement meetings with Council officers which included feedback in relation to the proposed design, building height, setbacks, size of dwelling units and access. Accordingly, the applicant has responded to feedback provided by Council.

2.2. Site Description

The site comprises two rectangular allotments both fronting Doonella Street. Lot 32 is 516m² in area and contains an existing 2 storey weatherboard house. Lot 903 is 2,023m² in area and contains an older fibro unit building of 5 units in a poor state of repair. The units are within 2 buildings, one being single storey and the other 2 storey. Both lots have mature gardens but predominantly comprise exotic species. A tall mature hoop pine is located on the northern boundary of the larger lot. Both lots gain access via Doonella Street, with the 2 driveways rising up a moderate slope. Overall, the site slopes at approximately 8% from the rear boundary down to the south eastern corner at the Doonella Street frontage. The frontage contains 3 mature Poinciana trees within the footpath reserve and a pedestrian crossing at its centre. Figures 4 to 6 below show aerial images of the site, zonings and the site survey.
2.3. Surrounding Land Uses

The site is surrounded by the following land uses:

- Adjoining the site to the east is the large Council owned ‘Doonella Street carpark’, which provides rear access to the Tewantin Plaza and the carpark for the ‘Berry Place’ cafés and takeaway shops fronting Memorial Avenue.

- Adjoining the site to the north is the ‘Tewantin Newsagency’ building, located at 107 Poinciana Avenue. Currently, there is no through access from the Sidoni Lane carpark to the Council owned carpark at Doonella Street due to the shape of this lot.

- Adjoining the site to the west is the Salvation Army’s support accommodation building, providing safe, affordable and supported accommodation to families who are homeless or at imminent risk of being homeless. The site also adjoins the large Council owned ‘Sidoni Lane carpark’, which provides rear access to many of the shops on the southern side of Poinciana Avenue.

- Across the Doonella Street to the west are a mix of older style unit developments and detached houses fronting Lake Doonella.

3. ASSESSMENT

3.1. Instruments for Statutory Assessment

Under the Sustainable Planning Act 2009 the application must be assessed against each of the following statutory planning instruments to the extent they are relevant to the development:

- State Planning Policies;
- the South East Queensland Regional Plan;
- State Planning Regulatory Provisions;
- any Structure Plan or Master Plan in place for declared areas;
any Preliminary Approval Overriding the Planning Scheme for the land;
the Planning Scheme for the local government area; and
any Temporary Local Planning Instrument in place for the local government area.

Of these, the statutory planning instruments relevant to this application are discussed in the sections that follow.

3.2. State and Other Statutory Instruments

State Planning Policies
The State Planning Policy provisions with regard to water quality and acid sulphate soils apply to the development and can be met by the development. Council’s Environment Officer has assessed these aspects against both the State Planning Policy and the planning scheme provisions and applied conditions in the recommendation to achieve compliance.

South East Queensland (SEQ) Regional Plan 2009 - 2031
The site is located within the urban footprint area of the SEQ Regional Plan. The proposal is consistent with the regional policies of the SEQ Regional Plan.

State Planning Regulatory Provisions
The proposal is for an urban activity within the Urban Footprint and is consistent with the SEQ Regional Plan Regulatory Provisions.

3.3. Statutory Instruments – Planning Scheme

The site is located in the Tewantin & Doonan Locality and is zoned Community Services. The proposed Type 2 Medical use is identified as consistent code assessable use within the zone, the Type 1 Office a consistent impact assessable use and the multiple dwelling use is identified as an inconsistent impact assessable use which results in the entire application required to follow the impact assessment application process.

Locality Provisions
The planning intent for land within the Community Services zone within the locality is identified in Overall Outcome 12.7.2 ss), which states:

For the Community Services Zone—land committed or planned for community purposes—

i is protected and managed to enable the efficient and timely delivery of community services; and

ii is consistent with the indoor recreation, education, social and safety needs of the local community, including people with special needs, such as the elderly, children, low income earners and disabled persons;

As previously indicated, the Office and Medical components of the application are consistent uses in the Community Services zone whereas Multiple dwellings are considered inconsistent.

Outcome O82 of the locality code states:

Uses found within the Community Services Zone, fronting Pelican Street, Poinciana Avenue, Memorial Avenue, Doonella Street and Sidoni Street—

a) support the functions of the Business Centre and include a range of important community services which serve the Tewantin and Doonan locality as well as the wider region; and

b) are focused on emergency services, information centres; medical centres, social and infrastructure uses, and in the case of the Tewantin-Noosa RSL Club, entertainment and dining uses;

The applicant acknowledges the residential component is an inconsistent use but submits a number of grounds in support of the proposal. These are discussed in Section 3.4 of this report.

The Overall outcomes for the locality seek new uses that are compatible with the character and amenity of existing uses in the area. They also seek new multiple housing developments that focus on areas close to the Tewantin Business Centre, community facilities, parks and public transport.
services. The proposed unit development expands on the existing multiple dwelling use on the site providing additional residential accommodation for the area, whilst the commercial component provides additional commercial floor space that will complement the Tewantin Business Centre.

The table below provides assessment against the built form limits applied to the site under the Community Services Zone but also provides some comparison with the Attached Housing Zone given the requirements of the Locality Code for site cover and gross floor area to be compatible with surrounding development.

<table>
<thead>
<tr>
<th>Criteria</th>
<th>Planning Scheme</th>
<th>Proposal</th>
<th>Complies</th>
</tr>
</thead>
<tbody>
<tr>
<td>Site Area</td>
<td>2539m2</td>
<td>2539m2</td>
<td>✓</td>
</tr>
<tr>
<td>Population density</td>
<td>40 persons (160 persons/ha for other forms of Retirement and Special Needs)</td>
<td>25.39 persons - (100persons /ha for Attached Housing Zone)</td>
<td>✓</td>
</tr>
<tr>
<td></td>
<td>25.39 persons - (100persons /ha for Attached Housing Zone)</td>
<td>24 persons</td>
<td></td>
</tr>
<tr>
<td>Gross Floor Area</td>
<td>1,600m² max (Community Services Zone)</td>
<td>1,579m² (816m² of residential and 762m² of commercial)</td>
<td>✓</td>
</tr>
<tr>
<td></td>
<td>1,016m² max (Attached Housing Zone)</td>
<td>1,016m²</td>
<td></td>
</tr>
<tr>
<td>Site Cover</td>
<td>Nil – Community Services zone</td>
<td>1,585m² 62.4%</td>
<td>×</td>
</tr>
<tr>
<td></td>
<td>40% - 1015.6m² (Attached Housing Zone)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Landscaped open space</td>
<td>15% (380m²) (Community Services Zone)</td>
<td>720m²</td>
<td>✓</td>
</tr>
<tr>
<td>Soft landscaping</td>
<td>60% (432m²) soft landscaping</td>
<td>60%</td>
<td>✓</td>
</tr>
<tr>
<td>Landscape setbacks</td>
<td>2m average to frontage</td>
<td>6m</td>
<td>✓</td>
</tr>
<tr>
<td></td>
<td>2m to undercover parking</td>
<td>6m</td>
<td>✓</td>
</tr>
<tr>
<td>Roof form</td>
<td>5 degree minimum pitch</td>
<td>2 to 10 degrees</td>
<td>×</td>
</tr>
<tr>
<td></td>
<td>600 mm minimum pitch</td>
<td>0.45 to 600 mm eaves</td>
<td></td>
</tr>
<tr>
<td>Boundary setbacks</td>
<td>6.0m</td>
<td>4.5m covered stair.</td>
<td>×</td>
</tr>
<tr>
<td>Frontage</td>
<td>6.0m</td>
<td>6.0m Main buildings</td>
<td></td>
</tr>
<tr>
<td></td>
<td>2.0 m</td>
<td>2.6m residential</td>
<td>✓</td>
</tr>
<tr>
<td>Side - east</td>
<td>2.0m</td>
<td>stair 3.4m main building</td>
<td>✓</td>
</tr>
<tr>
<td></td>
<td>2.0m Lift</td>
<td>2.3m</td>
<td></td>
</tr>
<tr>
<td>Rear</td>
<td>2.0m</td>
<td>2.2m</td>
<td>✓</td>
</tr>
<tr>
<td>Building Height</td>
<td>2 storeys max</td>
<td>2 storey</td>
<td>✓</td>
</tr>
<tr>
<td>• in storeys</td>
<td>8 metres max</td>
<td>8.0 m to natural</td>
<td></td>
</tr>
<tr>
<td></td>
<td>• in metres</td>
<td>ground (exceeds with regard to finished levels)</td>
<td></td>
</tr>
<tr>
<td>Carparking</td>
<td>1 covered space/unit = 10</td>
<td>52 covered spaces, 8</td>
<td>✓</td>
</tr>
<tr>
<td></td>
<td>1 space /3units = 3.3</td>
<td>motorbike spaces and 18</td>
<td></td>
</tr>
<tr>
<td></td>
<td>1 designated visitor space/4 units = 2.5</td>
<td>bicycle spaces</td>
<td></td>
</tr>
<tr>
<td></td>
<td>37 spaces for 728m² of commercial</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
The development involves a number of built form aspects which are discussed below.

