

# Agenda

## **Ordinary Meeting**

**Thursday, 24 March 2022**

**commencing at 9:00am**

**Council Chambers, 1 Omrah Avenue, Caloundra**





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**ORDINARY MEETING**

**NOTICE**

11 March 2022

Dear Councillors, Group Executives and relevant staff,

In accordance with Section 254C(2) of the *Local Government Regulation 2012*, I wish to advise that an Ordinary Meeting has been convened for

**24 March 2022**

commencing at 9.00am.

A handwritten signature in black ink, appearing to read "Emma Thomas", is positioned above the printed name.

**EMMA THOMAS**  
Chief Executive Officer

Sunshine Coast Regional Council  
Corner Currie and Bury Streets, Nambour QLD 4560  
P 07 5441 8240 | F 07 5441 8275  
E [emma.thomas@sunshinecoast.qld.gov.au](mailto:emma.thomas@sunshinecoast.qld.gov.au)  
W [www.sunshinecoast.qld.gov.au](http://www.sunshinecoast.qld.gov.au)

**1 DECLARATION OF OPENING**

On establishing there is a quorum, the Chair will declare the meeting open.

**2 WELCOME AND OPENING****3 RECORD OF ATTENDANCE AND LEAVE OF ABSENCE****4 RECEIPT AND CONFIRMATION OF MINUTES**

That the Minutes of the Ordinary Meeting held on 24 February 2022 be received and confirmed.

**5 MAYORAL MINUTE****6 INFORMING OF CONFLICTS OF INTEREST****6.1 PRESCRIBED CONFLICTS OF INTEREST**

Pursuant to section 150EL of the *Local Government Act 2009* (the Act), a Councillor who has a prescribed conflict of interest in an issue to be considered at a meeting of the local government must –

- (a) immediately inform the meeting of the prescribed conflict of interest including the particulars stated in section 150EL(4) of the Act and
- (b) pursuant to section 150EM(2) of the Act must leave the place at which the meeting is being held, including any area set aside for the public, and stay away from the place while the matter is being discussed and voted on.

**6.2 DECLARABLE CONFLICTS OF INTEREST**

Pursuant to section 150EQ of the *Local Government Act 2009*, a Councillor who has a declarable conflict of interest in a matter to be considered at a meeting of the local government, must stop participating in the meeting and immediately inform the meeting of the declarable conflict of interest including the particulars stated in section 150EQ(4) of the Act.

If the Councillor with a declarable conflict of interest does not voluntarily decide not to participate in the decision, pursuant to section 150ES(3)(a) of the Act the eligible Councillors must, by resolution, decide

- (a) whether the Councillor may participate in the decision despite the Councillors conflict of interest or
- (b) that the Councillor must not participate in the decision and must leave the place at which the meeting is being held, including any area set aside for the public and stay away while the eligible Councillors discuss and vote on the matter.

The Councillor with the declarable conflict of interest must comply with any conditions the eligible Councillors impose per section 150ES(4) and (5) of the Act.

**7 PRESENTATIONS / COUNCILLOR REPORTS**



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**8 REPORTS DIRECT TO COUNCIL****8.1 RESPONDING TO THE CLIMATE EMERGENCY****File No:** Council meetings**Author:** Coordinator Sustainability  
Liveability & Natural Assets Group**Attachments:** Att 1 - Embedding Climate Change ..... 15  

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**PURPOSE**

The purpose of this report is to provide a progress update on zero-net emissions planning, climate risk management and steps to embed climate change into everything we do as we respond to the state of climate emergency recognised by Council in November 2021.

**EXECUTIVE SUMMARY**

In recognition of the latest climate science and the need for urgent action, Council formally recognised in November 2021 that we are in a state of climate emergency that requires urgent and sustained effort to achieve net zero emissions by 2041. The resolution also requested that a report be prepared on the progress of key projects and include interim recommendations that strengthen the daily actions of Council in response to the climate emergency.

In preparing a leading and comprehensive climate change response that reflects the urgency, it has become clear that the next 10 years is the decade of action globally, nationally, and locally. Council's climate change response is, and needs to continue to focus on our emission reduction planning, proactively responding to our climate risk - so we adapt appropriately to maximise our economic, environmental and community resilience and also ensure our community is prepared and playing their part. Furthermore, our governance arrangements need to ensure that climate change is embedded into everything we do.

**1. Emissions Reduction Planning**

Council is working towards being a zero-net emissions organisation by 2041. As we work towards achieving this target, a comprehensive understanding of our emissions footprint has been established through monitoring and reporting on our greenhouse gas emissions over the last six years through our annual Organisational Sustainability Benchmarking Report. In 2020/21 our footprint was aligned to the Commonwealth Government's *Climate Active* standard.

Our reporting has identified that at 72% of our organisational emissions footprint, waste (which is largely made up of waste produced by our community) presents one of the biggest opportunities for reductions. This is being proactively planned for through the staged implementation of organics separation (i.e. garden organics, then food organics), the application of circular economy principles and increased gas flaring and capture. Furthermore, expanding rooftop solar capacity, upgrading streetlights to energy efficient LEDs and transitioning the fleet to hybrid/electric vehicles will assist in realising our target.

A plan that provides a coordinated and integrated approach to reduce our organisational emissions in line with our target and provides an opportunity for annual adjustment in response to our performance, is being prepared for Council consideration in mid-2022.

## **2. *Climate Risk Management***

Responding to, and managing climate risk to increase the organisation's adaptive capacity and resilience of the services and functions that we are responsible for is a critical component of Council's climate change response.

Council, in partnership with Noosa Council, is piloting Phase 1 (out of 3) of the Queensland Climate Resilient Council's Climate Risk Management Framework (CRMF). Part of this pilot includes developing a 'Regional Climate Action Roadmap' to build understanding and awareness of how climate risks will affect our region – and position Council and regional stakeholders to increase adaptive capacity and resilience by reducing our vulnerability and exposure to these risks over time.

Due for completion by the end of May 2022, Phase 1 of the Climate Risk Management Framework has already delivered a number of outcomes including, community and staff surveys, regional industry and community leader workshops and the preparation of resources to raise awareness and understanding of climate impacts/risks, to be made available through a community-facing project website.

Delivery of this Pilot and subsequent phases of the Climate Risk Management Framework would assist to improve our organisational capacity and capability to address climate risks. Following the completion of the pilot project, it is proposed to present the outcomes of the project in mid-2022.

## **3. *Community Readiness***

Across both emissions planning and climate risk management there is also an ongoing need for Council to provide leadership and support for our community to reduce their own emissions and increase their own adaptive capacity and resilience to a changing climate. It is proposed that an emissions reduction plan would be developed to support our community as part of our response.

### ***Embedding Climate Change into everything we do***

Embedding climate risk considerations is extremely challenging for large organisations. Council has a strong governance framework (Attachment 1) to support the delivery of sustainable outcomes and services for our community.

To embed climate change more effectively into organisational business and assist to strengthen the daily actions of Council in response to the climate emergency, three governance components - our Corporate Goals and Pathways (Policy and Planning), Organisational Framework (Governance Oversight) and Accountability Framework (Systems and Processes) provide opportunities for review and continual improvement.

As part of our organisational response to the climate emergency, a number of interim opportunities have been identified that would ensure we are collectively building organisational capacity, responding to risk, and delivering actions for a more resilient Sunshine Coast.

## **OFFICER RECOMMENDATION**

**That Council:**

- (a) receive and note the report titled "Responding to the Climate Emergency"**
- (b) note the project updates provided in regard to Council's zero-net emissions planning and climate risk management and**
- (c) note the interim opportunities identified to help progress our organisational response to the climate emergency.**

## FINANCE AND RESOURCING

Responding to climate risk is complex and planning needs to occur early to ensure the organisation is in a strong position to respond.

While significant investments will be required in the short-medium term as part of our response, these need to be considered in the context of the longer term environmental, economic and social benefits that will emerge as Australia's most sustainable region from reducing our emissions, expanding renewables and increasing our adaptive capacity and resilience to a changing climate.

Resourcing and budgets to respond to climate change and deliver a strategic and integrated approach will need to form part of the organisation's ongoing 'business as usual' financial planning, including consideration during the annual operational and capital budget development process.

Opportunities to secure Grant funding outside of Council budgetary processes will be pursued when available and Expressions of Interest have been submitted to support the ongoing climate risk planning for the organisation and implementation of Council's Coastal Hazard Adaptation Strategy.

## CORPORATE PLAN

**Corporate Plan Goal:** *Our environment and liveability*

**Outcome:** 2.1 - A resilient region shaped by clever planning and good design

**Operational Activity:** 2.1.1 - Progress priority activities from the Environment and Liveability Strategy 2017 five-year implementation plan including: developing a climate risk mitigation framework building community capacity to positively respond to climate change.

## CONSULTATION

### Councillor Consultation

A Councillor workshop was held in regard to Council's response to the climate emergency.

Environment and Liveability Portfolio Councillor M Suarez, Councillor P Cox and Councillor D Law have been briefed on this report.

### Internal Consultation

Internal consultation on our emissions reduction through zero-net emissions planning has included engagement with, and input from key stakeholders from across five Council Groups and 16 branches and the Office of the CEO in recognition of the collaborative response required to realise our target.

Internal consultation on our climate risk management through the delivery of the Regional Climate Action Roadmap Project has included a staff climate risk survey, four climate risk workshops and a senior leadership workshop with managers and executives.

### External Consultation/Community Engagement

Delivery of the Regional Climate Action Roadmap Project has incorporated a range of external engagement activities including a community climate risk survey and three online stakeholder roundtables with community and industry representatives from across the broader Sunshine Coast to explore key climate risk concepts, develop a shared understanding, awareness and ultimately responsibility for, taking positive climate action.

## PROPOSAL

Council recognises that the next ten years needs to be a decade of climate change action globally, nationally and locally. Council's climate change response is, and needs to continue to focus on our emission reduction planning, proactively responding to our climate risk - so we adapt appropriately to maximise our economic, environmental and community resilience and ensure our community is also adequately prepared to play their part in the response.

### 1. *Emissions Reduction Planning*

The Sunshine Coast Council's *Environment and Liveability Strategy* (2017) has set a target to be a zero-net emissions organisation (and low carbon community) by 2041. Council is developing a plan to identify a suite of priority emissions-reducing actions across all of its operations and activities.

It is important that we start now to reduce our emissions within this decade. According to Council's greenhouse gas inventory and emissions trajectory (aligned to the Commonwealth Government's Climate Active standard), our biggest opportunities for emissions reduction are in the areas of waste, supply chain procurement, expansion of rooftop solar/renewable energy, streetlighting upgrades and a transition of our fleet to hybrid/electric vehicles.

Implementing FOGO (food organics garden organics) and increasing gas capture and flaring will contribute to reducing greenhouse gas emissions at our landfills, however broader community education is key to reduce the amount of waste produced in the first instance.

A critical component of the plan is the inclusion and implementation of open and transparent annual monitoring and reporting of our emissions to inform the necessary action required for the year ahead so that Council remains on track to meeting its zero-net emissions target.

While the current zero-net emissions planning focuses on Council's organisational greenhouse gas emissions, it is recognised that an emissions plan would be developed to support our community work towards our low carbon community target.

### 2. *Climate Risk management*

There is a need for an integrated response that covers the full suite of climate risks - economic, environmental and social – and how we systemically embed this response across everything we do.

Following on from the development of the Coastal Hazard Adaptation Strategy which looked at our changing coastal hazard risk resulting from climate change, Sunshine Coast Council and Noosa Council are jointly developing a Regional Climate Action Roadmap (RCAR), to build understanding and awareness of how broader climate risks will affect the service delivery of each Council and what that means for the region, our economy and community.

This work is being funded through the Local Government Association of Queensland (LGAQ) as part of the Queensland Government's Climate Resilient Councils Program (QCRC). This funding is to pilot Phase 1 of the 3 Phases included in the draft Climate Risk Management Framework and Guidelines, developed by Local Government Association of Queensland, Griffith University and the Department of Environment and Science (DES).

As we collectively respond to climate change, recent community and Council staff engagement have confirmed that urgent action is required. The engagement also identified improving both the capacity and capability of staff and the broader community to respond to climate change as a critical and ongoing step.

Phase 1 of the regional project has delivered:

- Completion of Council staff (295) and Sunshine Coast community (1,113) surveys, on climate risk awareness and understanding.



- Completion of first-pass risk assessment workshops with over 50 Council staff to better understand how climate risks may affect the services and infrastructure that we manage and deliver.
- Three online stakeholder roundtables held with over 80 key industry and community leaders from across the broader Sunshine Coast region to develop a shared understanding, awareness and ultimately responsibility for, taking positive climate action.
- a senior leadership workshop with Council managers and executives to review the first-pass risk assessment outcomes and identify priority actions.
- Preparation of resources to raise awareness and understanding of climate impacts/risks, made available through a community-facing project website.

The Pilot is on track for completion by the end of May 2022 with the preparation of a draft Roadmap for regional climate action. To continue this work, and deliver best practice climate risk reduction approaches, an EOI to the Queensland Reconstruction Authority for grant funding to work with regional utility and key infrastructure providers to address climate risks resulting from critical infrastructure failure was submitted.

### **3. *Community Readiness***

Across both emissions reduction planning and climate risk management there is an ongoing need for Council to provide leadership and support for our community to reduce their own emissions and increase their own adaptive capacity and resilience to a changing climate. It is proposed that a low carbon emissions plan would be developed to support our community as part of our response.

#### ***Embedding Climate Change into everything we do***

The extent to which climate change and associated risks is considered in Council's core governance processes will directly affect the strength of Council's climate change response to both effectively reduce its emissions, and manage the vulnerability and exposure to the impacts of a changing climate.

Our governance arrangements need to ensure climate change is embedded into everything we do and that:

- We are leading by example, communicating our commitment and building community confidence that we are taking meaningful and timely climate change action – making our climate change response more visible.
- Our governance is strong, which covers capacity, decision making processes, resourcing and embedding our climate change response into our organisational culture and associated behaviors.
- All climate risks – the physical and the transition risks - are known and avoided, or otherwise adequately addressed, forming part of long-term adaptation planning.
- We are responding to the risks and focusing on delivering the required priority actions that build on existing actions and respond to the gaps and maximise the opportunities across the organisation and for our community.
- We are monitoring, reporting and evaluating the effectiveness of meeting defined targets/measures in a transparent way and making the required adjustments to remain on track.
- Climate risk information is made available in a form that is easily understood to build increased ownership, awareness and responsibility in responding.

Council has a strong corporate governance framework (Attachment 1) to ensure we collectively build organisational capacity, respond to risk, and deliver actions for a more resilient Sunshine Coast. However in doing so, three components of our governance that provide opportunity for both review and continuous improvement in regard to climate change are:

a) Corporate Goals and Pathways – our policy and planning

We need to ensure our policy framework and supporting documents reflect both the urgency and our strategic climate change response across our environment and liveability, economic development and community planning as Australia's most sustainable region.

Opportunities / interim actions

- Update Council's Corporate Plan and all new organisational strategies and plans to appropriately reflect the climate emergency and associated urgency.
- Finalise and subsequently implement emissions reduction planning.
- Draft and implement a corporate climate risk/sustainability policy and supporting guidelines.

b) Organisational Framework – governance oversight

We need to ensure that the structural elements are set in place that provide good governance, democratic representation, ethical decision making, social inclusion and meaningful community engagement in regard to climate change.

Opportunities / interim actions

- Consider the establishment of an executive/senior leadership climate change working group to provide organisational oversight
- Incorporate consideration of Climate Change/Sustainability as a new reporting requirement in Ordinary Meeting and Council workshop agenda reports
- Investigate partnership opportunities and consider establishing arrangements where external expertise / advice can be provided to Council to help inform our climate change response.

c) Accountability Framework – systems and processes

We need to ensure that functions, systems and activities that provide assurance of transparency, ethical behavior and sustainable financial management of community assets and infrastructure are in place in regard to climate change.

Opportunities / interim actions:

- Continue to deliver best practice climate risk reduction approaches whereby our response to climate risk is embedded into what we do. For example, finance, capital planning, and asset management and delivery.
- Increase the visibility of Council's climate change response on the corporate website

## Legal

There are no legal implications relevant to this report.

**Policy**

Delivering on the climate emergency resolution (OM21/117) and the need for transformational change to respond to climate change over the coming decade is supported by a number of Environment and Liveability Strategy 2017 (ELS) initiatives.

**Risk**

Continuing to further understand our climate risk and take proactive action to implement emissions and climate risk reduction initiatives is expected to deliver significant reputational and financial benefits.

**Previous Council Resolution****Ordinary Meeting 10 November 2021 (OM21/117)**

*That Council:*

- (a) *acknowledges the significant action already undertaken through the implementation of the Sunshine Coast Council Environment and Liveability Strategy (ELS) 2017 towards mitigation and reduction of Greenhouse Gas Emissions*
- (b) *accepts the Sixth Assessment Report (August 2021) of the United Nations Intergovernmental Panel on Climate Change (IPCC) which reveals that the Earth's climate has deteriorated dramatically since they last reported six years ago; and in response to same:*
  - (i) *recognises that we are in a state of climate emergency that requires urgent and sustained effort to achieve net zero emissions by 2041*
  - (ii) *request the Chief Executive Officer to investigate the governance structure/framework necessary for a whole of Council response to the climate emergency that strengthens the daily actions of Council to the emergent need and prepare a report with relevant recommendations for Council's consideration by 31 March 2022 and*
  - (iii) *notes that Council does not require the endorsement or recognition from any third party or external organisation to give effect to this resolution*

**Related Documentation**

Annual Organisational Environmental Sustainability Benchmarking Report - <https://www.sunshinecoast.qld.gov.au/Council/Budget-Financial-and-Annual-Reports/Organisational-Environmental-Sustainability-Reporting>

**Critical Dates**

In response to OM21/117, this report needs to be presented to Council for their consideration by 31 March 2022.

**Implementation**

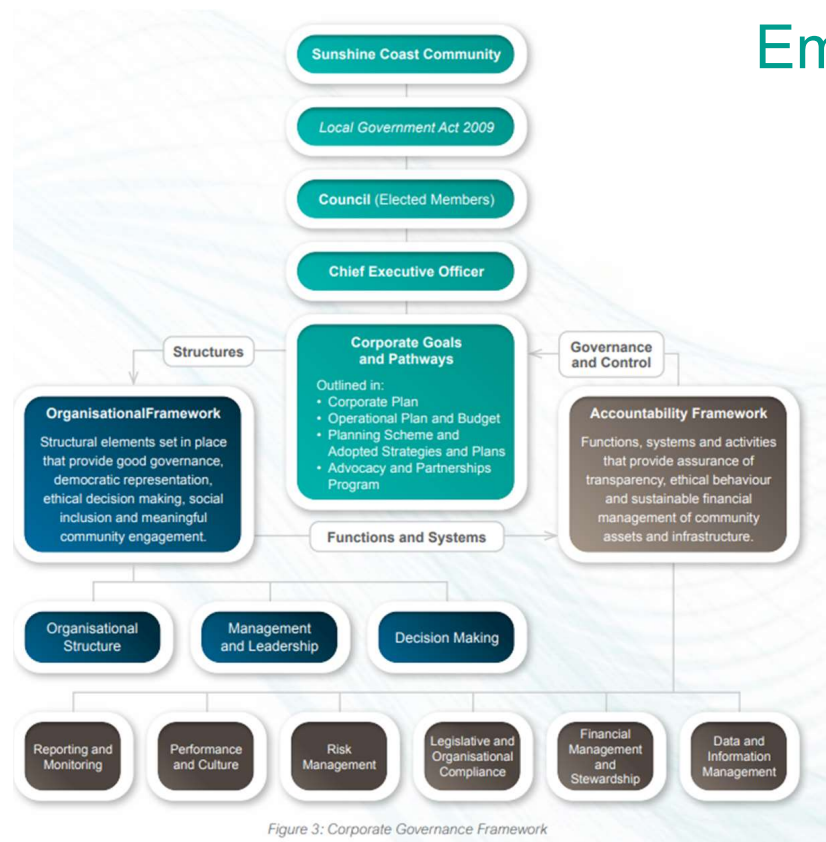
Should the recommendation be accepted by Council, it is noted that the Chief Executive Officer would continue to lead Council's climate emergency response, including:

- Update Council's Corporate Plan and all new organisational strategies and plans to appropriately reflect the climate emergency and associated urgency.
- Finalisation of the emissions reduction planning for Council consideration.
- Draft and implement corporate climate risk / sustainability policy and supporting guidelines.

- Establish an executive/senior leadership climate change working group to provide organisational oversight.
- Incorporate consideration of Climate Change/Sustainability as a new reporting requirement in Ordinary Meeting and Council workshop agenda reports.
- Investigate partnership opportunities and consider establishing arrangements where external expertise / advice can be provided to Council to help inform our climate change response.
- Continue to deliver best practice climate risk reduction approaches (such as the Queensland Government's Climate Resilient Climate Risk Management Framework).
- Increase the visibility of Council's climate change response on the corporate website.

## Embedding Climate Change

Embedding through Council's existing corporate governance framework...



1. Corporate Goals and Pathways  
- *policy and planning*

2. Organisational Framework  
- *governance oversight*

3. Accountability Framework  
- *systems and processes*









## 8.2 DEVELOPMENT APPLICATION FOR MATERIAL CHANGE OF USE (RESORT COMPLEX, FOOD & DRINK OUTLET, SHOPS, FUNCTION FACILITY AND BAR) AND OPERATIONAL WORKS AT 10 & 16 BRISBANE RD AND 7 & 9 FIRST AVE, MOOLOOLABA

**File No:** MCU21/0342 & OPW21/0528

Coordinating Officer - Team Leader Planning Assessment  
Customer Engagement & Planning Services Group  
External Independent Assessment Team – Ethos Urban

**Appendices:** App A - Recommended Conditions of Approval..... 23  

**Attachments:** Att 1 - Detailed Assessment Report by External Independent Assessment Team - Ethos Urban ..... 67    
Att 2 - Architectural Plans ..... 227    
Att 3 - SARA Referral Agency Response..... 263  

**Link to Development.i:**

<https://developmenti.sunshinecoast.qld.gov.au/Home/FilterDirect?filters=DANumber=MCU21/0342>

<b>SUMMARY SHEET</b>	
<b>Applicant:</b>	KPAT Mooloolaba Pty Ltd
<b>Applicant's Consultant:</b>	Project Urban Pty Ltd
<b>Land Owner:</b>	Sunshine Coast Regional Council
<b>External Independent Assessment Team:</b>	<ul style="list-style-type: none"> <li>Ethos Urban (Lead)</li> </ul>
<b>Proposal</b>	<ul style="list-style-type: none"> <li>Development Permit for Material Change of Use of Premises to Establish a Resort Complex (182 hotel short term accommodation rooms), Food &amp; Drink Outlet, Shops, Function Facility and Bar; and</li> <li>Development Permit for Operational Works (Roadwork, Landscaping, Stormwater and Earthworks)</li> </ul>
<b>Properly Made Date:</b>	20 September 2021
<b>Information Request Date:</b>	18 October 2021
<b>Information Response Date:</b>	16 December 2021
<b>Further Advice Date:</b>	25 January 2022
<b>Further Advice Response Date:</b>	15 February 2022
<b>Decision Due Date:</b>	24 March 2022
<b>Number of Properly Made Submissions:</b>	Not Applicable (code assessment)
<b>PROPERTY DETAILS</b>	
<b>Division:</b>	4

<b>Property Address:</b>	10-16 Brisbane Road and 7-9 First Avenue MOOLOOLABA
<b>RP Description:</b>	Lots 67-69 RP52440 and Lot 73 RP73443
<b>Land Area:</b>	2998m <sup>2</sup>
<b>Existing Use of Land:</b>	At grade public carpark
<b>STATUTORY DETAILS</b>	
<b>Planning Scheme:</b>	<i>Sunshine Coast Planning Scheme 2014</i> (24 May 2021)
<b>SEQRP Designation:</b>	Urban Footprint
<b>Sunshine Coast Planning Scheme Zone:</b>	District Centre Zone
<b>Assessment Type:</b>	Code Assessment

## PURPOSE

The purpose of this report is to seek Council's determination for the following proposed aspects of development at 10 & 16 Brisbane Road and 7 & 9 First Avenue, Mooloolaba:

- Development Permit for Material Change of Use of Premises to Establish a Resort Complex (182 hotel short term accommodation rooms), Food & Drink Outlet, Shops, Function Facility and Bar; and
- Development Permit for Operational Works (Roadwork, Landscaping, Stormwater and Earthworks).

The application is before Council because it involves a Council-owned land parcel that is subject to a sale upon any approval of the application. The application has been assessed independently by a party external to Council – Ethos Urban.

In considering this report, Council is required to exercise its decision making responsibility in the capacity of the 'assessment manager' under the *Planning Act 2016*, that is, as the local planning authority. This report and recommendation has no connection or regard to the current ownership arrangements of the land.

## EXECUTIVE SUMMARY

The applicant seeks to obtain approval to develop the land for a Resort Complex (namely, a 4.5 star hotel), integrated with a roof top bar and street level public plaza and shops.

The land is currently under the ownership of Sunshine Coast Council and so an external assessment team, led by planning consultants Ethos Urban, was commissioned to carry out a full and independent assessment of the application against the *Sunshine Coast Planning Scheme 2014* on Council's behalf.

The external assessment team assembled by Ethos Urban includes:

- Ethos Urban (town planning and project management)
- Gomango Architects (architecture and urban design)
- Bitzios Consulting (traffic engineering)
- Vee Design (landscape assessment)
- Trinity Consultants (odour, waste, lighting and acoustic assessment)
- Bligh Tanner (civil engineering)



The external independent assessment team maintained carriage of all aspects of the assessment, including project management and the statutory application process steps through the *Planning Act 2016* and Development Assessment Rules.

The purpose for commissioning the independent assessment team was to ensure a necessary arms' length relationship between Council's role as the current property owner and Council's statutory obligation as assessment manager for development applications made under the *Planning Act 2016*.

The detailed assessment report in **Attachment 1** outlines the full assessment and recommendations of the independent assessment team. The team conclude that the proposed development sufficiently complies with the requirements of the *Sunshine Coast Planning Scheme 2014* and does not raise issues that cannot be addressed by reasonable and relevant conditions. The independent assessment team has recommended the development application be approved, subject to the recommended conditions contained in **Appendix A**, which have also been drafted by the independent team.

### OFFICER RECOMMENDATION

That Council:

- (a) receive and note the report titled "Development Application for Material Change of Use (Resort Complex, Food & Drink Outlet, Shops, Function Facility and Bar) and Operational Works at 10 & 16 Brisbane Rd and 7 & 9 First Ave, Mooloolaba" and
- (b) note the external independent assessment team recommendation and APPROVE application nos. MCU21/0342 and OPW21/0528 and, subject to reasonable and relevant conditions at Appendix A, grant:
  - (i) a Development Permit for Material Change of Use of Premises to Establish a Resort Complex (182 hotel short term accommodation rooms), Food & Drink Outlet, Shops, Function Facility and Bar, and
  - (ii) a Development Permit for Operational Work (Roadwork, Landscaping, Stormwater and Earthworks) and
- (c) delegate authority to the Chief Executive Officer to determine all future requests for a negotiated decision notice and requested changes to the approval where the changes would not have a material impact on the outcome of the original decision.

### FINANCE AND RESOURCING

Infrastructure charges are applicable to the proposed development and will be levied upon the granting of any development permit.

### CORPORATE PLAN

<b>Corporate Plan Goal:</b>	<b><i>Our service excellence</i></b>
<b>Outcome:</b>	We serve our community by providing this great service
<b>Operational Activity:</b>	S19 - Development services – planning, engineering, plumbing and landscaping approvals, provision of specialist advice to the community on planning requirements, audit of private development works, investigation of complaints from the public around land use or development, management of appeals.

## CONSULTATION

### Councillor Consultation

The Divisional Councillor J Natoli has been consulted during the application process. All Councillors have been provided with regular updates prepared by the independent assessment team.

### Internal Consultation

The application underwent full assessment by an external independent assessment team, and therefore was not referred to internal Council specialists for assessment. Where necessary, informal Council officer feedback was provided to assist with obtaining information and guidance on policy requirements throughout the application process.

### External Consultation

The application was referred to the following Referral Agencies in accordance with the *Planning Act 2016* and the *Planning Regulation 2017*:

#### Department of State Development, Infrastructure, Local Government and Planning

The Department is a referral agency for:

- *Planning Regulation 2017* - Schedule 10, part 9, division 4, subdivision 1 – State transport infrastructure impacts

The Department responded by letter dated 6th January 2022 advising it had no requirements for the development. Further details are described in the detailed assessment report in **Attachment 1**.

### Community Engagement

The application is code assessable and therefore public notification of the application is not a statutory requirement under the *Planning Act 2016*.

## PROPOSAL

The applicant seeks to obtain approval to develop the land for a resort complex (namely, a 4.5 star hotel), integrated with a roof top bar and street level public plaza and shops.

The full details for the proposal and its assessment by the independent assessment team are outlined in the detailed assessment report in **Attachment 1**, including detailed technical discipline assessment from each member of their team.

In relation to the *Sunshine Coast Planning Scheme 2014*, the following relevant codes were included as part of their assessment:

- Local plan code
  - Mooloolaba/Alexandra Headland Local Plan Code
- Zone code
  - District Centre Zone Code
- Overlay codes
  - Height of Buildings And Structures Overlay Code
  - Acid Sulfate Soils Overlay Code
  - Airport Environs Overlay Code
  - Coastal Protection Overlay Code

- Flood Hazard Overlay Code (localised flooding along Brisbane Road)
- Use codes
  - Business Uses And Centre Design Code
  - Multi-unit Residential Uses Code
  - Development codes
  - Transport and Parking Code
  - Stormwater Management Code
  - Landscape Code
  - Nuisance Code
  - Waste Management Code
  - Safety and Security Code
  - Sustainable Design Code
  - Works, Services and Infrastructure Code

### Legal

In relation to the development application, there are no legal implications relevant to this report. However, Council's decision on the development application can be appealed to the Planning and Environment Court by the applicant. Council will proceed with any required actions resulting from any legal action.

### Policy

The development application has been processed under the *Planning Act 2016* and assessed against the *Sunshine Coast Planning Scheme 2014* and all relevant Council policies.

### Risk

Council's decision on the development application can be appealed to the Planning and Environment Court by the applicant. Council will proceed with any required actions resulting from any legal action.

Being a code assessable application, there is a risk that should Council not decide the application by 24 March 2022 the applicant will become entitled to notify Council that it has taken Council's decision to be a "deemed approval" of the application in accordance with the *Planning Act 2016*.

### Previous Council Resolution

There is no previous Council resolution which is applicable to assessment of this current development application.

### Related Documentation

A copy of the detailed assessment report prepared by Ethos Urban on behalf of the independent assessment team is included as **Attachment 1** to this report.

A copy of the architectural plans associated with the proposed development are included as **Attachment 2** to this report.

A copy of the State Government's SARA referral agency response is included as **Attachment 3** to this report.

**Critical Dates**

The statutory decision due date for the application is 24 March 2022. Being a code assessable application, should Council not decide the application by this date then the applicant will become entitled to notify Council that it has taken Council's decision to be a "deemed approval" of the application in accordance with the *Planning Act 2016*.

**Implementation**

Should the recommendation be accepted by Council, it is noted that the Chief Executive Officer will communicate the outcome of Council's resolution to the applicant as appropriate.

**ASSESSMENT MANAGER CONDITIONS****DEVELOPMENT PERMIT FOR MATERIAL CHANGE OF USE****WHEN CONDITIONS MUST BE COMPLIED WITH**

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

**APPROVED PLANS AND DOCUMENTS**

2. Development authorised by this approval must be undertaken generally in accordance with the Approved Plans & Documents listed within this development approval. Where indicated, the Approved Plans & Documents must be amended to incorporate the amendments listed within the conditions of this development approval and within the list of plans and documents requiring amendment. Plan amendments must be approved by Council prior to undertaking operational work, receipt of building approval or commencement of use, where indicated.

**RESUBMISSION OF AMENDED PLANS REQUIRED**

3. The conditions of this development approval require resubmission of amended plans and/or documents to Council.

**SUNSET DATE FOR COMPLETION OF APPROVED DEVELOPMENT**

4. Pursuant to s88 of the *Planning Act 2016*, the uncompleted aspects of this development approval lapse if the whole of the approved use has not happened within 6 years starting the day that this development approval first took effect.

**NATURE AND EXTENT OF APPROVED USE**

5. The development must provide for a 4.5 star international hotel as per the Approved Plans.
6. Prior to commencement of construction, the applicant must submit written evidence to council that the applicant has entered into an enduring and binding hotel management agreement or hotel franchise agreement that has a minimum 4.5 star rating in accordance with the Star Ratings scheme administered by the Australian Tourism Industry Council (ATIC) and Star Ratings Australia.
7. Prior to commencement of use and at all times while the use continues to operate, the development must maintain a minimum 4.5 star or higher international hotel rating under the Star Ratings scheme administered by the Australian Tourism Industry Council (ATIC) and Star Ratings Australia and must not supplant this rating requirement with any other form of temporary accommodation or hotel of a lower rating. Where that rating scheme is discontinued, or is superseded, the rating scheme to be applied must be the equivalent independent rating scheme in force at the time administered by the official accrediting body for hotel ratings in Australia at that time or as otherwise determined in writing by Council.

8. The approved Resort complex (hotel) must be used to provide short-term accommodation for tourists or travelers for a temporary period of time (i.e. not exceeding three consecutive months). The accommodation must not be occupied by persons for the purpose of permanent accommodation, excluding those persons in a manager's residence for the premises. The requirements of this condition must be included in the Community Management Statement / Building Management Statement for any body corporate for the subject site.
9. The whole of the approved hotel component of the development must be operated for the life of the development by a single entity and must not be fragmented into separate titles nor parts of it leased to separate entities.
10. Security measures must be installed such that building users do not have access to areas that are intended for the exclusive use of guests and visitors.
11. The 'Public Plaza Forecourt' identified on the Approved Plans consisting of an area of approximately 180m<sup>2</sup> is to be provided for casual community interaction.

#### IDENTIFICATION

12. 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.
13. The building entrance lobby and reception area must be clearly visible and identifiable from the street or otherwise provided with signage and lighting at strategic locations to direct people to the building entrance.

#### TREATMENT OF TEMPORARILY VACANT LAND

14. Where some or all of the land remains vacant or undeveloped for more than three (3) months, or buildings are demolished and redevelopment is delayed for more than three (3) months, the following works must be carried out:
  - (a) the site must be cleared of all rubble, debris and demolition materials;
  - (b) the site must be graded to prevent ponding (to the same level as the adjoining footpath wherever practicable), turfed and mown at a minimum three (3) weekly intervals;
  - (c) the site must be landscaped with perimeter planting consisting of advanced specimens of fast growing tree species;
  - (d) the site must be maintained to ensure no nuisance to adjacent premises, roads or footpaths;
  - (e) where fencing is installed to secure boundaries:
    - (i) the fencing must be durable and not capable of being pushed or blown over;
    - (ii) the fencing type must not detract from local amenity (barbed wire is not acceptable);
    - (iii) vandalism must be promptly repaired and any graffiti removed.

#### BUILDING HEIGHT

15. The maximum height of the development must not exceed the following as shown on the Approved Plans:
  - (a) Level 13 rooftop floor level of RL 45.25m AHD
  - (b) Level 13 rooftop ceiling/roof level of RL 48.55m AHD
  - (c) Roof lift overrun of RL 50.05m AHD
  - (d) Roof plant screening of RL 51.10m AHD
16. Certification must be submitted to council from a cadastral surveyor which certifies that the buildings do not exceed the maximum height requirement of this development approval.

#### **BUILDING APPEARANCE**

17. The approved building must be constructed such that its external appearance achieves a high quality design finish, including the degree of building form articulation, window coverage, clear glazing, openings, roof overhangs, feature cladding materials, finishes, varied building treatments and finishes, sun and rain protection screening, landscaping, glazed balustrades shown on the Approved Plans, with no inclusions or future alterations being made without approval in writing by council.
18. All air conditioning units or other mechanical equipment must be visually integrated into the design and finish of the building, or otherwise fully enclosed or screened such that they are not visible from the street frontages nor adjoining properties.
19. All deck and balcony areas above ground floor must not be enclosed by permanent fixtures such as fixed shutters, louvres, glass panelling or the, except where required to satisfy any privacy condition of this development approval.
20. Ground floor glazing along the street frontages must be fully transparent to a minimum of 65% of the street frontage to allow passive surveillance and encourage social interaction, and must be provided at full height (floor to ceiling). Internal walls and shelving must not be erected within one (1) metre of the glazing where they would prevent views from the street into the retail space, unless otherwise agreed to in writing by council.
21. Any security screens on the premises consist of grille or translucent screens and not solid shutters, screens or roller-doors.
22. All mechanical equipment and other service infrastructure located on the site must be fully enclosed or screened such that they are not visible from the street frontage/s, other public space, or adjoining properties
23. No part of the site may be used for outdoor storage of materials unless specified on the Approved Plans or the conditions of this development approval.
24. Building materials and hard surfaces used in landscape or streetscape works must not be highly reflective, or likely to create glare, slippery or otherwise hazardous conditions.

#### **FINAL ARCHITECTURAL BUILDING DETAIL**

25. Prior to any building work commencing, detailed architectural plans and perspectives must be prepared and submitted to Council for approval and review against the Approved Plans and Documents. The drawings must show the final developed details of the facade treatments and materials, screening for privacy, rooftop/building capping elements, etc. that depict a higher level of documentation detail and refinement than that shown on the Approved Plans and Documents. The drawings must:
- (a) nominate materials, colours, finishes and landscaping;
  - (b) have title blocks, revision numbers, scale details, north point and be cross referenced to larger scaled drawings;
  - (c) include elevation and facade treatment drawings for all floor levels that demonstrate the final design outcome for all elevations of the built form including:
    - (i) detailed plans, sections and elevations at 1:50 or 1:20 scale for elements at the facade including structural elements, balustrading, screening for privacy, doors, windows, and planter beds/trellises;
    - (ii) all servicing and infrastructure, including but not limited to, padmount transformers, pump rooms, fire hydrant boosters etc.;
    - (iii) rooftop or building capping elements, awnings and soffits
  - (d) include one rendered perspective for each stage / building and street façade showing the intended finished built form;
  - (e) include dimensions for the extent of projecting elements, balustrade height and door and windows/glazing configurations;
  - (f) show the final height and position of the building/s on the site with dimensioned setbacks matching the Approved Plans;
  - (g) show how the building/s coordinates with the approved landscaping for the site.
26. All building works must be undertaken in accordance with the Approved Plans referred to in this development approval.

#### **WIND**

27. Prior to obtaining building work approval, a detailed quantitative Wind Assessment report, including wind tunnel testing, must be prepared and submitted to Council for approval and review against the Approved Plans and Documents. The drawings must show the final developed details of the facade treatments and materials, screening and integrated landscape treatments to achieve wind speed in the streetscape, public plaza and pool deck areas with a Pedestrian Sitting criterion (4 m/s – often associated with café-style dining) for approximately 75% of the year daytime use.

#### **EXTERNAL WORKS (NON-TRUNK)**

28. Undertake streetscape and road upgrades in accordance with the Approved Plans along the Brisbane Road and First Avenue frontages of the site.
29. The site frontages of Brisbane Road and First Avenue are to have:
- (a) Effective verge widths (i.e. edge of building façade to the general kerb). alignment inclusive of loading bays and driveways) of at least 4.5m.
  - (b) Effective unobstructed footpath widths (edge of building facade or outdoor dining area to bollards / edge of kerb / edge of planter bed) of at least 2.5m.



- (c) Kerb and channelling and underground stormwater drainage.
  - (d) Removal of the all redundant existing property accesses and reinstatement of the kerb.
  - (e) Footpath, streetscaping and other verge improvements.
  - (f) Awnings:
    - (i) that are at least 2.7m wide (measured from the property boundary) and extend the length of the street frontage (excluding the Brisbane Road driveway);
    - (ii) with a typical height range above the finished floor level of the footpath of 3.1m to 4.2m, unless greater height is required in proximity to driveways, service vehicle areas, set down areas and/or the transformer;
    - (iii) with a minimum setback of 1.5m from kerb or loading bay edge;
    - (iv) with a minimum 0.5m clearance to any street tree trunk and main branches;
    - (v) with underside lighting.

A separate permit, and any other necessary approvals and licenses must be obtained for all street awning structures in accordance with council's Local Laws\*. The applicant must not make an application for the awning structures under council's Local Laws prior to obtaining council's endorsement of the design in accordance with the above condition.

\*(Refer to Advisory Note)
  - (g) installation of street lighting on Brisbane Road and First Avenue.
- Amended plans are to be submitted to Council for approval prior to undertaking Operational Work.

30. Construct an elevated crossing within First Avenue (at the corner First Avenue and Brisbane Road) in accordance with the Road Safety Audit (RSA) prepared by PSA Consulting dated 14 February 2022 that includes the following:
- (a) loading zone signage;
  - (b) pedestrian priority and give way signs;
  - (c) correct line marking treatments;
  - (d) give way line marking on approach to the ramped sections;
  - (e) the eastern ramp section / give way line marking is to be set in 2m from the edge of the adjacent Brisbane Road through lane;
  - (f) surface treatment on the top of the crossing to match / compliment the surrounding footpath, whilst the ramped sections are to be of a contrasting colour;
  - (g) replace fencing / guard rail proposed on the northern side of the crossing with street level landscaping;
  - (h) provide low level planting within the verge that extends from the edge of the Tactile Ground Surface Indicators (TGSIs) on both sides of the crossing;
    - (i) along the western side Brisbane Road in both north and south directions, and
    - (ii) along the northern side First Avenue to the west.
  - (i) ensure that Tactile Ground Surface Indicators TGSIs only extend the width of the crossing location, not including the ramps, and be designed and installed as per AS1428 Design for access and mobility;
  - (j) increase the gradient of the ramped sections to a minimum of 1:15 but preferably 1:6 to better control vehicle speeds;
  - (k) appropriate street lighting;
  - (l) provision of adequate lighting on the platform (minimum 3.5 lux);

- (m) clarify the notes on the plan to reflect the correct references for the line marking treatment.

Amended plans and a statement from the author of the RSA identifying that the plan amendments adequately incorporate the recommendations of the RSA are to be submitted to Council for approval prior to undertaking Operational Work.

## LANDSCAPING

31. The development must be appropriately landscaped and include:
- (a) Revised landscaping in proximity to the First Avenue raised pedestrian crossing that reflects the recommendations of the Road Safety Audit (RSA) prepared by PSA Consulting dated 14 February 2022 the includes replacement of the proposed fencing / guard rail with street level landscaping, and extending low level planting to the edge of the crossing platform and around the corner on both sides of the street (as above condition).
  - (b) Planting width along the road frontages of the site.
  - (c) Provision of street trees within the road reserve.
  - (d) Statement landscaping within and surrounding the public forecourt at the corner of Brisbane Rd and First Avenue consisting of advanced stock size vegetation.
  - (e) Materials schedules specifications are to include:
    - (i) all furnishings/ fixings to be: Marine grade SS
    - (ii) suitable sealant to timber bench seat slats: Intergrain 'Ultradeck' or approved equivalent
    - (iii) detail and specification for the concrete pavement sealant (currently no specification provided)
    - (iv) consider RSA recommendations for the materials finish treatment to the Pedestrian raised crossing.
    - (v) include GB3 specification
  - (f) Provision of the following street furniture:
    - (i) seating
    - (ii) rubbish bins
    - (iii) drinking fountains
    - (iv) bicycle parking
    - (v) bollards
    - (vi) cigarette bins
- Amended plans are to be submitted to Council for approval prior to undertaking Operational Work.

32. 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.
33. Except where otherwise specified in the conditions of this development approval, all landscape works must be established in deep natural ground that is open to the ground below and open to the sky above.

## STREET TREE LANDSCAPING

34. The street tree landscaping must be provided in accordance with the following:

- (a) be established in a planting bed that is positively drained;
- (b) include structured soil design;
- (c) be co-ordinated with building awning design to allow canopy growth to full maturity;
- (d) have a balanced canopy and roots free of container deformation;
- (e) be provided to meet the intent of shading the road verge / pedestrian paths / seating to 80% at maturity;
- (f) be located so as to facilitate ingress and egress from kerbside;
- (g) be provided with a drainage connection to the tree pit and structured soils if individually planted;
- (h) comply with *AS2303:2015 Tree stock for landscape use*;
- (i) comply with council's *Planning scheme policy for the transport and parking code*;
- (j) be designed so that any soil areas less than 2m<sup>2</sup> are provided as planting (not turf).

#### ENGINEERED LANDSCAPE PLANTING

35. Engineered landscape planting on the podium and roof levels of the building or attached to a building façade must:
- (a) have minimum dimensions of:
    - (i) Small shrubs, groundcover, trailing plants and grasses: minimum planting media depth of 200mm, and width of 400mm
    - (ii) Medium sized shrubs, bushes and plants: minimum planting media depth of 400mm, and width of 700mm
    - (iii) Small trees: minimum planting media depth of 500mm, and width of 700mm
    - (iv) Large trees: minimum planting media depth of 800mm, and width of 1m
  - (b) be appropriately irrigated via automatic or drip feed irrigation system;
  - (c) be designed to soften and integrate the built form.
- Amended Landscape Plans are to be prepared and provided to Council for approval that identify the podium and roof top minimum planting media depths and widths for each planter and the specific tree / shrub type and size. This is to include the central outdoor play aisle on Level 3.

#### PUBLIC ART

36. Public art must be established on the premises or a contribution towards public art for the Mooloolaba area in accordance with a public art master plan prepared by a qualified person, approved by Council, and consistent with Mooloolaba Centre Design Palette guidelines.
37. Where the public art master plan proposes works to be located on public land or an alternative location as agreed to by Council, written agreement must be obtained from the relevant authority prior to the works being undertaken.

#### PROPERTY ACCESS AND DRIVEWAYS

38. A sealed access driveway must be provided from Brisbane Road to the parking and manoeuvring areas of the development. The driveway is to be configured generally in accordance with the Approved Plans and Documents and in particular include:

- (a) a 7.5m wide (at the property boundary) Type B driveway crossover generally in accordance with IPWEAQ standard drawing RS-051.
39. The use of the existing driveway located within the easement gaining access from Brisbane Road to the adjoining multi-storey carpark must not be impeded at any time during construction or operation of the development.

#### ON-SITE PARKING

40. A minimum of 133 car parking spaces (including 2 people with disabilities spaces) and 9 motorcycle parking spaces must be provided on the site subject to the following:
- (a) parking is to be available and accessible at all times while the use is open for business;
  - (b) parking for ground level tenancies not accessed via the hotel lobby:
    - (i) a minimum of 22 car parking spaces (including 1 people with disabilities space) and 3 motorcycle spaces. General car parking spaces are to be provided in accordance with AS2890.1 user class 3 requirements
    - (ii) no more than 2 sets of tandem car parking spaces (i.e. 4 spaces in total) are to be provided, and the encumbered spaces (i.e. rear 2 spaces) are to be identified as staff parking.
    - (iii) all spaces must clearly be marked for the identified tenancies and be always accessible while the tenancies are open for business. The spaces are not to be restricted by way of boom gates, or deterred by any valet parking system or electronic smart parking system established for the development. The retail tenancy parking must remain available for those staff and customers at all times, and must not be occupied by hotel staff, guests or visitors, at any time. The requirements of this condition must be included in the Community Management Statement / Building Management Statement for the subject site.
  - (c) parking for hotel guests:
    - (i) a minimum of 73 car parking spaces and 4 motorcycle spaces.
  - (d) parking for visitors of hotel guests, function areas and tenancies / non-residential uses accessed via the hotel lobby (i.e. ground level restaurant and bar / café, and roof top restaurant, bar, outdoor dining and pool area):
    - (i) a minimum of 34 spaces (including 1 people with disabilities space). General car parking spaces are to be provided in accordance with AS2890.1 user class 2 requirements
    - (ii) no more than 4 sets of tandem car parking spaces (i.e. 8 spaces in total) are to be provided, and the encumbered spaces (i.e. rear 4 spaces) are to be identified as staff parking
    - (iii) all spaces must clearly be marked for the identified tenancies and be always accessible while the tenancies are open for business.
  - (e) safe pedestrian routes are to be line marked within carparking areas;
  - (f) provision of vandal resistant public lighting with intensities to satisfy the requirements of AS 1158 – *Lighting for roads and public spaces*;
  - (g) dimensions, crossfalls, gradients, signage and line marking in accordance with AS 2890 - *Parking facilities*.

41. Prepare a Traffic and Carpark Management Plan to be approved by Council prior to the commencement of use and include:
- (a) explanation of car park operation for both public and private users;
  - (b) on site car parking guidance, porte-cochere and vehicular servicing area signage;
  - (c) parking on site must be aided by clear directional signage located in the porte cochere, driveway entrance from Brisbane Road and prior to the ramp entrance to the carpark;
  - (d) the use of electronic carpark vacancy monitoring and display information located prior to the entry of the access ramp
  - (e) implementation of operational strategies to manage on-site carparking, such as, but not limited to, the following examples:
    - (i) At the time of booking a room, it will be clear to guests whether or not they will be allocated a car parking space.
    - (ii) There may be an additional charge (charge should be equal to or less than adjacent Park N Go public parking facility) if a car parking space is required or for an extended stay (e.g. 4 days or more).
    - (iii) Guests may be picked up from the airport and chauffeured to the hotel.
    - (iv) Organising logistics between airlines, coach providers and the hotel to ensure a seamless transport outcome for guests.
    - (v) Organising logistics between coach providers and the hotel regarding the set-down and pick-up of guests.
    - (vi) Should there be an event or function, that may create a greater car parking demand compared to typical operations, event shuttle bus services may be arranged for collection and return of guests.
    - (vii) The 24 hour valet parking service will be used to manage peak car parking demands through the combination of dedicated tandem spaces and unused guest spaces.
    - (viii) There is opportunity for alternative travel for staff, such as active transport and through ride share applications and on demand services, which may be incentivised by Hotel Management.
  - (f) details relating to the operation and management of the porte-cochere facility (e.g. how demands will be managed, steps to be taken if various issues arise such as facility demand exceeding capacity);
  - (g) details relating to the logistics between airlines, coach operators and the hotel regarding transport;
  - (h) details relating to the operation and management of the vehicular servicing area (e.g. how demands will be managed, steps to be taken if various issues arise such as area demand exceeding capacity);
  - (i) strategies and infrastructure which will be put in place to allow safe car park and vehicular servicing area egress movements at all times. It is to be clearly demonstrated that required infrastructure can be accommodated.
42. All on-site parking areas and access driveways must be maintained exclusively for vehicle parking and manoeuvring and kept in a tidy and safe condition at all times.

#### SERVICE VEHICLES

43. Service vehicle parking, manoeuvring and standing spaces must be provided on the site. The works must be undertaken in accordance with *AS 2890.2 - Off-street commercial vehicle facilities* and must include in particular:
- (a) a minimum of two (2) Medium Rigid Vehicle (MRV) spaces (3.5m x 9m).

44. Service vehicle parking, manoeuvring and standing spaces must be provided on the site within the private carparking area.

#### **PEDESTRIAN AND BICYCLE FACILITIES**

45. Pedestrian and bicycle facilities must be provided for the development as follows:
- (a) pedestrian pathways between the proposed car parking area and vertical transport, dedicated walkways between parking bays and aisles are required to the perimeter of the parking levels;
  - (b) adequate separation of all specific pedestrian routes from vehicle access and manoeuvring areas, and clear demarcation by pavement marking, signposts or changes in surface materials or levels;
  - (c) signage and lighting at strategic locations to direct people to building entries and public toilet facilities;
  - (d) pedestrian refuge areas at strategic locations within the carpark to ensure safe and convenient congregating of pedestrians waiting to cross major access driveways;
  - (e) a minimum of 23 bicycle parking spaces for staff, in accordance with AS 2890.3 – Bicycle parking;
  - (f) staff end of trip facilities at ground level and readily accessible, including:
    - (i) a minimum of 23 personal lockers;
    - (ii) separate male and female change rooms, each with a minimum of 2 showers, 2 sanitary compartments and 1 wash basin.
  - (g) a minimum of 16 bicycle parking spaces for visitors, in accordance with AS 2890.3 – Bicycle parking.

#### **STORMWATER DRAINAGE**

46. 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 the Approved Stormwater Management Plan and the Sunshine Coast Planning Scheme, Planning Scheme Policy for Development Works that results in zero afflux and impact to adjoining properties.

#### **STORMWATER QUALITY MANAGEMENT**

47. A stormwater quality treatment system must be provided for the development. The works must be undertaken in accordance with an operational works approval, and include stormwater quality treatment devices of a size and location generally described in the Approved Stormwater Management Plan.
48. The development must incorporate Water Sensitive Urban Design (WSUD) initiatives such as rain water harvesting as identified within the Approved Stormwater Management Plan.
49. Proprietary stormwater quality treatment devices must be routinely checked, serviced and cleaned in accordance with the manufacturer's recommendations. Records of all maintenance activities undertaken must be kept and made available to council upon request. Where replacement cartridges or other necessary components for the system become unavailable, an alternative system must be

retrofitted into the development to achieve an equivalent pollutant reduction outcome.

50. Any proposed Community Management Statement / Building Management Statement required for the development must include the operations and maintenance manual for the stormwater quality treatment devices and must include the full cost of maintaining the system in accordance with the manual including replacement of the stormwater quality treatment devices.
51. A copy of a signed supply agreement between the body corporate OR site operator and the stormwater quality treatment devices supplier for the replacement of the stormwater quality treatment devices must be provided to council. The supply agreement must be for the replacement of each stormwater quality treatment devices at least ten (10) times.
52. A certification or endorsement letter from Stormwater Australia confirming similar or better performance of the adopted proprietary device must be submitted to Council.

#### **FLOOD IMMUNITY**

53. A minimum floor level of all buildings of RL 3.2m AHD must be constructed in accordance with the Approved Plans.
54. All essential infrastructure must achieve minimum 300mm freeboard to the Defined Flood Event (DFE).

#### **FLOOD MANAGEMENT**

55. An easement for drainage purposes must be registered against the title of the property in favour of council over the land area identified as being below the flood level for the Defined Flood Event on the subject site.
56. A Flood Emergency Preparedness and Management Plan must be prepared by a Registered Professional Engineer of Queensland (RPEQ) and implemented. This plan must be endorsed by council's delegate prior to commencement of use. The Flood Emergency Preparedness and Management Plan must be prepared in accordance with *Floodplain Management in Australia: Best Practise Principles and Guidelines* (SCARM Report 73, CSIRO Publishing, 2000) and must detail the following:
  - (a) nature of the flood threat;
  - (b) flooding constraints and flood risks for the site (including consideration of any residual flood risk);
  - (c) sources of flood intelligence;
  - (d) considerations for flood management;
  - (e) procedures to manage the flood risk;
  - (f) roles and responsibilities before, during and after the flood episodes
  - (g) how the assisted ease of movement of the frail, aged and those that are immobile/bedridden will be managed when the base of the lift shaft is inundated;
  - (h) triggers for plan activation;
  - (i) arrangements for education of workers and residents;

- (j) resources needed to shelter in place during a flood episode;
- (k) management of a medical emergency during a flood episode;
- (l) management of equipment and buildings; and
- (m) recovery.

The site and the Flood Emergency Preparedness and Management Plan must be registered with the Local Disaster Management Coordination Centre.

#### **ACID SULFATE SOILS**

- 57. All works must be carried out in accordance with the Approved Geotechnical and Acid Sulfate Soil Investigation Report.
- 58. All waters, including stormwater runoff, groundwater seepage and leachate from acid sulfate soils must achieve the following quality prior to release from the site:
  - (a) a pH range of 6.5-8.5 pH units;
  - (b) 50mg/L maximum total suspended solids concentration;
  - (c) 0.3mg/L maximum total iron concentration;
  - (d) 0.2mg/L maximum total aluminium concentration;
  - (e) No visible plume at either the point of release from the site or within a waterway.
- 59. All treated material must undergo verification testing at the rate of one sample per 250m<sup>3</sup> throughout the duration of the excavation phase of the development. The verification testing must be undertaken by a qualified person\* using the SPOCAS or Chromium Reducible Sulphur testing suite, and the results for each sample must be submitted to council.

#### **UTILITY SERVICES**

- 60. Underground reticulated electricity and telecommunication services must be provided to the subject site in accordance with an approval for operational works and the standards and requirements of the relevant service provider.
- 61. 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).
- 62. Internal private water and sewer reticulation must be constructed in accordance with a compliance approval for plumbing and drainage work issued by council. Evidence of the compliance approval must be submitted to council prior to endorsement of the survey plan.
- 63. Certification must be submitted to council from all relevant service providers which certifies that the development has met the requirements of development approval and all applicable legislation at the time of construction.

#### **UNDERGROUNDING OF EXISTING OVERHEAD POWERLINES**

- 64. The existing overhead electricity reticulation across the frontages of the site must be placed underground for Brisbane Road frontage. The works must be undertaken in accordance with an operational works approval and must include in particular:



- (a) placement on council's standard alignment as shown on Standard Drawings RS-100 and RS-101

#### **EARTHWORKS AND RETAINING WALLS**

65. All excavation and fill, and associated batters must be undertaken in accordance with an operational works approval, and contained entirely within the subject site unless written permission from the respective landowner(s) is provided to council.
66. Where the development involves excavation or filling over, or adjacent to drainage infrastructure access chamber surface levels must be adjusted to provide a freeboard of 100mm above the finished ground surface level.
67. All retaining walls must be designed and constructed in accordance with the planning scheme and must be certified by a Registered Professional Engineer of Queensland (RPEQ) where exceeding 1m in height. All retaining walls that are publicly accessible and exceed 1m in height must be fitted with a commercial grade safety fence.

#### **POTABLE WATER**

68. The development must be provided with a safe and adequate potable water supply system having a capacity sufficient for the use.

#### **DAMAGE TO SERVICES AND ASSETS**

69. 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.

#### **CLOTHES DRYING AREAS**

70. Each hotel room must be provided with a non-mechanical (natural) clothes drying area, or alternatively, each room must have access to a communal outdoor clothes drying area that is fitted with a dedicated robust clothes lines. Where individual clothes drying areas are provided on balconies, they are to be concealed or screened from public view.

#### **COMMUNITY MANAGEMENT STATEMENT / BUILDING MANAGEMENT STATEMENT**

71. Any proposed Community Management Statement / Building Management Statement required for the development pursuant to the *Body Corporate and Community Management Act 1997* must be submitted to council for approval at the same time as submission of the building format plan (or similar) for approval.

72. All clauses and by-laws of the proposed Community Management Statement / Building Management Statement must accord with the requirements of this development approval.

#### **SAFETY AND SECURITY**

73. Bollard or overhead lighting must be provided along all internal footpaths and internal roads with intensities to satisfy the requirements of *AS 1158 – Lighting of Roads and Public Spaces and the Sunshine Coast Public Lighting Plan*.
74. All pathways and land used for outdoor recreation must have grades of 5% or less, with paths having hard, slip resistant surfaces.

#### **DISASTER RESILIENCE**

75. The development must have access to a reliable alternative power supply in the event of prolonged power outage or disconnection from grid supplied electricity.
76. A site evacuation plan for the evacuation of all persons on-site to the nearest activity centre must be prepared and implemented.

#### **OUTDOOR DINING & PUBLIC FORECOURT**

77. An outdoor dining plan and public forecourt plan must be prepared and approved by Council prior to the commencement of use, including detailed design and operation.

#### **PUBLIC SAFETY**

78. All ground floor shopfront glazing must be protected against unlawful entry by the use of a form of safety glass such as toughened or laminated glass. All other windows provided at the ground floor must include toughened or laminated glass, or security screens.
79. Vandal proof materials and anti-graffiti paint must be used in the building construction.
80. Anti-social behaviour management and security strategies are required to be detailed within a Community Management Statement / Building Management Statement for the site and implemented.
81. Signs must be provided and located to direct people to entries and exits and to parking spaces within the site. Public parking areas must be clearly designated as such and have clearly defined access points.
82. Public toilets must be located where they can be monitored by other persons, including motorists.
83. Bicycle parking facilities must be located so that they are visible from the street, and/or signage provided to direct people to bicycle parking areas within the site.

84. During operating hours, all building entrances, parking areas, pedestrian areas and entrances/exits to all stairwells, travelators, lifts, foyers/reception areas, loading docks and public toilets must be well lit with vandal resistant lighting and with intensities to satisfy the requirements of AS 1158 – Lighting for Roads and Public Spaces and the Sunshine Coast Public Lighting Plan. Lighting must be directed onto the site or building and away from neighbouring sites. Lighting must be designed to reduce the contrast between shadows and well lit areas. In particular, appropriate security lighting must be provided in areas of concealment.
85. After-hours access to loading docks and storage areas must be restricted by a security gate, lockable doors and/or other suitably appropriate means. Any after-hours staff parking must be well lit and located in close proximity to staff access points.
86. Multi-level car parks must include the following:
- (a) emergency telephones to security personnel;
  - (b) mechanical surveillance;
  - (c) alarms or poles;
  - (d) other similarly effective safety and security measures.

#### WASTE MANAGEMENT

87. Non-residential uses must achieve the environmental values and air quality objectives set out in the *Environmental Protection (Air) Policy* at all times.
88. Kitchen exhaust points for the development must be located and operated in accordance with AS 1668.2 - *The use of ventilation and airconditioning in buildings* (specifically Section 3.10 – *Air Discharges*).
89. The release of noxious or offensive odours or any other noxious or offensive airborne contaminants resulting from the use must not cause a nuisance at any nuisance sensitive or commercial place.
90. Refuse storage, removal and collection facilities must be provided in accordance with the Approved Plans and the following:
- (a) for general waste: 10 x 1.1m<sup>3</sup> skip bins;
  - (b) for recycling: 2 x 1.1m<sup>3</sup> skip bins;
  - (c) waste and recycling waste is to be collected once daily;
  - (d) collection by service vehicles from within the site only in a safe, efficient and unobstructed manner; and
  - (e) provision of a functionally accessible communal hardstand impervious area/s for the permanent storage location and service collection of all bulk bins, as shown on Approved Plans;
  - (f) provision of a readily accessible wash-down area in the vicinity of the permanent bin storage area fitted with a hosecock, bin roll over bund, and drain connected to the sewer that has a stormwater catchment area of no more than 1m<sup>2</sup>;
  - (g) provision of waste chute/s connected to each floor of the building/s for the disposal of general waste. The waste chute/s must be:
    - (i) vertical and cylindrical with a minimum diameter of 450mm
    - (ii) constructed of non-corrosive, smooth, impervious and noise-dampening materials

- (iii) contained within fire rated shafts
  - (iv) constructed to finish at least 25mm below the ceiling level of the collection room and not more than 300mm above the height of the waste containers
  - (v) ventilated without causing odour within the building
  - (vi) fly and vermin proof
  - (vii) fitted with maintenance access and cleaning appliances
  - (viii) fitted with self-closing hoppers on each level located between 1m and 1.5m above the floor level, and with wall and floor surfaces around the hopper of an impervious easy to clean material
  - (h) provision of a waste room at the bottom of the waste chute/s for the collection and permanent storage location of general waste. The waste room must be:
    - (i) constructed of fire rated, impervious and smooth materials to all walls, floors, doors and junctions
    - (ii) constructed with access doors sized to permit unobstructed entry and exit of the bulk bins
    - (iii) fly and vermin proof
    - (iv) fitted with a lock capable of being opened from the inside without a key at any time
    - (v) refrigerated or otherwise ventilated to reduce odour
    - (vi) co-located with a hosecock and drain connected to the sewer.
  - (i) provision of an on-site tow vehicle or other mechanical means to haul bulk bins from the basement refuse storage area to the temporary collection embayment located at street level.
91. Certification must be submitted to council from a qualified person which certifies that all waste chutes and waste rooms have been constructed in accordance with the requirements of this development approval.
92. Medical and clinical wastes must be stored in appropriate waste containers, in an enclosed secure facility such that the area is not accessible to persons or animals, other than the operator of the premises.
93. Council's Waste and Resources Management Branch coordinates waste collection within the Sunshine Coast Council area, in conjunction with the appointed waste collection contractor. Waste collection services for developments are available, with varying bin sizes and service frequency to achieve safe, efficient and unobstructed servicing for the development. Please contact council's Waste and Resources Management Branch via the Customer Service Centre for further information regarding available bin sizes.
94. The design and construction of waste handling facilities must comply with the following sections of the Planning Scheme Policy for Waste Management Code:
- (a) Waste storage bins are to be made of non-combustible materials.
  - (b) Waste bin wash-down area must comply with SC6.18.4(e) and (k).
  - (c) Waste chute ventilation must comply with SC6.18A and SC6.18.4(g).
  - (d) Waste disposal points must comply with SC6.18.4(h).
  - (e) Waste Container Storage Rooms must comply with SC6.18.4(j)(vii) and (viii).
  - (f) Plans for the installation of compactors must be submitted for the approval of Council's Manager Waste and Resources Management.
  - (g) Waste storage area must comply with SC6.18.6(g).

- (h) Waste storage containers must comply with SC6.18.6(i).
95. Waste water associated with a non-residential use must be disposed of to the reticulated sewerage system or to an on-site industrial waste treatment system.
96. Liquid wastes that cannot be disposed of to the reticulated sewerage system must be disposed of off-site to an approved waste disposal facility.
97. No discharge of waste occurs to stormwater systems, local waterways (including dry waterways) or wetlands.
98. The movement of bins from the retail waste storage room to the loading dock holding room is to occur outside of peak hours to minimise conflict with vehicles and pedestrians.

#### ACOUSTIC AMENITY

99. Acoustic measures and treatments must be incorporated into the development in accordance with the Approved Acoustic Report where modified by conditions of this approval.
100. Any fixed plant and equipment that causes noise (e.g. from basement car-park exhausts, air conditioning units, pool filtration units, refrigeration units, pumps and generators or kitchen exhaust units), must be enclosed, shielded and/or positioned to ensure that the following sound pressure levels for a noise sensitive land use are achieved:

Location where criteria applies at a noise sensitive land use	Adjusted equivalent continuous sound pressure level ( $L_{Aeq,adj,T}$ ) to be achieved during the day, evening and night time periods			Maximum sound pressure level ( $L_{Amax}$ ) to be achieved during the night time period
	Day 7am-6pm	Evening 6pm-10pm	Night 10pm-7am	Night 10pm-7am
Sensitive receivers (external)	47 dBA	45 dBA	42 dBA	50 dBA

Note: Measurements must be in accordance with AS 1055.1 - Acoustics – Description and measurement of environmental noise – General procedures. Measurements must be adjusted for tonality and impulsiveness where required.

101. The carpark surface should be brush finished concrete to minimise tyre squeal noise. Any alternative surface will require a separate acoustic report by a qualified person to demonstrate through field measurements that carpark noise levels (sound power levels) are not increased beyond those used in the noise impact assessment report.
102. The loading dock is to be restricted to the following hours:
- (a) Non-refrigerated vehicles: Daytime and evening hours of 7am to 6pm Monday to Saturday, and 7am to 6pm Sunday;

- (b) Refrigerated vehicles: Daytime hours of 7am to 6pm from Monday to Saturday, unless an updated noise report which demonstrates compliance in other periods is submitted; and
  - (c) Refuse collection: Daytime hours of 7am to 6pm from Monday to Saturday.
103. Service vehicle movements associated with non-residential uses on the premises (including loading and unloading), where not utilising the loading dock (i.e. loading, drop off, set-down bays) must not occur outside the hours of 7am to 6pm Monday to Saturday and not at all on Sundays or public holidays. The requirements of this condition must be included in the Community Management Statement / Building Management Statement for any body corporate for the subject site.
104. Non-residential uses are to be limited to the following hours:
- (a) Level 12 and 13 outdoor areas and balconies: 7am to 12am midnight.
  - (b) Level 12 and 13 indoor areas (with openable external doors which are not soundlocked to external areas): 7am to 10pm.
  - (c) Level 12 and 13 indoor areas (with no external doors, locked external doors, or with soundlock to external areas): 7am to 12am.
  - (d) Children play areas: 7am to 6pm.
  - (e) Ground floor shops, retail, food and drink outlets, restaurant and bar: 6am to 11pm.
- The requirements of this condition must be included in the Community Management Statement / Building Management Statement for any body corporate for the subject site.
105. Amplified or acoustic music is to be limited to the following hours:
- (a) Outdoor areas: 7am to 10pm.
  - (b) Indoor areas (with openable external doors which are not soundlocked to external areas): 7am to 10pm.
  - (c) Indoor areas (with no external doors, locked external doors, or with soundlock to external areas): 7am to 12am.
- The requirements of this condition must be included in the Community Management Statement / Building Management Statement for any body corporate for the subject site.
106. Amplified music is limited to background music, or appropriate noise limits determined through acoustic testing to comply with A01 of the Nuisance Code, i.e:
- (a) LA10 not greater than 5dBA above the background noise levels LA90 from 6am to 10pm; or a limit of 50 dBA; whichever is the lower; and
  - (b) LOCT10 not greater than 8dB above the octave band background noise levels LOCT90 from 10pm to 6am.
107. A minimum 1.6m high (relative to FFL of patrons) acoustic barrier is required to Level 13 to the extent shown in Figure 24 of the Approved Acoustic Report dated 30/11/2021. The barrier height is to be increased to a minimum of 1.8m high where patrons are located adjacent the barrier (i.e. there is no separating garden). The barrier is to be continuous and solid, with negligible gaps and a mass of at least 10 kg/m2.
108. A minimum 1.8m high (relative to FFL of patrons) acoustic barrier is required to Level 12 to the extent shown in Figure 25 of the Approved Acoustic Report dated

30/11/2021. The barrier is to be continuous and solid, with negligible gaps and a mass of at least 10 kg/m<sup>2</sup>.

109. The loading dock is to include acoustic absorptive treatments which are to be evenly distributed across the loading dock area, ideally on the soffit. The acoustic absorptive treatments are to have a minimum Noise Reduction Coefficient of NRC 0.5 and a total area equivalent of at least 60% of the soffit area of the total loading dock area.
110. The facade elements of the residential habitable rooms and non-residential components of the building are to achieve minimum acoustic ratings of Rw 35 for glazing and Rw 45 for walls and roof, except for the following glazed areas:
  - (a) Lobby: Rw 28.
  - (b) Spa Office, Level 12 Kitchen, Level 13 Kitchen: Rw 27.
111. The restaurant/bar at ground level, function facilities and any other rooms with amplified music are to be air-conditioned.
112. The ceiling or underside of roofs over outdoor areas on Level 12 and Level 13 (rooftop) are to have an absorptive underside (minimum NRC 0.8 acoustic absorption rating) unless acoustic modelling can be provided to demonstrate compliance with a lower NRC acoustic rating.
113. Certification must be submitted to council from a qualified person that the following requirements have been achieved:
  - (a) Mechanical plant noise levels outside sensitive receivers meet the specified limits in based on typical worst-case day, evening and night operation.
  - (b) The carpark surface as specified in this approval.
  - (c) The acoustic absorptive treatments to the loading dock achieve the requirements of this approval.
  - (d) The acoustic absorptive treatments to the ceiling or underside of roofs over outdoor areas on Level 12 and Level 13 (rooftop) achieve the requirements of this approval.
  - (e) The facade elements of the building achieve the requirements of this approval.
  - (f) Music sound systems are sound-limited and achieve the requirements of this approval.
  - (g) Sound lock locations are confirmed, such that the operating hours in the conditions of this approval can be confirmed.
  - (h) Level 12 and 13 acoustic barriers achieve the requirements of this approval.
114. Any grills or metal plates subject to vehicular traffic on the site must be suitably acoustically dampened to prevent noise impacts on surrounding sensitive land uses.
115. Where complaints (other than frivolous or vexatious complaints) are made to council about noise from the approved use, council may require the site management entity to:
  - (a) Submit a Noise Impact Assessment prepared by a qualified person\* in accordance with council's Planning scheme policy for the nuisance code, and/or

- (b) Undertake further noise amelioration measures or operations, install volume limiting devices or barriers and/or shield or relocate mechanical plant and equipment and have such measures certified by a qualified person\*.

#### **LIGHTING DEVICES**

116. Lighting associated with the use must be designed, sited, installed and tested to comply with Table 2.1 & 2.2 of AS 4282 - *Control of the obtrusive effects of outdoor lighting* using a control level of 1.
117. Certification must be submitted to council from a qualified person that all lighting devices comply with the requirements of this development approval.

#### **LAND AMALGAMATION**

118. All properties the subject of the development must be amalgamated.



## **DEVELOPMENT PERMIT FOR OPERATIONAL WORKS**

### **WHEN CONDITIONS MUST BE COMPLIED WITH**

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

### **APPROVED PLANS**

120. Development authorised by this approval must be undertaken generally in accordance with the Approved Plans & Documents listed within this development approval. Where indicated the Approved Plans & Documents must be amended to incorporate the amendments listed within the conditions of this development approval and/or 'amended in red' on the Approved Plans & Documents, and must be approved by Council prior to the issue of further development approvals or commencement of use, where indicated.

### **RESUBMISSION OF AMENDED PLANS REQUIRED**

121. The conditions of this development approval require resubmission of amended plans and/or documents to Council.

### **ENGINEERING CONDITIONS**

#### **General**

122. Plan amendments are required to be submitted and approved prior to commencement of drainage works. Commencement of drainage works are noted as a hold point on site to ensure plan amendments are complete. No drainage construction works are to proceed until plan amendments are finalised.
123. This approval must be coordinated with all other Operational Works approvals relating to this development including the Electrical and Lighting Operational Work application (to be lodged), particularly regarding installation of conduit for the provision of electrical services to the site.
124. The QLeave levy must be paid prior requesting a prestart meeting. Council will not be able to issue a prestart meeting invitation without receipt of details that the Levy has been paid. QLeave contact: 1800 803 491 (free call) or (07) 3212 6844.
125. Prior to requesting a prestart meeting/commencement of works:
- (a) A condition report of the drainage system must be completed for agreement at the prestart meeting. The condition report is to include a CCTV inspection of the existing pipe and must include at least 50m upstream and downstream of all works.
  - (b) Submission of the Operational Works application for Electrical and Lighting must be undertaken and provided for reference at the pre-start.
126. A prestart meeting must be organised with Council prior to the commencement of any on site works. An OPW Pre-Start Meeting Request Form must be submitted to

Council together with payment of the relevant application fee. The applicant must organise for the certifying RPEQ or other certifying entity, as well as the principal contractor/s for the operational works to be in attendance at the meeting.

127. An amended Construction Management Plan must be submitted to Council for approval prior to the prestart meeting and must specifically address the following:
- (a) Traffic management during all aspects of the construct phase including:
    - (i) 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 onsite manager.
    - (ii) Dispute resolution procedures.
128. 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.

#### **Erosion and Sediment Control**

129. An Erosion and Sediment Control Plan (E&SCP) and a completed Design Certificate for Erosion and Sediment Control must be provided to Council's delegate in accordance with the requirements of the Planning Scheme Policy for Development Works prior to the onsite prestart meeting.

#### **DURING CONSTRUCTION**

##### **General**

130. Where damage occurs to any Council asset as a result of the development works, it must be repaired immediately where it creates a hazard that presents risk to person or property. Other damage must be repaired prior to completion of works.
131. A Registered Professional Engineer, Queensland (RPEQ) must undertake the necessary supervision, inspections, testing and or auditing of the works to enable them to certify that all works conform to the Operational Works approval and current engineering standards. Where municipal works are involved, such

confirmation must be submitted for the respective hold points prior to any site inspection by Council officers.

132. 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) The relevant conditions of the higher order Material Change of Use approval viz. MCU21/0342 to which this approval relates.
  - (c) All relevant Council Planning Scheme Policies, standard drawings, standard specifications and guidelines.

#### **Roadworks (External Roadworks & Road Widening Works)**

133. All pavement widening or construction of new pavement must join neatly to the existing pavement so that there are no irregularities in line or level resulting at or adjacent to the join for the length of the construction. Where necessary the existing pavement must be brought to a satisfactory standard to allow for the above.
134. All street surfacing must consist of a minimum depth of 40mm of an approved hot mixed asphaltic concrete, unless other pavement types are approved as feature areas in intersection thresholds, speed control devices, turning areas, indented parking etc.
135. The installation and/or modification of any traffic signs, street signs, line marking and Raised Reflective Pavement Markings (RRPMs) must be in accordance with the Manual of Uniform Traffic Control Devices (MUTCD). New or relocated signage must be installed using the VLoc installation system. All new signage must be Class 1 retroreflective material in accordance with AS 1906.1 - Retroreflective materials and devices for road traffic control purposes – Part 1: Retroreflective sheeting.
136. The raised pedestrian crossing on Brisbane Road is to include the following surface finish treatments:
- (a) Painted white piano keys to ramps.
  - (b) Painted white pedestrian crossing to top of raised pedestrian crossing.
  - (c) Pedestrian raised crossings to be lightly exposed aggregate, CCS Stallion 6%, with a blue/black metal aggregate.
  - (d) Traffic calming device / ramp exposed aggregate coloured concrete CCS oxide Black in grey cement, checkerboard mix (50% white ash, 50% blue metal).
137. Council must be notified prior to any works involving the removal or modification of existing Council traffic signs and/or parking bays (where it is identified through a referral to Traffic Engineer - Integrated Transport that Council must undertake the works). Such works must be undertaken by Council at the applicants cost.

#### **Pavement Design and Construction**

138. The pavement designs shown on the engineering drawings are not approved. To attain approval for the pavement design, the following details must be submitted and certified by an RPEQ with the proposed pavement design:

- (a) The design CBR must be based on the four day soaked CBR value for the subgrade material.
- (b) The design subgrade CBR must be representative of each homogenous insitu section of finished subgrade. With respect to each section:
  - (i) for four or less test results, the design CBR must be taken as the least estimated insitu CBR result.
  - (ii) for five or more test results, the design CBR must be taken as the 10th percentile of all estimated insitu CBR results.
- (c) The samples must be taken generally in the position of the outer wheel path on both sides of the proposed road. A sketch plan showing the location of all tests must be submitted with the test results for pavement design approval.
- (d) Where imported material has been (or is proposed to be) used for subgrade replacement, and the depth of the imported material is less than 300mm, the pavement design CBR must be based on the testing results of the insitu material and not the imported material.

At the time of subgrade inspection, the subgrade must exhibit no visible signs of deformation under proof rolling by a fully loaded, single axle water truck. The pavement subgrade will not be passed until this requirement has been achieved.

139. At the time of pre-seal inspection, the pavement must be dried back to a maximum of 60% of OMC or a maximum DoS of 65%. Verification shall be undertaken by nuclear gauge testing. Consistency may be checked via proof rolling, using a fully loaded, single axle water truck.

#### **Works within Road Reserve/Reinstatement**

140. 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.
141. 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.
142. The applicant is fully responsible for all costs associated with the development works including alterations, rectification or removal of public utility as well as any unforeseen or unplanned costs necessary to fulfil the requirements of this approval.

#### **Pathways and Access Points**

143. All pathways must be constructed in accordance with the following requirements:
- (a) All footpaths/cycleways must comply with Council's Standard Drawing RS-065.
  - (b) Provision must be made for disabled access at all kerb crossings associated with pathways, in accordance with Council's Standard Drawing RS-090 and RS-091.
  - (c) All paths must have a slip resistant surface.
  - (d) Expansion and contraction joints must provide a flush finish. Installation of joints by saw cutting is preferred to ensure a smooth ride for cyclists.

- (e) The required work includes any modifications to ensure the footpath finishes flush with all existing service covers and the like, or alternatively these services are raised or altered, so as not to create a pedestrian safety hazard.

144. Pathways must:

- (a) Terminate in a manner that ensures smooth transition to existing surfaces for public safety.
- (b) Be designed and constructed to comply with the relevant sections of the Disability Discrimination Act (DDA), Access to Premises Standard, Austroads and relevant sections of AS 1428 - Design for access and mobility.

**Site Access and Driveways**

- 145. Driveway crossovers must be constructed in accordance with Council's Standard Drawing IPWEA RS-051.
- 146. The property access must be located a minimum of 1m clear of power poles, streetlights, other signage, street trees and stormwater entry pits. The applicant 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.
- 147. Pedestrian / Vehicular Warning signs and speed bumps must be installed at prior to the carpark exit to improve driver awareness of pedestrians and enhance pedestrian safety. Warning signage must be provided adjacent to the building at the front property alignment from the parking area to warn motorists of pedestrian movement across the frontage.

**Earthworks and Retaining Walls**

- 148. All retaining walls must be designed and constructed in accordance with the planning scheme and must be certified by a Registered Professional Engineer of Queensland (RPEQ) where exceeding 1m in height.
- 149. Safety barriers must be implemented where steep slope or fall hazards exist naturally or are created by the design. The barrier type must be assessed and designed by a RPEQ as being appropriate for each location and the anticipated risks during construction, establishment, maintenance and end use, in accordance with the following criteria and standards:
  - (a) Where located near publicly accessible paths, barriers in accordance with Austroads Guide to Road Design – Part 6A Paths for Walking and Cycling.
  - (b) Where located adjacent to vehicle manoeuvring areas, barriers in accordance with AS 2890.1:2004 - Off-street parking.
  - (c) Where located in areas with limited access, barrier selection based on a suitable risk assessment method in AS 2156.2 Walking Tracks.
  - (d) All barriers must be certified to the appropriate load conditions from AS 1170 - Structural Design Actions by either the manufacturer or engineering calculations.

**Structures and Durability**

150. All steelwork must comply with an appropriate corrosion resistance in accordance with AS 4312 - Atmospheric Corrosion Zones. Where austenitic metals cannot be specified, a corrosion protection system must be specified to comply with AS 2312 - Guide to the protection of structural steel against atmospheric corrosion by the use of protective coatings. The specification for steelwork finishing must match or exceed Table SC6.14.8A of the Planning scheme policy for development works.

#### **Stormwater Drainage**

151. Where the development involves excavation or filling over, or adjacent to drainage infrastructure access chamber surface levels must be adjusted to reduce stormwater ingress. Where located in landscaped areas, the pit must be raised to 100mm proud. Where located in turfed areas, pits must be raised nominally 100mm above finished level and locally graded out to prevent ponding.
152. Construction of all internal stormwater drainage works must comply with the relevant sections of Australian Standard AS 3500.3 - Plumbing and Drainage.

#### **Work Hours**

153. Construction and earthworks (including the entry and departure of heavy vehicles) must only occur between the hours of 6:30am to 6:30pm Monday to Saturday with no work on Sunday or Public Holidays.

#### **Construction Materials, Equipment and Waste**

154. Construction materials, equipment and waste (waste\* as defined by the *Environmental Protection Act 1994*) resulting from the approved works must be retained wholly within the subject works alignment in accordance with the Approved Plans. Any waste generated as a result of the works must be disposed only to a facility for waste disposal approved in accordance with the *Environmental Protection Act 1994*, for example a Council operated Waste Facility.
- \* (Refer to Advisory Note)

#### **FOLLOWING CONSTRUCTION**

##### **Supervision/Certification**

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

##### **As Constructed Plans**

156. Prior to acceptance On Maintenance of civil works intended to become Council assets, As Constructed records must be submitted to and approved by Council.

The As Constructed information must include:

- (a) Drawings and data certified by a RPEQ for design intent, and certified by a Licensed Surveyor in regard to the cadastre and the location, level and type of all services and structures.

- (b) The data must be in accordance with Council's Planning Scheme Policy for Development Works and fully detail levels for all engineering works including, but not limited to, drainage structures, finished ground levels and pavement surface levels. The data must be submitted in hardcopy form and digital format (Asset Design and As Constructed (ADAC)). Guidelines on the use of ADAC are available at [www.adac.com.au](http://www.adac.com.au)

#### **On Maintenance**

- 157. A secondary CCTV inspection is to be completed for the same extent as required prior to the commencement of works, prior to the acceptance On Maintenance. Any damage identified must be fully rectified at the applicant's cost.
- 158. All municipal works must be accepted On Maintenance by Council in accordance with Council's relevant Planning Scheme Policy prior to commencement of use. To achieve On Maintenance, the certifying RPEQ must submit to Council:
  - (a) Certification that all works have been undertaken and completed in accordance with the requirements of this approval.
  - (b) As Constructed details in accordance with Council's relevant Planning Scheme Policy.
  - (c) Maintenance and operational manuals for all proprietary devices.

#### **Off Maintenance**

- 159. Prior to requesting an Off Maintenance inspection the applicant must provide:
  - (a) Confirmation that all municipal land has been transferred to Council.
- 160. A re-inspection fee in accordance with Council's Fees and Charges Register will be charged where:
  - (a) A Council inspection reveals works do not comply with approval requirements.
  - (b) Submitted certification falsely states works comply with approval requirements.

#### **LANDSCAPE CONDITIONS**

##### **PRIOR TO COMMENCEMENT OF LANDSCAPE WORKS**

- 161. Prior to requesting a prestart meeting demonstrate:
  - (a) Receipt of amended plans approval.
  - (b) Submit certification from a Qualified Accessibility Consultant for all external pedestrian trafficable areas (restricted to the footpaths and outdoor dining areas, and any publicly accessible paths of travel, review of any level changes and locations where safety barriers may be required and provision of recommendations).
- 162. A prestart meeting must be organised with council prior to the commencement of any on site works. An OPW Pre-Start Meeting Request Form must be submitted to council together with payment of the relevant application fee. The applicant must organise for the certifying RPEQ or other certifying entity, as well as the principal contractor/s for the OPW works to be in attendance at the meeting.

## DURING CONSTRUCTION

### Hold Points

163. Notify Council within a minimum 14 days prior to the following hold points to confirm inspection with Council:
- (a) Prior to pavement set out, so confirm alignment extent of materials etc.
  - (b) Prior to street tree placement, to ensure setbacks and safety clearances and sightlines.

### Vegetation Removal and Fauna Management

164. Prior to vegetation removal or pruning, all trees are to be checked for wildlife. If wildlife is present, the tree must not be felled or pruned until it has vacated the tree or has been relocated by a qualified fauna spotter catcher.
165. All tree and vegetation removal works must be undertaken by a qualified person\*.  
\*(Refer to Advisory Note)
166. Cleared vegetation must be suitably disposed of or utilised as follows:
- (a) used for landscape or construction purposes associated with the property; or
  - (b) provided to a local timber supplier or mill; or
  - (c) disposed of at an approved landfill facility; and
  - (d) not burnt as a method of disposal.

### General

167. Where damage occurs to any council asset as a result of the development works, it must be repaired immediately where it creates a hazard that presents risk to person or property. Other damage must be repaired prior to completion of works.
168. 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) The relevant conditions of the higher order Material Change of Use MCU21/0342 to which this approval relates.
  - (c) All relevant council Planning Scheme Policies, standard drawings, standard specifications and guidelines.
  - (d) The latest version of Water Sensitive Urban Design Technical Design Guidelines for South East Queensland (Healthy Waterways) for all water quality devices to be constructed on site.

### Landscaping Works

169. Landscape works must be supervised, undertaken and certified by qualified persons\*. All works must be completed in accordance with this Decision Notice.  
(\* Refer to Advisory Note)
170. Landscape works must:
- (a) Delineate all planting to grassed area interfaces with a hardwood or concrete edging.



- (b) Ensure amenity or sales signage and ancillary infrastructure is not installed within the road reserve.
  - (c) Ensure permanent irrigation is not installed within the road reserve.
  - (d) Ensure 25mm hoop pine mulch, aged, comprised of leaf and limb material of varying sizes, free of foreign matter including anthropogenic waste, rock, soil/sediment contamination and is applied to all planting areas to ensure a minimum 100mm depth once settled.
171. Public amenity trees\* must:
- (a) Meet The Australian Standard, AS2303 Tree Stock for Landscape Use.
  - (b) Be located in accordance with engineering requirements for safe vehicle and pedestrian sight lines.
  - (c) Be located from services and infrastructure at the minimum required distance so as to ensure there is no interference at maturity.
- \*(Refer to Advisory Note)
172. Provide structural soil / subsurface cells to join tree pits underneath the pavement and provide an improved growing environment to link planting areas as per manufacturer's recommendations.
173. Ground plane transitions between the development site and the road verge are to be finished flush and graded evenly so as to comply with AS1428, (no single steps or diminishing edges are to be provided).