- **Gross Floor Area and Site cover**

The Community Services zone includes a maximum gross floor of 1600m² for the site which is based on population density that is greater than the Attached Housing Zone which details a maximum of 1016m². The proposal details a gross floor area of 1579m² comprising 816m² of residential and 762m² of commercial.

The combined residential and commercial development exceeds gross floor area calculations that would be attributable to the comparable Attached Housing zone, however it is noted that the residential component is well below that of Attached Housing zone.

The applicant indicates that the proposal is consistent with the gross floor area applicable to the Community Services zone. This gross floor area is based on the maximum allowable population attributable to development under this zone. It is noted that Council previously accepted a similar amount of gross floor area for the previously approved residential development.

The Community Services zone does not include specific site cover area requirements for development, however does include outcomes detailing that buildings are to result in a building scale that is compatible and not present an appearance of bulk to surrounding properties. The proposed development’s site cover is substantial compared to the maximum permitted for the Attached Housing Zone opposite, though this calculation includes suspended walkways/decks between the commercial building and suspended recreation space.

This mixed development will primarily present to the dwellings on the southern side of Doonella Street. It is noted that there is a mix of land uses and development on the properties surrounding the subject site including a car park, residential dwellings, service station and a medical centre. The subject site currently contains dwellings with an overall site coverage of approximately 25%.

It is acknowledged that the proposed development will result in a considerable change to the streetscape and surrounding properties. Whilst the proposal provides for a significant change to the streetscape it is noted that the development presents as three separate buildings from the street and conditions will require the materials and form of these building satisfactorily integrate with the surrounding area.

The inclusion of the suspended walkways/decks between the commercial building and suspended recreation space in the calculation of the site cover clearly increase the site however these elements do not significantly contribute to visual bulk of the development. These areas relate to the areas of separation between the buildings and provide functional elements for future occupants of the development.

It is also noted that a significant aspect of the development is situated to the rear of the three commercial buildings which front Doonella Street. The commercial buildings will partially screen the building to the rear of the site such that when viewed from Doonella Street the overall site cover will be partially evident and not unreasonable.

- **Roof Pitch and Building Form**

The locality code identifies a minimum 5 degree roof pitch as a probable solution to achieve simple roof forms avoiding box profiles, flat roof with parapets, and the like. The residential units to the rear of the site comply with roof pitch however have minimal side eaves to the east and west resulting in minimal weather and sun protection. Noting the commercial nature of the surrounding area and the extensive north and south facing decks the overall roof form for this building is considered appropriate.

The western commercial building to the front of the site has a pitched roof form of 12.5 degrees however the central and eastern buildings have a skillion roof form with a 2 degree roof pitch which does not comply with the outcomes for the locality.

It is considered that there are opportunities to improve the built form presentation to Doonella Street due to the geometric and repetitive forms presented to the street. The three individual building
forms are a positive feature however the geometric window and cladding treatment of the eastern building, the extensive vertical treatment of the middle building and the row of windows of the third building are not considered to fully reflect or complement the Tewantin domestic vernacular. Conditions addressing the street front presentation are recommended to be included as part of any approval.

- **Building Height**

The planning report submitted with the application indicates that whilst the building is below the maximum 8.0 metre height limit, sections of the building measure greater than 8 metre above the finished ground level and therefore do not fully comply with the scheme requirements. The applicant submits:

- the proposed residential building is two storeys in height and is less than 8m above natural ground level. As a result, the proposed development retains a low rise appearance;
- those sections of the residential building that exceed the preferred 8m maximum height limit above finished ground level do so because of the basement level below which is cut into the slope at the rear of the site;
- the residential building is screened from Doonella Street by the commercial buildings at the front of the site;
- the site directly adjoins the Business Centre where a 10m height limit is permitted; and
- as the residential building sits on the northern part of the site and is set back more than 5m from the rear boundary, it will not have adverse impact on the amenity of the only adjoining building located in the Business Centre to the north of the site.

The applicant’s submission is considered relevant however additional detail as to the actual finished levels and treatment to boundaries is required to ensure the basement and carparking areas are appropriately screened and landscaped to adjoining properties. A condition is recommended to be included in this regard.

- **Public Thoroughfare**

A key outcome of the Tewantin Locality code seeks that connectivity between buildings and public spaces is retained and enhanced. In this regard, Council’s Operational Works Engineer recommends a 3m wide public thoroughfare easement be created at the rear of the site for a new public right of way between the Sidoni Lane and Doonella Street carparks. The dedication as an access easement is favoured rather than ‘road reserve’, as the access will only be for pedestrian thoroughfare at this stage. The easement is to commence to the east of the bin storage area and extend for the remaining length of the rear boundary of the site.

It is considered the area at the rear of the ‘Tewantin Newsagency’ site and the adjoining units (107 & 109 Poinciana Avenue) is a more appropriate alignment for the extension of the road as it is unencumbered by existing infrastructure (electricity transmission box) and should be undertaken when the opportunity arises.

**Land Use & Works Provisions**

The following codes which regulate land use and design are most applicable to this application:

- Residential Uses Code
- Business Uses Code
- Engineering Works Code
- Landscaping Code
- Waste Management Code
The application has been assessed against each of the above applicable codes. The pertinent issues arising out of the assessment against the codes are discussed below:

<table>
<thead>
<tr>
<th>Code</th>
<th>Discussion</th>
</tr>
</thead>
<tbody>
<tr>
<td>Residential Uses</td>
<td>O9 Separation of incompatible uses – The scheme details that development is to minimise noise between noise sensitive spaces and noise generating areas such as carparking or plant areas. The development site is surrounded by commercial buildings, public parking and laneways that will generate noise in terms of early morning service vehicles and traffic. It is considered relevant to include requirements relating to noise attenuation measures for the units.</td>
</tr>
<tr>
<td>Residential Uses</td>
<td>O45 Mixed Use developments – clearly marked carparking for residents to be provided and security measures installed to ensure non residential users do not have access to residential exclusive use areas. Proposal appears to meet requirements and conditions able to be imposed to ensure fencing occurs on site.</td>
</tr>
<tr>
<td>Landscaping</td>
<td>Existing mature vegetation at front of site and around boundaries to be identified and retained where possible. Conditions able to be imposed.</td>
</tr>
<tr>
<td>Waste Management</td>
<td>Proposal provides an area of 10m² for waste facilities for 10 units and 762m² of office space. Queries are raised as to whether this area is sufficient to cater for recycling and general waste bins. A condition requiring further assessment of anticipated waste is recommended. Applicant also seeking approval to access bin area through Sidoni Street carparking and Lane. This has been reviewed and supported by Council’s Waste Management department.</td>
</tr>
</tbody>
</table>

**Overlay Provisions**

The Natural Hazard – Bushfire and Acid Sulphate Soils overlay code is applicable to this application in relation to Acid Sulphate Soils. Conditions may be imposed as part of any approval to ensure that acid sulphate soils are appropriately managed.