## **FOLLOWING CONSTRUCTION**

### **Bonds**

174. Performance Bonds must be lodged for:
- (a) Streetscape Landscape.
175. Bonds must:
- (a) Meet the requirements of the relevant council Planning Scheme Policy for performance and uncompleted works.
  - (b) Be calculated using a schedule of works and relevant bond equation.
  - (c) Include GST.
  - (d) Have approval of the bond calculations and amount from council, prior to lodgement.
  - (e) Be lodged with council and accompanied by the Bond Administration Fee/s.
  - (f) Be requested for release by writing to council, when relevant approval requirements have been met.

### **On Maintenance**

176. Maintenance periods\* must be:
- (a) 12 months for Streetscape Landscape.
177. Prior to acceptance "on maintenance" of all works (civil and landscape) intended to become council assets, as constructed records must be submitted to and approved by council. The as constructed information must include:
- (a) civil drawings and data certified by a RPEQ for design intent;

- (b) landscape drawings and data certified by the landscape consultant for design intent;
  - (c) all drawing certified by a licensed surveyor in regard to the cadastre and the location, level and type of all services and structures;
  - (d) the data must be contained in a single ADAC file and be in accordance with council's planning scheme policy for development works and guidelines for the creation and submission of ADAC. The data must be submitted in hardcopy form and digital format (Asset Design and As Constructed (ADAC). Guidelines on the use of ADAC are available at <https://www.sunshinecoast.qld.gov.au/Development/Development-Tools-and-Guidelines/Infrastructure-Guidelines-andStandards/As-Constructed-Data-Standards-and-Guidelines>.
178. Prior to requesting an On Maintenance inspection, the following information package (prepared by respective qualified persons\* and certifying compliance with approvals) must be submitted to council:
- (a) All required bonds.
  - (b) Landscaping certification.
  - (c) Certification from a registered Access Consultant\* certifying that publicly accessible paths of travel comply with all relevant standards.
  - (d) Completed form: Developer Contributed Asset SUMMARY (available from council's website).
  - (e) Australian Standard, AS2303 Tree Stock for Landscape Use certification (addressing each specimen) using the attached Tree Inspection Form.
  - (f) Soil amelioration certification.
  - (g) RPEQ structural certifications.
  - (h) Wall and surface certification of anti-graffiti treatment.
- \*(Refer to Advisory Note)

### **ENVIRONMENTAL CONDITIONS**

#### **Work Hours**

179. Construction and earthworks (including the entry and departure of heavy vehicles) must only occur between the hours of 6:30am to 6:30pm Monday to Saturday with no work on Sunday or Public Holidays.

#### **Lighting**

180. Lighting associated with the construction and earthworks activities, including security lighting, must be designed, sited, installed and tested to comply with Tables 3.2 & 3.3 for Zone A4 of AS 4282 - Control of the obtrusive effects of outdoor lighting".

#### **Air Emissions**

181. Visible emissions of dust must not occur beyond the boundaries of the subject site Monday to Sunday.

### **Construction Materials, Equipment and Waste**

182. Construction materials, equipment and waste (waste as defined by the Environmental Protection Act 1994) resulting from the approved works must be retained wholly within the subject works alignment in accordance with the Approved Plans. Any waste generated as a result of the works must be disposed only to a facility for waste disposal approved in accordance with the Environmental Protection Act 1994, for example a council operated Waste Facility.

### **Fill Material**

183. Filling of land must be undertaken using the following inert materials only in accordance with the Waste Reduction and Recycling Act 2011 using either of the following:
- (a) If pulverised so that no piece has any dimension of more than 100mm:
    - (i) Bricks, pavers or ceramics.
    - (ii) Concrete that does not have any steel reinforcing rods embedded in it.
  - (b) Clean earth.

### **Acid Sulfate Soils**

184. All works must be carried out in accordance with section 3 of the Acid Sulfate Soil Management Plan listed in this development approval.  
\*(Refer to Advisory Note)
185. All waters, including stormwater runoff, groundwater seepage and leachate from acid sulfate soils must achieve the following quality prior to release from the site:
- (a) a pH range of 6.5-8.5 pH units;
  - (b) 50mg/L maximum total suspended solids concentration;
  - (c) 0.3mg/L maximum total iron concentration;
  - (d) 0.2mg/L maximum total aluminium concentration;
  - (e) No visible plume at either the point of release from the site or within a waterway.
186. All treated material must undergo verification testing at the rate of one sample per 500m<sup>3</sup> throughout the duration of the excavation phase of the development. The verification testing must be undertaken by a qualified person\* using the SPOCAS or Chromium Reducible Sulphur testing suite, and the results for each sample must be submitted to council.  
\*(Refer to Advisory Note)

### ADVISORY NOTES

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

#### DEVELOPMENT PERMIT FOR MATERIAL CHANGE OF USE

##### Equitable Access and Facilities

1. The plans for the proposed building work have NOT been assessed for compliance with the requirements of the *National Construction Code - Building Code of Australia (Volume 1)* as they relate to people with disabilities. Your attention is also directed to the fact that in addition to the requirements of the National Construction Code as they relate to people with disabilities, one or more of the following may impact on the proposed building work:
  - (a) the *Disability Discrimination Act 1992 (Commonwealth)*
  - (b) the *Anti-Discrimination Act 1991 (Queensland)*
  - (c) the *Disability (Access to Premises – Buildings) Standards*.

##### Aboriginal Cultural Heritage Act 2003

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

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

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

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

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

##### Other Laws and Requirements

4. This approval relates to development requiring approval under the *Planning Act 2016* only. It is the applicant's responsibility to obtain any other necessary approvals, licences or permits required under State and Commonwealth legislation

or council local law, prior to carrying out the development. Information with respect to other council approvals, licences or permits may be found on the Sunshine Coast Council website ([www.sunshinecoast.qld.gov.au](http://www.sunshinecoast.qld.gov.au)). For information about State and Commonwealth requirements please consult with these agencies directly.

5. The development proposes an awning structure located within road reserve. The awning structure requires that a *Permit for Alteration or improvement to local government controlled areas and roads* be obtained in accordance with council's Local Laws.

#### **Restriction on Building Approval until all other Permits are Effective**

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

#### **Infrastructure Charges**

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

The re-proportioning of infrastructure charges may occur as part of the preparation of an infrastructure agreement between the Applicant and Council.

#### **Development Compliance Inspection**

8. Prior to the commencement of the use, please contact council's Development Audit & Response unit to arrange a development compliance inspection.

#### **Nature and Extent of Approved Development**

9. The assessment of this development was based on the gross floor area/site cover as depicted on the Approved Plans.

#### **Resubmission of Amended Plans Required**

10. Amended plans are to be resubmitted to Council prior to undertaking operational work, receipt of building approval or or commencement of use, where indicated

#### **Preparation of a Public Art Master Plan**

11. The conditions of this development approval require submission of a Public Art Master Plan (PAMP) to council. The PAMP submitted to council must:

- (a) document the conceptual framework and artistic vision (e.g. themes / image / identity aims);
- (b) identify building structures and areas of the site suitable for artwork (e.g. building faces, retaining walls, awnings, shelter structures, landscaped areas, and street furniture such as seating/benches);
- (c) identify opportunities for art (e.g. entry statements, signature works, integrated art options or community art projects);
- (d) identify integrated and sophisticated design methods;
- (e) identify and document varied and interesting materials and methodologies;
- (f) identify and document designs for longevity, low-maintenance and graffiti-proofing;
- (g) identify community engagement strategies.

#### Qualified Person

- 12. For the purpose of preparing a public art master plan, a qualified person is considered to be an arts consultant/artist with a minimum of three (3) years current experience in the field of public art.
- 13. For the purpose of preparing a landscape plan, a qualified person is considered to be a landscape architect, landscape designer and/or horticulturist with a minimum of three (3) years current experience in the field of landscape design.
- 14. For the purpose of certifying rainwater collection tanks for the development, a qualified person is considered to be a Registered Professional Engineer of Queensland (RPEQ) or the holder of a relevant QBCC licence.
- 15. For the purpose of certifying flood levels for the development, a qualified person is considered to be a Registered Professional Engineer of Queensland (RPEQ) experienced in hydraulics and hydrology.
- 16. For the purpose of certifying waste chute construction for the development, a qualified person is considered to be a Registered Professional Engineer of Queensland (RPEQ).
- 17. For the purpose of certifying acoustic matters or treatments for the development, a qualified person is considered to be either:
  - (a) a Registered Professional Engineer of Queensland (RPEQ) with a minimum of three (3) years current experience in the field of acoustics;
  - (b) a Member of the AAS with a minimum of three (3) years current experience in the field of acoustics.
- 18. For the purpose of certifying lighting devices for the development, a qualified person is considered to be either:
  - (a) a Registered Professional Engineer of Queensland (RPEQ);
  - (b) an environmental or electrical design consultant with a minimum of three (3) years current experience in the field of outdoor lighting.
- 19. For the purpose of preparing an acid sulfate soil and groundwater management plan, a qualified person is considered to be either:
  - (a) Registered Professional Engineer of Queensland (RPEQ) or;

- (b) Soil scientist with a minimum of five (5) years current experience in the field of acid sulfate soils.

#### **Waste Management – On Property Servicing of Bulk Bins**

- 20. The conditions of this approval contain detailed requirements regarding waste management storage and collection areas. Council is seeking to minimise existing long term problems associated with servicing of waste containers, specifically issues associated with bulk bins standing on road reserves, traffic issues, and Workplace Health & Safety considerations for the cleansing contractor. The purpose of the temporary bin storage embayment at the site frontage within the property boundary is to reflect:
  - (a) the minimum requirements that must be achieved so as to conduct safe, efficient and unobstructed On-Property collection of bulk bins in accordance with the Waste management code, and
  - (b) the minimisation of Workplace Health & Safety issues associated with manual handling of bulk bins by the cleansing contractor.

#### **Waste Management – Bin Sizes**

- 21. Council's Waste and Resources Management Branch coordinates waste collection within the Sunshine Coast Council area, in conjunction with the appointed waste collection contractor. Waste collection services for industrial developments are available, with varying bin sizes and service frequency to achieve safe, efficient and unobstructed servicing for the development. Please contact Council's Waste and Resources Management Branch via the Customer Service Centre for further information regarding available bin sizes.

#### **Medical Waste**

- 22. The Waste Reduction and Recycling Regulation 2011 contains specific requirements for the storing and handling of clinical and related waste before it is transported off-site for treatment and disposal. These requirements have been introduced to prevent harm to humans, avoid contamination of soil and surface waters, and to assist in ensuring correct disposal. Clinical and related wastes must be:
  - (a) bagged and stored in rigid-walled, leak-proof secondary containers, preferably in a bunded area with an impervious surface (e.g. washable storage room);
  - (b) stored in bags and containers with the appropriate colours and labels
  - (c) kept so as not to cause environmental nuisance (e.g. by refrigerating potentially odorous materials);
  - (d) stored in an area not accessible to unauthorised people or animals.

#### **Environmental Advisory Notes**

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

the risk of causing environmental harm.

#### **Unitywater - Water and Sewerage Services**

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

#### **DEVELOPMENT PERMIT FOR OPERATIONAL WORKS**

##### **General Advisory Note**

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

##### **Prestart, On and Off Maintenance Inspections Request**

26. Contact Council on (07) 5475 9866 to arrange a prestart or an inspection giving a minimum of five business days' notice of preferred inspection time.
27. If Council officers are required to undertake additional inspections of the same works, a re-inspection fee will be applicable in accordance with Council's Fees and Charges Register applicable at the time.
28. A minimum maintenance period of 12 months will apply to all municipal works and thereafter until such time as the works are performing in accordance with the approved design unless notified otherwise.

##### **Civil Engineering Advisory Notes**

29. A separate development permit for Operational Works must be obtained prior to any modification of existing property accesses, the construction of any new property access, or the commencement of any other works in the road reserve that do not form part of this approval.

##### **Environmental Advisory Notes**

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



### Lodgement of Bonds

31. All bonds, including bank guarantees, must be accompanied by a completed bond lodgement form (available on council's website). The completed form ensures council has the necessary details to register bonds against the correct development or building works, and returns the bond to the correct entity upon completion. Council will not be able to receipt the bond without the completed form.

### Qualified Person

32. Qualified Person, for the purpose of landscaping and streetscaping:
- (a) Supervising landscape works and preparing a landscape certification, is considered to be a landscape architect, landscape designer or horticulturist with a minimum of three years current experience in the field of landscape design.
  - (b) Undertaking landscape construction and establishment works is considered to be a person with five years current experience in commercial landscape construction projects.
  - (c) Undertaking, supervising tree works and preparing arboriculture certification, is considered to be a person with a minimum three years current experience in tree protection, hazard identification/mitigation and Australian Standard, AS2303 Tree Stock for Landscape Use.assessment and either:
    - (i) International Society of Arboriculture (ISA) certification; or
    - (ii) A Diploma of Arboriculture.
  - (a) Preparing an Access Report and Certification, is considered to be a registered Access Consultant with the Association of Consultants in Access Australia (ACAA) and with a minimum of three years current experience in the field.
33. For the purpose of preparing an acid sulfate soil and groundwater management plan, a qualified person is considered to be either:
- (a) a Registered Professional Engineer of Queensland (RPEQ) or;
  - (b) a soil scientist with a minimum of five (5) years current experience in the field of acid sulfate soils.
34. For the purpose of certifying acoustic matters or treatments for the development, a qualified person is considered to be either:
- (a) a Registered Professional Engineer of Queensland (RPEQ);
  - (b) an environmental consultant with a minimum of three (3) years current experience in the field of acoustics.
35. For the purpose of certifying lighting devices for the development, a qualified person is considered to be either:
- (a) a Registered Professional Engineer of Queensland (RPEQ);
  - (b) an environmental or electrical design consultant with a minimum of three (3) years current experience in the field of outdoor lighting.
36. For the purpose of preparing an acid sulfate soil and groundwater management plan, a qualified person is considered to be either:
- (a) a Registered Professional Engineer of Queensland (RPEQ) or;

- (b) a soil scientist with a minimum of five (5) years current experience in the field of acid sulfate soils.

#### **Landscape Works**

- 37. The applicant must pay the re-inspection fee in accordance with council's Fees and Charges Register where:
  - (a) an inspection revealed that any constructed rehabilitation/landscape works do not comply with the conditions of the Decision Notice, Approved Plans and or Approved Documents;
  - (b) certification is submitted to council falsely stating that works comply with the Approved Plans, documents and or conditions of the Decision Notice.
- 38. Public amenity trees are defined as any tree located within public streets, parks or areas that will become publically owned as a result of this development.

#### **On Maintenance**

- 39. Request for On Maintenance is the responsibility of the developer. No credit will be given due to failure to request inspection. Maintenance works are the responsibility of the developer and must include regular inspections, repairs, rectifications and establishment. A single maintenance run immediately prior to inspection is not acceptable.

#### **Reinspection Fee**

- 40. A reinspection fee, in accordance with council's current Fees and Charges Register, will be required to be paid prior to any re-inspection of the same works where:
  - (a) the inspection revealed the works to be clearly non-compliant with the approval and drawings; and
  - (b) insufficient preparation of the works necessitating additional inspection/s.

Reinspection fees **can be avoided** by ensuring that the works to be inspected by council officers have been sufficiently checked and deemed compliant by the certifying entity prior to scheduling an inspection with council officers.

#### **Noise - Fixed Plant and Equipment**

- 41. For the building design and construction of the approved use, the direction of a qualified acoustic consultant will ensure the installation of fixed plant and equipment (eg air-conditioning condenser units, refrigeration plant and mechanical exhaust discharge) is suitably located and/or shielded to avoid nuisance being caused by any noise from the plant and equipment.

#### **Food Premises**

- 42. Where the approved use includes a food premise, in accordance with the Food Act 2006 and the Food Standards Code the premises must be registered and the operator licensed. Please contact council's Healthy Places Unit via the Customer Service Centre for further information in respect of a licence.

### APPROVED PLANS AND DOCUMENTS

The following plans and documents are approved for the development.

**Note:** some of the Approved Plans & Documents may have been 'amended in red' or altered by a condition of approval. Where there is a conflict between conditions and Approved Plans & Documents, the conditions prevail.

Plan No.	Rev.	Plan Name	Date
DA050	M	Development Summary	02.02.22
DA090	C	Demolition Plan	29.06.21
DA100	J	Site Plan	06.08.21
DA111	S	Floor Plan – Level 01	02.02.22
DA112	R	Floor Plan – Level 02	02.02.22
DA113	N	Floor Plan – Level 03	02.02.22
DA114	K	Floor Plan – Level 04	06.08.22
DA115	E	Floor Plan – Level 05 - 07	06.08.22
DA116	K	Floor Plan – Level 08 - 10	06.08.22
DA117	K	Floor Plan – Level 11	06.08.22
DA118	L	Floor Plan – Level 12	06.08.22
DA119	K	Floor Plan – Level 12 Mezzanine	06.08.22
DA120	M	Floor Plan – Level 13	06.08.22
DA121	L	Floor Plan – Roof	06.08.22
DA200	J	Elevations – East Elevation	16.12.21
DA201	J	Elevations – North Elevation 'amended in red'	16.12.21
DA202	J	Elevations – South Elevation	16.12.21
DA203	H	Elevations – West Elevation	16.12.21
DA250	C	Podium Screen – Sheet 01	29.06.21
DA251	C	Podium Screen – Sheet 02 'amended in red'	29.06.21
DA252	A	Podium Sections – Brisbane Road	29.06.21
DA253	A	Podium Sections – First Avenue	29.06.21
DA254	A	Podium Sections – Brisbane Road Levels 3 to 6	29.06.21
DA300	H	Sections – Section 01	06.08.21
DA301	H	Sections – Section 02	06.08.21
DA302	H	Sections – Section 03	06.08.21
DA303	H	Sections – Section 04	06.08.21
DA304	H	Sections – Section 05	06.08.21
DA305	H	Sections – Section 06	06.08.21
DA400	E	Perspectives – From the Esplanade looking south along Brisbane Road towards the development	06.08.21
DA401	E	Perspectives – View from the south-eastern corner of the site towards the development	06.08.21
DA402	E	Perspectives – From opposite the north-eastern corner of the site with view towards the development	06.08.21

		'amended in red'	
DA403	E	Perspectives – View of plaza	06.08.21
DA501	B	Solar Study Sections – North-west	02.02.22
DA502	B	Solar Study Sections – South-east and North-east	02.02.22
DA600		Planters	02.02.22
CD001	E	Landscape Specification Notes	20.08.21
CD002	G	Materials and Finishes	10.02.22
CD003	F	Plant Schedule	07.12.21
CD405	E	Planting – Level 04	20.08.21
CD406	E	Planting – Level 05-06	20.08.21
CD407	E	Planting – Level 07-10	20.08.21
CD408	E	Planting – Level 11	20.08.21
CD601	B	Sections – Level 00	22.02.22
CD900	A	Construction Details	22.04.21
CD901	E	Construction Details 01	20.08.21
CD902	E	Construction Details 02	20.08.21
CD903	A	Construction Details 03	07.12.21
C002	D	General Notes	14.02.22
C100	D	Erosion and Sediment Control Layout Plan	14.02.22
C110	D	Erosion and Sediment Control Notes and Details	14.02.22
C200	D	Bulk Earthworks Layout Plan	14.02.22
C350	E	External Roadworks Layout Plan Sheet 1 of 2 'amended in red'	14.02.22
C360	D	External Roadworks Typical Sections	14.02.22
C361	D	External Roadworks Typical Details	14.02.22
C362	C	External Roadworks Typical Sections	07.12.21
C371	D	Elevated Crossing Sections and Details	14.02.22
C415	C	Stormwater Drainage Details	14.02.22
C420	D	Stormwater Drainage Longitudinal Sections	14.02.22
C430	C	Stormwater Drainage Calculation Tables	14.02.22
SK210	A	Roadworks Typical Details	23.03.21
9395	4	Stormwater Management Plan	06.12.21
1	A	Typical Offline Layout High Flow Bypass	21.05.19
		11 Cartridge Stormfilter System DN3250 Manhole Specification Drawing	09.11.18
		Oceanguard Typical Arrangements Specification Drawing	15.10.19
21083-001	1	Geotechnical and Acid Sulfate Soil Investigation Report	12.08.21
R02	H	Acoustic Report	30.11.21

### AMENDED PLANS AND DOCUMENTS

The following plans and documents are required to be resubmitted to Council to reflect required amendments.

Plan No.	Rev.	Plan Name	Date	Timing
DA110	W	Ground Floor Plan – Level 00	21.02.22	Prior to undertaking operational works
<b>Amendments</b>		<ul style="list-style-type: none"> <li>First Ave crossing design to be amended to reflect the recommendations of the RSA and the conditions of this approval.</li> <li>Extend the awning along First Ave over the transformer area to the boundary to create a continuous coverage connecting with the adjoining awning</li> <li>Provide a kerb buildout in the location of the existing Brisbane Road pedestrian crossing to mirror opposite side of Brisbane Road (existing condition)</li> </ul>		
CD200	H	Levels and Drainage – Level 00 'amended in red'	24.02.22	Prior to undertaking operational works
<b>Amendments</b>		<ul style="list-style-type: none"> <li>First Ave crossing design to be amended to reflect the recommendations of the RSA and the conditions of this approval.</li> <li>Provide a kerb buildout in the location of the existing Brisbane Road pedestrian crossing to mirror opposite side of Brisbane Road (existing condition)</li> </ul>		
CD300	I	Finishes – Level 00 'amended in red'	23.02.22	Prior to undertaking operational works
<b>Amendments</b>		<ul style="list-style-type: none"> <li>First Ave crossing design to be amended to reflect the recommendations of the RSA and the conditions of this approval.</li> <li>Provide a kerb buildout in the location of the existing Brisbane Road pedestrian crossing to mirror opposite side of Brisbane Road (existing condition)</li> </ul>		
CD401	I	Planting – Level 00 'amended in red'	23.02.22	Prior to undertaking operational works
<b>Amendments</b>		<ul style="list-style-type: none"> <li>First Ave crossing design to be amended to reflect the recommendations of the RSA and the conditions of this approval.</li> <li>Provide a kerb buildout in the location of the existing Brisbane Road pedestrian crossing to mirror opposite side of Brisbane Road (existing condition)</li> </ul>		

		<ul style="list-style-type: none"><li>Within the Porte Cochere remove COR NEG and replace with alternative species growing to a maximum 600mm at maturity to maintain sightlines.</li></ul>			
CD402	E	Planting – Level 01 'amended in red'	20.08.21	Prior to undertaking operational works	
Amendments		<ul style="list-style-type: none"><li>Planter minimum planting media depths, widths and species to be amended as per the conditions of this approval.</li></ul>			
CD403	E	Planting – Level 02 'amended in red'	20.08.21	Prior to undertaking operational works	
Amendments		<ul style="list-style-type: none"><li>Planter minimum planting media depths, widths and species to be amended as per the conditions of this approval.</li></ul>			
CD404	E	Planting – Level 03 'amended in red'	20.08.21	Prior to undertaking operational works	
Amendments		<ul style="list-style-type: none"><li>Planter minimum planting media depths, widths and species to be amended as per the conditions of this approval.</li></ul>			
CD409	E	Planting – Level 13 'amended in red'	20.08.21	Prior to undertaking operational works	
Amendments		<ul style="list-style-type: none"><li>Planter minimum planting media depths, widths and species to be amended as per the conditions of this approval.</li></ul>			
CD602	B	Landscape Plan – Level 01 / 02 & Notes – Planter Depths 'amended in red'	22.02.22	Prior to undertaking operational works	
Amendments		<ul style="list-style-type: none"><li>Planter minimum planting media depths, widths and species to be amended as per the conditions of this approval.</li></ul>			
CD603	B	Landscape Plan – Level 03 / Roof & Sections – Planter Depths 'amended in red'	22.02.22	Prior to undertaking operational works	
Amendments		<ul style="list-style-type: none"><li>Planter minimum planting media depths, widths and species to be amended as per the conditions of this approval.</li></ul>			
C300	D	Internal Access and General Layout Plan 'amended in red'	14.02.22	Prior to undertaking operational works	

<b>Amendments</b>		<ul style="list-style-type: none"><li>First Ave crossing design to be amended to reflect the recommendations of the RSA and the conditions of this approval.</li><li>Provide a kerb buildout in the location of the existing Brisbane Road pedestrian crossing to mirror opposite side of Brisbane Road (existing condition)</li></ul>			
C351	E	External Roadworks Layout Plan Sheet 2 of 2	14.02.22	Prior to undertaking operational works	
<b>Amendments</b>		<ul style="list-style-type: none"><li>First Ave crossing design to be amended to reflect the recommendations of the RSA and the conditions of this approval.</li></ul>			
C370	D	Elevated Crossing Layout	14.02.22	Prior to undertaking operational works	
<b>Amendments</b>		<ul style="list-style-type: none"><li>First Ave crossing design to be amended to reflect the recommendations of the RSA and the conditions of this approval.</li></ul>			
C380	C	Signage and Line marking Layout Plan 'amended in red'	14.02.22	Prior to undertaking operational works	
<b>Amendments</b>		<ul style="list-style-type: none"><li>First Ave crossing design to be amended to reflect the recommendations of the RSA and the conditions of this approval.</li><li>Provide a kerb buildout in the location of the existing Brisbane Road pedestrian crossing to mirror opposite side of Brisbane Road (existing condition)</li><li>Remove no-standing yellow line over the Brisbane Road pedestrian crossing</li><li>Remove no-standing yellow line along the First Avenue loading zone</li><li>Provide full-time loading zone sign R5-23 at both ends of the First Avenue loading zone</li></ul>			
C405	D	Stormwater Drainage Post Development Catchment Plan 'amended in red'	14.02.22	Prior to undertaking operational works	
<b>Amendments</b>		<ul style="list-style-type: none"><li>First Avenue crossing design to be amended to reflect the recommendations of the RSA and the conditions of this approval.</li></ul>			
C410	D	Stormwater Drainage Layout Plan 'amended in red'	14.02.22	Prior to undertaking operational works	
<b>Amendments</b>		<ul style="list-style-type: none"><li>First Ave crossing design to be amended to reflect the recommendations of the RSA and the conditions of this approval.</li></ul>			

SK200	A	Roadworks and Drainage Layout Plan 'amended in red'	23.03.21	Prior to undertaking operational works
<b>Amendments</b>	<ul style="list-style-type: none"> <li>First Ave crossing design to be amended to reflect the recommendations of the RSA and the conditions of this approval.</li> <li>Provide a kerb buildout in the location of the existing Brisbane Road pedestrian crossing to mirror opposite side of Brisbane Road (existing condition)</li> </ul>			
SK220	A	External Roadworks First Avenue Layout Plan and Details 'amended in red'	23.03.21	Prior to undertaking operational works
<b>Amendments</b>	<ul style="list-style-type: none"> <li>First Ave crossing design to be amended to reflect the recommendations of the RSA and the conditions of this approval.</li> </ul>			
SK300	C	Kerb and Verge Alignment Layout 'amended in red'	07.04.21	Prior to undertaking operational works
<b>Amendments</b>	<ul style="list-style-type: none"> <li>First Ave crossing design to be amended to reflect the recommendations of the RSA and the conditions of this approval.</li> </ul>			
	2	Construction Management Plan	12.08.21	Prior to the prestart meeting
<b>Amendments</b>	<ul style="list-style-type: none"> <li>Amend the Construction Management to reflect the conditions of this approval.</li> </ul>			

## 9.0 REFERENCED DOCUMENTS

The following plans and documents are reference documents.

### Referenced Documents

Plan No.	Rev.	Plan Name	Date
19116		CPTED Report	18.08.21
BNE0298	03	NCC Section J Energy Efficiency Report	31.03.21
14853		Qualitative Wind Assessment Interim Report	12.08.21
14853		Wind Assessment Response	20.01.22
20973	DA01a	Traffic Engineering Report	08.21
20973		Traffic Engineering Advice	08.12.21
20973		Traffic Engineering Response	03.02.22
		Road Safety Audit Report	14.02.22
9395	3	Engineering Services Report	07.12.21
		Waste Management Plan	10.21
BNE0298	D	Lighting Impact Assessment Report	12.08.21





## Independent Assessment Team – Detailed Assessment Report

Development application (code assessable)  
MCU21/0342 & OPW21/0528 seeking approval for:

- Development Permit for Material Change of Use:
  - Resort Complex (hotel), including:
    - 182 hotel short term accommodation rooms;
    - amenities and facilities; and
    - prescribed rooftop use
  - Food and Drink Outlets
  - Shops
  - Function Facilities
  - Bars
- Development Permit for Operational Works:
  - Road work
  - Landscaping
  - Stormwater
  - Earthworks

On land at:

7, 9 First Avenue, 10, 16, Brisbane Road, Mooloolaba  
(Lots 67, 68 & 69 on RP52440, and Lot 73 on RP73433)

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#### ATTACHMENTS

Attachment	Title	Author
1.	Architecture Assessment	Gomango Architects
2.	Landscape Assessment	Vee Design
3.	Traffic Assessment	Bitzios Consulting
4.	Waste, Odour and Lighting Assessment	Trinity Consultants
5.	Noise Assessment	Trinity Consultants
6.	Civil Engineering Assessment	Bligh Tanner

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MCU21/0342 &amp; OPW21/0528 | Detailed Assessment Report

<b>APPLICATION NO:</b>	MCU21/0342 & OPW21/0528
<b>AUTHOR:</b>	Ashley Everton (Associate Director, Ethos Urban) – Co-ordinator, Independent Assessment Team

The assessment of this application has been carried out by an external independent assessment team (refer to details below) based on the significant nature of this application and Council being the landowner of this property.

**1.0 APPLICATION SUMMARY**

<b>Division:</b>	4 – Councillor Natoli				
<b>Applicant:</b>	KPAT Mooloolaba Pty Ltd				
<b>Proposal:</b>	Development Permit for Material Change of Use for a Resort Complex (4.5 star hotel) (182 hotel short term accommodation rooms, amenities and facilities and prescribed rooftop use), Food and Drink Outlets, Shops, Function Facility and Bar, and Operational Works for Road work, Landscaping, Stormwater and Earthworks  Application link: <a href="https://development1.sunshinecoast.qld.gov.au/Home/FilterDirect?filters=DANumber=MCU21/0342">https://development1.sunshinecoast.qld.gov.au/Home/FilterDirect?filters=DANumber=MCU21/0342</a>				
<b>Properly Made Date:</b>	20 September 2021				
<b>Street Address:</b>	10-16 Brisbane Road and 7-9 First Avenue, Mooloolaba				
<b>RP Description:</b>	Lots 67-69 RP52440 and Lot 73 RP73433				
<b>Assessment Type:</b>	Code Assessable				
<b>Number of Submissions:</b>	<table> <tr> <td>Properly made</td><td>Other</td></tr> <tr> <td>0</td><td>0</td></tr> </table>	Properly made	Other	0	0
Properly made	Other				
0	0				
<b>State Referral Agencies:</b>	<i>Planning Regulation 2017</i> - Schedule 10, Part 9, Division 4, Subdivision 1, Table 1, Item 1 – Development impacting on State transport infrastructure and thresholds				
<b>Independent Assessment Team (IAT):</b>					

Name	Company	Position	IAT Role
Ashley Everton	Ethos Urban	Associate Director	Independent Assessment Team Coordinator, town planning and project management lead
Ciaran Callaghan	Ethos Urban	Principal	Town planning and project management assistance
Phil Smith	Gomango Architects	Director	Architecture lead
Nathan Edwards	Bitzios Consulting	Senior Traffic Engineer	Traffic engineering lead

**Item 8.2** Development Application for Material Change of Use (Resort Complex, Food & Drink Outlet, Shops, Function Facility and Bar) and Operational Works at 10 & 16 Brisbane Rd and 7 & 9 First Ave, Mooloolaba

**Attachment 1** Detailed Assessment Report by External Independent Assessment Team - Ethos Urban

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Abigail Joustra	Vee Design	Associate	Landscape lead
Andrew Martin	Trinity Consultants	Manager	Odour, waste management and lighting lead
Stephen Pugh	Trinity Consultants	Senior Engineer	Acoustic lead
Matthew Martin	Bligh Tanner	Associate Director	Civil engineering lead

## 2.0 PROPOSAL

A development application has been lodged by KPAT Mooloolaba Pty Ltd c/- Project Urban seeking approval for a Development Permit for Material Change of Use for a Resort Complex (4.5 star hotel) (182 hotel short term accommodation rooms, amenities and facilities and prescribed rooftop use), Food and Drink Outlets, Shops, Function Facility and Bar, and Operational Works for Road work, Landscaping, Stormwater and Earthworks. The subject site is located at 10-16 Brisbane Road and 7-9 First Avenue, Mooloolaba and is formally described as Lots 67-69 RP52440 and Lot 73 RP73433.

### 2.1 Key Design Elements

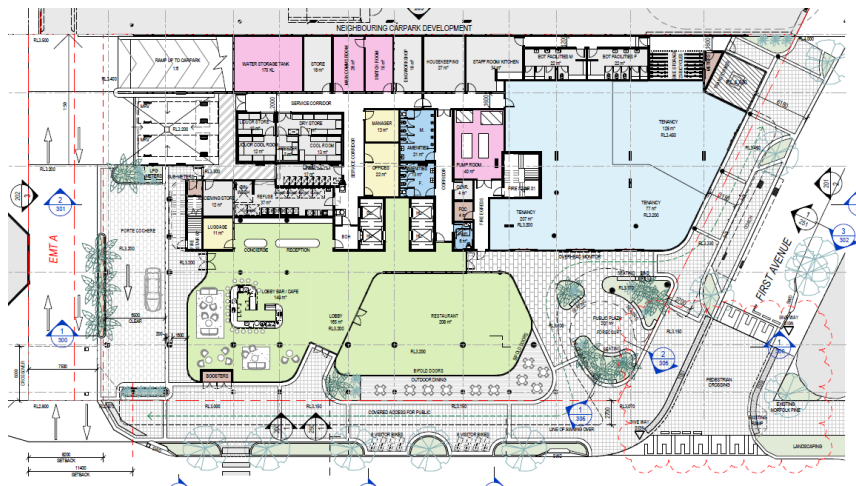
- Ground level: public plaza and landmark landscape feature, hotel food and drink outlets (restaurant and lobby bar/café), shops, hotel lobby, porte cochere, services, and amenities, plant, Brisbane Road driveway access via shared easement, First Avenue pedestrian crossing improvement
- 3 level podium:
  - Ground level: as above
  - Level 1: 22 non-hotel carparks and 43 hotel carparks, Brisbane Road and First Avenue screening and vertical vegetation
  - Level 2: 68 hotel carparks, Brisbane Road and First Avenue screening and vertical vegetation
- Tower:
  - Level 3: hotel rooms, kids club, outdoor play area, gym, spa and podium top planting
  - Levels 4-11: hotel rooms
  - Level 12: function facilities
  - Level 13 roof top: prescribed rooftop use – bar, restaurant, pool, outdoor dining and function space
  - Roof plant
- The tower comprises a total of 182 rooming units, comprising a mix as follows:

	Standard rooms			Sub-suite	Suite rooms				Total
	Type A	Type B	Type C		Type A	Type C	Accessible	Presidential	
<b>Number of beds</b>	1 bed	1 bed	1 bed	1 bed	1 bed	1 bed	1 bed	1 bed	
<b>No. of units</b>	108	9	8	25	18	4	9	1	<b>182</b>
<b>Room area</b>	29.7m <sup>2</sup>	30.8m <sup>2</sup>	30.8m <sup>2</sup>	44.7m <sup>2</sup>	54m <sup>2</sup>	61.4m <sup>2</sup>	36.7m <sup>2</sup>	89.6m <sup>2</sup>	
<b>Typically balcony area</b>	6m <sup>2</sup>	8m <sup>2</sup>	5.6m <sup>2</sup>	7.7m <sup>2</sup>	6m <sup>2</sup>	6m <sup>2</sup>	6.9m <sup>2</sup>	19.3m <sup>2</sup>	
<b>% of total</b>	<b>59.34%</b>	<b>4.95%</b>	<b>4.40%</b>	<b>13.74%</b>	<b>9.89%</b>	<b>2.20%</b>	<b>4.95%</b>	<b>0.55%</b>	<b>100.00%</b>
<b>% &lt;45m<sup>2</sup></b>	<b>87.36%</b>								

- Maximum height (allowed 45m above ground level excluding the prescribed rooftop uses): level 13 rooftop floor level of 42.05m above ground level, level 13 rooftop ceiling level of 45.35m above ground level, roof plant screening maximum height of 48m above ground level.



Perspective view at intersection of Brisbane Road and First Avenue



Ground level

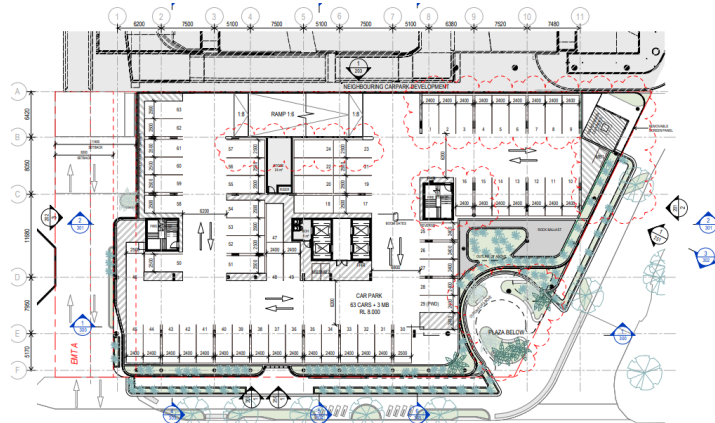
## 2.2 Uses

- Hotel:
  - 182 hotel rooms
  - Lobby bar/café – ground level (149m<sup>2</sup>)
  - Restaurant – ground level (208m<sup>2</sup>)
  - Kids club, outdoor play area, gym, spa – level 3 (340m<sup>2</sup>)
  - Restaurant & bar – rooftop (169m<sup>2</sup>)
  - Function Facility + boardroom – level 12 (604m<sup>2</sup>)

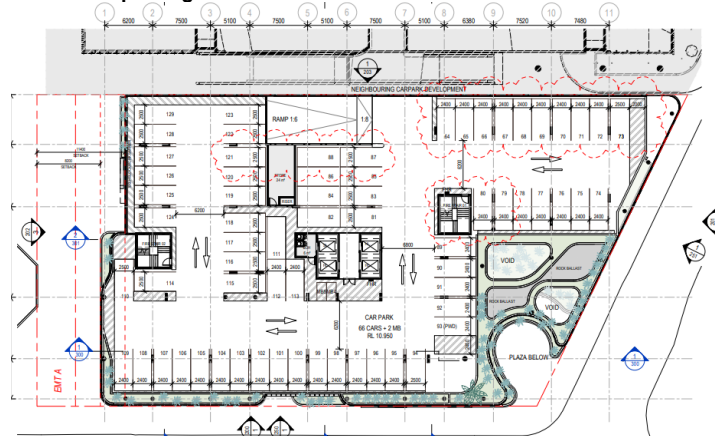
- Shops – ground level (412m<sup>2</sup>)

### 2.3 Carparking

- Proposed total (as recommend for approval): 133 car parking spaces (including 2 people with disabilities spaces) and 9 motorcycle parking spaces
  - parking for ground level tenancies not accessed via the hotel lobby: a minimum of 22 car parking spaces (including 1 people with disabilities space) and 3 motorcycle spaces.
  - parking for hotel guests: a minimum of 73 car parking spaces and 4 motorcycle spaces.
  - parking for visitors of hotel guests, function areas and tenancies / non-residential uses accessed via the hotel lobby (i.e. ground level restaurant and bar / café, and roof top restaurant, bar, outdoor dining and pool area): a minimum of 34 spaces (including 1 people with disabilities space)
- Bicycle:
  - 23 bicycle parking spaces for staff with end of trip facilities
  - 16 bicycle parking spaces for visitors



Level 1 car parking



Level 2 car parking



## 2.4 Built form

The proposal consists of a 3 level podium and tower, as the primary structure, with retail uses located on the ground floor, 2 storeys of carparking within the podium with boundary screening and vertical landscaping, hotel rooms and facilities situated within the tower, and rooftop facilities. The hotel is 13 storeys that is predominately 45m in height above ground level, with a peak of roof plant screening maximum height of 48m above ground level.

The rooftop consists of a mechanical plant area which is screened, a pool and outdoor recreation area for guests. The outdoor rooftop recreation area adjoins the restaurant, bar and function facility. The function area is located on the south-western side of Level 13, overlooking Brisbane Road.

The built form is varied in shape and texture, a variety of materials is used throughout the building and building articulation is employed to reduce building bulk and the impacts on the surrounding users. The building is designed to look like multiple smaller towers, instead of one continuous bulky structure.

There are significant levels of articulation on the corner of First Avenue and Brisbane Road, which provides more public pedestrian area and better access to the ground level retail uses.

Landscaping is integrated within the built form, across majority of levels however, it appears to feature heavily on the podium carparking levels.



Perspective of Corner of First Avenue and Brisbane Road

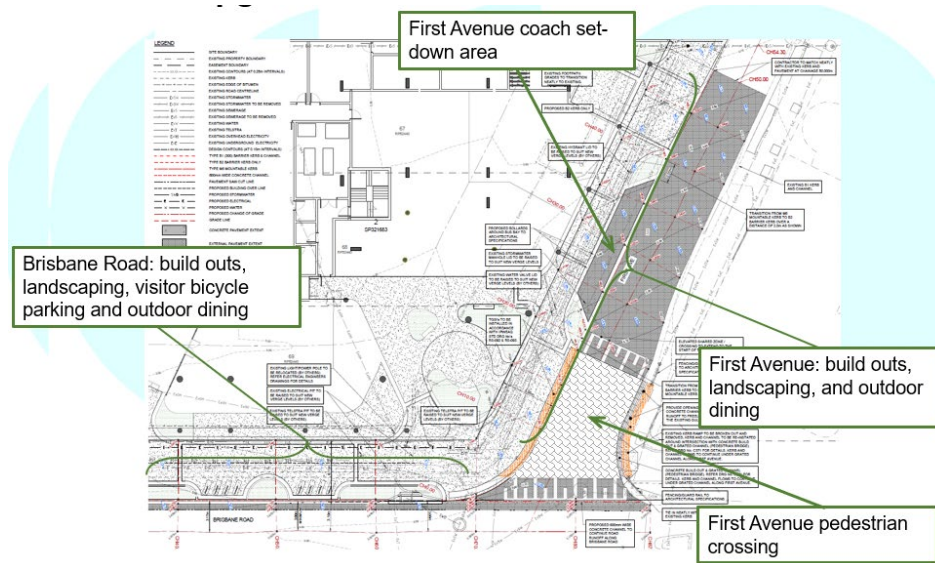
## 2.5 External works

The external works are focussed streetscape and road upgrades around the frontage of the site:

- Brisbane Road: build outs, landscaping, visitor bicycle parking and outdoor dining; and
- First Avenue: build outs, landscaping, outdoor dining and pedestrian crossing zone.

The pedestrian crossing at First Avenue encompasses a wide elevated pedestrian crossing to prioritise pedestrian movements and provide increased connectivity between the proposed development, in particular the public plaza, and nearby Mooloolaba Esplanade.

The development involves Operational Works for Road work, Landscaping, Stormwater and Earthworks. The proposed Operational Works area largely associated with the proposed external streetscape upgrade works to Brisbane Road and First Avenue, but also include earthworks and stormwater management works associated with the proposed development.



External works

### 3.0 SITE DETAILS

SITE AND LOCALITY DESCRIPTION	
Land Area:	2998m <sup>2</sup>
Existing Use of Land:	At grade public car park
Road Frontage:	Brisbane Road (65m), First Avenue (45m)
Significant Site Features:	Nil.
Topography:	Relatively flat 4m AHD in the north-west corner to 2.7m (approximately) in the south-eastern corner.
Surrounding Land Uses:	The site is surrounded by a mixture of apartments, short-term accommodation, retail, food and drink outlets, retail, office, commercial



Aerial photograph





Cadastral plan

### 3.1 Background / Site History

- Since 1998 there has been numerous discussions and planning investigations on the future redevelopment of the Brisbane Road Carpark site, including EOI's, Taskforce and Workshop discussions.
- The most recent and relevant investigation work was carried out in early 2015 being a draft visioning plan for Mooloolaba, and these principles form a key component of the background to the Place Making Mooloolaba project, aka 'Mooloolaba Master Plan'.
- 2017, July 31: Council amended the Mooloolaba/Alexandra Headland local plan to increase podium site cover and height, and tower site cover for Key Site 1 – Brisbane Road Carpark.
- 2017, October / November: Council publicly advertised a planning scheme amendment to remove the Muraban Street extension identified within the Mooloolaba/Alexandra Headland local plan.
- 2018, January: Following community consultation and consideration of submissions, on 8 January 2018, Council decided to proceed with the proposed planning scheme amendment with no changes and progressed the amendment to the second state interest check.
- 20 February 2018, the Department of State Government, Manufacturing, Infrastructure and Planning completed their second state interest check, and the Minister advised that Council may proceed to adopt the amendment.
- 24 May 2018, development approval MCU17/2169 over the entire carpark site for a Development Permit for Material Change of Use for a Parking Station, Car Wash, Shop (including full line

**Item 8.2**      **Development Application for Material Change of Use (Resort Complex, Food & Drink Outlet, Shops, Function Facility and Bar) and Operational Works at 10 & 16 Brisbane Rd and 7 & 9 First Ave, Mooloolaba**

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supermarket), Food & Drink Outlet, Shopping Centre, Multiple Dwellings (96 dwellings), Retirement Facility (97 independent living units), Residential Care Facility (30 aged care units), Short-Term Accommodation (104 hotel rooms), Function Facility, Hotel, Bar, Indoor Sport and Recreation and Resort Complex, over 7 Stages. This development approval was ultimately abandoned.

- 8 November 2018, Council resolved to divide the existing lots known as Brisbane Road Car Park, Mooloolaba into two parcels that are intended to develop separately; Part A – 'western half' facing Smith St for a public parking structure, and Part B – 'eastern half' facing Brisbane Road (subject application).
- 18 October 2019, development approval MCU19/0214, RAL19/0102 & OPW19/0468 for a Parking Station (700 car spaces and 54 Motorcycle spaces) and Food and Drink Outlet, an ROL and Operational Works application was approved. The multi-storey car-park currently occupies the site adjoining the subject site.

## 4.0 ASSESSMENT PROCESS

### 4.1 Pre-lodgement

The Applicant undertook a 'front-loaded' assessment process undertaking several pre-lodgement meetings, workshops and initial assessment of working draft technical reports and plans provided by the Independent Assessment Team (IAT). The initial meeting occurred on Thursday 3 December 2020 and the development application was properly made on 20 September 2021.

The following key issues were raised through the pre-lodgement process by the IAT:

- Definition and types of proposed land uses.
- Integration with the adjoining development.
- Urban design and "outstanding building design".
- Streetscape outcomes and extent of streetscape works along Brisbane Road and First Avenue.
- Traffic and access (integration with adjoining public car park, development car parking provision and porte-cochere).
- First Avenue bus set-down area.
- Active frontage treatment to Brisbane Road and First Avenue.
- Podium screening and visual privacy.
- Landscaping of Brisbane Road and First Avenue.
- First Avenue pedestrian crossing.

#### Pre-lodgement Response

In response to the above key issues and comments provided by the IAT, the following key changes were made to the proposal throughout the pre-lodgement process.

- Integration with the adjoining development – several design refinements have improved integration to the adjoining development. This includes use of consolidated of vehicle access to a single crossover on Brisbane Road, demonstration of a continuation of streetscape improvements along First Avenue and orientation of short-term accommodation units away from the Parking Station to reduce amenity impacts.
 

Further refinement considering the design of the transformer room which abuts the adjoining retail tenancy and outdoor dining area was requested by the IAT.
- Urban design – throughout the pre-lodgement process refinements have been made to the podium and tower design. These include:
  - Design changes to the tower façade to increase variation in built form.
  - Increased/finer-grain detail illustrating:
    - integration between proposed development and adjoining carpark structure ground level retail.
    - greater detail of the First Avenue and Brisbane Road ground-level and podium.
    - Additional detail and improved balcony screening / solar response outcome.
  - Provision of a material palette with references to local influences.
  - Further information was requested to be provided in the development application on the solar response and architectural concept to demonstrate a holistic design response that represents 'outstanding design'.
- Brisbane Road streetscape and vehicle access – The porte-cochere has been relocated from its original location along the Brisbane Road frontage to the internal driveway, resulting in a consolidate driveway crossover on Brisbane Road. This has reduced impacts on Brisbane Road streetscape, improving pedestrian movement and landscaping outcomes.
- First Avenue streetscape and bus set-down – Minor changes have been made throughout the pre-lodgement process to refine the streetscape outcome along First Avenue, increasing landscaping and

**Item 8.2 Development Application for Material Change of Use (Resort Complex, Food & Drink Outlet, Shops, Function Facility and Bar) and Operational Works at 10 & 16 Brisbane Rd and 7 & 9 First Ave, Mooloolaba**

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limiting the impact of the bus set-down on pedestrian permeability. The design of the bus set-down area will utilize a flush kerb with bollards and materials consistent with the footpath, to allow for pedestrian movements while not in use. The set-down area is also intended to be used for taxis, pick up and drop offs, short services, etc.

- First Avenue shared pedestrian zone – increased design detail and minor refinements to design of the shared zone have been provided, ensuring it exhibits suitable dimensions and responds to pedestrian desire lines. The IAT requested further information be provided as part of the development application to demonstrate the shared area provides best practice shared zone treatments and mitigates potential conflict between pedestrians and motorists.
- Car parking – A draft Transport Impact Assessment (TIA) was provided to justify that the proposal has “sufficient spaces to accommodate the number of vehicles likely to be parked at any one time,” in accordance Transport and Parking Code requirements. In the order of 130 car parking spaces were proposed.
- The TIA includes reference to the parking provision rates for similar developments as identified in traffic engineering industry guidelines and other council planning schemes. It also references the parking provided at other similar developments across the Sunshine Coast.
- The IAT has also reviewed the car parking provisions against those previously approved by Council as part of other similar Sunshine Coast development applications.
- Based on the IAT’s review, further details and clarification relating to the calculation of car parking requirements were requested. However, it does not appear that parking is significantly over or under provisioned.
- Activation of street frontage to First Avenue – design refinements were made to remove plant and short walls at ground level, in place of increased tenancy space, to improve current and future (flexible) activation.
- Landscaping - Additional cross sections were provided to demonstrate the building and proposed boulevard planting in relation to awnings and the streetscape.

## 4.2 Lodgement

The development application was lodged and properly made on 20 September 2021. The application has been supported by significant technical documentation:

- Town planning report prepared by Project Urban
- Local and state code assessments prepared by Project Urban
- Architectural Plans prepared by Mode Design and peer review by Cottee Parker Architects
- Concept Design Report prepared by Mode Design
- Hotel comparison with comparable hotel offerings prepared by Mode Design
- CEPTED Report prepared by Mode Design
- Landscape Concept Plans by Project Urban
- Operational Works Landscape Plans by Project Urban
- Engineering Service Report prepared by Inertia
- Stormwater Management Plan prepared by Inertia
- Operational Works Civil Engineering Plans Prepared by Inertia
- Geotechnical and Acid Sulfate Soils Investigation prepared by Tectonic
- Traffic Engineering Assessment by Hayes Traffic and peer review by PMP Urbanists
- Road Safety Audit (RSA) prepared by PSA Consulting
- Engineering Acoustic Assessment by Acousticworks
- Waste Management Plan by Fernway Engineering

- National Construction Code (NCC) Section J Energy Efficiency Report prepared by ADP Consulting Engineers
- Qualitative Wind Assessment prepared by CPP
- Lighting Impact Assessment prepared by ADP Consulting Engineers
- Construction Management Plan prepared by McNab

### 4.3 Information Request

On 18 October 2021 IAT, on behalf of Council, issued an Information Request to the Applicant requesting additional information in regard to:

- Public plaza size and function;
- Landmark design, sub-tropical and sustainable design principles and design philosophy;
- Public realm – continuous awnings, footpath widths, location of vehicle loading areas and architectural screening of pad-mount transformer;
- Location of pad-mount transformer;
- Design strategy for climate, outdoor living and privacy control to unit windows and balconies;
- Mitigating the effect of wind;
- Landscaping – planting species, deep planting and streetscape upgrade design;
- Motorist visibility of pedestrians at driveway crossover;
- Accessibility of porte-cochere parking and loading spaces;
- Car parking provision;
- Car parking layout and onsite servicing arrangements;
- First Avenue loading area arrangements;
- Shared zone / pedestrian crossing treatments;
- Flood planning levels and flood risk;
- Stormwater management arrangements;
- Acoustic attenuation and modelling of noise impacts;
- Hours of operation; and
- Waste management.

#### Applicant's Information Request (IR) Response

In response to the issues raised in Council's IR the Applicant made the following changes to the proposal dated 16 December 2021:

- Confirmation of the intended use of the public plaza.
- Refinement of the awning design and extent of cover.
- Additional information regarding the architectural design philosophy and framework, including peer review by Cottee Parker Architects.
- Comparison of the hotel design to other comparable examples.
- Provision of shadow diagrams.
- Confirmation of the likely use of balconies by hotel guests and visitors.
- Further qualitative wind assessment commentary.



- Additional landscape design information and confirmation of the extent of deep planting provided.
- Updated vehicle manoeuvrability plans for the porte cochere and set down area.
- Amended carpark and service bay design plans.
- Further justification for the extent of car parking provided to accommodate the demand of the proposed development.
- Additional flood hazard risk and mitigation information.
- Updated acoustic modelling and recommendations.
- Amended waste management plan.

#### 4.4 Further Advice

Following review of the Applicants response to the IR, IAT on behalf of Council issued a further advice letter to the Applicant on 25 January 2022 requesting further additional information in regard to:

- Sun modelling and the design of podium balconies cross sections for the SE, NE and NW elevations;
- Deep planting areas, other landscaping treatments and landscape design cross sections;
- Co-located of recycling and mixed waste bins;
- Driveway crossover width;
- Car parking provision;
- Car parking layout;
- On-site Servicing Arrangements;
- First Avenue Loading Area Arrangements and Pedestrian Crossing;
- Bulk earthworks; and
- Stormwater drainage.

##### Applicant's Further Advice Response

The Applicant responded to Council's Further Advice notice on 15 February 2022 with the following information:

- Further advice response table;
- Amended proposal plans, including:
  - revised cross sections showing further sun angles; and
  - further landscaping treatment.
- Amended landscape plans;
- Traffic and parking attachments, including further car parking justifications and a peer review of the proposed parking rate, parking management strategies and service vehicle demand by PMP Urbanists, and preparation of an independent Road Safety Audit (RSA) required regarding the design of the First Avenue crossing by PSA Consulting; and
- Amended civil engineering plans.

#### 4.5 SARA Further Advice

The following key issues were identified in State Assessment and Referral Agency's (SARA) (part of the Department of State Development, Infrastructure, Local Government and Planning) Further Advice Notice dated 20 October 2021:

- Operation and capacity of First Avenue set-down bay.
- Operation and capacity of porte cochere.
- Design of street awnings.

#### Applicant's Response to SARA Further Advice

In response to the issues raised in SARA's Further Advice Notice the Applicant made the following changes to the proposal dated 13 December 2021:

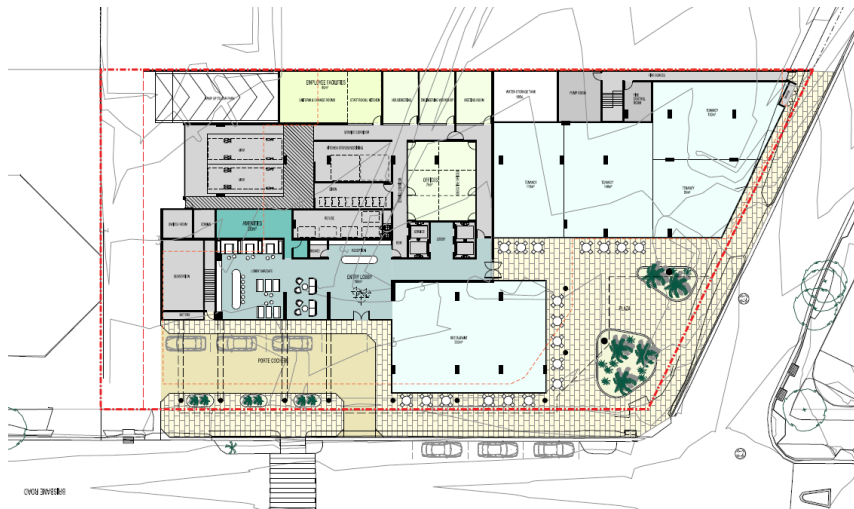
- Confirmation that the First Avenue set down area is only intended for use for coaches
- Minor modifications to the porte cochere and set down area to allow for better vehicle manoeuvrability
- Confirmation of the awning design, setback and overhang

#### SARA Referral Agency Response

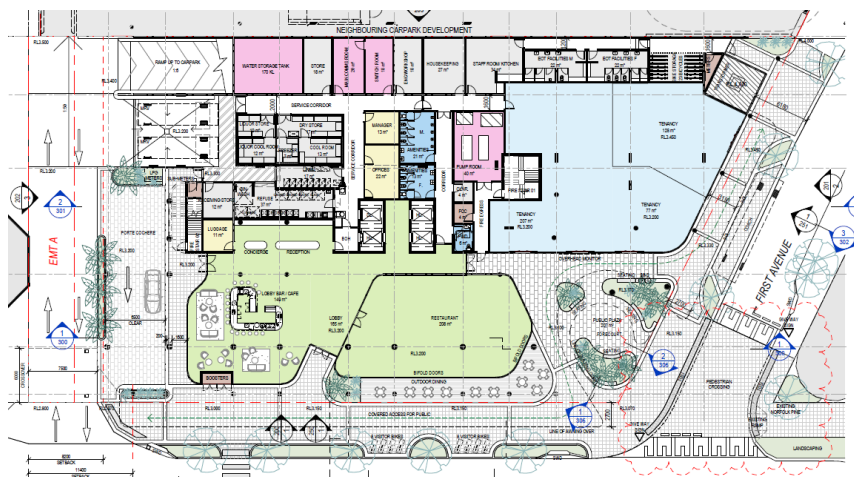
SARA provide their referral agency response on 6 January 2022 with no requirements but did provide advice notes.

## **4.6 Design progression**

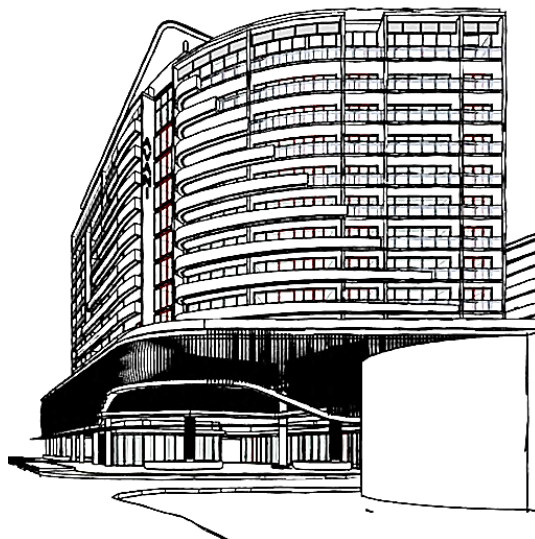
The design of the proposed design has progressed substantially since the initial pre-lodgment discussion in late 2020 to the current development scheme as illustrated by the following comparative images.



Ground floor plan – November 2020 (pre-lodgement)



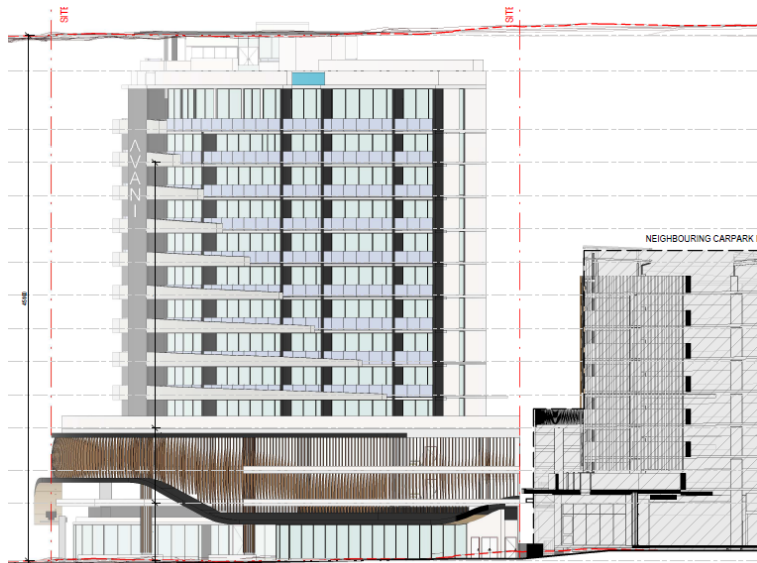
Ground floor plan – 21 February 2022 (Response to Council Further Advice Notice)



Perspective - Corner of Brisbane Road and First Avenue – February 2021 (pre-lodgement)



Perspective - Corner of Brisbane Road and First Avenue – 20 September 2021 (lodgement)



Elevation – First Avenue – January 2021 (pre-lodgement)



Elevation - First Avenue – 16 December 2021 (Response to IR)

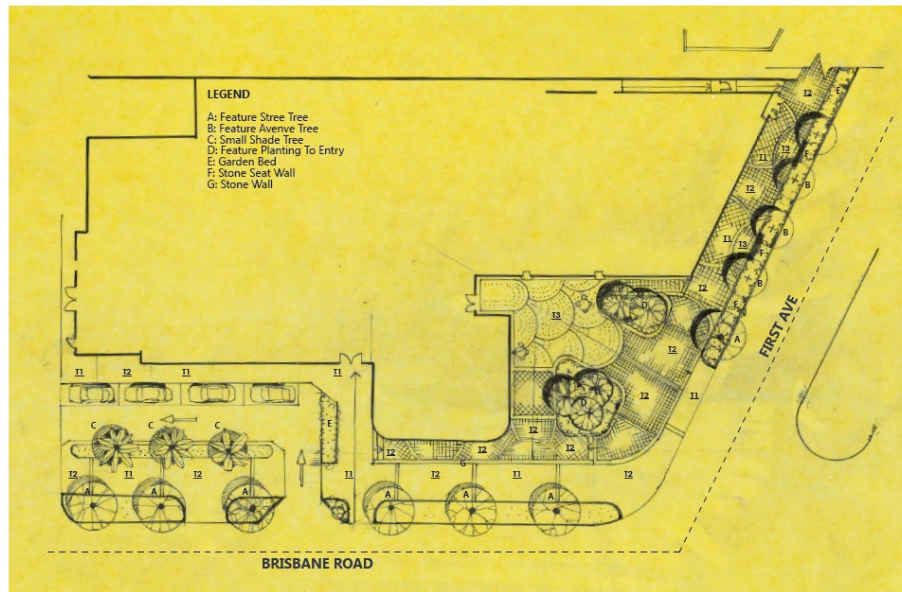




Perspective – Corner of the southern boundary and Brisbane Road building façade (ground level)  
– February 2021 (pre-lodgement)



Perspective – Corner of the southern boundary and Brisbane Road building façade (ground level)  
– 20 September 2021 (lodgement)



Landscaping plan – February 2021 (pre-lodgement)



Landscaping plan – 20 September 2021 (lodgement)

## 5.0 ASSESSMENT FRAMEWORK

### 5.1 Framework for Assessment

#### Categorising Instruments for Statutory Assessment

For the *Planning Act 2016*, the following Categorising Instruments may contain Assessment Benchmarks applicable to development applications:

- the *Planning Regulation 2017*
- the Planning Scheme for the local government area
- any Temporary Local Planning Instrument
- any Variation Approval

Of these, the planning instruments relevant to this application are discussed in this report.

### 5.2 Assessment Benchmarks Pertaining to the Planning Regulation 2017

The *Planning Regulation 2017* (the Regulation) prescribes Assessment Benchmarks that the application must be carried out against, which are additional or alternative to the Assessment Benchmarks contained in Council's Planning Scheme.

These Assessment Benchmarks are prescribed as being contained in:

- the SEQ Regional Plan and Part E of the State Planning Policy, to the extent they are not appropriately integrated into the Planning Scheme; and
- Schedule 10 of the Regulation.

Section 2.1 of the *Sunshine Coast Planning Scheme 2014* identifies that all relevant aspects of the State Planning Policy are reflected in the planning scheme. Therefore, no additional Assessment Benchmarks apply.

### 5.3 Assessment Benchmarks Pertaining to the Planning Scheme

The applicable planning scheme for the application is the *Sunshine Coast Planning Scheme 2014* ('the Planning Scheme'). The following sections relate to the provisions of the Planning Scheme.

<b>Planning Scheme:</b>	<i>Sunshine Coast Planning Scheme 2014</i> (version 23, 24 May 2021)
<b>Strategic Framework Land Use Category</b>	Not applicable to Code Assessment
<b>Local Plan Area:</b>	Mooloolaba / Alexandra Headland Local Plan Area: <ul style="list-style-type: none"> <li>• Key Site 1 – Brisbane Road Carpark</li> <li>• Primary Active Street Frontage: Brisbane Road and First Avenue</li> <li>• Primary Streetscape Treatment Area: Brisbane Road</li> </ul>
<b>Zone:</b>	District Centre Zone
<b>Overlays:</b>	<ul style="list-style-type: none"> <li>• Acid Sulfate Soils Overlay: Area 1 - land at or below 5m</li> <li>• Airport Environs Overlay: Runway Separation Distances 8 to 13km</li> <li>• Coastal Protection Overlay: Coastal Protection Area</li> </ul>



	<ul style="list-style-type: none"> <li>Height of Buildings and Structures Overlay: 45m</li> <li>Flood Hazard Overlay Code (localised flooding along Brisbane Road)</li> </ul>
<b>Consistent/Inconsistent Use:</b>	Consistent
<b>Assessment Benchmarks:</b>	<p>Local plan code</p> <ul style="list-style-type: none"> <li>Mooloolaba/Alexandra Headland Local Plan Code</li> </ul> <p>Zone code</p> <ul style="list-style-type: none"> <li>District Centre Zone Code</li> </ul> <p>Overlay codes</p> <ul style="list-style-type: none"> <li>Height of Buildings And Structures Overlay Code</li> <li>Acid Sulfate Soils Overlay Code</li> <li>Airport Environs Overlay Code</li> <li>Coastal Protection Overlay Code</li> <li>Flood Hazard Overlay Code (localised flooding along Brisbane Road)</li> </ul> <p>Use codes</p> <ul style="list-style-type: none"> <li>Business Uses And Centre Design Code</li> <li>Multi-unit Residential Uses Code</li> </ul> <p>Development codes</p> <ul style="list-style-type: none"> <li>Transport and Parking Code</li> <li>Stormwater Management Code</li> <li>Landscape Code</li> <li>Nuisance Code</li> <li>Waste Management Code</li> <li>Safety and Security Code</li> <li>Sustainable Design Code</li> <li>Works, Services and Infrastructure Code</li> </ul>

## 6.0 ASSESSMENT BENCHMARKS – PLANNING SCHEME CODES

The application has been assessed against each of the applicable codes and found to be compliant with the Acceptable Outcomes of each code, or has proposed a performance solution that achieves the Performance Outcome and/or Overall Outcomes with each code, or can be conditioned to comply. The pertinent issues arising out of assessment against the codes are discussed below.

The following assessment should be read in conjunction with follow specialist reports prepared by the members of the IAT:

Attachment	Title	Author
1.	Architecture Assessment	Gomango Architects
2.	Landscape Assessment	Vee Design
3.	Traffic Assessment	Bitzios Consulting
4.	Waste, Odour and Lighting Assessment	Trinity Consultants
5.	Noise Assessment	Trinity Consultants
6.	Civil Engineering Assessment	Bligh Tanner

### 6.1 Local Plan Code

#### 6.1.1 Mooloolaba / Alexandra headland local plan code

##### Land use intent and mix

The planning intent of the site includes:

*Overall outcome 7.2.20.3(2)(h)*

*Development in the District centre zone on Key Site 1 (Brisbane Road Carpark) provides for an integrated, high quality mixed use development incorporating a range of centre activities and residential accommodation. Development provides for significant streetscape and landscape improvements to all frontages, strong pedestrian connections to the adjoining tourist accommodation area and a well-designed and integrated public carpark.*

*Performance Outcome PO9*

*Development in the District centre zone on Key Site 1 (Brisbane Road Carpark) identified on Figure 7.2.20A (Mooloolaba/Alexandra Headland local plan elements): -*

*(a) provides for the site to be redeveloped as a high quality, integrated, mixed use development incorporating a range of centre activities and residential accommodation;*

*(b) provides for outstanding building, streetscape and landscape design which is highly articulated and epitomises sub-tropical and sustainable design and that recognises the landmark nature of the site;*

*(c) provides an attractive and pedestrian friendly central community meeting space such as a village square or plaza; and*

*(d) effectively integrates with visitor mixed use areas along Mooloolaba Esplanade and surrounding centre activities.*

*Performance Outcome PO10*

*Development in the District centre zone on Key Site 1 (Brisbane Road Carpark) identified on Figure 7.2.20A (Mooloolaba/Alexandra Headland local plan elements) provides for well designed, accessible and integrated public car parking to meet the public parking needs.*

The proposed development achieves the land use activity types and mix sought for the site under the Local Plan and expressed in the above provisions. Namely, the primary land use, hotel, delivers high-quality short-term residential accommodation. The hotel is also supported by a range of activities including bar, shops, food and drink outlet and function facility, delivering a complementary range of

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centre activities that encourages activity throughout different times of the day and night. The predominate centre activities are generally located at the ground-level and will activate both streetscape frontages of the site.

Whilst not forming part of the proposed development, a high-quality and integrated public car park is established on the adjoining property within Key Site 1 in accordance with the planning intent. The integration between the proposed development and this established public car park is discussed in further detail below.

#### Integration with Public Car Park

As outlined above, Overall Outcome h) and Performance Outcomes PO9(a) and PO10 of the Mooloolaba/Alexandra Headland local plan code seek for development over Key Site 1, to provide a well-designed, accessible, high quality and integrated Parking Station to meet the public parking needs.

In accordance with Council's resolution on 8 November 2018 (via Council Ordinary Meeting), the former Brisbane Road car park site was divided in to two parcels. These parcels will be developed separately and are summarised as:

- Part A - 'western half' facing Smith St for a public parking structure and ground level partially sleaved commercial uses (Development approval ref: MCU19/0214, RAL19/0102, OPW19/0468); and
- Part B - 'eastern half' facing Brisbane Road for a mixed use development (subject of this development application)

The specific provisions of the Mooloolaba Alexandra Headland Local Plan (MAHLP) relating to Key Site 1 have been informed by the Place Making Mooloolaba Master Plan ('Mooloolaba Masterplan') that was publicly advertised and adopted by Sunshine Coast Council on 13 November 2015. The Mooloolaba Masterplan is a non-statutory document, however, pursuant to section 45(7) of the *Planning Act 2016*, the Assessment Manager must assess a development application against or have regard to the statutory instrument, or other document, as in effect when the development application was properly made. Further, the above-referenced Council resolution to divide and separately develop the former Brisbane Road car park site (Key Site 1) also provides context, as a 'other document', in the interpretation of the relevant assessment benchmarks, namely the integration elements of the MAHLP.

The assessment benchmarks (i.e. the relevant Overall Outcomes and Performance Outcomes of the MAHLP refer to above) that must be assessed to have the determinative role in the assessment of the development application, whereas other non-statutory documents are intended to have a contextual role only for assessment against the benchmarks, but are not in themselves intended to be determinative in the assessment of the development application. Given the clear connection between the provisions of the MAHLP and Mooloolaba Masterplan, as well as the relevance of Council's resolution, the assessment of the development application may have regard to these other documents contextual purposes.

Section 27(1)(f) and (g) of the *Planning Regulation 2017* states that the assessment of a code assessable development application, in respect to section 45 of the *Planning Act 2016*, must be carried out having regard to any development approval for, and any lawful use of, the premises or adjacent premises and the common material. Accordingly, the assessment of the development application will have regard to the adjoining development approval MCU19/0214, RAL19/0102 & OPW19/0468 for Parking Station and Food and Drink Outlet that has been approved and constructed, in regard to how the development achieves the assessment benchmarks of the planning scheme.

Overall Outcome (h) and Performance Outcome PO9(a) and PO10 of the MAHLP requires that the redevelopment of the whole of Key Site 1 occurs in an integrated manner. However, this does not preclude the redevelopment of the Key Site 1 occurring in parts, as established through development approval MCU19/0214, RAL19/0102 & OPW19/0468 and the proposed development. Nor does it require that all the design and land use outcomes identified within the planning scheme are achieved for both parts of the overall site.

Based on the above, the proposed development, where coupled with the adjoining public parking structure and retail, achieves the above-referenced provisions of the MAHLP. Notably, the proposed development achieves a level of integration with the adjoining public car park development in accordance

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with the intent of the Mooloolaba/Alexandra Headland local plan code. This has been determined by the following key reasons:

- the proposed development incorporates land uses and a built form treatment that delivers an activated streetscape outcome to front of First Avenue, building upon the active frontage treatment delivered by adjoining public car park development, facilitating an integrated, active frontage treatment to the full frontage of Key Site 1 to First Avenue.
- Improved pedestrian connectivity between the subject site and surrounding areas is provided through a new crossing and shared-zone along First Avenue, at the intersection to Brisbane Road. This new crossing is supported by improved streetscape finishes and awnings along First Avenue and Brisbane Road which encourage pedestrian movement. These connections ensure the development integrates with its immediate surrounds.
- The proposed development is connected with the a public car park via an established access easement along the southern boundary of the site. This arrangement provides a consolidated and integrated access to both the proposed development and established public car park over the remainder of Key Site 1.
- Mitigation and attenuation measures are proposed to ensure the proposed development will not be impacted by or result in unreasonable noise, odour and lighting impacts that will prejudice the public car park development or the proposal. The measures incorporated into the proposed development that mitigate adverse noise and light impacts are discussed in more detail.
- the proposal incorporates an appropriate built form interface and setbacks, including a generous tower setback (approximately 14m for the majority of the tower form), ensuring integrated and appropriately scaled built form outcome across the entire Key Site 1.

#### Public plaza

Performance Outcome PO9(c) seeks that development of Key Site 1 *provides an attractive and pedestrian friendly central community meeting space such as a village square or plaza*. The Mooloolaba Masterplan provides further context, that this public realm feature is to be located at the corner of Brisbane Road and First Avenue.

The proposed development incorporates a public plaza at the desired location, with a direct connection to the new crossing and shared zone area along First Avenue, which forms a key desire-line (to the beach) and esplanade area. The public plaza comprises a total area of approximately 207m<sup>2</sup>, with some 188m<sup>2</sup> of milling area (excluding seats and landscaping features). The plaza is embellished with a mix of hard landscaped features, such as bins, bench seats and bike racks, in combination with soft landscaping, both at ground level and greening of the podium levels. The combination of the plaza location, size and its features result in an attractive and pedestrian friendly central community meeting space, consistent with its intended function under the relevant provisions of the MAHLP.

The plaza will facilitate a meeting place for the public, from which people can gather and access surrounding destinations, uses and activities present within the remainder of the proposed development and the surrounding locality, namely the Esplanade, First Avenue and Brisbane Road. Whilst serving a primary meeting function, the public plaza may also provide an opportunity for small scale entertainment outcomes.

#### Outstanding design that recognises the landmark nature of the site

Performance Outcomes PO7 and PO9 of the MAHLP require development which:

- *contributes to the creation of a contemporary, subtropical coastal built form and streetscape, and*
- *provides for outstanding building, streetscape and landscape design which is highly articulated and epitomises sub-tropical and sustainable design and that recognises the landmark nature of the site.*

'Outstanding Design' is not defined or further articulated with the planning scheme. It is noted that 'outstanding design' is infrequently used within other Local plan codes and not included within design oriented development codes such as the Multi-unit residential uses code or Business uses and centre design code. There is also reference in the planning scheme to 'exemplar development' outcomes in

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other Local plans, such as the Caloundra local plan code describing the eastern gateway into Bulcock Street. It is considered by its nature that 'outstanding design' requires a design response greater than otherwise identified within the planning scheme development codes but not to the same degree as an 'exemplar development' outcome. It is noted that the previous approval over the entire former carpark site dated 24 May 2018 (MCU17 2169) was assessed to sufficiently demonstrate the same 'outstanding design' assessment benchmark to achieve approval. The proposed development is considered to provide at a minimum, a comparable design outcome, albeit constrained by only being able to utilise approximately half the development area.

The design has been refined throughout the course of the pre-lodgement and development assessment process, refer to section 4.0 of this report. The IAT Architectural Assessment (refer to **Attachment 1**) considers the design to be competent and may be capable of 'outstanding design' through the course of the next phase of the detailed design development process, while not demonstrating clear compliance with the planning scheme during the assessment of the development application. Despite the development not demonstrating clear compliance with Performance Outcome PO9, the development complies with Overall Outcome (h) providing a high quality mixed use development, and therefore complies with the code pursuant to section 5.3.3 of the planning scheme.

The proposal design, including the Applicant's justification of how it achieves compliance with the above Performance Outcomes, has been articulated through provision of the following development application material:

- **Architectural plans**, including site plan, floor plans, elevations, perspectives, sections, solar study and planter details,
- **Concept Design Report**, revised in response to Council's information request, detailing:
  - Site context
    - Underlying principles, values, core ideas and philosophy of the project
    - Site views
  - Planning principles
    - Site setbacks
    - Height constraints
    - Site coverage
    - Views and form
  - Design Response, including an assessment against the Australian Institute of Australia's Core Evaluation Criteria from National Architecture Awards 2021 – Outstanding Design Criteria:
    - Conceptual framework
      - a. Core ideas
      - b. Philosophy of the project
      - c. Underlying principles
      - d. Underlying principles + values
    - Public and cultural benefits
      - The amenity of the project and its conceptual contribution to the public domain
    - Relationship of built form to context
      - Concepts engaged with new and pre-existing conditions
    - Program resolution
      - Functional performance assessed against the brief

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- Integration of allied disciplines
  - Contribution of others, including engineers, landscape architects, artists and other specialists to the project outcome
- Cost/value outcome
  - The effectiveness of decisions related to financial issues
- Sustainability
  - The benefit to the environment through design
- Response to client and user needs
  - Additional benefits interpreted from the brief, serving the client or users and the community
- Conceptual framework comparison, against three selected projects considered to be contextually relevant to the proposed development, being:
  - 1) The Calile Hotel – Fortitude Valley
  - 2) The Emporium – South Bank
  - 3) The Crystalbrook Flynn – Cairns
- **Peer-review of Architectural Design** – Cottee Parker were engaged to undertake a review of the proposed design during the pre-lodgement phase. Cottee Parker provided several recommendations to modify the design to improve the project, which were considered and incorporated into the design upon lodgement of this development application. As part of the response to Council's information request, Cottee Parker undertook a further peer review of design marked as 'DA Issue' and dated 06/08/2021.
 

This peer review outlined Cottee Parker's general support for the current design and opinion that it will provide an outstanding, contextually appropriate coastal experience that will support the Sunshine Coast Council's vision for well-designed buildings.
- **Community Engagement** – the applicant is also understood to have undertaken discussions with community members, including industry groups and business representatives and accommodation operators, prior to lodgement of the development application. These discussions sought feedback on the proposed development, including how the design would fit within the Mooloolaba locality, with a specific focus on:
  - the design and façade given the site's location
  - the functionality of the asset and the specific offering
  - the market and requirement for this type of development on the Sunshine Coast.

Key design features which contribute to the outstanding building design and contemporary, subtropical coastal built form of the proposed development, include:

- Highly articulated, undulating and attractive podium form, and in particular an open, building void, referred to as 'the crevice' at the corner of Brisbane Road and First Avenue, emphasizing and creating visual connection to the public plaza and shared zoned within First Avenue.
- Slender tower form, including a mix of balcony sizes rising from a larger balcony at the bottom to smaller one at the top to create an effect of movement in the building volume and articulation up the building.
- The tower form integrates several key points of articulation, adding to the visual interest and breaking up the scale of the built form. The balcony form continues across the Brisbane Street façade, the longest building frontage, connecting back into the façade around half-way along the façade, creating a break in this element. The podium and tower void, aligned to the public plaza, creates a further key articulation at this key corner.

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- The use of feature planters and vertical greening elements, which are conceptualised to grow up and downwards giving the impression of a cascading greenery.
- A variety of materials, finishes and colours used in the design acknowledge the local coastal sub-tropical context of light colours and lightweight elements.
- Fine grain architectural detail to the tower facades; landscaping and podium design, including climatic responsive design features (aluminium battens, balustrades and sun-shading devices, glazing) that will provide shade and comfort.
- Streetscape improvements to both Brisbane Road and First Avenue, outside of the new public plaza, improving ground plan activation at various times of the day and night and improved connectivity for pedestrians.

The IAT Architectural Assessment (refer to **Attachment 1**) of the proposed development identifies that that the proposed development delivers a well-balanced mix of uses and contemporary design approach, capable of achieving an 'outstanding' design outcome. This assessment notes that the applicants design arguments have been carefully considered and largely accepted.

Notwithstanding this, this assessment also determines that the present design still lacks a level of subtle local character and requires a level of ongoing refinement, most notably around shading and articulation to room balconies on the key frontages. The assessment also draws reference to the need of ensuring the quality design treatments (e.g. façade and balcony details, screening elements) are not diminished as the detailed design of the development progresses.

Based on the above, it is recommended that a condition be included that requires submission of detailed Architectural Plans, for assessment and approval by Council, providing final developed details of the facade treatments and materials, screening, rooftop/building capping elements, etc. that depict a higher level of documentation detail than that shown on the Approved Plans and Documents.

#### Built form – Site Cover and podium height

Performance Outcome PO11 of the MAHLP nominates a site cover maximum site cover 90% for that part of the building up to 4 storeys and a maximum of 65% for that part of the building exceeding 4 storeys **where integrating a multi-storey public car parking facility**. Otherwise, a lesser site cover applies (70% up to 2 storeys, 50% above, Business and centre use code). The proposed development does not include a multi-storey public car parking facility. However, where accepting that the development achieves an integrated development outcome over the entirety of Key Site 1 (refer above), albeit delivered in two parts with the adjoining multi-storey carpark, it is appropriate to apply the site cover and podium height uplift provisions of PO11 to the proposed development where considering the development outcomes Key Site 1 a whole.

The proposed development comprises a 3 level podium with a ground level site cover of 64%, podium site cover of 84% and tower site cover of 40%, achieving compliance with the nominated maximum site cover.

Additionally, the proposed development achieves the overall outcomes of the code by providing a highly articulated and attractive ground level and podium form, in addition to significant streetscape and landscape improvements. The proposed design creates a strong connection with the surrounding locality, focussed through the public plaza, and improves for pedestrian permeability. When considered within the context of the adjoining public car park development, the podium presents a scale and form which protects and enhances the existing character and identity of established parts of the MAHLP area.

#### Streetscape treatment

Performance Outcome PO2 of the MAHLP code requires that *development contributes to the establishment of attractive and coherent streetscapes and gateways to enhance the sense of entry to, and the beachside character of, Mooloolaba...including boulevard treatments... Brisbane Road.*

Brisbane Road and First Avenue are also identified as a *primary active street frontage* under the MAHLP code.

The proposed development incorporates streetscape treatment works to both of these street frontages, characterised by crossing points, hard landscape materials, landscaping treatments including raised

planting beds and street tree arrangements, street furniture including rubbish bins, bollards, seat walls, and bicycle rack locations.

To demonstrate that the proposed development delivers a streetscape treatment which aligns with and enhances the character of Mooloolaba, this assessment has given regard to the relevant non-statutory document, the Mooloolaba Centre Design Palette Version 2. The proposed development achieves a general level of consistency with both of these documents in terms of street character, planting theme, artwork and materials palette.

The Placemaking Mooloolaba Master Plan has also been considered in assessment of the streetscape treatment. The proposed development delivers several key elements of this master plan, including the First Avenue shared zone and crossing, public plaza and active frontage and signature street tree treatment to Brisbane Road.

Notwithstanding the above, it is recommended that conditions are included as part of a development approval to ensure streetscape treatments are further refined, to ensure further consistency with the Mooloolaba Centre Design Palette Version 2 and the Road Safety Audit undertaken in support of the development.

The proposed development also provides active uses orientated to both street frontages and provides shelter through awnings along both frontages. It is also noted that a condition has been recommended to extend the awning along First Avenue over the pad-mount transformer, to create a continuous coverage connecting with the adjoining awning.

Based on the above, the proposal achieves compliance with PO2 of the MAHLP.

#### Brisbane Road access

PO8 of the MAHLP seeks development in the District centre zone to provide functional and integrated car parking and vehicular access, which rationalises the number of access points to Brisbane Road.

Compliance with the above referenced PO is achieved by the proposed development, which utilizes the consolidated and integrated access along the southern boundary of the site, providing for access and servicing to both the proposed development and established public car park over the remainder of Key Site 1.

The development application largely complies with Acceptable Outcomes of the Code. Where the development has proposed a performance solution, it has been assessed to achieve the relevant Performance Outcome or Overall Outcome of the code, or has been conditioned / amended in red to comply. Accordingly the Applicant's Architectural Plan Package is recommended for approval where incorporating amendments contained within the conditions and/or amendments in red.

Refer to the following for additional information:

- **Attachment 1 – Architecture Assessment** prepared by Gomango Architects
- **Attachment 2 – Landscape Architecture Assessment** prepared by Vee Design
- **Attachment 3 – Traffic Engineering Assessment** prepared by Bitzios Consulting

## **6.2 Zone Code**

### **6.2.1 District centre zone code**

The District centre zone code includes a number of overall outcomes relating to the type and mix of uses encouraged within the zone, intended built form outcomes, activation of the street and public areas, and expectations relating to amenity. However, it is acknowledged that the majority of these aspects are also addressed through the relevant and prevailing provisions of the Mooloolaba / Alexandra Headland local plan code, which includes provisions relating specifically to the site, and within the use codes that follow.

Notwithstanding the above, the proposed development achieves compliance with the Overall Outcomes of the District Centre zone code, having regard to the following key points:



- The proposed development comprises the uses of Resort Complex (hotel), Food and Drink Outlets, Shops, Function Facility, Bar and Indoor Sport and Recreation (Gym), all of which are **consistent uses** as identified in column 1 of Table 6.2.7.2.1 of the District Centre zone code;
- The proposed development incorporates a high standard of urban and landscape design, providing an attractive and functional built form and streetscape outcome;
- The proposed development creates an active, safe and legible public realm, through the provisions of a public plaza, sleeved by active uses and integrating feature landscaping treatments;
- The location of active uses at the ground-plane will maximise activity along primary active street frontages;
- The proposed development reflects an 'outstanding' design quality, with respect to its built form, landscape and streetscape treatment, providing an outcome that maintains a human scale to Brisbane Road and First Avenue, being primary active street frontages;
- The design of the proposed development has been carefully considered to ensure the building materials and design elements are responsive to the Sunshine Coast's subtropical climate; and
- As demonstrated within **Attachment 1 – Architecture Assessment** (wind commentary), **Attachment 4 – Waste, Odour and Lighting Assessment** and **Attachment 5 – Noise Assessment**, the proposed development incorporates a range of noise, wind, odour and lighting mitigation measures, and can be conditioned to comply, to ensure no unreasonable loss of amenity for surrounding premises, having regard to the mixed use nature of the zone.

### 6.3 Development Codes

#### 6.3.1 Use codes

##### 6.3.1.1 Business uses and centre design code

###### Active frontage

First Avenue and Brisbane Road is identified as a *primary active street frontage* under the Mooloolaba/Alexandra Headland local plan code. The proposed development is generally built to the First Avenue and Brisbane Road frontages at ground level, in compliance with Acceptable Outcome AO2.1.

However, the proposed development also incorporates a public plaza, resulting in a portion of the built form along this frontage being set back from the streetscape and therefore proposes a performance solution to Acceptable Outcome AO2.2.

- Plaza is necessary feature which, aligned to the intent and provisions of the higher-order MAHLP.
- The plaza assists in framing and clearly defining the key intersection of Brisbane Road and First Avenue, ensuring that the proposed development retains an appropriate building scale to Smith Street despite not being built to boundary to this part of the frontage.
- The high-quality building design and landscaping treatment ensures that the building provides an attractive and direct street front address.
- Along each street frontage, the proposed development also incorporates a visually permeable façade treatment, exhibiting building materials that provide an attractive street front address.
- Further, the public plaza encourages an attractive and direct street front address, with active uses framing both sides of the public plaza, whilst also activating the remaining frontages of the Brisbane Road and First Avenue.
- Notwithstanding the indented plaza outcomes, awnings are appropriately located along each street frontage to provide continuous shelter for pedestrians. It is noted that this awning is not currently proposed for the full length of First Avenue, where a pad-mount transformer is proposed, however the recommended conditions of approval will require a continuous awning for the full frontage.

###### Setbacks - Street frontage and side boundary

Alternative outcomes are proposed against the setbacks nominated within AO6.2 and AO6.3, however the MAHLP code allows for the development to be built to the site's street frontages up to a height of 4 storeys. Pursuant to section 1.5 of the Planning Scheme, local plan codes prevail over development codes.

As outlined above, the proposed development achieves the planning intent and compliance with the relevant Overall Outcomes and Performance Outcomes of the MAHLP.

Notwithstanding this, the proposed development also achieves compliance with PO6 of the Business uses and centre design code, which states:

**PO6**

*The business use or centre activity is in a building that enhances the character and amenity of streets and neighbouring premises via a built form that:-*

- (a) creates a built form in which buildings are closely related to streets, public spaces and pedestrian routes;*
- (b) maintains some area free of buildings at ground level to facilitate pedestrian movement and other functions associated with the building;*
- (c) provides a slender building profile above podium level;*
- (d) ensures access to attractive views and prevailing cooling breezes; and*
- (e) avoids excessively large building floor plates and building facades.*

The proposed development represents an urban form that is of a scale and intensity consistent with the intended role and function of the centre within the Sunshine Coast Activity Centre Network; mixture of uses and a medium to high built form (i.e. 15m to 45m building height).

The considered design of the proposed development maintains an appropriate area free at ground level to facilitate pedestrian movement and other functions associated with the building, namely through provision of appropriate pathway widths along each street frontage and an open public plaza area at the intersection of Brisbane Road and First Avenue.

The development application largely complies with Acceptable Outcomes of the Code. Where the development has proposed a performance solution, it has been assessed to achieve the relevant Performance Outcome or Overall Outcome of the code, or has been conditioned / amended in red to comply. Accordingly the Applicant's Architectural Plan Package is recommended for approval where incorporating amendments contained within the conditions and/or amendments in red.

Deep planting

Acceptable Outcome AO10 of the Business uses and centre design code requires a minimum requirement of 10% of the site area to be provided as deep planting, or in this instance 299.8m<sup>2</sup> of deep planting for the 2,998m<sup>2</sup> site area. The proposed development provides 92.7m<sup>2</sup> or 3.09% of deep planting area for the 2,998m<sup>2</sup> site at street level. The development proposes a further, 210m<sup>2</sup> at podium level or 55.5m<sup>2</sup> at roof top level planters which combined provides 358.2m<sup>2</sup> (12%) in total.

Refer to the following for additional information:

- **Attachment 1 – Architecture Assessment** prepared by Gomango Architects
- **Attachment 2 – Landscape Architecture Assessment** prepared by Vee Design

**6.3.1.2 Multi-unit residential uses code**

Screening of podium car park

Performance Outcome PO5 of the Code requires:

*"The multi-unit residential use is designed to screen car parking areas, services and mechanical plant."*

The proposed development comprises two (2) dedicated levels of podium car parking, above ground-

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level, with the ground and upper levels of the podium including activity uses. The impact of this podium car parking on the character of the streetscape and the extent to which the podium design effectively screens potential visual amenity impacts of the car parking uses through screens and vertical landscaping is a predominant design consideration.

The proposed development comprises a considered podium design, featuring an articulated form, mix of materials and articulated form to effectively screen the car parking. Notably, the podium levels reflect articulation and variation in built form, to emphasise the corner public plaza and create a 'swelling' built form intended to reflect the ocean foreshore near a headland. Use of vertical aluminium battens and integrated landscape planting further shield the visual impact of car parking, as well as create visual interest and contrast between protected and open facades. Further, ground-level awnings and active uses ensure that the car parking and vehicular access minimises the impact on the street and consistent with intended character of the streetscape.

This design outcome achieves compliance with Performance Outcome PO5 and Acceptable Outcome AO5.1 of the code.

#### Residential density

Acceptable Outcome AO6(b) of the Code states:

*Except where otherwise specified in a structure plan or local plan code, the site density for a multi-unit residential use:- ...*

- b. is between 50 and 80 equivalent dwellings per hectare where in the Medium density residential zone, District centre zone or Local centre zone and the Height of buildings and structures overlay provides for a building height exceeding 8.5 metres; and*

The proposed development is located in the District centre zone on a site with a height limit of greater than 8.5m. The proposed development includes 182 rooming units, over a site with an area of 2,988m<sup>2</sup> which equates to approximately 212 equivalent dwellings per hectare. With site residential density greater than AO6(b) is proposed, compliance with Performance Outcome PO6 is discussed below. PO6 states:

*A multi-unit residential use has a residential density that is compatible with the intent of the zone and the preferred character for the local area in which it is located.*

The District centre zone code sets a general intent for predominately low-mid rise built form, which would naturally restrict a residential density similar to that of the proposed development. In this instance, the intended built form density and scale for the site is primarily set by the higher-order MAHLP and the Height of buildings and structures overlay code, which seeks a high quality mixed use development incorporating both centre activities and tourist accommodation to a height of 45m plus an additional height allowance for prescribed rooftop uses. The proposed development has demonstrated compliance with the key built form provisions within each of these codes.

Accordingly, the planning intent for the site provides support for higher residential densities, in comparison for typically densities anticipated within the District Centre zone, to be achieved where provided in a high-quality, mixed use format. The proposed residential density of the development is compatible with the surrounding area which comprises a number of high density residential uses comprising both permanent and visitor accommodation types.

Based on the above, the residential density is compatible with the intent and preferred character for the local area, achieving compliance with PO6 of the Multi-unit residential uses code.

#### Screening and privacy

Performance Outcome PO10 of the code requires a multi-unit residential use to ensure that rooming units and private open spaces are provided with a reasonable level of privacy.

Through the development assessment, the applicant has acknowledged that privacy will be maintained to the hotel rooms through the use of black out curtains and blinds, in addition to acknowledging the functional differences between a dwelling and accommodation unit, with respect to the anticipated differences in occupation and privacy impacts. Further, the proposed tower achieves a substantial separation (in excess of 20m) to the private open space of existing, adjacent buildings.

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Whilst the above grounds are acknowledged, to ensure the proposed development achieves full compliance with PO10, it is recommended that a condition be included to further detailed plans for elements at the facade including screens, doors, windows, and planter beds/trellises which will assist with ensure an appropriate level of privacy is achieved.

#### Private Open Space

Acceptable Outcome AO11.4 requires above ground private open space minimum areas of 12sqm with a minimum dimension of 3m. Reflective of the short-term accommodation nature of the proposed development, the proposed rooming unit balconies vary in size from 4.6m<sup>2</sup>- 18.8m<sup>2</sup> with minimum dimension 1.5m.

Therefore, a performance solution responding to PO11 is required. Performance Outcome PO11 states:

*"The multi-unit residential use provides communal and private open space and landscapes such that residents have sufficient area to engage in communal activities, enjoy private and semiprivate spaces, and accommodate visitors."*

From the outset, it is important to recognise the nature and function of the proposed development, which provides high-quality, short-term accommodation with key differences to the intended function of a permanent residential dwelling. Further 'Resort Complex' is classed as 'Temporary Accommodation' and is not a 'multi-unit residential use' which is classed as 'Permanent Accommodation'. Notwithstanding this, consideration of PO11 in the assessment of the suitability of the balconies is still considered relevant.

The proposed development facilitates a balconies that are orientated to the surrounding Mooloolaba Esplanade and to maximise ocean-views. The balconies are accessible from the primary living areas of each accommodation unit, through glass doors that open horizontally to create opportunities for an indoor-outdoor space. In addition to the proposed balconies, the proposed development incorporates an array of communal leisure and recreation facilities including a day spa, fitness centre, rooftop pool and outdoor gardens, all of which will be provided for access by occupants and residents of the development.

In compliance with PO11, the proposed private open space provides sufficient communal and private open space and landscapes to engage in communal activities, enjoy private spaces in alignment with the nature and function of the proposed development.

#### Clothes Drying

The application has not demonstrated satisfactory compliance with Performance Outcome PO14 which states:

*"Communal clothes drying facilities are provided where dwellings or rooming units are not provided with individual drying facilities"*

The development application provides an insufficient level of detail to demonstrate compliance with the above Performance Outcome. Accordingly, compliance with PO14 of the code is to be achieved with a condition requiring each hotel room to be provided with a non-mechanical (natural) clothes drying area, or alternatively, access to a communal outdoor clothes drying area that is fitted with a dedicated robust clothes lines. Further the condition requires that where any individual clothes drying areas are provided on balconies, they are to be concealed or screened from public view.

The development application largely complies with Acceptable Outcomes of the Code. Where the development has proposed a performance solution, it has been assessed to achieve the relevant Performance Outcome or Overall Outcome of the code, or has been conditioned / amended in red to comply. Accordingly the Applicant's Architectural Plan Package is recommended for approval where incorporating amendments contained within the conditions and/or amendments in red.

Refer to the following for additional information:

- **Attachment 1 – Architecture Assessment** prepared by Gomango Architects, and
- **Attachment 2 – Landscape Architecture Assessment** prepared by Vee Design

### 6.3.2 Other development codes

#### 6.3.2.1 Landscape code

The proposed development incorporates a mix of soft landscape treatments, including feature planting within the public realm, with a particular focus on embellishment of the Public Plaza, podium and rooftop planting, as well as vertical landscaping elements. This is in combination with an array of hard landscape treatments, including streetscape upgrades and a new crossing/shared zone across First Avenue.

These treatments achieve compliance with the technical outcomes of the Landscape code and policies, however there are some elements that require adjustment or further information, as summarised below.

To ensure compliance with Performance Outcome PO6 of the Landscape code, it is recommended:

- Port Cochere – the landscape plans be amended to substitute 'COR neg' for an alternative species growing to a maximum 600mm at maturity.
- First Avenue Pedestrian Crossing - the landscape plans be amended to reflect the recommended changes within the Road Safety Audit, including:
  - replanning the proposed fencing / guard rail with street level landscaping, similar to existing landscaping along this kerb,
  - extending low level planting to the edge of the crossing platform and around the corner on both sides of the street,
  - ensuring low level planting is maximum of 600mm at maturity, and
  - providing tactile treatment to the eastern side of First Avenue, opposite the subject site.

At present, insufficient detail for soil medium profiles and the dimensions of planters is provided. In particular, it is unclear if planter widths on the rooftop (level 13) as sufficient to ensure nominated trees will survive. To ensure compliance with Performance Outcome PO10 of the Landscape code, it is recommended:

- Podium Planters - the landscape plans be updated to provide sufficient detail for soil medium profiles for the proposed planting palette, including depths and widths of architectural planters, in accordance with the following minimum dimensions:
  - Small shrubs, groundcover, trailing plants and grasses: minimum planting media depth of 200mm, and width of 400mm
  - Medium sized shrubs, bushes and plants: minimum planting media depth of 400mm, and width of 700mm
  - Small trees: minimum planting media depth of 500mm, and width of 700mm
  - Large trees: minimum planting media depth of 800mm, and width of 1m

The development application largely complies with Acceptable Outcomes of the Code. Where the development has proposed a performance solution, it has been assessed to achieve the relevant Performance Outcome or Overall Outcome of the code, or has been conditioned / amended in red to comply. Accordingly the Applicant's Detailed Landscape Plan Package is recommended for approval where incorporating amendments contained within the conditions and/or amendments in red.

Refer to the following for additional information:

- **Attachment 2 – Landscape Architecture Assessment** prepared by Vee Design

#### 6.3.2.2 Nuisance code

The development generally achieves compliance with the relevant Performance Outcomes of the Nuisance code. To ensure compliance with is achieved with the code, the following recommendations have been provided and are duly reflected in the recommended conditions of approval:

- Outdoor amplified music is to be limited to 10pm.

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- Indoor amplified music is to be limited to 10pm where external doors are not sound-locked and are proposed to be openable post-10pm, unless post-construction testing indicates that reasonable indoor music levels can be achieved with doors open.
- Noise limits for amplified music in outdoor and indoor areas are to be determined with postconstruction sound testing in accordance with the Council noise limits nominated in AO1 of the Nuisance code.
- Rooftop balustrades, currently 1.6m in height, are recommended to be 1.8m high in areas where patrons can approach the balustrade (i.e. there is no garden separation), to ensure that noise transfer over balustrades is minimised for potentially noisy patrons.
- Use of upper floor (Level 12 & 13) outdoor areas is limited to 7am to 12am midnight. Whilst modelling has indicated compliance with 'average' (Leq) noise criteria for 24 hour operation, maximum noise levels from patrons would be excessive outside of these hours.
- Upper floor outdoor area roof/ceilings are to have an absorptive underside (minimum NRC 0.8 acoustic absorption rating). However, the Applicant's Acoustic Consultant may be able to undertake revised acoustic modelling or provide further justification, to allow a lower NRC rating for outdoor roof/ceilings.
- The loading dock is to be restricted to daytime use (7am to 6pm) in the absence of any modelling.
- Ground floor outdoor dining is to be restricted to 6am or 7 am to 11pm.
- The indoor and outdoor children's play areas are to be restricted to 7am to 6pm.

The development application largely complies with Acceptable Outcomes of the Code. Where the development has proposed a performance solution, it has been assessed to achieve the relevant Performance Outcome or Overall Outcome of the code, or has been conditioned / amended in red to comply. Accordingly, the Applicant's Noise Impact Assessment is recommended for approval where incorporating amendments contained within the conditions and/or amendments in red.

The Applicant's Waste Management Plan and Lighting Impact Assessment have been reviewed by the relevant IAT expert, and recommendation conditions have been included within the draft decision package.

Refer to the following for additional information:

- **Attachment 4 – Waste, Odour and Lighting Assessment** prepared by Trinity Consultants
- **Attachment 5 – Noise Assessment** prepared by Trinity Consultants

#### **6.3.2.3 Safety and security code**

The Applicant provided a formal assessment against the code and a supporting Crime Presentation Through Environmental Design (CPTED) report.

Performance Outcome PO8 of the *Safety and Security code* which requires buildings be designed to ensure a high level of safety and security for residents, staff and the community and:

- a) *optimise casual surveillance,*
- b) *provide unimpeded sight lines,*
- ... and
- d) *avoid concealment spots.*

Through assessment of the development application, further information was sought in relation to the location of the proposed pad-mount transformer enclosure on First Avenue. Initially, this was located in a prominent position at the northern corner of the building, reducing footpath width and creating a potential concealment opportunity and limiting casual surveillance along the streetscape.

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In response, the location of the transformer was stepped back in line with the proposed tenancy façade, creating a widened pedestrian footpath, consistent with its surrounds and removing the potential concealment point, in compliance with PO8.

The development application largely complies with Acceptable Outcomes of the Code. Where the development has proposed a performance solution, it has been assessed to achieve the relevant Performance Outcome or Overall Outcome of the code, or has been conditioned / amended in red to comply.

Refer to the following for additional information:

- **Attachment 1 – Architecture Assessment** prepared by Gomango Architects

#### **6.3.2.4 Stormwater management code**

Stormwater flows generated from the development is anticipated to be approximately the same as in the existing situation. The applicant has confirmed that no detention of stormwater is required and that a lawful point of discharge has been identified. Stormwater quality management is proposed in accordance with Council's policy, through the incorporation of Ocean Protect StormFilter cartridges and OceanGuard baskets.

The stormwater management arrangements have demonstrated no impacts to adjacent private properties and whilst a reduced level of freeboard is proposed, this has been properly assessed and justified. Notwithstanding this, the recommended conditions of approval require that the Applicant address stormwater management, and specifically ensure that a minimum floor level of all buildings of RL 3.2m AHD is achieved, and all essential infrastructure must achieve minimum 300mm freeboard to the Defined Flood Event (DFE).

The development application largely complies with Acceptable Outcomes of the Code. Where the development has proposed a performance solution, it has been assessed to achieve the relevant Performance Outcome or Overall Outcome of the code, or has been conditioned / amended in red to comply. Accordingly the Applicant's Engineering Report is recommended for approval where incorporating amendments contained within the conditions and/or amendments in red.

Refer to the following for additional information:

- **Attachment 6 – Civil Engineering Assessment** prepared by Bligh Tanner

#### **6.3.2.5 Sustainable design code**

Performance Outcome PO3 of the code requires that development minimises adverse impacts on adjoining public spaces in terms of wind-tunnelling. The Applicant provided a formal assessment against the code and a supporting Qualitative Wind Assessment. This wind assessment outlines potential wind impacts associated with the proposed development, including on the ground-level outdoor public realm addressing Brisbane Road and First Avenue. Whilst mitigation measures for these impacts have been referenced through the development application, further detail is required ensure the final development details does not result in adverse wind impacts to the public realm. Therefore, a condition is recommended to prepare a detailed quantitative Wind Assessment report, including wind tunnel testing, for submission to Council for approval and review against the Approved Plans and Documents. This assessment must show the final developed details of the facade treatments and materials, screening and integrated landscape treatments to achieve wind speed in the streetscape, public plaza and pool deck areas with a Pedestrian Sitting criterion (4 m/s – often associated with café-style dining) for approximately 75% of the year daytime use.

A condition is also recommended requiring further detailed architectural plans and perspectives be prepared and submitted to Council for approval and review against the Approved Plans and Documents, with a focus on final developed details of the facade treatments and materials, screening, rooftop/building capping elements, etc. that depict a higher level of documentation. Whilst focussed on ensuring the proposal maintains an 'outstanding design' quality consistent with the intent of the MAHLP, this condition

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will also ensure passive design elements for cooling and heating, such as weather protection and sun shading, are suitably retained.

The development application largely complies with Acceptable Outcomes of the Code. Where the development has proposed a performance solution, it has been assessed to achieve the relevant Performance Outcome or Overall Outcome of the code, or has been conditioned / amended in red to comply.

Refer to the following for additional information:

- **Attachment 1 – Architecture Assessment** prepared by Gomango Architects, and

#### **6.3.2.6 Transport and parking code**

As part of the review of the initial development application material, response to information request and subsequent response to the further advice letter, the following key traffic and transport matters were identified. The majority of the above issues were adequately responded to with the response to the information request and/or further advice letter, with the following being key considerations:

##### Vehicular access

Access is proposed via a single driveway on Brisbane Road. The driveway is in the south-east corner of the subject site. There is a 5m wide easement running along this access driveway, facilitating an integrated access to the adjoining, existing public (multi-storey) car park to be facilitated from Brisbane Road. The use of the existing driveway located within the easement gaining access from Brisbane Road to the adjoining multi-storey carpark must not be impeded at any time during construction or operation of the development.

Through the assessment of the application clarification was sought from the Applicant with respect to:

- the suitability of the driveway width.
- swept path diagrams demonstrating suitable vehicular access could be achieved were.
- confirming that a clear pedestrian sight triangle area would be provided at the crossover to Brisbane Road.

In response to the clarifications, the proposed Architectural Plans and supporting traffic engineer assessment have been amended and the access arrangement now achieves compliance with Performance Outcome PO2 to of the Transport and parking code which relates to site access (safety, operation, configuration etc.).

##### Porte-cochere

The proposed development's porte-cochere arrangement is located off the site's vehicular access driveway, immediately west of the driveway crossover. The porte-cochere area is separated from the driveway crossover / site boundary, limiting the likelihood of queues onto the external road network and limits the locations at which pedestrians have the potential to interact with cars. The arrangement is considered superior from a safety perspective to separate external driveways. The combined set-down / pick-up and circulation aisle area, provides for up to six (6) stationary cars if needed.

Through the development assessment clarification was from the Applicant with respect to the accessibility of the set-down / pick-up spaces. In response, additional swept path diagrams were provided to better demonstrate accessibility and demonstrate compliance with Performance Outcome PO1 of the Transport and parking code which relates to the layout and design of on-site parking and access.

##### Servicing / Loading Provisions

The on-site servicing area is located off the site's vehicular access driveway, west of the subject site's porte-cochere, achieving separation from the driveway crossover which limits the likelihood of queues onto the external road network. The servicing area on-site which includes two (2) medium rigid vehicle (MRV) sized loading bays. However, when an MRV is occupying one (1) of the bays, only vehicles smaller than MRVs can appropriately manoeuvre into the second bay.



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The Transport and parking code indicates that Resort Complex (hotel) developments (with more than 20 beds) should have on-site bus parking. No on-site bus parking is proposed and it is acknowledged that this results in a non-compliance Performance Outcome PO15 and Acceptable Outcome AO15.1 whereby development should accommodate their transport needs on-site. However, the development complies with Overall Outcomes c) and e) whereby the proposed set down area has been designed in a safe and efficient manner that *may* be able to be shared with other users.

A loading area is proposed on First Avenue which can accommodate a bus if required. This is a similar circumstance to the 24 May 2018 development approval MCU17/2169 that included a hotel bus set down area within the road reserve further west along First Avenue. The proposed loading zone able to be used by other coaches (e.g. hotel, tourism operators, etc.), providing a broader benefit to the community and sharing of infrastructure.

Through the development of the application clarification was from the Applicant with respect to:

- whether MRVs and RCVs could access the loading bays whilst maintaining appropriate vehicle body clearances, and without needing to manoeuvre over neighbouring properties,
- the sufficiency of the proposed loading bays. Reference was made to the fact that MRVs cannot appropriately access both bays simultaneously, and the development includes multiple uses / tenancies all of which could generate servicing demands,
- identifying that servicing would be managed (e.g. deliveries scheduled) and that the loading bay provision exceeds those at several other existing hotel type developments, and
- the First Avenue loading bay is able to cater for buses whilst maintaining appropriate vehicle body clearances, and park without significantly impacting the operation of First Avenue.

In response, the Applicant provided additional information, including additional swept path diagrams for the servicing bay and First Avenue loading bay, which satisfied the above clarifications.

Based on the above, the proposed development satisfies the Transport and parking code.

#### Car parking provisions

The proposed development provides the following carparking breakdown that is recommended to be conditioned as part of approval:

- Proposed total: 133 car parking spaces (including 2 people with disabilities spaces) and 9 motorcycle parking spaces
  - parking for ground level tenancies not accessed via the hotel lobby: a minimum of 22 car parking spaces (including 1 people with disabilities space) and 3 motorcycle spaces.
  - parking for hotel guests: a minimum of 73 car parking spaces and 4 motorcycle spaces.
  - parking for visitors of hotel guests, function areas and tenancies / non-residential uses accessed via the hotel lobby (i.e. ground level restaurant and bar / café, and roof top restaurant, bar, outdoor dining and pool area): a minimum of 34 spaces (including 1 people with disabilities space)
- The proposed number of PWD spaces complies with requirements of the Transport and parking code. However, at least one (1) PWD space should be provided with the general, publicly accessible car parking spaces, provided for the food and drink outlets. It is recommended that this be required through a condition.
- The 4.5 star hotel development is defined as a 'resort facility' that includes short-term accommodation and other ancillary uses. The code does not identify a specific car parking rate for a resort facility, but rather states that "sufficient spaces to accommodate number of vehicles likely to be parked at any one time".
- It is not appropriate to calculate total 'resort facility' car parking requirements based on the sum of the individual components of the hotel (e.g. short term accommodation, food and drink outlets, shops). The reason being that this does not consider the integrated nature of the development and the cross-utilisation of the different components of the resort, the result of which is lower overall car parking

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demands. Accordingly, a site / use specific assessment and comparative analysis to other similar hotel developments has been undertaken to determine that amount of car parking required to cater to typically expected demands.

- The Transport and parking code indicates that Resort Complex (hotel) developments have sufficient car parking spaces to accommodate the number of vehicles likely to be parked at any one time. The adopted car parking space provision rates and provisions considered to be required are outlined in the below.
- The Transport and parking code nominates a car parking rate for 'short-term accommodation' guests of 1 space per rooming unit. Rooming unit is defined under Schedule 1, Table SC1.2.2 Administrative definitions of the Planning Scheme as *"that part of a building used for accommodation which may include ensuite facilities but which is not a dwelling."* The proposal involves 182 rooms that are consistent with the definitions of 'short-term accommodation' and 'rooming unit', but makes up part of the broader use of the site for a Resort Complex (hotel). Accordingly, it is not appropriate to directly apply the standalone 'short-accommodation' use rate to the proposed development. Further, the definitions of 'short-term accommodation' and 'rooming unit', and applicable carparking rates under the planning scheme do not differentiate between the size of the room or number of beds provided. Accordingly, a site / use specific car parking demand analysis must be undertaken of the proposed development.
- Whilst this is not strictly applicable in this case (due to a Resort Complex being proposed), the short-term accommodation rate is higher than the proposed provision rate for the development. Notwithstanding this, the following key matters have been considered as part of the assessment of the proposed car parking provision and provide justification that the proposed provision is suitable to service the Resort Complex (hotel):
  - Guest car parking is proposed to be managed and guests will be required to specifically request a car parking space,
  - Many guests are expected to take taxis / rideshares / limos to travel to and from the development,
  - Should there be an event or function, that have the potential to generate greater than normal parking demands, event shuttle bus services will be arranged as an option for guests,
  - Hotel management could offer staff incentives to take alternative traffic modes (to private car),
  - the expected operational characteristics of the hotel which are likely to result in lower car parking demands than holiday apartment type accommodation more typically found on the Sunshine Coast, and
  - A peer review of the proposed guest car parking provision was also undertaken by PMP Urbanists. It agreed that the expected operational characteristics of the hotel which are likely to result in lower car parking demands and referred to the results of car parking surveys undertaken at other hotel type developments around SEQ, as well as provisions approved at other developments which support the proposed provision.
- Car parking provisions for the short-term accommodation / hotel related food and drink tenancies on the ground floor and rooftop, and the food and drink outlets / shops on the ground floor comply with the Transport and parking code requirements for those individual uses.
- Accordingly, these parking provisions are considered acceptable.

**Table 2.1: "Required" Car Parking Provisions**

Use / Location	Yield	Adopted Provision Rate	"Required" Spaces*
Hotel (Guests)	182 rooms	1 space per 2.5 rooms	72.8
Hotel (Visitors)	182 rooms	1 space per 10 rooms	18.2
Ground Level Food & Drink Outlet / Shop Tenancies	643m <sup>2</sup>	1 space per 20m <sup>2</sup>	32.2
Rooftop Level Food & Drink Outlet	97m <sup>2</sup>	1 space per 20m <sup>2</sup>	4.9
<b>Total</b>	-	-	<b>128.1</b>

\*Based on adopted provision rates

**Adopted Provision Rate and Required Spaces Summary (source: IAT Traffic Assessment)**

To ensure implementation of the aforementioned strategies, linked to the unique operational characteristics of the proposed development, it is recommended that a condition be included in any future development approval to prepare a parking management plan and submit it to Council for review and approval before implementation. This parking management plan will outline suitable strategies to ensure parking demand is appropriately managed, potential strategies may include:

- At the time of booking a room, it will be clear to guests whether or not they will be allocated a car parking space.
- There may be an additional charge (charge should be equal to or less than adjacent Park N Go public parking facility) if a car parking space is required or for an extended stay (e.g. 4 days or more).
- Guests may be picked up from the airport and chauffeured to the hotel.
- Organising logistics between airlines, coach providers and the hotel to ensure a seamless transport outcome for guests.
- Organising logistics between coach providers and the hotel regarding the set-down and pick-up of guests.
- Should there be an event or function, that may create a greater car parking demand compared to typical operations, event shuttle bus services may be arranged for collection and return of guests.
- The 24 hour valet parking service will be used to manage peak car parking demands through the combination of dedicated tandem spaces and unused guest spaces.
- There is opportunity for alternative travel for staff, such as active transport and through ride share applications and on demand services, which may be incentivised by Hotel Management.

Based on the above, the proposed development satisfies Performance Outcomes PO3, PO4 and PO8 to of the Transport and parking code which relates to on-site servicing.

Motorcycle parking provisions

Nine (9) motorcycle spaces are proposed. Consistent with car parking, the Transport and parking code does not nominate a specific motorcycle parking rate for Resort Complex, instead outlining that developments should have sufficient motorcycle parking spaces to accommodate the number of vehicles likely to be parked at any one time

Having regard to the nominated rates for short-term accommodation / hotel related food and drink tenancies on the ground floor and rooftop, and the food and drink outlets / shops on the ground floor, seven (7) motorcycle spaces would be required. This leaves two (2) spaces for hotels guests which is expected to be sufficient, noting that guests are unlikely to travel by motorcycle.

Car parking layout

The proposed development provides two (2) dedicated car parking levels level within the podium car park. Whilst car park dimensions vary across the development, all parks generally comply with AS2890, as referred to in the Transport and parking code.

**Item 8.2 Development Application for Material Change of Use (Resort Complex, Food & Drink Outlet, Shops, Function Facility and Bar) and Operational Works at 10 & 16 Brisbane Rd and 7 & 9 First Ave, Mooloolaba**

**Attachment 1 Detailed Assessment Report by External Independent Assessment Team - Ethos Urban**

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Through the assessment of the application, clarification was requested was from the Applicant with respect to:

- the width of many hotel visitor, retail, food and drink outlet etc. car parking spaces and associated car parking aisles,
- horizontal clearance provided to obstructions adjacent to car spaces and vertical clearance provided above PWD car parking spaces, and
- the accessibility of several car parking spaces due to walls, as well as the ability for motorists to appropriately manoeuvre through sections of the car park.

In response, the Applicant provided adjustments to the car park layout and additional swept paths were provided. Some concern are still held in relation to the proposed car park dimensions; accordingly a condition is recommended for car parking to be provided in accordance with AS 2890 - Parking facilities.

Based on the above, the proposed development can satisfy Performance Outcomes PO1 of the Transport and parking code which relates to on-site servicing.

#### Active transport arrangements

The proposed development provides several, clearly defined pedestrian access points, which are appropriately separated from the vehicular access point.

The proposed development provides the following bicycle parking breakdown and end of trip facilities, that is recommended to be conditioned as part of approval:

- 23 staff bicycle parking spaces and 16 visitor bicycle parking spaces are proposed

Acknowledging a specific bicycle parking rate is not identified for Resort Complex, regard has been given to the relevant use rates nominated if the development was considered as individual uses (e.g. short-term accommodation, food and drink outlet), the proposed bicycle parking provisions fall marginally short of Transport and parking code requirements.

Notwithstanding the minor shortfall outlined above, the proposed parking provisions are expected to be sufficient for several reasons given:

- not all uses are likely to experience peak trading (and by association bicycle parking) demands simultaneously,
- most visitors are expected to travel to/from areas near the site, noting the density of these areas, and
- the proximity of these areas is likely to result in a greater proportion of people walking in comparison to development located elsewhere.

A review of proposed end of trip facilities, which include provision of toilets, showers, basins, demonstrated compliance with the relevant requirements of the Transport and parking code. Whilst staff lockers have not been referenced on the Architectural Plans, a condition is recommended to provide 23 staff locker facilities, at a rate of 1 per staff bicycle parking space.

Based on the above, the proposed development can satisfy Performance Outcomes PO2 and PO5 of the Transport and parking code which relates to on-site servicing.

#### External traffic impacts

The external traffic impacts of the proposed development have been assessed, with the following key point acknowledging:

- the proposed development will generate in the order of 105 vehicles per hour during peak periods, assuming the hotel is fully occupied,
- the estimated peak traffic generation equates to less than two (2) trips per minute on average which is considered relatively low, and
- the applicant has provided a SIDRA analysis at the site access driveway which indicates that drivers will experience only short delays and queueing will be limited.

Based on the above, no external traffic related works (beyond frontage works) are considered to be required to mitigate development traffic impacts.

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#### External works

As previously detailed, the proposed development includes the following key external transport related works:

- existing First Avenue cross-section is to be modified and will include a minimum 6m wide roadway and a minimum 4.5m wide verge along the subject site's frontage,
- an approximately 3m x 15m on-street loading bay is proposed within the verge along part of the subject site's frontage, and
- an approximately 7m x 24m raised pedestrian crossing is proposed adjacent to Brisbane Road.

Through the assessment of the application, clarification was requested was from the Applicant with respect to:

- whether buses could access the loading bays whilst maintaining appropriate vehicle body clearances, and park without significantly impacting the operation of First Avenue,
- demonstrating that the proposed crossing would not result in any significant safety or operational issues, and
- providing a road safety audit (RSA) considering the operational works plans for the proposed pedestrian crossing was requested.

In response, the Applicant adjusted the loading bay arrangement and provided additional swept path diagrams provided to demonstrate that vehicles will be able to manoeuvre and park appropriately. A best practise review of shared zone / pedestrian crossing treatments as well as a RSA was provided. The RSA recommended several changes be made to the proposed pedestrian crossing arrangement. Accordingly, a condition is recommended to require amended plans be provided, reflecting the recommended changes of the RSA.

Based on the above, the proposed external works to First Avenue can satisfy Performance Outcomes PO1, PO2, PO4 and PO5 of the Transport and parking code.

The development application largely complies with Acceptable Outcomes of the Code. Where the development has proposed a performance solution, it has been assessed to achieve the relevant Performance Outcome or Overall Outcome of the code, or has been conditioned / amended in red to comply. Accordingly the Applicant's Traffic Impact Assessment is recommended for approval where incorporating amendments contained within the conditions and/or amendments in red.

Refer to the following for additional information:

- **Attachment 3 – Traffic Engineering Assessment** prepared by Bitzios Consulting

#### **6.3.2.7 Waste management code**

The Applicant has provided a Waste Management Plan which largely complies with the code. Where compliance with both the Waste management code and Waste management code planning scheme policy (SC6.18), has not been fully demonstrated, a condition has been recommended requiring waste management arrangements are in accordance with the Waste management code, with respect to:

- for general waste: 10 x 1.1m<sup>3</sup> skip bins
- for recycling: 2 x 1.1m<sup>3</sup> skip bins
- waste and recycling waste is to be collected once daily
- waste storage bins are to be made of non-combustible materials,
- waste bin wash-down area must comply with SC6.18.4(e) and (k),
- waste chute ventilation must comply with SC6.18A and SC6.18.4(g),
- waste disposal points must comply with SC6.18.4(h),
- waste Container Storage Rooms must comply with SC6.18.4(j)(vii) and (viii),
- Waste storage area must comply with SC6.18.6(g), and
- Waste storage containers must comply with SC6.18.6(i).

The development application largely complies with Acceptable Outcomes of the Code. Where the development has proposed a performance solution, it has been assessed to achieve the relevant

**Item 8.2 Development Application for Material Change of Use (Resort Complex, Food & Drink Outlet, Shops, Function Facility and Bar) and Operational Works at 10 & 16 Brisbane Rd and 7 & 9 First Ave, Mooloolaba**

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Performance Outcome or Overall Outcome of the code, or has been conditioned / amended in red to comply.

Refer to the following for additional information:

- **Attachment 4 – Waste, Odour and Lighting Assessment** prepared by Trinity Consultants

#### **6.3.2.8 Works, services and infrastructure code**

The Applicant provided a formal assessment of the code and supporting Engineering Services Report and Civil Plan. Unitywater's private works team have confirmed to the applicant that existing sewer infrastructure within the site is now redundant and removed by the adjoining multi-storey car park works. New property connections are required to service the development, subject to approval by Unitywater.

Water and sewer works are required to both divert existing Unitywater services around the proposed basement works and for new connections.

PO4 requires that construction activities and works are managed such that all reasonable and practicable measures are taken to protect the environmental values of water and the State Planning Policy (SPP) dealing with Water Quality has further provisions in respect of acid sulphate soils. The applicant has prepared a suitable Acid Sulphate Soils Management Plan and a suitable erosion and sediment control plan in accordance with Council and IECA standards.

PO8 requires that development is provided with infrastructure, services and utilities appropriate to its setting and commensurate with its needs. The applicant needs to obtain relevant approvals from Unitywater for works to existing services and for provision of suitable connections to the development. The development must obtain approval from Unitywater for works to their infrastructure.

PO9 requires that development infrastructure is provided that is planned, designed and constructed to meet future needs and the existing environment. It is noted that the civil engineering plans have not been updated to reflect the recommended changes within the RSA, the draft conditions will need to reiterate this.

PO11 requires that filling and or excavation works do not cause environmental harm, adversely impact visual amenity or privacy and controls the height of any retaining wall to no more than 1.5 metres. The applicant proposes retaining walls that are wholly contained within the site and will not be greater than 1.0 metre above adjoining ground levels.

The development application largely complies with Acceptable Outcomes of the Code. Where the development has proposed a performance solution, it has been assessed to achieve the relevant Performance Outcome or Overall Outcome of the code, or has been conditioned / amended in red to comply. Accordingly the Applicant's Engineering Report is recommended for approval where incorporating amendments contained within the conditions and/or amendments in red.

Refer to the following for additional information:

- **Attachment 6 – Civil Engineering Assessment** prepared by Bligh Tanner

## **6.4 Overlay Codes**

### **6.4.1 Acid sulfate soils overlay code**

The Applicant provided a formal assessment against the code and a supporting Geotechnical and Acid Sulfate Soils Investigation and Acid Sulphate Soils Management Plan. The Purpose of this code, amongst other things, is to ensure the generation or release of acid and metal contaminants from acid sulphate soils does not have adverse effects on the natural environment, built environment, infrastructure or human health.

The development application achieves compliance with the relevant Performance Outcomes and Acceptable Outcomes of the Code. Accordingly the Applicant's Acid Sulfate Management Plan is recommended for approval.

Refer to the following for additional information:

- **Attachment 6 – Civil Engineering Assessment** prepared by Bligh Tanner

#### 6.4.2 Airport environs overlay code

The proposed development complies with the Acceptable Outcomes of the code.

#### 6.4.3 Coastal protection area overlay code

The Purpose of this code, amongst other things, is to ensure the protection of people and property from coastal hazards, taking into account the predicted effects of climate change. In the context of the proposed development, flooding associated with its location in a low lying coastal area is the key impact, and this has been adequately addressed within the development application. The proposed development does not include a basement that limits the impacts of flooding and tidal surges. The development has been conditioned to achieve a minimum floor level of all buildings of RL 3.2m AHD and all essential infrastructure must achieve minimum 300mm freeboard to the Defined Flood Event (DFE).

The development application largely complies with Acceptable Outcomes of the Code. Where the development has proposed a performance solution, it has been assessed to achieve the relevant Performance Outcome or Overall Outcome of the code, or has been conditioned / amended in red to comply.

Refer to the following for additional information:

- **Attachment 6 – Civil Engineering Assessment** prepared by Bligh Tanner

#### 6.4.4 Flood hazard overlay code

The purpose of the Flood hazard overlay code is to ensure development protects people and avoids or mitigates the potential adverse impacts of flood and storm tide inundation on property, economic activity and the environment, taking into account the predicted effects of climate change.

The Applicant has confirmed through detailed flood modelling all finished floor levels of all habitable rooms are at least 500mm above the defined flood event (DFE). Further, the Applicant has demonstrated that all essential network and infrastructure are to be located above the DFE and flood resilient materials will be utilised where appropriate. Site access will also remain trafficable up to and including the 1% AEP for standard and emergency vehicles and increases in flood levels are contained within the roads, which remain trafficable.

The development application largely complies with Acceptable Outcomes of the Code. Where the development has proposed a performance solution, it has been assessed to achieve the relevant Performance Outcome or Overall Outcome of the code, or has been conditioned / amended in red to comply.

Refer to the following for additional information:

- **Attachment 6 – Civil Engineering Assessment** prepared by Bligh Tanner

#### 6.4.5 Height of buildings and structures overlay code

##### Building height

The subject site is located within the Height of Buildings and Structures Overlay: 45m. This stipulates a maximum building height of 45m, being the vertical distance between the ground level and the highest point of the building roof (apex) or parapet at any point, but excluding:

- any load bearing antenna, aerial, chimney, flagpole or the like; and
- erecting a building or structure associated with a **prescribed rooftop use** as defined below.

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The proposed development comprises building heights of:

- a) Level 13 rooftop floor level of RL 45.25m AHD
- b) Level 13 rooftop ceiling/roof level of RL 48.55m AHD
- c) Roof lift overrun of RL 50.05m AHD
- d) Roof plant screening of RL 51.10m AHD

Therefore, the proposed development complies with the nominated maximum building height, in particular item (a)(i) below, i.e. 48m (45m + 3m) (45.35m above ground level) for building and structures, and 50m (45m + 5m) (48m above ground level) for lift overrun / plant screening in accordance with the definition of a prescribed rooftop use regarding overall building height.

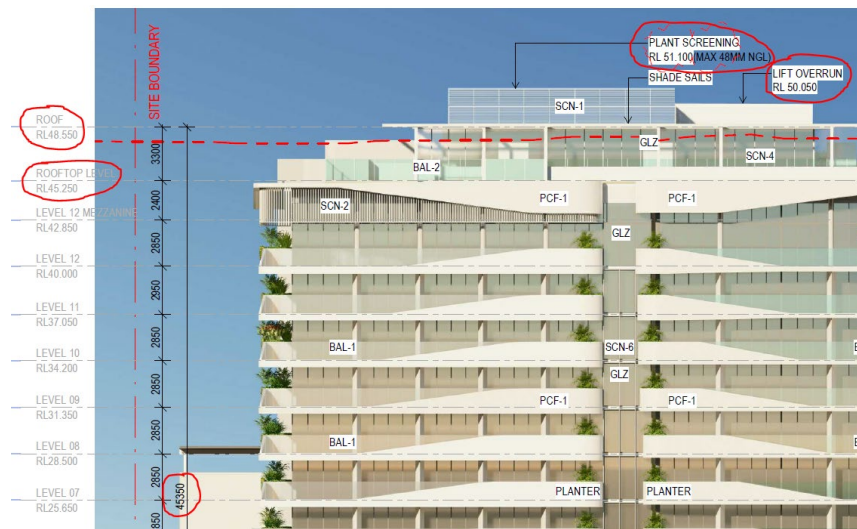
In regard to item (b) of the definition of a prescribed rooftop use, "accessible to the general public (i.e. not solely for the exclusive use of building occupants and their guests)". Given the majority of the roof top space is available for general public uses, i.e. is not solely for the exclusive use of guests, it is considered the design complies with item (b).

#### **Prescribed Rooftop Use**

*A bar, food and drink outlet (restaurant), function facility, hotel (excluding any accommodation component), indoor sport and recreation, outdoor sport and recreation or other recreation and entertainment facilities ancillary to a use in the residential activity group (e.g. resort complex) that are:-*

- (a) *located on a rooftop and exceeding (whether fully or partially) the maximum height specified for the site on the applicable Height of Buildings and Structures Overlay Map under the following circumstances:-*
  - i) *the building or structure does not exceed 3 metres above the maximum height specified for the site on the applicable Height of Buildings and Structures Overlay Map, with the exception of a lift overrun which does not exceed 5 metres above the maximum height specified for the site on the applicable Height of Buildings and Structures Overlay Map;*
  - ii) *the building or structure is not located within 2 metres of the rooftop perimeter, other than roof elements and clear glass balustrading;*
  - iii) *lift overrun and building plant associated with any part of the building are setback a minimum of 3 metres from the rooftop perimeter (applicable to new building work only), other than where facing another tower element on the same site;*
  - iv) *having a maximum combined roofed area (including fixed shade elements) equivalent to 50% of the floor area of the storey directly below;*
  - v) *providing for a minimum of 30% of the total rooftop use area as outdoor use area (may include fixed shade elements that are not fixed to walls); and*
  - vi) *including visually transparent material to a minimum of 75% of external walls (other than walls to fire egress stairs), windows and doors, and 25% of roof or fixed shade elements.*
- (b) *accessible to the general public (i.e. not solely for the exclusive use of building occupants and their guests); and*
- (c) *located in a zone nominated in the following local plan areas:-*
  - i) *Maroochydhore/Kuluin local plan area (Principal centre zone, that part of the Tourist accommodation zone adjacent to The Esplanade and Cotton Tree Parade or that part of the Local centre zone adjacent to King Street); or*
  - ii) *Mooloolaba/Alexandra Headland local plan area (District centre zone, Tourism zone or Tourist accommodation zone); or*
  - iii) *Coolum local plan area (District centre zone or Tourist accommodation zone).*





East Elevation extract identifies key building height dimensions

## 6.5 Assessment Benchmarks Pertaining to a Variation Approval

Not Applicable.

## 6.6 Assessment Benchmarks Pertaining to a Temporary Local Planning Instrument

Not Applicable.

## 7.0 CONSULTATION

### 7.1 Referral Agencies

The application was referred to the following Referral Agencies in accordance with the *Planning Act 2016* and the *Planning Regulation 2017*:

Department of State Development, Infrastructure, Local Government and Planning

The Department is a referral agency for:

- *Planning Regulation 2017* - Schedule 10, part 9, division 4, subdivision 1 –State transport infrastructure impacts
- 

The Department responded by letter dated 6<sup>th</sup> January 2022 advising no requirements but including the following advice notes:

***Public passenger transport and taxi / ride-share servicing***

*It is unclear whether the layout and design of the porte-cochere, parking and vehicle manoeuvring areas located on the ground floor provides adequate provision for all anticipate vehicle types and activities.*

*In particular, the capacity and design of set-down and manoeuvring areas for both private coaches and taxi / ride-share services may require operational management plans or redesign/prioritisation to accommodate the maximum design vehicle (14.5m bus) and the anticipated volumes of taxi / ride-share and private vehicles to ensure this area is capable of operating effectively.*

*As this area is located internally to the development site and under private management/ownership, it will be the responsibility of the owner/operator to ensure provision of these services and adequate parking and manoeuvring through the site can be suitably managed and maintained.*

**Response:** an assessment of layout, design and option of the ground level vehicle set down and manoeuvring areas has been undertaken against the relevant assessment benchmarks of the planning scheme.

### 7.2 Other Referrals

The application did not require any other external referrals.

### 7.3 Public Comments

The application was code assessable and did not require public notification in accordance with the *Planning Act 2016*.

No submissions were received.

## 8.0 CONCLUSION

The proposed development sufficiently complies with the requirements of the planning scheme and does not raise issues that cannot be addressed by reasonable and relevant conditions. The application is therefore recommended for approval subject to reasonable and relevant conditions, including the following amendments requiring the submission of updated plans and documents:

- Minor changes to First Avenue crossing to reflect Road Safety Audit recommendations;
- Extend the awning the full length of First Avenue;
- Planter minimum planting media depths to be increased;
- Minor changes to road safety signage;
- Amendments to the Construction Management Plan; and
- A traffic and car park management to be prepared and submitted to Council for approval

## **Attachment 1 – ARCHITECTURE ASSESSMENT**

Item 8.2 Development Application for Material Change of Use (Resort Complex, Food & Drink Outlet, Shops, Function Facility and Bar) and Operational Works at 10 & 16 Brisbane Rd and 7 & 9 First Ave, Mooloolaba

Attachment 1 Detailed Assessment Report by External Independent Assessment Team - Ethos Urban

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## Mooloolaba Hotel Development

Urban Design, Architectural &  
CPTED Assessment Report

**MCU 21/0342**

February 2022

Issue B

**gomango**  
ARCHITECTS

**Item 8.2** Development Application for Material Change of Use (Resort Complex, Food & Drink Outlet, Shops, Function Facility and Bar) and Operational Works at 10 & 16 Brisbane Rd and 7 & 9 First Ave, Mooloolaba

**Attachment 1** Detailed Assessment Report by External Independent Assessment Team - Ethos Urban



22 February 2022

Ashley Everton  
Ethos Urban  
Level 1 365 St Pauls' Terrace  
Fortitude Valley Qld 4006  
AEverton@ethosurban.com

**RE: Final Urban Design, Architectural and CPTED Assessment of the  
Mooloolaba Hotel Development, Brisbane Road, Mooloolaba - MCU 21/0342**

### Introduction

Gomango Architects have been commissioned by Ethos Urban to provide independent urban design, architectural and CPTED (Crime prevention through environmental design) assessment advice of the development application for the mixed-use development proposed for the Sunshine Coast Council's owned site on the corner of Brisbane Road and First Avenue and at Mooloolaba.

Following is urban design and architectural response to RFI documentation provided to us by the proponents. This follows a several meetings with the proponents following the issuing of the RFI.

This specialist advice has been prepared to assist Ethos Urban to make its final decision on the application as independent assessment manager.

*Figure 1 The proposed development*



**t 0408 721 339** **e phil@gomangoarchitects.com.au**  
PO Box 8 Moffat Beach Q 4551 **ABN 64 584 342 580**

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### Overview

The proposed development delivers a well-balanced mix of uses on a compact corner site in a prominent location in Mooloolaba. The proposed uses are consistent with the Planning Scheme and the general arrangement of the uses is consistent with broader built form intent of the planning scheme.

The site planning works well to limit the impact of necessary services (refuse collection, deliveries, staff access, location of electrical padmount, carparking access) by locating them to the sides and rear of the site. This allows important activation uses (Hotel Lobby, porte cochere, outdoor dining, retail and public plaza) to be located in the most prominent and appropriate locations.

The arrangement of the built form takes generally takes advantage of the location and high amenity of the site (proximity to beach and surrounding views) and the orientation of the site. The built form also generally responds well to the surrounding buildings, notably the adjoining Council-owned carpark taller buildings fronting the Esplanade.

The proponents' design team have been generally responsive to feedback from the assessment team notwithstanding the commercial imperatives of the scheme. The positive aspects of the assessment process and changes made to the scheme include:

- Design changes to the prominent (from Brisbane Rd) southern end of the development;
- Amendments to the location of the porte cochere and lobby entrance;
- Re-arranging onstreet car parking and streetscaping;
- Changes to the design of the public plaza to continuous public shelter, etc;
- Relocation of the transformer padmount and staff access to ensure better streetscape and CPTED outcomes;
- A review of the initially submitted design concept (The result of a peer review) which lead to an improved approach to the architectural form and articulation to key building faces
- A readjustment of the bus set down on First Avenue to reduce its impact and maximise opportunities for future activation uses; and
- Design changes to minimise the likely impacts of wind turbulence on building users and the streetscape.

There remains 2 key areas where the applicant has 'pushed back' or presented unresolved information in response to feedback from the assessment team. These include:

- The identification of a clearer and refined architectural design that not only epitomises exemplary sub-tropical and sustainable design that also contains unique ideas that reflect the local setting of Mooloolaba ; and
- The use of screening and sunshading elements to provide amenity and privacy to private external balconies that also provide a level of articulation that also address contemporary, subtropical coastal built form issues raised in the Mooloolaba Local Plan Code.

A further description of these issues is covered later in this report.

**Item 8.2** Development Application for Material Change of Use (Resort Complex, Food & Drink Outlet, Shops, Function Facility and Bar) and Operational Works at 10 & 16 Brisbane Rd and 7 & 9 First Ave, Mooloolaba

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### Assessment Benchmarks

Local plan codes:

- Mooloolaba/Alexandra Headland local plan code
- District Centre Zone Code;

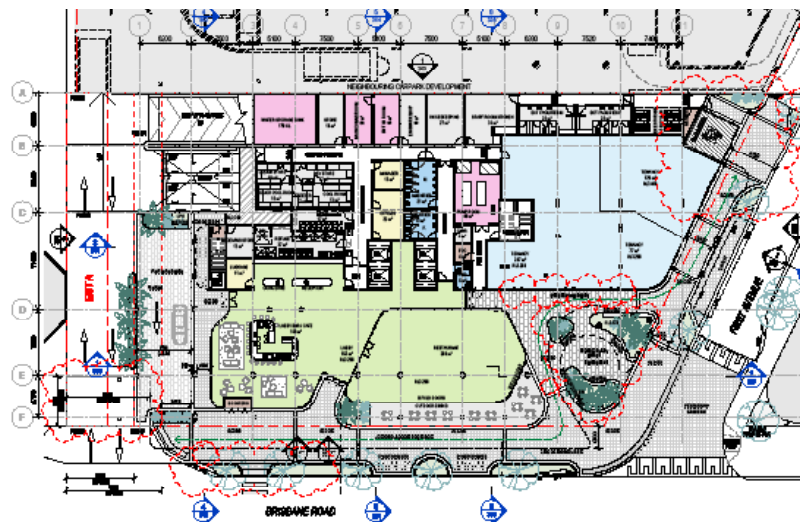
Use codes:

- Multi-unit Residential Uses Code;
- Business Uses Centre Design Code;

Other codes:

- Sustainable design code
- Safety and Security code;

Figure 2 Ground Floor Plan showing relationship of key activation uses to streets





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### Key Issues

The arrangement of the built form and the design of the architecture presented a range of key issues when assessed against the planning scheme.

#### *Outstanding Design/Landmark Site*

The Mooloolaba/Alexandra Headland Local Plan Code Performance Outcomes PO7 & PO9 call for development to contribute to the creation of a contemporary, subtropical coastal built form and streetscape. Performance Outcomes PO7 & PO9 also requires that development provides for outstanding building, streetscape and landscape design which is highly articulated and epitomises sub-tropical and sustainable design and that recognises the landmark nature of the site.

The Planning Scheme calls for 'an outstanding design that recognises the landmark nature of the design and mark', one that befits the strategic importance of the site. The key measure for this is (as stated in the Scheme) is the delivery of an 'outstanding' architectural design. While 'outstanding' is not defined, in order to guide the applicants I have suggested that the measure of this is whether the scheme would be considered of outstanding architectural merit at a state or regional level by professional (architectural) peers and this merit should take into account contemporary urban responses within the local context. It was made clear that this merit should use a comparative assessment of the proposed design framework for the project against local exemplary hotel, or residential architecture which demonstrates subtropical principles that recognise the landmark nature of the site.

Another important aspect of the landmark design issue, is ensuring that design is regionally appropriate and that architectural features reflects unique and localised story or narrative. It is typical of most local buildings to adopt a generic or universal coastal design theme of 'sea and sand' or 'waves and sailing' without reflecting any local or context responsive narrative or unique design features. This is a design quality that can elevate serviceable design into landmark architecture.

Figure 3 Concept Sketch with universal (non-unique) design themes

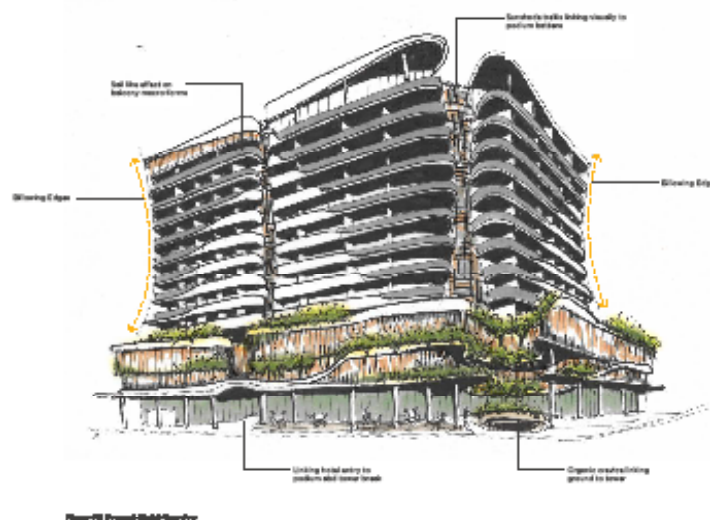


Figure 4 Concept Design with generic coastal themes



#### Landscaping

The Business uses and centre design code Performance Outcome PO10 states the business use or centre activity provides for the premises to be attractively landscaped in a manner that is consistent with the function, location and setting of the premises.

The percentage of 'deep landscaping' in the development is critical to ensure a generous and attractive approach. It is also important that this feature landscaping occurs in highly visible areas and that the design concept is clear about the purpose/role of podium planting and its likely survival over time. Some sit behind screened areas within the podium carpark or on top of street awnings, where it is highly unlikely to be effectively serviced and maintained. (Refer to the separate landscape assessment prepared by Vee Design).

It is critical that the landscape strategy and the Wind Assessment Reports recommendations align with each other, to deliver integrated design responses especially in the Public Plaza and streetscape areas and on the rooftop to ensure wind protection and the long-term viability of this landscaping.

#### Public Realm

The Mooloolaba/Alexandra Headland Local Plan Code Performance Outcome PO7 states that development should create vibrant and active streets and public spaces and provide a continuous pedestrian friendly facade including all weather protection for pedestrians. The Business uses and centre design code Performance Outcome PO04 states that development should provide for footpaths, walkways and other spaces intended primarily for pedestrians to be comfortable to use and adequately sheltered from excessive sunlight and inclement weather. Proposed street awnings to both key frontages are not continuous to allow pedestrians to walk along the streets with suitable shelter. Prelodgement discussions identified that approximately 25% of the street frontages were not sheltered. Notable gaps existed on the key corner of First Avenue and non compliance with the intent of the Code.

A lesser degree of activation and vibrancy on First Avenue notably on northern end around the coach setdown and electrical pad-mount was also a critical issue. Footpath narrowing (to 2.4m in width) can obstruct movement and safety. The location of the coach set-down may limit future

outdoor dining/activation opportunity if not well located.

It is important to demonstrate that wind effects on the Brisbane Road frontage will be suitable for outdoor dining, as well as walking, to ensure future vibrancy and activation of all street frontages

PO9 of the Mooloolaba/Alexandra Headland Local Plan Code requires an attractive and pedestrian friendly central community meeting space such as a village square or plaza. The Business uses and centre design code Acceptable Outcomes AO4.4 says that any outdoor public or semi-public open space has a minimum of 50% of its area covered or shaded.

The proposed development provides a plaza space on the corner of the site, which is the correct location. However the effective/useable area of public space (excluding circulation) should be reasonably substantial, have a high level of user comfort (shade, rain and wind protection as well as sunlight), reflect sub-tropical character and designed so the quality of the space does not diminish with design resolution.

#### ***Safety and Security***

The Safety and Security code Performance Outcome PO8 states that development provides for buildings which are designed to ensure a high level of safety and security for residents, staff and the community and (a) optimise casual surveillance, (b) provide unimpeded sight lines, and (d) avoid concealment spots.

Due to the compact nature of this site with 2 important street frontages, there are limited locations suitable for the padmount transformer, the proposed location has been generally supported by the assessment team even through the transformer enclosure on First Avenue is currently located in a prominent position at the northern corner of the building podium at ground level.

It is important that the transform is suitably and attractively enclosed, does not create a 'choke-point' in the footpath, creates potential concealment opportunities and limits casual surveillance along the streetscape.

*Figure 5 Proposed Public Realm activation*



#### *Design For Climate and Privacy*

The Sustainable Design code Performance Outcome PO2 states that development is located, designed in a manner that incorporates passive design elements for cooling and heating, including (a) weather protection and sun shading (including eaves and overhangs that are incorporated into facades), (c) rain protection appropriate to each facade orientation and (d) provides opportunities for building occupants to determine indoor climate (e.g. adjustable louvres and shading).

The assessment team were clear that this issue was not related to compliance with deemed to comply provisions of the NCC Section J. It specifically concerns the use of design elements and strategies to provide user comfort and amenity to the external private spaces but also understanding that these design elements are an important part of local, subtropical design response to buildings and can help localise the architecture - which assists with other areas of compliance (eg: Landmark architecture response).

The Multi-unit Residential Uses Code Performance Outcome PO14 & PO15 address the issue of clothes drying and outdoor drying areas that are screened from public view. A key aspect of 'Sunshine Coast design' is creating outdoor spaces that 'celebrate' and outdoor lifestyle and local conditions. This is especially relevant for long and short-term stay residential uses located in a prominent beachside setting like this development. A building design strategy for drying beach gear (towels, swimwear) is locally important aspect of designing for buildings in this context.

The Multi-unit Residential Uses Code Performance Outcome PO10 states that the multi-unit residential use ensures that dwellings, rooming units, private open spaces and adjoining residential uses are provided with a reasonable level of privacy. Proposed hotel rooms with full length glazing and private open space balconies on the south-east, north-east and north-west elevations are likely to be impacted on by privacy/overlooking from adjacent buildings.

#### *Wind Assessment*

It is critical that the landscape strategy and the Wind Assessment Reports recommendations align with each other, to deliver integrated design responses especially in the Public Plaza and streetscape areas and on the rooftop to ensure wind protection and the long-term viability of this landscaping.

*Figure 6 Possible Wind impact issues on landscaping and public realm*



**Item 8.2 Development Application for Material Change of Use (Resort Complex, Food & Drink Outlet, Shops, Function Facility and Bar) and Operational Works at 10 & 16 Brisbane Rd and 7 & 9 First Ave, Mooloolaba**

**Attachment 1 Detailed Assessment Report by External Independent Assessment Team - Ethos Urban**

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### Response to RFI

A list of the key urban design and architecture issues raised in the RFI are outlined below. A summary of the response by the applicant follows for each issue.

1. *Provide a clear and refined architectural design that not only epitomises exemplary sub-tropical and sustainable design that also contains unique ideas that reflect the local setting of Mooloolaba or the Sunshine Coast to demonstrate compliance with Mooloolaba/Alexandra Headland Local Plan Code; and*

*Provide a revised comparative assessment of conceptual design framework using high-end, local exemplary hotel or residential architecture which demonstrates sub-tropical principles and sustainable design that recognises the landmark nature of the site.*

The assessment team Advice was given that the pre-lodgement design concept proposed by the applicants (Figure 3) was generic and not responsive or specific to the site. The applicants sought additional design advice and a new, more sophisticated concept design was presented (Figure 4), although the language in the report has remained the same.

Although an improvement on the original scheme, it is considered that the concept that underpins the architecture contains opposing ideas (solid headland vs billowing sails) that dilute the conceptual approach and risk making the architectural story unclear. This concept also identifies universal coastal themes (waves, sails, etc) rather than ideas shaped by a local story or specific cultural expression. Further information was sought from the applicants to clarify/refine these issues, but that applicant did not respond with any changes.

The initial framework submitted by the applicants for comparative assessment of the concept contained two inappropriate examples of 'budget-style' hotel accommodation, both without an obvious sub-tropical design response. The assessment made no meaningful comparison of design ideas or aesthetics. Subsequent assessment provided 3, more appropriate exemplary architectural benchmarks were provided, although no meaningful comparison that proposed development met or exceeded these benchmarks has been offered by the applicants consultants.

An independent peer-review assessment was also submitted by the applicants which reviewed the built form, street activation, ESD performance and landscaping stating that the proposed design will "provide an outstanding contextually appropriate coastal experience that will support the Sunshine Coast Councils vision for well-designed buildings that contribute to the evolving Sunshine Coast architectural vernacular". Notably, this assessment did not state that the design concept had local or regionally significant architectural merit which epitomises sub-tropical and sustainable design and that recognises the landmark nature of the site.

Figure 7 Prelodgement Architectural Design - March 2021

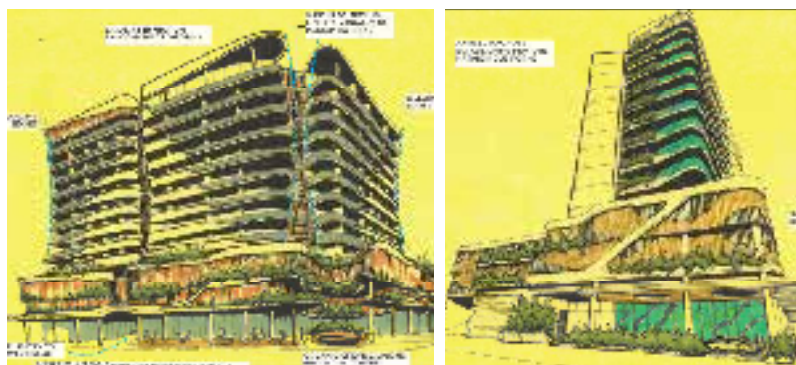


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Figure 8 Logged Architectural Design - July 2021



By my assessment, although the design is well considered and of a reasonably high local design standard, the proposed design framework lacks of unique design ideas or a clear story that reflects the local setting (and not universal coastal themes of waves, sails, etc).

My concern is that because these responses are not clear, these design features may be actively diminished or lost throughout the design development phase, leaving a building that does not reflect fully the landmark nature of the site. Subsequent assessments against the submitted material should ensure these design elements are refined and strengthened.

2. *Demonstrate that development contains a minimum of 10% of the site is comprised of deep planted landscapes that can be efficiently maintained for long-term viability; and*

*Suitable planting space is provided to support the long-term viability of dense foliage on the rooftop and Public Plaza to provide wind protection to uses as outlined in the Wind Assessment Report.*

The proposed development provides 92.7m<sup>2</sup> or 3.09% of deep planting area for the 2,998m<sup>2</sup> site at street level. The scheme proposes a further, 210m<sup>2</sup> at podium level or 55.5m<sup>2</sup> at roof top level of 1000mm deep planters which combined provides 358.2m<sup>2</sup> (12%).

The applicants state that the deep planting areas are highly accessible and can be easily maintained with the majority of garden beds have direct access or are adjacent to balconies.

Concern remains about access and maintenance of gardens beds and the likelihood that this planting will be diminished through subsequent design and documentation stages and we note the proponents admission that any concerns will be "...coordinated with the Architect at detailed design (IFC) documentation stage." Conditions to ensure future compliance will be required.

Required co-ordination between the landscape design and the wind assessment report is still lacking and should be addressed through final conditions.

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3. *Demonstrate that the development provides suitable degree of continuous streets awnings to allow pedestrians to walk along the streets with suitable shelter notably on the key corner of First Avenue and Brisbane Road and the northern end First Avenue around the electrical pad-mount; and*

*There is suitable footpath width (minimum of 3.5m) on First Avenue to maximise the opportunity for high amenity, active frontages; and*

*The current location of the coach set-down does not unduly limit outdoor dining/ activation opportunity on First Avenue directly outside proposed shopfronts; and*

*The form of the proposed development on Brisbane Road does not increase the impact of wind effects on the Brisbane Road streetscape and the useable amenity of proposed outdoor dining as suggested in the Wind Assessment Report; and*

*The proposed public plaza has a suitable size and sufficient amenity to provides an outstanding public space in line with the 'landmark nature of the site'. This includes detail that the landscaped area is of a sufficient size to enable the vegetation density required to mitigate wind affects outlined in the Wind Assessment Report.*

The applicants have provided updated design material that addresses the continuous nature of the awnings to provide suitable and compliant pedestrian shelter. It is noted that there is some potential design tension in the public plaza between openness and light and a reasonable degree of shade and shelter. The applicants have elected for and layered on fixed shelters graduating up the podium over the public shelter combined with sub-tropical vegetation. Although there is likely to be reduced amenity of windy rainy days and further design refinement may be required, the general approach is satisfactory.

The applicants have redesigned the extent and design of the public plaza to ensure a simple and useable approach. While there a few distinguishing features are ground level and much of it will be impacted on by circulation, this space is sufficiently sized and shaped to used and be highly activated by the general public.

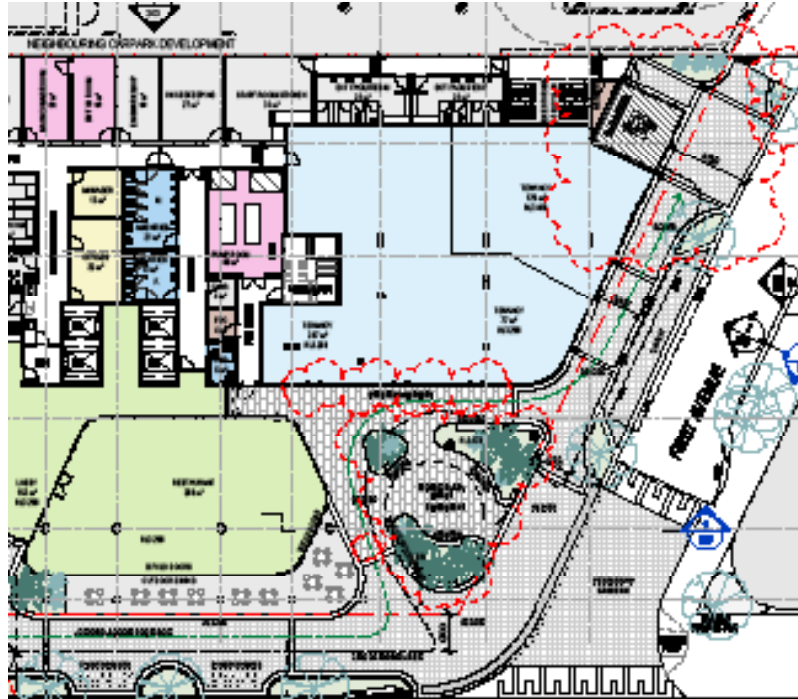
Footpath widths on Brisbane Road have been reviewed by the applicants and are now considered acceptable. The minimum width of footpath on First Avenue has been increased to a minimum of 3.19m which, although not ideal, is considered acceptable given the overall impacts of servicing on the compact site and the constrained character of First Avenue. When infrequent bus services are not parked there, the perceived width of the footpath will increase and be generally consistent with the average of the rest of the street.

The applicants design team have amended the location of the coach set-down area and the assessment team have accepted it is now in an optimal location to maximise street activity, pedestrian safety and CPTED outcomes.

Some concern remains about the impact of wind effects on the Brisbane Road streetscape and the public plaza. The assessment team note that applicants assertion that "wind speed within the plaza to be less than or equal to the wind speed associated with the upper bound of the Pedestrian Sitting criterion (4 m/s – often associated with café-style dining) roughly 75% of the time."

A condition ensuring future wind tunnels tests throughout subsequent assessment phases is recommended to ensure the upper level design of the podium and tower will create optimal conditions for users at ground level.

Figure 9 Amendments to First Avenue Streetscape to address Safety and Security



#### 4. Safety and Security

*Demonstrate that the proposed location and design of the transformer pad-mount on First Avenue supports a suitably attractive streetscape, allows for casual surveillance to and from the neighbouring public colonnade and does not compromise the safety and security of pedestrians*

The applicants have provided amended plans showing the padmount transformer enclosure pushed back into the building into an acceptable location that minimises safety and security concerns on the First Avenue streetscape

#### 5. Design For Climate and Privacy

*Provide sun diagrams between 5am and 6pm on the Spring Equinox and Summer Solstice and revised plans/sections which demonstrate unit users' ability to regulate sunshading, local climate and balcony privacy in accordance with The Sustainable Design code Performance Outcome PO2 and The Multi-unit Residential Uses Code Performance Outcome PO10. Demonstrate also how this level of articulation can also be used to address contemporary, subtropical coastal built form issues raised in the Mooloolaba Local Plan Code; and*

*Further clarification about nominated glazing types (double glazing, reflective glass, etc) intended to achieve the deemed-to-comply provisions of NCC Section J to help assess the reflective impact of the building and the overall balance between passive and active energy efficiency solutions; and*



*Provide plans and elevations at a suitable scale that demonstrate the strategy for drying beach gear in accordance with The Multi-unit Residential Uses Code Performance Outcome PO14 & PO15 and how this approach might support the higher-level objective of PO9 of the Mooloolaba Local Plan Code to epitomise the sub-tropical and sustainable design and that recognises the landmark nature of the site.*

The proponents have maintained the external balconies have been provided to help mitigate climatic (sun and rain) and privacy impacts over an above their thermal compliance requirement for the inside of the building under Section J of the NCC. The proponents also asserted throughout the assessment process that the external facades of the building would largely be shaded from excessive sun exposure but surrounding buildings.

Material subsequently provided shows that there is a significant sun load on these external faces in the morning (South East and North East) from Spring to Summer. There is a similar impact on the afternoon on the North West face of the building.

Further cross sections showing sun angles for each of the tower faces were provided by the applicant (late in the assessment process). This material clearly demonstrates a significant morning sunload on the external South East (Brisbane Rd) face of the building from Spring and Summer from 6am to 9am. There is a significant morning sunload on the external North East (First Ave) face of the building from Spring and Summer from 6am to 10am. This additional material also shows that there will be a significant afternoon sun exposure to North West facing hotel balconies from levels 8 and above during the Spring to Summer period from 3pm to 6pm.

Figure 10 Morning South East sun angles - Brisbane Road - Spring to Summer

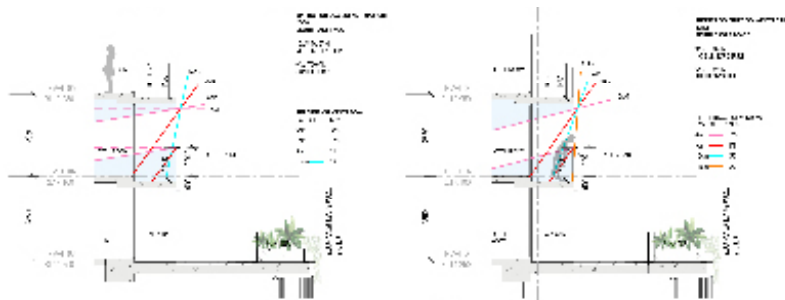
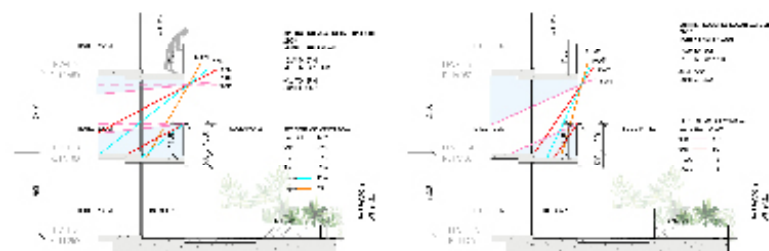


Figure 11 Morning North East sun angles - First Avenue - Spring to Summer



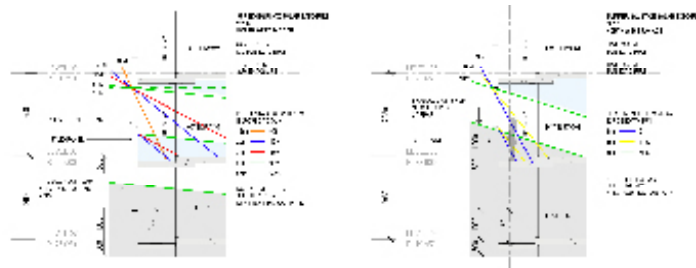
The assessment team were clear that this issue was not related to compliance with deemed to comply provisions of the NCC Section J, but specifically addresses the use of design elements and strategies to provide user comfort and amenity to the external private spaces. This is based on the understanding that these design elements are an

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important part of local, subtropical design response to buildings and can help localise the architecture, which can also assist with other areas of compliance (eg: Landmark architecture response).

Figure 12 Afternoon North West sun angles - Spring to Summer



The design elements offered by the applicants are clearly not adequate to address an appropriate subtropical response which will allow users to fully enjoy the private open space/balconies provided. It is also clearly a missed design opportunity to use clever design solutions to provided a unique, local architectural response for the project. A more nuanced response to this issue could have also addressed the issue of 'Landmark Design'.

However, given the short term-nature of the hotel use, proponents reluctance to embrace the design opportunities, past assessment constraints stemming from legal advice, and the fact that complex design issues cannot be easily resolved through assessment conditions, no further information is required on this matter.

Any conditions relating to climate and privacy will aim to ensure that current design gains relating the exterior articulation, shading and privacy are maintained and not diluted through subsequent design development stages.

Information supplied by the applicant clarifying the approach to Section J of the NCC was assessed as adequate and code compliant.

The applicant has not provided information about outdoor drying areas maintaining that these requirements should not apply to short stay accommodation and the "No external clothes drying facilities are provided".

This response is again a missed opportunity to provide a bespoke and locally unique design response. An assessment condition addressing this relatively minor issue could be simply applied without to much impact on the application.

#### 6. Wind Assessment

*Provide plans and elevations that demonstrate size and location of rooftop balustrading to shield against winds on the roof deck as recommended on the Wind Assessment Report.*

The applicants have provided and RFI response which envisages that "from the desktop wind study that the balustrades will be of approximately 1.8m height to ensure protection for the majority of the roof space around the pool".

A condition ensuring future wind tunnels tests throughout subsequent assessment phases is recommended to ensure the roof deck design will create optimal conditions for users.

**Compliance with the relevant planning scheme code provisions.**

**Local Plan Code - Mooloolaba / Alexandra headland local plan code**

PO7 Development in the District Centre Zone contributes to the creation of a contemporary, subtropical coastal built form and streetscape.

PO9 Development provides for outstanding building, streetscape and landscape design which is highly articulated and epitomises sub-tropical and sustainable design and that recognises the landmark nature of the site.

The proposed development is a competent building that mostly responds to the urban design intent for the site. However, the concept design that underpins the building is not clearly articulated and doesn't identify or seek to express any unique ideas that reflect the local setting of Mooloolaba or the Sunshine Coast. The design concept references a solid, headland with themes of rocks and crevices, but simultaneously references soft billowing sails and waves. These are apparently opposing ideas that left unresolved may dilute the conceptual approach and risk making the architecture overly complex and unclear. This conceptual framework is also not shaped by a local story or cultural expression and is therefore an approach that could be placed in any coastal setting.

While the site response and urban form of the building is well handled and appropriate for the context, this assessment finds that the proposed architectural response in generic architecture with universal coastal themes (waves, sails, etc) and is too lacking a unique local response to be considered appropriate with its 'landmark nature of the site'. more design refinement. The architectural design work done to date is competent, with a solid design foundations that may be capable of achieving an 'outstanding design' through the course of the design development process.

I find this aspect of the project has not sufficiently demonstrated compliance with the planning scheme and cannot be reasonably conditioned to comply. However, where accepting the building, the key consideration is to ensure that current design features are better refined and not actively diminished or lost throughout the design development phase, leaving a building that does not reflect fully reflect the landmark nature of the site.

A condition requiring further assessment of future design work is recommended.

*Figure 13 Unclearly expressed ideas about 'headland' and 'billowing sails'*



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PO7 Development in the District Centre Zone (c) creates vibrant and active streets and public spaces and (d) provides a continuous pedestrian friendly facade including all weather protection for pedestrians

The proposed development offers active frontages to both streets, however there is a lesser degree of activation and vibrancy on First Avenue is considered appropriate given the site constraints and the prevailing context of First Avenue. Amendments have been made to the design of the padmount transformer enclosure, bus setdown location, building frontage on First Avenue and extent of pedestrian cover/shelter to ensure a public realm that is suitably active with future capacity.

This aspect of the development is code compliant.

PO9 Development provides an attractive and pedestrian friendly central community meeting space such as a village square or plaza

The proposed development provides a plaza space on the corner of the site, in the correct location. The design of the plaza has been amended by the applicant and although the usable area is compromised somewhat by circulation the usable area will deliver a vibrant space.

The design approach maintains a is an acceptable design tension between cover in the public plaza between openness and light and a reasonable degree of shade and shelter. The applicants have elected for and layered on fixed shelters graduating up the podium over the public shelter combined with sub-tropical vegetation. Although there is likely to be reduced amenity of windy rainy days and further design refinement may be required, the current approach general approach is code compliant.

Some concern remains about the impact of wind effects on the Brisbane Road streetscape and the public plaza. The assessment team note that applicants assertion that "wind speed within the plaza to be less than or equal to the wind speed associated with the upper bound of the Pedestrian Sitting criterion (4 m/s – often associated with café-style dining) roughly 75% of the time."

A condition ensuring future wind tunnels tests throughout subsequent assessment phases is recommended to ensure the upper level design of the podium and tower will create optimal conditions for user of the public plaza at ground level.

*Figure 14 Upper level wind impacts from tower forms on ground level spaces*



***Business Uses and Centre Design Code***

PO04 The business use or centre activity provides for footpaths, walkways and other spaces intended primarily for pedestrians to be comfortable to use and adequately sheltered from excessive sunlight and inclement weather.

AO4.1 Requires provides adequate and appropriate shelter in the form of a minimum 2.7 metre wide awning, colonnade, verandah or the like along the full length of the active street frontage

The proposed development has been assessed against the Business Uses and Centre Design Code. The proposed development offers suitably wide awnings to both key frontages and although punctuated by the semi-open public plaza are considered suitably continuous to allow pedestrians to walk along the streets with appropriate shelter.

Some concern remains about the impact of wind effects on the Brisbane Road streetscape.

A condition ensuring future wind tunnels tests throughout subsequent assessment phases is recommended to ensure the upper level design of the podium and tower will create optimal conditions for seated users and public pedestrians on Brisbane Road.

AO4.4 Requires any outdoor public or semi-public open space has a minimum of 50% of its area covered or shaded.

The proposed development provides a plaza space on the corner of the site, which is the correct location. As noted above, some tension between design tension between cover in the public plaza between openness and light and a reasonable degree of shade and shelter is to be expected. The applicants have elected for and layered on fixed shelters graduating up the podium over the public shelter combined with sub-tropical vegetation. Although there is likely to be reduced amenity of windy rainy days and further design refinement may be required, the current approach general approach is code compliant.

As per above, a condition ensuring future wind tunnels tests throughout subsequent assessment phases is recommended to ensure the upper level design of the podium and tower will create optimal conditions for user of the public plaza at ground level.

PO07 The business use or centre activity is in a building which (c) takes advantage of local climatic conditions in ways that reduce demand on non-renewable energy sources for cooling and heating

AO7.1 Requires that the building has articulated and textured facades that incorporate some or all of the following design features to create a high level of openness and visual interest, and provide shading to walls and windows (b) recesses, screens and shutters and (c) windows that are protected from excessive direct sunlight during warmer months.

The assessment team were clear that this issue was not related to compliance with deemed to comply provisions of the NCC Section J, but specifically addresses the use of design elements and strategies to provide visual interest, and provide a degree of protection to external private spaces for users.

As discussed above, the design elements offered by the applicants are clearly not adequate to address AO7 in a comprehensive way that also provides an appropriate subtropical response required in the Mooloolaba Local Plan Code. It is also clearly a missed design opportunity to use clever design solutions to provided a unique, local architectural response for the project. A more nuanced response to this issue could have also addressed the issue of 'Landmark Design'.

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However wall shading, a level of window and balcony shading and built form articulation to provide visual interest has been provided.

Although not compliant with this aspect of the planning scheme, the issues of using design features for articulation, screening and sunshading intersect with other parts of the scheme and cannot be considered in isolation.

The short term-nature of the hotel use, the proponents reluctance to embrace the design opportunities, past assessment constraints stemming from legal advice, and the fact that complex design issues cannot be easily resolved through assessment conditions are mitigating considerations for compliance.

The assessment teams recommendation is that any condition relating to climate and privacy should aim to ensure that current design gains relating the exterior articulation, shading and privacy are maintained and not diluted through subsequent design development stages.

PO10 The business use or centre activity provides for the premises to be attractively landscaped in a manner that is consistent with the function, location and setting of the premises.

AO7.1 Requires a minimum of 10% of the site is comprised of deep planted landscapes.

The proposed development provides 92.7m<sup>2</sup> or 3.09% of deep planting area for the 2,998m<sup>2</sup> site at street level. The scheme proposes a further, 210m<sup>2</sup> at podium level or 55.5m<sup>2</sup> at roof top level of 1000mm deep planters which combined provides 358.2m<sup>2</sup> (12%).

Concern remains about access and maintenance of gardens beds and the likelihood that this planting will be diminished through subsequent design and documentation stages. A conditions to ensure future compliance will be required.

Figure 14 Highly articulated and textured elevations critical to design concept





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As per above, a condition ensuring future wind tunnels tests throughout subsequent assessment phases is recommended to ensure the upper level design of the podium and tower (including rooftop) will create optimal conditions for users at all levels. Required coordination between the landscape design and the wind assessment report is still lacking and should be addressed through final conditions.

PO14 The business use or centre activity maintains the privacy of residential premises such that the use of indoor and outdoor living areas by residents is not unreasonably diminished.

AO14 Requires Where the development is adjacent a residential use, the reasonable privacy and amenity of such accommodation is maintained by:- c) incorporating screening over building openings.

The applicant maintains that this provision applies to resident buildings of a permanent nature, not short stay accommodation, and that consequently privacy in hotel rooms are always guaranteed through the use of black out curtains and blinds. However the proposed development does not comply with the written intent of this provision nor the broader intent to allow users to enjoy an indoor/outdoor use of their accommodation in a sub-tropical setting by having some control over their privacy.

It is noted that the adjacent buildings are separated in excess of 20m however a condition ensuring a some privacy to external private spaces on the Brisbane Rd (South East) and First Avenue (North East) is recommended for compliance.

***Multi-unit residential uses code***

PO10 The multi-unit residential use ensures that dwellings, rooming units, private open spaces and adjoining residential uses are provided with a reasonable level of privacy.

AO10.3 The outlook from windows, balconies, stairs, landings, terraces and decks or other private, communal or public areas is screened where direct view is available into private open space of an existing dwelling.

As per above, the applicant maintains that this provision applies to resident buildings of a permanent nature, not short stay accommodation, and that consequently privacy in hotel rooms are always guaranteed through the use of black out curtains and blinds. However the proposed development does not comply with the written intent of this provision nor the broader intent to allow users to enjoy an indoor/outdoor use of their accommodation in a sub-tropical setting by having some control over their privacy.

It is noted that the adjacent buildings are separated in excess of 20m however a condition ensuring a some privacy to external private spaces on the Brisbane Rd (South East) and First Avenue (North East) is recommended for compliance.

PO14 Communal clothes drying facilities are provided where dwellings or rooming units are not provided with individual drying facilities.

AO4.1 Where individual clothes drying facilities are not provided for each dwelling or rooming unit, one or more outdoor clothes drying areas fitted with robust clothes lines are provided in accessible locations to meet the clothes drying needs of residents.

PO15 Where individual clothes drying areas are provided on balconies, they do not adversely impact on the amenity of public places or neighbouring residential premises.

AO4.1 Individual clothes drying areas are concealed or screened from public view.

The applicant has not provided information about outdoor drying areas maintaining that these

requirements should not apply to short stay accommodation and the "No external clothes drying facilities are provided". The proposal does not currently comply with this provision.

This response is again a missed opportunity to provide a bespoke and locally unique design response. A key aspect of 'Sunshine Coast design' is creating outdoor spaces that 'celebrate' and outdoor lifestyle and local conditions. This is especially relevant for long and short-term stay residential uses located in a prominent beachside setting like this development. The current building design strategy for drying beach gear (towels, swimwear) has not been demonstrated, which is a small, but important aspect of designing for buildings in this context. An assessment condition addressing this relatively minor issue could be simply applied without too much impact on the application.

#### ***Safety and Security code***

PO8 states that development provides for buildings which are designed to ensure a high level of safety and security for residents, staff and the community and (a) optimise casual surveillance, (b) provide unimpeded sight lines, and (d) avoid concealment spots.

AO8.5 Along property boundaries adjacent to the street or in view of the street and other publicly accessible areas within sites, building facades are provided which do not incorporate recesses of sufficient size to conceal a person.

The proponent has made design changes to the location of the pad-mount transformer enclosure and bus setdown areas on enclosure on First Avenue to remove potential 'choke-point' in the footpath, and creates a potential concealment opportunities.. This aspect of the development is now code compliant.