**3.4. Statutory Instruments – Planning Scheme**

The applicant identifies the following grounds it considers sufficient to overcome the application’s conflicts with the planning provisions applying to the site’s Community Services zoning and residential unit component, in accordance with the requirements of the Sustainable Planning Act 2009:

1. The application site is already used for residential purposes and could be redeveloped in accordance with the current for material change of use approval for 16 multiple dwelling units;

2. Residential use is compatible with other established uses within the area and can continue to operate on the site without adverse impacts on the amenity of the adjoining uses or the character of the surrounding area;

3. The proposed development will address a need for smaller, more affordable, residential dwellings within Tewantin;

4. The proposed development will add to the supply, variety and mix of dwellings within Tewantin;

5. The proposed development is consistent with the height, scale and density expected within the local area;

6. The site is located next to the Tewantin Business Centre and has excellent accessibility to the services and facilities within the Centre;

7. The proposed residential development will help to support the vitality and viability of the Business Centre;

8. The Council has no additional community facilities identified or planned for Tewantin Town Centre and the site is no longer required to provide these types of facilities;
9. There is no identified need, or demand for, the site to be used for service, utility or transport uses;

10. The proposal also provides for commercial business uses, that will support and complement the role of the adjoining Business Centre Zone.

11. The height of the proposed development is consistent with the scale of development surrounding the site and will not visually dominate Doonella Street or have an adverse impact on the amenity of the adjoining properties.

The grounds detailed by the applicant regarding the residential units are generally agreed with. As part of the assessment of the previous application for 16 units, Council's Strategic Planning Unit indicated that no additional community facilities had been identified or planned for the Tewantin business centre, with the intent to continue to upgrade and strengthen the existing Tewantin Community Centre at Ernest/Earl Streets (which includes United Synergies and Tait House).

Given the site's private ownership, the most likely community use of the site would be for childcare, however given that there are a number of existing nearby centres the loss of this land for such a community purpose would not be significant.

The mix of commercial and residential uses on site are considered appropriate and will provide an alternative housing form for the Tewantin area that is centrally located with high level of access to the urban services of Tewantin. The following grounds are considered to summarise the reasons to support the application and are included in the recommendation section of the report:

- The multiple dwelling use is existing on the site.
- The development will provide centrally located dwelling units with excellent access to Tewantin's facilities and services.
- The development's dwelling units will increase residential housing options in the locality, providing for small modest sized dwelling units.
- There is no identified need for further community or infrastructure facilities within Tewantin and the development will not unduly constrain land available for available for commercial uses consistent with the site's zoning provisions.
- The development is generally consistent with the developed character of the area and will not negatively impact on visual or residential amenity.

4. CONSULTATION

IDAS Referral Agencies

The application was not required to be referred to any IDAS Referral Agencies.

Concurrence

Not applicable

Advice

Not applicable

4.1. Other Referrals

The application was referred to Council's Development Engineer, Environment Officer and Waste Management department. Of particular note are the comments from Council's Development Engineer with regards to the impact of the development on traffic:

The traffic generation from the 16 units developed site is relatively low in comparison with the current high traffic volume in Doonella Street. However, there is a potential of momentarily obstruction to traffic flows caused by vehicles waiting in the west bound lane to turn right into the property. The following options have been assessed and discussed with Council's Infrastructures Services to address this adverse impact:

- Requiring the applicant to carryout road widening works by removing two mature Poinciana trees on the south side of the road to provide overtaking lane for the west bond traffic when
a stationary vehicles waiting to turn right into the property. The impact of removing these two trees on the amenity of the street and the adjoining properties is very significant with minor benefit for traffic... Also, Infrastructure Services confirmed that Council has no future plans to carry out road widening in Doonella Street and remove these trees.

As such this option is unacceptable and not recommended.

- **Modifying the road’s lanes separation line opposite the proposed access to the development by providing a double barrier line in lieu of the existing single line to prohibit turning right into the property. This will impact on and restrict traffic movements to an existing driveway to the units’ site on No 47 Doonella Street. Also, it will result in unnecessarily lengthening the trip for vehicles seeking entry to the proposed development site.**

  This option is not recommended as it has a minimal benefit, it will adversely impact on an existing driveway and has the potential to cause adverse impact on the traffic flows in another location in the area.

- **Restricting right turn movements into and out of the site by installing sign within the site to advise drivers of left turn only exit traffic, and providing a mountable tapers at the kerb line to encourage left-in/ left-out vehicles movements for the proposed access driveways (refer to Parking & Traffic Impact Assessment Report – Addendum 1, Reference 210442017TIA-Add, dated 21 April 2017 by Greys Australia Pty Ltd).**

  This option is less restrictive than the earlier mentioned options, does not make changes to the existing traffic environment and movements and it is considered adequate to minimising and mitigating the potential of adverse impact of the development on the traffic in Doonella Street.

All the above three traffic mitigation options were discussed with Infrastructures Services and it is considered that the third option is the preferable and recommended approach to minimise the potential impact, if any, on the traffic by the development. Also, this is generally consistent with the assessment and recommendation of applicant’s traffic engineer.

### 4.2. Public Notification

The application was publicly notified for 15 business days in accordance with the **Sustainable Planning Act 2009**. One properly made submission was received. The following table provides a summary and assessment of the issues raised by submitters.

<table>
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<th>Issues</th>
<th>Comments</th>
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<tr>
<td>Concerns are raised that the access from Doonella Street will add to current traffic problems.</td>
<td>The applicant has submitted a Parking &amp; Traffic Assessment Report that indicates the access and parking arrangement comply with Australian standards and that sufficient queuing area will be able to provided at the front of the site. The report states that the proposal will not have any unacceptable impacts on the road networks capacity.</td>
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<tr>
<td>The residential density of the development is raised as an issue.</td>
<td>The population density of the development is consistent with scheme provisions.</td>
</tr>
<tr>
<td>The submitter states that the commercial component needs to be part of an overall plan to allow business in Poinciana Avenue to open their shops to the north of Doonella Street.</td>
<td>The development proposes the provision of an access easement across the northern boundary of the site which reflects the planned extension of Sidoni Lane for access purposes. Sidoni Lane is currently used for carparking, access and service purposes with the Planning scheme indicating that Poinciana is to be the main commercial street in the area.</td>
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### 5. CONCLUSION

The Noosa Plan includes the site in the Community Services zone which seeks to cater for community purposes as well as providing business uses normally associated with the adjacent Tewantin Business Centre zone. The application does not propose a community or infrastructure
use consistent with the Community Services zone but does include a substantial commercial component on site which is consistent with the provisions of the zone.

It is generally agreed there is not an identified or likely significant need for community uses on the site and the mixed commercial and residential uses are considered appropriate in context with the surrounding business centre. The proposed development has desirable planning elements introducing small dwelling units into the area with excellent access to Tewantin’s facilities and services. A new 3 metre wide public thoroughfare will also be created along the rear boundary, which will create a new access route between Council’s adjacent carparks and laneway.

The development’s design is generally consistent with the intent for the area and areas requiring further detail such as façade and basement treatment can be appropriately conditioned. The proposal does not raise any significant planning concerns and grounds to support the development, despite the planning conflicts are considered to comprise:

- The multiple dwelling use is existing on the site.
- The development will provide centrally located small dwelling units with access to Tewantin’s facilities and services.
- The development’s small dwelling units will increase residential housing options in the locality and are likely to be relatively affordable.
- There is no identified need for further community or infrastructure facilities within Tewantin and the development will not unduly constrain land available for commercial or community uses consistent with the site’s zoning provisions.