#### ***Sustainable Design Code***

PO2 states that development is located, designed in a manner that incorporates passive design elements for cooling and heating, including:- (a) weather protection and sun shading (including eaves and overhangs that are incorporated into facades); (c) rain protection appropriate to each facade orientation; and (d) providing opportunities for building occupants to determine indoor climate (e.g. adjustable louvres and shading).

#### ***AO2 No Acceptable measures***

As discussed above, the design elements offered by the applicants are clearly not adequate to address AO2 in a comprehensive way that also provides an appropriate subtropical response required in the Mooloolaba Local Plan Code. It is also clearly a missed design opportunity to use clever design solutions to provide a unique, local architectural response for the project. A more nuanced response to this issue could have also addressed the issue of 'Landmark Design'. However partial compliance with weather protection and sunshading is demonstrated.

Although not compliant with this aspect of the planning scheme, the issues of using design features for articulation, screening and sunshading intersect with other parts of the scheme and cannot be considered in isolation.

The short term-nature of the hotel use, the proponents reluctance to embrace the design opportunities, past assessment constraints stemming from legal advice, and the fact that complex design issues cannot be easily resolved through assessment conditions are mitigating considerations for compliance. The assessment teams recommendation is that any condition relating to climate and privacy should aim to ensure that current design gains relating the exterior articulation, shading and privacy are maintained and not diluted through subsequent design development stages.



### Conclusions

The proposed development delivers a well-balanced mix of uses on a compact corner site in a prominent location in Mooloolaba. The proposed uses are consistent with the Planning Scheme and the general arrangement of the uses is consistent with broader built form intent for Mooloolaba. The development uses a contemporary design approach that is skilled but not yet 'outstanding'. While the design lacks a level of subtle local character and a unique 'story', the approach provides a solid foundation for ongoing refinement.

The achievement of 'outstanding' architecture and urban design threshold has been partly compromised by the commercial objectives of the project, most notably the perceived risks around shading and articulation to room balconies on the key frontages. However the design of the podium (articulated screen and planting) has been well handled.

The varied materials palette and articulation treatments of the podium and tower are critical to this building's architectural success. The proponents are to note that quality design treatments that are likely to be diminished or 'watered-down' through post-approval 'value-engineering' will not be supported. The proposed feature treatments ('green-walls', balcony details, curved lines and podium articulation) are an integral part of the design and the design-development process should enhance their positive impact.

The proponents arguments have been carefully considered and largely accepted.

Initial concerns about streetscape activation, safety and security and the ground plane design of the public plaza have all been satisfactorily resolved. The design strategies for sun shading, weather protections and privacy to the outdoor balconies remain insufficient. It is important that these are resolved carefully and with clever design as they are critical to the relaxed outdoor character that in defines local architecture, but the assessment team has limited tools to improve on these components of the design.

This development will make a positive contribution to Mooloolaba and should (as intended) help Mooloolaba progress to its next level of maturity.

*Figure 15 The Proposed Development*



### Recommendations & Conditions

The proposed development is generally compliant with the relevant architecture urban design and CPTED provisions of the planning scheme. For full compliance I recommend the following conditions be included in the notice of conditions

#### External Articulation, Sunshading and Privacy

1. Prior to any building works commencing, detailed architectural must be prepared and submitted to Council for approval and review against the Approved Plans and Documents. The drawings must show the final developed details of the facade treatments and materials, screening, rooftop/building capping elements, etc. that depict a higher level of documentation detail than that shown on the Approved Plans and Documents.

#### Clothes drying areas

2. Each dwelling must be provided with a non-mechanical (natural) clothes drying area, or alternatively, each dwelling unit must have access to a communal outdoor clothes drying area that is fitted with a **dedicated** robust clothes lines. Where individual clothes drying areas are provided on balconies, they are to be concealed or screened from public view.

#### Wind Assessment and integrated landscaping

3. Prior to any building works commencing, detailed Wind Assessment report must be prepared and submitted to Council for approval and review against the Approved Plans and Documents. The drawings must show the final developed details of the facade treatments and materials, screening and integrated landscapae treatments to achieve wind speed in the streetscape, public plaza and pool deck areas with a the Pedestrian Sitting criterion (4 m/s – often associated with café-style dining) for roughly 75% of the year daytime use.

Please contact me if you require any further information in relation to this advice.

Yours sincerely

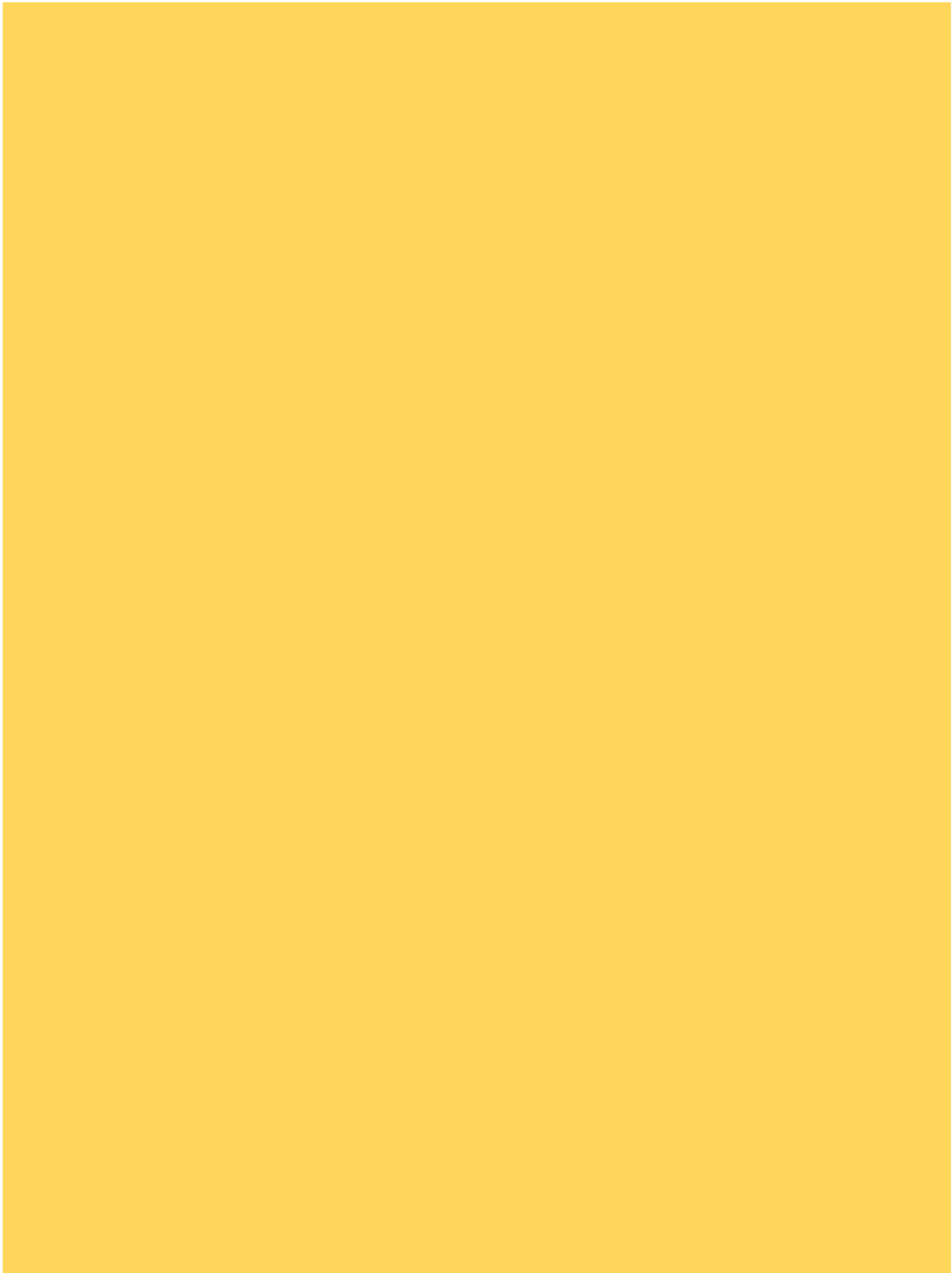


Phil Smith  
Director, Gomango Architects

Item 8.2 Development Application for Material Change of Use (Resort Complex, Food & Drink Outlet, Shops, Function Facility and Bar) and Operational Works at 10 & 16 Brisbane Rd and 7 & 9 First Ave, Mooloolaba

Attachment 1 Detailed Assessment Report by External Independent Assessment Team - Ethos Urban

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t 0408 721 339 e [phil@gomangoarchitects.com.au](mailto:phil@gomangoarchitects.com.au)  
PO Box 8 Moffat Beach Q 4551 ABN 64 584 342 580

## **Attachment 2 – LANDSCAPE ASSESSMENT**



## Brisbane Road Carpark Redevelopment

Independent Landscape Assessment Report

Prepared for Ethos Urban / Sunshine Coast Council

24 February 2022



VEE DESIGN / MCU21/0342 & OPW210528 - 7, 9 FIRST AVENUE, 10, 16 BRISBANE ROAD, MOOLOOLABA

## Acknowledgement of Country

**Our team acknowledges the important role Aboriginal and Torres Strait Islander people play within the design, arts and placemaking community.**

Our team acknowledges the people of the Gubbi Gubbi/Kabi Kabi & Jinibara People, the traditional owners of the land on which the Brisbane Road Carpark site in Mooloolaba stands.

We acknowledge their continuing connection to the land, sea and community.

We pay our respects to the Gubbi Gubbi/Kabi Kabi & Jinibara People, their, lores, culture, customs and creation spirits,

**We pay respect to their elders and community leaders past, present and emerging.**

### document register

Issue	Date	Prepared by	Approved by
A	22/02/2022	AJ	AJ/LN
B	24/02/2022	AJ	AJ/LN

02

VEE DESIGN / MCU21/0342 & OPW210528 - 7, 9 FIRST AVENUE, 10, 16 BRISBANE ROAD, MOOLOOLABA

## Contents

### Introduction

- Codes and Conditions Compliance
  - Mooloolaba/Alexandra Headland Local Plan Code (Mooloolaba Alexandra Headland Local Plan)
  - Landscape Code
  - Business uses and centre design code
  - Mooloolaba Centre Design Palette
  - Placemaking Mooloolaba Master plan
- Summary and Recommendations

VEE DESIGN / MCU21/0342 &amp; OPW210528 - 7, 9 FIRST AVENUE, 10, 16 BRISBANE ROAD, MOOLOOLABA

## Introduction

Vee Design Pty Ltd has been commissioned by Sunshine Coast Council to provide a review of the landscape architectural component of the development application for the resort and associated commercial and car parking development proposed for Sunshine Coast Council's Brisbane Road carpark site.

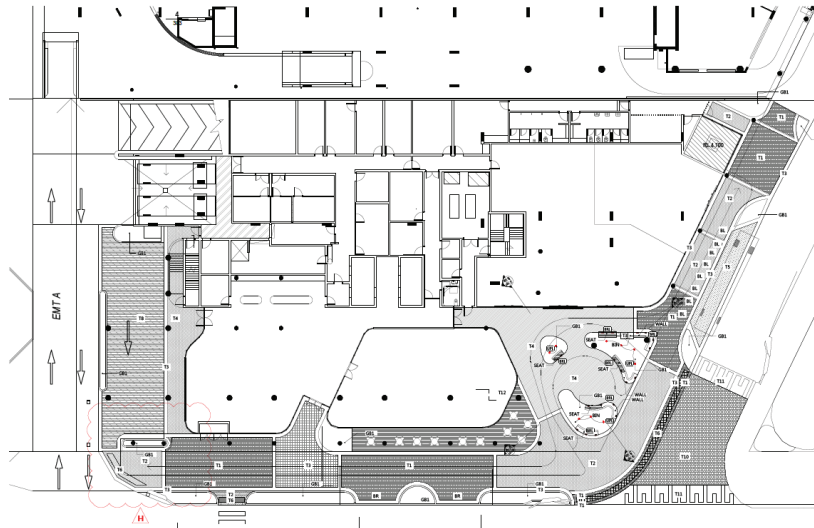
The site is bounded by First Avenue and Brisbane Road at Mooloolaba.

On land surrounding there is a range of residential, retail and commercial uses. The site is 100m from the Mooloolaba Esplanade and foreshore to the east, so connection with the development towards that area is important for this development.

Vee Design has reviewed the development application for information relevant to landscape architecture. The development includes ground level forecourt / plaza space fronted with retail / commercial tenancies as well as the the reception / arrival and associated porte cochere for the resort development. At street level, there is a focus on the pedestrianised public realm to First Avenue and Brisbane.

This assessment examines the applicants design compliance against the relevant local authority codes. The complete plans issued (issue listed right - dates vary) and other information contained in the landscape submission below has been assessed.

DRAWING NUMBER	DRAWING NAME	ISSUE
CD-000	Cover Page	E
CD-001	Landscape Specification Notes	E
CD-002	Materials and Finishes	G
CD-003	Plant Schedule	F
CD-200	Levels and Drainage - Level 00	G
CD-300	Finishes - Level 00	H
CD-401	Planting - Level 00	H
CD-402	Sections - Level 00	A
CD-402	Planting - Level 01	E
CD-403	Planting - Level 02	E
CD-404	Planting - Level 03	E
CD-405	Planting - Level 04	E
CD-406	Planting - Level 05	E
CD-407	Planting - Level 07-10	E
CD-408	Planting - Level 11	E
CD-409	Planting - Level 13	E
CD-900	Construction Details	A
CD-901	Construction Details 01	E
CD-902	Construction Details 02	E
CD-903	Construction Details 03	A



FINISHES - LEVEL 00

CD-300 scale: 1:125@A1, 1:250@A3

MOOLOOLABA HOTEL, BRISBANE ROAD, MOOLOOLABA

2020 MOHAB DEVELOPMENTS (OLD) PTY LTD

APPROVAL ONLY

not for construction

Design	Rev	Description	Author	Checker
1	1	For Approval	RL	RL
2	1	For Approval	RL	RL
3	1	For Approval	RL	RL
4	1	For Approval	RL	RL
5	1	For Approval	RL	RL
6	1	For Approval	RL	RL
7	1	For Approval	RL	RL
8	1	For Approval	RL	RL
9	1	For Approval	RL	RL
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15	1	For Approval	RL	RL
16	1	For Approval	RL	RL
17	1	For Approval	RL	RL
18	1	For Approval	RL	RL
19	1	For Approval	RL	RL
20	1	For Approval	RL	RL

**PROJECT URBAN**  
 W: www.projecturban.com.au  
 P: 07 5443 3944  
 E: info@projecturban.com.au  
 Suite 1, Corner Surf Road & Gaskin Street  
 Alexandra Headland QLD 4572

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VEE DESIGN / MCU21/0342 & OPW210528 - 7, 9 FIRST AVENUE, 10, 16 BRISBANE ROAD, MOOLOOLABA

## Compliance with Planning Scheme, Codes and Policies

The applicable codes (Sunshine Coast Planning Scheme, 2014) and policies applicable to the Landscape Architectural discipline for this development are:

1.      Mooloolaba/Alexandra Headland Local Plan Code  
         (Mooloolaba Alexandra Headland Local Plan)
2.      Landscape Code
3.      Business uses and centre design code
3.      Mooloolaba Centre Design Palette
4.      Placemaking Mooloolaba Master plan

Each code / document noted above is referred to throughout, this assessment and findings noted accordingly.

The codes and policies have been used to primarily assess the ground level / streetscape landscapes and interface. The podium landscape is not specifically covered in these codes, however we note some general comments for podium and facade landscapes treatment here.

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## PODIUM AND FACADE LANDSCAPE

The podium landscape proposal provides an appropriate design that will provide interest, a cooling micro-climate, visual amenity and screening in a mix of integrated use areas, including recreational public and private open spaces, communal resort facilities and circulation spaces.

The proposed facade planters provide contribute to the articulation of the built form, visual amenity and interest from all aspects.

## Findings:

There is insufficient detail provided in the landscape documentation package to assess whether the podium planters provided on podium levels are of sufficient size to provide the soil medium (depth and width) for the proposed planting palette.

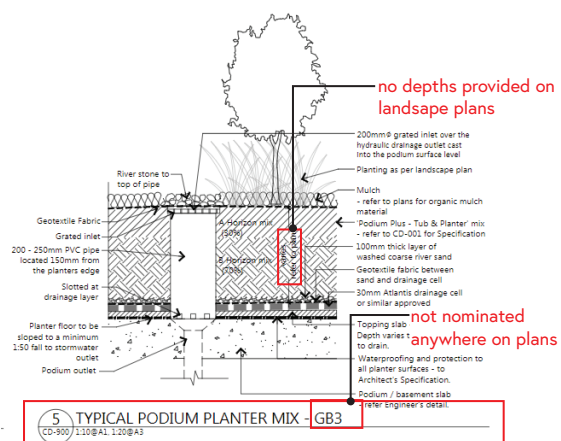
CD-901: Construction Details 01. Detail 5: **GB3 Typical Podium Planter mix detail** - depth of planting media says 'refer to plans'. Landscape plans provide no information around planting medium depths. CD-402 landscape sections provide no information on the planting media depths.

**GB3 is not annotated on the landscape plans** (CD-402, CD-403, CD-404, CD-405, CD-406, CD-407, CD-408, CD-409) GB3 is not listed in the materials schedule.

It is recommended that *Landscape construction details and plans provide sufficient detail for soil medium profiles for the proposed planting palette. Minimum planting media provision (over and above Hydrocell and drainage cell depth provision) for:*

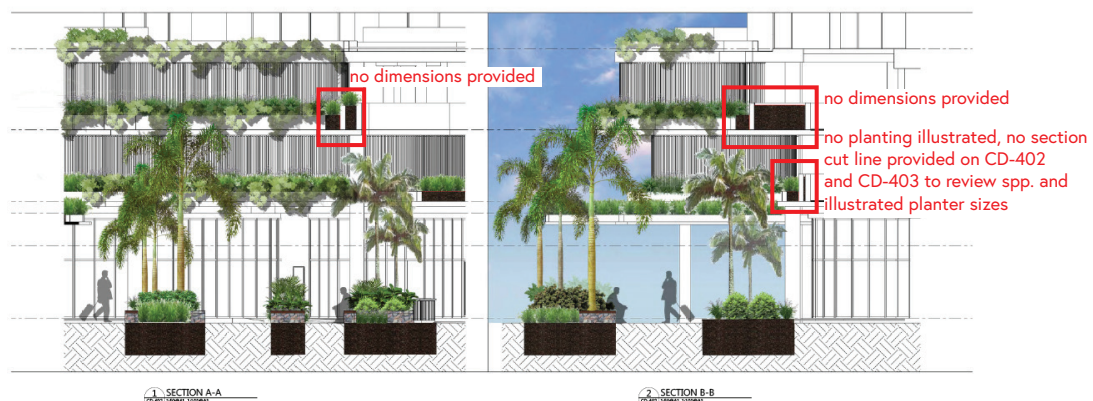
- **Medium to Large Trees:** depth 800mm, width 1.1m
- **Small trees:** depth 500mm, width 700mm.
- **Large Shrubs:** depth 450mm, width 700mm.
- **Small Shrubs:** depth 200mm, width 400mm.

**Note:** the proposed planting pot sizes should remain that same (as nominated on the current drawing set).



Typical Podium planter mix detail appears on CD-900 (dated 2021.04.22) and CD-901 (dated 2021.08.20)

CD-900 is not listed in the drawing register



SECTION A-A

cut line does not appear to transect through critical information such as the CYC aus planters on Level 01 and 02

SECTION B-B

cut line does not appear to transect through critical information such as the CYC coo planter on Level 01

06

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## Mooloolaba/Alexandra Headland Local Plan Code

### STREET LEVEL LANDSCAPES

The development site is within the area covered by the Mooloolaba/Alexandra Headland Local Plan Code - Development in the District Centre Zone (Key site 1 - Brisbane Road Carpark), Performance Outcomes P09 and P10.

#### Requirements of Code

The development of the site is to provide 'outstanding' streetscape and landscape design which is highly articulated and epitomises subtropical and sustainable design that recognises the landmark nature of the site....provides an attractive and pedestrian friendly central community meeting space.... improves pedestrian and vehicular accessibility between Smith St and Brisbane Road.

#### Findings:

'Outstanding' is a subjective requirement however the submission needs to illustrate a substantial level of conceptual detail to adequately show how the streetscape design will function, including a layout that illustrates uses, crossing points, hard landscape materials, proposed plant species, locations and planting bed and street tree arrangements, street furniture including rubbish bins, bollards, raised planters and seat walls, and bicycle rack locations. The design needs to illustrate how integrated traffic and pedestrian movement will function through the shared zone.

The proposed scheme complies with this requirement

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## Landscape Code

### STREET LEVEL LANDSCAPES

The development site is within the area covered by the Landscape Code, Performance Outcomes PO3, PO6, PO9, PO10, PO16, PO17,

Requirements of Code

#### PO 3 Landscape Design

Development provides for landscapes that contribute to and create a high quality landscape character for the site, street, local area and the Sunshine Coast, by:

- (a) promoting the character of the Sunshine Coast as a sub-tropical environment;
- (b) being sensitive to site conditions, natural landforms and landscape characteristics;
- (c) protecting and enhancing native vegetation, wildlife habitat and ecological values;
- (d) protecting and framing significant views, vistas and areas of high scenic quality; and
- (e) being of an appropriate scale to integrate successfully with development.

Findings:

The scheme is compliant.

#### PO 6 Safety and Security

Development provides for landscapes that enhance access points and personal safety, but which do not impede visibility at access points, pedestrian crossings, speed control devices and intersections.

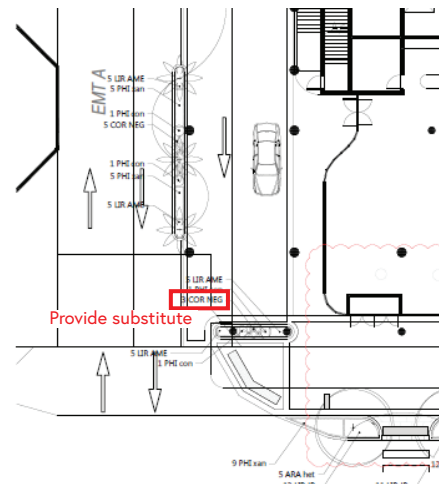
Findings:

The scheme largely complies with this requirement.

**Port Cochere** - Landscape drawing CD-401, It is recommended that COR neg is substituted for an alternative species growing to a maximum 600mm at maturity (refer image top right) to maintain sightlines.

**First Avenue Pedestrian Crossing** - update the landscape plans to reflect the recommended changes within the RSA (Road Safety Assessment). Replace the proposed fencing / guard rail with street level landscaping, similar to existing landscaping along this kerb. Extend low level planting to the edge of the crossing platform and around the corner on both sides of the street. Ensure low level planting is maximum of 600mm at maturity.

Provide tactile treatment to opposite receiving side of First Ave (eastern side)

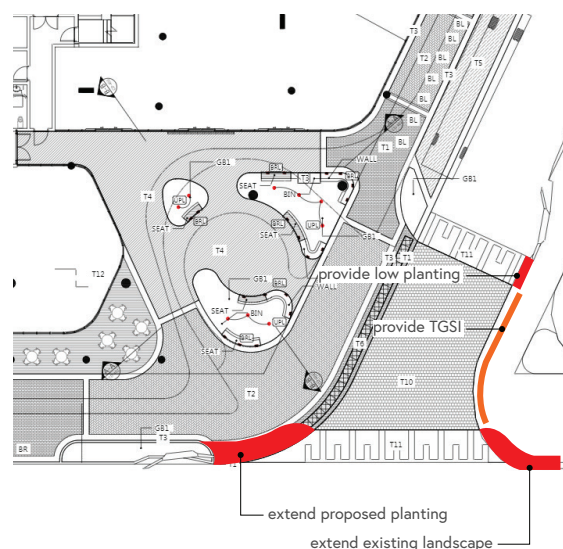


### PLANTING - LEVEL 00

CD-401 scale: 1:125@A1: 1:250@A3

MOOLOOLABA HOTEL, BRISBANE RD

20320 MCNAB DEVELOPMENTS (QLD) PTY LTD



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## Landscape Code

### PO 9, PO 10 Stormwater Drainage and Water Conservation

PO 9: Development provides for landscapes that successfully integrate stormwater drainage and water sensitive urban design elements with the street tree infrastructure and surrounding landscapes.

#### Findings:

The Landscape Code does not specify a minimum requirement or acceptable outcome.

The scheme does not achieve water sensitive urban design elements, however the Stormwater Management Plan addresses this with an appropriate comment: "Natural treatment systems are difficult to implement due to the spatial constraints of the site. The proposed treatment strategy implements products which will be privately maintained and are fit for purpose."

PO 10: Development provides for landscapes that promote the efficient use of water through appropriate plant selection and layout and by maximising opportunities for water infiltration.

#### Findings:

The scheme complies through the provision of appropriate species selection, specification of suitable organic mulch treatment to planting beds.

### PO 16, PO 17, PO 18 Planting Technique, Plant Selection, Stock Size and Quality

PO 16: Development provides for landscapes which incorporate plant stock of an appropriate size at the time of planting to fulfil the intended function whilst ensuring long term viability (acceptable outcome illustrated right).

#### Findings:

The scheme is compliant. Larger feature trees and pot sizes are provided for and should be retained to contribute to the 'high quality' / 'outstanding' design outcome for this signature site.

PO 17: Development provides for landscapes which incorporate plant species...in summary... that are well matched to the development location, context and function.

#### Findings:

The scheme is compliant

PO 18: Development ensures that where palms are used in the landscape that they are...in summary...considerate of the local context and are placed in naturalistic clumps.

#### Findings:

The scheme is compliant

Landscapes incorporate plant stock sizes that comply with **Table 9.4.2.3.1A (Minimum plant stock sizes)**

**Table 9.4.2.3.1A** Minimum plant stock sizes

Column 1 Planting Stock	Column 2 Minimum Pot Size
Feature or landmark trees	45 litre pot
Street trees or park trees	25 litre pot
Other trees	15 litre pot (300mm)
Shrubs, vines and ground covers	140mm pot
Macrophytes, tufting plants and revegetation stock	50mm tube.

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## Landscape Code

### PO 22 Landscape Screening

Development provides for complete or partial landscape screening of built form elements, carparks, fences, utilities and storage areas at maturity.

AO 22.1 Built form is softened and integrated with the broader landscape by structured landscape planting.

AO 22.2 Landscape screening occupies at least 30% of a building elevation as viewed from the street.

AO 22.4 Storage and utility areas are completely screened by vegetation or built screens, except for access ways.

#### Findings:

The scheme largely complies through;

The provision of appropriate species selection, avenue street trees to provide screening to the development.

Podium level planting and architectural design provides greening, screening and articulation to soften the development. Transformer on First Avenue has been fully enclosed/ screened.

### PO 24 Landscape Area Provision

Areas to be included in landscape provisions contribute to the local amenity and conditions that support the establishment of successful trees and landscapes whose growth is not compromised by services and infrastructure.

AO 24 Landscape areas are concentrated toward development frontages and contribute to the streetscape.

#### Findings:

The scheme is compliant

### PO 25 Streetscape Landscapes

Development provides for streetscape landscapes that:

- (a) ensures the provision of shade trees at regular intervals;
- (b) contributes to the continuity and character of existing and proposed streetscapes;
- (c) in established urban areas, towns and villages, incorporates landscape design (including planting, pavements, furniture, structures, etc.) that reflect and enhance the character of the streetscape; and
- (d) in new or establishing urban areas, incorporates landscape design that is consistent with and complementary to the natural landscape character of the local area.

#### Findings:

The scheme is compliant

### PO 28 Streetscape Landscapes

Development provides for landscapes that incorporate protective shade to public and communal spaces, including car parking areas, barbeque and picnic areas, children's play areas and exercise equipment stations.

AO 28.1 All pathways are designed for maximum shade opportunities, with shade trees at an average of 6 metre centres and/or awnings to achieve a shade level consistent with the subtropical climate.

Note—target of 80% shade at tree maturity.

#### Findings:

The scheme is compliant

### P032 Furniture and Fixtures

Development provides for all furniture and fixtures used in open space or landscapes to:-

- (a) be appropriately located within open space or the landscape;
- (b) be fit for purpose, durable and safe;
- (c) be vandal resistant with parts that are easily replaceable;
- (d) be easy to maintain; and
- (e) comply with any relevant building, engineering, plumbing or electrical standards.

#### Findings:

The scheme is compliant. Ensure that the materials schedules specify; Marine grade 316 SS for all furnishings and fixings, provide details / specification for concrete sealant (none provided), provide specification for bench seat timber slats sealant: Intergrain 'Ultradeck' or approved equivalent.

### P034 Fencing Walls and Screening

Development provides for all fences, walls and screening structures used in landscapes, where interfacing with public use areas, to be:-

- (a) appropriately located within the landscape;
- (b) fit for purpose, durable and safe;
- (c) integrated within the landscape;
- (d) vandal and graffiti resistant where fronting a public space; and
- (e) articulated, screened by planting, coloured and textured so as to blend in with the character of the local area.

#### Findings:

The scheme is compliant

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## Business uses and centre design code

### PO 4 Relationships of Buildings to Streets and Public Spaces

The business use or centre activity provides for footpaths, walkways and other spaces intended primarily for pedestrians to be comfortable to use and adequately sheltered from excessive sunlight and inclement weather.

AO 4.3 Building materials and hard surfaces used in landscape or streetscape works are not highly reflective, or likely to create glare, slippery or otherwise hazardous conditions.

#### Findings:

The scheme is compliant.

### PO 10 On-site Landscapes

The business use or centre activity provides for the premises to be attractively landscaped in a manner that is consistent with the function, location and setting of the premises.

AO 10.1 A minimum of 10% of the site is comprised of deep planted landscapes.

Landscapes are provided on-site in accordance with the following:-

- (a) shade trees, low planting and hard landscapes are provided along street frontages not occupied by buildings or driveways;
- (b) shade trees are provided in car parks;
- (c) a landscape strip is provided between the business use and any adjacent residential use which:-
  - (i) has a minimum width of 2 metres;
  - (ii) is planted with a variety of screening trees and shrubs; and
  - (iii) incorporates a minimum 1.8 metre high solid screen fence where acoustic attenuation is required; and
- (d) planting is provided on top of podium levels and on the roof or roof level of car parking structures.

#### Findings:

10% of the site area to be provided as deep planting, or in this instance 299.8m<sup>2</sup> of deep planting for the 2,998m<sup>2</sup> site area.

The proposed development provides 92.7m<sup>2</sup> or 3.09% of deep planting area for the 2,998m<sup>2</sup> site at street level. The scheme proposes a further, 210m<sup>2</sup> at podium level or 55.5m<sup>2</sup> at roof top level of 1000mm deep planters which combined provides 358.2m<sup>2</sup> (12%).

Note: There is insufficient detail provided in the landscape documentation package to assess whether the podium planters provided are of sufficient size to provide the soil medium (depth and width) for the proposed planting palette.

### Landscape drawings:

CD-901: Construction Details 01. GB3 Typical Podium Planter mix detail - depth of planting media says 'refer to plans'. Landscape plans provide no information around planting medium depths. CD 402 landscape sections provide no information on the planting media depths.

GB3 is not annotated on the landscape plans (CD-402, CD-403, CD-404, CD-405, CD-406, CD-407, CD-408, CD-409)

Drawing number CD-402 appears twice in the application package. Drawing numbers should be updated to avoid duplicate numbering.

Considering that 6.6% of the site is encumbered by an access easement to the adjacent public car park development. The scheme provides an acceptable consideration and response to the 10% deep planting requirement, on condition that further information around planting media depths is provided.



VEE DESIGN / MCU21/0342 & OPW210528 - 7, 9 FIRST AVENUE, 10, 16 BRISBANE ROAD, MOOLOOLABA

## Mooloolaba Centre Design Palette (version 2)

The development site is within the area covered by the Mooloolaba Centre Design Palette, Version 2

Requirements of MCDP

### a. Street Character

'Mooloolaba features contemporary urban design and attractive tree-lined boulevards which contribute significantly to the appeal for both locals and tourists. Closed tree canopies over passive public space areas create cool and comfortable spaces which enhance the culturally vibrant and memorable coastal experience'.

#### Findings:

The proposed scheme (largely) complies with the requirement. Tree canopies of the species nominated may not fully 'close' over time, but the species are appropriate and continue the existing species character.

### b. Planting Theme

'Street tree planting should provide shady comfortable urban spaces and reinforce pedestrian connectivity to the foreshore through visually linking the centre to the beach. The planting style is to match the existing formal layout, and recognise the 'iconic' Norfolk Island pines as a feature along the esplanade'.

#### Findings:

The proposed scheme complies with the requirement.

### c. Artworks

'A strong nautical theme has been brought through the design of streetscape elements and into some public art installations. Through the creative development of streetscape furniture, balustrades and public buildings, designers and artists have combined to develop integrated artistic outcomes that are functional, robust and add to the high quality of the town centre'.

All artworks must comply with council's art policies and guidelines'.

#### Findings:

The proposed scheme provides with the requirement.

### d. Gateway and Entry Features

'The newly completed bridge at Tuckers Creek features light poles of a graduated colour scheme to identify the location as a gateway to Mooloolaba. The same colour scheme treatment is expected to be used at other gateway locations (where suitable) along Brisbane Road to emphasise the transition into the core streetscape area'.

#### Findings:

Insufficient information provided.

### e. Materials Palette

The centre's materials palette is strongly influenced by the coastal environment. The pavement colours, plant palette and timber furniture respond to the landscape, lifestyle and climate of this beachside activity centre.

Timber: Local hardwood species preferred but plantation hardwood species would be an acceptable substitute. Finished with Intergrain 'Ultradeck' or approved equivalent.

Steel: Marine grade 316 SS, polished (no. 8 finish, Ra <0.5 micrometers, to be passivated with acid or electropolished).

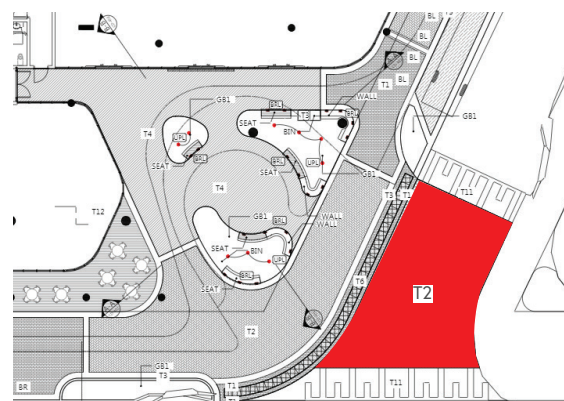
Stone: 150mm to 200mm Thick Hanson 'Glasshouse Mountains Stone' - Rhyolite in Granitic Composition.

Pathway: Paved areas - A combination of Urbanstone 'Rocky Road' as the feature/banding course with 'Mooloolaba Rock' and 'Mooloolaba Sand' as the body of pavers'.

#### Findings:

The proposed scheme has included the appropriate MCDP materials within the Materials and Finishes schedule. It is recommended that the material palette specifications is updated to specify:

- Marine grade SS
- Suitable sealant to timber bench seat slats: Intergrain 'Ultradeck' or approved equivalent
- Provide detail and specification for the Concrete Pavement & sealant - none provided
- Consider RSA recommendations for the material finish treatment to the pedestrian raised crossing (refer image below) - substitute T10 for T2 if suitable for vehicular traffic.
- Provide appropriate reference for jointing specification to all vehicular pavements (is this by engineers).





VEE DESIGN / MCU21/0342 & OPW210528 - 7, 9 FIRST AVENUE, 10, 16 BRISBANE ROAD, MOOLOOLABA

## Placemaking Mooloolaba Master Plan (2015)

The development site is within the area covered by the Placemaking Mooloolaba Master plan, which covers the foreshore and esplanade, the Mooloolaba Heart (CBD), Southern Gateway, and the Wharf precincts.

### REQUIREMENTS OF THE MASTER PLAN

#### a. First Avenue Shared Plaza Zone

'Enhance streetscape treatments and high quality finishes to First Avenue to promote safe pedestrian crossings from the Brisbane Road car park (development) site to the Esplanade. Consider shared use of this road and flexibility for short term road closures to hold pop up events, markets etc'.

##### Findings:

The scheme shows First Avenue with a generous raised pedestrian crossing zone, which complies with the requirement.

#### b. First Avenue Public Forecourt to integrated carpark development

'A shared zone and public plaza to the eastern end of First Avenue as an arrival experience for visitors, ensuring visual connection to the foreshore is maintained.

Provision of a complementary Public Forecourt (precinct) with a distinct character and point of difference. Flexible spaces that cater to a variety of users and uses that enhance community interaction and experiences. Opportunity to provide vibrant places by day and by night. Authentic places that appeal to locals and visitors alike.

'First Avenue wall treatments including vertical gardens, wall art and pop up kiosks and food trucks.

Future redevelopment of Brisbane Road carpark site to include active street frontages and integrate a compact public plaza connecting First Avenue and Brisbane Road to the foreshore and Esplanade'

Provision of suitable streetscape, access and egress treatments on Brisbane Road, Smith St and First Avenue frontages.

##### Findings:

The scheme provides for a public plaza at the First Avenue / Brisbane Rd corner, which allows for passive occupying of the space by visitors / passers-by. Furniture elements such as bins, bench seats and bike racks are appropriately provided. Landscape planting contributes to the experience of this plaza space.

The scheme provides for commercial activities activating the frontage with outdoor dining considered along the Brisbane Road frontage. Planting / greening is provided to podium levels and to the rooftop. The requirements are met.

#### c. Brisbane Road

Provide a compact, low speed street connection to the foreshore Esplanade

Create a strong iconic street tree boulevard along the Brisbane Rd corridor. Provide signature avenue trees as an axis to the beach.

Create an active street frontage and shady covered pathway to complement the other side of the street.

Kerb build outs to define parking bays, reduce the perceived width of the street and capture and cleanse pavement runoff.

##### Findings:

The scheme provides for active frontage and signature street trees on Brisbane Road. It is recommended that Kerb build-outs are considered along Brisbane road particularly at the proposed pedestrian crossing location (to match the existing condition, mirrored on opposite side of the street -refer image below).



**Item 8.2 Development Application for Material Change of Use (Resort Complex, Food & Drink Outlet, Shops, Function Facility and Bar) and Operational Works at 10 & 16 Brisbane Rd and 7 & 9 First Ave, Mooloolaba**

**Attachment 1 Detailed Assessment Report by External Independent Assessment Team - Ethos Urban**

VEE DESIGN / MCU21/0342 & OPW210528 - 7, 9 FIRST AVENUE, 10, 16 BRISBANE ROAD, MOOLOOLABA

## Summary and Recommendations:

Whilst the applicants' documentation for the Landscape Architectural component of the submission for the MCU21/0342 & OPW210528 complies or largely complies with the technical aspects of the relevant codes and policies, there are some elements that require adjustment or further information.

Approval of the landscape package is on the basis of submission of amended plans to demonstrate the below recommendations:

### LANDSCAPE CODE: PO 6 Safety and Security

- **Port Cochere** - Landscape drawing CD-401, It is recommended that *COR neg is substituted* for an *alternative species growing to a maximum 600mm at maturity*
- **First Avenue Pedestrian Crossing** - update the landscape plans to reflect the recommended changes within the RSA. *Replace the proposed fencing / guard rail with street level landscaping, similar to existing landscaping along this kerb. Extend low level planting to the edge of the crossing platform and around the corner on both sides of the street. Ensure low level planting is maximum of 600mm at maturity.*  
*Provide tactile treatment to opposite receiving side of First Ave (eastern side)*

### LANDSCAPE CODE: PO 10 On-site Landscapes and Podium Landscapes

- **Podium Planters** - It is recommended that *Landscape construction details and plans be updated to provide sufficient detail for soil medium profiles for the proposed planting palette. Minimum planting media provision (over and above Hydrocell and drainage cell depth provision) for:*
  - **Medium to Large Trees:** depth 800mm, width 1.1m
  - **Small trees:** such as CYA aus and CYA coo, depth 500mm, width 700mm.
  - **Large Shrubs:** depth 450mm, width 700mm.
  - **Small Shrubs:** depth 200mm, width 400mm.

**Note:** the proposed planting pot sizes should remain that same (as nominated on the current drawing set). The amendment should seek to ensure that the planter sizes are appropriately dimensioned to accommodate the above minimum planting media requirements.

Update landscape package: provide sufficient information around the provided planting media depths and widths of architectural planters. (to levels 01 through to 13)

- Notably the PAN tec nominated on level 03 appears to not be located within the 1m deep planter provision. This planter should be 1m deep.

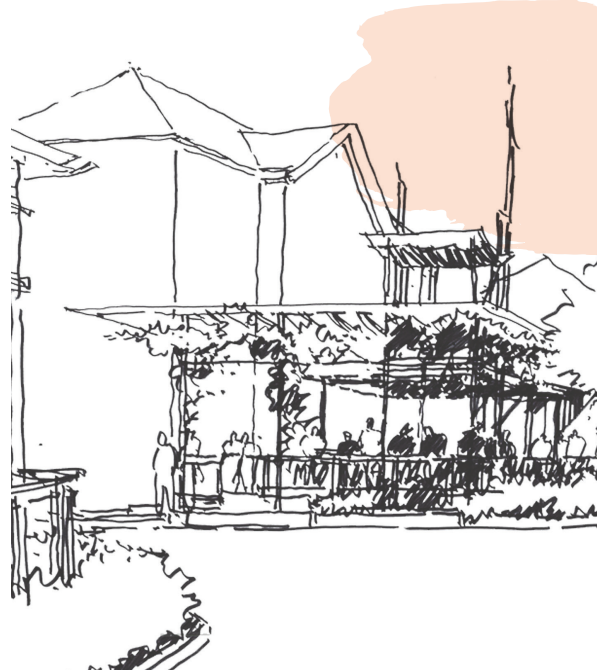
- Insufficient information around the planter widths on the rooftop (level 13) to ascertain whether the nominated trees will survive. *Widths of planters appear to be narrow specifically for the root growth form of the PAN tec.*

### GENERAL COMMENTS/ RECOMMENDATIONS:

- Full review of landscape package to avoid floating / ghost labels/ duplication of planting tags.
- Co-ordinate reflection of Stormwater drainage and planting areas on Brisbane Road with consultant drawings.
- Co-ordinate Landscape package numbering - current set has duplicate of drawing numbers CD-402: Planting - Level 01 and CD-402: Sections - Level 00.
- Update drawing schedule on cover page to include all landscape sheets provided CD-903 is not listed. CD-900 not listed.
- Complete landscape package to appropriately call out GB3 on plans where required/ provided. All planters on podium levels are tagged GB2 confirm whether this is correct or should be GB3.
- Update materials schedules specifications to specify:
  - all furnishings/ fixings to be: Marine grade SS
  - Suitable sealant to timber bench seat slats: Intergrain 'Ultradeck' or approved equivalent
  - detail and specification for the concrete pavement sealant (currently no specification provided)
  - Consider RSA recommendations for the material finish treatment to the Pedestrian raised crossing.
  - Include GB3 specification
- It is recommended that Kerb build-outs are considered along Brisbane road particularly at the proposed pedestrian crossing location (to match the existing condition, mirrored on opposite side of the street
- Consider providing preferred locations for landscape feature lighting controllers / co-ordination of locating servicing to avoid cluttering of the landscape with 'service' boxes.

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EMAIL / [a.joustra@veedesign.com](mailto:a.joustra@veedesign.com).

CALL / 07 3358 5222 / 0423 349 586

VISIT / 2/14-20 Aerodrome Rd, Maroochydore, Q 4558

POST / PO Box 954 Fortitude

WEB / [veedesign.com.au](http://veedesign.com.au)

## **Attachment 3 – TRAFFIC ASSESSMENT**



## **MCU21/0342 Brisbane Road, Mooloolaba**

### **Development Application Traffic & Transport Review**

**Sunshine Coast Council**

1<sup>st</sup> March 2022

**Item 8.2** Development Application for Material Change of Use (Resort Complex, Food & Drink Outlet, Shops, Function Facility and Bar) and Operational Works at 10 & 16 Brisbane Rd and 7 & 9 First Ave, Mooloolaba

**Attachment 1** Detailed Assessment Report by External Independent Assessment Team - Ethos Urban

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**Gold Coast**

Suite 26, 58 Riverwalk Avenue  
Robina QLD 4226  
P: (07) 5562 5377

**W:** www.bitziosconsulting.com.au

**Brisbane**

Level 2, 428 Upper Edward Street  
Spring Hill QLD 4000  
P: (07) 3831 4442

**E:** admin@bitziosconsulting.com.au

**Sydney**

Studio 203, 3 Gladstone Street  
Newtown NSW 2042  
P: (02) 9557 6202

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P4820.002R_10 Brisbane Rd Mooloolaba DA Review_Traffic Review	N. Edwards	N. Edwards	N. Edwards	01/03/2022	Ashley Everton at Ethos Urban via email
P4820.003R_10 Brisbane Rd Mooloolaba DA Review_Traffic Review	N. Edwards	N. Edwards	N. Edwards	01/03/2022	Ashley Everton at Ethos Urban via email



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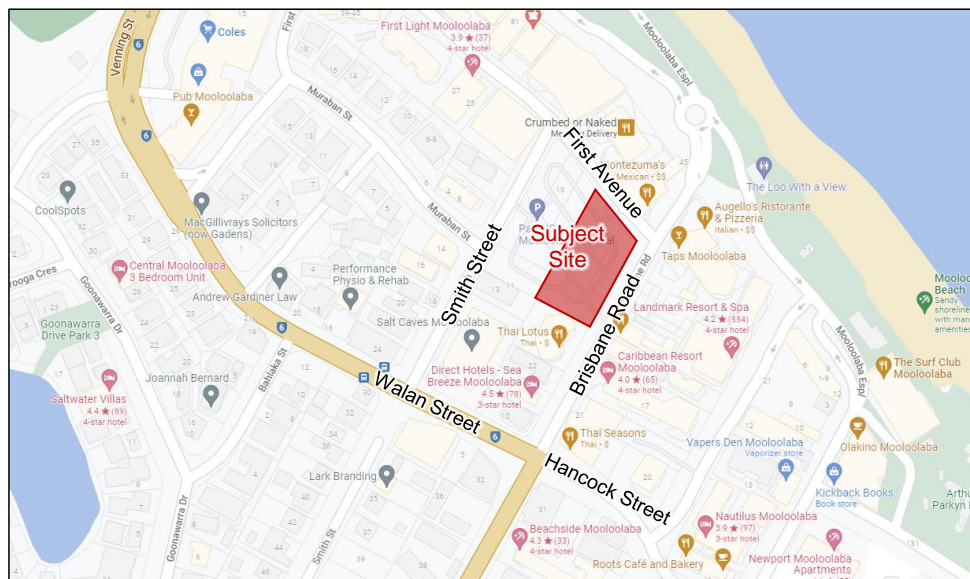
# 1. INTRODUCTION

## 1.1 Overview

Bitzios Consulting has been engaged by Ethos Urban on behalf of Sunshine Coast Council (Council) to independently review and assess the traffic and transport aspects of a material change of use (MCU) development application (DA) in Mooloolaba.

More specifically, the development is to be located at 10-16 Brisbane Road and 7-9 First Avenue, Mooloolaba (subject site).

Figure 1.1 identifies the subject site in the context of the surrounding area.



Source: Google Maps

**Figure 1.1: Subject Site Location**



## 1.2 Proposed Development

Table 1.1 provides an overview of the proposed development.

**Table 1.1: Proposed Development Details**

<b>Address</b>	10-16 Brisbane Road and 7-9 First Avenue, Mooloolaba (subject site)
<b>Subject Site – Real Property Description</b>	<ul style="list-style-type: none"> <li>▪ Lots 67–69 on RP52440</li> <li>▪ Lot 73 on RP73433</li> </ul>
<b>Subject Site – Land Area</b>	2,998m <sup>2</sup>
<b>Applicant</b>	KPAT Mooloolaba Pty Ltd
<b>Application Types</b>	<ul style="list-style-type: none"> <li>▪ Development Permit for Material Change of Use</li> <li>▪ Development Permit for Operational Work</li> </ul>
<b>Proposed Development Uses</b>	<ul style="list-style-type: none"> <li>▪ Resort Complex</li> <li>▪ Food and Drink Outlet</li> <li>▪ Shop</li> <li>▪ Function Facility</li> <li>▪ Bar</li> </ul>
<b>Level of Assessment</b>	Code Assessable

Further development details of relevance to traffic and transport are summarised below:

- Land Uses and Yields (as identified in the traffic reporting):
  - Resort Complex Hotel Rooms– 182 hotel rooms
  - Resort Complex Function Facility – 628m<sup>2</sup>
  - Food and Drink Outlet / Shop (Ground Level) – 643m<sup>2</sup>
  - Food and Drink Outlet (Rooftop Level) – 97m<sup>2</sup>
- Vehicular Access: via a 7.5m wide Type B2 driveway crossover on Brisbane Road
- Porte Cochere: Provision to accommodate up to three (3) cars
- Servicing:
  - Two (2) medium rigid vehicle (MRV) loading bays
  - General servicing via MRVs or smaller vehicles
  - Refuse servicing via rear loading refuse collection vehicles (RCVs)
- Car / Motorcycle Parking:
  - 133 car spaces including two (2) PWD car spaces
  - Nine (9) motorcycle spaces.
- Bicycle Parking:
  - 23 staff spaces
  - 16 visitor spaces.
- External Transport Related Works:
  - Streetscape and kerb realignment works along the Brisbane Road and First Avenue frontages
  - Pedestrian crossing are on First Avenue in proximity to Brisbane Road
  - Indented bus / general loading area on First Avenue.

### 1.3 Scope of Works

- Review / assessment of the proposed development against the traffic and transport related performance outcomes (POs) and where applicable acceptable outcomes (AOs), as identified in the following Sunshine Coast Planning Scheme 2014 Codes:
  - Mooloolaba/Alexandra Headland Local Plan Code (Mooloolaba Local Plan Code)
  - District Centre Zone Code (District Centre Zone Code)
  - Business Uses and Centre Design Code (Centre Design Code)
  - Multi-unit Residential Uses Code (Multi-Unit Residential Code)
  - Transport and Parking Code (TP Code)
  - Waste Management Code (Waste Code).
- Review of the proposed development arrangements against the Planning scheme policy for the transport and parking code (TP Policy)
- Reviewing the traffic and transport related documentation prepared by or referred to by the applicant's traffic and transport consultant, Hayes Traffic Engineering (HTE)
- As required, requesting additional traffic and transport related documentation to inform the review / assessment of the development against the aforementioned Codes and Policy.



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## 2. TRAFFIC & TRANSPORT REVIEW

### 2.1 Vehicular Access

The following points are noted in relation to the proposed development's vehicular access arrangement:

- Access is proposed via a single driveway on Brisbane Road. The driveway is in the south-east corner of the subject site
- There is a 5m wide easement running along the southern boundary of the subject site. The easement requires entry to the existing ParkNGo Mooloolaba (multi-storey) car park to be facilitated from Brisbane Road
- The entry side of the proposed driveway aligns with the existing easement and will allow cars to access the multi-storey car park. The arrangement results in consolidated multi-storey car park and proposed development access
- The driveway is located immediately adjacent to the existing driveway for the neighbouring lot (18 – 20 Brisbane Road). The separation falls short of the 3m required by the TP Policy. However, the proposed arrangement is considered an acceptable outcome in this instance several reasons including, it was (recently) approved as part of the multi-storey car park DA, and there is a (small) pedestrian storage area between the two (2) driveways. Such arrangements are not also not uncommon in CBD type areas
- The access is to be configured as modified 7.5m wide Type B2 (General Wide Flared) driveway crossover. A non-standard driveway flare is proposed on the southern side however it is considered acceptable due to the proximity of the neighbouring lot's driveway. The driveway configuration otherwise complies with Institute of Public Works Engineering Australasia (IPWEA) Standard Drawing, RS-051 Vehicle Crossings Heavy Duty as required by the Planning Scheme
- Swept path diagrams provided by the applicant indicate that design service vehicles will be able to enter and exit the subject site acceptably
- A pedestrian sight triangle area has been identified on the northern side of the driveway in accordance with AS2890.1 requirements.

The following points are noted in relation to key factors / matters considered as part of the DA assessment process:

- Driveway width:
  - Clarification was sought from HTE in relation to the suitability of the driveway width
  - In response, swept path diagrams demonstrating suitable vehicular access could be achieved were provided.
- Driveway sight triangle:
  - Clarification was sought from HTE to confirm that a clear pedestrian sight triangle area would be provided
  - In response, the development plans were amended and it was confirmed the area would be clear.

In summary, we believe the proposed access arrangement:

- Complies with TP Code PO2 which relates to site access (safety, operation, configuration etc.)
- Complies with Mooloolaba Local Plan Code PO5 and PO8 noting that access to Brisbane Road is limited. Access to the proposed development and the adjacent multi-storey car park is also shared
- Complies with the District Centre Zone Code as only one (1) driveway crossover is proposed, thereby limiting potential impacts on local pedestrian, cyclist etc. movements.



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- Complies with Centre Design Code AO3 as results in access to the proposed development and the adjacent multi-storey car park being shared
- Complies with Multi-Unit Residential Code AO2.2 as it does not rely on an easement and AO3 (c) as separate pedestrian accesses are provided.

## 2.2 Porte-cochere

The following points are noted in relation to the proposed development's porte-cochere arrangement:

- It is located off the site's vehicular access driveway, immediately west of the subject site's driveway crossover. Importantly, entry to the porte-cochere area is separated from the driveway crossover / site boundary, limiting the likelihood of queues onto the external road network associated with delays to motorists wanting to enter the porte-cochere etc.
- The entry and exit being located off the development access driveway (i.e. instead of via separate external driveways) limits the locations at which pedestrians have the potential to interact with cars. The arrangement is considered superior from a safety perspective to separate external driveways
- A set-down / pick-up area which can accommodate up to three (3) cars is proposed
- A circulation aisle allows car drivers to pass cars parked within the set-down / pick-up area
- The combined set-down / pick-up and circulation aisle area could accommodate up to six (6) stationary cars if needed
- It will be under constant surveillance by the concierge and its operation managed accordingly.

The following points are noted in relation to key factors / matters considered as part of the DA assessment process:

- Accessibility
  - Clarification was sought from HTE in relation to the accessibility of the set-down / pick-up spaces.
  - In response, additional swept path diagrams were provided to better demonstrate accessibility.

In summary, we believe the proposed porte-cochere arrangement:

- Complies with TP Code PO1 which relates to the layout and design of on-site parking and access
- Complies with the District Centre Zone Code as no additional external driveway crossovers are proposed to support it, thereby limiting potential impacts on local pedestrian, cyclist etc. movements.

## 2.3 Servicing / Loading Provisions

The following points are noted in relation to the proposed development's servicing / loading provisions:

- The development has a servicing area on-site which includes two (2) medium rigid vehicle (MRV) sized loading bays. However, when an MRV is occupying one (1) of the bays, only vehicles smaller than MRVs can appropriately manoeuvre into the second bay
- The on-site servicing area is located off the site's vehicular access driveway, west of the subject site's porte cochere. It is also important to note that the servicing area is approximately 25m from the driveway crossover / site boundary. This separation limits the likelihood of queues onto the external road network associated with delays to motorists due to service vehicles manoeuvring
- The on-site servicing area being located off the development access driveway (i.e. instead of via separate external driveways) limits the locations at which pedestrians have the potential to interact with cars. The arrangement is considered superior from a safety perspective to separate external driveways

- The location of the on-site servicing area means that it is not expected to significantly impact pedestrian and vehicular safety
- The TP Code indicates that Resort Complex developments should have sufficient loading bays to accommodate the number of vehicles likely to be parked at any one time
- Whilst not strictly applicable in this case, the proposed number and size of loading bays do not meet TP Code requirements based on application of individual land use (i.e. hotel, food and drink outlet etc.) requirements
- The TP Code indicates that Resort Complex developments (with more than 20 beds) should have on-site bus parking. No on-site bus parking is proposed. However, a loading area is proposed on First Avenue which can accommodate a bus if required.

The following points are noted in relation to key factors / matters considered as part of the DA assessment process:

- On-site loading bay accessibility
  - Clarification was sought from HTE in relation to whether MRVs and RCVs could access the loading bays whilst maintaining appropriate vehicle body clearances, and without needing to manoeuvre over neighbouring properties
  - In response, additional swept path diagrams were provided to demonstrate that vehicles will be able to manoeuvre appropriately
- On-site loading bay provision
  - Clarification was sought from HTE in relation to the sufficiency of the proposed loading bays. Reference was made to the fact that MRVs cannot appropriately access both bays simultaneously, and the development includes multiple uses / tenancies all of which could generate servicing demands.
  - In response, additional information was provided in support of the proposed arrangements. This included identifying that servicing would be managed (e.g. deliveries scheduled) and that the loading bay provision exceeds those at several other existing hotel type developments
  - Notwithstanding the additional material provided, the provision is considered insufficient noting that multiple uses and tenants are proposed. The existing hotel developments referred to only appear to include hotel uses with limited, if any other uses such as food and drink outlets as proposed in this case. Concerns are also held as to the feasibility of implementing a servicing management plan to which multiple tenants will need to be a party.
- First Avenue loading bay
  - Clarification was sought from HTE in relation to whether buses could access the loading bays whilst maintaining appropriate vehicle body clearances, and park without significantly impacting the operation of First Avenue
  - In response, the loading bay arrangement was adjusted, and additional swept path diagrams provided to demonstrate that vehicles will be able to manoeuvre and park appropriately

In summary, we believe the proposed servicing area arrangement:

- Does not comply with TP Code PO6 with respect to loading bay provisions. However, we do not believe this issue warrants refusal of the development application
- Complies with TP Code PO7 with respect to servicing area / loading bay accessibility and pedestrian and vehicular safety
- Complies with TP Code PO15 with respect to bus servicing. Whilst no on-site bus parking is provided, given the relatively constrained nature of the site and the large areas buses require for manoeuvring, the proposed arrangement is considered acceptable from a traffic engineering perspective
- Complies with Waste Code PO4 with respect to RCV accessibility and waste collection.



## 2.4 Car Parking Provisions

The following points are noted in relation to the proposed development's car parking provision:

- The 4.5 star hotel development is defined as a 'resort facility' that includes short-term accommodation and other ancillary uses. The TP code does not identify a specific car parking rate for a resort facility, but rather states that "sufficient spaces to accommodate number of vehicles likely to be parked at any one time"
- It is not appropriate to calculate total 'resort facility' car parking requirements based on the sum of the individual components of the resort (e.g. short term accommodation, food and drink outlets, shops). The reason being that this does not consider the integrated nature of the development and the cross-utilisation of the different components of the resort, the result of which is lower overall car parking demands. Accordingly, a site / use specific assessment and comparative analysis to other similar hotel developments has been undertaken to determine that amount of car parking required to cater to typically expected demands
- A total of 133 car parking spaces (including 2 PWD spaces) are proposed
- Of the total parking supply, 22 car parking spaces (including 4 sets of tandem spaces which equates to 8 spaces in total). The remaining spaces are located behind a set of boom gates
- The TP Code indicates that resort complex developments should have sufficient car parking spaces to accommodate the number of vehicles likely to be parked at any one time
- Table 2.1 summarises the adopted car parking space provision rates and provisions considered to be required based on these rates
- Car parking provisions for the hotel related food and drink tenancies on the ground floor and rooftop, and the food and drink outlets / shops on the ground floor comply with the TP Code requirements for those individual uses. Similarly, the hotel visitor car parking provision complies with the TP Code's short-term accommodation visitor requirements. Accordingly, these parking provisions are considered acceptable
- Hotel guest car parking is provided at a rate of 1 space per 2.5 rooms which is lower than the TP Code's short-term accommodation guest car parking rate (1 space per unit). However, it is again noted that the short-term accommodation rate is not strictly applicable in this case due to a resort complex / hotel being proposed
- The proposed number of PWD spaces complies with TP Code requirements. However, at least one (1) PWD space should be provided with the general car parking spaces provided for the food and drink outlets. It is considered that this issue can be addressed by way of condition.

**Table 2.1: "Required" Car Parking Provisions**

Use / Location	Yield	Adopted Provision Rate	"Required" Spaces*
Hotel (Guests)	182 rooms	1 space per 2.5 rooms	72.8
Hotel (Visitors)	182 rooms	1 space per 10 rooms	18.2
Ground Level Food & Drink Outlet / Shop Tenancies	643m <sup>2</sup>	1 space per 20m <sup>2</sup>	32.2
Rooftop Level Food & Drink Outlet	97m <sup>2</sup>	1 space per 20m <sup>2</sup>	4.9
<b>Total</b>	-	-	<b>128.1</b>

\*Based on adopted provision rates

It is noted that given 133 car parking spaces are proposed, five (5) spaces will be available in addition to those identified above as being "required".

The following points are noted in relation to key factors / matters considered as part of the DA assessment process:



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- **Hotel guest car parking**
  - As previously identified, the proposed hotel guest car parking provision rate is lower than the TP Code's short-term accommodation / hotel use guest car parking rate. Noting this, clarification was sought from HTE in relation to whether the resultant car parking provision will be sufficient
  - In response, HTE indicated that:
    - Guest car parking is proposed to be managed and guests will be required to specifically request a car parking space
    - Many guests are expected to take taxis / rideshares / limos to travel to and from the development
    - Should there be an event or function, that have the potential to generate greater than normal parking demands, event shuttle bus services will be arranged as an option for guests
    - Hotel management could offer staff incentives to take alternative traffic modes (to private car).
  - The HTE responses also included additional information regarding the expected operational characteristics of the hotel which are likely to result in lower car parking demands than holiday apartment type accommodation more typically found on the Sunshine Coast. Reference was also made to existing hotel car parking demands and / or provision rates both on the Sunshine Coast and across SEQ more broadly.
  - A peer review of the proposed guest car parking provision was also undertaken by PMP Urbanists. It also made reference was made to the expected operational characteristics of the hotel which are likely to result in lower car parking demands. It also referred to the results of car parking surveys undertaken at other hotel type developments around SEQ, as well as provisions approved at other developments which support the proposed provision
  - As discussed in further detail below, the hotel guest car parking provision is expected to be sufficient.
- **Food and drink outlet / shop car parking**
  - Clarification was sought from HTE to the freely accessible car parking provision being sufficient to meet food and drink outlet / shop requirements
  - Limited supporting evidence was provided in response. However, we believe this issue can be addressed by way of condition.

As identified previously, the TP Code indicates that resort complex developments should have sufficient car parking spaces to accommodate the number of vehicles likely to be parked at any one time. Unlike those proposed for the other uses / users, the car parking provisions for resort complex guests fall short of TP Code requirements for what we consider to be the most similar land use with a specified car parking provision rate (short-term accommodation – 1 space per room). Importantly however, it is not intended to suggest that guest parking requirements for resort complex and short-term accommodation uses are directly comparable.

Considering the above, further investigation of the proposed guest parking provisions was undertaken. For ease of reference, it is again noted that the proposed guest parking provision equates to 1 space per 2.5 rooms. Car parking provision rates as well as surveyed demand rates at similar developments around the Sunshine Coast and SEQ were reviewed. The following rates were sourced from the information provided by HTE and PMP Urbanists, and a review of documents available on Sunshine Coast Development.i:

- Holiday Inn Express Maroochydore City Centre – provision rate – 1 space per 6 rooms
- Aria Property Group Resort, Mooloolaba (MCU19/0081) – provision rate – 1 space per 2.2 rooms which does not include any provision for visitors. Allocating 1 space per 10 rooms to visitors as per the proposed development would result in a guest parking provision rate of 1 space per 2.48 rooms
- Yaroomba Beach Village and Resort (MCU17/0095) – provision rate – 1 space per 2.4 rooms
- Ipswich International Hotel – surveyed average demand rate – 1 space per 2.1 rooms which includes visitor parking demands. Assuming visitor parking equated to 1 space per 10 rooms as per the proposed development, the surveys would suggest an average guest parking demand rate of 1 space per 2.54 rooms



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- The Point Hotel, Kangaroo Point – surveyed 95<sup>th</sup> percentile demand rate – 1 space per 2.7 rooms includes visitor parking demands. Assuming visitor parking equated to 1 space per 10 rooms as per the proposed development, the surveys would suggest an average guest parking demand rate of 1 space per 3.79 rooms.

Details relating to the proposed development's facilities and expected operational characteristics were also provided by HTE and PMP Urbanists to further justify why the proposed guest car parking provision is expected to be sufficient. It also details why demands are expected to be lower than most other short-term accommodation developments. The following key points are noted:

- Duration of stays at hotels are typically shorter than those at other short-term accommodation, with a primary reason being they do not have kitchen facilities. Higher costs associated with dining out means guests are unlikely to stay as long. Shorter stays often mean guests are less likely to want to visit areas further away from their accommodation, reducing the need for a car
- 4.5 star accommodation is proposed which is more likely to attract international or interstate tourists, those travelling on organised tours and business people. These guests are more likely to arrive on the Sunshine Coast by plane and use alternative modes (e.g. bus, private transfer, taxi) to travel to / from their hotel
- The applicant has indicated that operational management strategies may be implemented to manage development car parking demands. A condition of approval has been included which request any such strategies to be documented within a car park management plan to be submitted to Council for approval prior to the commencement of operations. Potential strategies identified by the applicant include:
  - At the time of booking a room, it will made be clear to guests whether they will be allocated a car parking space
  - There may be an additional charge (charges should be equal to or less than nearby public parking such as that at the adjacent Park N Go facility) if a car parking space is required, or for an extended stay (e.g. 4 days or more) where car parking is more likely to be required
  - Guests may be picked up from the airport and chauffeured to the hotel, with a key attraction being a seamless arrival and departure experience, as part of the luxury service.
  - Organising logistics between airlines and coach providers to ensure a seamless transport outcome for guests
  - Should there be an event or function, that may create a greater car parking demand compared to typical operations, event shuttle bus services may be arranged for collection and return of guests.
  - The 24-hour valet parking service will be used to manage peak car parking demands through the combination of dedicated tandem spaces and unused guest spaces
  - Encouraging alternative travel for staff, such as active transport and through ride share applications and on demand services, which may be incentivised by Hotel Management.

The information above indicates that the proposed guest car parking provision rate is generally consistent, if not higher than those approved or surveyed elsewhere. Further, strategies to manage car parking demands could potentially be implemented.

In summary, we believe the proposed car parking provisions:

- Can comply with TP Code PO3 and PO8 provided an appropriate condition is imposed with respect to food and drink outlet / shop car parking
- Can comply with TP Code PO4 provided an appropriate condition is imposed with respect to PWD car parking provisions.



## 2.5 Motorcycle Parking Provisions

The following points are noted in relation to the proposed development's motorcycle parking provision:

- Nine (9) motorcycle spaces are proposed
- The TP Code indicates that Resort Complex developments should have sufficient motorcycle parking spaces to accommodate the number of vehicles likely to be parked at any one time
- Table 2.1 summarises the proposed motorcycle parking space provision rates and resultant provisions
- Based on the application of TP code requirements for short-term accommodation / hotel related food and drink tenancies on the ground floor and rooftop, and the food and drink outlets / shops on the ground floor, seven (7) motorcycle spaces would be required. This leaves two (2) spaces for hotels guests which is expected to be sufficient, noting that guests are likely to be travelling with several bags and as a result very few are likely to travel by motorcycle. Further, motorcyclists could park in car parking spaces if needed.

In summary, we believe the proposed motorcycle parking provisions:

- Comply with TP Code PO14.

## 2.6 Car Park Layout

The following points are noted in relation to the proposed development's car park layout:

- A two (2) level, podium car park is proposed
- Car park dimensions vary however the arrangements generally comply with AS2890 (the standard referred to by the TP Policy) requirements

The following points are noted in relation to key factors / matters considered as part of the DA assessment process:

- Car park area dimensions
  - Clarification was sought in relation to the width of many hotel visitor, retail, food and drink outlet etc. car parking spaces and associated car parking aisles
  - Clarification was sought in relation to the horizontal clearance provided to obstructions adjacent to car spaces
  - Clarification was sought in relation to the vertical clearance provided above PWD car parking spaces
  - In response, adjustments were made to the car park layout. Although some concerns are still held in relation to the proposed car park dimensions, it is considered that these can be addressed by way of conditions.
- Car park accessibility
  - Clarification was sought in relation to the accessibility of several car parking spaces due to walls, as well as the ability for motorists to appropriately manoeuvre through sections of the car park
  - In response, adjustments were made to the car park layout and additional swept paths were provided

In summary, we believe the proposed car parking layout:

- Can comply with TP Code PO1 provided appropriate conditions are imposed with respect to the dimensions of car park areas required to be accessed by food and drink outlet and shop users.

## 2.7 Active Transport Arrangements

### 2.7.1 Pedestrian / Cyclist Access

The following points are noted in relation to the proposed pedestrian / cyclist access arrangements:

- Several, clearly defined access points are proposed
- The accesses are separate to the vehicular access point.
  - swept paths were provided

In summary, we believe the proposed pedestrian / cyclist access arrangements:

- Comply with TP Code PO2

### 2.7.2 Bicycle Parking & End of Trip Facility Provisions

The following points are noted in relation to the proposed development's bicycle parking and end of trip facility provisions:

- 23 staff bicycle parking spaces and 16 visitor bicycle parking spaces are proposed
- The TP Code indicates that Resort Complex developments should have sufficient bicycle parking spaces to accommodate the number of vehicles likely to be parked at any one time
- Bicycle parking provisions fall marginally short of TP Code requirements assuming the proposed Resort Complex is considered in terms of individual uses. Table 2.2 identifies parking requirements based on adopting TP Code rates as well as proposed parking provisions
- Notwithstanding the above, the proposed parking provisions are expected to be sufficient for several reasons including that not all development uses are likely to experience peak trading (and by association bicycle parking) demands simultaneously. Most visitors are expected to travel to/from areas near the site, noting the density of these areas. The proximity of these areas is likely to result in a greater proportion of people walking in comparison to development located elsewhere
- A review of proposed end of trip facilities (toilets, showers, basins) indicates that they comply with TP Policy requirements and are therefore considered sufficient
- Staff locker facilities have not been identified on the plans. However,

**Table 2.2: Bicycle Parking Provisions Review**

Use	Staff Spaces		Visitor Spaces	
	Adopting TP Code Rates	Proposed	Adopting TP Code Rates	Proposed
Hotel	18.2	23	9.1	16
Food & Drink Outlet / Shop Tenancies	7.4		7.4	
<b>Total</b>	<b>26</b>	<b>23</b>	<b>17</b>	<b>16</b>

In summary, we believe the proposed bicycle parking and end of trip facility provisions:

- Can comply with TP Code PO5 provided an appropriate condition is imposed with respect to staff lockers.

## 2.8 External Traffic Impacts

The following points are noted in relation to the proposed development's traffic generation / traffic impacts:

- HTE estimate that the development will generate in the order of 105 vehicles per hour during peak periods, assuming the hotel is fully occupied
- The estimated peak traffic generation equates to less than two (2) trips per minute on average which is considered relatively low. The development is expected to have limited impacts on the operation of the surrounding road network
- HTE completed SIDRA analysis at the site access driveway which indicates that drivers will experience only short delays and queueing will be limited.

In summary, no external traffic related works (beyond frontage works) are considered to be required to mitigate development traffic impacts.

## 2.9 External Works

### 2.9.1 First Avenue

The following points are noted in relation to the proposed development's external traffic and transport related works on First Avenue:

- The existing First Avenue cross-section is to be modified and will include a minimum 6m wide roadway and a minimum 4.5m wide verge along the subject site's frontage
- An approximately 3m x 15m on-street loading bay is proposed within the verge along part of the subject site's frontage
- An approximately 7m x 24m raised pedestrian crossing is proposed adjacent to Brisbane Road.

The following points are noted in relation to key factors / matters considered as part of the DA assessment process:

- First Avenue loading bay (also noted in Section 2.3)
  - Clarification was sought from HTE in relation to whether buses could access the loading bays whilst maintaining appropriate vehicle body clearances, and park without significantly impacting the operation of First Avenue
  - In response, the loading bay arrangement was adjusted, and additional swept path diagrams provided to demonstrate that vehicles will be able to manoeuvre and park appropriately
- First Avenue pedestrian crossing
  - Clarification was initially sought from HTE to demonstrate that the proposed crossing would not result in any significant safety or operational issues. A best practise review of shared zone / pedestrian crossing treatments in similar circumstances was requested.
  - In response, limited additional, detailed information was provided
  - Similar information to that originally requested was again sort. Additionally, a road safety audit (RSA) considering the operational works plans for the proposed pedestrian crossing was requested
  - In response, the requested RSA was provided. The RSA included reference to pedestrian crossing design related requirements identified in relevant guidelines. It also recommended that several changes be made to the proposed pedestrian crossing arrangement. Revised plans which incorporate most but not all of the recommended changes were provided. It is considered that conditions can be imposed which require the remaining changes to be implemented.

In summary, we believe the proposed First Avenue works:

- Can comply with TP Code PO1, PO2, PO4 and PO5 provided appropriate conditions are imposed with respect to additional pedestrian crossing changes.

### 2.9.2 Brisbane Road

Planning Scheme Part 4, Priority Infrastructure Plan identifies that cycle lanes are proposed to be installed on Brisbane Road from Walan Street to Mooloolaba Esplanade (Item ID 17215).

Advice was sort from Council transport team which indicated that based on their review, the proposed development is not expected to materially impact the delivery of the proposed cycle lanes.

In summary, we believe the proposed development:

- Complies with TP Code PO4.
- Complies with the District Centre Zone Code as it does not compromise the future provision of planned cycling infrastructure.



MCU21/0342 Brisbane Rd, Mooloolaba: DA Traffic & Transport Review

Project: P4820

Version: 003



### 3. CONDITIONS & RECOMMENDATIONS

Recommended conditions including those related to traffic and transport are included in **Appendix A**.

It is important to note that some of the conditions have been recommended to address some outstanding issues we have identified, including those related to:

- General and PWD car parking provisions for food and drink outlet and shop users
- Hotel guest car parking management
- The dimensions of car park areas required to be accessed by food and drink outlet and shop users
- The First Avenue pedestrian crossing.

In summary, although we believe proposed traffic and transport arrangements could be further improved, we do not believe the outstanding issues warrant refusal of the development application. Therefore, it is recommended that the development be approved subject to reasonable and relevant conditions.



Item 8.2 Development Application for Material Change of Use (Resort Complex, Food & Drink Outlet, Shops, Function Facility and Bar) and Operational Works at 10 & 16 Brisbane Rd and 7 & 9 First Ave, Mooloolaba

Attachment 1 Detailed Assessment Report by External Independent Assessment Team - Ethos Urban

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## **Appendix A: Recommended Conditions**

Item 8.2 Development Application for Material Change of Use (Resort Complex, Food & Drink Outlet, Shops, Function Facility and Bar) and Operational Works at 10 & 16 Brisbane Rd and 7 & 9 First Ave, Mooloolaba

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## **Attachment 4 – WASTE, ODOUR, LIGHTING ASSESSMENT**



## 10-16 BRISBANE ROAD MOOLOOLABA

### Review of Waste, Odour and Lighting Assessments

**Sunshine Coast Council**



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Date  
24 February 2022

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Report  
207401.0126.R01V01

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## DOCUMENT CONTROL

Prepared by: Trinity Consultants Australia  
 ABN 62 630 202 201  
 A: Level 3, 43 Peel Street  
 South Brisbane, QLD 4101  
 T: +61 7 3255 3355  
 E: brisbane@trinityconsultants.com

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207401.0126.R01V01	24/02/2022	Final	Andrew Martin	Bruno Coelho

### Document Approval

Approver Signature



Name

Andrew Martin

Title

Air Quality Manager

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## 1.2 Scope of Review

The scope of this review is to assess the waste management, odour and lighting aspects based on the following tasks:

1. Undertake a review of relevant development parameters and considerations.
2. Review applicant pre-lodgement material.
3. Identify key aspects for discussion.
4. Assess the development application against the provisions of the planning scheme.
5. Assess the information response against the provisions of the planning scheme.
6. Prepare assessment report including recommendations and conditions.

## 2. KEY ISSUES

This section describes the key issues identified and requested on review of the draft development information submitted.

### 2.1 Waste Minimisation

#### 2.1.1 Issue

The plan did not address P01 of the Waste Management Code, specifically how waste minimisation will occur, especially sorting and pathways for recyclables.

#### 2.1.2 Information Requested

Revise the Waste Management Plan with detailed descriptions of how waste is to be minimised including how recyclables will be segregated and how occupants will be encouraged to recycle.

### 2.2 Refuse Room Design

#### 2.2.1 Issue

The initial Waste Management Plan dated March 2021 calculated waste accumulation assuming 1.5 days. If waste is collected every other day, this should be 2 days. The number of bins calculated was thus insufficient.

Calculation of generation levels for ground level food and restaurant should have been 10 L / 1.5 m<sup>2</sup>, not 50 L / 100m<sup>2</sup>. This results in the need for daily collection of general rubbish (not every other day). A similar correction was required to recyclables which should be based on 2L / 1.5m<sup>2</sup>.

#### 2.2.2 Information Requested

The above calculations in the Waste Management Plan had to be corrected.

### 2.3 Design of Waste Chutes and Ventilation

#### 2.3.1 Issue

The plan did not address the design of chutes, mechanical ventilation of chutes and mechanical ventilation of the storage room as required by the PSP for Waste Management Code.

#### 2.3.2 Information Requested

The application should demonstrate that it meets the Waste Management Code and Planning Scheme Policy for Waste Management Code SC6.18, especially regarding ventilation in the refuse room, chute & hopper design, ventilation outlets, bin transfer routes, bin wash areas, initiatives to minimise waste. The application also needs to address the Nuisance Code, Planning Scheme Policy for the Nuisance Code, PO13 of the Business Uses and Centre Design Code and outcome 6.2.7.2(2)(m) of the District Centre Zone Code regarding its impact on its environment and amenity, especially enclosure of refuse storage and kitchen exhaust vents.

### 2.4 Lighting Impacts

#### 2.4.1 Issue

PO13 / AO13.2 of the Business uses and centre design code; PO13 / AO13.1 of the Multi-unit residential uses code; and PO11 / AO11.1 and AO11.2 Nuisance code require that excessive 'light spill' including headlight



glare onto adjacent sites and public spaces are avoided or minimised. The design of the podium carparking areas should be designed to minimise impacts to adjacent properties from car headlights and interior lighting. Sufficient screening, in particular at headlight level, should be provided.

The Lighting Impact Assessment Report stated that light calculations during detailed design will ensure that the lighting exceeds Australian Standards requirements and specifies AS1158.3.1 and AS4282. It nominates the development as being in AS4282 environmental zone A4. It nominates the road reserves as being in AS1158.3.1 lighting sub-category PR4 being for a local road with medium pedestrian activity, risk of crime and need to enhance prestige.

### 2.4.2 Information Requested

The basis of the above category choices should be explained in detail.

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### **3. RESPONSE TO RFI**

#### **3.1 Waste Minimisation**

An amended Waste Management Plan was provided addressing how waste is to be minimised.

#### **3.2 Refuse Room Design**

An amended Waste Management Plan was provided correcting the calculations of waste generation rates and corresponding bin volumes required.

#### **3.3 Design of Waste Chutes and Ventilation**

The detailed design information requested has not been provided. The amended Waste Management Plan defers provision of this information to the CC stage of the development. Thus detailed design specifications will need to be conditioned.

#### **3.4 Lighting Impacts**

An amended lighting impact assessment was provided, which provided the basis of the choice of environmental zone category and lighting sub-category. The basis of these choices is considered appropriate.

## 4. COMPLIANCE WITH PLANNING SCHEME

### 4.1 Statutory Instruments

The applicable codes and policy from the Sunshine Coast Planning Scheme 2014 are:

1. Mooloolaba/Alexandra Headland Local Plan Code
2. Multi-unit Residential Uses Code
3. Business Uses and Centre Design Code
4. District Centre Zone Code
5. Nuisance Code and Planning Scheme Policy
6. Waste Management Code and Planning Scheme Policy

### 4.2 Mooloolaba/Alexandra Headland Local Plan Code

The development site is within the area covered by the Mooloolaba/Alexandra Headland Local Plan Code 7.2.20. Overall outcomes (k) and (p) of this code require protecting the amenity of surrounding residences and contributing to a high level of residential amenity. These outcomes will be achieved if the performance outcomes in the Business Uses and Centre Design Code, Waste Management Code and the Nuisance Code are complied with. There are no performance outcomes in this code considered relevant to this assessment.

### 4.3 Multi-unit Residential Uses Code

There are no performance outcomes in this code considered relevant to this assessment.

### 4.4 Business Uses and Centre Design Code

#### 4.4.1 Requirements of Code

Performance Objective PO13 of the Business Uses and Centre Design Code Section 9.3.1 is as follows: *"The business use or centre activity does not unreasonably impact upon the amenity or environmental quality of its environs and especially any nearby residential premises."*

Acceptable outcome (AO13.1) is that:

*"Undesirable visual, noise and odour impacts on public spaces and residential uses are avoided or minimised by:-*

- a. *where appropriate, limiting the hours of operation of the business use to maintain acceptable levels of residential amenity relative to the site's context and setting;*
- b. *providing vehicle loading/unloading and refuse storage/collection facilities within enclosed service yards or courtyards; and*
- c. *locating site service facilities and areas such that they are not adjacent to the frontage of a street or public space."*

Acceptable outcome (AO13.2) is that:

*Glare conditions or excessive 'light spill' on to adjacent sites and public spaces are avoided or minimised through measures such as:-*

- a. *careful selection and location of light fixtures;*
- b. *use of building design/architectural elements or landscape treatments to block or reduce excessive light spill to locations where it would cause a nuisance to residents or the general public; and*



- c. alignment of streets, driveways and servicing areas to minimise vehicle headlight impacts on adjacent residential accommodation.

#### 4.4.2 Findings on Compliance with Code

The Waste Management Plan shows the following:

- The location of the loading bay and waste storage room shown on the architectural plans is within the building envelope and the storage room is enclosed. They are not adjacent to the street frontage, public space or the property boundary. These locations are considered appropriate to comply with AO13.1.
- The ADP Lighting Impact Assessment Report (12 August 2021) provides light fixture specifications that are considered appropriate for the location. The driveway and loading bay are located adjacent to a boundary with a commercial use and thus minimise impacts onto nearby residential accommodation.

The overall design of the development is likely to also address odour impact onto residential uses.

### 4.5 District Centre Zone Code

#### 4.5.1 Requirements of Code

The development is located within a district centre zone. The District Centre Zone Code includes the following prescribed overall outcome at 6.2.7.2 (2) (m): *Development ensures that there is no unreasonable loss of amenity for surrounding premises, having regard to matters such as noise, lighting, waste, fumes, odours, overlooking and public health and safety, having regard to the mixed use nature of the zone.*

#### 4.5.2 Findings on Compliance with Code

No formal response is provided to the District Centre Zone Code. However, addressing the requirements of the Business Uses and Centre Design Code, Waste Management Code and Planning Scheme Policy will likely meet the District Centre Zone Code requirements. These are addressed in the Waste Management Plan.

### 4.6 Nuisance Code and Planning Scheme Policy

#### 4.6.1 Requirements of Code and Policy

PO9 of the Nuisance Code 9.4.3 states that: *Development is located, designed, constructed and operated to ensure that odour, dust and particulate emissions do not cause environmental nuisance to sensitive land uses (whether existing or proposed uses) in the surroundings of the proposed development.*

AO9.1 states that: *Development does not result in odour that causes environmental harm or nuisance with respect to surrounding land uses.*

PO11 states that: *Development ensures that lighting and glare does not have any significant adverse amenity impacts or create nuisance to surrounding premises.*

The Planning Scheme Policy for the Nuisance Code AS6.15 also discusses odour, but specific requirements relating to odour from waste are contained in the Waste Management Code.

#### 4.6.2 Findings on Compliance with Code and Policy

The Waste Management Plan defers design of ventilation and waste chutes to the CC stage of the development, which doesn't demonstrate compliance with the Nuisance Code. However, based on the design of the development, the proposed locations of loading dock and waste storage room, it is considered that it can comply with AO9.1. Conditioning the requirements of the Waste Management Code and Planning Scheme Policy will likely meet the Nuisance Code odour requirements.



The ADP Lighting Impact Assessment Report (12 August 2021) states that light calculations during detailed design will ensure that the lighting exceeds Australian Standards requirements and specifies AS1158.3.1 and AS4282. It nominates the development as being in AS4282 environmental zone A4 and explains the basis for this determination. It nominates the road reserves as being in AS1158.3.1 lighting sub-category PR3 (more stringent than the previously nominated PR4), being for a local road with medium pedestrian/cycle activity, low fear of crime and medium need to enhance prestige. These are considered appropriate classifications and form the basis on which detailed design specifications can be based, in order to comply with PO11.

## 4.7 Waste Management Code

No formal response is provided to the Waste Management Code. A Waste Management Plan has been submitted as Attachment 11 to the information response prepared by Fernway Engineering and dated October 2021. The requirements of the Code and how they are addressed by the Waste Management Plan are listed in **Table 4.1**.

Table 4.1: Requirements of Waste Management Code

Performance / Acceptable Outcome	Requirement of Acceptable Outcome or Performance Outcome	How Addressed in Operational Waste Management Plan
P01	<i>Development minimises waste generation (including construction, demolition and operational waste) and provides opportunities for re-use and recycling, where appropriate.</i>	The amended Fernway Waste Management Plan (October 2021) addresses P01 of the Waste Management Code, under the heading Waste Minimisation.
A01	<i>Development with the potential to generate significant amounts of waste is undertaken in accordance with an approved waste management plan, prepared in accordance with the Planning scheme policy for the waste management code.</i>	The amended Fernway Waste Management Plan (October 2021) only partially addresses the Planning Scheme Policy for the Waste Management Code as discussed in <b>Table 4.2</b> .
P02	<i>Development provides adequate facilities on-site for the storage of waste and recyclable material, in a manner which minimises the potential for environmental harm and environmental nuisance.</i>	The storage room and the bin wash area are shown in the Waste Management Plan. The bin transfer route is not specifically identified but apparent on the Ground Floor Architectural Plan.
A02	<i>A waste container storage area(s) is provided that is sited, screened and designed in accordance with the standards specified in the Planning scheme policy for the waste management code.</i>	Compliance of waste container storage areas with Waste Management Planning Scheme Policy discussed in <b>Table 4.2</b> .
P03	<i>Development provides for source separation and segregation of wastes, by providing convenient access to recycling containers, green waste containers and other specialised waste storage containers, as required, which are easily recognised and appropriate to the type and volume of wastes generated.</i>	<p>The Waste Management Plan now recommends that both waste and recycling bins are to be collected every day, which is necessary. The calculations in the previous version have now been corrected.</p> <p>Two chutes are to be provided, one for general waste and one for recyclables. This is considered acceptable.</p> <p>Green waste management is deemed the responsibility of the gardeners, which is acceptable for this development.</p>
P04	<i>Development is designed to facilitate and allow for safe, unobstructed and efficient servicing of waste containers.</i>	
A04.1	<p><i>Where on-site waste collection services are proposed:-</i></p> <p>....</p> <p><i>(c) the proposed point of servicing is designed to minimise the potential for nuisances to be caused by way of noise and odour.</i></p>	The point of servicing is located on the south-west side of the development with an internal 2 lane vehicle access road between the loading bay and the boundary, a setback of 11.4 metres. The neighbouring land use on that side is currently retail with no sensitive uses in the vicinity. This will provide a buffer for dispersion of odour. Since collection is to be daily, this buffer is considered adequate.
P05	<i>Development is designed to allow for safe and unobstructed manual handling and manoeuvring of standard domestic waste containers and standard bulk bins.</i>	The waste storage room is adjacent to the loading bay demonstrating compliance with this outcome.

## 4.8 Planning Scheme Policy for Waste Management Code

This code provides general advice about achieving outcomes of the Waste Management Code and states the standard identified in the Code.