The application is therefore recommended for approval, subject to conditions.

Departments/Sections Consulted:

- Chief Executive Officer
- Executive Officer
- Executive Support
- Community Services
  - Community Development
  - Community Facilities
  - Libraries & Galleries
  - Local Laws
  - Waste & Environmental Health
- Corporate Services
  - Financial Services
  - ICT
  - Procurement & Fleet
  - Property
  - Revenue Services
- Executive Services
  - Community Engagement
  - Customer Service
  - Governance
  - People and Culture
- Environment & Sustainable Development
  - Building & Plumbing Services
  - Development Assessment
  - Economic Development
  - Environmental Services
  - Strategic Land Use Planning
- Infrastructure Services
  - Asset Management
  - Buildings and Facilities
  - Civil Operations
  - Disaster Management
  - Infrastructure Planning, Design and Delivery
LEVEL 2 PLAN
5  152006.1999.2 EXTENSION TO CURRENCY PERIOD FOR DEVELOPMENT PERMIT TO RECONFIGURE A LOT (52 LOTS & PARK) AT 191 HOLLETT ROAD, NOOSAVILLE

Author  Coordinator Planning, Patrick Murphy  
Environment & Sustainable Development Department

Index  ECM/Application/ 152006.1999.2

Attachments  1. Approved Pan  
2. Planning Regulation 2017 Part 16 Division 1

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RECOMMENDATION

That Council note the report by the Coordinator Planning to the Planning & Environment Committee Meeting dated 8 August 2017 and refuse Application No. 152006.1991.02 for an Extension to the Currency Period for Development Permit to Reconfigure a Lot (52 lots and park), situated at 191 Hollett Road Noosaville for the following reasons:

1. The approval is not consistent with the South East Queensland Regional Plan as the development would result in the creation of an urban settlement within an area where the intent is to protect the landscape and the capacity for rural production and the development would be prohibited under the Planning Regulations 2017.
2. The approval is not consistent with the Noosa Plan 2006 as the proposed urban development is not located within an established village and would result in fragmentation of land holdings outside of areas already allocated for such purpose by the Noosa Plan. The development is also partly located within the Riparian Buffer area identified for protection by the Biodiversity Overlay.

3. The approval is contrary to the South East Queensland Koala Conservation State Planning Regulatory Planning Provisions as the development will result in the removal of non-juvenile koala habitat trees.

4. Different bushfire hazard mapping to that used for the initial approval applies as the State Planning Provisions came into effect after the original approval and results in a higher hazard rating. The higher hazard rating may require changes to setback/buffer areas and an amended subdivision layout. An updated bushfire management plan has not been submitted to enable an assessment of the current bushfire hazard.

5. Significant time has lapsed since the ecological assessment reports were originally submitted and the information in these reports is now outdated. Updated ecological reports have not been submitted.

6. The community is unlikely to be aware of the proposal given the significant time that has lapsed, the Noosa Plan’s current zoning and no works have commenced on site.

REPORT

1. PROPOSAL

The application seeks to extend the relevant period of a Development Permit to reconfigure a lot for 52 rural residential type lots and park by 2 years so that the development will not lapse until 5 July 2019. The extension will align with sunset clause within condition 5, which specifies 6 years for the completion of the development.

The report submitted with the application considers that the request for the extension to the currency period can be supported having regard to the following matters:

- The age of the approval which is relatively new (4 years old);
- The request for extension under the Planning Act 2016 for the 2 years is the first extension for the currency period to be extended;
- The applicant incurred considerable expense to obtain the development approval, with that process taking about 7 years. The approval went through a rigorous assessment process.
- Condition 16 of the approval required the execution of an infrastructure agreement (IA) to set out the obligations to obtain approval for road opening/closure of Old Hollett Road. Under the terms of the IA, Council are required to complete particular actions to allow the opening/closing of road. In this regard Council have advised that the road opening/closure application was lodged with the DNRM in early 2014 and that “this is being progressed by Council’s property section but is still with the State for a decision”.
- In the circumstances, we consider it would be unreasonable for Council to refuse the 2 year extension, given that the approval is reliant on completion of a road opening / closure process that is being undertaken by a third party.
- The request for a two year extension aligns with the sunset clause outlined in condition 5 of the approval;
- The conditions placed on the existing Planning and Environment Court approval comply with contemporary planning standards and future operational works applications can be assessed against current laws and policies;
- Council accepted and approved the application for the approval on the basis of the exemption provisions of the then SEQ Regional Plan. The existence of the approval means no further assessment against the SEQ Regional Plan is necessary;
• Our client, John Hofmann, has been suffering from serious health concerns for some time and has been incapacitated from progressing the development. Despite not being a planning ground per se, it is considered that the s87 Planning Act provides Council a largely unfettered discretion to consider any matter the assessment manager thinks relevant;

• Our client’s commitment to extending the life of this approval has been demonstrated via the recent lodgement of the Survey Plan for the first stage of the development;

• The approved development layout is generally in keeping with the current State Development Assessment Provisions (SDAPs) in relation to vegetation requirements, setbacks to environmental constraints including buffers for bushfire management. These constraints are directly comparable under Council’s current overlay mapping constraints;

• The approval conditions of the Court order include specific requirements in respect to these constraints which relate to concurrence agency matters of State Environmental Significance.

• The DILGP has indicated, in relation to our client’s extension request lodged under SPA, that it does not object to an extension to the currency period of the approval;

• The approved development:
  o Is predominantly located in disturbed areas of the site;
  o Incorporates setbacks for bushfire management;
  o Layout and design of allotments has been generally designed around already cleared vegetation areas and environmental constraints;
  o The conditions placed on the development appropriately address all relevant environmental concerns;
  o Existing development rights are considered to exist under the original rezoning development permit;
  o Results in dedication of significant open space which will result in considerable community benefits through the long-term conservation and low impact recreational use of areas with ecological values;
  o The site adjoins the urban fringe of Noosaville, is the next in sequence and is surrounded by urban and rural residential development to the north and west of the site which is compatible and similar in nature.

• The current approval conditions are consistent with current laws and policies in the following respects:
  o The engineering conditions which have been placed on the existing development approval are considered to be consistent with current engineering design requirements and standards. Reference is made to Civil Engineering conditions 18 to 37 and conditions 68 to 78. It is noted that the subsequent operational works application will be assessed in accordance with local laws and policies applicable at the time of lodgement.
  o The development is required to be undertaken in accordance with the Court’s approval conditions including those of the referral agencies Department of Natural Resources and Mines (DNR&M), Environmental Protection Agency (EPA). The approved development setbacks and environmental conditions are considered generally consistent with current laws and policies in regard to site constraints including vegetation and bushfire hazard.
  o We note that this approval was issued under the Sustainable Planning Act 2009, with an Adopted Infrastructure Charges Notice issued by the then (pre-de-amalgamation) Sunshine Coast Council. Infrastructure contributions applicable to this development approval can be updated to reflect Noosa Council’s current adopted infrastructure charges resolution, as required.
• Significant public interest grounds exist to support preserving the approval including:
  o Significant community benefit by way of parkland dedication and construction of pedestrian pathway network;
  o Protection of vegetation areas in perpetuity through parkland dedication and vegetation covenants;
  o Community need for additional range of housing choices and options. It is considered that there is a need and market for rural residential development within the Noosaville locality having regard to limited areas available for development due to environmental constraints.