**Table 4.2: Requirements of Waste Management Planning Scheme Policy (PSP)**

PSP Clause	Requirement	How Addressed in Waste Management Plan
SC6.18.3 (c)	<p><i>Council may also consider the following matters in assessing the appropriateness of waste minimisation, waste storage and waste servicing arrangements:-</i></p> <p><i>(i) the type of waste generated by the development;</i></p> <p><i>(ii) the amount of waste likely to be generated by the development having regard to Table SC6.18A (Indicative waste and recycling generation rates for particular uses);</i></p> <p><i>(iii) the minimum waste storage area requirements required to accommodate the waste management needs of the development having regard to Table SC6.18B (Minimum waste receptacle storage requirements);</i></p> <p><i>(iv) the types of waste storage bins best suited to the needs of the development;</i></p> <p><i>(v) the preferred location of waste storage areas and bin wash down areas;</i></p> <p><i>(vi) the distance waste needs to be moved to a waste storage area and/or collection area;</i></p> <p><i>(vii) whether the collection service will be kerbside or on private property;</i></p> <p><i>(viii) whether a central waste storage area will be provided prior to relocation of the bin to the collection point;</i></p> <p><i>(ix) the presence or absence of service staff or on site management;</i></p> <p><i>(x) the mechanism or pathway used to move bins to the waste storage area;</i></p> <p><i>(xi) safe vehicle and pedestrian access to bins.</i></p>	<p>The type and amount of general and recyclable waste generated by each part of the development have been. The waste generation rates allowed for are now consistent with rates specified in Tables SC6.18 A and B in the PSP, and the number of general waste bins and recycling bins allowed for now appears correct. The floor areas used in calculations now appear consistent with the architectural plans. The storage rooms shown on the plans cater for the number of bins calculated. These waste storage rooms are located in service areas or car parking areas.</p> <p>A wash-down area for bins is described in the WMP.</p> <p>The distance waste needs to be moved from the waste storage area to the loading bay is minimal.</p> <p>The collection service will be from a loading bay suitably separated from sensitive uses.</p>
Table SC6.18A	<p><i>A waste management plan is to describe the ventilation of waste storage areas (highlighted on plan drawings).</i></p>	<p>The Waste Management Plan mentions ventilation of the chutes, which should also incorporate ventilation of the storage area but defers detailed design to be provided at the CC stage of the development. These requirements will have to be conditioned.</p>
Table SC6.18B	<p><i>Minimum waste receptacle storage requirements:</i></p> <p><i>Short-term accommodation, multiple dwelling, residential care facility and retirement facility: An area or areas capable of accommodating bulk storage bins with an equivalent volume of 120 litres per site for waste and 120 litres per site for recycling.</i></p> <p><i>Food and drink outlet: An area or areas capable of accommodating 2 x 240 litre waste storage bins.</i></p>	<p>The waste calculations are now based on the appropriate numbers in Table SC6.18A.</p>
SC6.18.4	<p><i>Waste Container Storage Areas</i></p> <p><i>(a) waste container storage areas are to be attractively designed to minimise their visual impact on the streetscape and surrounding areas;</i></p>	<p>(a) The storage areas are internal to the building.</p> <p>(b) The storage areas are in rooms.</p>

Item 8.2 Development Application for Material Change of Use (Resort Complex, Food & Drink Outlet, Shops, Function Facility and Bar) and Operational Works at 10 & 16 Brisbane Rd and 7 & 9 First Ave, Mooloolaba

Attachment 1 Detailed Assessment Report by External Independent Assessment Team - Ethos Urban



PSP Clause	Requirement	How Addressed in Waste Management Plan
	<p>(b) waste and waste storage bins are not to be placed where they may impede safe use of any exit, exit corridor, doorway or stairway, under stairways or near any existing or potential heat source;</p> <p>(c) waste storage bins are to be made of non-combustible materials;</p> <p>(d) waste oil containers are to be stored within bunded areas and bins must be washed within the bunded area;</p> <p>(e) a waste wash down area is to be provided for the regular cleaning of waste storage containers, which:-</p> <p>(i) .... (iv)</p> <p>(f) waste chutes may be provided for both general waste and recyclables;</p> <p>(g) any waste chute and associated accessories are to:-</p> <p>(i) .... (x)</p>	<p>(d) No waste oil containers are proposed.</p> <p>(e) The wash-down area for bins is shown in the revised OWMP.</p> <p>(f) Waste chutes are proposed.</p> <p>The Waste Management Plan defers detailed design to be provided at the CC stage of the development. These requirements will have to be conditioned including (c) non-combustible bin material, (e) design of the wash-down area, (g) design of the chutes and associated accessories, and (h) waste disposal points.</p>
	<p>Waste Disposal Points</p> <p>(h) hoppers for disposal of waste into waste chutes are to:-</p> <p>(i) ... (viii)</p>	
	<p>Waste Container Storage Rooms</p> <p>(i) waste container storage rooms are to be provided for the storage of waste in standard containers at the bottom of each waste chute;</p> <p>(j) a waste container storage room are to:-</p> <p>(i) be located at vehicle access level, preferably away from the main entrance to the building;</p> <p>(ii) not be located adjacent to or within any habitable room or place used in connection with food preparation or living areas;</p> <p>(iii) be of sufficient size to fully contain the number of waste containers required to service the development;</p> <p>(iv) provide for waste containers to be easily accessed for direct disposal of bulky items to the waste container;</p> <p>(v) provide for unobstructed access for removal of waste containers to the service point and for the positioning of the containers correctly in relation to the waste chute;</p> <p>(vi) be the service point or be located within 40 metres of the service point;</p> <p>(vii) be designed and constructed so that:-</p> <p>(A) ... (N)</p> <p>(viii) be well ventilated and have "hazardous waste" and "no smoking" signs installed; and</p> <p>(k) a waste wash down area is to be provided for the regular cleaning of waste containers, which:-</p> <p>(i) .... (iv)</p> <p>Note—Council may require or accept specialised equipment in some circumstances, such as compaction equipment to minimise storage areas. Compaction equipment may be accepted for the following wastes:-</p> <p>(a) mixed waste (other than glass);</p> <p>(b) cardboard or paper;</p> <p>(c) plastic or aluminium containers;</p> <p>(d) putrescible waste - provided a specialised refrigerated compactor is used.</p> <p>Plans for the installation of compactors must be submitted for the approval of Council's Manager Waste and Resources Management.</p>	<p>(i) and (j) Requirements (i) to (vi) appear to be met. Requirements at (vii) and (viii) can be conditioned.</p> <p>(k) The wash-down area for bins is shown in the revised WMP. The detailed requirements should be conditioned.</p>

PSP Clause	Requirement	How Addressed in Waste Management Plan
SC6.18.6	<p>A waste management plan should be based on the template provided in Appendix SC6.18A (Waste management plan template) and should properly address, describe or include the following:-</p> <p>(a) estimated volumes of waste to be generated;</p> <p>(b) estimated volumes of recyclables;</p> <p>(c) estimated volumes of garden/organic waste;</p> <p>(d) the method to be used for disposal of garden/organic waste;</p> <p>(e) initiatives to minimise waste by waste reduction, reuse or recycling;</p> <p>(f) the description of the procedures involved in the storage of waste and recycling bins and the collection of bins by the contractor and who is responsible for each transfer of waste both within the complex and external to the complex;</p> <p>(g) a description of the design details of waste storage and recycling areas, including the method of preventing stormwater pollution – to be highlighted on plan drawings;</p> <p>(h) plans showing the location and details of the waste storage areas; design to incorporate sufficient space for storage for waste, recyclables, garden waste and any special wastes as determined e.g. bulk cardboard;</p> <p>(i) a description of the type of containers proposed to store the waste.</p>	<p>The waste management plan addresses (a), (b), (c), (d), (e), (f), (h)</p> <p>(g) and (i) should be conditioned.</p>

## 5. CONCLUSION

The proposed development generally complies with the requirements of the planning scheme and does not raise any significant issues that cannot be addressed by reasonable and relevant conditions. The application is therefore recommended for approval.

## 6. RECOMMENDATION AND PROPOSED CONDITIONS

### 6.1 Recommendation

**APPROVE WITH CONDITIONS** Application No. MCU21/0342 & OPW21/0528 for the proposed development at 10 - 16 Brisbane Road and 7 - 9 First Avenue, Mooloolaba as identified in the attached details is recommended for the Decision Notice.

The WMP should be part of the approved plans.

### 6.2 Proposed Conditions

#### 6.2.1 Lighting

1. Lighting associated with the use must be designed, sited, installed and tested to comply with Table 2.1 & 2.2 of *AS 4282 - Control of the obtrusive effects of outdoor lighting* using a control level of 1.
2. Certification must be submitted to council from a qualified person that all lighting devices comply with the requirements of this development approval.

#### 6.2.2 Waste

3. Non-residential uses must achieve the environmental values and air quality objectives set out in the Environmental Protection (Air) Policy at all times.
4. Kitchen exhaust points for the development must be located and operated in accordance with AS 1668.2 - The use of ventilation and airconditioning in buildings (specifically Section 3.10 – Air Discharges).
5. The release of noxious or offensive odours or any other noxious or offensive airborne contaminants resulting from the use must not cause a nuisance at any nuisance sensitive or commercial place.
6. Refuse storage, removal and collection facilities must be provided in accordance with the Approved Plans and the following:
  - a. for residential: provision of a minimum bulk bin volume of 120L for general waste, and 120L recyclable waste for each dwelling unit and
  - b. for commercial uses: provision of a minimum bulk bin volume of 240L for general waste, and 240L recyclable waste for each tenancy
  - c. collection by service vehicles from within the site only in a safe, efficient and unobstructed manner and
  - d. provision of a functionally accessible communal hardstand impervious area/s for the permanent storage location and service collection of all bulk bins, as shown on approved plans
  - e. provision of a readily accessible wash-down area in the vicinity of the permanent bin storage area fitted with a hosecock, bin roll over bund, and drain connected to the sewer that has a stormwater catchment area of no more than 1m<sup>2</sup>
  - f. provision of waste chute/s connected to each floor of the building/s for the disposal of general waste. The waste chute/s must be:
    - i. vertical and cylindrical with a minimum diameter of 450mm

- ii. constructed of non-corrosive, smooth, impervious and noise-dampening materials
    - iii. contained within fire rated shafts
    - iv. constructed to finish at least 25mm below the ceiling level of the collection room and not more than 300mm above the height of the waste containers
    - v. ventilated without causing odour within the building
    - vi. fly and vermin proof
    - vii. fitted with maintenance access and cleaning appliances
    - viii. fitted with self-closing hoppers on each level located between 1m and 1.5m above the floor level, and with wall and floor surfaces around the hopper of an impervious easy to clean material
  - g. provision of a waste room at the bottom of the waste chute/s for the collection and permanent storage location of general waste. The waste room must be:
    - i. constructed of fire rated, impervious and smooth materials to all walls, floors, doors and junctions
    - ii. constructed with access doors sized to permit unobstructed entry and exit of the bulk bins
    - iii. fly and vermin proof
    - iv. fitted with a lock capable of being opened from the inside without a key at any time
    - v. refrigerated or otherwise ventilated to reduce odour
    - vi. co-located with a hosecock and drain connected to the sewer.
  - h. provision of an on-site tow vehicle or other mechanical means to haul bulk bins from the basement refuse storage area to the temporary collection embayment located at street level.
7. Certification must be submitted to council from a qualified person which certifies that all waste chutes and waste rooms have been constructed in accordance with the requirements of this development approval.
  8. Medical and clinical wastes must be stored in appropriate waste containers, in an enclosed secure facility such that the area is not accessible to persons or animals, other than the operator of the premises.
  9. Councils Waste and Resources Management Branch coordinates waste collection within the Sunshine Coast Council area, in conjunction with the appointed waste collection contractor. Waste collection services for developments are available, with varying bin sizes and service frequency to achieve safe, efficient and unobstructed servicing for the development. Please contact council's Waste and Resources Management Branch via the Customer Service Centre for further information regarding available bin sizes.
  10. The design and construction of waste handling facilities must comply with the following sections of the Planning Scheme Policy for Waste Management Code:
    - a. Waste storage bins are to be made of non-combustible materials.
    - b. Waste bin wash-down area must comply with SC6.18.4(e) and (k).
    - c. Waste chute ventilation must comply with SC6.18A and SC6.18.4(g).
    - d. Waste disposal points must comply with SC6.18.4(h).
    - e. Waste Container Storage Rooms must comply with SC6.18.4(j)(vii) and (viii).
    - f. Plans for the installation of compactors must be submitted for the approval of Council's Manager Waste and Resources Management.
    - g. Waste storage area must comply with SC6.18.6(g).
    - h. Waste storage containers must comply with SC6.18.6(i).
  11. Waste water associated with a non-residential use must be disposed of to the reticulated sewerage system or to an on-site industrial waste treatment system.
  12. Liquid wastes that cannot be disposed of to the reticulated sewerage system must be disposed of off-site to an approved waste disposal facility.





- 
13. No discharge of waste occurs to stormwater systems, local waterways (including dry waterways) or wetlands.
  14. The movement of bins from the retail waste storage room to the loading dock holding room is to occur outside of peak hours to minimise conflict with vehicles and pedestrians.

**BRISBANE**

A: Level 3, 43 Peel Street  
South Brisbane, QLD 4101  
T: +61 7 3255 3355  
E: brisbane@trinityconsultants.com

**GLADSTONE  
(Vision Environment)**

A: Unit 3, 165 Auckland Street  
PO Box 1267  
Gladstone, QLD, 4680  
T: +61 7 4972 7530  
E: office@visionenvironment.com.au

**SYDNEY**

A: Level 6, 69 Reservoir Street  
Surry Hills, NSW 2010  
T: +61 2 8217 0706  
E: sydney@trinityconsultants.com

Acoustics • Air Quality • Marine Ecology • Noise • Stack Testing • Water Quality

## **Attachment 5 – NOISE ASSESSMENT**



## **HOTEL, 10-16 BRISBANE ROAD MOOLOOLABA**

### **Independent Assessment Report on Noise Aspects of Application**

**Sunshine Coast Council**



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Date  
23 February 2022

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Report  
20740.0126.R02V01

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## DOCUMENT CONTROL

Prepared by: Trinity Consultants Australia  
 ABN 62 630 202 201  
 A: Level 3, 43 Peel Street  
 South Brisbane, QLD 4101  
 T: +61 7 3255 3355  
 E: brisbane@trinityconsultants.com

Reference	Date	Description	Prepared	Checked
207401.0126.R02V01	23/02/2022	Final	Stephen Pugh	Daniel Zerphey

### Document Approval

Approver Signature



Name Stephen Pugh  
 Title Noise Manager

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## 1. INTRODUCTION

### 1.1 Overview of Proposed Development

Trinity Consultants Australia was commissioned by Ethos Urban on behalf of Sunshine Coast Council to provide third party review of the noise aspects of the development application for the mixed use development proposed at 10 - 16 Brisbane Road, Mooloolaba. The development includes a resort complex with 182 hotel rooms, food and drink outlets, shops, function facility, bar and associated parking spaces. The surrounding land includes similar land uses and, to the west, a public parking station.

An elevation of the proposed development from the Development Application (DA) plans is shown in **Figure 1.1**. It consists of ground floor, levels 1 to 12 and a Level 13 rooftop facility.

**Figure 1.1: Elevation of Development from DA Architectural Drawings**



Trinity has screened the development application for details relevant to noise. The critical noise issue is music and patrons in outdoor areas on Levels 12 (function facility) and Level 13 (rooftop bar/restaurant and pool), though there are other noise matters to address (e.g. mechanical plant, noise intrusion from traffic and other uses).



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## 1.2 Scope of Review

The scope of this review is to assess the noise aspects based on the following tasks:

1. Undertake review of relevant development parameters and considerations.
2. Review applicant pre-lodgement material.
3. Identify key aspects for discussion.
4. Assess the development application against the provisions of the planning scheme.
5. Assess the information response against the provisions of the planning scheme.
6. Prepare assessment report including recommendations and conditions.



## 2. PRE-LODGE MENT

The initial acoustic comments provided on 26/03/2021 by Trinity (as ASK) were as follows:

60. *Acoustic Amenity*

*An acoustic assessment will be required to be submitted in support of the application to demonstrate that any carpark and commercial noise is able to be managed and to achieve the provisions of the Nuisance code.*

*The rooftop bar is quite extensive and it will be important to indicate which elements of this rooftop area will be open and closed and the patron capacity of each area assumed in noise modelling. Similarly, the use of outdoor/balcony areas for the Level 12 function centre are to be described along with the patron capacity of each area assumed in noise modelling.*

The noise conditions for pre-lodgement provided on 23/04/2021 by Trinity were as follows:

55. *Acoustic Amenity*

*A revised acoustic assessment will be required to be submitted in support of the application. The following issues have been raised regarding the AcousticWorks acoustic report dated 26/03/2021:*

1. *The report should address the Council's Nuisance Code, including PO1 to PO8 and associated acceptable outcomes, where relevant.*
2. *The satisfactory design levels for road traffic noise are to be 30 dBA in bedrooms and 35 dBA in other areas as per AS2107. The calculated traffic noise levels in Table 5 are lower than expected for the provided input data. Please provide an example CoRTN calculation (i.e. with CoRTN corrections) for a Level 3 unit facing Brisbane Road. Another approach to noise intrusion (road and other noise) may be to consider a standard glazing acoustic rating for the entire residential component of the building, if it can be reasonably justified.*
3. *Please provide justification/description/calculations of the sound power levels, patron numbers, durations, number of events, transmission loss and screening used in the noise calculations in Tables 6 and 7. For example, the Level 13 bar lounge has a sound pressure level of 80 dBA at 1m (sound power level of 88 dBA) but that is not attributed to any music or patrons. Another example, the Level 13 outdoor dining has a sound pressure level of 78 dBA at 1m, but there is no justification or calculation as to how many people this addresses.*
4. *In the absence of 3D modelling, please show example barrier calculations with RLs and heights of source, barrier and receiver and corresponding separation distances.*
5. *The calculations appear to rely on closed windows/doors between the indoor bar area and outside dining, but Section 9.1 indicates that doors are only to be closed at night and allows them to be open for patrons despite there being no soundlock – this requires re-evaluation.*
6. *The Table 6 & 7 calculations do not appear to have included the Level 3 kids area and outdoor play area, Level 3 gym outdoor area and Level 12 outdoor terrace.*
7. *What are the intended hours of all the building uses (e.g. conference, rooftop bar/dining/pool area)?*

### 3. DEVELOPMENT APPLICATION

Trinity reviewed the Development Application including Acousticworks report dated 11/08/2021 and submitted the review on 14/10/2021. The acoustic review included the following information request:

1. *Issue – Façade sound reduction*

*PO3 of the Nuisance Code requires a consideration of noise from surrounding uses and a minimum noise reduction of 30 dBA between the exterior of the building and the bedrooms or indoor primary living areas.*

*Information Required*

*Amend the façade requirements in the report to address the minimum 30 dBA requirement including considering the glazing options presented in SC6.15.6 of the associated planning scheme policy. Address noise from the surrounding uses, including the proposed multistorey carpark. Confirm whether the acoustic rating for external walls which is indicated as Rw 35 and Rw 45 within the report. Confirm whether 'Floor' ratings are for glazing.*

2. *Issue – Amplified music*

*The report does not address amplified music from indoor or outdoor areas in sufficient detail.*

*Information Required*

*A more detailed assessment of noise from amplified music in indoor and outdoor areas is required in accordance with PO1 with consideration of the criteria in AO1. The allowance for a single speaker music level of 70 dBA at 1 metre is considered inadequate and may result in no amplified music (background or otherwise) being allowed in outdoor areas.*

3. *Issue – Data used in Barrier Calculations*

*Noise emissions from patrons and music is an important issue, but the nominated noise source locations and RLs in the barrier calculations do not appear to match the architectural drawings, and the levels for receivers at nearby residential high-rises is unsubstantiated.*

*Information Required*

*Review noise barrier calculations including the RLs ensuring that consideration is given to patrons located near the balustrades in standing or seated at stool positions, as the plans appear to indicate. Nominate the RLs of nearby high-rise buildings including the source of the data. Include calculations for Level 12 activities. Modelling all the sources within a 3D Model (e.g. SoundPLAN, Cadna etc) would be an improved method of calculation.*

4. *Issue – Gym noise*

*The gym noise data is not justified in terms of a source (e.g. patrons, music etc), and the calculations do not appear to include the doors being open.*

*Information Required*

*Substantiate the gym noise levels and update calculations based on the drawings which indicates large doors that could be openable.*

5. *Issue – Patron Numbers*

*The patron numbers in the calculation different from that presented in the report text. Only 12 patrons are allowed on the Level 12 outdoor areas. There do not appear to be any outdoor patrons included for ground level.*

*Information Required*

*Update or substantiate the patron numbers in calculations.*

6. Issue – Hours of Use

*The hours of use of various activities and spaces are not identified.*

*Information Required*

*Nominate hours of use of various activities and spaces are not identified. The hours when doors are allowed to be opened is also to be presented.*

7. Issue – Calculation method

*The calculations are based on simplified tabulated calculations which do not account for multiple reflections that 3D modelling would include.*

*Information Required*

*Discuss or update calculations to account for reflections of the building itself, e.g. consideration of quarter spherical radiation rather than hemispherical radiation. Alternatively, model all the sources within a 3D Model (e.g. SoundPLAN, Cadna etc).*

8. Issue –Roof over outdoor areas

*The noise from outdoor activities do not include reflections off roofs but this is a potential issue given that nearby residential high-rises appear to be lower than the outdoor areas.*

*Information Required*

*Consider noise reflections from roofs over covered areas and if required, nominate acoustic absorption ratings (e.g. NRC) for the underside of roofs. Alternatively, model within 3D modelling software which can account for such reflections.*

9. Issue – Noise levels with open doors

*The calculations assume that doors and windows are closed though the report recommends that they remain openable. If the rooms are to be licensed, the testing will include open doors if there are no sound locks.*

*Information Required*

*Where indoor areas include music and a sound lock doorway is not present, the calculations should be updated to include noise emissions from open doors.*

## 4. RESPONSE TO RFI

The information request was addressed by the applicant in the Acousticworks report dated 01/11/2021 and Trinity provided a response to that revised report on 12/11/2021. The Trinity response are copied as follows:

**Table 4.1: Trinity Response to RFI 12/11/2021**

Issue	Trinity Feedback
19. Issue – Façade sound reduction	<i>This has been adequately addressed. This Rw 35/32 acoustic requirement is to be conditioned, in addition to conditioning the building façade construction requirements in the report recommendations Section 9.</i>
20. Issue – Amplified music	<i>Noise from outdoor amplified music has not been assessed. It is proposed that amplified and/or live music is not permitted in outdoor areas in the evening and night (i.e. after 6pm) unless post-construction testing demonstrates compliance with noise limits in AO1.</i> <i>Amplified and/or live music is not permitted in outdoor areas after midnight.</i> <i>Amplified and/or live music is permitted in indoor areas subject to post-construction testing demonstrating compliance with noise limits in AO1.</i> <i>Where doors are to be openable, the testing is to include the doors open as per the approach used by OLGR Liquor Licensing.</i>
21. Issue – Data used in Barrier Calculations	<i>Council have determined RLs from 3D imagery which can be provided. RLs for upper floor rooms are typically 32 to 38, which corresponds to approximately Levels 9 to 11 of the subject development. There are also outdoor terraces above the upper floor rooms.</i>
22. Issue – Gym noise	<i>Noted.</i>
23. Issue – Patron Numbers	<i>From Section 8.1.1 it appears that only 12 people outdoors on Level 12 at boardroom – or is it 35 outside as per Table 14?</i> <i>Why do the predicted noise levels in Table 16 vary significantly between day, evening and night, when it would appear from Section 2.2 and 9.1 that majority of patron sources occur in all the day, evening and night (mostly before midnight) periods? In the noise contours, the evening noise levels appear highest, but in Table 16 the day noise levels are highest – please clarify?</i> <i>The evening noise level in Figure 16 would seem to indicate a noise level of approximately 52 dBA LAeq,1hr at the upper level of the nearby units to the north. This looks to be significantly higher than any values provided in Table 16. Please clarify.</i>
24. Issue – Hours of Use	<i>Noted.</i> <i>Restaurant hours of up to midnight would be consistent with neighbouring carpark development approval.</i> <i>24 hour operation of retail and pool are considered questionable.</i>
25. Issue – Calculation method	<i>Noted.</i>
26. Issue – Roof over outdoor areas	<i>Please clarify how this was undertaken – Trinity and Acousticworks can have a brief chat about this to agree on an appropriate modelling methodology. This is a secondary issue to our response to Item 23.</i>
27. Issue – Noise levels with open doors	<i>Noted.</i>

Overall, the response was considered incomplete and further advice was sought.

## 5. RESPONSE TO FURTHER ADVICE

The further advice request was addressed by the applicant in the Acousticworks report dated 30/11/2021 and Trinity provided a response to that revised report on 21/01/2022. The Trinity feedback is copied as follows:

**Table 5.1: Trinity Response to Further Advice 21/01/2022**

Issue	Trinity Feedback
19. Issue – Façade sound reduction	Acceptable response
20. Issue – Amplified music	Acceptable response, and it is recommended that: (i) outdoor amplified music is not permitted after 10pm. (ii) indoor amplified music is not permitted after 10pm where external doors are not sound-locked and are proposed to be openable post-10pm, unless post-construction testing indicates that reasonable indoor music levels can be achieved with doors open. (ii) post-construction testing is to be conducted to determine allowable music noise levels for compliance with Council criteria. The reason for the 10pm limit is that the calculated allowable noise levels with doors open in Table 18 of the acoustic report are 59 to 71 dBA which would likely be exceeded by low level music and patron noise.
21. Issue – Data used in Barrier Calculations	Acceptable response, and It is recommended that the balustrades be increased from 1.6m to 1.8m in height in areas where patrons can approach the balustrade (i.e. there is no garden separation) to minimise noise transfer over balustrade.
22. Issue – Gym noise	Acceptable response
23. Issue – Patron Numbers	Acceptable response
24. Issue – Hours of Use	Acceptable response, and it is recommended to limit hours for outdoor areas of conference/function and rooftop to 6am to 12am midnight. Note: Whilst average patron noise levels may reduce at night due to lower patron numbers, the maximum noise level of a single loud patron would remain similar and could increase at night due to alcohol consumption and this is considered a potential concern, such that a time limit of 10pm to 12am is recommended.
25. Issue – Calculation method	Acceptable response
26. Issue – Roof over outdoor areas	Trinity understands that in v8.2 of SoundPLAN, the absorption properties can only be applied to walls or sides of screens, and not the horizontal surfaces of floating screens. It is recommended that any upper level (conference and rooftop) outdoor roof/ceilings have an absorptive underside (minimum NRC 0.8) unless revised modelling can be performed to justify a more reflective finish. Note: Compliance is achieved as the proposed uses are higher than adjoining buildings, and the balustrade provides significant noise reduction. Any future residential buildings of similar height to subject building could be significantly more exposed to noise from subject site rooftop activities.
27. Issue – Noise levels with open doors	Acceptable response

Overall, the revised report was considered acceptable in terms of proposing development approval, but subject to conditions as described above.

## 6. COMPLIANCE WITH PLANNING SCHEME

### 6.1 Statutory Instruments

The applicable codes and policy from the Sunshine Coast Planning Scheme 2014 are:

Local plan codes:

- Mooloolaba/Alexandra Headland local plan code

Use codes:

- Business Uses Centre Design Code
- Multi-unit Residential Uses Code

Other codes:

- District Centre Zone Code
- Nuisance Code
- Planning Scheme Policy for the Nuisance Code

### 6.2 Mooloolaba/Alexandra Headland Local Plan Code

#### 6.2.1 Requirements of Code

Item i of the Purpose and Overall Outcomes: "Development in the District centre zone and Tourist accommodation zone recognises the character of these areas as vibrant, mixed use places, with a lively day time and night time economy. Residents and visitors in these zones should expect a reasonable level of ambient noise associated with the benefits of living or staying in a centre or core tourist area."

#### 6.2.2 Review

The proposal generally responds to achieving 'a reasonable level of ambient noise'. Finer detail issues exist which will be addressed below in the nuisance code and associated planning scheme policy assessment.

### 6.3 Business Uses Centre Design Code

#### 6.3.1 Requirements of Code

PO13: The business use or centre activity does not unreasonably impact upon the amenity or environmental quality of its environs and especially any nearby residential premises.

AO13.1:

Undesirable visual, noise and odour impacts on public spaces and residential uses are avoided or minimised by:-

- (a) where appropriate, limiting the hours of operation of the business use to maintain acceptable levels of residential amenity relative to the site's context and setting;
- (b) providing vehicle loading/unloading and refuse storage/collection facilities within enclosed service yards or courtyards; and
- (c) locating site service facilities and areas such that they are not adjacent to the frontage of a street or public space.

PO16: Where the business use or centre activity requires the use of acoustic attenuation measures to avoid or minimise adverse impacts on nearby residential premises, such measures are designed and constructed so as to be compatible with the local streetscape, and discourage crime and anti-social behaviour.

AO16: No acceptable outcome provided.

### 6.3.2 Review

The proposal generally responds to the noise impact of businesses which will produce noise (e.g. bar, restaurant, retail, gym, conference facilities), vehicle loading/unloading and refuse storage/collection. Finer detail issues exist which will be addressed below in the nuisance code and associated planning scheme policy assessment.

## 6.4 Multi-unit Residential Uses Code

### 6.4.1 Requirements of Code

Item 1 of the Purpose and Overall Outcomes: "The purpose of the Multi-unit residential uses code is to ensure multi-unit residential uses are of a high quality design which appropriately responds to local character, environment and amenity considerations."

Item 2 of the Purpose and Overall Outcomes: "The purpose of the Multi-unit residential uses code will be achieved through the following overall outcomes ... a multi-unit residential use provides a high standard of privacy and amenity for residents"

PO8(a): The multi-unit residential use is sited and designed so as to ... provide amenity for users of the premises whilst preserving the visual and acoustic privacy of adjoining and nearby properties.

AO8: Except where otherwise specified in a structure plan or local plan code, buildings and structures comply with the minimum boundary setbacks in Table 9.3.11.3.2 (Minimum boundary setbacks for multi-unit residential uses).

PO13(c): Fences and walls used in landscapes for the multi-unit residential use... provide an acoustic barrier for traffic noise.

AO13.1: Unless required to ameliorate traffic noise or headlight glare, high solid fences or walls are avoided along street frontages.

### 6.4.2 Review

The proposal generally responds to acoustic amenity. Finer detail issues exist which will be addressed below in the nuisance code and associated planning scheme policy assessment.

## 6.5 District Centre Zone Code

### 6.5.1 Requirements of Code

Item 2a of the Purpose and Overall Outcomes: "The purpose of the District centre zone code will be achieved through the following overall outcomes; district activity centres are developed as vibrant, mixed use places, with a lively day time and night time economy. Residents in the zone should expect a reasonable level of ambient noise associated with the benefits of living in a centre"

Item 2m of the Purpose and Overall Outcomes: "The purpose of the District centre zone code will be achieved through the following overall outcomes; development ensures that there is no unreasonable loss of amenity for surrounding premises, having regard to matters such as noise, lighting, waste, fumes, odours, overlooking and public health and safety, having regard to the mixed use nature of the zone;"

## 6.5.2 Review

The proposal generally responds to achieving 'no unreasonable loss of noise amenity'. Finer detail issues exist which will be addressed below in the nuisance code and associated planning scheme policy assessment.

## 6.6 Nuisance Code

### 6.6.1 Requirements of Code

(1) The purpose of the Nuisance code is to maintain community wellbeing and protect environmental values by preventing or mitigating:-

- (a) nuisance emissions from development adversely impacting on surrounding sensitive land uses; and
- (b) the exposure of proposed sensitive land uses to nuisance emissions from surrounding development.

(2) The purpose of the Nuisance code will be achieved through the following overall outcomes:-

- (a) development is located, designed, constructed and operated to maintain appropriate levels of amenity and environmental performance by:-
  - (i) not imposing unacceptable noise, light, glare, dust or odour emissions on surrounding sensitive land uses; and
  - (ii) ensuring that proposed sensitive land uses are not subject to unacceptable nuisance emissions generated from surrounding development, having regard to the location and context of the proposed development;
- (b) development, including development or redevelopment of residential activities and entertainment venues, within and in close proximity to a designated special entertainment precinct, provides appropriate noise attenuation and mitigation to reduce potential impacts from live music and amplified music; and
- (c) environmental values are protected by preventing or minimising potential environmental harm or environmental nuisance resulting from the release of contaminants, particularly noise, odour, light, glare, dust and particulates.

PO1: Development, other than development involving live entertainment or amplified music in a designated special entertainment precinct or as part of a temporary event, is located, designed, constructed and operated to ensure that noise emissions do not unreasonably impact on surrounding sensitive land uses having regard to the location and setting of the development.

AO1: Development, other than development in a designated special entertainment precinct, involving live entertainment or amplified music is designed and constructed to achieve an amplified music noise level external to existing or approved affected residences of:-

- (a) LA10 not greater than 5dB(A) above the background noise levels LA90 from 6am to 10pm; and
- (b) LOCT10 not greater than 8dB above the octave band background noise levels LOCT90 from 10pm to 6am.

Note: Acceptable outcome AO1 is provided as a guide only. A higher or lower noise level may be appropriate depending on the location, setting and context of the proposed development.

For development not involving live entertainment or amplified music, no acceptable outcome provided.

PO2 relates to development not in a prescribed mixed use area, and since this site is within a prescribed mixed use area it is not applicable.



PO3 relates to development in a prescribed mixed use area involving a material change of use for a use in the residential activity group. The site is within a prescribed mixed use area (District centre zone, where within the Mooloolaba/Alexandra Headland local plan area) and thus PO3 applies to this development.

PO3: Development for a use in the residential activity group in a prescribed mixed use area:-

(a) is located, designed and constructed to protect bedrooms and other habitable rooms from exposure to noise arising from non-residential activities outside the building, including potential future centre activities or mixed use development; and

(b) is designed and constructed to achieve a minimum reduction in sound pressure level between the exterior of the building and the bedrooms or indoor primary living areas of 30dB(A).

Editor's note—where development is also subject to noise attenuation requirements for any of the following:-

- transport noise corridors under the Queensland Development Code;
- airport noise under Australian Standard AS2021; or
- a designated special entertainment precinct or buffer area under this code; the highest applicable attenuation requirements apply.

AO3: No acceptable outcome provided.

## 6.6.2 Review

- a. The noise criteria in AO1 are included in Section 6.2.1 of the acoustic report of 30/11/2021 and should be conditioned for the development as the day time limit is more stringent than the day time limit that would be imposed by OLGR Liquor Licensing for venues with music.
- b. The acoustic report responds to part (b) of PO3 in Section 9.3.1 by way of a reference to achieving a noise reduction of 30 dBA. This will be considered further in the 'Planning Scheme Policy for the Nuisance Code' section of this review.

## 6.7 Planning Scheme Policy for the Nuisance Code

### 6.7.1 Requirements of Code

The purpose of this planning scheme policy is to:

- (a) provide advice and guidelines about achieving outcomes in the Nuisance code; and
- (b) identify information that may be required to support a development application where:-
  - (i) nearby existing or planned development may be affected by noise, light, odour or dust, or particulate emissions from the proposed development; or
  - (ii) the proposed development is likely to be subject to noise, light, odour or dust, or particulate imissions from existing or planned nearby development.

Note—nothing in this planning scheme policy limits Council's discretion to request other relevant information under the Development Assessment Rules made under section 68(1) of the Act.

This planning scheme policy applies to all assessable development which requires assessment against the Nuisance code.

The following sections are included:

- SC6.15.3 Advice for preventing or minimising nuisance emissions and imissions associated with road traffic noise
- SC6.15.4 Advice for preventing or minimising nuisance emissions and imissions associated with noise and/or vibration

- SC6.15.5 Advice for preventing or minimising nuisance emissions and imissions associated with live entertainment, amplified music and voices – Other than in a designated special entertainment precinct or associated buffer
- SC6.15.6 Advice for improving amenity of residential uses in a prescribed mixed use area

### 6.7.2 Review

- Sections 7, 9.3 and 11.4 of the acoustic report respond to road traffic noise as per SC6.15.3. Given the relatively low traffic volume and associated traffic noise levels, the requirement to achieve a 30 dBA façade reduction (as per P03 of the code) is likely a more critical requirement, and meeting that requirement is expected to result in a satisfactory internal road traffic noise level. The requirement for Rw 35 glazing and Rw 45 walls and roof in Sections 9.2 and 9.3 is considered an acceptable outcome.
- Sections 8, 9.1, 9.2 and 9.4 of the acoustic report respond to noise and vibration emissions as per SC6.15.4 (onsite cars, loading dock) and SC6.15.5 (bar, restaurant, pool deck, conference room, outdoor play areas etc). Comments on the report are as follows:
  - i. Outdoor amplified music is to be limited to 10pm as the calculated music limits in Table 18 for outdoor areas are relatively low and likely exceeded by low level music and patrons.
  - ii. Indoor amplified music is to be limited to 10pm where external doors are not sound-locked and are proposed to be openable post-10pm, unless post-construction testing indicates that reasonable indoor music levels can be achieved with doors open. This is because the calculated music limits in Table 18 indoor areas with doors open are relatively low and likely exceeded by low level music and patrons.
  - iii. Noise limits for amplified music in outdoor and indoor areas are to be determined with post-construction sound testing in accordance with the Council noise limits as noted in **Section 6.6.2** item a.
  - iv. Balustrades in Figure 24 and 25 of the acoustic report are proposed to be 1.6 metres high but are recommended to be 1.8m high in areas where patrons can approach the balustrade (i.e. there is no garden separation). This recommendation is made to ensure that noise transfer over balustrades is minimised for potentially noisy patrons (i.e. those that are standing and drinking). Barrier heights are to be relative to FFLs of patron areas. Barrier construction requirements are included in the acoustic report.
  - v. Upper floor (Level 12 & 13) outdoor areas are recommended to be limited to 7am to 12am midnight. Whilst modelling has indicated compliance with 'average' (Leq) noise criteria for 24 hour operation, there is concern that maximum noise levels from patrons would be excessive outside of these hours.
  - vi. Upper level (conference and rooftop) outdoor roof/ceilings are to have an absorptive underside (minimum NRC 0.8 acoustic absorption rating). This is proposed because Trinity understands that the SoundPLAN v8.2 noise model used by the Applicant's Acoustic Consultant cannot model a reflective finish to a ceiling (floating screen), and therefore may be underestimating the noise from rooftop areas to nearby residents. The Applicant's Acoustic Consultant may be able to undertake revised acoustic modelling or provide further justification, to allow a lower NRC rating for outdoor roof/ceilings.
  - vii. The loading dock is to be restricted to day time use (7am to 6pm) in the absence of any modelling.
  - viii. As per the acoustic report, the following time restrictions apply:
    1. Ground floor outdoor dining is to be restricted to 6am or 7 am to 11pm.
    2. Indoor and outdoor children's play areas are to be restricted to 7am to 6pm.
- Section 9.3.1 responds to amenity of residences in prescribed mixed use areas with a 30 dBA façade noise reduction as per P03 of the code and SC6.15.6, which is considered acceptable.

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## 7. CONCLUSION

The proposed development generally complies with the requirements of the planning scheme and does not raise any significant issues that cannot be addressed by reasonable and relevant conditions. The application is therefore recommended for approval.

## 8. RECOMMENDATION AND PROPOSED CONDITIONS

The overall recommendation is to approve the development subject to the following 'Acoustic Amenity' conditions numbered 93 to 109:

93. Acoustic measures and treatments must be incorporated into the development in accordance with the Approved Acoustic Report where modified by conditions of this approval.
94. Any fixed plant and equipment that causes noise (e.g. from basement car-park exhausts, air conditioning units, pool filtration units, refrigeration units, pumps and generators or kitchen exhaust units), must be enclosed, shielded and/or positioned to ensure that the following sound pressure levels for a noise sensitive land use are achieved:

Location where criteria applies at a noise sensitive land use	Adjusted equivalent continuous sound pressure level ( $L_{Aeq,adj,T}$ ) to be achieved during the day, evening and night time periods			Maximum sound pressure level ( $L_{Amax}$ ) to be achieved during the night time period
	Day 7am-6pm	Evening 6pm-10pm	Night 10pm-7am	Night 10pm-7am
Sensitive receivers (external)	47 dBA	45 dBA	42 dBA	50 dBA

Note: Measurements must be in accordance with AS 1055.1 - Acoustics – Description and measurement of environmental noise – General procedures. Measurements must be adjusted for tonality and impulsiveness where required.

95. The carpark surface should be brush finished concrete to minimise tyre squeal noise. Any alternative surface will require a separate acoustic report by a qualified person to demonstrate through field measurements that carpark noise levels (sound power levels) are not increased beyond those used in the noise impact assessment report.
96. The loading dock is to be restricted to the following hours:
  - (a) Non-refrigerated vehicles: Daytime and evening hours of 7am to 6pm Monday to Saturday, and 7am to 6pm Sunday, unless an updated noise report which demonstrates compliance in other periods is submitted;
  - (b) Refrigerated vehicles: Daytime hours of 7am to 6pm from Monday to Saturday, unless an updated noise report which demonstrates compliance in other periods is submitted; and
  - (c) Refuse collection: Daytime hours of 7am to 6pm from Monday to Saturday.
97. Service vehicle movements associated with non-residential uses on the premises (including loading and unloading), where not utilising the loading dock (i.e. loading, drop off, set-down bays) must not occur outside the hours of 7am to 6pm Monday to Saturday and not at all on Sundays or public holidays. The requirements of this condition must be included in the Community Management Statement for any body corporate for the subject site.
98. Non-residential uses are to be limited to the following hours:
  - (a) Level 12 and 13 outdoor areas and balconies: 7am to 12am midnight.
  - (b) Level 12 and 13 indoor areas (with openable external doors which are not soundlocked to external areas): 7am to 10pm.
  - (c) Level 12 and 13 indoor areas (with no external doors, locked external doors, or with soundlock to external areas): 7am to 12am.
  - (d) Children play areas: 7am to 6pm.

- (e) Ground floor shops, retail, food and drink outlets, restaurant and bar: 6am to 11pm.
- The requirements of this condition must be included in the Community Management Statement for any body corporate for the subject site.
99. Amplified or acoustic music is to be limited to the following hours:
- (a) Outdoor areas: 7am to 10pm.
  - (b) Indoor areas (with openable external doors which are not soundlocked to external areas): 7am to 10pm.
  - (c) Indoor areas (with no external doors, locked external doors, or with soundlock to external areas): 7am to 12am.
- The requirements of this condition must be included in the Community Management Statement for any body corporate for the subject site.
100. Amplified music is limited to background music, or appropriate noise limits determined through acoustic testing to comply with A01 of the Nuisance Code, i.e:
- (a)  $L_{A10}$  not greater than 5dBA above the background noise levels  $L_{A90}$  from 6am to 10pm; or a limit of 50 dBA; whichever is the lower; and
  - (b)  $LO_{CT10}$  not greater than 8dB above the octave band background noise levels  $LO_{CT90}$  from 10pm to 6am.
101. A minimum 1.6m high (relative to FFL of patrons) acoustic barrier is required to Level 13 to the extent shown in Figure 24 of the acoustic report dated 30/11/2021. The barrier height is to be increased to a minimum of 1.8m high where patrons are located adjacent the barrier (i.e. there is no separating garden). The barrier is to be continuous and solid, with negligible gaps and a mass of at least 10 kg/m<sup>2</sup>.
102. A minimum 1.8m high (relative to FFL of patrons) acoustic barrier is required to Level 12 to the extent shown in Figure 25 of the acoustic report dated 30/11/2021. The barrier is to be continuous and solid, with negligible gaps and a mass of at least 10 kg/m<sup>2</sup>.
103. The loading dock is to include acoustic absorptive treatments which are to be evenly distributed across the loading dock area, ideally on the soffit. The acoustic absorptive treatments are to have a minimum Noise Reduction Coefficient of NRC 0.5 and a total area equivalent of at least 60% of the soffit area of the total loading dock area.
104. The facade elements of the residential habitable rooms and non-residential components of the building are to achieve minimum acoustic ratings of Rw 35 for glazing and Rw 45 for walls and roof, except for the following glazed areas:
- (a) Lobby: Rw 28.
  - (b) Spa Office, Level 12 Kitchen, Level 13 Kitchen: Rw 27.
105. The restaurant/bar at ground level, function facilities and any other rooms with amplified music are to be air-conditioned.
106. The ceiling or underside of roofs over outdoor areas on Level 12 and Level 13 (rooftop) are to have an absorptive underside (minimum NRC 0.8 acoustic absorption rating) unless acoustic modelling can be provided to demonstrate compliance with a lower NRC acoustic rating.
107. Certification must be submitted to council from a qualified person that the following requirements have been achieved:
- (a) Mechanical plant noise levels outside sensitive receivers meet the specified limits in based on typical worst-case day, evening and night operation.

- (b) The carpark surface as specified in this approval.
  - (c) The acoustic absorptive treatments to the loading dock achieve the requirements of this approval.
  - (d) The acoustic absorptive treatments to the ceiling or underside of roofs over outdoor areas on Level 12 and Level 13 (rooftop) achieve the requirements of this approval.
  - (e) The facade elements of the building achieve the requirements of this approval.
  - (f) Music sound systems are sound-limited achieve the requirements of this approval.
  - (g) Sound lock locations are confirmed, such that operating hours in Conditions 98 and 99 can be confirmed.
  - (h) Level 12 and 13 acoustic barriers achieve the requirements of this approval.
108. Any grills or metal plates subject to vehicular traffic on the site must be suitably acoustically dampened to prevent noise impacts on surrounding sensitive land uses.
109. Where complaints (other than frivolous or vexatious complaints) are made to council about noise from the approved use, council may require the site management entity to:
- (a) Submit a Noise Impact Assessment prepared by a qualified person\* in accordance with council's Planning scheme policy for the nuisance code, and/or
  - (b) Undertake further noise amelioration measures or operations, install volume limiting devices or barriers and/or shield or relocate mechanical plant and equipment and have such measures certified by a qualified person\*.



**BRISBANE**

A: Level 3, 43 Peel Street  
South Brisbane, QLD 4101  
T: +61 7 3255 3355  
E: brisbane@trinityconsultants.com

**GLADSTONE  
(Vision Environment)**

A: Unit 3, 165 Auckland Street  
PO Box 1267  
Gladstone, QLD, 4680  
T: +61 7 4972 7530  
E: office@visionenvironment.com.au

**SYDNEY**

A: Level 6, 69 Reservoir Street  
Surry Hills, NSW 2010  
T: +61 2 8217 0706  
E: sydney@trinityconsultants.com

Acoustics • Air Quality • Marine Ecology • Noise • Stack Testing • Water Quality

## **Attachment 6 – CIVIL ASSESSMENT**



**BLIGH  
TANNER**

**BRISBANE CAR  
PARK  
REDEVELOPMENT  
CIVIL DESIGN REPORT**

Company. Ethos Urban / Sunshine Coast Council  
Contact. Ashley Everton  
Position. Assoc. Director  
Date. 23 February 2022  
Job Number # [2020.0572]

## DOCUMENT CONTROL SHEET

### DOCUMENT

BRISBANE CAR PARK REDEVELOPMENT

### JOB NUMBER

[2020.0572]

### PROJECT ENGINEER

Matt Martin

### CLIENT

Ethos Urban / Sunshine Coast Council

### CLIENT CONTACT

Ashley Everton

VERSION	AUTHOR	REVIEWED	DATE
A	M Martin	M Martin	23/02/2022

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### Bligh Tanner Pty Ltd

ABN 32 061 537 666

[blightanner@blightanner.com.au](mailto:blightanner@blightanner.com.au)  
[blightanner.com.au](http://blightanner.com.au)

### Brisbane

Level 9  
269 Wickham Street  
PO Box 612  
Fortitude Valley  
Qld 4006 Australia  
T +61 7 3251 8555  
F +61 7 3251 8599

### Sydney

Level 32, 101 Miller Street  
North Sydney  
NSW 2060 Australia  
T +61 2 8019 7221

2020.0572 Brisbane Road

## Introduction

Bligh Tanner have been commissioned by Ethos Urban to provide independent civil engineering assessment advice of the development application proposed for the Sunshine Coast Council's owned site on the corner of Brisbane Road and First Avenue, Mooloolaba.

The following is the civil engineering response to RFI documentation provided to us by the proponents. This follows several meetings and liaison with the proponents following issuing of the RFI.

This specialist advice has been prepared to assist Ethos Urban to make its final decision on the application as an independent assessment manager.

An impression of the proposal is shown below in Figure 1.



**Figure 1** The proposed development

2020.0572 Brisbane Road



**Item 8.2** Development Application for Material Change of Use (Resort Complex, Food & Drink Outlet, Shops, Function Facility and Bar) and Operational Works at 10 & 16 Brisbane Rd and 7 & 9 First Ave, Mooloolaba

**Attachment 1** Detailed Assessment Report by External Independent Assessment Team - Ethos Urban

Ethos Urban / Sunshine Coast Council  
BRISBANE CAR PARK REDEVELOPMENT  
23 February 2022

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Ref. No. [2020.0572]

In more detail the application is described in the table below:

**Table 1** Application details

SITE, USE AND LOCALITY DESCRIPTION	
Land Area	2,998m <sup>2</sup>
Real property description	Lot 67, 68, 69 on RP52440 and Lot 73 on RP73433
Existing Use	Car park
Proposed Use	Mixed use development including, retail, restaurant, car park and hotel.
Road frontage	Brisbane Road and First Avenue
Significant site features	NIL
Topography	Relatively flat. Impacted by overland flow
Surrounding land uses	The site is surrounded by a mixture of apartments, short-term accommodation, retail, food and drink outlets, office spaces and commercial.

An aerial view of the site is shown in Figure 2 below:



**Figure 2** Aerial image

The purpose of this report is the assessment of the application against the Council planning scheme and related instruments. It has been completed by Bligh Tanner, who were part of the independent assessment team (Team) appointed by Council to undertake the assessment of the application.

2020.0572 Brisbane Road

**Item 8.2**      **Development Application for Material Change of Use (Resort Complex, Food & Drink Outlet, Shops, Function Facility and Bar) and Operational Works at 10 & 16 Brisbane Rd and 7 & 9 First Ave, Mooloolaba**

**Attachment 1**   **Detailed Assessment Report by External Independent Assessment Team - Ethos Urban**

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Ethos Urban / Sunshine Coast Council  
BRISBANE CAR PARK REDEVELOPMENT  
23 February 2022

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### Application Information

The application included an Engineering Services Report, (dated 7<sup>th</sup> December 2021 prepared by Inertia Engineering) and a Stormwater Management Plan, (dated 6<sup>th</sup> December 2021 prepared by Inertia Engineering). These reports and associated elements were assessed by Bligh Tanner and found to require clarifications and further information in respect of:

- Stormwater and flood management
- Earthworks management

### General Assessment

In respect of the civil engineering works, the proposed development appears to be relatively straightforward. The applicant has addressed previous concerns with respect to impact to flooding and stormwater management concerns and throughout the assessment process has defined acceptable measures for reduced levels of flood immunity where appropriate. This was completed through a detailed Flood Risk Assessment.

A brief summary of the civil engineering works are as follows:

- Bulk earthworks: moderate earthworks will be required to prepare the site that are typical of the type of proposed works, however the soils are reported to be potentially acid sulphate. A new Geotechnical and Acid Sulphate Soils Investigation was prepared by a reputable geotechnical engineer and this appears to address this issue adequately.
- Stormwater: Stormwater runoff generated from this site is anticipated to be approximately the same as in the existing situation. The applicant has confirmed that no detention of stormwater is required and that a lawful point of discharge has been identified. The applicant has proposed stormwater quality management in accordance with Council's policy, through the incorporation of Ocean Protect StormFilter cartridges and OceanGuard baskets.
- Flood Management: The site is subject to minor inundation from local flooding. The applicant has proposed a suitable floor level to ensure the safety of people and property at the site, however a reduced level of freeboard is proposed. This is driven due to the requirement for equitable access from the verge of Brisbane Road and First Avenue. The freeboard is reduced to 140mm, below the required 300mm. As such, an additional modelling run was completed for a rarer event and confirmed that the floor levels sit above the flood levels of a 0.05% AEP (1 in 2,000 year ARI). All essential services such as the Transformer off First Avenue are to maintain a minimum of 300mm freeboard.
- Water and Sewer: Unitywater's private works team have confirmed to the applicant that an existing sewer infrastructure within the site is now redundant and removed by the adjoining multi-storey car park works. New property connections are required to service the development, subject to approval by Unitywater.

### Assessment Specific Criteria

Codes specific to this assessment include:

- The Stormwater Management Code
- The Services, Works and Infrastructure Code
- Acid Sulphate Soils Overlay Code
- Coastal Protection Area Code

The application of these codes is described below, referencing particular issues.

2020.0572 Brisbane Road

**Item 8.2**      **Development Application for Material Change of Use (Resort Complex, Food & Drink Outlet, Shops, Function Facility and Bar) and Operational Works at 10 & 16 Brisbane Rd and 7 & 9 First Ave, Mooloolaba**

**Attachment 1**   **Detailed Assessment Report by External Independent Assessment Team - Ethos Urban**

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- Stormwater Management Code

At *Purpose* the code requires, amongst other things, that the development is provided with effective stormwater drainage systems to protect people, property, and the environment from the effects of stormwater.

The application is considered to satisfy the code in most respects; the Inertia reports demonstrate no impacts to adjacent private properties and whilst a reduced level of freeboard is proposed, this has been properly assessed and justified.

Draft conditions of development have been proposed addressing stormwater management, and specifically ensuring that all essential services achieve a minimum 300mm freeboard to the 1% AEP (1 in 100-year ARI) flood levels.

- Works, Services and Infrastructure Code

PO4 requires that construction activities and works are managed such that all reasonable and practicable measures are taken to protect the environmental values of water and the State Planning Policy (SPP) in the section on Water Quality has further provisions in respect of acid sulphate soils. The applicant has prepared a suitable Acid Sulphate Soils Management Plan and a suitable erosion and sediment control plan in accordance with Council and IECA standards;

PO8 requires that development is provided with infrastructure, services and utilities appropriate to its setting and commensurate with its needs. The applicant needs to obtain relevant approvals from Unitywater for works to existing services and for provision of suitable connections to the development. The development must obtain approval from Unity Water for works to their infrastructure;

PO9 requires that development infrastructure is provided that is planned, designed and constructed to meet future needs and the existing environment. It is noted that the civil engineering plans have not been updated to reflect the recommended changes within the RSA, the draft conditions will need to reiterate this.

PO11 requires that filling and or excavation works do not cause environmental harm, adversely impact visual amenity or privacy and controls the height of any retaining wall to no more than 1.5 metres. The applicant proposes retaining walls that are wholly contained within the site and will not be greater than 1.0 metre above adjoining ground levels.

- Acid Sulphate Soils Overlay Code

The Purpose of this code, amongst other things, is to ensure the generation or release of acid and metal contaminants from acid sulphate soils does not have adverse effects on the natural environment, built environment, infrastructure or human health. As described above, this issue has been adequately addressed.

- Coastal Protection Overlay Code

The Purpose of this code, amongst other things, is to ensure the protection of people and property from coastal hazards, taking into account the predicted effects of climate change. In the context of the proposed development, flooding associated with its location in a low lying coastal area is the key impact, and this has been adequately addressed as described earlier in this report. Other aspects of these codes were considered to be satisfied.

- Flood Hazard Overlay Code

The purpose of the Flood hazard overlay code is to ensure development protects people and avoids or mitigates the potential adverse impacts of flood and storm tide inundation on property, economic activity and the environment, taking into account the predicted effects of climate change. The applicant has confirmed through detailed flood modelling all finished floor levels of all habitable rooms are at least 500mm above the defined flood event (DFE). All essential network and infrastructure are to be located above the DFE, the applicant has addressed this adequately including confirmation within the Inertia

2020.0572 Brisbane Road

**Item 8.2**      **Development Application for Material Change of Use (Resort Complex, Food & Drink Outlet, Shops, Function Facility and Bar) and Operational Works at 10 & 16 Brisbane Rd and 7 & 9 First Ave, Mooloolaba**

**Attachment 1**   **Detailed Assessment Report by External Independent Assessment Team - Ethos Urban**

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Ethos Urban / Sunshine Coast Council  
BRISBANE CAR PARK REDEVELOPMENT  
23 February 2022

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reports that flood resilient materials will be utilised where appropriate, site access remains trafficable up to an including the 1% AEP for standard and emergency vehicles and increases in flood levels are contained within the roads, which remain trafficable.

**Summary**

The civil engineering aspects of the development, as described above, appear to meet the requirements of Council. Draft conditions of development have been reviewed and are attached.

**FLOOD IMMUNITY**

A minimum floor level of all buildings of RL 3.2m AHD must be constructed in accordance with the approved plans. All essential infrastructure must achieve minimum 300mm freeboard to the Defined Flood Event (DFE).

**STORMWATER QUALITY MANAGEMENT**

A certification or endorsement letter from Stormwater Australia confirming similar or better performance of the adopted proprietary device must be submitted to Council.

Please contact me should you require any further information in relation to this advice.

Yours sincerely



**Matt Martin**

*Associate Director, Civil*

2020.0572 Brisbane Road

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BRISBANE CAR PARK REDEVELOPMENT  
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---

**Brisbane**

Level 9, 269 Wickham St  
PO Box 612 Fortitude Valley  
QLD 4006, Australia

T +61 7 3251 8555  
F +61 7 3251 8599  
blighttanner@blighttanner.com.au  
www.blighttanner.com.au

**Sydney**

Level 32, 101 Miller Street  
North Sydney  
NSW 2060 Australia

T +61 2 8019 7221  
blighttanner@blighttanner.com.au  
www.blighttanner.com.au



**BLIGH  
TANNER**



Item 8.2 Development Application for Material Change of Use (Resort Complex, Food & Drink Outlet, Shops, Function Facility and Bar) and Operational Works at 10 & 16 Brisbane Rd and 7 & 9 First Ave, Mooloolaba  
Attachment 2 Architectural Plans

## DEVELOPMENT SUMMARY

LOT 2 ON SPURWAY  
10 BRISBANE ROAD  
MOOLOOLABA, QLD

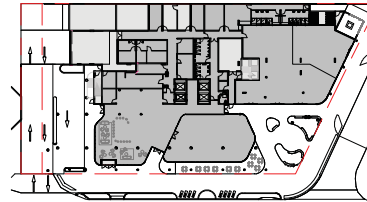
SITE AREA:	2,988 m <sup>2</sup>
SITE COVER GROUND LEVEL:	84%
SITE COVER ROOFTOP LEVEL:	84%
SITE COVER LEVEL 04-10:	80%
LEVEL 12 GBA:	1024 m <sup>2</sup>
ROOFTOP AREA:	545 m <sup>2</sup>
ROOFTOP COVER LEVEL 10:	44.55%

LEVEL	USE	ROOM TYPE								TOTAL	NSA m <sup>2</sup>	GFA m <sup>2</sup>	GBA m <sup>2</sup>
ROOFTOP AREA (m <sup>2</sup> )													
(DIN. BALCONY AREA (m <sup>2</sup> ))													
		A	B	C	SUB	A	C	ACC	PROB.				
		25.7	30.8	30.8	44.7	54	10.4	10.7	85.6				
		6	8	5.6	2.7	6	8	6.9	18.3				
GROUND LEVEL										1901	1310	1305	
	HOTEL / B&B									691			
	RESTAURANT									258			
	TENANCY									412			
LEVEL 01	CARPARK / B&B									6	2,418		
LEVEL 02	CARPARK / B&B									8	2,405		
LEVEL 03										1354	1,187	1,309	
	HOTEL ROOMS	12	1		2	2		1		788			
	SWIM / SPA									240			
	B&B									28			
LEVEL 04										860	801	1,212	
	HOTEL ROOMS	12	1	1	2	2		1		21			
LEVEL 05										860	801	1,212	
	HOTEL ROOMS	12	1	1	2	2		1		21			
LEVEL 06										860	801	1,212	
	HOTEL ROOMS	12	1	1	2	2		1		21			
LEVEL 07										860	801	1,212	
	HOTEL ROOMS	12	1	1	2	2		1		21			
LEVEL 08										860	801	1,212	
	HOTEL ROOMS	12	1	1	2	2	1	1		20			
LEVEL 09										860	801	1,212	
	HOTEL ROOMS	12	1	1	2	2	1	1		20			
LEVEL 10										860	801	1,212	
	HOTEL ROOMS	12	1	1	2	2	1	1		20			
LEVEL 11										860	806	1,229	
	HOTEL ROOMS	12	1	1	1	2	1	1	1	18			
LEVEL 12										804	801	1,221	
	FUNCTION									559			
	MEETING									56			
	KITCHEN / B&B									123			
	APARTMENTS									47			
	MEZZANINE									60	80	102	
LEVEL 13										829	287	1,234	
	RESTAURANT / BAR									97			
	KITCHEN									76			
	APARTMENTS									72			
	LOUNGE									29			
	OUTDOOR DINING									234			
	POOL AREA												
TOTAL		108	8	8	28	16	4	8	1	182	76,873 m <sup>2</sup>	11,396 m <sup>2</sup>	21,487 m <sup>2</sup>

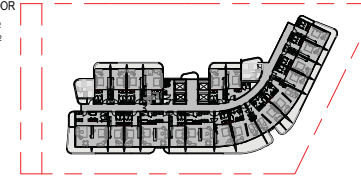
## CAR PARKING

NOTE: (CAPACITY INCLUDING BICYCLE PARKING AND CAR PARKING AREA)

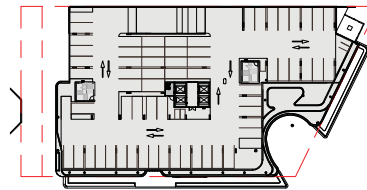
USE	PROB.
HOTEL	21
VISITOR	8
FOOD / RETAIL	18
TOTAL	131
MOTORCYCLES	8
BICYCLES	38



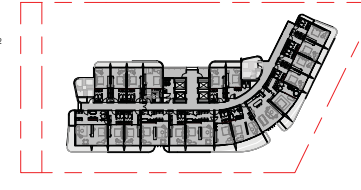
GROUND FLOOR  
GFA: 1,518m<sup>2</sup>  
GBA: 1,930m<sup>2</sup>



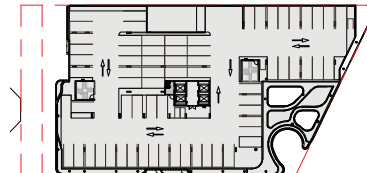
LEVEL 04 - 10  
GFA: 931m<sup>2</sup>  
GBA: 1,212m<sup>2</sup>



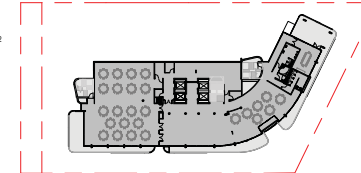
LEVEL 01  
GFA: 6m<sup>2</sup>  
GBA: 2,419m<sup>2</sup>



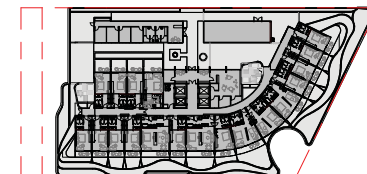
LEVEL 11  
GFA: 956m<sup>2</sup>  
GBA: 1,229m<sup>2</sup>



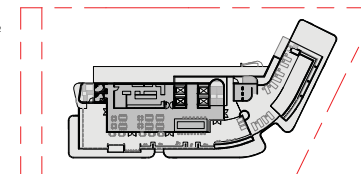
LEVEL 02  
GFA: 6m<sup>2</sup>  
GBA: 2,455m<sup>2</sup>



LEVEL 12  
GFA: 931m<sup>2</sup>  
GBA: 1,237m<sup>2</sup>



LEVEL 03  
GFA: 1,167m<sup>2</sup>  
GBA: 2,515m<sup>2</sup>



ROOFTOP  
GFA: 297m<sup>2</sup>  
GBA: 1,224m<sup>2</sup>



BRISBANE  
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PROJECT  
Mooloolaba Hotel  
Corner First Avenue, Brisbane Road  
Mooloolaba

DRAWING TITLE  
DEVELOPMENT SUMMARY

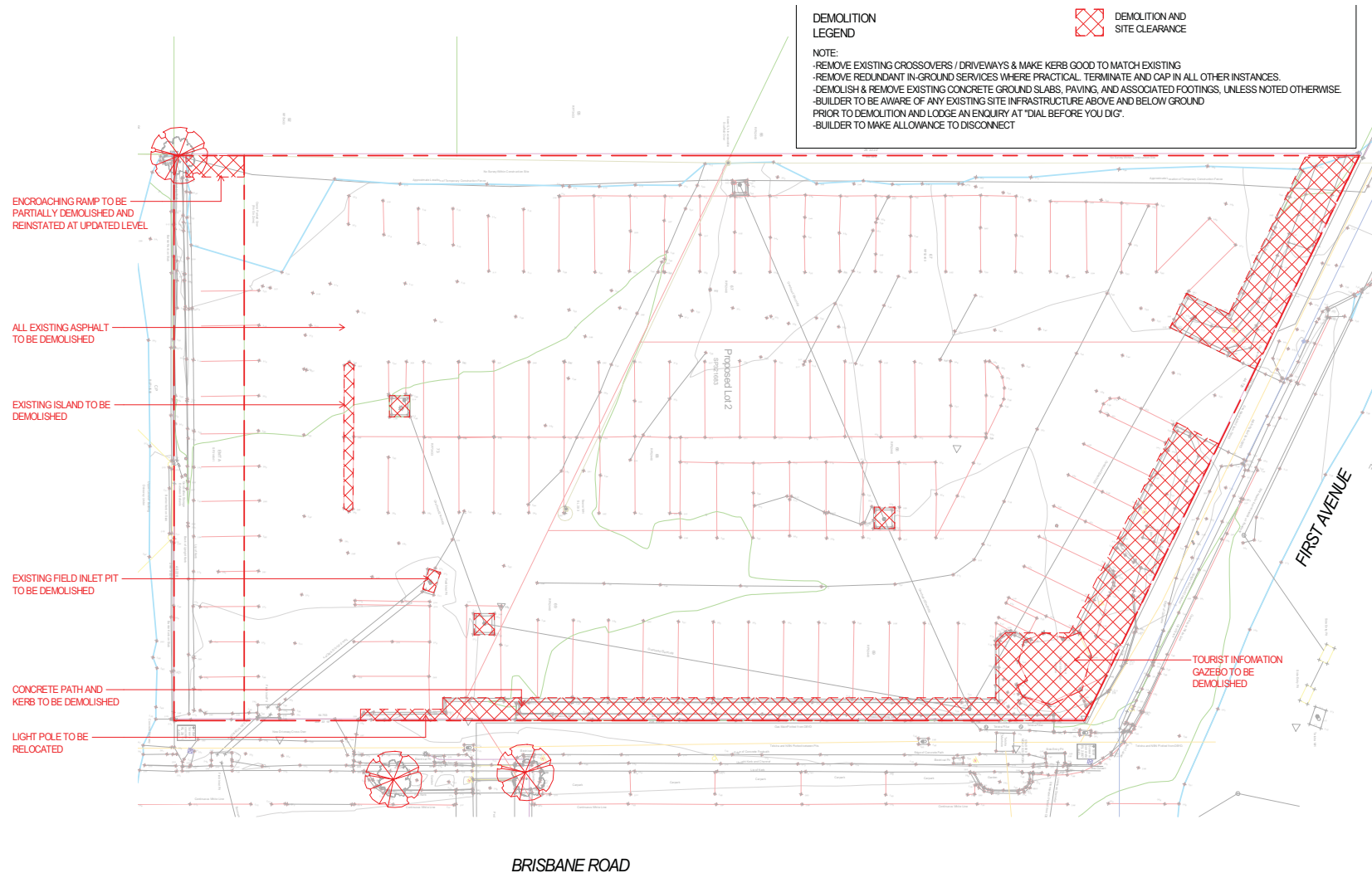
DA UPDATE



Project No: 19116  
Date: 02/02/22  
Scale: As indicated @ A:  
Drawn / Check: AM / Sh

Item 8.2 Development Application for Material Change of Use (Resort Complex, Food & Drink Outlet, Shops, Function Facility and Bar) and Operational Works at 10 & 16 Brisbane Rd and 7 & 9 First Ave, Mooloolaba

Attachment 2 Architectural Plans



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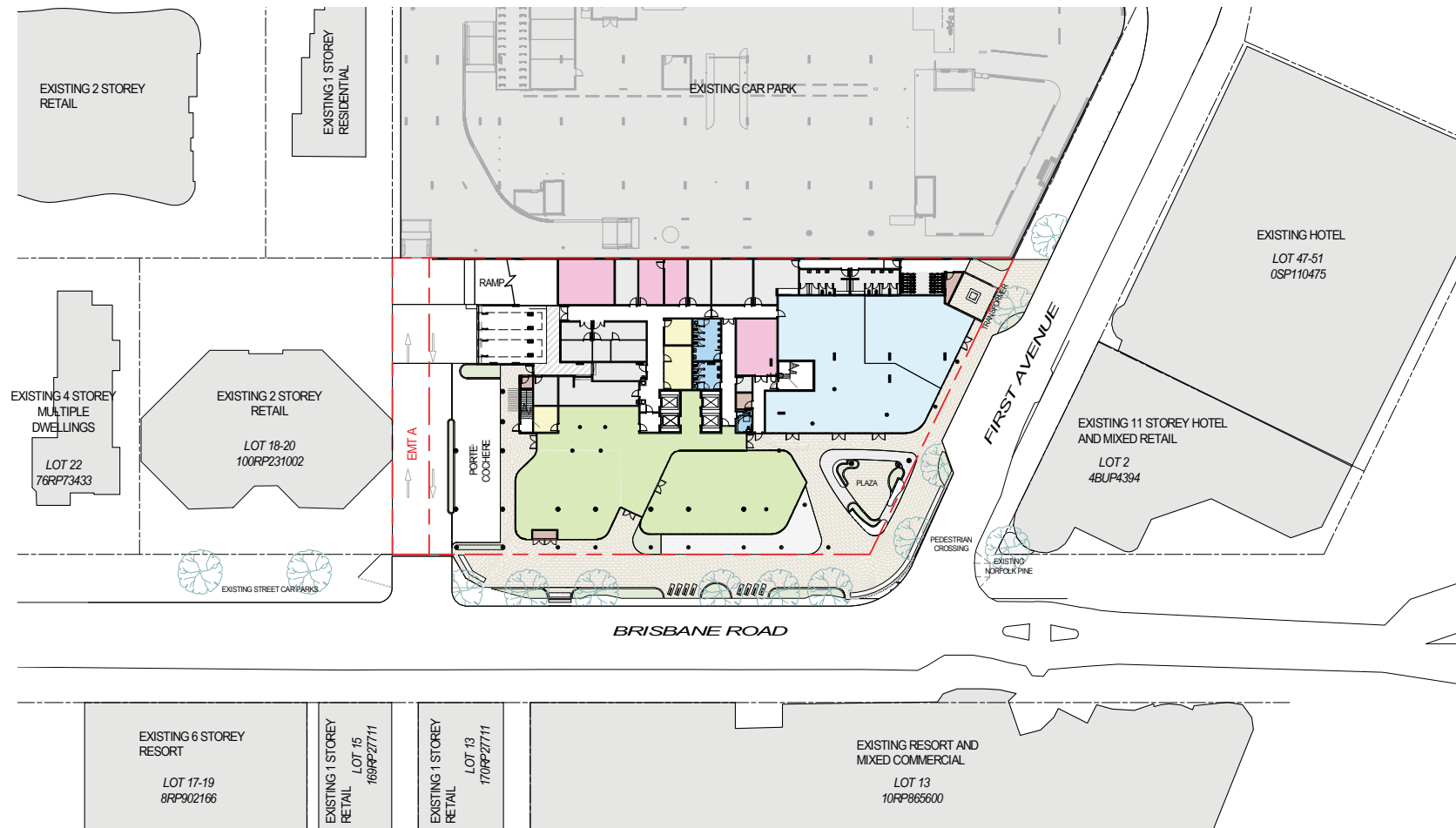
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DEMOLITION PLAN

**DA ISSUE**



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Project No: 19116  
Date: 29/06/2  
Scale: As indicated @ A:  
Drawn / Check: AM / SH



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PROJECT  
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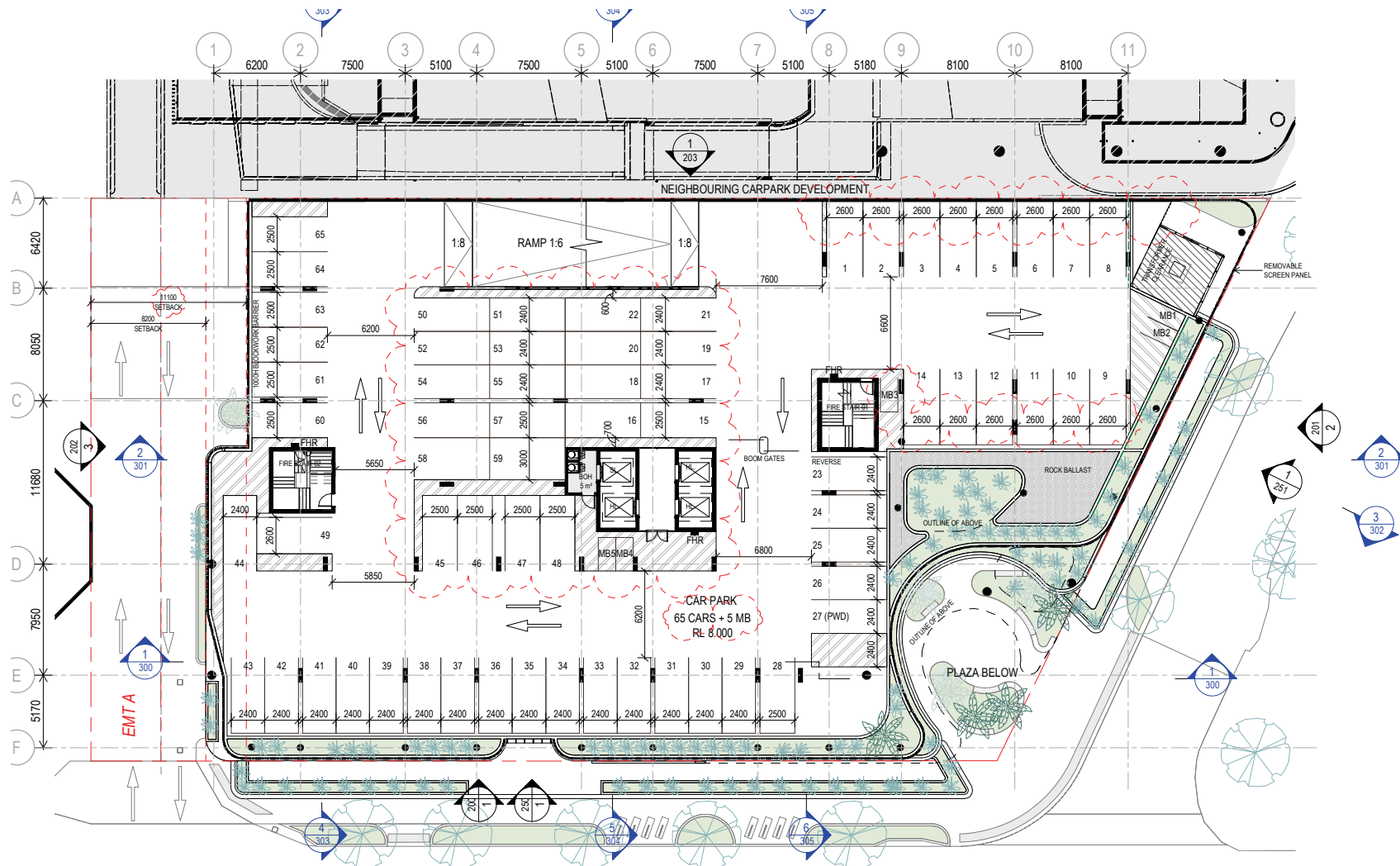
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DA ISSUE



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Date: 06/08/2  
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Drawn / Check: AM / SH



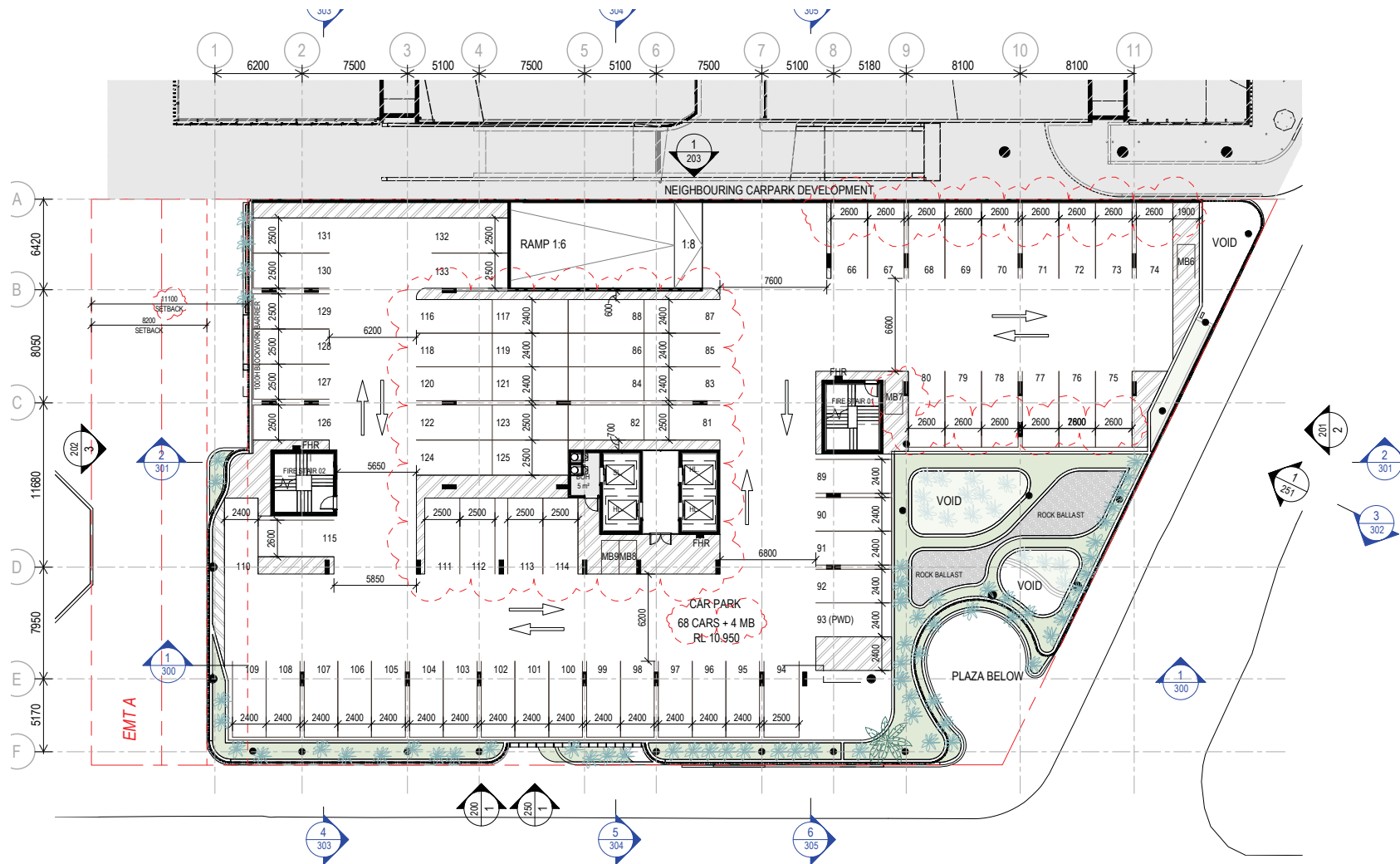
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**KPAT**

**PROJECT**  
 Mooloolaba Hotel  
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 Mooloolaba

**DRAWING TITLE**  
 FLOOR PLAN - LEVEL 01  
 DA UPDATE

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 Project No: 19116  
 Date: 02/02/22  
 Scale: 1: 250@ A:  
 Drawn / Check: AM / SH  
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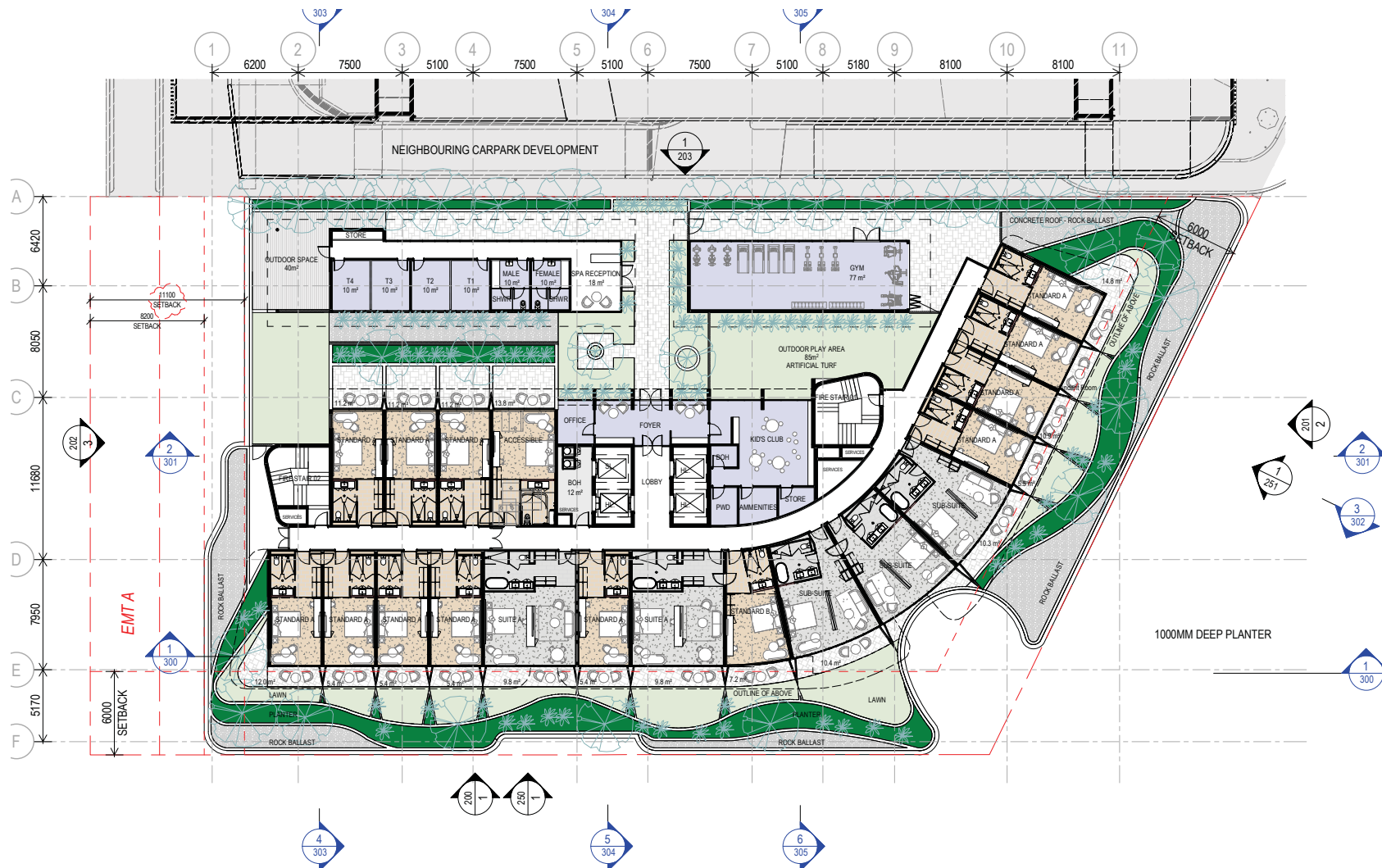
**KPAT**

**PROJECT**  
 Mooloolaba Hotel  
 Corner First Avenue, Brisbane Road  
 Mooloolaba

**DRAWING TITLE**  
 FLOOR PLAN - LEVEL 02  
**DA UPDATE**

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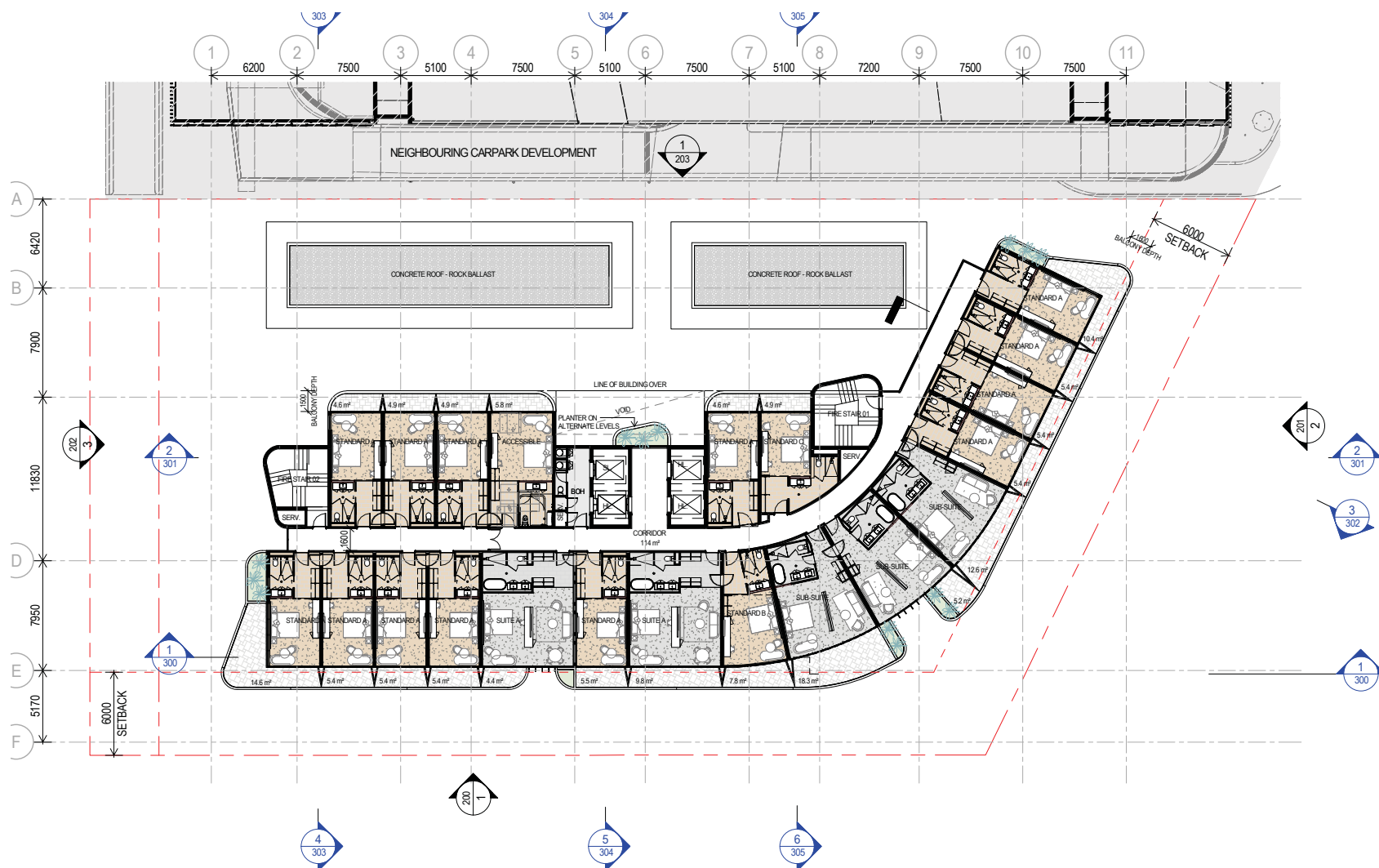
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**DRAWING TITLE**  
FLOOR PLAN - LEVEL 03  
DA UPDATE

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Project No: 19116  
Date: 02/02/22  
Scale: 1:250@ A:  
Drawn / Check: AM / SH  
117



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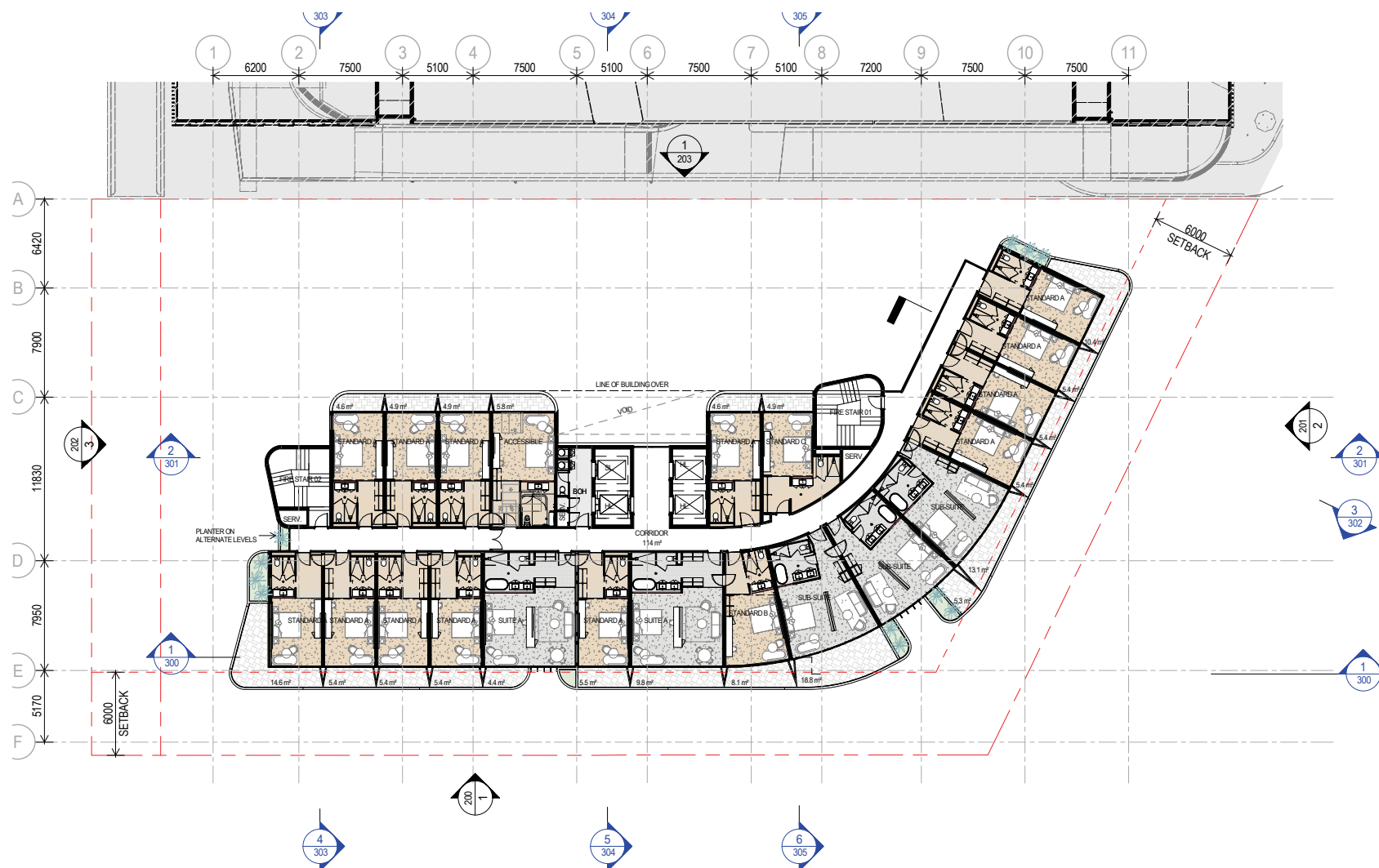
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FLOOR PLAN - LEVEL 04

DA ISSUE



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**KPAT**

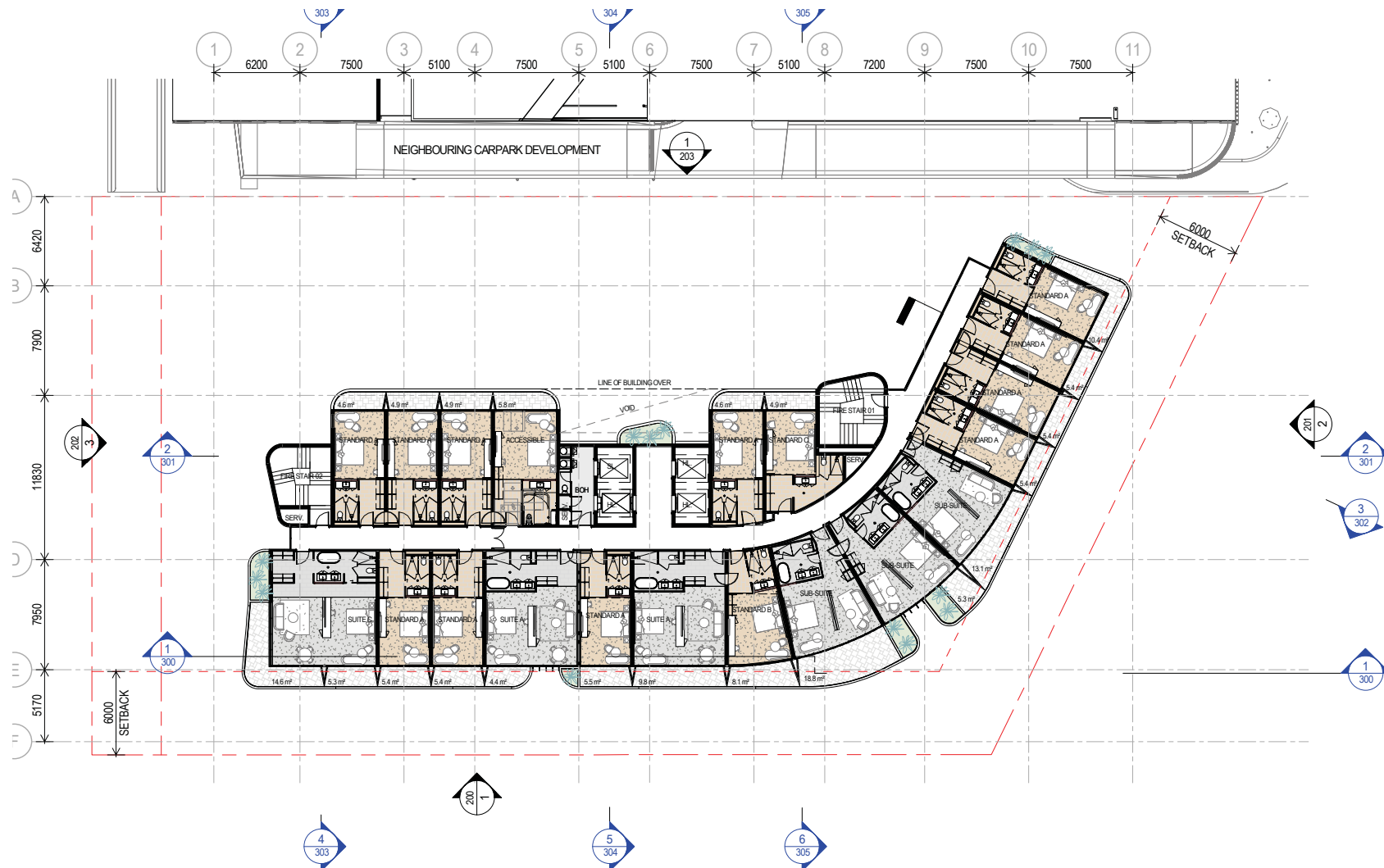
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Drawn / Check: AM / SN





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Mooloolaba Hotel  
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DRAWING TITLE  
FLOOR PLAN - LEVEL 08 - 10

DA ISSUE

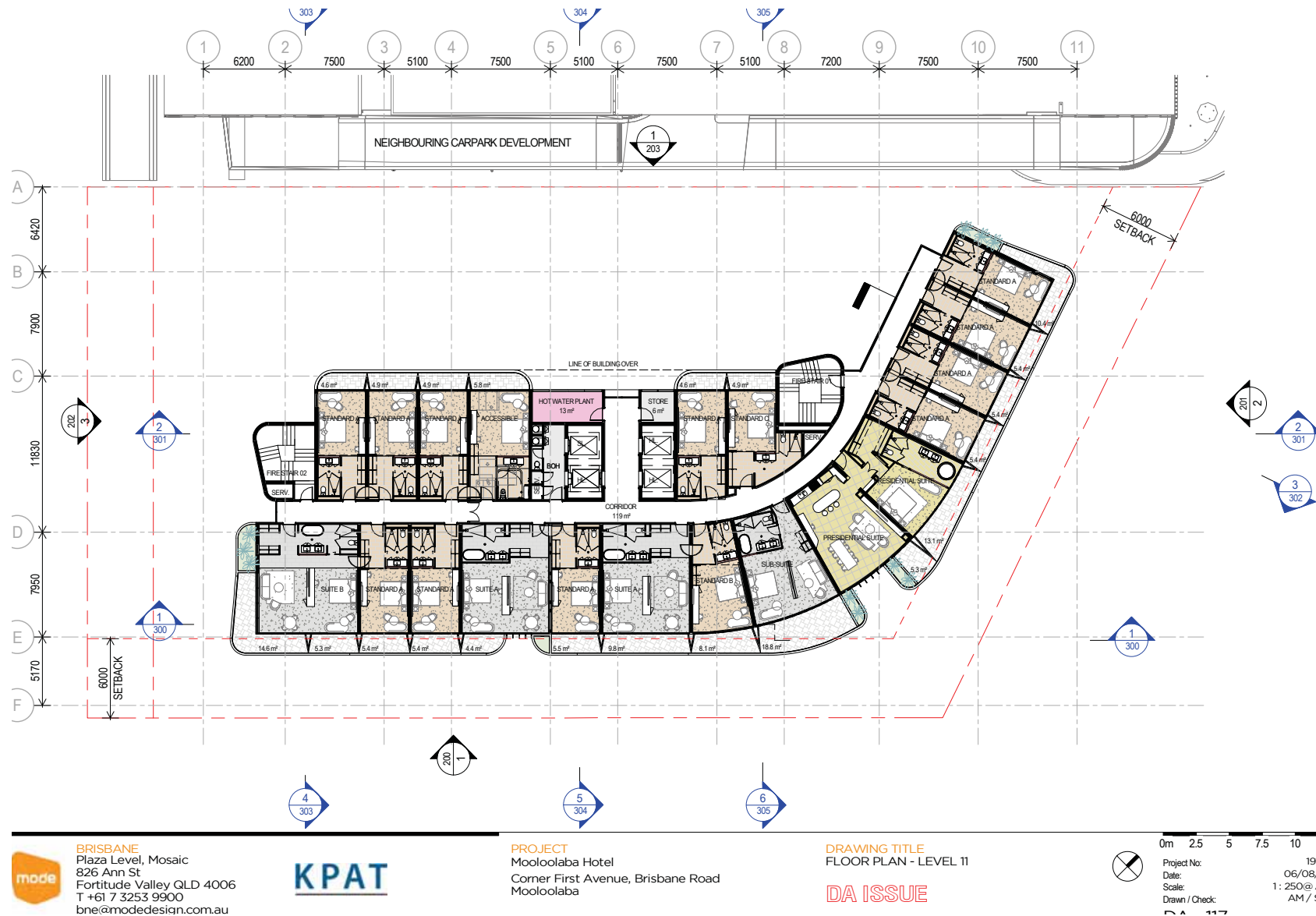


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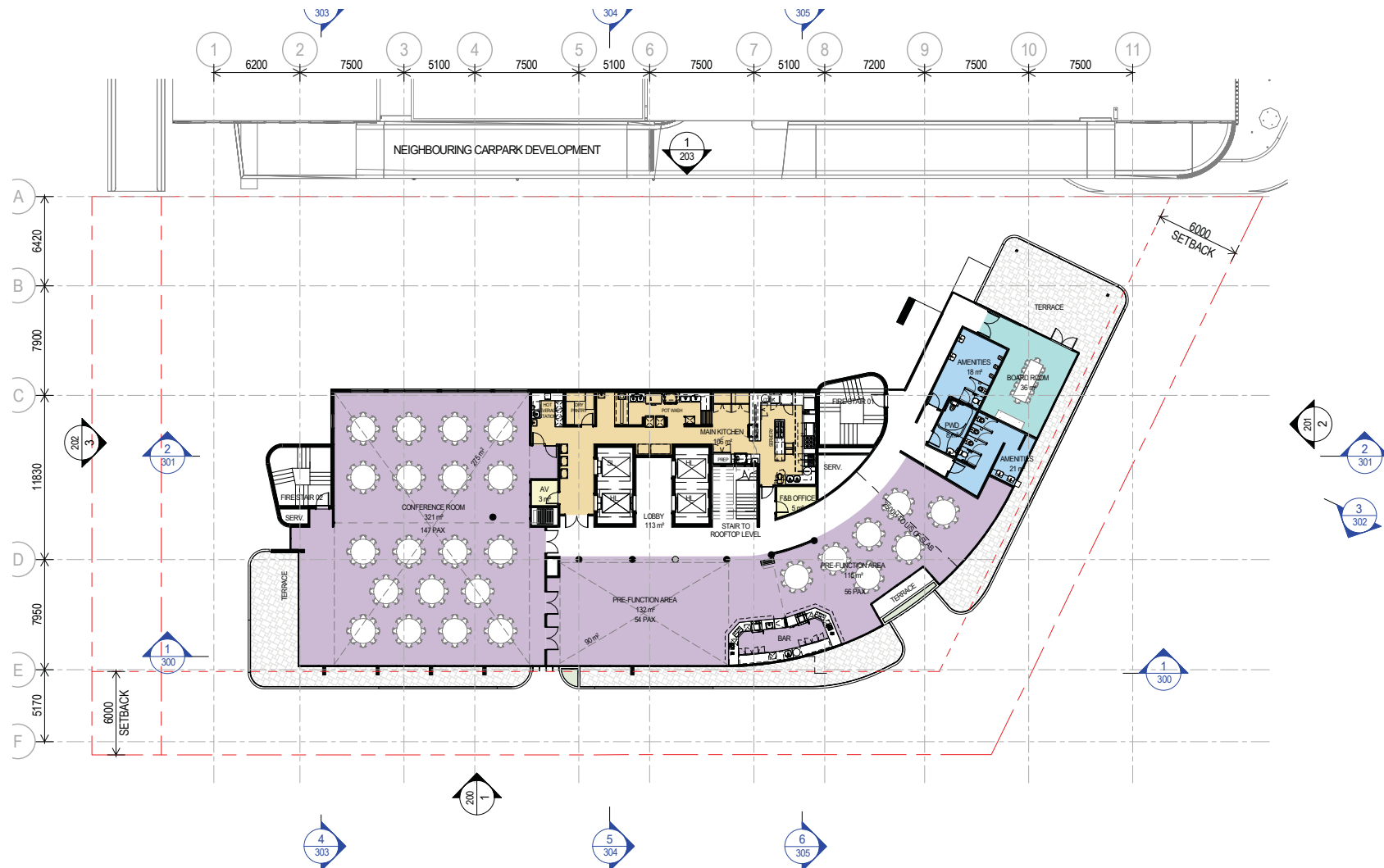
Item 8.2 Development Application for Material Change of Use (Resort Complex, Food & Drink Outlet, Shops, Function Facility and Bar) and Operational Works at 10 & 16 Brisbane Rd and 7 & 9 First Ave, Mooloolaba

Attachment 2 Architectural Plans



Item 8.2 Development Application for Material Change of Use (Resort Complex, Food & Drink Outlet, Shops, Function Facility and Bar) and Operational Works at 10 & 16 Brisbane Rd and 7 & 9 First Ave, Mooloolaba

Attachment 2 Architectural Plans



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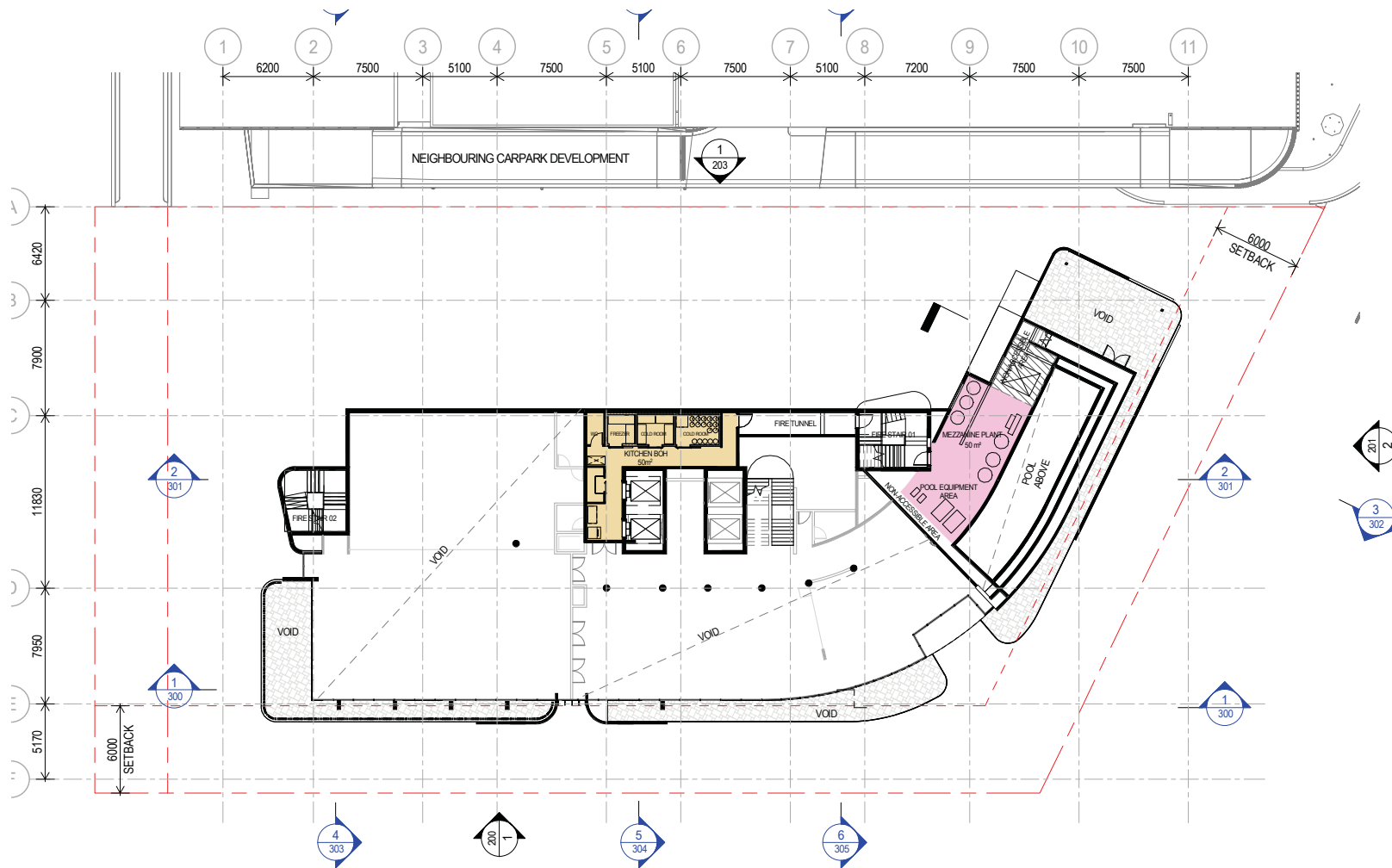
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FLOOR PLAN - LEVEL 12

DA ISSUE



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Project No: 19116  
Date: 06/08/2  
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Drawn / Check: AM / SH  
DA 110



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PROJECT  
Mooloolaba Hotel  
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DRAWING TITLE  
FLOOR PLAN - LEVEL 12 MEZZANINE

DA ISSUE

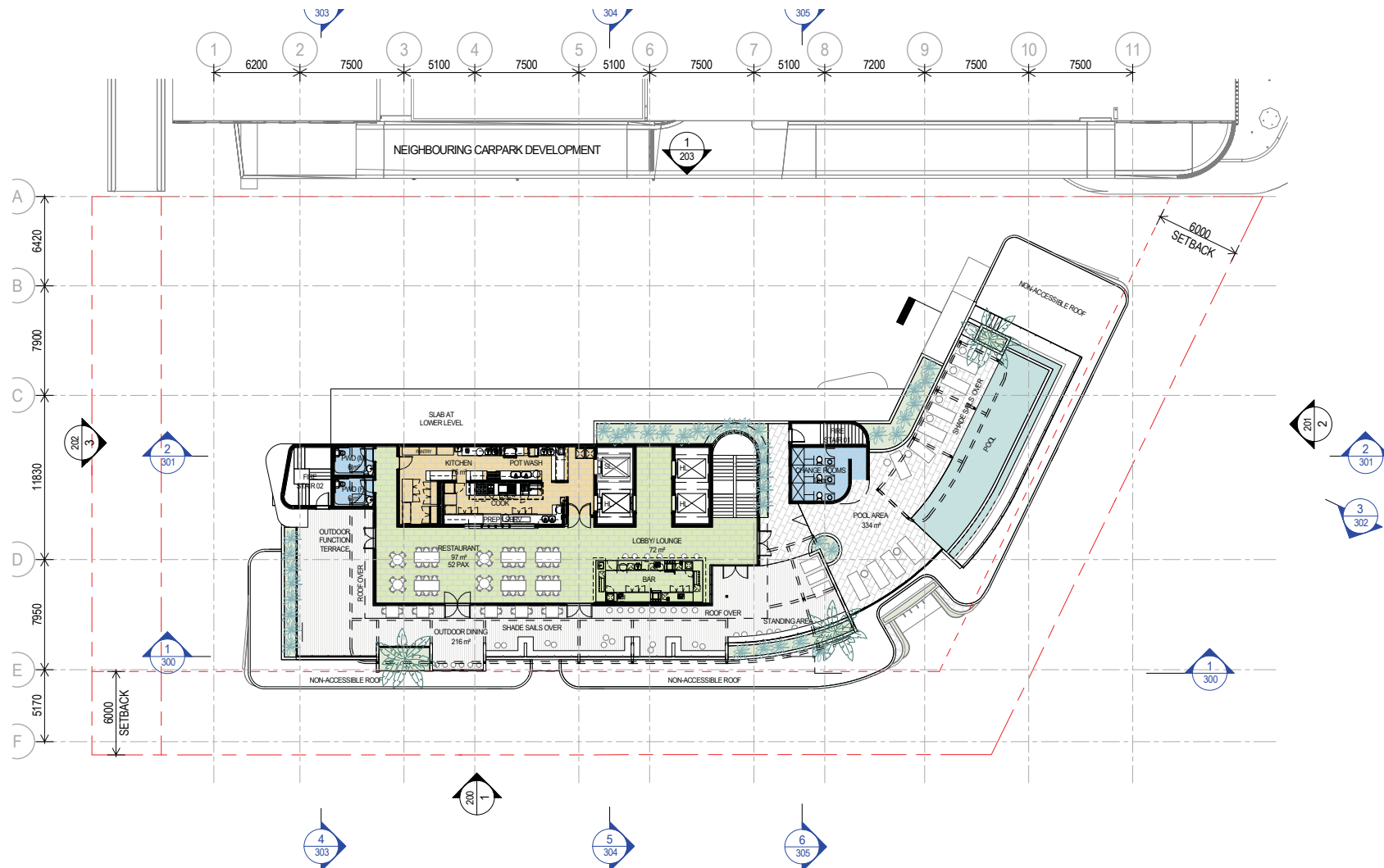


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1.

Item 8.2 Development Application for Material Change of Use (Resort Complex, Food & Drink Outlet, Shops, Function Facility and Bar) and Operational Works at 10 & 16 Brisbane Rd and 7 & 9 First Ave, Mooloolaba

Attachment 2 Architectural Plans



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Mooloolaba Hotel  
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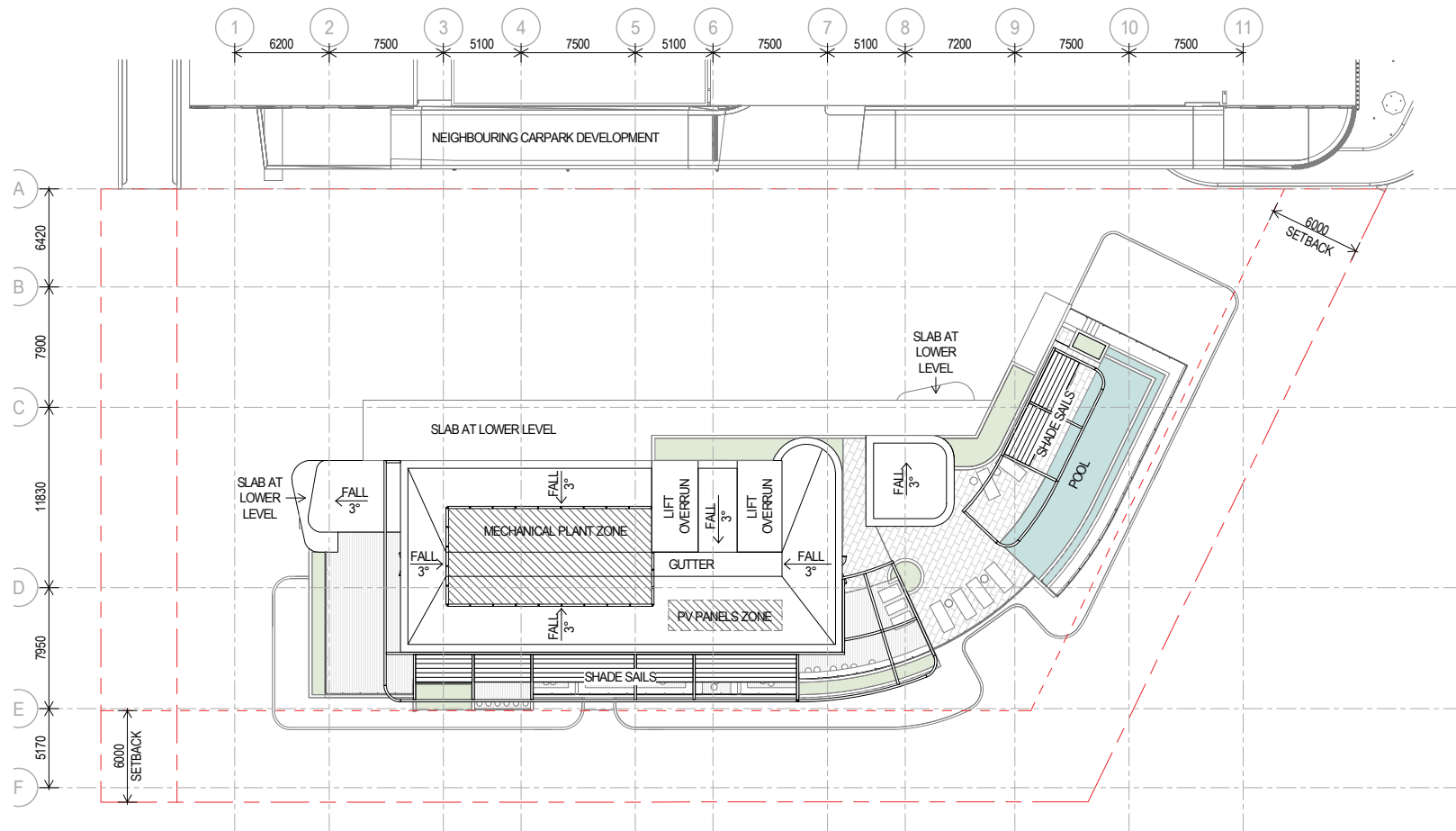
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DA ISSUE



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PROJECT  
Mooloolaba Hotel  
Corner First Avenue, Brisbane Road  
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DRAWING TITLE  
FLOOR PLAN - ROOF

DA ISSUE

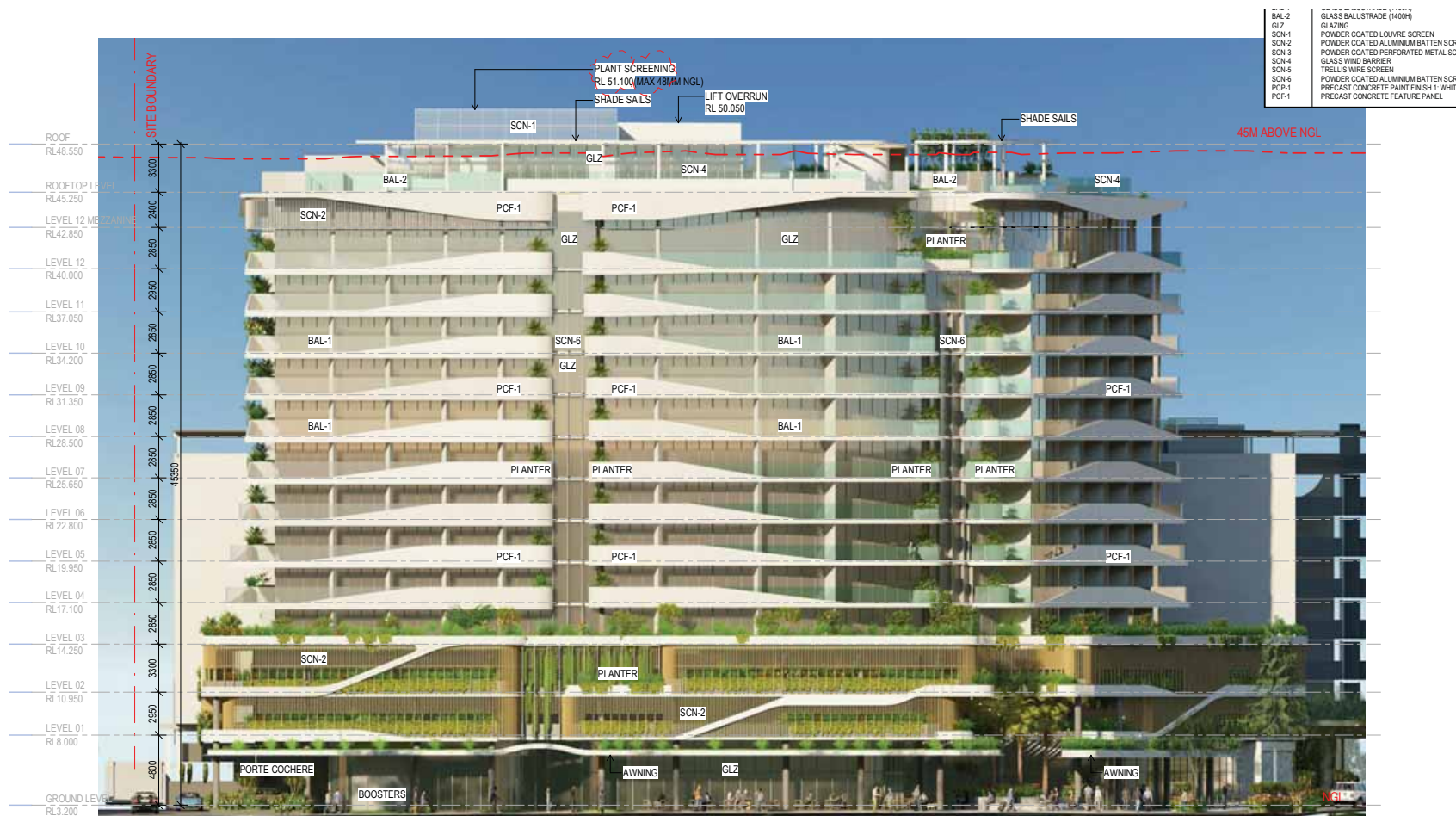


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Project No: 19116  
Date: 06/08/2  
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Item 8.2 Development Application for Material Change of Use (Resort Complex, Food & Drink Outlet, Shops, Function Facility and Bar) and Operational Works at 10 & 16 Brisbane Rd and 7 & 9 First Ave, Mooloolaba  
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**PROJECT**  
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**DRAWING TITLE**  
ELEVATIONS

**DA UPDATE**

0m 2.5 5 7.5 10 1.  
Project No: 1911  
Date: 16/12/21  
Scale: As indicated @ A:  
Drawn / Check: AM / SH

Item 8.2 Development Application for Material Change of Use (Resort Complex, Food & Drink Outlet, Shops, Function Facility and Bar) and Operational Works at 10 & 16 Brisbane Rd and 7 & 9 First Ave, Mooloolaba

Attachment 2 Architectural Plans





Item 8.2 Development Application for Material Change of Use (Resort Complex, Food & Drink Outlet, Shops, Function Facility and Bar) and Operational Works at 10 & 16 Brisbane Rd and 7 & 9 First Ave, Mooloolaba  
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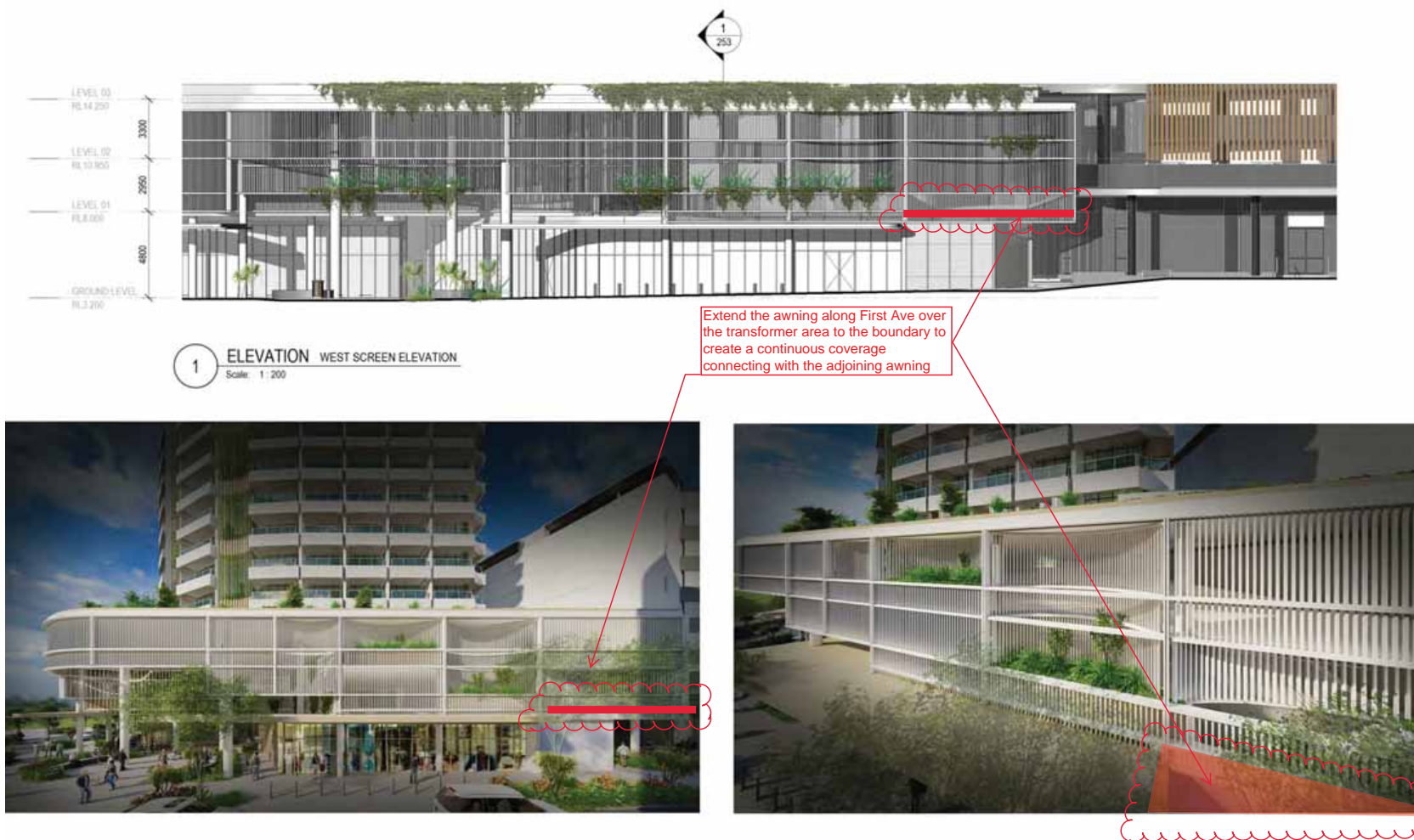
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Drawn / Check: AM / SH









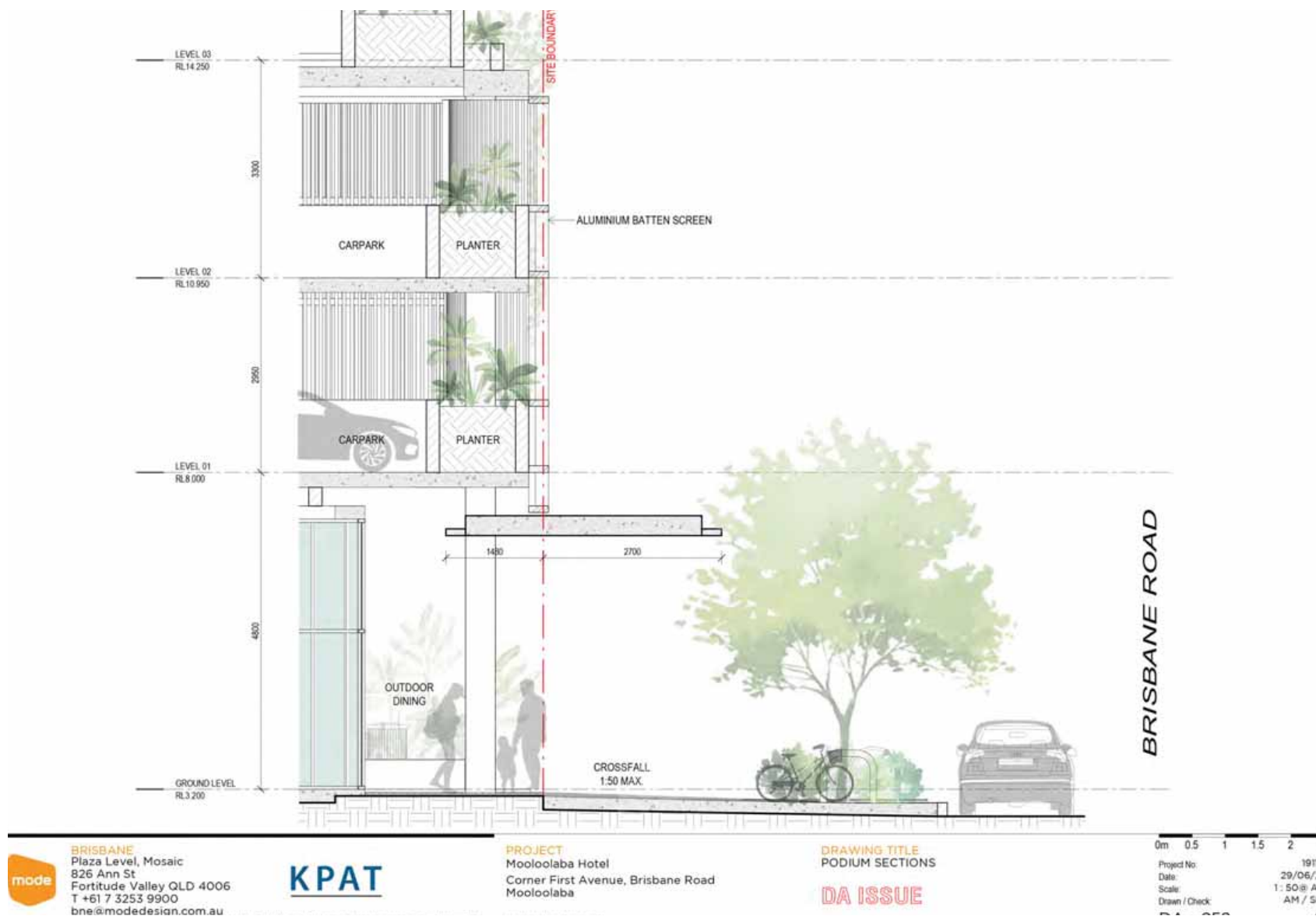
**BRISBANE**  
Plaza Level, Mosaic  
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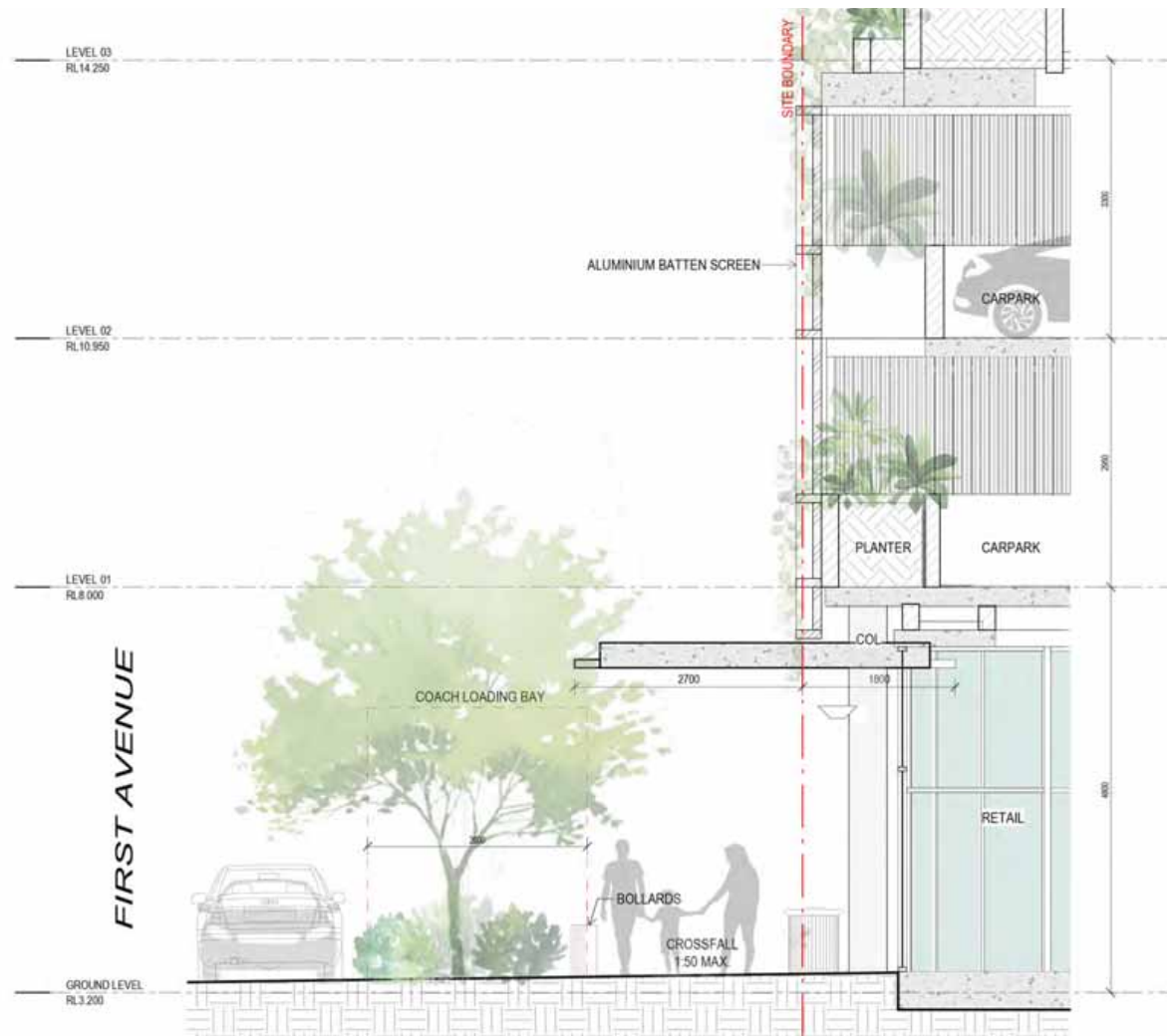
**KPAT**

**PROJECT**  
Mooloolaba Hotel  
Corner First Avenue, Brisbane Road  
Mooloolaba

**DRAWING TITLE**  
PODIUM SCREEN - SHEET 02  
**DA ISSUE**

Project No: 1911  
Date: 29/06/21  
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Drawn / Check: AM / SH





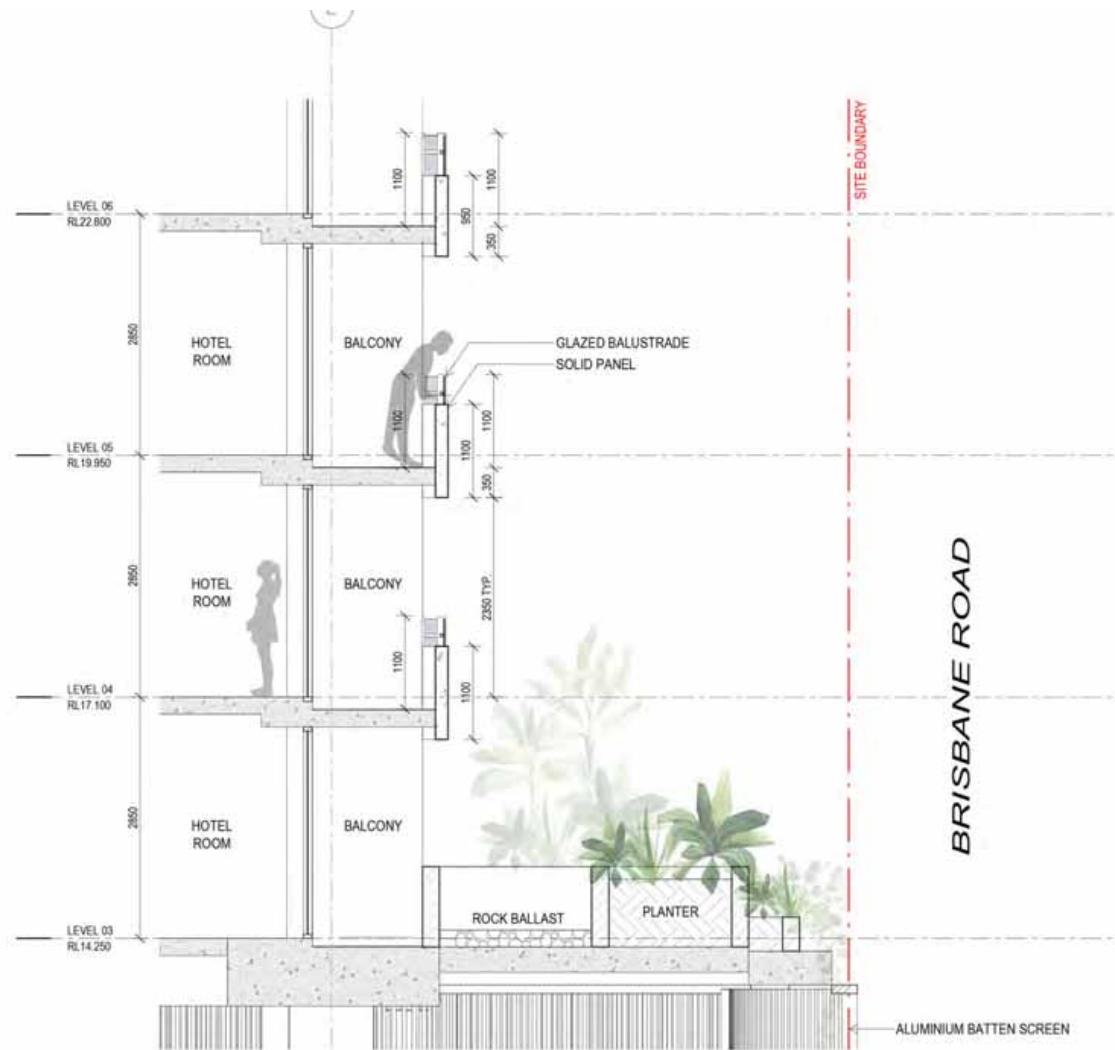
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PROJECT  
Mooloolaba Hotel  
Corner First Avenue, Brisbane Road  
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DRAWING TITLE  
PODIUM SECTIONS  
DA ISSUE

0m 0.5 1 1.5 2  
Project No: 1911  
Date: 29/06/21  
Scale: 1:50 @ A  
Drawn / Check: AM / ST



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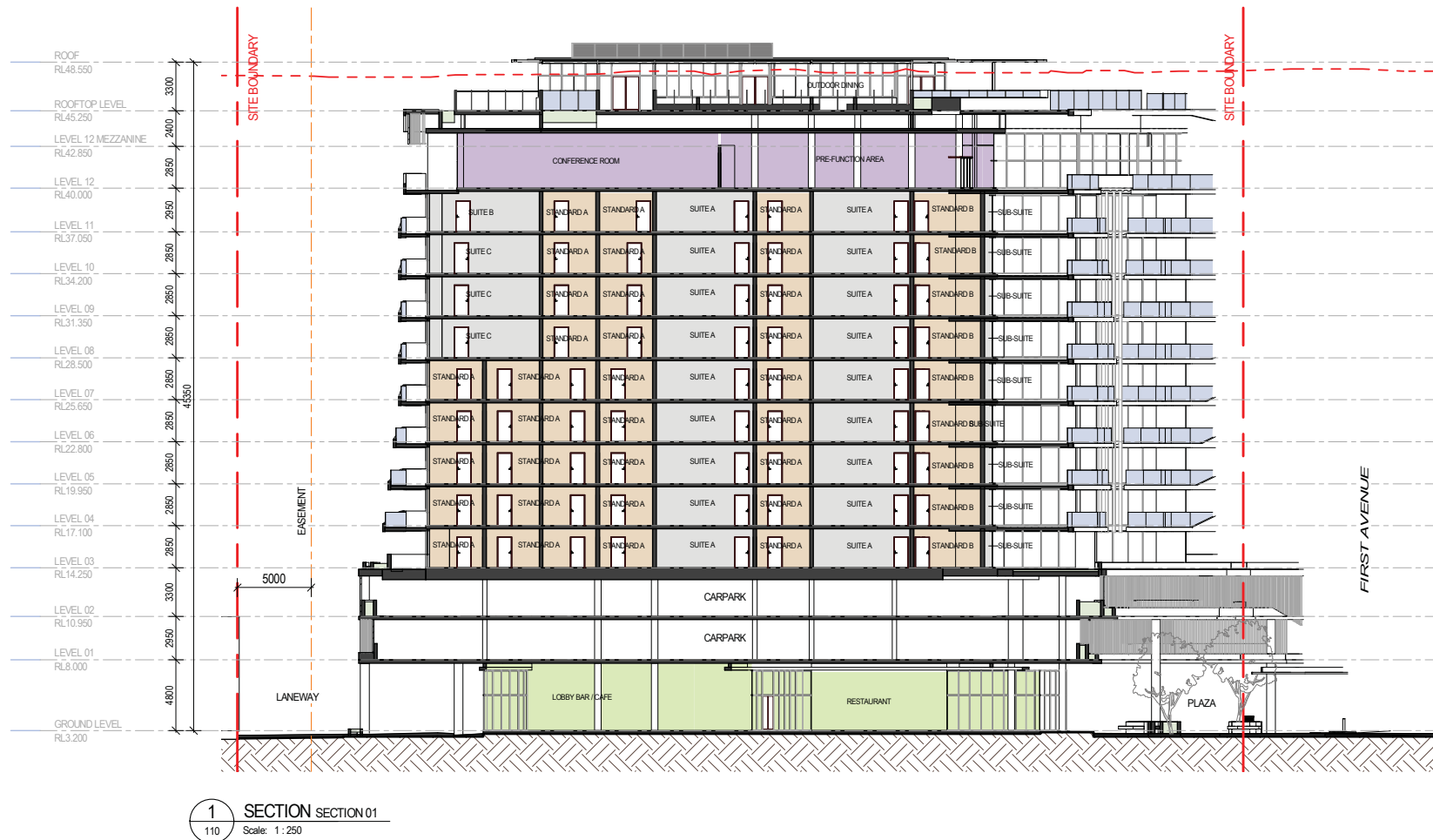
PROJECT  
Mooloolaba Hotel  
Corner First Avenue, Brisbane Road  
Mooloolaba

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Date: 29/06/2  
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Drawn / Check: AM / SP

Item 8.2 Development Application for Material Change of Use (Resort Complex, Food & Drink Outlet, Shops, Function Facility and Bar) and Operational Works at 10 & 16 Brisbane Rd and 7 & 9 First Ave, Mooloolaba

Attachment 2 Architectural Plans



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DRAWING TITLE  
SECTIONS

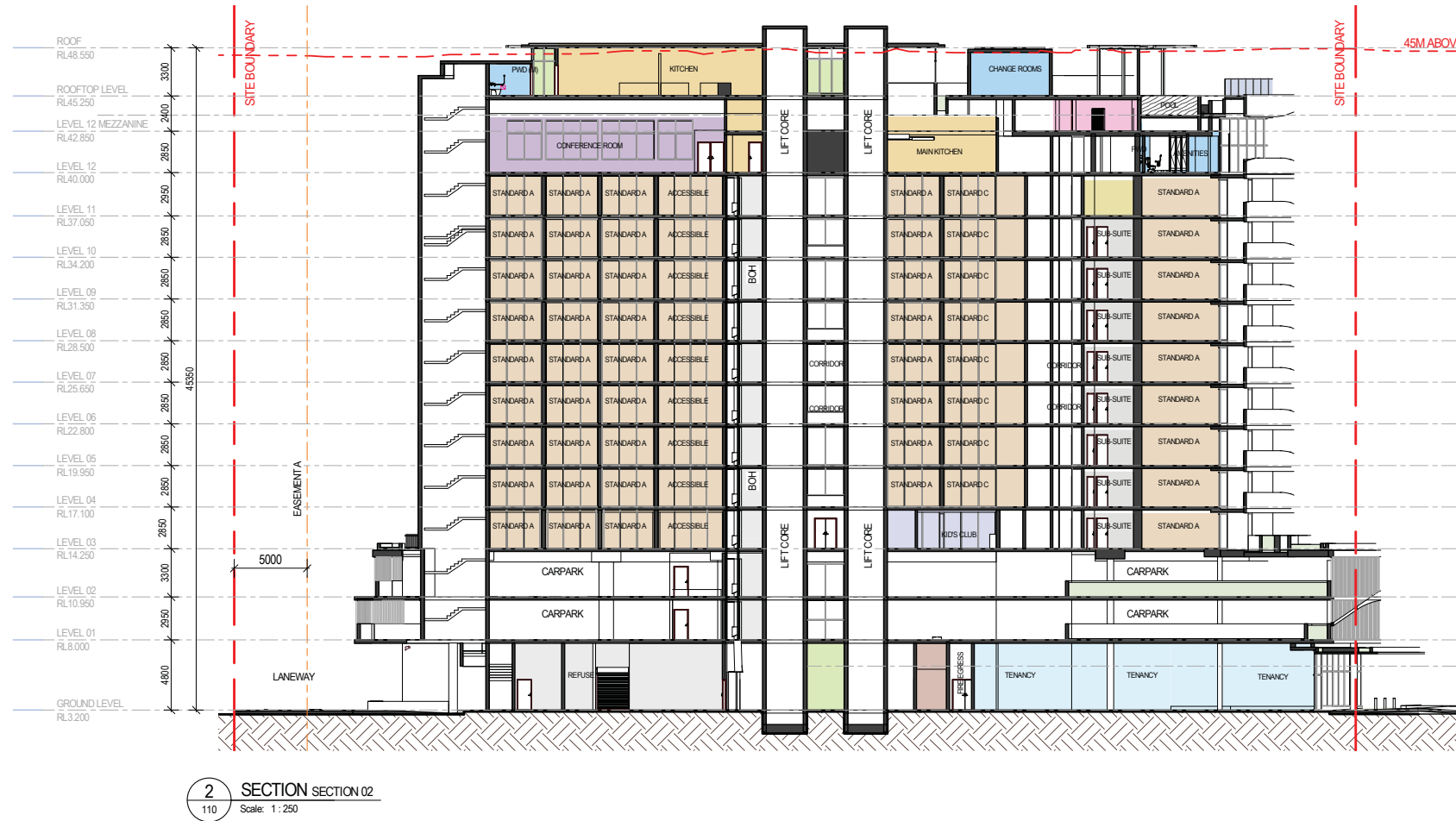
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Drawn / Check: AM / SH  
DA 300



Item 8.2 Development Application for Material Change of Use (Resort Complex, Food & Drink Outlet, Shops, Function Facility and Bar) and Operational Works at 10 & 16 Brisbane Rd and 7 & 9 First Ave, Mooloolaba

Attachment 2 Architectural Plans



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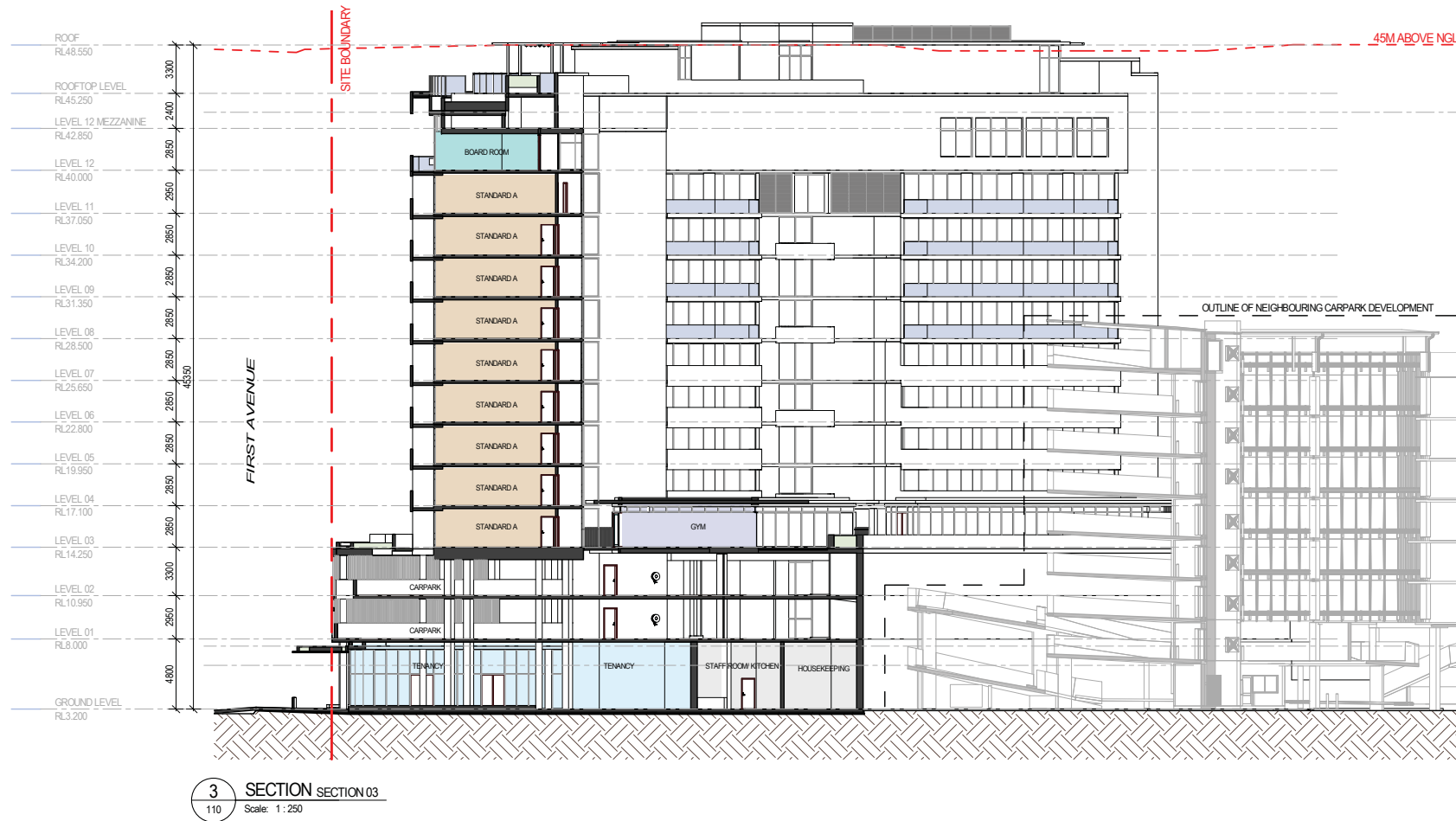


PROJECT  
Mooloolaba Hotel  
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Mooloolaba

DRAWING TITLE  
SECTIONS

DA ISSUE

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Project No: 1911  
Date: 06/08/2  
Scale: 1: 250 @ A:  
Drawn / Check: AM / SH  
DA 301



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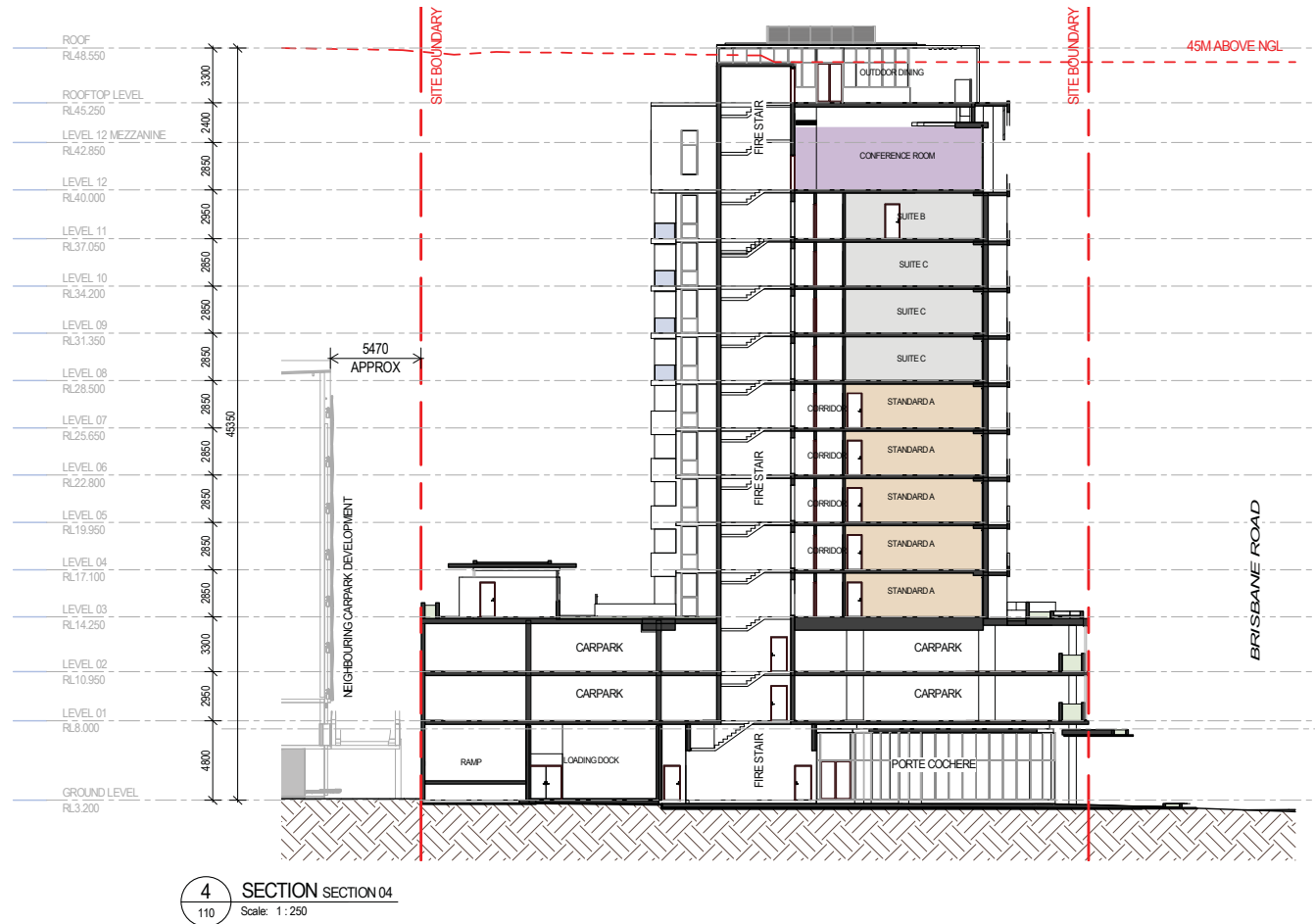


PROJECT  
Mooloolaba Hotel  
Corner First Avenue, Brisbane Road  
Mooloolaba

DRAWING TITLE  
SECTIONS

DA ISSUE

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Project No: 1911  
Date: 06/08/2  
Scale: 1:250 @ A:  
Drawn / Check: AM / SH  
DA 300



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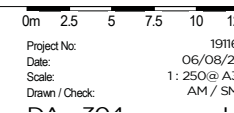


PROJECT  
Mooloolaba Hotel  
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DRAWING TITLE  
SECTIONS

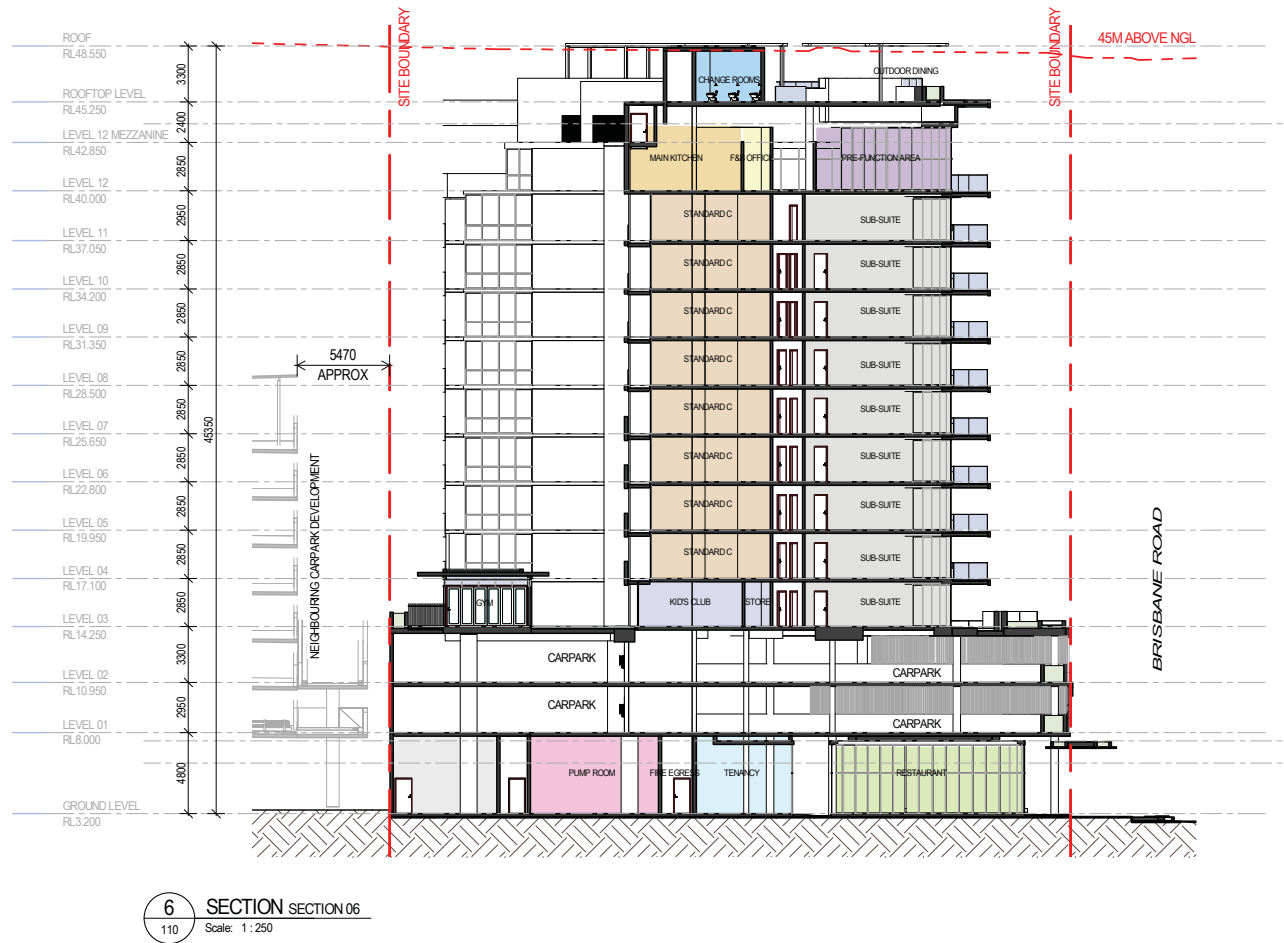
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DA 307



Item 8.2 Development Application for Material Change of Use (Resort Complex, Food & Drink Outlet, Shops, Function Facility and Bar) and Operational Works at 10 & 16 Brisbane Rd and 7 & 9 First Ave, Mooloolaba

Attachment 2 Architectural Plans



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PROJECT  
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DRAWING TITLE  
SECTIONS

DA ISSUE

0m 2.5 5 7.5 10 1.  
Project No: 1911  
Date: 06/08/2  
Scale: 1:250 @ A:  
Drawn / Check: AM / SH  
DA 306



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DRAWING TITLE  
PERSPECTIVES

DA ISSUE

Project No: 19116  
Date: 06/08/20  
Scale: @ A:  
Drawn / Check: AM / SH  
DA 100





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Mooloolaba

DRAWING TITLE  
PERSPECTIVES

DA ISSUE

Project No: 19116  
Date: 06/08/2  
Scale: @ A:  
Drawn / Check: AM / SH  
DA 101



BRISBANE  
Plaza Level, Mosaic  
826 Ann St  
Fortitude Valley QLD 4006  
T +61 7 3253 9900  
bne@modedesign.com.au



PROJECT  
Mooloolaba Hotel  
Corner First Avenue, Brisbane Road  
Mooloolaba

DRAWING TITLE  
PERSPECTIVES

DA ISSUE

Project No:	19116
Date:	06/08/2
Scale:	@ A:
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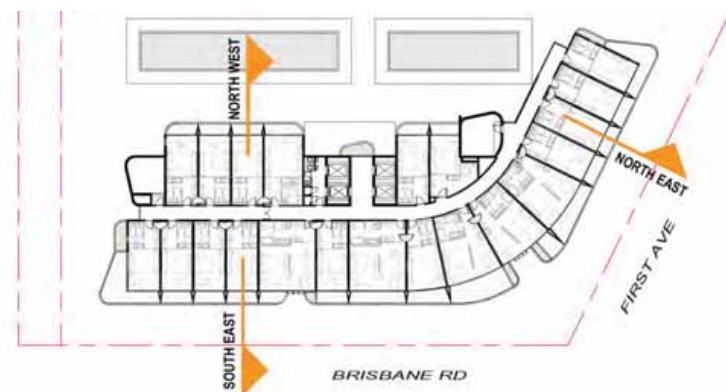
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DRAWING TITLE  
PERSPECTIVES

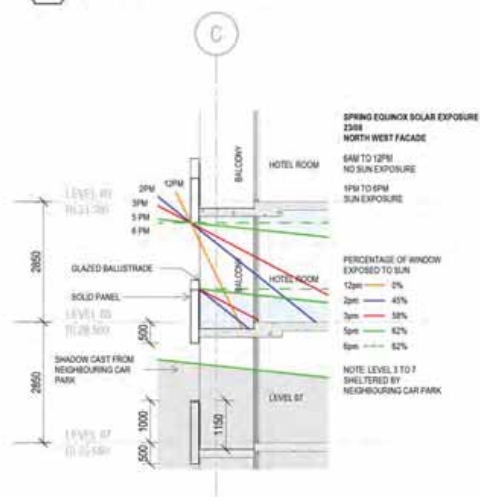
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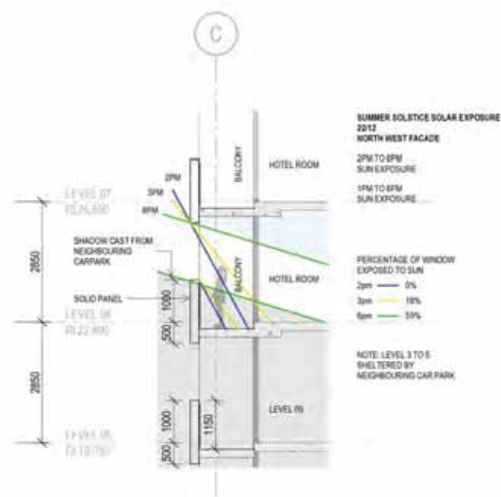
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Attachment 2 Architectural Plans



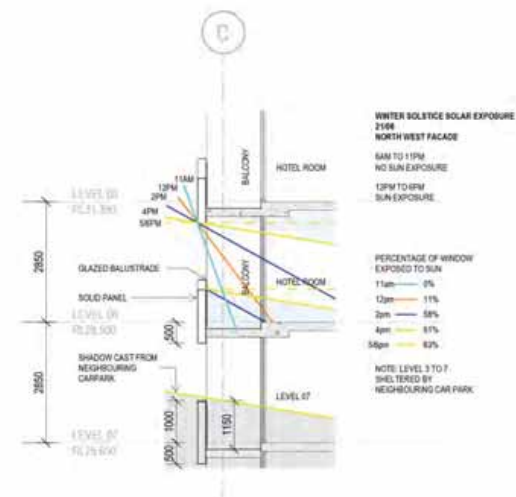
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3 SECTION SUN STUDY - NORTH WEST SUMMER  
Scale: 1:100



4 SECTION SUN STUDY - NORTH WEST WINTER  
Scale: 1:100

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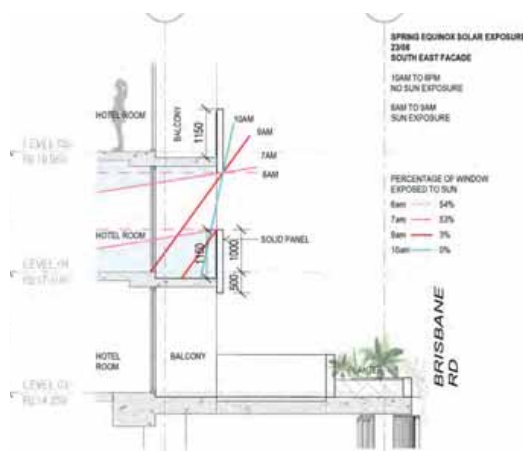
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**PROJECT**  
Mooloolaba Hotel  
Corner First Avenue, Brisbane Road  
Mooloolaba

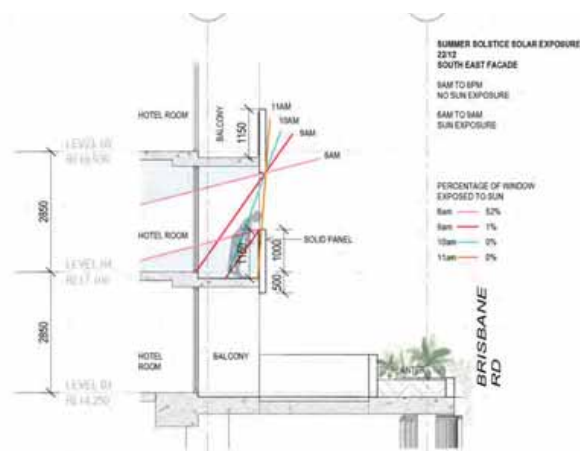
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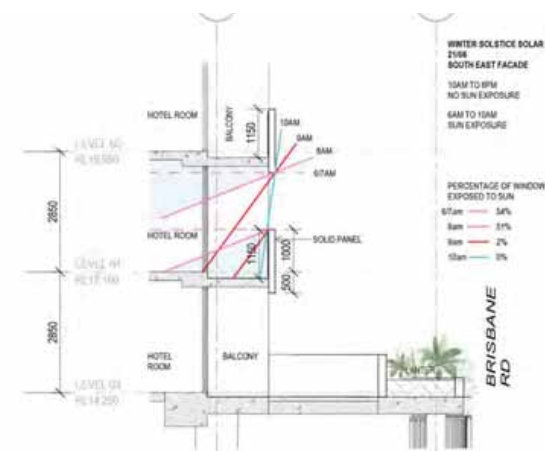
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Attachment 2 Architectural Plans



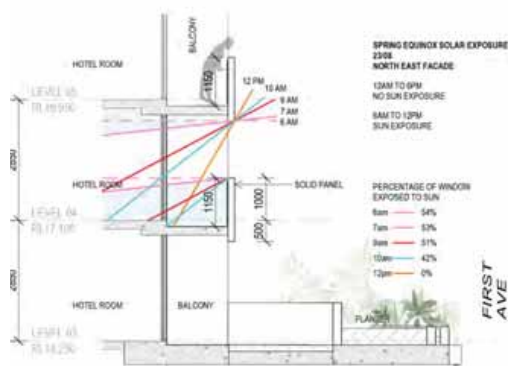
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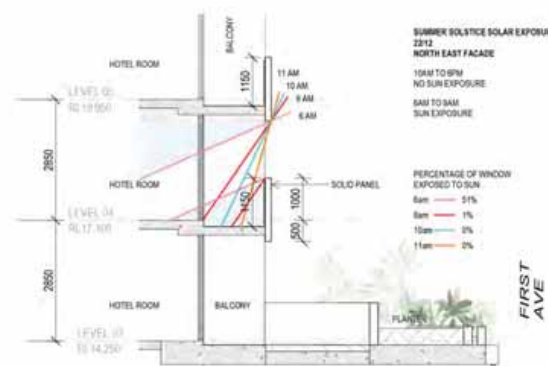
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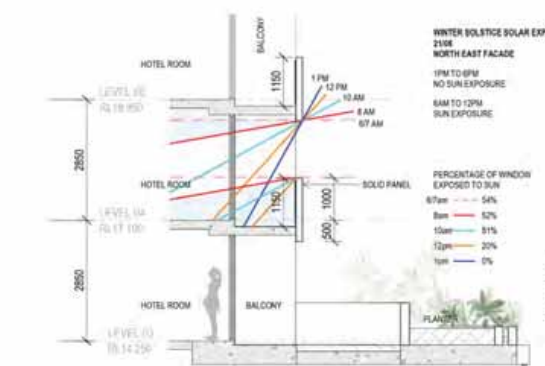
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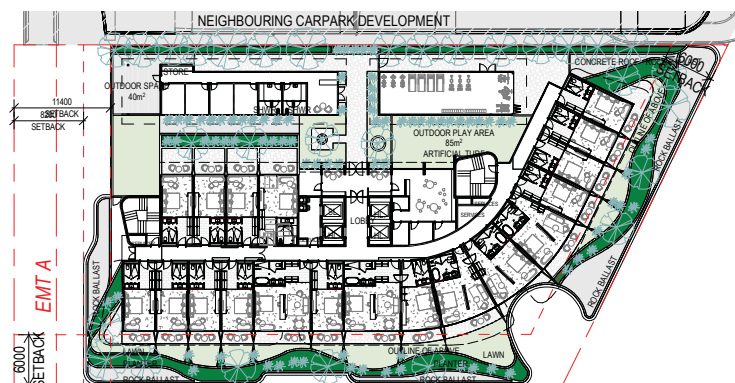
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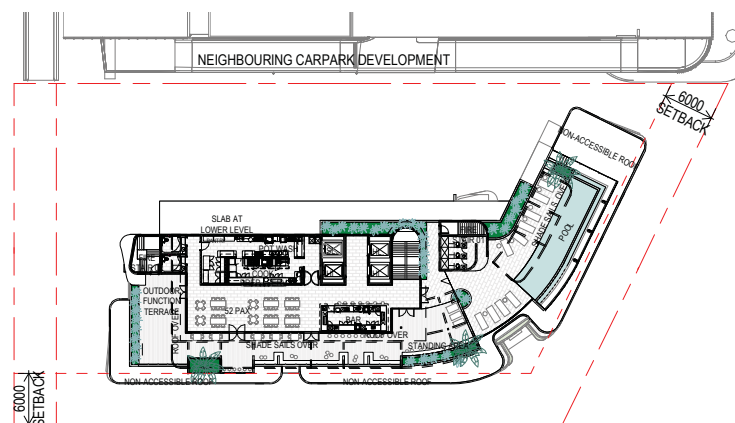
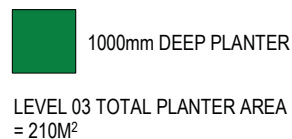
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Mooloolaba Hotel  
Corner First Avenue, Brisbane Road  
Mooloolaba

**DRAWING TITLE**  
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**DA UPDATE**

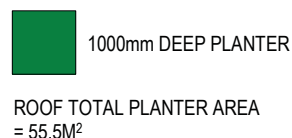
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# 1 PLAN DA LEVEL 03 PLANTERS



## 2 PLAN DA LEVEL 13 - ROOFTOP PLANTERS

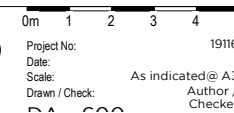


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**PROJECT**  
Mooloolaba Hotel  
Corner First Avenue, Brisbane Road  
Mooloolaba

DRAWING TITLE  
PLANTERS





RA9-N



SARA reference: 2110-25104 SRA  
 Council reference: MCU21/0342 and OPW210528  
 Applicant reference: 19071

6 January 2022

Chief Executive Officer  
 Sunshine Coast Regional Council  
 Locked Bag 72  
 Sunshine Coast Mail Centre Qld 4560  
 mail@sunshinecoast.qld.gov.au

Attention: Daniel Rundle

Dear Mr Rundle

## SARA response—7-9 First Avenue and 10-16 Brisbane Road, Mooloolaba

(Referral agency response given under section 56 of the *Planning Act 2016*)

The development application described below was confirmed as properly referred by the State Assessment and Referral Agency on 6 October 2021.

### Response

Outcome:	Referral agency response - No requirements
	Under section 56(1)(a) of the <i>Planning Act 2016</i> , the department advises it has no requirements relating to the application.
Date of response:	6 January 2022
Advice:	Advice to the applicant is in <b>Attachment 1</b> .
Reasons:	The reasons for the referral agency response are in <b>Attachment 2</b> .

### Development details

Description:	Development permit	Material change of use for resort complex (182 hotel rooms), food and drink outlets, shops, function facility and bar
	Development permit	Operational work for road work, landscaping, stormwater and earthworks
SARA role:	Referral agency	

2110-25104 SRA

SARA trigger: Schedule 10, Part 9, Division 4, Subdivision 1, Table 1 (Planning Regulation 2017) – State transport infrastructure impacts

SARA reference: 2110-25104 SRA

Assessment Manager: Sunshine Coast Regional Council

Street address: 7-9 First Avenue and 10-16 Brisbane Road, Mooloolaba

Real property description: Lot 67, 68 and 69 on RP52440 and Lot 73 on RP73433

Applicant name: KPAT Mooloolaba Pty Ltd

Applicant contact details: C/- Project Urban  
PO Box 6380  
Maroochydore BC QLD 4558  
glen.wright@projecturban.com.au

## Representations

An applicant may make representations to a concurrence agency, at any time before the application is decided, about changing a matter in the referral agency response (s. 30 Development Assessment Rules)

Copies of the relevant provisions are in **Attachment 3**.

A copy of this response has been sent to the applicant for their information.

For further information please contact Candace Canniffe, Senior Planning Officer, on 5352 9708 or via email SEQNorthSARA@dsdilgp.qld.gov.au who will be pleased to assist.

Yours sincerely



Nathan Rule  
Director

cc KPAT Mooloolaba Pty Ltd, glen.wright@projecturban.com.au

enc Attachment 1 - Advice to the applicant  
Attachment 2 - Reasons for referral agency response  
Attachment 3 - Representations provisions

## Attachment 1—Advice to the applicant

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General advice	
1.	Terms and phrases used in this document are defined in the <i>Planning Act 2016</i> its regulation or the State Development Assessment Provisions (SDAP) v2.6. If a word remains undefined it has its ordinary meaning.
2.	<p><b>Public passenger transport and taxi / ride-share servicing</b></p> <p>It is unclear whether the layout and design of the porte-cochere, parking and vehicle manoeuvring areas located on the ground floor provides adequate provision for all anticipate vehicle types and activities.</p> <p>In particular, the capacity and design of set-down and manoeuvring areas for both private coaches and taxi / ride-share services may require operational management plans or re-design/prioritisation to accommodate the maximum design vehicle (14.5m bus) and the anticipated volumes of taxi / ride-share and private vehicles to ensure this area is capable of operating effectively.</p> <p>As this area is located internally to the development site and under private management/ownership, it will be the responsibility of the owner/operator to ensure provision of these services and adequate parking and manoeuvring through the site can be suitably managed and maintained.</p>

2110-25104 SRA

## Attachment 2—Reasons for referral agency response

(Given under section 56(7) of the *Planning Act 2016*)

**The reasons for the department's decision are:**

- The development complies with State code 6: Protection of state transport networks of the SDAP.  
Specifically, the development:
  - o does not create a safety hazard for users of state transport infrastructure or public passenger services
  - o does not result in a worsening of the physical condition or operating performance of the state transport network
  - o does not compromise the state's ability to cost-effectively construct, operate and maintain state transport infrastructure.

**Material used in the assessment of the application:**

- The development application material and submitted plans
- *Planning Act 2016*
- Planning Regulation 2017
- The *State Development Assessment Provisions* (version 2.6), as published by the department
- The Development Assessment Rules
- SARA DA Mapping system
- *Human Rights Act 2019*



2110-25104 SRA

### **Attachment 3—Change representation provisions**

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### 8.3 MANAGEMENT OF REQUESTS FOR ROAD CLOSURE APPLICATIONS

**File No:** Council Meetings

**Author:** Manager Transport and Infrastructure Planning  
Built Infrastructure Group

**Appendices:** App A - Draft Strategic Policy for Management of Requests for Road Closure Applications ..... 275  

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#### PURPOSE

The purpose of the report is to seek Council's consideration and adoption of a Strategic Policy for the Management of Requests for Road Closure Applications.

#### EXECUTIVE SUMMARY

Applications for permanent and temporary road closures are submitted to and processed by the State Government's Department of Resources. As a first step, applicants are required to procure Council's position on their application. Council's Property Management Branch then seeks input from across the organisation to inform a single response to the Department of Resources. There has been a long-held concern that Council and community interests lack the support of a policy position guiding staff responses. Currently there is no policy guiding staff responses to road closure applications. To address this situation, a draft strategic policy has been prepared and is attached for consideration and adoption by Council.

This strategic policy is needed in order for Council to have an appropriate level of confidence that the community's best interests are served when responding to requests for road closure applications. [Note that the proposed policy is not dealing with applications for short-term road closures in connection with, for example, traffic management matters.]

It is considered important that Council has a policy position regarding the consideration of applications for temporary and/or permanent road closures, where the proposed changed use will remove or impact public access. The policy would provide consistency across Council when officers provide feedback to proposed road closure applications. It does not preclude the potential to support a road closure application should community benefit assessment allow. (The Policy provides examples for guidance).

The draft Policy recognises the many values that unused Road Reserves hold for the community, including:

- Preservation of Function
- Preservation of existing and future community benefit
- Preservation of future access
- Changing land use
- Minimising future cost
- Enhancing environmental protection.

The long-term vision is to preserve and protect road reserves for the benefit of existing and future communities.

**Unused road reserves hold a future benefit, for a future community and this potential is to be protected and preserved, notwithstanding that the future benefit may not yet be known.**

A draft strategic policy has been prepared and is attached as Appendix A - Draft Strategic Policy for Management of Requests for Road Closure Applications for consideration and adoption by Council.

## OFFICER RECOMMENDATION

That Council:

- (a) receive and note the report titled “Management of Requests for Road Closure Applications” and
- (b) adopt the Draft Strategic Policy for Management of Requests for Road Closure Applications (Appendix A).