• Despite some inconsistency with current laws and policies, it is considered that the matters discussed above, when considered in context, justify approval of the extension. In addition, the dedication of over 52.7ha of the site for open space purposes as required by the approval provides significant public interest benefits over and above the benefits that would be achieved through the site’s rural zoning. The proposed dedication will facilitate conservation and also provide for passive and active recreation opportunities which would not be possible without the approval.

2. SITE DETAILS

2.1. Background

A rezoning application was approved over the site on 1 August 1997, approving a change of the site’s zoning to Special Residential and permitting the development of a maximum of 80 rural residential lots and 2 rural lots.

This rezoning was gazetted in 1 May 1998 and has an associated Plan of Development (PoD) referred to in the superseded planning scheme maps. The PoD established the footprint for future development and open space areas. It also established the development parameters for the site, including lot density and lot size.

The rezoning and PoD have now been superseded with the adoption of The Noosa Plan in 2006 and the rezoning approval is no longer current.

Under the rezoning approval, the applicant was required to dedicate a large portion of land for the Walter Hay Drive road reserve. The POD required a further application to be made to Council for the subdivision of the land.

An application for subdivision (reconfiguring a lot) was subsequently made on 12 September 2006 for 82 lots plus 1 park lot. The applicant at the time requested that the application be considered under the superseded planning scheme as provided for under the Integrated Planning Act 1997.

At Council’s Ordinary Meeting on 19 October 2006, Council confirmed that the subsequent development application for reconfiguration could be assessed against the Superseded Planning Scheme. In arriving at this decision, Council considered that assessment of the application under the new (2006 Noosa Plan) may have resulted in a compensation claim arising from the potential loss of value in the land as a result of the change of zoning from Special Residential to Rural under the 2006 Noosa Plan.

The application was refused as Council was instructed by the Department of Environment & Resource Management (as Concurrence Agency) to refuse it. Accordingly, a Decision Notice of Refusal was issued on 16 November 2009. The decision was appealed through the Planning and Environment Court.

The proposed Rural Residential development was amended by the appellant during the appeal process, with the number of residential lots reduced to 49 rural residential and 3 rural allotments.

The final approval granted by way of the Planning and Environment Court Order (Appeal No. 344 of 2009) dated 5 July, 2013 reduced the overall yield to 52 Lots and Park. This approval requires
dedication of 52.757 hectares of parkland. A copy of the approved plan is contained within Attachment 1.

In 2012 the site was part of an application which also included land situated at 99 Hollett Road, 106 and 108-142 Tidswell Road, Weyba Downs.

The application sought preliminary approval under section 242 of the Sustainable Planning Act to vary the effect of The Noosa Plan and Maroochy Plan 2000 Planning Schemes for a mixed-use community title development. The development was to be known as Noosa on Weyba comprising a mix of residential, retail, community and open space uses to be established under a multi-level community title scheme structure.

The applicant proposed a Noosa on Weyba Locality Plan to generally override the local planning schemes provisions for the development site. The Plan identified four primary urban precincts with varying density and character. The precincts were further broken down into zones, being Detached Housing, Attached Housing, Rural Settlement and Neighbourhood Centre zones. An Open Space Conservation Zone surrounded the urban precincts.

Proposed uses within the precincts included detached houses, small lot houses, duplexes, multiple dwellings (units, townhouses and attached dwellings), retirement dwellings and aged care facilities.

Minimum lot sizes ranged from 350m2 to 800m2 and minimum residential densities ranged between 15 – 32 dwellings per hectare. Proposed building heights were 2 to 3 storeys and the Noosa on Weyba Locality Plan also proposed differing built form provisions (such as site cover and boundary setbacks) to those sought in comparable urban areas under the Maroochy and Noosa planning schemes.

The application was refused on 4 April 2014 to which an appeal was lodged on 7 May 2014, but was subsequently withdrawn.

As part of the original approval for this site it was identified that a part of Hollett Road is not within the road reserve but rather it is located on freehold land owned by Council. Accordingly, Council is required pursuant to an Infrastructure Agreement entered into at the time of settlement of the appeal to commence road closure and road opening applications.

This process is currently being undertaken by the Council’s property department, on the property owner’s behalf, who have made the application to the State.

On 28 April 2017 an application to extend the currency period was received under the Sustainable Planning Act 2009. This application was determined at Council’s Ordinary Meeting on 20 July 2017 where it was determined to refuse the application.

On 29 June 2017 the applicant lodged survey plans for sealing for the first stage of the development. An Operational Works application has not been made and accordingly no works required prior to plan sealing have been commenced.

3. SITE DETAILS

3.1. Site Description

The subject site has an area of 110 hectares and is located south of the Noosa Shire Business Centre. The site is bordered to the northeast by Eenie Creek, to the east by undeveloped land fronting Lake Weyba, to the south by Hollett Road and the west by rural residential land. The north-west corner of the site adjoins land developed for detached housing. The site is dissected by Walter Hay Drive, but no access is permitted from this road, with the site having vehicular access via Hollett Road. An Energex transmission line and an associated easement traverse the northern portion of the site.

Topographically the site is largely flat with gently undulating slopes with a mosaic of soil types. The site currently supports large areas of grasslands that have been actively used for cattle grazing. The site also supports areas of paperbark forest and eucalypt woodlands and there are a number of small dams scattered through the central portion of the site.
The site forms part of an area of land that provides a corridor for native wildlife to move between areas of protected habitat in the locality, including Noosa National Park, Lake Weyba and Tewantin State Forest. Notably the Regional Ecosystem Map for the site locality identifies the presence of areas identified as being Essential Habitat for species listed as Endangered, Vulnerable or Rare pursuant to the Nature Conservation Act. These are wetland habitats which are associated with Eenie Creek and its tributaries for the Wallum froglet and Wallum rocketfrog. A number of other significant fauna species also have a high probability of utilising the habitat within the site, including koalas.

3.2. Surrounding Land Uses

The land abuts a mix of residential, rural, open space conservation and community services land uses. A number of parcels of Bushland Reserve associated with the Noosa Business Centre and the residential estate accessed via Lake Entrance Boulevard are adjacent the northern boundary. A number of detached housing lots along Lake Entrance Boulevard also abut the northern boundaries of the site, though there is no direct road link from that estate to the subject site.

Directly to the west of the site are rural residential lots accessed via Hollett Road and the Noosa Par 3 Golf Course. A large (321.9ha) Council-owned allotment sits to the south-east of the site. The Noosa refuse station is located in its south-eastern corner but majority of the lot is undeveloped and a portion is dedicated as nature refuge (known as Weyba Nature Refuge).

Densely vegetated rural zoned land holdings are located to the east of the site. Weyba Downs residential estate is to the south-west of the site and comprises a mix rural-residential and rural lots.

4. ASSESSMENT

Pursuant to section 87 of the Planning Act 2016 (PA):

(1) When assessing an extension application, the assessment manager may consider any matter that the assessment manager considers relevant, even if the matter was not relevant to assessing the development application.

The matters which are considered to be relevant to the assessment of the application are discussed in detail below:
South East Queensland Regional Plan

In accordance with the South East Queensland Regional Plan (SEQRP) the subject site is identified as a Regional Landscape and Rural Production Area (RLRPA).

A strategic direction of the SEQRP is to protect the regional landscape recognising that South East Queensland’s rural and natural landscape areas support environmental, rural production, recreational, cultural and scenic functions. They underpin the region’s liveability and viability, and will be protected from urban development and rural residential subdivision.

The SEQRP identifies the intent of the RLPRA to identify land with regional landscape, rural production or other non-rural values. It seeks to protect this land from inappropriate development particularly urban or rural residential development recognising that these areas of land include significant biodiversity values, important regional ecosystems, good quality agricultural land and cultural and landscape values and land that forms important inter urban breaks.

Regulatory provisions of the SEQRP apply to the RLPRA. The restrictions restrict:

- further fragmentation of land holdings;
- urban development, except within established villages;
- the expansion of rural residential development outside areas already allocated in local government planning schemes.

The Planning Regulation 2017 identifies that subdividing a lot completely or partly in the SEQ regional landscape or rural production area is prohibited development (a copy of the relevant provision is contained at Attachment 2). Prohibited development is development for which an application may not be made.

Accordingly, it is considered that the proposed extension of time does not accord with the current policies and regulatory requirements of the SEQRP. Notably the exemptions from the SEQRP that the current approval relied upon would not apply today. The development would result in the creation of an urban settlement within an area where the intent is to protect the landscape and capacity for rural production. The proposed urban development is not located within an established village and would result in fragmentation of land holdings outside of areas already allocated for such purpose by the Noosa Plan.

ShapingSEQ is a new draft regional plan for South East Queensland and was released by the Queensland State Government in October 2016. The new regional plan is expected to be finalised soon. It will replace the current South East Queensland Regional Plan 2009-2031. Regional Plans have an outlook of 25 years from when the draft is prepared and therefore ShapingSEQ is based on projections to 2041.

The plan continues with regulatory approaches towards prohibiting urban development outside the Urban Footprint and restricting subdivision in the rural areas to a minimum lot size of 100 hectares.

Council made a submission to the State Government in response to the draft regional plan. As part of this submission Council addressed the capacity of land within the Urban Footprint to accommodate projected population growth. Noosa Council’s draft submission to ShapingSEQ notes.

Council has concluded not to support any changes to the Urban Footprint under the new ShapingSEQ for reason that there is no need demonstrated currently for additional urban land to be allocated to Cooroy, or any other part of Noosa Shire. Council has previously outlined in this submission that it considers sufficient capacity exists in the current Noosa Plan to accommodate the projected demand for dwellings until 2041.

The Noosa Plan (2016)

Under the Noosa Plan the land is zoned Rural and a new application for lot reconfiguration would be a Code Assessable application. A code assessable application would include assessment against the Tewantin and Doonan Locality Code and the Reconfiguring a Lot Code.
The Noosa Plan envisages that Rural zoned land will be predominantly used for open space and farming activities. The intent is for this land to be appropriately managed and protected such that the scenic and environmental values, the distinct rural amenity and agricultural productivity are preserved. Rural residential type lots are intended to only occur on land zoned for rural settlement with residential use contained within the defined urban growth boundaries.

Accordingly, it is considered that existing approval is inconsistent with the Noosa Plan (2016). The inconsistency relates to the Desired Environmental Outcomes, the Tewantin and Doonan Locality Code and the Reconfiguring a Lot Code.

Specifically, the proposal would be in conflict with the following Desired Environmental Outcomes:

a) **AGRICULTURE USES**

Agricultural industry is maintained by—

i. conserving land for economically viable and environmentally sustainable agricultural purposes;

ii. preventing the fragmentation of agricultural land;

v. protecting agricultural pursuits from incompatible uses, particularly those more suitably located within the urban growth boundary;

The proposed development of 52 rural residential lots does not meet this Desired Environmental Outcome as it will result in the fragmentation of agricultural land and does not conserve land for agricultural purposes. It is acknowledged that the land has not been identified as good agricultural land however it is also noted that historically the land has been used for grazing purposes. The proposal would also result in a land use within the Rural Zone that is more suitably located within the urban growth boundary.

i) **RESIDENTIAL USES**

Urban and rural settlement for residential use is contained within the defined urban growth boundaries shown on zoning maps ZM1-ZM9. It is developed to be consistent with—

i. the expected character and amenity for the particular locality; …….

It is considered that the proposal is not compatible with this Desired Environmental Outcome as it allows for residential use of land outside of the urban growth boundary. This type of land use is not consistent with the expected character and amenity of the locality where agricultural and conservation type land uses are expected.

The proposal would be in conflict with the following Overall Outcomes of the Tewantin and Doonan Locality Code:

12.7.2

c) Urban development is limited to land within the Urban Footprint as shown on Map ZM8;

j) Rural settlement, at varying densities consistent with the environmental constraints of the area, offer high levels of amenity and moderate to high levels of convenience, accessibility and servicing;

bb) For the Rural Zone—rural land is protected and appropriately managed such that:-

i. the scenic and environmental values, the distinct rural amenity and agricultural productivity of the locality are preserved and are not adversely impacted as a consequence of development on or adjacent to that land; and

These Overall Outcomes are not satisfied as the proposal accommodates urban development outside of the Urban Footprint. The approved lot densities are not consistent with the environmental constraints of the site which contains juvenile koala habitat trees and land identified as Riparian Buffer. Furthermore, the proposal does not protect the scenic and environmental values, the rural amenity and the agricultural productivity of the land. The location of the proposed development with respect to convenience, accessibility and servicing is consistent with other rural residential subdivisions.
It is also considered that the proposal is not consistent with Specific Outcome 16 of the Tewantin and Doonan Locality Code which requires that:

*There are no significant adverse effects on biodiversity, native vegetation, native fauna habitat, landscaped quality, water quality or cultural heritage values, including those related to—*

a) changes to natural drainage;
b) management of fire risk;
c) erosion and the transport of sediments off site;
d) unmanaged public access;
e) effluent disposal;
f) changes to fauna habitat and behaviour; and
g) disturbance of buildings and features, including natural features of cultural heritage significance

The development, if approved in its current form, will give rise to clearing of protected vegetation for development in a rural zone.

The planning report submitted with the application identifies that the approved development results in dedication of significant open space which will result in considerable community benefits through the long-term conservation and low impact recreational use areas with ecological values.

Protection of the sites ecological values are not reliant on the approvals requirement to dedicate open space as the Biodiversity Overlay (Riparian Buffer and Environmental Protection Area) now applies to the site.

The South East Queensland Koala Conservation State Planning Regulatory Provisions have come in to effect since the original approval. In accordance with the provisions the site is identified as being in a Koala Assessable Area and containing areas identified as bushland habitat. The provisions require that premises outside of the Urban Footprint do not remove non-juvenile koala habitat trees in areas defined as bushland habitat.

The approved layout requires the removal of non-juvenile koala habitat trees in bushland habitat in an area outside the urban footprint (refer lots 6, 7, 8, 9, 10, 11 and 13). In order to comply with this provision these lots would require amendment.

The Riparian Buffer is located within a section of the site and some of the proposed lots are located in this area. The establishment of new lots within the Riparian Buffer is not supported by the Noosa Plan.

A considerable time has elapsed since the date of the ecological assessment reports, some of which are more than a decade old. Therefore, the currency of the data has expired and cannot be considered relevant.

**Bushfire**

The current State Planning Provisions came into effect after the original approval. The current bushfire hazard mapping assesses bushfire hazard differently to the previous bushfire mapping used in the original assessment. When assessing the original application, the hazard assessment concluded that areas of the site had medium bushfire hazard rating. The current mapping system identifies that the site contains significant areas which are mapped as having high potential bushfire intensity. As a result of the changes setback/buffer areas may require an amended subdivision layout. An updated bushfire management plan has not been provided with this application.

**Stormwater and Acid Sulphate Soils**

The original approval included conditions relating to Stormwater and Acid Sulphate Soils. The conditions require an Integrated Stormwater Management Plan and an Acid Sulphate Soil and Groundwater Investigation and Management Plan to be submitted with any application for Operational Works. The conditions required that the reports be in accordance with the guidelines that were relevant at the time the decision was made.
Currently officers require preliminary stormwater management plans be provided with the lot reconfiguration application for assessment. This information is reviewed and considered prior to an approval being issued to ensure that proposed lot layouts can accommodate the recommendations and works required in accordance with these types of reports. In this instance the guidelines referenced in the Acid Sulphate Soils condition requires updating and the stormwater report may require the lot layout to be amended to accommodate the report recommendations.