## FINANCE AND RESOURCING

There are no financial or resourcing requirements resulting from the preparation of this report or implementation of the proposed Policy.

## CORPORATE PLAN

<b>Corporate Plan Goal:</b>	<b><i>Our strong community</i></b>
<b>Outcome:</b>	We serve our community by providing this great service
<b>Operational Activity:</b>	S7 - Roads, cycleways and pathways – maintaining and improving the road network and associated assets (sealed and gravel roads, bridges and pathways), vegetation management, construction and project delivery services, permit fees, private works and levies.
<b>Corporate Plan Goal:</b>	<b><i>Our environment and liveability</i></b>
<b>Outcome:</b>	We serve our community by providing this great service
<b>Operational Activity:</b>	S14 - Sustainable growth and network planning – providing land use planning, social policy, infrastructure planning and charges, flood mapping, transportation planning and environmental initiatives.

## CONSULTATION

### Councillor Consultation

Consultation has been undertaken with all Councillors.

### Internal Consultation

The draft policy was developed in consultation with the following internal stakeholders:

- Transport Infrastructure Management Branch
- Transport and Infrastructure Planning Branch
- Property Management Branch
- Strategic Planning Branch
- Development Audit and Response
- Environment and Sustainability Policy Branch
- Executive Leadership Team
- Corporate Governance Branch
- Strategic Property Branch

### External Consultation

The Department of Resources has been made aware of this Policy development and has no concerns.

### Community Engagement

There has been no community engagement undertaken in relation to this report.

## PROPOSAL

### Current Process and Background

Applications for road closures are directed to the State Government Department of Resources, with comments sought from Council and other stakeholders, to assist the Department of Resources in making a decision. Comments are collated, and a co-ordinated response is provided to the Department of Resources by Council's Property Management Branch.

Additional information is sometimes sought by the Department of Resources to clarify Council's comments.

Advice on the ultimate response to the applicant is provided back to Council by the Department of Resources.

Management of road closure applications is a matter of importance within the Sunshine Coast Council Local Government Area and across Queensland local government as a whole.

### Policy Statement

Council is committed to the preservation and protection of road reserves for the benefit of existing and future communities across the region. Council recognises that road reserves, regardless of current utilisation, are a vitally important asset for the region both now and into the future. The long-term vision is to preserve and protect road reserves for the benefit of existing and future communities.

In order to protect these assets, the majority of applications made to the Queensland State Government's Department of Resources are not supported as they do not meet Council's preparedness for supporting permanent road closures.

This proposed policy provides a framework for the consistent assessment of permanent road closure applications and response to the Queensland State Government, which aims to ensure consistency across all areas of Council operations and the submission of consistently informed responses on all applications.

**Unused road reserves hold a future benefit, for a future community and this potential is to be protected and preserved, notwithstanding that the future benefit may not yet be known.**

### Principles

The legislatively established process in the *Land Act 1994* and supporting documentation delivers a framework for officers to provide advice of support or objection to the State, based on a number of considerations. This proposed policy states Council's position to guide officers' assessments and comments.

The key guiding principles for the protection of road reserves are:

- Preservation of function – road reserves typically provide for the movement of people and goods by way of existing and future use by vehicles, cyclists and pedestrians, but also accommodate other uses such as the right of way for utility services, and community amenity through space for trees and streetscaping. The policy position is to preserve this potential.

- Preservation of existing and future community benefit – preservation of public land for future generations is in keeping with Council's vision, by protecting the potential for connectivity, amenity and green spaces, particularly as population growth continues and unused road reserves will grow in community value and will eventually realise their potential.
- Preservation of future access – many undeveloped road reserves provide accessibility to key locations such as waterways and quiet green spaces. The policy position is to preserve and protect future accessibility to waterways, conservation areas and public spaces.
- Changing land use – The full benefit of an existing road reserve, yet to be realised, may be revealed by future land use changes, over time. Councils generally review and develop new Planning Schemes every 10 or so years. Preserving road reserves will allow future community benefits from land use changes to be realised.
- Minimise future costs – road reserves facilitate the provision of utility services such as water supply, sewerage, telecommunications and electricity, as well as transport related outcomes. There could be significant cost to purchase land parcels in the future, driven by relinquishing an existing road reserve, should a requirement become necessary. The policy position protects the possible unnecessary use of community funds in buy-back investments in the future.
- Enhance environmental protection – Preserving all or parts of undeveloped road reserves for the protection of remnant vegetation and key corridors for fauna and flora in community ownership is crucially important. The policy position recognises the importance of preserving environmental corridors.

#### Policy Focus

This strategic policy is considered necessary in order to have an appropriate level of confidence that the community's best interests are served when responding to requests for road closure applications. [Note that the policy is not dealing with applications for short-term road closures in connection with traffic management matters.] The following four fundamental aspects must be considered in the assessment of all applications:

**Loss of potential future benefit** – The Council response to Department of Resources in relation to road closure applications is required to be directed to current known impacts on Council's operational capabilities. Most often, the real need in preserving road reserves, in full or part, is to protect an opportunity for a future generation, a yet to be discovered future benefit.

Department of Resources request for comment from Council is focussed on foreseeable community needs. The proposed policy states that where these needs have not yet been identified or "tapped into" should not provide the basis for disposing of the asset by way of a road closure.

The future benefits may relate to recreational open space, preservation of linear fauna and flora linkages as well as the potential to restore and enhance nature's potential. Many unutilised road reserves, in full or in part, provide buffers to urban and agricultural activity that will, with future population growth, take on greater importance and community value.

**Loss of environmental value** – The future benefits may relate to recreational open space, preservation of linear fauna and flora linkages by way of the potential to restore and enhance nature's potential. Many unutilised Road Reserves, in full or in part, provide buffers to urban and rural activity that will, with future population growth, take on greater importance and increased community value.

**Loss of access** – Many of the unutilised rural road reserves lead to water courses, major and minor, where areas adjacent to streams are currently available to the community notwithstanding that the community may be unaware. Access to and through these attractive

areas needs to be preserved, for the benefit of flora and fauna preservation and for the enjoyment of current and future generations. It is vitally important to protect access to and through these reserves into the future as their importance will gain in stature as the Sunshine Coast Regional Council population grows from approximately 350,000 (2021) to approximately 518,000 (2041) and continued growth beyond.

**Future costs** – Many road reserves serve multiple purposes, providing connectivity for transport and corridors for locating energy, water supply, sewerage, and telecommunications infrastructure. Sections of road reserve lost in the past through road closures have required to be purchased back or alternative routes found, to meet the infrastructure needs of community. This financial burden on community is unnecessary and future recurrences should be avoided.

Road reserves, regardless of current utilisation, are considered to be a vitally important asset for the region. Therefore, the vast majority of applications for permanent closure would not be supported and this should be Council's starting position in all instances.

Only in extenuating circumstances will a permanent road closure be supported by Council.

Examples where a permanent road closure application might attract support is where the closure:

- is of a minor nature, (e.g. a minor boundary truncation),
- is part of an equivalent land swap facilitating an equivalent or improved corridor, providing and/or preserving community benefit,
- addresses an untenable situation for a property owner, or,
- involves the installation of essential utility infrastructure.

A temporary road closure would generally be supported, with conditions, as it provides an acceptable interim solution while preserving future community benefits.

### **Legal**

There are currently no known legal issues relating to this report.

### **Policy**

The proposed Policy recognises the current Department of Resources *Guideline Roads under the Land Act 1994 (Version 5) 2 July 2020* which document provides guidance to State Government officers on how roads are managed under the *Land Act 1994*.

### **Risk**

The primary risk is that without a Policy, loss of community assets will follow. There is a further financial risk where lost assets/road reserves may need to be "re-purchased".

### **Previous Council Resolution**

There are no previous Council Resolutions relating to this report.

### **Related Documentation**

There is no related documentation relevant to this report.

### **Critical Dates**

While there is no specific/critical date relating to this report, there is a certain 'time is of the essence' need to have this Policy come into effect without delay.

**Implementation**

Should the recommendation be accepted by Council, it is noted that the Chief Executive Officer will:

- (i) Have the Policy entered into Council's Policy Register
- (ii) Advise the necessary areas of the organisation of the need to refer to this Policy and be guided accordingly when responding to applications for Road Closures, and
- (iii) Formally write to the Department of Resources, advising of Council's decision, providing a copy of the Policy.





## Strategic policy

### Management of Requests for Road Closure Applications

Corporate Plan reference	<p><b>Our Strong Community</b> We serve our community by providing this great service.</p> <ul style="list-style-type: none"><li>• S7 - Roads, cycleways and pathways – maintaining and improving the road network and associated assets (sealed and gravel roads, bridges and pathways), vegetation management, construction and project delivery services, permit fees, private works and levies.</li></ul> <p><b>Our Environment and Liveability</b> We serve our community by providing this great service.</p> <ul style="list-style-type: none"><li>• S14 - Sustainable growth and network planning – providing land use planning, social policy, infrastructure planning and charges, flood mapping, transportation planning and environmental initiatives.</li></ul>
Endorsed by Council on:	24 March 2022
Manager responsible for policy	Manager, Property Management Branch

## Introduction

Effective management of Road Reserves is a critical responsibility for Council, as so many important community outcomes are achieved through the utilisation and protection of these corridors. Uses within Road Reserves are wide ranging, extending from accommodating current and future transport, parking, access and utility needs to providing urban amenity and buffers against development activity in both rural and urban situations. Underpinning the policy is the principle of preserving road reserves to protect the interests of existing and future communities.

There are many Road Reserves that are currently unutilised or underutilised that are subject to applications for temporary and permanent closure. If permanent closures are granted, that future potential for a future community is removed.

This policy recognises the State Government process, managed by the Department of Resources (DoR), with the Minister ultimately responsible for granting approval for a Road Closure. It outlines the elements for consideration required of Council employees and Councillors in developing responses, as part of the process. Further, the policy provides guidance to external parties considering making an application for a Road Closure.

## Policy statement

Council is committed to the preservation and protection of road reserves for the benefit of existing and future communities across the region. Council recognises that road reserves, regardless of current utilisation, are a vitally important asset for the region both now and into the future.

The long-term vision is to preserve and protect road reserves for the benefit of existing and future communities.

In order to protect these assets, the majority of applications made to the Queensland State Government's Department of Resources (DoR) are not supported as they do not meet Council's strict threshold for supporting permanent road closures.

This policy provides a framework for the consistent assessment of permanent road closure applications and response to the Queensland State Government, which aims to ensure consistency across all areas of Council operations and the development of a consistently informed response on all applications.

## Policy scope

This policy applies to all Council employees involved in the assessment of permanent road closure applications made to Council by the DoR.

This policy does not apply to road closure applications relating to events, construction works and any other road closure applications attached to permits or approvals issued under the Local Government Act 2009 or Council's local laws.

## Principles

The process established in the *Land Act 1994* and supporting documentation delivers a framework for officers to provide advice of support or objection to DoR, based on a number of considerations. The following principles apply to the assessment and final decision of all permanent road closure applications.

The key guiding principles for the protection of road reserves are:

- **Preservation of function** – road reserves typically provide for the movement of people and goods by way of existing and future use by vehicles, cyclists and pedestrians, but also accommodate other uses such as the right of way for utility services, and community amenity through space for trees and street scaping. The policy position is to preserve this potential.
- **Preservation of existing and future community benefit** – preservation of public land for future generations is in keeping with Council's vision, by protecting the potential for connectivity, amenity and green spaces, particularly as population growth continues and unused road reserves will grow in community value and will eventually realise their potential.
- **Preservation of future access** – many undeveloped road reserves provide accessibility to key locations such as waterways and quiet green spaces. The policy position is to preserve and protect future accessibility to waterways, conservation areas and public spaces.
- **Changing land use** – The full benefit of an existing road reserve, yet to be realised, may be revealed by future land use changes, over time. Councils generally review and develop new Planning Schemes every 10 or so years. Preserving road reserves will allow future community benefits from land use changes to be realised.
- **Minimise future costs** – road reserves facilitate the provision of services such as water supply, sewerage, telecommunications and electricity. There could be significant cost to purchase land parcels in the future, driven by relinquishing an existing road reserve, should a requirement become necessary. The policy position protects the possible unnecessary use of community funds in the future.

- **Enhance environmental protection** – Preserving all or parts of undeveloped road reserves for the protection of remnant vegetation and key corridors for fauna and flora in community ownership is crucially important. The policy position recognises the importance of preserving environmental corridors.

## Road closure assessment

The vast majority of applications for permanent road closure would not be supported and this will be Council's starting position in all instances. However, in extenuating circumstances a permanent road closure may be supported by Council. Examples where a permanent road closure application might attract support is where the closure:

- is of a minor nature, (e.g. a minor boundary truncation),
- is part of an equivalent land swap facilitating an equivalent or improved corridor, providing community benefit,
- addresses an untenable situation for a property owner, or,
- involves the installation of essential utility infrastructure.

A temporary road closure would generally be supported, with conditions, as it provides an acceptable interim solution while preserving future community benefits, such as:

- protecting environmental values,
- preservation of community access,
- maintaining stormwater capabilities,
- meeting future transport needs, or,
- protecting other unknown benefits.

The following three phases form an integral aspect of the assessment of all permanent road closure applications received by Council.

### 1. Initial review and allocation

Property Management Branch is responsible for the initial review of all applications and will coordinate key stakeholder engagement across all relevant Council operational areas. Divisional Councillors will be included as part of the key stakeholder engagement process.

### 2. Assessment

The following four fundamental aspects must be considered in the assessment of all applications in line with the policy's guiding principles –

**Loss of potential future benefit** – The Council response to DoR in relation to Road Closure applications is currently required to be directed to existing and foreseeable impacts on Council's operational capabilities. This is unacceptable to Council, as is most often the case, the need to preserve Road Reserves, in full or part, is to protect an opportunity for a future generation, of a yet to be discovered future benefit. Where needs have not yet been identified or "tapped into" should not provide the basis for disposing of the asset by way of a road closure.

**Loss of environmental value** – The future benefits may relate to recreational open space, preservation of linear fauna and flora linkages by way of the potential to restore and enhance nature's potential. Many unutilised Road Reserves, in full or in part, provide buffers to urban and rural activity that will, with future population growth, take on greater importance and increased community value.

**Loss of access** – Many of the unutilised rural Road Reserves lead to water courses, major and minor, where areas adjacent to streams are currently available to the community through the presence of a Road Reserve, but lack a constructed facility, could be fenced off, and/or are largely unknown to the public. Access in perpetuity, to and through these attractive areas needs to be preserved, for the benefit of flora and fauna preservation and for the enjoyment of current and future generations. Further, it is vitally important to protect access to and through these reserves into the future as their importance will gain in stature as the Sunshine Coast Regional Council population grows from 350,000 (2021) to 518,000 (2041) and beyond.

**Future costs** – Many Road Reserves serve multiple purposes, providing connectivity for transport, energy, water supply, sewerage, and telecommunications. Sections of Road Reserve lost in the past through road closures have required purchase back or alternative routes to be found, to meet the infrastructure needs of community. This financial burden on community is unnecessary and should be avoided.

### 3. Recommendation and final decision

The Property Management Branch will collate all responses from key stakeholders, cross check recommendations to ensure they align with this policy and coordinate the development of a single consolidated response and final decision back to DoR for consideration and decision.

### Roles and responsibilities

All Council employees involved in the assessment of applications made to Council through DoR regarding permanent road closure applications must comply with this policy and any associated documents related to the closure of roads.

The State Government, through DoR, requests advice from Council on its position regarding temporary and permanent road closure applications.

The branches of Council which receive the request for feedback will be determined by Property Management Branch. Property Management Branch will communicate Council's decision to DoR.

### Measurements of success

A key measurement of success for this policy is the successful preservation of community land for future generations.

### Definitions

**Council employee** -Means the CEO, senior contract employees, contract employees, award employees, casual employees, part-time employees, contractors, contingent workers, agency casuals.

**Road** – Under the Land Act 1994, a road is defined as an area of land, whether surveyed or unsurveyed, that is either:

- dedicated, notified or declared to be a road for public use
- taken under an Act for the purpose of a road for public use

**Road Reserve** - Land dedicated as road is an area set aside for the present or future use of the travelling public.

## Policy commitment

Council employees and Councillors covered in the scope of this policy consistently demonstrate and uphold the intent, objectives and principles of this policy. Nothing in this policy requires or authorises an employee of Council or Councillor to act in any way that is contrary to law. Any instances of non-compliance will be managed in accordance with any relevant codes of conduct, policies and legislation dealing with conduct and/or disciplinary action.

## Related legislation, policies, strategies and documents

All individuals engaged in dealings within the scope of this policy are required to fulfil the ethical and behavioural obligations as defined in legislation. In the event of an inconsistency between any provision of this policy and any provision of the following related legislation, policies, strategies and documents, the provisions of the related legislation, policies, strategies and documents shall prevail, unless the CEO or Council expressly waive a provision of this policy by prior agreement. For further assistance please contact the Manager of Corporate Governance.

[Local Government Act 2009](#)

[Land Act 1994](#) (refer Sections 97A – 109C).

[QLD State policy paper - "Roads: Permanent and Temporary Closures.](#)

[Guideline – Roads under the Land Act 1994 SLM/2013/725](#)

[Application for Road Closure – Department of Resources, Part B – Form LA18](#)



Version control:

Version	Reason/ Trigger	Change (Y/N)	Endorsed/ Reviewed by	Date
1.0	New Policy			24/03/2022



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## 8.4 INFRASTRUCTURE CHARGES RESOLUTION AMENDMENTS

File No:	F2021/101495
Author:	Manager Transport and Infrastructure Planning Built Infrastructure Group
Appendices:	App A - Sunshine Coast Regional Council Infrastructure Charges Resolution (No. 9) 2022 ..... 287 <a href="#">↓</a> 
Attachments:	Att 1 - Sunshine Coast Regional Council Infrastructure Charges Resolution (No. 8) 2019 - Tracked Changes ..... 319 <a href="#">↓</a> 

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### PURPOSE

The purpose of this report is to seek Council's approval to amend the current Infrastructure Charges Resolution.

### EXECUTIVE SUMMARY

Council's Infrastructure Charges Resolution is a statutory document that gives Council the ability to levy infrastructure charges, which revenue contributes significantly towards the provision of trunk infrastructure required to support growth. The current version of the Resolution is the Infrastructure Charges Resolution (No. 8) 2019.

Under the provisions of the *Planning Act 2016* (the Act), to amend the existing Resolution requires Council, by resolution, to adopt a new Infrastructure Charges Resolution. This report seeks Council's approval to adopt a new Resolution, with the following changes proposed:

- A reduction in the adopted charge rate for long term accommodation uses for community residences and rooming accommodation (e.g., a boarding house).
- Administrative correction to the unit of measure for 'community residence and rooming accommodation' use.
- Removal of the 30% reduction to the charge for the Roads and Parks proportion of Council's charge for retirement facilities.
- Addition of a function facility charge rate associated with a 'resort complex' development, together with associated administrative clarification provided.
- The Schedule of adopted charges in the Resolution has also been updated to reflect the current prescribed amount (maximum charge), as set yearly by the State Government in the Planning Regulation, Schedule 16.

Details addressing these issues are provided in the body of this report. It is proposed that Council adopts the amended **Sunshine Coast Regional Council Infrastructure Charges Resolution (No. 9) 2022 (Appendix A)**.

### OFFICER RECOMMENDATION

That Council:

- (a) receive and note the report titled "Infrastructure Charges Resolution Amendments" and
- (b) adopt the Sunshine Coast Regional Council Infrastructure Charges Resolution (No. 9) 2022 (Appendix A).

## FINANCE AND RESOURCING

The proposed amendments to the Resolution will result in minor change only to Council's future infrastructure charges revenue with no discernible impacts to Council's investment in trunk infrastructure.

Costs incurred in developing the changed document and associated media costs in communicating the changes will be managed within current budget allocations.

## CORPORATE PLAN

**Corporate Plan Goal:** *Our environment and liveability*  
**Outcome:** We serve our community by providing this great service  
**Operational Activity:** S14 - Sustainable growth and network planning – providing land use planning, social policy, infrastructure planning and charges, flood mapping, transportation planning and environmental initiatives.

## CONSULTATION

### Councillor Consultation

Councillor E Hungerford, Councillor J Natoli and Councillor D Law have been consulted on the proposed changes and implications.

### Internal Consultation

No internal consultation was carried out in relation to this report.

### External Consultation

No external consultation was carried out in relation to this report.

### Community Engagement

There has been no community engagement involved in the preparation of this report.

## PROPOSAL

### Background

Council's ability to levy infrastructure charges is provided under the *Planning Act 2016* (the Act). The Act sets the maximum charge rates that can be applied by local governments for development approvals for the various use types. Councils can then, by resolution, choose to apply an infrastructure charge and set infrastructure charges at or below the maximum, as is deemed appropriate. Under the current Resolution, Council's adopted charge rates are generally, with a few exceptions, at the maximum charge allowed under the legislation.

The charge rates set in the Resolution are the total charge which is then split between Unitywater and Council for their respective trunk networks. The split is based on an agreed apportionment under a *breakup agreement*, which is provided in Council's Infrastructure Charges Resolution. The Act provides that where a less than maximum charge is adopted by Council, Unitywater is entitled to its apportionment of the maximum amount, therefore the Council charge is effectively what remains. As an example, if the maximum charge rate was \$100, but Council adopted a lesser charge rate of \$60, and agreed apportionment was 50/50, Unitywater would receive \$50 of the charge and Council, \$10.



The following outlines each of the proposed changes to the current Resolution, recommended to be adopted as a new Resolution No.9:

**a) Charge rate for community residences and rooming accommodation**

**Issue** – The charge rates for community residences and rooming accommodation for one-bedroom proposals are considered high for this type of use, especially considering those in the community occupying these facilities.

Community residences and rooming accommodation falls under the Accommodation (long-term) charge category in the Act. The current resolution sets the charge rates at the maximum allowed for community residences, as follows:

Accommodation (long-term)	Suite (with 3 or more bedrooms)	\$29,339.55
	Suite (with 2 bedrooms)	\$20,956.80
	Suite (with 1 bedroom)	\$20,956.80

It is proposed to replace the rate for 1-bedroom suites as follows:

Accommodation (long-term)	Suite (with 3 or more bedrooms)	\$29,339.55
	Suite (with 2 bedrooms)	\$20,956.80
	Suite (with 1 bedroom)	\$14,921.00

(It is noted that these figures are based on the rates in the current resolution and will be updated for the current Prescribed Amounts as proposed in issue e) below.)

**b) Correction of Unit of measure for community residences and rooming accommodation uses**

**Issue** – The current phrasing describing these uses is not consistent with the phrasing of the State Planning Regulation and requires adjustment.

This is purely an administrative amendment, with the adjustments linked to acceptance of amendment a) above, so that the table in the Resolution will read as follows:

		Unit of Measure
<b>Community residence</b>	Accommodation (long-term)	for each suite with 3 or more bedrooms
		for each suite with 2 bedrooms
		for each suite with 1 bedroom
		for each bedroom that is not part of a suite

		Unit of measure
<b>Rooming accommodation</b>	Accommodation (long-term)	for each suite with 3 or more bedrooms
		for each suite with 2 bedrooms
		for each suite with 1 bedroom
		for each bedroom that is not part of a suite

**c) Retirement Facility charges**

**Issue –** Under the current charging provisions of Resolution 8, retirement facilities and residential care facilities are beneficiaries of a 30% reduction in the roads and parks proportion of Council's charge, introduced with the adoption of Resolution 3 in February 2013. The reduction was *"to recognise these developments (retirement facilities and residential care facilities) generally have occupants that place reduced demand on Road and Parks networks"*, as compared to a standard dwelling house. It is now considered that the relevance of this reduction no longer applies and requires Council's consideration.

This discussion will speak to Retirement Facilities only.

As a general rule, the majority of retirement facility approvals are 3 or 2-bedroom units.

The types of retirement facility being offered on the market have been changing over time with more being marketed as an "Over 50's retirement resort". As a result, occupants are generally younger and more mobile, therefore negating the argument that they have less demand on the Road and Parks networks.

It is proposed to remove the 30% reduction, with the outcome shown in the table below:

3-Bedroom Unit		2-Bedroom Unit	
30% reduction applied	30% reduction removed	30% reduction applied	30% reduction removed
\$12,093	\$16,566	\$8,637	\$11,833

(It is noted that these figures are based on the rates in the current resolution and will be updated for the current Prescribed Amounts as proposed in issue e) below.)

**d) "Function facility" charge rate for Resort Complex use**

**Issue –** Where Function Facilities provided at Resort Complexes do not qualify as ancillary uses, there needs to be a function facility charge rate included in the Resolution.

Resort complex uses are charged based on the number of accommodation suites, in accordance with the charging provisions in the State Planning Regulation. Where uses such as restaurants, bars, shops, conference facilities are provided and these uses are wholly for the occupants of the resort complex, they are deemed as ancillary and are not subject to a separate charge.

However, in many circumstances, these additional uses are open to external users, are not wholly ancillary and should therefore be subject to an additional charge.

It is proposed to add the Function facility charge to the resort complex use and clarify that this and charges for commercial, retail and entertainment, only apply where they are not wholly ancillary to the resort occupants' use, that is, available to external users. Accordingly, it is recommended that the change in the table will be as follows, aligning with like charges for this charge category elsewhere in the Infrastructure Charges Resolution (charge rates still to be increased as per e) below):

Defined use	Charge category	Unit of measure per:	Adopted charge rate (\$ per unit of measure)	Adopted charge rate for stormwater (\$ per m2 of impervious area)
Resort complex	Accommodation (short-term)	2 or less bedroom suite	\$10,478.40	-
		3 or more bedroom suite	\$14,669.75	-
		bedroom (that is not part of a suite)	\$10,478.40	-
	Commercial retail (non-residential component, where available to external users)	m <sup>2</sup> GFA	\$188.60	\$10.50
	Entertainment (non-residential component, where available to external users)	m <sup>2</sup> GFA	\$209.55	\$10.50
	Places of Assembly (Function facility) (non-residential component, where available to external users)	m <sup>2</sup> GFA	\$73.35	\$10.50

**e) Updating charges rates to current prescribed amounts.**

**Issue –** The current Infrastructure Charges Resolution (No.8) does not reflect the current prescribed charge rates in the State Planning Regulation.

When the last version of the Resolution was adopted, (No. 8) in September 2019, the charge rates were adjusted to the prescribed amounts (maximum charge) in the Act at the time. There are some exceptions where a less-than-maximum charge applies.

Each year the State increases the prescribed amounts in the Regulation, or the Act allows for indexing the rates at the start of each financial year. (The charges that Council applies under the current Resolution keep pace with the increased prescribed amounts based on indexation provisions contained in the Resolution.)

To maintain consistency with the current charge rates in the Regulation it is proposed to update the current Adopted Charge rates in the Resolution to be the same. Where lesser charges have been adopted for certain uses in the Resolution, these will be updated by the same indexation provisions that have applied to the prescribed amounts. The new base date for indexation of the adopted charge will change from March 2019 to March 2021.

**Changes**

All amendments to the current Infrastructure Charges Resolution (No.8) 2019 are provided in **Att 1 – Sunshine Coast Council Infrastructure Charges Resolution (No.8) 2019 Tracked Changes**.

**Legal**

There are no legal implications arising from the matters raised in this report.

**Policy**

The policy implications are addressed by way of changes to the Infrastructure Charges Resolution, as directed by Council and are consistent with the *Planning Act 2016* and the *Planning Regulation 2017*.

**Risk**

There are no known risks to Council relating to adopting a revised Infrastructure Charges Resolution.

**Previous Council Resolution****Ordinary Meeting 19 September 2019 (OM19/140)**

*That Council:*

- (a) receive and note the report titled “Infrastructure Charges Resolution Amendments” and
- (b) adopt the “Sunshine Coast Regional Council Infrastructure Charges Resolution (No. 8) 2019” (Appendix A).

**Related Documentation**

- *Planning Act 2016*
- *Planning Regulation 2017*
- *Local Government Infrastructure Plan (Part 4 of Sunshine Coast Planning Scheme, 2014)*

**Critical Dates**

There are no critical dates relevant to this report.

**Implementation**

Advice will be provided to the development industry and internal stakeholders regarding the adoption of the amended Resolution.

The Act provides that the charges under **Sunshine Coast Regional Council Infrastructure Charges Resolution (No.9) 2022 - Appendix A** will have effect on the day stated in the Resolution, provided the Resolution is uploaded to Council's website before that date. If adopted, it is proposed to have the Resolution take effect from Monday, 28 March 2022.



## Infrastructure Charges Resolution (No. 9) 2022

Commenced 28 March 2022



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**[www.sunshinecoast.qld.gov.au](http://www.sunshinecoast.qld.gov.au)**

[mail@sunshinecoast.qld.gov.au](mailto:mail@sunshinecoast.qld.gov.au)

**T** 07 5475 7272 **F** 07 5475 7277

Locked Bag 72 Sunshine Coast Mail Centre Qld 4560

#### **Acknowledgements**

Council wishes to thank all contributors and stakeholders involved in the development of this document.

#### **Disclaimer**

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## Infrastructure Charges Resolution (No.9) 2022

March 28, 2022

## Sunshine Coast Regional Council Infrastructure Charges Resolution (No. 9) 2022

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Sunshine Coast Regional Council

**Infrastructure Charges Resolution (No. 9) 2022**

**Part 1 Introduction**

**1. Preliminary**

**1.1 Title**

This infrastructure charges resolution may be cited as the *Sunshine Coast Regional Council Infrastructure Charges Resolution (No. 9) 2022*.

**1.2 Planning Act 2016**

- (1) The resolution is made under s 113 of the *Planning Act 2016*.
- (2) The resolution is to be read in conjunction with the following:
  - (a) the Planning Regulation;
  - (b) the applicable local planning instruments.
- (3) The resolution is attached to but does not form part of the applicable local planning instruments.

**1.3 Effect**

The resolution has effect from the 28 March 2022

**1.4 Purpose of the resolution**

The purpose of the resolution is to assist with the implementation of the applicable local planning instruments by stating the following:

- (a) an adopted infrastructure charge for the purpose of determining a levied charge for funding part of the establishment cost of the following trunk infrastructure networks:
  - (i) transport network;
  - (ii) parks and land for community facilities network;
  - (iii) stormwater network;
  - (iv) water supply network;
  - (v) sewerage network.
- (b) stating other matters relevant to the adopted infrastructure charge.

**1.5 Interpretation**

- (1) ***In this resolution:***

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**adopted charge rate** means the charge to be applied for the purpose of calculating a levied charge as stated in section 8.4 (Adopted charge rate).

**applicable local planning instruments** means the following:

- (a) *Caloundra City Plan 2004*;
- (b) *Maroochy Plan 2000*;
- (c) *Sunshine Coast Planning Scheme 2014*

**base date** means the date stated in the LGIP and Netserv Plan from which Council and distributor-retailer has estimated the establishment cost for a trunk infrastructure network.

**bedroom** means an area of a building or structure which:

- (a) is designed or intended for use for sleeping; or
- (b) can be used for sleeping such as a den, library, study, loft, media or home entertainment room, library, family or rumpus room or other similar space.

**breakup agreement** means the agreement between Council and the distributor-retailer for the charges breakup of the maximum adopted charges that applies to each of the parties.

**commercial lot** means a lot located in the Principal Centre, Major Centre, District Centre and Local Centre Zones and Specialised Centre Zone.

**Council** means Sunshine Coast Regional Council.

**court area** means the area of premises where the leisure, sport or recreation activity is conducted and excludes the area of the premises not used for conducting the leisure, sport or recreation activity, such as areas for spectators, office or administration, amenities or food and beverages.

**credit** means the amount the adopted charge is reduced by taking into account the existing lawful uses on the site or vacant lots in section 8.5 or previous payments as calculated in section 8.6 ( Additional credit for past contribution or charge).

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**distributor-retailer** means the Northern SEQ Distributor-Retailer Authority (trading as Unitywater).

**dwelling unit** means habitable rooms and other spaces used or intended for use as one self-contained residential unit, comprising at least bathroom, toilet and kitchen facilities as well as other living and sleeping space to accommodate one or more persons.

**establishment cost** see schedule 2 (Dictionary) of the *Planning Act 2016*.

**gross floor area (GFA)** <sup>1</sup> means the total floor area of all storeys of a building (measured from the outside of the external walls or the centre of a common wall<sup>2</sup>), other than areas used for the following:

- (a) building services, plant and equipment;
- (b) access between levels;
- (c) ground floor public lobby;
- (d) a mall<sup>3</sup>;
- (e) the parking, loading and manoeuvring of motor vehicles;
- (f) unenclosed private balconies whether roofed or not.

**impervious area** means the area of the premises that is impervious to rainfall. This includes all roofed, decked, paved, concrete, asphalt or bitumen sealed areas.

**industrial lot** means a lot located in the Low Impact, Medium Impact, High Impact and Waterfront and Marine Industry Zones.

**lawful use** see schedule 2 (Dictionary) of the *Planning Act 2016*.

---

<sup>1</sup> GFA includes the area of shipping containers or similar structures used as permanent structures and approved for permanent use e.g. mini storage facilities.

<sup>2</sup> where there are no external walls, the measurement is taken to the outside of the supporting columns, or for a cantilevered roof, the edge of the roofline. Should the roofline extend beyond the floor, then the floor extent will be the basis for measurement.

<sup>3</sup> For example: a public access mall in a shopping centre

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**levied charge** means a charge for trunk infrastructure for which the *Planning Act 2016* applies, calculated under the resolution.

**local government infrastructure plan (LGIP)** means the local government infrastructure plan for the specified local government planning scheme/s

**Netserv Plan** means the distributor-retailer's infrastructure and business approach to provide safe, reliable and secure water supply and sewerage services and its growth and investment strategy for the next 30 years.

**other lot** means a lot that is not a residential lot, industrial lot or commercial lot.

**PA** means the *Planning Act 2016*

**planned date** means the date scheduled for the provision of trunk infrastructure stated in the schedule of works for trunk infrastructure referenced in the LGIP.

**Planning Regulation** means the Planning Regulation 2017 made under the Planning Act 2016.

**prescribed form** means a form prescribed by Council.

**priority infrastructure area** see section 4.2 (Priority infrastructure area).

**residential lot** means a lot located in the Low Density, Medium Density, High Density and Tourist Accommodation Zones, Emerging Community Zone, Limited Development (Landscape Residential) Zone, Rural Zone or Rural Residential Zone.

**specified local government planning scheme** means the: Caloundra City Plan 2004; Maroochy Plan 2000 and the Sunshine Coast Planning Scheme 2014.

**storey** means a space that is situated between one floor level and the floor level next above, or if there is no floor above, the ceiling or roof above, but not:-

- (a) a lift shaft, stairway or meter room;
- (b) a bathroom, shower room, laundry, water closet, or other sanitary compartment; or

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(c) a combination of the above.

A mezzanine is a storey.

A roofed structure on or part of a roof that does not solely accommodate building plant and equipment is a storey.

**suite** means a single room or a set of connecting rooms that can operate as a single occupancy or single tenancy.

(2) A term defined in the *Planning Act 2016* which is used in the resolution has the meaning given in the *Planning Act 2016*.

(3) If a term is not defined in the resolution, specified local government planning scheme or the *Planning Act 2016* the term is to, subject to section 14A (Interpretation best achieving Act's purpose) of the *Acts Interpretation Act 1954*, have the meaning assigned to it by the edition of the Macquarie Dictionary that is current at the commencement date.<sup>4</sup>

## 2. Application of the adopted infrastructure charge

### 2.1 Purpose

Section 2 states the following:

- (a) that Chapter 4 of the *Planning Act 2016* has effect in the local government area;
- (b) that the resolution is intended to apply to development in the local government area;
- (c) that the resolution applies to particular development;
- (d) the categorisation of uses under an applicable local planning instrument to charge categories under the Schedule 16 of the Planning Regulation.

### 2.2 Effect of the Chapter 4 of the *Planning Act 2016* in the local government area

Chapter 4 of the *Planning Act 2016* applies to all of the local government area.

### 2.3 Application of the resolution to the local government area

The resolution applies to all development in the local government area.

### 2.4 Application to particular development

Council may levy an infrastructure charge on the following development:

- (a) a reconfiguring a lot;

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<sup>4</sup> Section 14A(1) (Interpretation best achieving Act's purpose) of the *Acts Interpretation Act 1954* provides that in the interpretation of a provision of the Act the interpretation that will best achieve the purpose of the Act is to be preferred to any other interpretation.

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- (b) a material change of use of premises;
- (c) the carrying out of building work.

## **2.5 Categorisation of uses to development classes**

- (1) A use under an applicable local planning instrument as stated in column 1 of Table 13.1 (Schedule of adopted charges – material change of use or building work) is included within the Planning Regulation Schedule 16 charge category stated in column 2 of Table 13.1 Schedule of adopted charges – material change of use or building work;
- (2) Council and the distributor-retailer are to allocate a use not otherwise stated under subsection (1) to an applicable development class based on an assessment of use and demand.

## **3. Assumptions about future development**

### **3.1 Purpose**

Section 3 states the assumptions about the type, scale, location and timing of future development.

### **3.2 Development assumptions about future development**

- (a) the type, scale, location and timing of future development is identified in the LGIP;
- (b) development inconsistent with the type, scale, location and timing identified in the LGIP will be subject to assessment for conditions for extra trunk infrastructure costs in Subdivision 2 Chapter 4 of the PA.

## **4. Priority infrastructure area**

### **4.1 Purpose**

Section 4 states the priority infrastructure area for Council.

### **4.2 Priority infrastructure area**

The priority infrastructure area is identified in the LGIP.

## **Part 2 Trunk infrastructure networks**

### **5. Trunk infrastructure plans**

#### **5.1 Purpose**

The LGIP and the Netserv Plan states the trunk infrastructure networks to be funded, in part, by the adopted infrastructure charge.

#### **5.2 Schedule of works for trunk infrastructure**

The trunk infrastructure networks comprise the land and works for trunk infrastructure detailed in the LGIP and the Netserv Plan.

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**5.3 Trunk infrastructure network systems and items**

The trunk infrastructure networks identified in the schedule of works for trunk infrastructure include the systems and items detailed in the LGIP and the Netserv Plan.

**5.4 Trunk infrastructure plans**

The trunk infrastructure networks identified in the schedule of works for trunk infrastructure are conceptually identified in the trunk infrastructure plans detailed in the LGIP and Netserv Plan.

**6. Desired standard of service****6.1 Purpose**

Section 6 states the desired standard of service which is the standard guiding the delivery of a trunk infrastructure network.

**6.2 Desired standards of service for trunk infrastructure**

The desired standard of service for each infrastructure network is detailed in the LGIP and Netserv Plan.

**7. Establishment cost for trunk infrastructure networks****7.1 Purpose**

Section 7 states the establishment cost for an identified trunk infrastructure network.

**7.2 Establishment costs for a trunk infrastructure network**

The establishment costs for the trunk infrastructure networks are detailed in the LGIP and Netserv Plan.

**Part 3 Levied charge****8. Levied charge****8.1 Purpose**

Section 8 states the calculation of the infrastructure charge to be levied by the following:

- (a) Council under Chapter 4 of the *Planning Act 2016* for the transport, parks and land for community facilities and stormwater networks;
- (b) the distributor-retailer under the *South-East Queensland Water (Distribution and Retail Restructuring) Act 2009* for the sewerage and water supply networks.

**8.2 Calculation of the base charge**

- (1) A base charge for reconfiguring a lot is calculated as follows:

$$BC_{RaL} = (AC_{RaL} \times Q_{RaL}) - C$$

Where:

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$BC_{RaL}$  is the base charge for reconfiguring a lot.

$AC_{RaL}$  is the adopted charge rate for reconfiguring a lot stated in section 8.4 (Adopted charge rate).

$Q_{RaL}$  is the total number of lots.

$C$  is the credit stated in section 8.5 (Credit for existing uses or vacant lots).

Note:

- (a) for Residential and Other lot reconfiguration, the base charge is apportioned across all networks;
- (b) for Commercial and Industrial lot reconfiguration, the base charge apportionment excludes the stormwater charge component.

- (2) A base charge for a material change of use or building work for residential development is calculated as follows:

$$BC_R = (\text{sum of } (AC_R \times Q_R) \text{ for each defined use}) - C$$

Where:

$BC_R$  is the base charge for a material change of use or building work for residential development.

$AC_R$  is the adopted charge rate for each defined use for a material change of use or building work for residential development stated in section 8.4 (Adopted charge rate).

$Q_R$  is the residential quantity for each defined use.

$C$  is the credit stated in section 8.5 (Credit for existing uses or vacant lots).

- (3) A base charge for a material change of use or building work for non-residential development is calculated as follows:

$$BC = BC_{NR} + BC_{SW}$$

Where:

$BC$  is the base charge for the total development

$$BC_{NR} = (\text{sum of } (AC_4 \times Q_4) \text{ for each defined use}) - C_4$$

$$BC_{SW} = (AC_{SW} \times Q_{SW}) - C_{SW}$$

$BC_{NR}$  is the base charge for a material change of use or building work for non-residential development for the transport, public parks and land for community facilities, water supply and sewerage networks.

$BC_{SW}$  is the base charge for a material change of use or building work for non-residential development for the stormwater network.

$AC_4$  is the adopted charge rate for each defined use for a material change of use or building work for non-residential development stated in section 8.4 (Adopted charge rate) for the transport, public parks and land for community facilities, water supply and sewerage networks.

$AC_{SW}$  is the adopted charge rate for a material change of use or building work for non-residential development stated in section 8.4 (Adopted charge rate) for the stormwater network.

$Q_4$  is the non-residential quantity for each defined use.



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- $Q_{SW}$  is the impervious area of the development.
- $C_4$  is the credit stated in section 8.5 (Credit for existing uses or vacant lots) for the transport, public parks and land for community facilities, water supply and sewerage networks.
- $C_{SW}$  is the credit stated in section 8.5 (Credit for existing uses or vacant lots) for the stormwater network.

**8.3 Levied Charge**

The base charge calculated in section 8.2 is indexed by the 3-yearly PPI average from the base date of March 2021 to the date of issuing the charge. The indexed base charge becomes the levied charge.

The levied charge cannot be more than the maximum adopted charge amount calculated at the date of issue of the levied charge.

**8.4 Adopted charge rate**

The adopted charge rate for:

- (a) a material change of use or building work for:
- (i) residential development, is stated in Table 13.1 (Schedule of adopted charges - material change of use or building work);
  - (ii) non-residential development other than Other uses, is stated in Table 13.1 (Schedule of adopted charges - material change of use or building work), which comprises the following:
    - (A) the adopted charge rate for the transport, public parks and land for community facilities, water supply and sewerage networks in column 4; and
    - (B) the adopted charge rate for the stormwater network in column 5;
  - (iii) non-residential development being Other uses or other development not otherwise identified in paragraphs (i) or (ii):
    - (A) the adopted charge rate for the transport, public parks and land for community facilities, water supply and sewerage networks in column 4, is to be determined by Council and the distributor-retailer based on an assessment of use and demand; and
    - (B) the adopted charge rate for the stormwater network in column 5.
- (b) reconfiguring a lot, is the amount stated in Table 13.2 (Schedule of adopted charges – reconfiguring a lot);

**8.5 Credit for existing lawful uses or vacant lots**

- (1) The credit for the premises is an amount which is the greater of the following:
- (a) where the premises is subject to an existing lawful use for:
    - (i) residential development, the amount stated for an adopted charge in Table 13.1 (Schedule of adopted charges - material change of use or building work) for the lawful use;

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- (ii) non-residential development other than Other uses, the amount stated for an adopted charge in Table 13.1 (Schedule of adopted charges - material change of use or building work) for the lawful use;
- (iii) non-residential development being Other uses or other development not otherwise identified in paragraphs (i) or (ii), an amount to be determined by Council and the distributor-retailer;
- (b) where the premises is not subject to an existing lawful use:
  - (i) for a Residential lot, or a lot where infrastructure charges were paid for a reconfiguring a lot approval, the amount stated in Table 13.2 (Schedule of adopted charges – reconfiguring a lot) applicable to each type of lot<sup>5</sup>;
  - (ii) for other types of lots, no credit applies;
- (c) where the premises was subject to a lawful use that is no longer taking place for:
  - (i) residential development, the amount stated for an adopted charge in Table 13.1 (Schedule of adopted charges - material change of use or building work) for the lawful use;
  - (ii) non-residential development other than Other uses, the amount stated for an adopted charge in Table 13.1 (Schedule of adopted charges - material change of use or building work) for the lawful use;
  - (iii) non-residential development being Other uses or other development not otherwise identified in paragraphs (i) or (ii), an amount to be determined by Council and the distributor-retailer;

The applicant is to provide satisfactory evidence as to the extent and lawfulness of any claim for a credit for a previous use no longer taking place. The lawful use must have been in existence within 10 years of the making of the development application.

#### 8.6 Additional credit for past contribution or charge

For a past contribution and or charge that has been paid for a particular network under a previous charging regime that exceeds the network component of the Credit applied under section 8.5 an additional credit will be recognised.

The amount of the additional credit will be determined by converting the previous payment to an equivalent adopted charge as determined by Council and only relates to the amount over and above the standard credit applied under section 8.5.

The amount of the additional credit will not be more than the adopted charge amount for that network. The onus remains with the applicant to provide full details and

<sup>5</sup> To qualify for a credit a residential lot must be on an individual title and be capable of having a dwelling house built on the lot that can comply with the Acceptable Outcomes criteria for setbacks of the Dwelling house code in the Sunshine Coast Planning Scheme.

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evidence of any payments of contributions and or charges under a previous charging regime.

The additional credit for past contribution or charge as calculated above will be deducted from the levied charge from section 8.3. This new amount will become the final levied charge.

## **9. Administration of adopted infrastructure charge**

### **9.1 Purpose**

Section 9 states how a levied charge is to be administered.

### **9.2 Time of payment of a levied charge**

A levied charge is payable at the following time:

- (a) if the charge applies to reconfiguring a lot that is assessable development - before Council approves the plan of subdivision for the reconfiguration;
- (b) if the charge applies to building work that is assessable development - before the certificate of classification or final inspection certificate for the building work is given;
- (c) if the charge applies to a material change of use - before the change of use happens;
- (d) if paragraphs (a), (b) and (c) do not apply - on the day stated in the infrastructure charges notice or negotiated infrastructure charges notice.

### **9.3 Alternative to paying a levied charge**

Council may give consideration to entering into an infrastructure agreement involving an alternative to the way a payment is to be made or an infrastructure contribution provided in a form other than paying a levied charge.

### **9.4 Automatic increase provision**

The levied charge is to be increased from the start date (the day the first charge notice is issued) to the date the charge is to be paid. The amount of the increase will be calculated by the change in the 3-yearly PPI average from the start date to the date the charge is to be paid.

The increased levied charge is limited to the maximum adopted charge that could have been issued at the time of payment.

## **10. Allocation of adopted charge**

### **10.1 Purpose**

Section 10 states how the adopted charge of Council is to be allocated in accordance with the breakup agreement.

### **10.2 Allocation of the adopted charge to Council and the distributor-retailer**

- (1) The proportion of a levied charge to be allocated to Council and the distributor-retailer is in accordance with the breakup agreement. The charges breakup is stated in Table 10.1 (Allocation of the adopted charge to Council and the distributor-retailer). For non-residential development, this

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proportion of the adopted charge excludes the stormwater component of the charge which is allocated wholly to Council.

- (2) The charges breakup means the distributor-retailers proportion is the proportion of the maximum adopted charges. Therefore, where the adopted charge rate in Table 13.1 results in a levied charge being calculated, which is less than a charge calculated using the maximum adopted charges, Council receives the difference after the distributor–retailer's proportion is deducted.
- (3) Where the charge, as apportioned to either Council or the distributor-retailer results in a negative charge payable to either entity, the balance of any charge calculated is allocated wholly to the other entity.

**Table 10.1 Allocation of the adopted charge to Council and the distributor-retailer**

<b>Column 1</b> <b>Schedule 16 - Planning Regulation</b>	<b>Column 2</b> <b>Allocation of adopted infrastructure charge between council and the distributor-retailer</b>	
<b>Charge Category</b>	<b>SCRC %</b>	<b>Distributor-retailer %</b>
Residential uses, Accommodation (short-term), Accommodation (long-term), Places of assembly, Educational facility, Indoor sport and recreation	54	46
Commercial (bulk goods), Commercial (retail), Commercial (office), Entertainment, Essential Services	84	16
Industry High impact rural	64	36
Other uses	The proportion split for the charge category for the prescribed amount selected for the use.	
<b>Reconfiguring a lot</b>	<b>SCRC %</b>	<b>Distributor-retailer %</b>
Residential lot, Other lot	54	46
Commercial lot	84	16
Industrial lot	64	36

**10.3 Allocation of Council's proportion to trunk infrastructure networks**

The proportions of an adopted infrastructure charge to be allocated to a trunk infrastructure network for Council's trunk infrastructure networks are stated in column 2 in Table 10.2 (Allocation of Council's proportion of the levied charge to trunk infrastructure networks)

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**Table 10.2 Allocation of Council's proportion of the levied charge to trunk infrastructure networks**

Column 1	Column 2		
Development Type	Allocation of Council's proportion of adopted infrastructure charge to trunk infrastructure networks		
	Transport (%)	Public parks and land for community facilities (%)	Stormwater (%)
Residential development, Residential lot or Other Lot	40	50	10
Reconfiguring a lot to create Commercial lots or Industrial lots	85	15	0
Non-residential development for: (a) material change of use; or (b) building work.	85	15	Calculated Separately

**Part 4 Establishment cost for offsets or refunds****11. Establishment Cost****11.1 Purpose**

Section 11 states the method to be used to calculate establishment cost for offsets and refunds.

**11.2 Establishment cost for works**

- (1) The establishment costs for determining offsets and refunds for trunk infrastructure identified in a necessary infrastructure condition shall be the establishment cost identified in the LGIP or Netserv Plan.
- (2) Council or the distributor-retailer may vary the establishment cost identified in the LGIP or Netserv Plan where these costs are found not to be a true representation of the cost of providing the trunk infrastructure due to changes in the scope of work and/or more detailed design information being available at the time of determining offsets or refunds.

**11.3 Recalculation of an establishment cost for works**

- (1) Where a notice is given by an applicant under s. 137 of PA for a recalculation of the establishment cost for the trunk infrastructure that is works the recalculated amount shall be the pre-market estimate of the work as determined below.

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- (2) The pre-market estimate of work for the trunk infrastructure contribution is the estimate expressed in dollars of the design and construction of the work:
- (a) including the following:
- (i) the cost of planning and designing the work;
  - (ii) the cost of survey and site investigation for the work;
  - (iii) a cost under a construction contract for the work;
  - (iv) a portable long service leave payment for a construction contract;
  - (v) an insurance premium for the work;
  - (vi) a Council inspection fee for the commencement and end of the maintenance period for the work;
  - (vii) the cost of an approval for the work;
- (b) excluding the following:
- (i) a cost of carrying out temporary infrastructure;
  - (ii) a cost of carrying out other infrastructure which is not part of the trunk infrastructure contribution;
  - (iii) a cost of the decommissioning, removal and rehabilitation of infrastructure identified in paragraphs (i) and (ii);
  - (iv) a part of the trunk infrastructure contribution provided by Council or a person other than the person seeking the infrastructure offset;
  - (v) a cost to the extent that GST is payable and an input tax credit can be claimed for the work.
- (c) The applicant:
- (i) must undertake a tender process in accordance with Council's Procurement Policy for any work contribution which is eligible for an Infrastructure Offset under this document;
  - (ii) must give Council a Notice which states the applicant's calculation of the pre-market estimate, which will include, as applicable;
    - A. a copy of the tender advertisement;
    - B. a copy of each tender received;
    - C. the applicant's preferred tenderer;
    - D. the applicant's reason for the preferred tenderer;
    - E. a copy of the proposed Work Contract issued by the applicant's preferred tenderer;
    - F. detailed plans and specifications showing the extent of the Work Contribution eligible for an Infrastructure Offset;
    - G. the applicant's calculation of the cost providing a Works Contribution to which an Infrastructure Offset applies;

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- H. the total of the applicant's calculation of the Pre-Market Estimate.

#### 11.4 Recalculation of an establishment cost for land

- (1) The recalculation of the establishment cost of trunk infrastructure that is land must be determined using the before and after method of valuation for estimating the current market value of land. This approach includes the following steps:
  - (i) Council obtains a valuation of the specified land undertaken by a certified practicing valuer using the before and after method of valuation (the valuation).
  - (ii) Council refers it's valuation to the applicant.
  - (iii) Upon receipt of the registered valuer's assessment, the applicant must decide whether to:
    - a. accept the valuation; or
    - b. reject the valuation.
  - (iv) If the applicant accepts the valuation it must:
    - a. provide written notice to Council that it has agreed to the valuation
    - b. Council will index the agreed valuation based on the same level of indexation applied to the infrastructure charges in the infrastructure charges notice.
  - (v) If the applicant rejects the valuation Council must refer the valuation to a certified practicing valuer, the appointment of which must be agreed by both parties, to assess whether the valuation is consistent with current market value.
  - (vi) The valuation determined by the agreed certified practicing valuer is the establishment cost of the infrastructure.
  - (vii) Following receipt of the agreed certified practicing valuer's valuation, the local government must:
    - a. index the establishment cost of the infrastructure based on the same level of indexation applied to the infrastructure charges in the infrastructure charges notice.
    - b. provide written notice to the applicant stating the establishment cost of the infrastructure based on the indexed value of the agreed certified practicing valuer's valuation.

## 12. Conversion applications

### 12.1 Purpose

Section 12 states Council's and the distributor-retailer's criteria for consideration of conversion applications for non-trunk to trunk infrastructure.

### 12.2 Application of section

Section 12 applies where:

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- (a) A condition of a development approval under s 145 of PA requires non-trunk infrastructure to be provided; and
- (b) The applicant considers that the non-trunk infrastructure should be identified as trunk infrastructure and therefore eligible for offsets and refunds.

**12.3 Conversion criteria**

- (1) Where an applicant makes an application for conversion of infrastructure required by a non-trunk infrastructure condition to be considered trunk infrastructure all of the following criteria must be met:  
 The non-trunk infrastructure:
  - (a) must have capacity significantly in excess of what is required to specifically service the proposed development in order to service other development in the area; and
  - (b) must meet all of the desired standards of service specifications of the LGIP and Netserv Plan; and
  - (c) must have a function and purpose consistent with other trunk infrastructure identified in the LGIP and Netserv Plan; and
  - (d) must not be consistent with non-trunk infrastructure for which conditions may be imposed in accordance with s 145 of PA; and
  - (e) must be the most cost effective option in terms of the type, size and location of the infrastructure. The most cost effective option means the least cost option based upon the life cycle cost of the infrastructure required to service future urban development in the area at the desired standards of service; and
  - (f) must be servicing development consistent with the planning assumptions in terms of scale, type, timing and location outlined in the LGIP and Netserv Plan

**Part 5 Schedule of adopted charges****13. Schedule of adopted charges****13.1 Purpose**

Section 13 states the adopted charge rates for the defined uses under the specified local government planning scheme and adopted charge rates for proposed lots created by a reconfiguring a lot application.

**13.2 Table 13.1 Schedule of Adopted Charges – material change of use or building work**

Table 13.1 Schedule of adopted charges – material change of use or building work states the following:

- (a) the charge category for a defined use under an applicable local planning instrument;
- (b) the adopted charge rate for the transport, public parks and land for community facilities, stormwater and water supply and sewerage networks.



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Table 13.1 Schedule of adopted charges – material change of use or building work

Column 1 Use under an applicable local planning instrument		Column 2 Charge Category	Column 3 Unit of measure per:	Column 4 Adopted charge rate (\$ per unit of measure)	Column 5 Adopted charge rate for stormwater (\$ per m <sup>2</sup> of impervious area)
Use class	Defined use				
Development under Sunshine Coast Planning Scheme 2014					
Residential	Caretaker's accommodation	Residential uses	3 or more bedroom unit	\$30,677.65	-
			2 bedroom dwelling unit	\$21,912.60	-
			1 bedroom dwelling unit	\$21,912.60	-
	Dwelling house	Residential uses	3 or more bedroom dwelling	\$30,677.65	-
	Dwelling unit	Residential uses	3 or more bedroom unit	\$30,677.65	-
			2 bedroom dwelling unit	\$21,912.60	-
			1 bedroom dwelling unit	\$21,912.60	-
	Dual occupancy	Residential uses	3 or more bedroom unit	\$30,677.65	-
			2 bedroom dwelling unit	\$21,912.60	-
			1 bedroom dwelling unit	\$21,912.60	-
	Community residence	Accommodation (long-term)	for each suite with 3 or more bedrooms	\$30,677.65	-
			for each suite with 2 bedrooms	\$21,912.60	-
			for each suite with 1 bedroom	\$15,601.80	-
			for each bedroom that is not part of a suite	\$15,601.80	-
	Relocatable home park	Accommodation (long-term)	3 or more bedroom relocatable dwelling site	\$30,677.65	-
			2 bedroom relocatable dwelling site	\$21,912.60	-
			1 bedroom relocatable dwelling site	\$21,912.60	-
	Retirement facility	Accommodation (long-term)	3 or more bedroom unit	\$30,677.65	-
			2 bedroom dwelling unit	\$21,912.60	-
			1 bedroom dwelling unit	\$21,912.60	-
	Rooming Accommodation	Accommodation (long-term)	for each suite with 3 or more bedrooms	\$30,677.65	-
			for each suite with 2 bedrooms	\$21,912.60	-
			for each suite with 1 bedroom	\$15,601.80	-
			for each bedroom that is not part of a suite	\$15,601.80	-
	Residential care facility <sup>(3)</sup>	Essential services	m <sup>2</sup> GFA	\$153.40	\$10.95
	Multiple dwelling	Residential uses	3 or more bedroom unit	\$30,677.65	-
			2 bedroom dwelling unit	\$21,912.60	-
			1 bedroom dwelling unit	\$21,912.60	-

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Column 1 Use under an applicable local planning instrument		Column 2 Charge Category	Column 3 Unit of measure per:	Column 4 Adopted charge rate (\$ per unit of measure)	Column 5 Adopted charge rate for stormwater (\$ per m <sup>2</sup> of impervious area)
Use class	Defined use				
	Tourist park <sup>(1)</sup>	Accommodation (short-term)	tent site or caravan site <sup>(5)</sup>	\$7,737.49 per 1 site or \$10,476.99 per 2 sites	-
			tent site or caravan site <sup>(5)</sup>	\$15,338.75 per 3 sites	
			Cabin (2 or less bedrooms)	\$10,956.25	
			Cabin (3 or more bedrooms)	\$15,338.75	-
	Resort complex	Accommodation (short-term)	2 or less bedroom suite	\$10,956.25	-
			3 or more bedroom suite	\$15,338.75	-
			bedroom (that is not part of a suite)	\$10,956.25	-
		Commercial retail (non-residential component, where available to external users)	m <sup>2</sup> GFA	\$197.20	\$10.95
		Entertainment (non-residential component, where available to external users)	m <sup>2</sup> GFA	\$219.10	\$10.95
		Places of Assembly (Function facility) (non-residential component, where available to external users)	m <sup>2</sup> GFA	\$76.75	\$10.95
	Nature-based tourism <sup>(1)</sup>	Accommodation (short-term)	tent site or caravan site <sup>(5)</sup>	\$7,737.49 per 1 site or \$10,476.99 per 2 sites	-
			tent site or caravan site <sup>(5)</sup>	\$15,338.75 per 3 sites	
			Cabin (2 or less bedrooms)	\$10,956.25	
			Cabin (3 or more bedrooms)	\$15,338.75	-
			2 or less bedroom suite	\$10,956.25	-
			3 or more bedroom suite	\$15,338.75	-
			bedroom (that is not part of a suite)	\$10,956.25	-
	Short-term accommodation	Accommodation (short-term)	2 or less bedroom suite	\$10,956.25	-
			3 or more bedroom suite	\$15,338.75	-
			bedroom (that is not part of a suite)	\$10,956.25	-
			Cabin (2 or less bedrooms)	\$10,956.25	

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Column 1 Use under an applicable local planning instrument		Column 2 Charge Category	Column 3 Unit of measure per:	Column 4 Adopted charge rate (\$ per unit of measure)	Column 5 Adopted charge rate for stormwater (\$ per m <sup>2</sup> of impervious area)
Use class	Defined use				
			Cabin (3 or more bedrooms)	\$15,338.75	
Business	Bar	Entertainment	m <sup>2</sup> GFA	\$219.10	\$10.95
	Food and drink outlet	Commercial (retail)	m <sup>2</sup> GFA	\$197.20	\$10.95
	Function facility	Places of Assembly	m <sup>2</sup> GFA	\$76.75	\$10.95
	Hotel	Entertainment	m <sup>2</sup> GFA	\$219.10	\$10.95
	Nightclub entertainment facility	Entertainment	m <sup>2</sup> GFA	\$219.10	\$10.95
	Theatre	Entertainment	m <sup>2</sup> GFA	\$219.10	\$10.95
	Tourist attraction	Other uses	The adopted charge amounts in columns 4 and 5 for another similar use, or combination of uses, listed in column 1 (other than this row) that Council or Unitywater decides to apply to the use.		
	Adult store	Commercial (retail)	m <sup>2</sup> GFA	\$197.20	\$10.95
	Agricultural supplies store	Commercial (bulk goods)	m <sup>2</sup> GFA	\$153.40	\$10.95
	Garden centre	Commercial (bulk goods)	m <sup>2</sup> GFA	\$153.40	\$10.95
	Hardware and trade supplies	Commercial (bulk goods)	m <sup>2</sup> GFA	\$153.40	\$10.95
	Market	Minor uses	Nil	Nil	Nil
	Outdoor sales	Commercial (bulk goods)	m <sup>2</sup> GFA	\$153.40	\$10.95
	Service station	Commercial (retail)	m <sup>2</sup> GFA	\$197.20	\$10.95
	Shop	Commercial (retail)	m <sup>2</sup> GFA	\$197.20	\$10.95
	Shopping centre	Commercial (retail)	m <sup>2</sup> GFA	\$197.20	\$10.95
	Showroom	Commercial (bulk goods)	m <sup>2</sup> GFA	\$153.40	\$10.95
	Car wash	Industry	m <sup>2</sup> GFA	\$54.80	\$10.95
	Home based business	Minor uses	Nil	Nil	Nil
	Funeral parlour	Places of assembly	m <sup>2</sup> GFA	\$76.75	\$10.95
	Health care services	Essential services	m <sup>2</sup> GFA	\$153.40	\$10.95
	Office	Commercial (office)	m <sup>2</sup> GFA	\$153.40	\$10.95
	Sales office	Commercial (office)	m <sup>2</sup> GFA	\$153.40	\$10.95
	Veterinary services	Essential services	m <sup>2</sup> GFA	\$153.40	\$10.95
Industrial	Extractive industry	Other uses	The adopted charge amounts in columns 4 and 5 for another similar use, or combination of uses, listed in column 1 (other than this row) that Council or Unitywater decides to apply to the use.		
	High impact industry	Industry	m <sup>2</sup> GFA	\$76.75	\$10.95
	Low impact industry	Industry	m <sup>2</sup> GFA	\$54.80	\$10.95
	Marine industry	Industry	m <sup>2</sup> GFA	\$54.80	\$10.95
	Medium impact industry	Industry	m <sup>2</sup> GFA	\$54.80	\$10.95

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Column 1 Use under an applicable local planning instrument		Column 2 Charge Category	Column 3 Unit of measure per:	Column 4 Adopted charge rate (\$ per unit of measure)	Column 5 Adopted charge rate for stormwater (\$ per m <sup>2</sup> of impervious area)
Use class	Defined use				
	Research and technology industry	Industry	m <sup>2</sup> GFA	\$54.80	\$10.95
	Service industry	Industry	m <sup>2</sup> GFA	\$54.80	\$10.95
	Special industry	Industry	m <sup>2</sup> GFA	\$76.75	\$10.95
	Bulk landscape supplies	Commercial (bulk goods)	m <sup>2</sup> GFA	\$153.40	\$10.95
	Transport depot	Industry	m <sup>2</sup> GFA	\$54.80	\$10.95
	Warehouse	Industry	m <sup>2</sup> GFA	\$54.80	\$10.95
Community	Cemetery	Minor uses	Nil	Nil	Nil
	Child care centre	Educational Facility	m <sup>2</sup> GFA	\$153.40	\$10.95
	Community care centre	Essential services	m <sup>2</sup> GFA	\$153.40	\$10.95
	Community use	Places of assembly	m <sup>2</sup> GFA	\$76.75	\$10.95
	Crematorium	Other uses	The adopted charge amounts in columns 4 and 5 for another similar use, or combination of uses, listed in column 1 (other than this row) that Council or Unitywater decides to apply to the use.		
	Educational establishment	Educational Facility	m <sup>2</sup> GFA	\$153.40	\$10.95
	Emergency services	Essential services	m <sup>2</sup> GFA	\$153.40	\$10.95
	Hospital	Essential services	m <sup>2</sup> GFA	\$153.40	\$10.95
	Place of worship	Places of assembly	m <sup>2</sup> GFA	\$76.75	\$10.95
Sport and recreation	Club	Places of assembly	m <sup>2</sup> GFA	\$76.75	\$10.95
	Indoor sport and recreation <sup>(2)</sup>	Indoor sport and recreational facility	m <sup>2</sup> GFA	\$219.10 non-court areas, \$21.85 court areas	\$10.95
	Major sport, recreation and entertainment facility <sup>(2)</sup>	Other uses	The adopted charge amounts in columns 4 and 5 for another similar use, or combination of uses, listed in column 1 (other than this row) that Council or Unitywater decides to apply to the use.		
	Motor sport facility <sup>(2)</sup>	Other uses			
	Outdoor sport and recreation <sup>(2)</sup>	Other uses			
	Park	Minor uses	Nil	Nil	Nil
Rural Activity	Animal husbandry	Low impact rural	Nil	Nil	Nil
	Animal keeping	Other uses	The adopted charge amounts in columns 4 and 5 for another similar use, or combination of uses, listed in column 1 (other than this row) that Council or Unitywater decides to apply to the use.		
	Aquaculture	High impact rural	m <sup>2</sup> GFA	\$21.85	-
	Intensive animal industry	High impact rural	m <sup>2</sup> GFA	\$21.85	-
	Roadside stall	Minor uses	Nil	Nil	Nil
	Rural industry	Industry	m <sup>2</sup> GFA	\$54.80	\$10.95
	Rural workers accommodation	Other uses	The adopted charge amounts in columns 4 and 5 for another similar use, or combination of uses, listed in column 1 (other than this row) that Council or Unitywater decides to apply to the use.		
	Cropping	Low impact rural	Nil	Nil	Nil
	Intensive horticulture	High impact rural	m <sup>2</sup> GFA	\$16.26	-

## Infrastructure Charges Resolution (No.9) 2022

March 28, 2022

Column 1 Use under an applicable local planning instrument		Column 2 Charge Category	Column 3 Unit of measure per:	Column 4 Adopted charge rate (\$ per unit of measure)	Column 5 Adopted charge rate for stormwater (\$ per m <sup>2</sup> of impervious area)
Use class	Defined use				
	Permanent Plantation	Low impact rural	Nil	Nil	Nil
	Wholesale nursery	High impact rural	m <sup>2</sup> GFA	\$21.85	-
	Winery	High impact rural	m <sup>2</sup> GFA	\$21.85	-
Other	Air services <sup>(4)</sup>	Other uses	The adopted charge amounts in columns 4 and 5 for another similar use, or combination of uses, listed in column 1 (other than this row) that Council or Unitywater decides to apply to the use.		
	Environment Facility	Minor uses	Nil	Nil	Nil
	Major electricity infrastructure	Other uses	The adopted charge amounts in columns 4 and 5 for another similar use, or combination of uses, listed in column 1 (other than this row) that Council or Unitywater decides to apply to the use.		
	Parking station	Other uses			
	Port services	Other uses			
	Renewable energy facility	Other uses			
	Substation	Minor uses	Nil	Nil	Nil
	Telecommunications facility	Minor uses	Nil	Nil	Nil
	Utility installation	Other uses	The adopted charge amounts in columns 4 and 5 for another similar use, or combination of uses, listed in column 1 (other than this row) that Council or Unitywater decides to apply to the use.		
Development under Maroochy Plan 2000					
Residential	Accommodation Building	Accommodation (short-term)	room	\$10,956.25	-
	Bed and Breakfast	Accommodation (short-term)	room	\$10,956.25	-
	Caravan Park <sup>(1)</sup>	Accommodation (short-term)	cabin/caravan/camping site <sup>(5)</sup>	\$7,737.49 per 1 site or \$10,476.99 per 2 sites or \$15,338.75 per 3 sites for tent or caravan sites, \$10,956.25 for a 2 or less bedroom cabin, \$15,338.75 for a 3 or more bedroom cabin.	-
	Caravan Park (Relocatable home park)	Accommodation (long-term)	3 or more bedroom dwelling unit	\$30,677.65	-
			2 bedroom dwelling unit	\$21,912.60	-
			1 bedroom dwelling unit	\$21,912.60	-
	Caretakers Residence	Residential uses	3 or more bedroom dwelling unit	\$30,677.65	-
			2 bedroom dwelling unit	\$21,912.60	-
			1 bedroom dwelling unit	\$21,912.60	-
	Detached House (residential lot)	Residential uses	3 or more bedroom dwelling	\$30,677.65	-
	Display Home	Residential uses	3 or more bedroom dwelling	\$30,677.65	-
	Dual Occupancy	Residential uses	3 or more bedroom dwelling unit	\$30,677.65	-
			2 bedroom dwelling unit	\$21,912.60	-

## Infrastructure Charges Resolution (No.9) 2022

March 28, 2022

Column 1 Use under an applicable local planning instrument		Column 2 Charge Category	Column 3 Unit of measure per:	Column 4 Adopted charge rate (\$ per unit of measure)	Column 5 Adopted charge rate for stormwater (\$ per m <sup>2</sup> of impervious area)
Use class	Defined use				
			1 bedroom dwelling unit	\$21,912.60	-
	Home-Based Business	Minor uses	Nil	Nil	Nil
	Institutional Residence	Accommodation (long-term)	3 or more bedroom dwelling unit	\$30,677.65	-
			2 bedroom dwelling unit	\$21,912.60	-
			1 bedroom dwelling unit	\$21,912.60	-
	Integrated Tourist Facility	Accommodation (short-term)	room	\$10,956.25	-
	Motel (includes hotel accommodation)	Accommodation (short-term)	room	\$10,956.25	-
	Multiple Dwelling Units	Residential uses	3 or more bedroom dwelling unit	\$30,677.65	-
			2 bedroom dwelling unit	\$21,912.60	-
			1 bedroom dwelling unit	\$21,912.60	-
	Residential Care facility <sup>(3)</sup>	Essential services	m <sup>2</sup> GFA	\$153.40	\$10.95
	Retirement Village	Accommodation (long-term)	3 or more bedroom dwelling unit	\$30,677.65	-
			2 bedroom dwelling unit	\$21,912.60	-
			1 bedroom dwelling unit	\$21,912.60	-
Rural	Agriculture, Animal Keeping, Animal Husbandry, Forestry, Roadside stall, Stables	Low impact rural	Nil	Nil	Nil
	Aquaculture, Intensive Animal Husbandry, Intensive Horticulture, Wholesale Nursery	High impact rural	m <sup>2</sup> GFA	\$21.85	Nil
	Rural Service Industry	Low impact rural	Nil	Nil	Nil
	Winery	High impact rural	m <sup>2</sup> GFA	\$21.85	Nil
Commercial	Adult Product Shop	Commercial (retail)	m <sup>2</sup> GFA	\$197.20	\$10.95
	Art & Craft Centre	Commercial (retail)	m <sup>2</sup> GFA	\$197.20	\$10.95
	Convenience Restaurant	Commercial (retail)	m <sup>2</sup> GFA	\$197.20	\$10.95
	Fast Food Store	Commercial (retail)	m <sup>2</sup> GFA	\$197.20	\$10.95
	Funeral Parlour	Places of assembly	m <sup>2</sup> GFA	\$76.75	\$10.95
	Garden Centre	Commercial (bulk goods)	m <sup>2</sup> GFA	\$153.40	\$10.95
	Hotel (excluding hotel accommodation)	Entertainment	m <sup>2</sup> GFA	\$219.10	\$10.95
	Market	Minor uses	NA	NA	NA
	Medical Centre	Essential services	m <sup>2</sup> GFA	\$153.40	\$10.95
	Office	Commercial (office)	m <sup>2</sup> GFA	\$153.40	\$10.95
	Restaurant	Commercial (retail)	m <sup>2</sup> GFA	\$197.20	\$10.95

## Infrastructure Charges Resolution (No.9) 2022

March 28, 2022

Column 1 Use under an applicable local planning instrument		Column 2 Charge Category	Column 3 Unit of measure per:	Column 4 Adopted charge rate (\$ per unit of measure)	Column 5 Adopted charge rate for stormwater (\$ per m <sup>2</sup> of impervious area)
Use class	Defined use				
	Shop (including General Store)	Commercial (retail)	m <sup>2</sup> GFA	\$197.20	\$10.95
	Shopping Complex	Commercial (retail)	m <sup>2</sup> GFA	\$197.20	\$10.95
	Showroom	Commercial (bulk goods)	m <sup>2</sup> GFA	\$153.40	\$10.95
	Veterinary Clinic	Essential services	m <sup>2</sup> GFA	\$153.40	\$10.95
Industrial	Car Washing Station	Industry	m <sup>2</sup> GFA	\$54.80	\$10.95
	Environmentally Assessable Industry	Industry	m <sup>2</sup> GFA	\$76.75	\$10.95
	Extractive Industry	Other uses	The adopted charge amounts in columns 4 and 5 for another similar use, or combination of uses, listed in column 1 (other than this row) that Council or Unitywater decides to apply to the use.		
	General Industry	Industry	m <sup>2</sup> GFA	\$54.80	\$10.95
	Landscape Supplies	Commercial (bulk goods)	m <sup>2</sup> GFA	\$153.40	\$10.95
	Light Industry - Laundromat	Industry	m <sup>2</sup> GFA	\$54.80	\$10.95
	Light Industry - Hot bread kitchen/retail bakery	Industry	m <sup>2</sup> GFA	\$54.80	\$10.95
	Light Industry - All other uses	Industry	m <sup>2</sup> GFA	\$54.80	\$10.95
	Sales or Hire Yard	Commercial (bulk goods)	m <sup>2</sup> GFA	\$153.40	\$10.95
	Service Station	Commercial (retail)	m <sup>2</sup> GFA	\$197.20	\$10.95
	Storage Yard	Industry	m <sup>2</sup> GFA	\$54.80	\$10.95
	Transport Station	Industry	m <sup>2</sup> GFA	\$54.80	\$10.95
	Vehicle Depot	Industry	m <sup>2</sup> GFA	\$54.80	\$10.95
	Vehicle Repair Workshop	Industry	m <sup>2</sup> GFA	\$54.80	\$10.95
	Warehouse	Industry	m <sup>2</sup> GFA	\$54.80	\$10.95
Other	Child Care Centre	Education	m <sup>2</sup> GFA	\$153.40	\$10.95
	Local Utility	Other uses	The adopted charge amounts in columns 4 and 5 for another similar use, or combination of uses, listed in column 1 (other than this row) that Council or Unitywater decides to apply to the use.		
	Major Utility	Other uses			
	Telecommunications Facility	Minor uses	Nil	Nil	Nil
	Cemetery	Minor uses	Nil	Nil	Nil
	Church	Places of assembly	m <sup>2</sup> GFA	\$76.75	\$10.95
	Community Meeting Hall	Places of assembly	m <sup>2</sup> GFA	\$76.75	\$10.10
	Crematorium	Places of assembly	m <sup>2</sup> GFA	\$76.75	\$10.95
	Educational Establishment	Education	m <sup>2</sup> GFA	\$153.40	\$10.95
	Emergency Services	Essential services	m <sup>2</sup> GFA	\$153.40	\$10.95
	Hospital	Essential services	m <sup>2</sup> GFA	\$153.40	\$10.95
	Amusement Centres	Entertainment	m <sup>2</sup> GFA	\$219.10	\$10.95

## Infrastructure Charges Resolution (No.9) 2022

March 28, 2022

Column 1 Use under an applicable local planning instrument		Column 2 Charge Category	Column 3 Unit of measure per:	Column 4 Adopted charge rate (\$ per unit of measure)	Column 5 Adopted charge rate for stormwater (\$ per m <sup>2</sup> of impervious area)
Use class	Defined use				
	Gyms <sup>(2)</sup>	Indoor sport & recreation facility	m <sup>2</sup> GFA	\$219.10 (excluding court area) \$21.85 (court areas)	\$10.95
	Indoor Sports Centre <sup>(2)</sup>	Indoor sport & recreation facility	m <sup>2</sup> GFA	\$219.10 (excluding court area) \$21.85 (court areas)	\$10.95
	Licensed Club	Entertainment	m <sup>2</sup> GFA	\$219.10	\$10.95
	Unlicensed Club	Places of assembly	m <sup>2</sup> GFA	\$76.75	\$10.95
	Night Club	Entertainment	m <sup>2</sup> GFA	\$219.10	\$10.95
	Theatre / Cinema	Entertainment	m <sup>2</sup> GFA	\$219.10	\$10.95
	Outdoor Recreation <sup>(2)</sup>	Other uses	The adopted charge amounts in columns 4 and 5 for another similar use, or combination of uses, listed in column 1 (other than this row) that Council or Unitywater decides to apply to the use.		
	Car Park	Other uses	The adopted charge amounts in columns 4 and 5 for another similar use, or combination of uses, listed in column 1 (other than this row) that Council or Unitywater decides to apply to the use.		
	Air Services <sup>(4)</sup>	Other uses	The adopted charge amounts in columns 4 and 5 for another similar use, or combination of uses, listed in column 1 (other than this row) that Council or Unitywater decides to apply to the use.		
Development under Caloundra City Plan 2004					
Residential	detached house	Residential uses	3 or more bedroom dwelling	\$30,677.65	-
	display dwelling	Residential uses	3 or more bedroom dwelling	\$30,677.65	-
	home-based business	Minor uses	Nil	Nil	Nil
	bed & breakfast	Accommodation (short-term)	room	\$10,956.25	-
	duplex dwelling	Accommodation (long-term)	3 or more bedroom dwelling unit	\$30,677.65	-
			2 bedroom dwelling unit	\$21,912.60	-
			1 bedroom dwelling unit	\$21,912.60	-
	multiple dwelling	Residential uses	3 or more bedroom dwelling unit	\$30,677.65	-
			2 bedroom dwelling unit	\$21,912.60	-
			1 bedroom dwelling unit	\$21,912.60	-
caravan and relocatable home park - (cabin/caravan/camping site only) <sup>(1)</sup>	Accommodation (short-term)	cabin/caravan/camping site <sup>(5)</sup>	\$7,737.49 per 1 site or \$10,476.99 per 2 sites or \$15,338.75 per 3 sites for tent or caravan sites, \$10,956.25 for a 2 or less bedroom cabin, \$15,338.75 for a 3 or more bedroom cabin.	-	
caravan and relocatable home park	Accommodation (long-term)	3 or more bedroom dwelling unit	\$30,677.65	-	



## Infrastructure Charges Resolution (No.9) 2022

March 28, 2022

Column 1 Use under an applicable local planning instrument		Column 2 Charge Category	Column 3 Unit of measure per:	Column 4 Adopted charge rate (\$ per unit of measure)	Column 5 Adopted charge rate for stormwater (\$ per m <sup>2</sup> of impervious area)
Use class	Defined use				
	(relocatable home park)		2 bedroom dwelling unit	\$21,912.60	-
			1 bedroom dwelling unit	\$21,912.60	-
	accommodation building	Accommodation (short-term)	room	\$10,956.25	-
	motel	Accommodation (short-term)	room	\$10,956.25	-
	retirement community	Accommodation (long-term)	3 or more bedroom dwelling unit	\$30,677.65	-
			2 bedroom dwelling unit	\$21,912.60	-
			1 bedroom dwelling unit	\$21,912.60	-
	retirement community <sup>(3)</sup> (residential care facility)	Essential services	m <sup>2</sup> GFA	\$153.40	\$10.95
Rural	animal husbandry - low impact	Low impact rural	Nil	Nil	Nil
	animal keeping	Low impact rural	Nil	Nil	Nil
	aquaculture	High impact rural	m <sup>2</sup> GFA	\$21.85	Nil
	agriculture	Low impact rural	Nil	Nil	Nil
	rural service industry	Low impact rural	Nil	Nil	Nil
	rural holiday accommodation	Accommodation (short-term)	room	\$10,956.25	-
	native forest harvesting	Low impact rural	Nil	Nil	Nil
	animal husbandry - high impact	High impact rural	m <sup>2</sup> GFA	\$21.85	Nil
	stable	Low impact rural	Nil	Nil	Nil
	rural produce stall	Low impact rural	Nil	Nil	Nil
Business and commercial	funeral parlour	Places of assembly	m <sup>2</sup> GFA	\$76.75	\$10.95
	veterinary surgery	Essential services	m <sup>2</sup> GFA	\$153.40	\$10.95
	medical centre	Essential services	m <sup>2</sup> GFA	\$153.40	\$10.95
	office	Commercial (office)	m <sup>2</sup> GFA	\$153.40	\$10.95
	adult product shop	Commercial (retail)	m <sup>2</sup> GFA	\$197.20	\$10.95
	garden centre	Commercial (bulk goods)	m <sup>2</sup> GFA	\$153.40	\$10.95
	market	Minor uses	Nil	Nil	Nil
	shop	Commercial (retail)	m <sup>2</sup> GFA	\$197.20	\$10.95
	shopping complex	Commercial (retail)	m <sup>2</sup> GFA	\$197.20	\$10.95
	art and craft centre	Commercial (retail)	m <sup>2</sup> GFA	\$197.20	\$10.95
	restaurant	Commercial (retail)	m <sup>2</sup> GFA	\$197.20	\$10.95
	hotel	Entertainment	m <sup>2</sup> GFA	\$219.10	\$10.95
	function room	Entertainment	m <sup>2</sup> GFA	\$219.10	\$10.95

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Column 1 Use under an applicable local planning instrument		Column 2 Charge Category	Column 3 Unit of measure per:	Column 4 Adopted charge rate (\$ per unit of measure)	Column 5 Adopted charge rate for stormwater (\$ per m <sup>2</sup> of impervious area)
Use class	Defined use				
	nightclub	Entertainment	m <sup>2</sup> GFA	\$219.10	\$10.95
	Showroom	Commercial (bulk goods)	m <sup>2</sup> GFA	\$153.40	\$10.95
Industrial	industry - general	Industry	m <sup>2</sup> GFA	\$54.80	\$10.95
	industry - local service	Industry	m <sup>2</sup> GFA	\$54.80	\$10.95
	warehouse	Industry	m <sup>2</sup> GFA	\$54.80	\$10.95
	vehicle repair centre	Industry	m <sup>2</sup> GFA	\$54.80	\$10.95
	outdoor sales or hire yard	Commercial (bulk goods)	m <sup>2</sup> GFA	\$153.40	\$10.95
	landscape supplies	Commercial (bulk goods)	m <sup>2</sup> GFA	\$153.40	\$10.95
	car wash	Industry	m <sup>2</sup> GFA	\$54.80	\$10.95
	extractive industry	Other uses	The adopted charge amounts in columns 4 and 5 for another similar use, or combination of uses, listed in column 1 (other than this row) that Council or Unitywater decides to apply to the use.		
	vehicle depot	Industry	m <sup>2</sup> GFA	\$54.80	\$10.95
	service station	Commercial (retail)	m <sup>2</sup> GFA	\$197.20	\$10.95
	salvage yard	Industry	m <sup>2</sup> GFA	\$54.80	\$10.95
	storage yard	Industry	m <sup>2</sup> GFA	\$54.80	\$10.95
	industry - high impact	Industry	m <sup>2</sup> GFA	\$76.75	\$10.95
Community	emergency service	Essential services	m <sup>2</sup> GFA	\$153.40	\$10.95
	place of worship	Places of assembly	m <sup>2</sup> GFA	\$76.75	\$10.95
	cemetery	Minor uses	Nil	Nil	Nil
	community centre	Places of assembly	m <sup>2</sup> GFA	\$76.75	\$10.95
	child care centre	Education	m <sup>2</sup> GFA	\$153.40	\$10.95
	education establishment	Education	m <sup>2</sup> GFA	\$153.40	\$10.95
	hospital	Essential services	m <sup>2</sup> GFA	\$153.40	\$10.95
Other	car park	Other uses	The adopted charge amounts in columns 4 and 5 for another similar use, or combination of uses, listed in column 1 (other than this row) that Council or Unitywater decides to apply to the use.		
	marina	Other uses			
	telecommunication tower	Minor uses	Nil	Nil	Nil
	camping grounds <sup>(1)</sup>	Accommodation (short-term)	caravan/camping site <sup>(5)</sup>	\$7,737.49 per 1 site or \$10,476.99 per 2 sites or \$15,338.75 per 3 sites for tent or caravan sites	NA
	major utility	Other uses	The adopted charge amounts in columns 4 and 5 for another similar use, or combination of uses, listed in column 1 (other than this row) that Council or Unitywater decides to apply to the use.		
	local utility	Other uses	The adopted charge amounts in columns 4 and 5 for another similar use, or combination of uses, listed in column 1 (other than this row) that Council or Unitywater decides to apply to the use.		

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Column 1 Use under an applicable local planning instrument		Column 2 Charge Category	Column 3 Unit of measure per:	Column 4 Adopted charge rate (\$ per unit of measure)	Column 5 Adopted charge rate for stormwater (\$ per m <sup>2</sup> of impervious area)
Use class	Defined use				
	air services <sup>(4)</sup>	Other uses	The adopted charge amounts in columns 4 and 5 for another similar use, or combination of uses, listed in column 1 (other than this row) that Council or Unitywater decides to apply to the use.		
Sport and Recreation	indoor sport, recreation and entertainment <sup>(2)</sup>	Indoor sport & recreation facility	m <sup>2</sup> GFA	\$219.10 (excluding court areas) \$21.85 (court areas)	\$10.95
	park	Minor uses	Nil	Nil	Nil
	outdoor sport, recreation and entertainment <sup>(2)</sup>	Other uses	The adopted charge amounts in columns 4 and 5 for another similar use, or combination of uses, listed in column 1 (other than this row) that Council or Unitywater decides to apply to the use.		

Note:

- (1) For short-term accommodation the total charge shall not exceed the maximum calculated in accordance with the prescribed amounts Schedule 16 of the Planning Regulation.
- (2) Sport and recreation uses are exempt from the "Public parks and land for community facilities" proportion of the levied charge, only for the proportion of the charge that relates to those specific uses.
- (3) For Residential care facility uses, the levied charge payable for Council's "Road" and "Parks" networks proportion of the charge is reduced to 70% of the levied charge, only for the proportion of the charge that relates to those specific uses.
- (4) Nil charge for Council's proportion of the charge for the development of air services at the Caloundra Aerodrome.
- (5) No charge will apply, for Council's proportion of the charge, for the first 5 tent or caravan sites established on a site. Charges are payable for any tent or caravan site development exceeding 5 sites but only be applied to the number of sites exceeding 5. A credit for existing uses will not apply to any tent or caravan park site where a charge has not been previously paid under this provision.

**13.3 Table 13.2 Schedule of Adopted Charges – reconfiguring a lot**

Table 13.2 Schedule of adopted charges – reconfiguring a lot states the adopted charge rate per lot for the transport, public parks and land for community facilities, stormwater and water supply and sewerage networks for the various lot types.