**Reconfiguring a Lot Code**

With regard to the Reconfiguring a Lot Code the proposal is not consistent with the following overall outcomes:

b) compatible relationships between land uses;

g) lots that avoid significant adverse effects on the natural environment and landscape and minimise the risk of hazards for people and property;

l) residential development which is consistent with the developed character of its particular neighbourhood;

m) rural residential development only where it has good levels of convenience and accessibility to towns and villages; and

The use of the rural land for the purpose of a residential subdivision is not consistent with surrounding rural land uses and the rural character of the area. The siting of the proposed subdivision does not provide for reasonable connectivity with the Noosaville commercial precinct as residents would be required to initially navigate away from the commercial area.

The planning scheme requires that new lot sizes have a minimum area of 100 hectares. The approval permits lot sizes that are significantly less than the current planning scheme requirement. The approved lot sizes are generally 4000m² in area. The approval included some larger lots however the maximum lot size is 16.87ha which is considerably smaller than the current 100 hectare requirement.

**Infrastructure Charges**

Adopted Infrastructure Charge Notices No’s 449, 150, 451, 452 were issued according to Stages 1 to 4 with the original approval.

An extension to the currency period would not trigger any additional Infrastructure Charge Notices (ICN’s) as all the networks are already covered by the previously issued ICN’s which continue automatically.

**Timeframe since the original approval**

It is important to note that considerable time has lapsed since the original re-zoning of the land in 1998, which has provided the property owner with substantial opportunity to act.

It is likely that many current members of the community would not be aware of the development approval as the application to subdivide the site in 2006 was code assessable and did not require public notification and the land is zoned as Rural. Considerable time has also elapsed since the application was lodged in 2006 with a decision being determined by the Planning and Environment Court in 2013.

Since the development approval was issued in 2013 the property owner could have undertaken a range of activities to progress the development approval. These activities include:

- Lodgement of an Operational works application for Operational Works for Subdivisional Works;
- Lodgement of amended plans with Council to satisfy the requirements of the Decision Notice;
- Subdivisional works including road works;
- Environmental works to the park, lots and parts of Hollett Rd; and
- Submission of detailed management plans relating to stormwater and acid sulphate soils.
The property owner has not undertaken any of these steps to progress the development.

**Submission of the Survey Plan**

The applicant maintains that:

> Our client’s commitment to extending the life of this approval has been demonstrated via the recent lodgement of the Survey Plan for the first stage of the development

Whilst it is acknowledged that a Survey Plan for the first stage of the development has been lodged it is noted that the submission of this plan is in breach of Condition 1 of the approval which states:

> 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.

Furthermore, no Operational Works application has been lodged and no works have been undertaken as required under the original approval.

5. **CONSULTATION**

**IDAS Referral Agencies**

**Initial application**

**Department of Natural Resources & Water (DNR&W)**

The initial application was referred to the Department of Natural Resources & Water (DNR&W) as a concurrence agency due to the site containing mapped vegetation and a wetland regional ecosystem. DNR&W finalised their assessment on 27 June 2008 and directed Council to refuse the application. The applicant subsequently suspended the decision period to make representations to DNR&W and when this period expired requested that Council not decide the application for an extended period.

DNR&W did not revise their decision and directed Council to refuse the application as:

- The proposed lot boundaries are located in an area of remnant endangered regional ecosystem and remnant of concern regional ecosystem and will result in fragmentation of these areas;
- Assessable vegetation to be cleared will reduce the water quality of the natural wetland as there will be an increase in the amount of pollution and nutrients entering the wetland from the effluent disposal systems and the runoff from buildings and roads that will be established in the area mapped as a wetland regional ecosystem;
- The area of aquatic and terrestrial habitat will be reduced on the site;
- Clearing of assessable vegetation in proximity to a watercourse is likely to be undertaken to define the boundary between lot 81 and park and will reduce the area of aquatic and terrestrial habitat on the site;
- Several of the large areas of remnant vegetation are fragmented by lot boundaries and clearing for fences may fragment the connectivity of this vegetation and increase the area subject to weed invasion;
- The proposal does not maintain the current extent of endangered regional ecosystem and remnant of concern regional ecosystem due to likely clearing for fencing of lot boundaries and would change the structure of the ecosystem; and
- An area of approximately 2 hectares identified as essential habitat is proposed to be cleared for buildings and allotment boundaries. A large amount of fill will be required to raise the level of this area so it no longer gets inundated.

During the appeal process the permit applicant amended the proposed layout which resulted in reduction in lot yield from 81 lots to 52 lots and a park. DNR&W did not object to the new layout and provided conditions. The conditions were to ensure that:
• Assessable vegetation associated with natural wetlands and watercourses are protected to maintain water quality and habitat.
• The current extent of the regional ecosystems and endangered regional ecosystems are maintained.
• Areas of remnant vegetation are retained to maintain ecosystem functioning, remain in the landscape despite threatening processes and maintain connectivity to adjacent properties.
• The current extent of essential habitat is maintained.
• Environmental Protection Agency (EPA).

The initial application was referred to the EPA as the site is situated partly within a Coastal Management District. On 2 May 2008 the Agency provided conditions for approval.

The application was also referred to the Environmental Protection Agency as the site was identified as being contaminated. On 2 April 2008 the Agency advised the site has been deleted from the Environmental Management Register.

Advice

Department of Natural Resources & Water (DNR&W)

The initial application was referred to the Department of Natural Resources & Water as an advice agency due to the potential for acid sulphate soils on the site. DNR&W provided their advice on 27 June 2008 recommending that an acid sulphate soils management plan be undertaken.

Energex

The initial application was referred to Energex for Advice as an Energex transmission line traverses the site. No response was received from Energex, but it is noted that the line traverses through a proposed park area, well clear of the proposed BLE’s on lots.

Current Application

Under the Planning Act 2016 this extension application is not required to be referred to the referral agencies for comment.

6. CONCLUSION

The application for an Extension to the Currency Period for 152006.1999.02 relating to development permit for reconfiguration of a lot (52 lots & park) for 191 Hollett Road Noosaville is recommended for refusal. The development is not consistent with the South East Queensland Regional Plan or the Noosa Plan (2016) and there is insufficient justification for the proposed development. Council’s response to the draft South East Queensland Regional Pan, ShapingSEQ, has identified that there is no need for additional subdivision outside the Urban Footprint as Council is able to meet the projected population targets within the Urban Footprint. Accordingly, the development is not in the community’s interest. Furthermore, it is considered that the community have insufficient awareness of the proposal.

Departments/Sections Consulted:

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ATTACHMENT 2: PLANNING REGULATION 2017 PART 16 DIVISION 1:
PROHIBITED DEVELOPMENT

Part 16
SEQ regional landscape and rural production area and SEQ rural living area

Division 1
Prohibited development

22 Prohibited development—subdividing a lot in SEQ regional landscape and rural production area

(1) Subdividing a lot completely or partly in the SEQ regional landscape and rural production area is prohibited development.

(2) However, subsection (1) does not apply if—
   (a) the subdivision is a prescribed subdivision; or
   (b) the lot is in a rural subdivision precinct and the subdivision is consistent with the purpose statement, and minimum lot size, for the zone applying to the lot under a local planning instrument; or
   (c) the subdivision does not create a lot of less than 100ha; or
   (d) the lot is in an area identified in a gazette notice by the Minister as having a rural residential purpose and an application for the subdivision was properly made under the old Act or the repealed IBA on or before 6 December 2010; or

Planning Regulation 2017
Schedule 10

(e) the subdivision is consistent with a development approval for a material change of use that applies to the lot and the material change of use is assessable development under division 2.

(3) In this section—
   rural subdivision precinct means an area in the SEQ region identified in a gazette notice by the Minister as a rural subdivision precinct.
REPORTS FOR NOTING BY THE COMMITTEE

6  KOALA CONSERVATION PLAN 2016 REVIEW

Author  Principal Environment Officer, Peter Milne
Environment and Sustainable Development Department

Index  ECM/Koala Policy/Management

Attachments  1. Koala Conservation Plan 2016 (36 page attachment provided separately to this agenda)

EXECUTIVE SUMMARY

Not applicable.

RECOMMENDATION

That Council note the report by the Principal Environment Officer to the Planning & Environment Committee Meeting dated 8 August 2017 regarding the progress of the Koala Conservation Plan 2016.

REPORT

Koalas are of great interest to residents and visitors and there is concern within the community that their numbers are declining. It has been just over one year since the Koala Conservation Plan commenced which identifies 27 actions to help with koala conservation (see attachment 1). This report is a summary of the priority actions that have been progressed so far.

1. Priority Actions

Action 1.1 Noosa Planning Scheme

In October 2016 Council adopted amendments to the Noosa Planning Scheme to protect all vegetation in the Noosa Shire. Anyone wishing to remove a tree must lodge a development application for assessment by Council. This measure provides substantial protection to koala trees on private land.

Action 1.4 Delivery of koala offsets

Developments in areas mapped under the SEQ Koala Conservation State Planning Regulatory Provisions (SPRP) can trigger an offset obligation under State legislation. Koala tree offsets from the Settlers Cove development have been delivered in Girraween Nature Refuge at a cost of $44,160 (300 koala trees including ongoing maintenance).

Action 2.1 Acquisition of koala habitat land

Just prior to the completion of the Koala Conservation Plan, Council purchased 100ha of land on the Noosa River at 1280 McKinnon Drive, Ringtail Creek for $2.7m from the Environment Levy. Part of the land is mapped as koala habitat. Currently the land is being allowed to naturally regenerate and there is now substantial regrowth which will provide future habitat for koalas. Council has also recently entered into a contract to purchase Johns Landing which contains significant habitat for koalas.

Action 2.2 Support for private landholders

Council supports conservation efforts on private lands through the Land for Wildlife (LFW) and Voluntary Conservation Agreement (VCA) programs. The most popular program is the LFW program with over 600 participants. Council currently provides financial incentives to VCA landholders to undertake environmental works such as koala tree plantings.
Action 3.1 Research partnerships

The USC Koala Health mapping project, funded by the Noosa Biosphere® Reserve Foundation, employs koala ‘poo’ sniffing dogs to locate scats. This information helps to determine the distribution of koalas across the Shire, providing a focus for Council and community conservation activities. USC intends to re-apply for further funding to continue this research and further our understanding of the distribution and abundance of koalas across the shire.

Action 4.1 Develop local koala habitat mapping

Koala records have been sourced from Koala tracker, University of Sunshine Coast, State Government Wildnet, Council records and Koala hospitals and a local koala habitat map has been developed. Developments that are assessed against the Noosa Plan Biodiversity Overlay may require code assessment against the Noosa Plan Schedule 7 Koala Habitat Areas map which is based on the local koala habitat maps. The maps also help guide Council and the community with targeted conservation efforts across the shire.

Action 4.2 Innovative research

The University of Sunshine Coast ‘Detection Dogs for Conservation’ has been refining their scat detection and sampling techniques. In Noosa Shire they have recorded 285 koala scat sites from both public and private land. 128 fresh samples were tested to determine if koala health can be measured through DNA analysis. Koala Chlamydia is still considered the greatest threat to koala populations.

Action 4.3 Development of Council database

On occasion residents report koala sightings and these reports are kept on a Council database. Residents are also encouraged to record their sightings with citizen science organisations such as Koala Tracker.

Action 5.3 Koala infrastructure audit for roads

Consultants 02 Ecology have completed an audit of koala infrastructure for State and local roads. Koala road infrastructure includes fencing, underpasses, climbing walls, refuge logs and signs including wildlife and speed limit road signage. The consultants have identified the koala road ‘hot spots’ across the shire and made a number of recommendations including improved maintenance requirements, upgrades to existing infrastructure and recommendations on new infrastructure. GPS tracking has demonstrated that koalas regularly cross Eenie Creek Road at Noosa Springs, also a known ‘car strike’ hot spot. Council officers have inspected the site and have identified that subject to funding, the koala fencing can be improved to further assist in guiding koalas to underpasses and thereby reduce the risk of car strike.

Action 6.2 Wild dog control

Council has continued with seasonal wild dog control in target areas across the shire. Wild dogs will often use core habitat areas as a refuge, preying on neighbouring stock and on occasion they attack koalas as well.

Action 6.3 Research partnerships to determine the impacts of wild dogs

Wild dogs have been reported in the Noosa Springs area. Endeavour Veterinary Ecology has been monitoring individual koalas in this area for threats from wild dogs, car strike and disease. Currently 5 koalas have been captured, provided with treatment when required, and released. The koalas are GPS tracked and although only in early stages monitoring has demonstrated that koalas regularly move between Noosa Springs and Settlers Cove, traversing backyards, local and arterial roads, underpasses and corridors of bush.

Action 8.1 Raising community awareness and participation

A number of events and activities are helping to improving community awareness and participation with Koala conservation efforts:
• University Koala Health Mapping project promotion and contact with Land for Wildlife landholders

• Environmental events such as World Environment Day, The Noosa Festival of Water, National Tree Day and Save the Koala Month

• Koala advocacy groups efforts such as Queensland Koala Crusaders, Koala Tracker and Australian Koala Conservation Foundation

**Action 8.2 Review fauna signage**

Consultants O2 Ecology have completed an audit of fauna signage across the shire and made recommendations in terms of maintenance, standards and preferred locations.

2. **Where to from here?**

Moving forward, priority actions under the Koala Conservation Plan include:

• Continued collaboration with research partners to further consolidate our understanding of the distribution and health of our koalas.

• The protection and enhancement of koala habitat through the Environment Levy land acquisition program and the Voluntary Conservation Agreement program, with a particular focus on core and connecting habitat areas.

• Applying for funding through the budget review process to repair, upgrade and retrofit Koala Road Infrastructure, particularly along Eenie Creek Road and Noosa Drive.

• Monitoring of the effectiveness of new technologies such as audible fences to deter fauna from crossing roads.

• Continued wild dog control in or near koala habitat areas.

• Continued promotion of the significance of koala conservation through environment events and community activities.

• Investigation of including Matters of Local Environmental Significance (MLES) within the New Noosa Plan that may trigger environment offsets including koala habitat.

**Previous Council Consideration**

None

**Finance & Risk**

The continuation of koala research projects is subject to grant funding availability.

Funding for the repair, upgrade and retrofit of Koala Road Infrastructure, particularly at Eenie Creek Road and Noosa Drive, will need to be costed and application made through a budget review process.

Other forward actions can be absorbed through operational budgets.

**Consultation**

**External Consultation - Community & Stakeholder**

Noosa and District Landcare
Queensland Koala Crusaders
University of Sunshine Coast
Noosa Biosphere® Reserve Foundation
SEQ Healthy Land & Water
Endeavour Ecology
O2 Ecology Consultants

**Internal Consultation**
Departments/Sections Consulted:

**Chief Executive Officer**
- Executive Officer
- Executive Support

**Community Services**
- Community Development
- Community Facilities
- Libraries & Galleries
- Local Laws
- Waste & Environmental Health

**Corporate Services**
- Financial Services
- ICT
- Procurement & Fleet
- Property
- Revenue Services

**Executive Services**
- Community Engagement
- Customer Service
- Governance
- People and Culture

**Environment & Sustainable Development**
- Building & Plumbing Services
- Development Assessment
- Economic Development
- Environmental Services
- Strategic Land Use Planning

**Infrastructure Services**
- Asset Management
- Buildings and Facilities
- Civil Operations
- Disaster Management
- Infrastructure Planning, Design and Delivery