**Table 13.2 Schedule of adopted charges – reconfiguring a lot**

Type**	Adopted charge rate per lot
Residential lot	\$30,677.65
Commercial lot	\$30,677.65
Industrial lot	\$30,677.65
Other lot	\$30,677.65

\*\* refer to definition in Section 1.5



[www.sunshinecoast.qld.gov.au](http://www.sunshinecoast.qld.gov.au)

[mail@sunshinecoast.qld.gov.au](mailto:mail@sunshinecoast.qld.gov.au)

T 07 5475 7272 F 07 5475 7277

Locked Bag 72 Sunshine Coast Mail Centre Qld 4560



## Infrastructure Charges Resolution (No. ~~89~~) ~~2019~~2022

Commenced ~~23 September 2019~~ 28 March 2022



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**[www.sunshinecoast.qld.gov.au](http://www.sunshinecoast.qld.gov.au)**

[mail@sunshinecoast.qld.gov.au](mailto:mail@sunshinecoast.qld.gov.au)

**T** 07 5475 7272 **F** 07 5475 7277

Locked Bag 72 Sunshine Coast Mail Centre Qld 4560

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March 28, 2022

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Sunshine Coast Regional Council

**Infrastructure Charges Resolution (No. ~~89~~ 20192022)**

**Part 1 Introduction**

**1. Preliminary**

**1.1 Title**

This infrastructure charges resolution may be cited as the *Sunshine Coast Regional Council Infrastructure Charges Resolution (No. ~~89~~ 20192022)*.

**1.2 Planning Act 2016**

- (1) The resolution is made under s 113 of the *Planning Act 2016*.
- (2) The resolution is to be read in conjunction with the following:
  - (a) the Planning Regulation;
  - (b) the applicable local planning instruments.
- (3) The resolution is attached to but does not form part of the applicable local planning instruments.

**1.3 Effect**

The resolution has effect from the ~~23-September-2019~~ 28 March 2022

**1.4 Purpose of the resolution**

The purpose of the resolution is to assist with the implementation of the applicable local planning instruments by stating the following:

- (a) an adopted infrastructure charge for the purpose of determining a levied charge for funding part of the establishment cost of the following trunk infrastructure networks:
  - (i) transport network;
  - (ii) parks and land for community facilities network;
  - (iii) stormwater network;
  - (iv) water supply network;
  - (v) sewerage network.
- (b) stating other matters relevant to the adopted infrastructure charge.

**1.5 Interpretation**

- (1) ***In this resolution:***

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**adopted charge rate** means the charge to be applied for the purpose of calculating a levied charge as stated in section 8.4 (Adopted charge rate).

**applicable local planning instruments** means the following:

- (a) *Caloundra City Plan 2004*;
- (b) *Maroochy Plan 2000*;
- (c) *Sunshine Coast Planning Scheme 2014*

**base date** means the date stated in the LGIP and Netserv Plan from which Council and distributor-retailer has estimated the establishment cost for a trunk infrastructure network.

**bedroom** means an area of a building or structure which:

- (a) is designed or intended for use for sleeping; or
- (b) can be used for sleeping such as a den, library, study, loft, media or home entertainment room, library, family or rumpus room or other similar space.

**breakup agreement** means the agreement between Council and the distributor-retailer for the charges breakup of the maximum adopted charges that applies to each of the parties.

**commercial lot** means a lot located in the Principal Centre, Major Centre, District Centre and Local Centre Zones and Specialised Centre Zone.

**Council** means Sunshine Coast Regional Council.

**court area** means the area of premises where the leisure, sport or recreation activity is conducted and excludes the area of the premises not used for conducting the leisure, sport or recreation activity, such as areas for spectators, office or administration, amenities or food and beverages.

**credit** means the amount the adopted charge is reduced by taking into account the existing lawful uses on the site or vacant lots in section 8.5 or previous payments as calculated in section 8.6 ( Additional credit for past contribution or charge).

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**distributor-retailer** means the Northern SEQ Distributor-Retailer Authority (trading as Unitywater).

**dwelling unit** means habitable rooms and other spaces used or intended for use as one self-contained residential unit, comprising at least bathroom, toilet and kitchen facilities as well as other living and sleeping space to accommodate one or more persons.

**establishment cost** see schedule 2 (Dictionary) of the *Planning Act 2016*.

**gross floor area (GFA)** <sup>1</sup> means the total floor area of all storeys of a building (measured from the outside of the external walls or the centre of a common wall<sup>2</sup>), other than areas used for the following:

- (a) building services, plant and equipment;
- (b) access between levels;
- (c) ground floor public lobby;
- (d) a mall<sup>3</sup>;
- (e) the parking, loading and manoeuvring of motor vehicles;
- (f) unenclosed private balconies whether roofed or not.

**impervious area** means the area of the premises that is impervious to rainfall. This includes all roofed, decked, paved, concrete, asphalt or bitumen sealed areas.

**industrial lot** means a lot located in the Low Impact, Medium Impact, High Impact and Waterfront and Marine Industry Zones.

**lawful use** see schedule 2 (Dictionary) of the *Planning Act 2016*.

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<sup>1</sup> GFA includes the area of shipping containers or similar structures used as permanent structures and approved for permanent use e.g. mini storage facilities.

<sup>2</sup> where there are no external walls, the measurement is taken to the outside of the supporting columns, or for a cantilevered roof, the edge of the roofline. Should the roofline extend beyond the floor, then the floor extent will be the basis for measurement.

<sup>3</sup> For example: a public access mall in a shopping centre

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**levied charge** means a charge for trunk infrastructure for which the *Planning Act 2016* applies, calculated under the resolution.

**local government infrastructure plan (LGIP)** means the local government infrastructure plan for the specified local government planning scheme/s

**Netserv Plan** means the distributor-retailer's infrastructure and business approach to provide safe, reliable and secure water supply and sewerage services and its growth and investment strategy for the next 30 years.

**other lot** means a lot that is not a residential lot, industrial lot or commercial lot.

**PA** means the *Planning Act 2016*

**planned date** means the date scheduled for the provision of trunk infrastructure stated in the schedule of works for trunk infrastructure referenced in the LGIP.

**Planning Regulation** means the Planning Regulation 2017 made under the Planning Act 2016.

**prescribed form** means a form prescribed by Council.

**priority infrastructure area** see section 4.2 (Priority infrastructure area).

**residential lot** means a lot located in the Low Density, Medium Density, High Density and Tourist Accommodation Zones, Emerging Community Zone, Limited Development (Landscape Residential) Zone, Rural Zone or Rural Residential Zone.

**specified local government planning scheme** means the: Caloundra City Plan 2004; Maroochy Plan 2000 and the Sunshine Coast Planning Scheme 2014.

**storey** means a space that is situated between one floor level and the floor level next above, or if there is no floor above, the ceiling or roof above, but not:-

- (a) a lift shaft, stairway or meter room;
- (b) a bathroom, shower room, laundry, water closet, or other sanitary compartment; or

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(c) a combination of the above.

A mezzanine is a storey.

A roofed structure on or part of a roof that does not solely accommodate building plant and equipment is a storey.

**suite** means a single room or a set of connecting rooms that can operate as a single occupancy or single tenancy.

- (2) A term defined in the *Planning Act 2016* which is used in the resolution has the meaning given in the *Planning Act 2016*.
- (3) If a term is not defined in the resolution, specified local government planning scheme or the *Planning Act 2016* the term is to, subject to section 14A (Interpretation best achieving Act's purpose) of the *Acts Interpretation Act 1954*, have the meaning assigned to it by the edition of the Macquarie Dictionary that is current at the commencement date.<sup>4</sup>

## 2. Application of the adopted infrastructure charge

### 2.1 Purpose

Section 2 states the following:

- (a) that Chapter 4 of the *Planning Act 2016* has effect in the local government area;
- (b) that the resolution is intended to apply to development in the local government area;
- (c) that the resolution applies to particular development;
- (d) the categorisation of uses under an applicable local planning instrument to charge categories under the Schedule 16 of the Planning Regulation.

### 2.2 Effect of the Chapter 4 of the *Planning Act 2016* in the local government area

Chapter 4 of the *Planning Act 2016* applies to all of the local government area.

### 2.3 Application of the resolution to the local government area

The resolution applies to all development in the local government area.

### 2.4 Application to particular development

Council may levy an infrastructure charge on the following development:

- (a) a reconfiguring a lot;

<sup>4</sup> Section 14A(1) (Interpretation best achieving Act's purpose) of the *Acts Interpretation Act 1954* provides that in the interpretation of a provision of the Act the interpretation that will best achieve the purpose of the Act is to be preferred to any other interpretation.

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- (b) a material change of use of premises;
- (c) the carrying out of building work.

**2.5 Categorisation of uses to development classes**

- (1) A use under an applicable local planning instrument as stated in column 1 of Table 13.1 (Schedule of adopted charges – material change of use or building work) is included within the Planning Regulation Schedule 16 charge category stated in column 2 of Table 13.1 Schedule of adopted charges – material change of use or building work;
- (2) Council and the distributor-retailer are to allocate a use not otherwise stated under subsection (1) to an applicable development class based on an assessment of use and demand.

**3. Assumptions about future development****3.1 Purpose**

Section 3 states the assumptions about the type, scale, location and timing of future development.

**3.2 Development assumptions about future development**

- (a) the type, scale, location and timing of future development is identified in the LGIP;
- (b) development inconsistent with the type, scale, location and timing identified in the LGIP will be subject to assessment for conditions for extra trunk infrastructure costs in Subdivision 2 Chapter 4 of the PA.

**4. Priority infrastructure area****4.1 Purpose**

Section 4 states the priority infrastructure area for Council.

**4.2 Priority infrastructure area**

The priority infrastructure area is identified in the LGIP.

**Part 2 Trunk infrastructure networks****5. Trunk infrastructure plans****5.1 Purpose**

The LGIP and the Netserv Plan states the trunk infrastructure networks to be funded, in part, by the adopted infrastructure charge.

**5.2 Schedule of works for trunk infrastructure**

The trunk infrastructure networks comprise the land and works for trunk infrastructure detailed in the LGIP and the Netserv Plan.

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**5.3 Trunk infrastructure network systems and items**

The trunk infrastructure networks identified in the schedule of works for trunk infrastructure include the systems and items detailed in the LGIP and the Netserv Plan.

**5.4 Trunk infrastructure plans**

The trunk infrastructure networks identified in the schedule of works for trunk infrastructure are conceptually identified in the trunk infrastructure plans detailed in the LGIP and Netserv Plan.

**6. Desired standard of service****6.1 Purpose**

Section 6 states the desired standard of service which is the standard guiding the delivery of a trunk infrastructure network.

**6.2 Desired standards of service for trunk infrastructure**

The desired standard of service for each infrastructure network is detailed in the LGIP and Netserv Plan.

**7. Establishment cost for trunk infrastructure networks****7.1 Purpose**

Section 7 states the establishment cost for an identified trunk infrastructure network.

**7.2 Establishment costs for a trunk infrastructure network**

The establishment costs for the trunk infrastructure networks are detailed in the LGIP and Netserv Plan.

**Part 3 Levied charge****8. Levied charge****8.1 Purpose**

Section 8 states the calculation of the infrastructure charge to be levied by the following:

- (a) Council under Chapter 4 of the *Planning Act 2016* for the transport, parks and land for community facilities and stormwater networks;
- (b) the distributor-retailer under the *South-East Queensland Water (Distribution and Retail Restructuring) Act 2009* for the sewerage and water supply networks.

**8.2 Calculation of the base charge**

- (1) A base charge for reconfiguring a lot is calculated as follows:

$$BC_{RaL} = (AC_{RaL} \times Q_{RaL}) - C$$

Where:

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$BC_{RaL}$  is the base charge for reconfiguring a lot.

$AC_{RaL}$  is the adopted charge rate for reconfiguring a lot stated in section 8.4 (Adopted charge rate).

$Q_{RaL}$  is the total number of lots.

$C$  is the credit stated in section 8.5 (Credit for existing uses or vacant lots).

Note:

- (a) for Residential and Other lot reconfiguration, the base charge is apportioned across all networks;
- (b) for Commercial and Industrial lot reconfiguration, the base charge apportionment excludes the stormwater charge component.

- (2) A base charge for a material change of use or building work for residential development is calculated as follows:

$$BC_R = (\text{sum of } (AC_R \times Q_R) \text{ for each defined use}) - C$$

Where:

$BC_R$  is the base charge for a material change of use or building work for residential development.

$AC_R$  is the adopted charge rate for each defined use for a material change of use or building work for residential development stated in section 8.4 (Adopted charge rate).

$Q_R$  is the residential quantity for each defined use.

$C$  is the credit stated in section 8.5 (Credit for existing uses or vacant lots).

- (3) A base charge for a material change of use or building work for non-residential development is calculated as follows:

$$BC = BC_{NR} + BC_{SW}$$

Where:

$BC$  is the base charge for the total development

$$BC_{NR} = (\text{sum of } (AC_4 \times Q_4) \text{ for each defined use}) - C_4$$

$$BC_{SW} = (AC_{SW} \times Q_{SW}) - C_{SW}$$

$BC_{NR}$  is the base charge for a material change of use or building work for non-residential development for the transport, public parks and land for community facilities, water supply and sewerage networks.

$BC_{SW}$  is the base charge for a material change of use or building work for non-residential development for the stormwater network.

$AC_4$  is the adopted charge rate for each defined use for a material change of use or building work for non-residential development stated in section 8.4 (Adopted charge rate) for the transport, public parks and land for community facilities, water supply and sewerage networks.

$AC_{SW}$  is the adopted charge rate for a material change of use or building work for non-residential development stated in section 8.4 (Adopted charge rate) for the stormwater network.

$Q_4$  is the non-residential quantity for each defined use.



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- $Q_{SW}$  is the impervious area of the development.
- $C_4$  is the credit stated in section 8.5 (Credit for existing uses or vacant lots) for the transport, public parks and land for community facilities, water supply and sewerage networks.
- $C_{SW}$  is the credit stated in section 8.5 (Credit for existing uses or vacant lots) for the stormwater network.

**8.3 Levied Charge**

The base charge calculated in section 8.2 is indexed by the 3-yearly PPI average from the base date of March ~~2019~~ 2021 to the date of issuing the charge. The indexed base charge becomes the levied charge.

The levied charge cannot be more than the maximum adopted charge amount calculated at the date of issue of the levied charge.

**8.4 Adopted charge rate**

The adopted charge rate for:

- (a) a material change of use or building work for:
  - (i) residential development, is stated in Table 13.1 (Schedule of adopted charges - material change of use or building work);
  - (ii) non-residential development other than Other uses, is stated in Table 13.1 (Schedule of adopted charges - material change of use or building work), which comprises the following:
    - (A) the adopted charge rate for the transport, public parks and land for community facilities, water supply and sewerage networks in column 4; and
    - (B) the adopted charge rate for the stormwater network in column 5;
  - (iii) non-residential development being Other uses or other development not otherwise identified in paragraphs (i) or (ii):
    - (A) the adopted charge rate for the transport, public parks and land for community facilities, water supply and sewerage networks in column 4, is to be determined by Council and the distributor-retailer based on an assessment of use and demand; and
    - (B) the adopted charge rate for the stormwater network in column 5.
- (b) reconfiguring a lot, is the amount stated in Table 13.2 (Schedule of adopted charges – reconfiguring a lot);

**8.5 Credit for existing lawful uses or vacant lots**

- (1) The credit for the premises is an amount which is the greater of the following:
  - (a) where the premises is subject to an existing lawful use for:
    - (i) residential development, the amount stated for an adopted charge in Table 13.1 (Schedule of adopted charges - material change of use or building work) for the lawful use;

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- (ii) non-residential development other than Other uses, the amount stated for an adopted charge in Table 13.1 (Schedule of adopted charges - material change of use or building work) for the lawful use;
- (iii) non-residential development being Other uses or other development not otherwise identified in paragraphs (i) or (ii), an amount to be determined by Council and the distributor-retailer;
- (b) where the premises is not subject to an existing lawful use:
  - (i) for a Residential lot, or a lot where infrastructure charges were paid for a reconfiguring a lot approval, the amount stated in Table 13.2 (Schedule of adopted charges – reconfiguring a lot) applicable to each type of lot<sup>5</sup>;
  - (ii) for other types of lots, no credit applies;
- (c) where the premises was subject to a lawful use that is no longer taking place for:
  - (i) residential development, the amount stated for an adopted charge in Table 13.1 (Schedule of adopted charges - material change of use or building work) for the lawful use;
  - (ii) non-residential development other than Other uses, the amount stated for an adopted charge in Table 13.1 (Schedule of adopted charges - material change of use or building work) for the lawful use;
  - (iii) non-residential development being Other uses or other development not otherwise identified in paragraphs (i) or (ii), an amount to be determined by Council and the distributor-retailer;

The applicant is to provide satisfactory evidence as to the extent and lawfulness of any claim for a credit for a previous use no longer taking place. The lawful use must have been in existence within 10 years of the making of the development application.

#### 8.6 Additional credit for past contribution or charge

For a past contribution and or charge that has been paid for a particular network under a previous charging regime that exceeds the network component of the Credit applied under section 8.5 an additional credit will be recognised.

The amount of the additional credit will be determined by converting the previous payment to an equivalent adopted charge as determined by Council and only relates to the amount over and above the standard credit applied under section 8.5.

The amount of the additional credit will not be more than the adopted charge amount for that network. The onus remains with the applicant to provide full details and

<sup>5</sup> To qualify for a credit a residential lot must be on an individual title and be capable of having a dwelling house built on the lot that can comply with the Acceptable Outcomes criteria for setbacks of the Dwelling house code in the Sunshine Coast Planning Scheme.

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evidence of any payments of contributions and or charges under a previous charging regime.

The additional credit for past contribution or charge as calculated above will be deducted from the levied charge from section 8.3. This new amount will become the final levied charge.

## **9. Administration of adopted infrastructure charge**

### **9.1 Purpose**

Section 9 states how a levied charge is to be administered.

### **9.2 Time of payment of a levied charge**

A levied charge is payable at the following time:

- (a) if the charge applies to reconfiguring a lot that is assessable development - before Council approves the plan of subdivision for the reconfiguration;
- (b) if the charge applies to building work that is assessable development - before the certificate of classification or final inspection certificate for the building work is given;
- (c) if the charge applies to a material change of use - before the change of use happens;
- (d) if paragraphs (a), (b) and (c) do not apply - on the day stated in the infrastructure charges notice or negotiated infrastructure charges notice.

### **9.3 Alternative to paying a levied charge**

Council may give consideration to entering into an infrastructure agreement involving an alternative to the way a payment is to be made or an infrastructure contribution provided in a form other than paying a levied charge.

### **9.4 Automatic increase provision**

The levied charge is to be increased from the start date (the day the first charge notice is issued) to the date the charge is to be paid. The amount of the increase will be calculated by the change in the 3-yearly PPI average from the start date to the date the charge is to be paid.

The increased levied charge is limited to the maximum adopted charge that could have been issued at the time of payment.

## **10. Allocation of adopted charge**

### **10.1 Purpose**

Section 10 states how the adopted charge of Council is to be allocated in accordance with the breakup agreement.

### **10.2 Allocation of the adopted charge to Council and the distributor-retailer**

- (1) The proportion of a levied charge to be allocated to Council and the distributor-retailer is in accordance with the breakup agreement. The charges breakup is stated in Table 10.1 (Allocation of the adopted charge to Council and the distributor-retailer). For non-residential development, this

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proportion of the adopted charge excludes the stormwater component of the charge which is allocated wholly to Council.

- (2) The charges breakup means the distributor-retailers proportion is the proportion of the maximum adopted charges. Therefore, where the adopted charge rate in Table 13.1 results in a levied charge being calculated, which is less than a charge calculated using the maximum adopted charges, Council receives the difference after the distributor–retailer's proportion is deducted.
- (3) Where the charge, as apportioned to either Council or the distributor-retailer results in a negative charge payable to either entity, the balance of any charge calculated is allocated wholly to the other entity.

**Table 10.1 Allocation of the adopted charge to Council and the distributor-retailer**

<b>Column 1</b> <b>Schedule 16 - Planning Regulation</b>	<b>Column 2</b> <b>Allocation of adopted infrastructure charge between council and the distributor-retailer</b>	
<b>Charge Category</b>	<b>SCRC %</b>	<b>Distributor-retailer %</b>
Residential uses, Accommodation (short-term), Accommodation (long-term), Places of assembly, Educational facility, Indoor sport and recreation	54	46
Commercial (bulk goods), Commercial (retail), Commercial (office), Entertainment, Essential Services	84	16
Industry High impact rural	64	36
Other uses	The proportion split for the charge category for the prescribed amount selected for the use.	
<b>Reconfiguring a lot</b>	<b>SCRC %</b>	<b>Distributor-retailer %</b>
Residential lot, Other lot	54	46
Commercial lot	84	16
Industrial lot	64	36

**10.3 Allocation of Council's proportion to trunk infrastructure networks**

The proportions of an adopted infrastructure charge to be allocated to a trunk infrastructure network for Council's trunk infrastructure networks are stated in column 2 in Table 10.2 (Allocation of Council's proportion of the levied charge to trunk infrastructure networks)

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**Table 10.2 Allocation of Council's proportion of the levied charge to trunk infrastructure networks**

Column 1	Column 2		
Development Type	Allocation of Council's proportion of adopted infrastructure charge to trunk infrastructure networks		
	Transport (%)	Public parks and land for community facilities (%)	Stormwater (%)
Residential development, Residential lot or Other Lot	40	50	10
Reconfiguring a lot to create Commercial lots or Industrial lots	85	15	0
Non-residential development for: (a) material change of use; or (b) building work.	85	15	Calculated Separately

## Part 4 Establishment cost for offsets or refunds

### 11. Establishment Cost

#### 11.1 Purpose

Section 11 states the method to be used to calculate establishment cost for offsets and refunds.

#### 11.2 Establishment cost for works

- (1) The establishment costs for determining offsets and refunds for trunk infrastructure identified in a necessary infrastructure condition shall be the establishment cost identified in the LGIP or Netserv Plan.
- (2) Council or the distributor-retailer may vary the establishment cost identified in the LGIP or Netserv Plan where these costs are found not to be a true representation of the cost of providing the trunk infrastructure due to changes in the scope of work and/or more detailed design information being available at the time of determining offsets or refunds.

#### 11.3 Recalculation of an establishment cost for works

- (1) Where a notice is given by an applicant under s. 137 of PA for a recalculation of the establishment cost for the trunk infrastructure that is works the recalculated amount shall be the pre-market estimate of the work as determined below.

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- (2) The pre-market estimate of work for the trunk infrastructure contribution is the estimate expressed in dollars of the design and construction of the work:
- (a) including the following:
    - (i) the cost of planning and designing the work;
    - (ii) the cost of survey and site investigation for the work;
    - (iii) a cost under a construction contract for the work;
    - (iv) a portable long service leave payment for a construction contract;
    - (v) an insurance premium for the work;
    - (vi) a Council inspection fee for the commencement and end of the maintenance period for the work;
    - (vii) the cost of an approval for the work;
  - (b) excluding the following:
    - (i) a cost of carrying out temporary infrastructure;
    - (ii) a cost of carrying out other infrastructure which is not part of the trunk infrastructure contribution;
    - (iii) a cost of the decommissioning, removal and rehabilitation of infrastructure identified in paragraphs (i) and (ii);
    - (iv) a part of the trunk infrastructure contribution provided by Council or a person other than the person seeking the infrastructure offset;
    - (v) a cost to the extent that GST is payable and an input tax credit can be claimed for the work.
  - (c) The applicant:
    - (i) must undertake a tender process in accordance with Council's Procurement Policy for any work contribution which is eligible for an Infrastructure Offset under this document;
    - (ii) must give Council a Notice which states the applicant's calculation of the pre-market estimate, which will include, as applicable:
      - A. a copy of the tender advertisement;
      - B. a copy of each tender received;
      - C. the applicant's preferred tenderer;
      - D. the applicant's reason for the preferred tenderer;
      - E. a copy of the proposed Work Contract issued by the applicant's preferred tenderer;
      - F. detailed plans and specifications showing the extent of the Work Contribution eligible for an Infrastructure Offset;
      - G. the applicant's calculation of the cost providing a Works Contribution to which an Infrastructure Offset applies;

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- H. the total of the applicant's calculation of the Pre-Market Estimate.

**11.4 Recalculation of an establishment cost for land**

- (1) The recalculation of the establishment cost of trunk infrastructure that is land must be determined using the before and after method of valuation for estimating the current market value of land. This approach includes the following steps:
- (i) Council obtains a valuation of the specified land undertaken by a certified practicing valuer using the before and after method of valuation (the valuation).
  - (ii) Council refers it's valuation to the applicant.
  - (iii) Upon receipt of the registered valuer's assessment, the applicant must decide whether to:
    - a. accept the valuation; or
    - b. reject the valuation.
  - (iv) If the applicant accepts the valuation it must:
    - a. provide written notice to Council that it has agreed to the valuation
    - b. Council will index the agreed valuation based on the same level of indexation applied to the infrastructure charges in the infrastructure charges notice.
  - (v) If the applicant rejects the valuation Council must refer the valuation to a certified practicing valuer, the appointment of which must be agreed by both parties, to assess whether the valuation is consistent with current market value.
  - (vi) The valuation determined by the agreed certified practicing valuer is the establishment cost of the infrastructure.
  - (vii) Following receipt of the agreed certified practicing valuer's valuation, the local government must:
    - a. index the establishment cost of the infrastructure based on the same level of indexation applied to the infrastructure charges in the infrastructure charges notice.
    - b. provide written notice to the applicant stating the establishment cost of the infrastructure based on the indexed value of the agreed certified practicing valuer's valuation.

**12. Conversion applications****12.1 Purpose**

Section 12 states Council's and the distributor-retailer's criteria for consideration of conversion applications for non-trunk to trunk infrastructure.

**12.2 Application of section**

Section 12 applies where:

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- (a) A condition of a development approval under s 145 of PA requires non-trunk infrastructure to be provided; and
- (b) The applicant considers that the non-trunk infrastructure should be identified as trunk infrastructure and therefore eligible for offsets and refunds.

**12.3 Conversion criteria**

- (1) Where an applicant makes an application for conversion of infrastructure required by a non-trunk infrastructure condition to be considered trunk infrastructure all of the following criteria must be met:  
The non-trunk infrastructure:
  - (a) must have capacity significantly in excess of what is required to specifically service the proposed development in order to service other development in the area; and
  - (b) must meet all of the desired standards of service specifications of the LGIP and Netserv Plan; and
  - (c) must have a function and purpose consistent with other trunk infrastructure identified in the LGIP and Netserv Plan; and
  - (d) must not be consistent with non-trunk infrastructure for which conditions may be imposed in accordance with s 145 of PA; and
  - (e) must be the most cost effective option in terms of the type, size and location of the infrastructure. The most cost effective option means the least cost option based upon the life cycle cost of the infrastructure required to service future urban development in the area at the desired standards of service; and
  - (f) must be servicing development consistent with the planning assumptions in terms of scale, type, timing and location outlined in the LGIP and Netserv Plan

**Part 5 Schedule of adopted charges****13. Schedule of adopted charges****13.1 Purpose**

Section 13 states the adopted charge rates for the defined uses under the specified local government planning scheme and adopted charge rates for proposed lots created by a reconfiguring a lot application.

**13.2 Table 13.1 Schedule of Adopted Charges – material change of use or building work**

Table 13.1 Schedule of adopted charges – material change of use or building work states the following:

- (a) the charge category for a defined use under an applicable local planning instrument;
- (b) the adopted charge rate for the transport, public parks and land for community facilities, stormwater and water supply and sewerage networks.



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Table 13.1 Schedule of adopted charges – material change of use or building work

Column 1 Use under an applicable local planning instrument		Column 2 Charge Category	Column 3 Unit of measure per:	Column 4 Adopted charge rate (\$ per unit of measure)	Column 5 Adopted charge rate for stormwater (\$ per m² of impervious area)
Use class	Defined use				
Development under Sunshine Coast Planning Scheme 2014					
Residential	Caretaker's accommodation	Residential uses	3 or more bedroom unit	<del>\$29,339.55</del> <u>\$30,677.65</u>	-
			2 bedroom dwelling unit	<del>\$20,956.80</del> <u>\$21,912.60</u>	-
			1 bedroom dwelling unit	<del>\$20,956.80</del> <u>\$21,912.60</u>	-
	Dwelling house	Residential uses	3 or more bedroom dwelling	<del>\$29,339.55</del> <u>\$30,677.65</u>	-
	Dwelling unit	Residential uses	3 or more bedroom unit	<del>\$29,339.55</del> <u>\$30,677.65</u>	-
			2 bedroom dwelling unit	<del>\$20,956.80</del> <u>\$21,912.60</u>	-
			1 bedroom dwelling unit	<del>\$20,956.80</del> <u>\$21,912.60</u>	-
	Dual occupancy	Residential uses	3 or more bedroom unit	<del>\$29,339.55</del> <u>\$30,677.65</u>	-
			2 bedroom dwelling unit	<del>\$20,956.80</del> <u>\$21,912.60</u>	-
			1 bedroom dwelling unit	<del>\$20,956.80</del> <u>\$21,912.60</u>	-
	Community residence	Accommodation (long-term)	<del>for each suite with 3 or more bedrooms</del> <u>Suite (with 3 or more bedrooms)</u>	<del>\$29,339.55</del> <u>\$30,677.65</u>	-
			<del>for each suite with 2 bedrooms</del> <u>Suite (with 2 bedrooms)</u>	<del>\$20,956.80</del> <u>\$21,912.60</u>	-
			<del>for each suite with 1 bedroom</del> <u>Suite (with 1 bedroom)</u>	<del>\$15,601.80</del> <u>\$20,956.80</u>	-
			<del>for each bedroom that is not part of a suite</del> <u>\$15,601.80</u> <u>\$15,474.99</u>		
	Relocatable home park	Accommodation (long-term)	3 or more bedroom relocatable dwelling site	<del>\$29,339.55</del> <u>\$30,677.65</u>	-
			2 bedroom relocatable dwelling site	<del>\$20,956.80</del> <u>\$21,912.60</u>	-
			1 bedroom relocatable dwelling site	<del>\$20,956.80</del> <u>\$21,912.60</u>	-
	Retirement facility <sup>(3)</sup>	Accommodation (long-term)	3 or more bedroom unit	<del>\$29,339.55</del> <u>\$30,677.65</u>	-
			2 bedroom dwelling unit	<del>\$20,956.80</del> <u>\$21,912.60</u>	-
			1 bedroom dwelling unit	<del>\$20,956.80</del> <u>\$21,912.60</u>	-
	Rooming Accommodation	Accommodation (long-term)	<del>for each suite with 3 or more bedrooms</del> <u>Suite (with 3 or more bedrooms)</u>	<del>\$29,339.55</del> <u>\$30,677.65</u>	-

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Column 1 Use under an applicable local planning instrument		Column 2 Charge Category	Column 3 Unit of measure per:	Column 4 Adopted charge rate (\$ per unit of measure)	Column 5 Adopted charge rate for stormwater (\$ per m <sup>2</sup> of impervious area)
Use class	Defined use				
			for each suite with 2 bedrooms Suite (2 or less bedrooms)	\$20,956.80 21,912.60	-
			for each suite with 1 bedroom Suite (2 or less bedrooms)	\$15,601.80 20,956.80	-
			for each bedroom that is not part of a suite	\$15,601.80 15,474.99	-
	Residential care facility <sup>(3)</sup>	Essential services	m <sup>2</sup> GFA	\$146.70 153.40	\$10.50 10.95
	Multiple dwelling	Residential uses	3 or more bedroom unit	\$29,956.80 30,677.65	-
			2 bedroom dwelling unit	\$20,956.80 21,912.60	-
			1 bedroom dwelling unit	\$20,956.80 21,912.60	-
	Tourist park <sup>(1)</sup>	Accommodation (short-term)	tent site or caravan site <sup>(5)</sup>	\$7,400 7,737.49 per 1 site or \$10,020 10,476.99 per 2 sites	-
			tent site or caravan site <sup>(5)</sup>	\$14,669.75 15,338.75 per 3 sites	-
			Cabin (2 or less bedrooms)	\$10,478.40 10,956.25	-
			Cabin (3 or more bedrooms)	\$14,669.75 15,338.75	-
	Resort complex	Accommodation (short-term)	2 or less bedroom suite	\$10,478.40 10,956.25	-
			3 or more bedroom suite	\$14,669.75 15,338.75	-
			bedroom (that is not part of a suite)	\$10,478.40 10,956.25	-
		Commercial retail (non-residential component, where available to external users)	m <sup>2</sup> GFA	\$188.60 197.20	\$10.50 10.95
		Entertainment (non-residential component, where available to external users)	m <sup>2</sup> GFA	\$209.55 219.10	\$10.50 10.95
		Places of Assembly (Function facility) (non-residential component, where available to external users)	m <sup>2</sup> GFA	\$73.35 76.75	\$10.50 10.95
	Nature-based tourism <sup>(1)</sup>	Accommodation (short-term)	tent site or caravan site <sup>(5)</sup>	\$7,400 7,737.49 per 1 site or \$10,020 10,476.99 per 2 sites	-
			tent site or caravan site <sup>(5)</sup>	\$14,669.75 15,338.75 per 3 sites	-
			Cabin (2 or less bedrooms)	\$10,478.40 10,956.25	-

## Infrastructure Charges Resolution (No.9) 2022

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Column 1 Use under an applicable local planning instrument		Column 2 Charge Category	Column 3 Unit of measure per:	Column 4 Adopted charge rate (\$ per unit of measure)	Column 5 Adopted charge rate for stormwater (\$ per m <sup>2</sup> of impervious area)
Use class	Defined use				
			Cabin (3 or more bedrooms)	<del>\$14,669.75</del> <u>\$15,338.75</u>	-
			2 or less bedroom suite	<del>\$10,478.40</del> <u>\$10,956.25</u>	-
			3 or more bedroom suite	<del>\$14,669.75</del> <u>\$15,338.75</u>	-
			bedroom (that is not part of a suite)	<del>\$10,478.40</del> <u>\$10,956.25</u>	-
	Short-term accommodation	Accommodation (short-term)	2 or less bedroom suite	<del>\$10,478.40</del> <u>\$10,956.25</u>	-
			3 or more bedroom suite	<del>\$14,669.75</del> <u>\$15,338.75</u>	-
			bedroom (that is not part of a suite)	<del>\$10,478.40</del> <u>\$10,956.25</u>	-
			Cabin (2 or less bedrooms)	<del>\$10,478.40</del> <u>\$10,956.25</u>	
			Cabin (3 or more bedrooms)	<del>\$14,669.75</del> <u>\$15,338.75</u>	
Business	Bar	Entertainment	m <sup>2</sup> GFA	<del>\$209.55</del> <u>\$219.10</u>	<del>\$10.50</del> <u>\$10.95</u>
	Food and drink outlet	Commercial (retail)	m <sup>2</sup> GFA	<del>\$188.60</del> <u>\$197.20</u>	<del>\$10.50</del> <u>\$10.95</u>
	Function facility	Places of Assembly	m <sup>2</sup> GFA	<del>\$73.35</del> <u>\$76.75</u>	<del>\$10.50</del> <u>\$10.95</u>
	Hotel	Entertainment	m <sup>2</sup> GFA	<del>\$209.55</del> <u>\$219.10</u>	<del>\$10.50</del> <u>\$10.95</u>
	Nightclub entertainment facility	Entertainment	m <sup>2</sup> GFA	<del>\$209.55</del> <u>\$219.10</u>	<del>\$10.50</del> <u>\$10.95</u>
	Theatre	Entertainment	m <sup>2</sup> GFA	<del>\$209.55</del> <u>\$219.10</u>	<del>\$10.50</del> <u>\$10.95</u>
	Tourist attraction	Other uses	The adopted charge amounts in columns 4 and 5 for another similar use, or combination of uses, listed in column 1 (other than this row) that Council or Unitywater decides to apply to the use.		
	Adult store	Commercial (retail)	m <sup>2</sup> GFA	<del>\$188.60</del> <u>\$197.20</u>	<del>\$10.50</del> <u>\$10.95</u>
	Agricultural supplies store	Commercial (bulk goods)	m <sup>2</sup> GFA	<del>\$146.70</del> <u>\$153.40</u>	<del>\$10.50</del> <u>\$10.95</u>
	Garden centre	Commercial (bulk goods)	m <sup>2</sup> GFA	<del>\$146.70</del> <u>\$153.40</u>	<del>\$10.50</del> <u>\$10.95</u>
	Hardware and trade supplies	Commercial (bulk goods)	m <sup>2</sup> GFA	<del>\$146.70</del> <u>\$153.40</u>	<del>\$10.50</del> <u>\$10.95</u>
	Market	Minor uses	Nil	Nil	Nil
	Outdoor sales	Commercial (bulk goods)	m <sup>2</sup> GFA	<del>\$146.70</del> <u>\$153.40</u>	<del>\$10.50</del> <u>\$10.95</u>
	Service station	Commercial (retail)	m <sup>2</sup> GFA	<del>\$188.60</del> <u>\$197.20</u>	<del>\$10.50</del> <u>\$10.95</u>
	Shop	Commercial (retail)	m <sup>2</sup> GFA	<del>\$188.60</del> <u>\$197.20</u>	<del>\$10.50</del> <u>\$10.95</u>
	Shopping centre	Commercial (retail)	m <sup>2</sup> GFA	<del>\$188.60</del> <u>\$197.20</u>	<del>\$10.50</del> <u>\$10.95</u>
	Showroom	Commercial (bulk goods)	m <sup>2</sup> GFA	<del>\$146.70</del> <u>\$153.40</u>	<del>\$10.50</del> <u>\$10.95</u>
	Car wash	Industry	m <sup>2</sup> GFA	<del>\$52.40</del> <u>\$54.80</u>	<del>\$10.50</del> <u>\$10.95</u>
	Home based business	Minor uses	Nil	Nil	Nil

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Column 1 Use under an applicable local planning instrument		Column 2 Charge Category	Column 3 Unit of measure per:	Column 4 Adopted charge rate (\$ per unit of measure)	Column 5 Adopted charge rate for stormwater (\$ per m <sup>2</sup> of impervious area)
Use class	Defined use				
	Funeral parlour	Places of assembly	m <sup>2</sup> GFA	\$73.3576.75	\$10.50\$10.95
	Health care services	Essential services	m <sup>2</sup> GFA	\$146.70153.40	\$10.50\$10.95
	Office	Commercial (office)	m <sup>2</sup> GFA	\$146.70153.40	\$10.50\$10.95
	Sales office	Commercial (office)	m <sup>2</sup> GFA	\$146.70153.40	\$10.50\$10.95
	Veterinary services	Essential services	m <sup>2</sup> GFA	\$146.70153.40	\$10.50\$10.95
Industrial	Extractive industry	Other uses	The adopted charge amounts in columns 4 and 5 for another similar use, or combination of uses, listed in column 1 (other than this row) that Council or Unitywater decides to apply to the use.		
	High impact industry	Industry	m <sup>2</sup> GFA	\$73.3576.75	\$10.50\$10.95
	Low impact industry	Industry	m <sup>2</sup> GFA	\$52.4054.80	\$10.50\$10.95
	Marine industry	Industry	m <sup>2</sup> GFA	\$52.4054.80	\$10.50\$10.95
	Medium impact industry	Industry	m <sup>2</sup> GFA	\$52.4054.80	\$10.50\$10.95
	Research and technology industry	Industry	m <sup>2</sup> GFA	\$52.4054.80	\$10.50\$10.95
	Service industry	Industry	m <sup>2</sup> GFA	\$52.4054.80	\$10.50\$10.95
	Special industry	Industry	m <sup>2</sup> GFA	\$73.3576.75	\$10.50\$10.95
	Bulk landscape supplies	Commercial (bulk goods)	m <sup>2</sup> GFA	\$146.70153.40	\$10.50\$10.95
	Transport depot	Industry	m <sup>2</sup> GFA	\$52.4054.80	\$10.50\$10.95
	Warehouse	Industry	m <sup>2</sup> GFA	\$52.4054.80	\$10.50\$10.95
Community	Cemetery	Minor uses	Nil	Nil	Nil
	Child care centre	Educational Facility	m <sup>2</sup> GFA	\$146.70153.40	\$10.50\$10.95
	Community care centre	Essential services	m <sup>2</sup> GFA	\$146.70153.40	\$10.50\$10.95
	Community use	Places of assembly	m <sup>2</sup> GFA	\$73.3576.75	\$10.50\$10.95
	Crematorium	Other uses	The adopted charge amounts in columns 4 and 5 for another similar use, or combination of uses, listed in column 1 (other than this row) that Council or Unitywater decides to apply to the use.		
	Educational establishment	Educational Facility	m <sup>2</sup> GFA	\$146.70153.40	\$10.50\$10.95
	Emergency services	Essential services	m <sup>2</sup> GFA	\$146.70153.40	\$10.50\$10.95
	Hospital	Essential services	m <sup>2</sup> GFA	\$146.70153.40	\$10.50\$10.95
	Place of worship	Places of assembly	m <sup>2</sup> GFA	\$73.3576.75	\$10.50\$10.95
Sport and recreation	Club	Places of assembly	m <sup>2</sup> GFA	\$73.3576.75	\$10.50\$10.95
	Indoor sport and recreation <sup>(2)</sup>	Indoor sport and recreational facility	m <sup>2</sup> GFA	\$209.55219.10 non-court areas, \$20.9021.85 court areas	\$10.50\$10.95
	Major sport, recreation and entertainment facility <sup>(2)</sup>	Other uses	The adopted charge amounts in columns 4 and 5 for another similar use, or combination of uses, listed in column 1 (other than this row) that Council or Unitywater decides to apply to the use.		
	Motor sport facility <sup>(2)</sup>	Other uses			

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Column 1 Use under an applicable local planning instrument		Column 2 Charge Category	Column 3 Unit of measure per:	Column 4 Adopted charge rate (\$ per unit of measure)	Column 5 Adopted charge rate for stormwater (\$ per m <sup>2</sup> of impervious area)
Use class	Defined use				
	Outdoor sport and recreation <sup>(2)</sup>	Other uses			
	Park	Minor uses	Nil	Nil	Nil
Rural Activity	Animal husbandry	Low impact rural	Nil	Nil	Nil
	Animal keeping	Other uses	The adopted charge amounts in columns 4 and 5 for another similar use, or combination of uses, listed in column 1 (other than this row) that Council or Unitywater decides to apply to the use.		
	Aquaculture	High impact rural	m <sup>2</sup> GFA	<del>\$20.90</del> 21.85	-
	Intensive animal industry	High impact rural	m <sup>2</sup> GFA	<del>\$20.90</del> 21.85	-
	Roadside stall	Minor uses	Nil	Nil	Nil
	Rural industry	Industry	m <sup>2</sup> GFA	<del>\$52.40</del> 54.80	<del>\$10.50</del> 10.95
	Rural workers accommodation	Other uses	The adopted charge amounts in columns 4 and 5 for another similar use, or combination of uses, listed in column 1 (other than this row) that Council or Unitywater decides to apply to the use.		
	Cropping	Low impact rural	Nil	Nil	Nil
	Intensive horticulture	High impact rural	m <sup>2</sup> GFA	<del>\$15.55</del> 16.26	-
	Permanent Plantation	Low impact rural	Nil	Nil	Nil
	Wholesale nursery	High impact rural	m <sup>2</sup> GFA	<del>\$20.90</del> 21.85	-
	Winery	High impact rural	m <sup>2</sup> GFA	<del>\$20.90</del> 21.85	-
Other	Air services <sup>(4)</sup>	Other uses	The adopted charge amounts in columns 4 and 5 for another similar use, or combination of uses, listed in column 1 (other than this row) that Council or Unitywater decides to apply to the use.		
	Environment Facility	Minor uses	Nil	Nil	Nil
	Major electricity infrastructure	Other uses	The adopted charge amounts in columns 4 and 5 for another similar use, or combination of uses, listed in column 1 (other than this row) that Council or Unitywater decides to apply to the use.		
	Parking station	Other uses			
	Port services	Other uses			
	Renewable energy facility	Other uses			
	Substation	Minor uses	Nil	Nil	Nil
	Telecommunications facility	Minor uses	Nil	Nil	Nil
	Utility installation	Other uses	The adopted charge amounts in columns 4 and 5 for another similar use, or combination of uses, listed in column 1 (other than this row) that Council or Unitywater decides to apply to the use.		
Development under Maroochy Plan 2000					
Residential	Accommodation Building	Accommodation (short-term)	room	<del>\$10,478.40</del> 10,956.25	-
	Bed and Breakfast	Accommodation (short-term)	room	<del>\$10,478.40</del> 10,956.25	-
	Caravan Park <sup>(1)</sup>	Accommodation (short-term)	cabin/caravan/camping site <sup>(5)</sup>	<del>\$7,400</del> 7,737.49 per 1 site or <del>\$10,020</del> 10,476.99 per 2 sites or <del>\$14,669.75</del> 15,338.75 per 3 sites for tent or caravan sites, <del>\$10,478.40</del> 10,956.25	-

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Column 1 Use under an applicable local planning instrument		Column 2 Charge Category	Column 3 Unit of measure per:	Column 4 Adopted charge rate (\$ per unit of measure)	Column 5 Adopted charge rate for stormwater (\$ per m <sup>2</sup> of impervious area)
Use class	Defined use				
				25 for a 2 or less bedroom cabin, \$14,669.7515,338.75 for a 3 or more bedroom cabin.	
	Caravan Park (Relocatable home park)	Accommodation (long-term)	3 or more bedroom dwelling unit	\$29,339.5530,677.65	-
			2 bedroom dwelling unit	\$20,956.8021,912.60	-
			1 bedroom dwelling unit	\$20,956.8021,912.60	-
	Caretakers Residence	Residential uses	3 or more bedroom dwelling unit	\$29,339.5530,677.65	-
			2 bedroom dwelling unit	\$20,956.8021,912.60	-
			1 bedroom dwelling unit	\$20,956.8021,912.60	-
	Detached House (residential lot)	Residential uses	3 or more bedroom dwelling	\$29,339.5530,677.65	-
	Display Home	Residential uses	3 or more bedroom dwelling	\$29,339.5530,677.65	-
	Dual Occupancy	Residential uses	3 or more bedroom dwelling unit	\$29,339.5530,677.65	-
			2 bedroom dwelling unit	\$20,956.8021,912.60	-
			1 bedroom dwelling unit	\$20,956.8021,912.60	-
	Home-Based Business	Minor uses	Nil	Nil	Nil
	Institutional Residence	Accommodation (long-term)	3 or more bedroom dwelling unit	\$29,339.5530,677.65	-
			2 bedroom dwelling unit	\$20,956.8021,912.60	-
			1 bedroom dwelling unit	\$20,956.8021,912.60	-
	Integrated Tourist Facility	Accommodation (short-term)	room	\$10,478.4010,956.25	-
	Motel (includes hotel accommodation)	Accommodation (short-term)	room	\$10,478.4010,956.25	-
	Multiple Dwelling Units	Residential uses	3 or more bedroom dwelling unit	\$29,339.5530,677.65	-
			2 bedroom dwelling unit	\$20,956.8021,912.60	-
			1 bedroom dwelling unit	\$20,956.8021,912.60	-
	Residential Care facility <sup>(3)</sup>	Essential services	m <sup>2</sup> GFA	\$146.70153.40	\$10.50\$10.95
	Retirement Village <sup>(3)</sup>	Accommodation (long-term)	3 or more bedroom dwelling unit	\$29,339.5530,677.65	-
			2 bedroom dwelling unit	\$20,956.8021,912.60	-
			1 bedroom dwelling unit	\$20,956.8021,912.60	-

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Column 1 Use under an applicable local planning instrument		Column 2 Charge Category	Column 3 Unit of measure per:	Column 4 Adopted charge rate (\$ per unit of measure)	Column 5 Adopted charge rate for stormwater (\$ per m <sup>2</sup> of impervious area)
Use class	Defined use				
Rural	Agriculture, Animal Keeping, Animal Husbandry, Forestry, Roadside stall, Stables	Low impact rural	Nil	Nil	Nil
	Aquaculture, Intensive Animal Husbandry, Intensive Horticulture, Wholesale Nursery	High impact rural	m <sup>2</sup> GFA	<del>\$20.90</del> <u>\$21.85</u>	Nil
	Rural Service Industry	Low impact rural	Nil	Nil	Nil
	Winery	High impact rural	m <sup>2</sup> GFA	<del>\$20.90</del> <u>\$21.85</u>	Nil
Commercial	Adult Product Shop	Commercial (retail)	m <sup>2</sup> GFA	<del>\$188.60</del> <u>\$197.20</u>	<del>\$40.50</del> <u>\$10.95</u>
	Art & Craft Centre	Commercial (retail)	m <sup>2</sup> GFA	<del>\$188.60</del> <u>\$197.20</u>	<del>\$40.50</del> <u>\$10.95</u>
	Convenience Restaurant	Commercial (retail)	m <sup>2</sup> GFA	<del>\$188.60</del> <u>\$197.20</u>	<del>\$40.50</del> <u>\$10.95</u>
	Fast Food Store	Commercial (retail)	m <sup>2</sup> GFA	<del>\$188.60</del> <u>\$197.20</u>	<del>\$40.50</del> <u>\$10.95</u>
	Funeral Parlour	Places of assembly	m <sup>2</sup> GFA	<del>\$73.35</del> <u>\$76.75</u>	<del>\$40.50</del> <u>\$10.95</u>
	Garden Centre	Commercial (bulk goods)	m <sup>2</sup> GFA	<del>\$146.70</del> <u>\$153.40</u>	<del>\$40.50</del> <u>\$10.95</u>
	Hotel (excluding hotel accommodation)	Entertainment	m <sup>2</sup> GFA	<del>\$209.55</del> <u>\$219.10</u>	<del>\$40.50</del> <u>\$10.95</u>
	Market	Minor uses	NA	NA	NA
	Medical Centre	Essential services	m <sup>2</sup> GFA	<del>\$146.70</del> <u>\$153.40</u>	<del>\$40.50</del> <u>\$10.95</u>
	Office	Commercial (office)	m <sup>2</sup> GFA	<del>\$146.70</del> <u>\$153.40</u>	<del>\$40.50</del> <u>\$10.95</u>
	Restaurant	Commercial (retail)	m <sup>2</sup> GFA	<del>\$188.60</del> <u>\$197.20</u>	<del>\$40.50</del> <u>\$10.95</u>
	Shop (including General Store)	Commercial (retail)	m <sup>2</sup> GFA	<del>\$188.60</del> <u>\$197.20</u>	<del>\$40.50</del> <u>\$10.95</u>
	Shopping Complex	Commercial (retail)	m <sup>2</sup> GFA	<del>\$188.60</del> <u>\$197.20</u>	<del>\$40.50</del> <u>\$10.95</u>
	Showroom	Commercial (bulk goods)	m <sup>2</sup> GFA	<del>\$146.70</del> <u>\$153.40</u>	<del>\$40.50</del> <u>\$10.95</u>
	Veterinary Clinic	Essential services	m <sup>2</sup> GFA	<del>\$146.70</del> <u>\$153.40</u>	<del>\$40.50</del> <u>\$10.95</u>
Industrial	Car Washing Station	Industry	m <sup>2</sup> GFA	<del>\$52.40</del> <u>\$54.80</u>	<del>\$40.50</del> <u>\$10.95</u>
	Environmentally Assessable Industry	Industry	m <sup>2</sup> GFA	<del>\$73.35</del> <u>\$76.75</u>	<del>\$40.50</del> <u>\$10.95</u>
	Extractive Industry	Other uses	The adopted charge amounts in columns 4 and 5 for another similar use, or combination of uses, listed in column 1 (other than this row) that Council or Unitywater decides to apply to the use.		
	General Industry	Industry	m <sup>2</sup> GFA	<del>\$52.40</del> <u>\$54.80</u>	<del>\$40.50</del> <u>\$10.95</u>
	Landscape Supplies	Commercial (bulk goods)	m <sup>2</sup> GFA	<del>\$146.70</del> <u>\$153.40</u>	<del>\$40.50</del> <u>\$10.95</u>
	Light Industry - Laundromat	Industry	m <sup>2</sup> GFA	<del>\$52.40</del> <u>\$54.80</u>	<del>\$40.50</del> <u>\$10.95</u>
	Light Industry - Hot bread kitchen/retail bakery	Industry	m <sup>2</sup> GFA	<del>\$52.40</del> <u>\$54.80</u>	<del>\$40.50</del> <u>\$10.95</u>
	Light Industry - All other uses	Industry	m <sup>2</sup> GFA	<del>\$52.40</del> <u>\$54.80</u>	<del>\$40.50</del> <u>\$10.95</u>
	Sales or Hire Yard	Commercial (bulk goods)	m <sup>2</sup> GFA	<del>\$146.70</del> <u>\$153.40</u>	<del>\$40.50</del> <u>\$10.95</u>

## Infrastructure Charges Resolution (No.9) 2022

March 28, 2022

Column 1 Use under an applicable local planning instrument		Column 2 Charge Category	Column 3 Unit of measure per:	Column 4 Adopted charge rate (\$ per unit of measure)	Column 5 Adopted charge rate for stormwater (\$ per m <sup>2</sup> of impervious area)
Use class	Defined use				
	Service Station	Commercial (retail)	m <sup>2</sup> GFA	<del>\$188.60</del> 197.20	<del>\$40.50</del> 10.95
	Storage Yard	Industry	m <sup>2</sup> GFA	<del>\$52.40</del> 54.80	<del>\$40.50</del> 10.95
	Transport Station	Industry	m <sup>2</sup> GFA	<del>\$52.40</del> 54.80	<del>\$40.50</del> 10.95
	Vehicle Depot	Industry	m <sup>2</sup> GFA	<del>\$52.40</del> 54.80	<del>\$40.50</del> 10.95
	Vehicle Repair Workshop	Industry	m <sup>2</sup> GFA	<del>\$52.40</del> 54.80	<del>\$40.50</del> 10.95
	Warehouse	Industry	m <sup>2</sup> GFA	<del>\$52.40</del> 54.80	<del>\$40.50</del> 10.95
Other	Child Care Centre	Education	m <sup>2</sup> GFA	<del>\$146.70</del> 153.40	<del>\$40.50</del> 10.95
	Local Utility	Other uses	The adopted charge amounts in columns 4 and 5 for another similar use, or combination of uses, listed in column 1 (other than this row) that Council or Unitywater decides to apply to the use.		
	Major Utility	Other uses			
	Telecommunications Facility	Minor uses	Nil	Nil	Nil
	Cemetery	Minor uses	Nil	Nil	Nil
	Church	Places of assembly	m <sup>2</sup> GFA	<del>\$73.35</del> 76.75	<del>\$40.50</del> 10.95
	Community Meeting Hall	Places of assembly	m <sup>2</sup> GFA	<del>\$73.35</del> 76.75	\$10.10
	Crematorium	Places of assembly	m <sup>2</sup> GFA	<del>\$73.35</del> 76.75	<del>\$40.50</del> 10.95
	Educational Establishment	Education	m <sup>2</sup> GFA	<del>\$146.70</del> 153.40	<del>\$40.50</del> 10.95
	Emergency Services	Essential services	m <sup>2</sup> GFA	<del>\$146.70</del> 153.40	<del>\$40.50</del> 10.95
	Hospital	Essential services	m <sup>2</sup> GFA	<del>\$146.70</del> 153.40	<del>\$40.50</del> 10.95
	Amusement Centres	Entertainment	m <sup>2</sup> GFA	<del>\$209.55</del> 219.10	<del>\$40.50</del> 10.95
	Gyms <sup>(2)</sup>	Indoor sport & recreation facility	m <sup>2</sup> GFA	<del>\$209.55</del> 219.10 (excluding court area) <del>\$20.90</del> 21.85 (court areas)	<del>\$40.50</del> 10.95
	Indoor Sports Centre <sup>(2)</sup>	Indoor sport & recreation facility	m <sup>2</sup> GFA	<del>\$209.55</del> 219.10 (excluding court area) <del>\$20.90</del> 21.85 (court areas)	<del>\$40.50</del> 10.95
	Licensed Club	Entertainment	m <sup>2</sup> GFA	<del>\$209.55</del> 219.10	<del>\$40.50</del> 10.95
	Unlicensed Club	Places of assembly	m <sup>2</sup> GFA	<del>\$73.35</del> 76.75	<del>\$40.50</del> 10.95
	Night Club	Entertainment	m <sup>2</sup> GFA	<del>\$209.55</del> 219.10	<del>\$40.50</del> 10.95
	Theatre / Cinema	Entertainment	m <sup>2</sup> GFA	<del>\$209.55</del> 219.10	<del>\$40.50</del> 10.95
	Outdoor Recreation <sup>(2)</sup>	Other uses	The adopted charge amounts in columns 4 and 5 for another similar use, or combination of uses, listed in column 1 (other than this row) that Council or Unitywater decides to apply to the use.		
	Car Park	Other uses	The adopted charge amounts in columns 4 and 5 for another similar use, or combination of uses, listed in column 1 (other than this row) that Council or Unitywater decides to apply to the use.		
	Air Services <sup>(4)</sup>	Other uses	The adopted charge amounts in columns 4 and 5 for another similar use, or combination of uses, listed in column 1 (other than this row) that Council or Unitywater decides to apply to the use.		
Development under Caloundra City Plan 2004					



## Infrastructure Charges Resolution (No.9) 2022

March 28, 2022

Column 1 Use under an applicable local planning instrument		Column 2 Charge Category	Column 3 Unit of measure per:	Column 4 Adopted charge rate (\$ per unit of measure)	Column 5 Adopted charge rate for stormwater (\$ per m <sup>2</sup> of impervious area)
Use class	Defined use				
Residential	detached house	Residential uses	3 or more bedroom dwelling	<del>\$29,339.55</del> <u>\$30,677.65</u>	-
	display dwelling	Residential uses	3 or more bedroom dwelling	<del>\$29,339.55</del> <u>\$30,677.65</u>	-
	home-based business	Minor uses	Nil	Nil	Nil
	bed & breakfast	Accommodation (short-term)	room	<del>\$10,478.40</del> <u>\$10,956.25</u>	-
	duplex dwelling	Accommodation (long-term)	3 or more bedroom dwelling unit	<del>\$29,339.55</del> <u>\$30,677.65</u>	-
			2 bedroom dwelling unit	<del>\$20,956.80</del> <u>\$21,912.60</u>	-
			1 bedroom dwelling unit	<del>\$20,956.80</del> <u>\$21,912.60</u>	-
	multiple dwelling	Residential uses	3 or more bedroom dwelling unit	<del>\$29,339.55</del> <u>\$30,677.65</u>	-
			2 bedroom dwelling unit	<del>\$20,956.80</del> <u>\$21,912.60</u>	-
			1 bedroom dwelling unit	<del>\$20,956.80</del> <u>\$21,912.60</u>	-
	caravan and relocatable home park - (cabin/caravan/camping site only) <sup>(1)</sup>	Accommodation (short-term)	cabin/caravan/camping site <sup>(5)</sup>	<del>\$7,400</del> <u>\$7,737.49</u> per 1 site or <del>\$10,020</del> <u>\$10,476.99</u> per 2 sites or <del>\$14,669.75</del> <u>\$15,338.75</u> per 3 sites for tent or caravan sites, <del>\$10,478.40</del> <u>\$10,956.25</u> for a 2 or less bedroom cabin, <del>\$14,669.75</del> <u>\$15,338.75</u> for a 3 or more bedroom cabin.	-
	caravan and relocatable home park (relocatable home park)	Accommodation (long-term)	3 or more bedroom dwelling unit	<del>\$29,339.55</del> <u>\$30,677.65</u>	-
			2 bedroom dwelling unit	<del>\$20,956.80</del> <u>\$21,912.60</u>	-
			1 bedroom dwelling unit	<del>\$20,956.80</del> <u>\$21,912.60</u>	-
	accommodation building	Accommodation (short-term)	room	<del>\$10,478.40</del> <u>\$10,956.25</u>	-
	motel	Accommodation (short-term)	room	<del>\$10,478.40</del> <u>\$10,956.25</u>	-
	retirement community <sup>(3)</sup>	Accommodation (long-term)	3 or more bedroom dwelling unit	<del>\$29,339.55</del> <u>\$30,677.65</u>	-
			2 bedroom dwelling unit	<del>\$20,956.80</del> <u>\$21,912.60</u>	-
			1 bedroom dwelling unit	<del>\$20,956.80</del> <u>\$21,912.60</u>	-
	retirement community <sup>(3)</sup> (residential care facility)	Essential services	m <sup>2</sup> GFA	<del>\$146,701</del> <u>\$153.40</u>	<del>\$10.50</del> <u>\$10.95</u>
Rural	animal husbandry - low impact	Low impact rural	Nil	Nil	Nil

## Infrastructure Charges Resolution (No.9) 2022

March 28, 2022

Column 1 Use under an applicable local planning instrument		Column 2 Charge Category	Column 3 Unit of measure per:	Column 4 Adopted charge rate (\$ per unit of measure)	Column 5 Adopted charge rate for stormwater (\$ per m <sup>2</sup> of impervious area)
Use class	Defined use				
	animal keeping	Low impact rural	Nil	Nil	Nil
	aquaculture	High impact rural	m <sup>2</sup> GFA	\$20,9021.85	Nil
	agriculture	Low impact rural	Nil	Nil	Nil
	rural service industry	Low impact rural	Nil	Nil	Nil
	rural holiday accommodation	Accommodation (short-term)	room	\$10,478.4010,956.25	-
	native forest harvesting	Low impact rural	Nil	Nil	Nil
	animal husbandry - high impact	High impact rural	m <sup>2</sup> GFA	\$20,9021.85	Nil
	stable	Low impact rural	Nil	Nil	Nil
	rural produce stall	Low impact rural	Nil	Nil	Nil
Business and commercial	funeral parlour	Places of assembly	m <sup>2</sup> GFA	\$73.3576.75	\$40.50\$10.95
	veterinary surgery	Essential services	m <sup>2</sup> GFA	\$146.70153.40	\$40.50\$10.95
	medical centre	Essential services	m <sup>2</sup> GFA	\$146.70153.40	\$40.50\$10.95
	office	Commercial (office)	m <sup>2</sup> GFA	\$146.70153.40	\$40.50\$10.95
	adult product shop	Commercial (retail)	m <sup>2</sup> GFA	\$188.60197.20	\$40.50\$10.95
	garden centre	Commercial (bulk goods)	m <sup>2</sup> GFA	\$146.70153.40	\$40.50\$10.95
	market	Minor uses	Nil	Nil	Nil
	shop	Commercial (retail)	m <sup>2</sup> GFA	\$188.60197.20	\$40.50\$10.95
	shopping complex	Commercial (retail)	m <sup>2</sup> GFA	\$188.60197.20	\$40.50\$10.95
	art and craft centre	Commercial (retail)	m <sup>2</sup> GFA	\$188.60197.20	\$40.50\$10.95
	restaurant	Commercial (retail)	m <sup>2</sup> GFA	\$188.60197.20	\$40.50\$10.95
	hotel	Entertainment	m <sup>2</sup> GFA	\$209.55219.10	\$40.50\$10.95
	function room	Entertainment	m <sup>2</sup> GFA	\$209.55219.10	\$40.50\$10.95
	nightclub	Entertainment	m <sup>2</sup> GFA	\$209.55219.10	\$40.50\$10.95
	Showroom	Commercial (bulk goods)	m <sup>2</sup> GFA	\$146.70153.40	\$40.50\$10.95
Industrial	industry - general	Industry	m <sup>2</sup> GFA	\$52.4054.80	\$40.50\$10.95
	industry - local service	Industry	m <sup>2</sup> GFA	\$52.4054.80	\$40.50\$10.95
	warehouse	Industry	m <sup>2</sup> GFA	\$52.4054.80	\$40.50\$10.95
	vehicle repair centre	Industry	m <sup>2</sup> GFA	\$52.4054.80	\$40.50\$10.95
	outdoor sales or hire yard	Commercial (bulk goods)	m <sup>2</sup> GFA	\$146.70153.40	\$40.50\$10.95
	landscape supplies	Commercial (bulk goods)	m <sup>2</sup> GFA	\$146.70153.40	\$40.50\$10.95
	car wash	Industry	m <sup>2</sup> GFA	\$52.4054.80	\$40.50\$10.95
	extractive industry	Other uses	The adopted charge amounts in columns 4 and 5 for another similar use, or combination of uses, listed in column 1 (other than this row) that Council or Unitywater decides to apply to the use.		

## Infrastructure Charges Resolution (No.9) 2022

March 28, 2022

Column 1 Use under an applicable local planning instrument		Column 2 Charge Category	Column 3 Unit of measure per:	Column 4 Adopted charge rate (\$ per unit of measure)	Column 5 Adopted charge rate for stormwater (\$ per m <sup>2</sup> of impervious area)
Use class	Defined use				
	vehicle depot	Industry	m <sup>2</sup> GFA	<del>\$52.40</del> \$54.80	<del>\$10.50</del> \$10.95
	service station	Commercial (retail)	m <sup>2</sup> GFA	<del>\$188.60</del> \$197.20	<del>\$10.50</del> \$10.95
	salvage yard	Industry	m <sup>2</sup> GFA	<del>\$52.40</del> \$54.80	<del>\$10.50</del> \$10.95
	storage yard	Industry	m <sup>2</sup> GFA	<del>\$52.40</del> \$54.80	<del>\$10.50</del> \$10.95
	industry - high impact	Industry	m <sup>2</sup> GFA	<del>\$73.35</del> \$76.75	<del>\$10.50</del> \$10.95
Community	emergency service	Essential services	m <sup>2</sup> GFA	<del>\$146.70</del> \$153.40	<del>\$10.50</del> \$10.95
	place of worship	Places of assembly	m <sup>2</sup> GFA	<del>\$73.35</del> \$76.75	<del>\$10.50</del> \$10.95
	cemetery	Minor uses	Nil	Nil	Nil
	community centre	Places of assembly	m <sup>2</sup> GFA	<del>\$73.35</del> \$76.75	<del>\$10.50</del> \$10.95
	child care centre	Education	m <sup>2</sup> GFA	<del>\$146.70</del> \$153.40	<del>\$10.50</del> \$10.95
	education establishment	Education	m <sup>2</sup> GFA	<del>\$146.70</del> \$153.40	<del>\$10.50</del> \$10.95
	hospital	Essential services	m <sup>2</sup> GFA	<del>\$146.70</del> \$153.40	<del>\$10.50</del> \$10.95
Other	car park	Other uses	The adopted charge amounts in columns 4 and 5 for another similar use, or combination of uses, listed in column 1 (other than this row) that Council or Unitywater decides to apply to the use.		
	marina	Other uses			
	telecommunication tower	Minor uses	Nil	Nil	Nil
	camping grounds <sup>(1)</sup>	Accommodation (short-term)	caravan/camping site <sup>(5)</sup>	<del>\$7.40</del> \$7.737.49 per 1 site or <del>\$10.02</del> \$10.476.99 per 2 sites or <del>\$14.66</del> \$15.338.75 per 3 sites for tent or caravan sites	NA
	major utility	Other uses	The adopted charge amounts in columns 4 and 5 for another similar use, or combination of uses, listed in column 1 (other than this row) that Council or Unitywater decides to apply to the use.		
	local utility	Other uses	The adopted charge amounts in columns 4 and 5 for another similar use, or combination of uses, listed in column 1 (other than this row) that Council or Unitywater decides to apply to the use.		
	air services <sup>(4)</sup>	Other uses	The adopted charge amounts in columns 4 and 5 for another similar use, or combination of uses, listed in column 1 (other than this row) that Council or Unitywater decides to apply to the use.		
Sport and Recreation	indoor sport, recreation and entertainment <sup>(2)</sup>	Indoor sport & recreation facility	m <sup>2</sup> GFA	<del>\$209.55</del> \$219.10 (excluding court areas) <del>\$20.90</del> \$21.85 (court areas)	<del>\$10.50</del> \$10.95
	park	Minor uses	Nil	Nil	Nil
	outdoor sport, recreation and entertainment <sup>(2)</sup>	Other uses	The adopted charge amounts in columns 4 and 5 for another similar use, or combination of uses, listed in column 1 (other than this row) that Council or Unitywater decides to apply to the use.		

Note:

- (1) For short-term accommodation the total charge shall not exceed the maximum calculated in accordance with the prescribed amounts Schedule 16 of the Planning Regulation.
- (2) Sport and recreation uses are exempt from the "Public parks and land for community facilities" proportion of the levied charge, only for the proportion of the charge that relates to those specific uses.

## Infrastructure Charges Resolution (No.9) 2022

March 28, 2022

- (3) For ~~Retirement facility and~~ Residential care facility uses, the levied charge payable for Council's "Road" and "Parks" networks proportion of the charge is reduced to 70% of the levied charge, only for the proportion of the charge that relates to those specific uses.
- (4) Nil charge for Council's proportion of the charge for the development of air services at the Caloundra Aerodrome.
- (5) No charge will apply, for Council's proportion of the charge, for the first 5 tent or caravan sites established on a site. Charges are payable for any tent or caravan site development exceeding 5 sites but only be applied to the number of sites exceeding 5. A credit for existing uses will not apply to any tent or caravan park site where a charge has not been previously paid under this provision.

**13.3 Table 13.2 Schedule of Adopted Charges – reconfiguring a lot**

Table 13.2 Schedule of adopted charges – reconfiguring a lot states the adopted charge rate per lot for the transport, public parks and land for community facilities, stormwater and water supply and sewerage networks for the various lot types.

**Table 13.2 Schedule of adopted charges – reconfiguring a lot**

Type**	Adopted charge rate per lot
Residential lot	<del>\$29,339.55</del> 30,677.65
Commercial lot	<del>\$29,339.55</del> 30,677.65
Industrial lot	<del>\$29,339.55</del> 30,677.65
Other lot	<del>\$29,339.55</del> 30,677.65

\*\* refer to definition in Section 1.5



[www.sunshinecoast.qld.gov.au](http://www.sunshinecoast.qld.gov.au)

[mail@sunshinecoast.qld.gov.au](mailto:mail@sunshinecoast.qld.gov.au)

T 07 5475 7272 F 07 5475 7277



Locked Bag 72 Sunshine Coast Mail Centre Qld 4560



## 8.5 FEBRUARY 2022 FINANCIAL PERFORMANCE REPORT

**File No:** Council Meetings

**Author:** Coordinator Financial Services  
Business Performance Group

**Attachments:** Att 1 - February 2022 Financial Performance Report ..... 357 [↓](#)   
Att 2 - 2021/22 Capital Grant Funded Project Report February 2022..... 367 [↓](#) 

### PURPOSE

To meet Council's legislative obligations, a monthly report is to be presented to Council on its financial performance and investments.

### EXECUTIVE SUMMARY

This monthly financial performance report provides Council with a summary of performance against budget as at 28 February 2022 in terms of the operating result and delivery of the capital program.

#### Operating Performance

**Table 1: Operating Budget as at 28 February 2022**

	Original Budget \$000	Current Budget \$000
Total Operating Revenue	498,433	500,456
Total Operating Expenses	479,602	490,383
<b>Operating Result</b>	<b>18,832</b>	<b>10,073</b>

Details of the monthly financial report are contained in Attachment 1.

### OFFICER RECOMMENDATION

That Council receive and note the report titled "February 2022 Financial Performance Report".

### FINANCE AND RESOURCING

This report sets out the details of Council's financial performance and investments for the month ending 28 February 2022 and meets Council's legislative reporting requirements.

### CORPORATE PLAN

**Corporate Plan Goal:** *Our outstanding organisation*

**Outcome:**

**Operational Activity:** We serve our community by providing this great service  
S28 - Financial and procurement services – financial and procurement management and governance, ensuring effective business management and legislative compliance, coordination and development of Council's budget process, administration of financial systems, sundry debtors, accounts payable, financial and asset accounting, treasury, procurement, contract and supply functions.

## CONSULTATION

### Portfolio Councillor Consultation

Consultation has been undertaken with the Portfolio Councillor, E Hungerford.

### Internal Consultation

This report has been written in conjunction with advice from:

- Group Executive Business Performance
- Chief Financial Officer

### External Consultation

No external consultation is required for this report.

### Community Engagement

No community engagement is required for this report.

### Legal

This report ensures that Council complies with its legislative obligations with respect to financial reporting in accordance with Section 204 of the *Local Government Regulation 2012*.

Investment of funds is in accordance with the provisions of the *Statutory Bodies Financial Arrangements Act 1982* and the associated Regulations and the *Local Government Act 2009*.

### Policy

Sunshine Coast Council's 2021/22 Investment Policy and  
Sunshine Coast Council's 2021/22 Debt Policy.

### Risk

Failure to achieve the budgeted operating result will negatively impact Council's capacity to complete its capital expenditure program.

### Previous Council Resolution

#### Ordinary Meeting 16 September 2021 (OM21/87)

*That Council:*

- (a) receive and note the report titled "**Budget Review 1 2021/22**"
- (b) adopt Appendix A as tabled, pursuant to sections 169 and 170 of the *Local Government Regulation 2012*, Council's amended budget for 2021/22 financial year incorporating:
  - (i) the statement of income and expenditure
  - (ii) the statement of financial position
  - (iii) the statements of changes in equity
  - (iv) the statement of cash flow
  - (v) the relevant measures of financial sustainability
  - (vi) the long term financial forecast



- (vii) *the Debt Policy*
- (c) *note the following documentation applies as adopted 24 June 2021*
  - (i) *the Revenue Policy*
  - (ii) *the total value of the change, expressed as a percentage, in the rates and utility charges levied for the financial year compared with the rates and utility charges levied in the previous budget*
  - (iii) *the Revenue Statement and*
  - (iv) *the rates and charges to be levied for the 2021/22 financial year and other matters as adopted 24 June 2021 and*
- (d) *endorse the Minor Capital Works Program (Appendix B).*

**Special Meeting Budget 24 June 2021 (SM21/3)**

*That Council adopt Appendix A as tabled, pursuant to sections 169 and 170 of the Local Government Regulation 2012, Council's budget for 2021/22 financial year incorporating:*

- i. the statement of income and expenditure*
- ii. the statement of financial position*
- iii. the statements of changes in equity*
- iv. the statement of cash flow*
- v. the relevant measures of financial sustainability*
- vi. the long term financial forecast*
- vii. the Debt Policy (adopted by Council resolution on 27 May 2021)*
- viii. the Revenue Policy (adopted by Council resolution on 27 May 2021)*
- ix. the total value of the change, expressed as a percentage, in the rates and utility charges levied for the financial year compared with the rates and utility charges levied in the previous budget*
- x. the Revenue Statement*
- xi. Council's 2021/22 Capital Works Program, endorse the indicative four-year program for the period 2023 to 2026, and note the five-year program for the period 2027 to 2031*
- xii. the rates and charges to be levied for the 2021/22 financial year and other matters as detailed below in clauses 3 to 12*
- xiii. endorse the 2021/22 Minor Capital Works Program*
- xiv. establish a \$5 million internally restricted Disaster Rehabilitation Reserve.*

**Related Documentation**

2021/22 Adopted Budget

**Critical Dates**

There are no critical dates for this report.

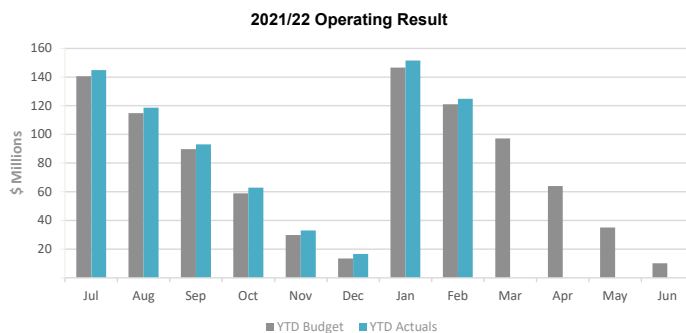
**Implementation**

There are no implementation details to include in this report.





## Statement of Income and Expenses

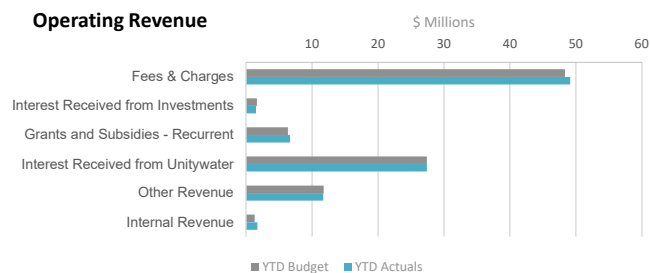


- Council has a positive operating result of \$124.8 million, which is \$1.8 million above the current budget as at 28 February 2022.



Statement of Income & Expenses							
	Annual		YTD				Annual
	Original Budget \$'000	Current Budget \$'000	Current Budget \$'000	Actuals \$'000	Variance \$'000	Variance %	Forecast Budget \$'000
<b>Operating Revenue</b>							
Net Rates and Utility Charges	343,342	344,142	342,608	342,674	66	0.0%	344,142
Fees and Charges	65,577	67,530	48,344	49,137	793	1.6%	67,530
Interest Received from Investments	2,550	2,550	1,650	1,495	(155)	(9.4%)	2,550
Operating Grants and Subsidies	15,218	15,563	6,380	6,688	308	4.8%	15,563
Operating Contributions	302	316	288	286	(1)	(0.4%)	316
Unitywater Participation	49,838	49,838	27,429	27,429	0	0.0%	49,838
Other Revenue	19,853	18,388	11,781	11,698	(83)	(0.7%)	18,388
Internal Sales/Recoveries	1,749	2,127	1,310	1,725	415	31.7%	2,127
<b>Total Operating Revenue</b>	<b>498,429</b>	<b>500,454</b>	<b>439,790</b>	<b>441,132</b>	<b>1,342</b>	<b>0.3%</b>	<b>500,454</b>
<b>Operating Expenses</b>							
Employee Costs	156,262	157,761	103,305	102,712	(592)	(0.6%)	157,761
Materials and Services	187,704	192,042	118,961	118,100	(861)	(0.7%)	192,042
Finance Costs	12,244	13,121	8,846	8,801	(45)	(0.5%)	13,121
Company Contributions	3,615	3,615	3,615	3,615	(0)	(0.0%)	3,615
Depreciation Expense	95,097	95,097	63,398	63,397	(1)	(0.0%)	95,097
Other Expenses	21,884	24,607	14,509	14,687	178	1.2%	24,607
Recurrent Capital Expenses	3,444	4,139	4,139	4,980	841	20.3%	4,139
<b>Total Operating Expenses</b>	<b>480,250</b>	<b>490,381</b>	<b>316,772</b>	<b>316,292</b>	<b>(480)</b>	<b>(0.2%)</b>	<b>490,381</b>
<b>Operating Result</b>	<b>18,179</b>	<b>10,073</b>	<b>123,017</b>	<b>124,839</b>	<b>1,822</b>	<b>1.5%</b>	<b>10,073</b>
<b>Capital Revenue</b>							
Capital Grants and Subsidies	19,368	26,534	11,549	11,549	0	0.0%	26,534
Capital Contributions - Cash	28,631	29,589	22,271	22,262	(9)	(0.0%)	29,589
Capital Contributions - Fixed Assets	55,000	55,000	176	176	(0)	(0.0%)	55,000
<b>Total Capital Revenue</b>	<b>102,999</b>	<b>111,123</b>	<b>33,995</b>	<b>33,986</b>	<b>(9)</b>	<b>(0.0%)</b>	<b>111,123</b>
<b>Non-recurrent Expenses</b>							
Profit/Loss on disposal, revaluation & impairment	7,048	-	-	2,531	2,531	-	-
Movements in landfill and quarry provisions	4,964	5,583	3,722	3,722	-	-	5,583
Assets Transferred to Third Parties	-	-	-	11	11	-	-
<b>Total Non-recurrent Expenses</b>	<b>12,012</b>	<b>5,583</b>	<b>3,722</b>	<b>6,264</b>	<b>2,542</b>	<b>68.3%</b>	<b>5,583</b>
<b>Net Result</b>	<b>109,166</b>	<b>115,612</b>	<b>153,290</b>	<b>152,561</b>	<b>(729)</b>	<b>(0.5%)</b>	<b>115,612</b>

## Operating Result – February 2022



Operating Summary						
	Annual		YTD			
	Original Budget \$000s	Current Budget \$000s	Current Budget \$000s	Actuals \$000s	Variance \$000s	Variance %
Operating Revenue	498,429	500,454	439,790	441,132	1,342	0.3%
Operating Expenses	476,806	486,242	312,633	311,313	(1,321)	(0.4%)
Recurrent Capital Expenses	3,444	4,139	4,139	4,980	841	20.3%
<b>Operating Result</b>	<b>18,179</b>	<b>10,073</b>	<b>123,017</b>	<b>124,839</b>	<b>1,822</b>	<b>1.5%</b>
Capital Revenue	102,999	111,123	33,995	33,986	(9)	(0.0%)
Non-recurrent Expenses	12,012	5,583	3,722	6,264	2,542	68.3%
<b>Net Result</b>	<b>109,166</b>	<b>115,612</b>	<b>153,290</b>	<b>152,561</b>	<b>(729)</b>	<b>(0.5%)</b>

### Sustantial Revenue Variance for the Period Ending 28 February 2022

	Annual		YTD				Annual Forecast Budget \$000
	Original Budget \$000	Current Budget \$000	Current Budget \$000	Actuals \$000	Variance \$000	Variance %	
<b>Operating Revenue</b>							
Fees and Charges	65,577	67,530	48,344	49,137	793	1.6%	67,530
Operating Grants and Subsidies	15,218	15,563	6,380	6,688	308	4.8%	15,563

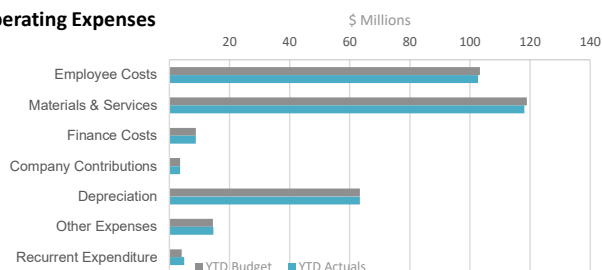
As at 28 February 2022, \$441.1 million operating revenue had been achieved which is \$1.3 million more than current budget.

Significant revenue variances:

- **Fees and Charges** – Holiday park fees are ahead of the expected budget as well as waste services
- **Operating Grants** – additional grant funds received for illegal dumping

## Operating Result – February 2022 (continued)

### Operating Expenses



### Operating Summary

	Annual		YTD			
	Original Budget \$000s	Current Budget \$000s	Current Budget \$000s	Actuals \$000s	Variance \$000s	Variance %
Operating Revenue	498,429	500,454	439,790	441,132	1,342	0.3%
Operating Expenses	476,806	486,242	312,633	311,313	(1,321)	(0.4%)
Recurrent Capital Expenses	3,444	4,139	4,139	4,980	841	20.3%
<b>Operating Result</b>	<b>18,179</b>	<b>10,073</b>	<b>123,017</b>	<b>124,839</b>	<b>1,822</b>	<b>1.5%</b>
Capital Revenue	102,999	111,123	33,995	33,986	(9)	(0.0%)
Non-recurrent Expenses	12,012	5,583	3,722	6,264	2,542	68.3%
<b>Net Result</b>	<b>109,166</b>	<b>115,612</b>	<b>153,290</b>	<b>152,561</b>	<b>(729)</b>	<b>(0.5%)</b>

### Sustantial Expenditure Variance for the Period Ending 28 February 2022

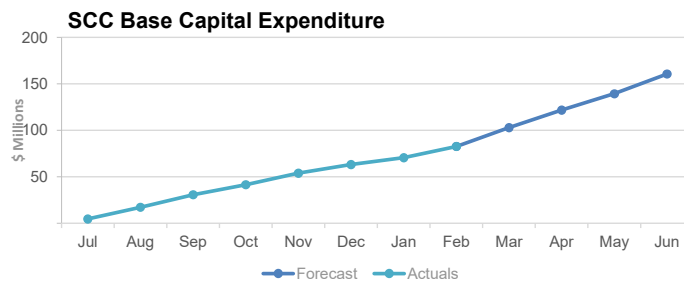
	Annual		YTD				Annual Forecast Budget \$000
	Original Budget \$000	Current Budget \$000	Current Budget \$000	Actuals \$000	Variance \$000	Variance %	
<b>Operating Expenses</b>							
Employee Costs	156,262	157,761	103,305	102,712	(592)	(0.6%)	157,761
Materials and Services	187,704	192,042	118,961	118,100	(861)	(0.7%)	192,042
Recurrent Capital Expenses	3,444	4,139	4,139	4,980	841	20.3%	4,139



As at 28 February 2022, \$316.3 million of the \$316.8 million budget year to date had been expended which resulted in a variance of \$480,000

- Employee expenses are below budget for February with an underspend of \$592,000.
- Council's operational expenditure remains within 1% of the budget year to date

## Capital Expenditure - February 2022



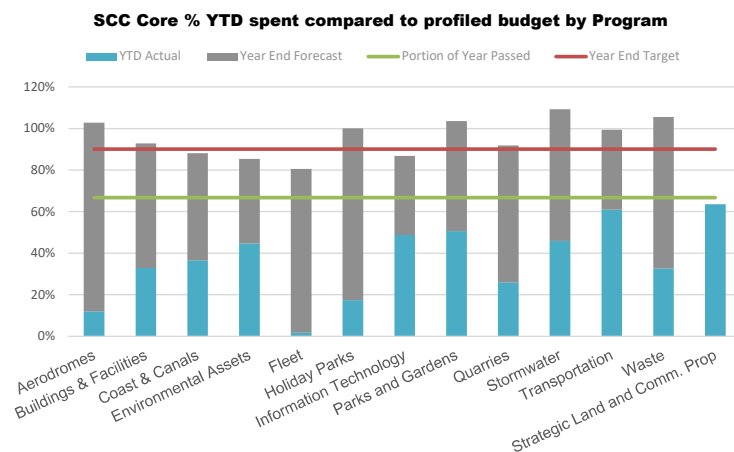
- Budget Review 2 has reduced the capital works program from \$315 million to \$290.6 million for 2021/22
- As at 28 February 2022, \$150.1 million (51.6%) of Council's \$290.6 million Capital Works Program was financially expended.
- The Core Capital Program has progressed 49% of budget, an actual spend of \$82.7 million.
- Corporate Major Projects progressed 57%



Capital Expenditure						
	Annual		YTD		Year End	
	Original Budget \$000s	Current Budget \$000s	Actuals \$000s	% of FY Budget Spent	Forecast Year End Actual	Forecast Year End Variance to Budget
Core Capital Works Program						
Aerodromes	200	225	27	12.0%	231	6
Buildings and Facilities	12,663	10,374	3,402	32.8%	9,619	(756)
Coast and Canals	3,125	3,111	1,140	36.6%	2,741	(371)
Environmental Assets	1,800	1,747	781	44.7%	1,492	(255)
Minor Works	4,495	3,984	1,440	36.1%	3,481	(503)
Fleet	3,250	3,279	56	1.7%	2,643	(635)
Holiday Parks	2,540	1,894	330	17.4%	1,894	-
Information Technology	6,620	8,664	4,223	48.7%	7,519	(1,145)
Parks and Gardens	17,697	15,822	8,016	50.7%	16,371	549
Quarries	635	657	171	26.0%	603	(54)
Stormwater	8,201	7,240	3,322	45.9%	7,906	667
Transportation	86,848	83,812	51,018	60.9%	83,238	(573)
Waste	40,641	26,951	8,788	32.6%	28,432	1,481
Total SCC Core Capital Program	188,714	167,759	82,713	49.3%	166,171	(1,589)
Corporate Major Projects						
Strategic Land and Commercial Properties	60,425	62,801	36,046	57.4%	57,191	(5,610)
Maroochydore City Centre	19,383	47,134	29,936	63.5%	47,134	-
Sunshine Coast Airport Runway	553	1,470	589	40.1%	589	(881)
Total Other Capital Program	-	11,460	820	7.2%	5,290	(6,170)
	80,361	122,865	67,392	54.9%	110,204	(12,660)
TOTAL	269,075	290,624	150,105	51.6%	276,375	(14,249)



## Capital Expenditure - February 2022 (continued)



### Buildings and Facilities

- Detailed design is progressing for of a new library and community centre at Sippy Downs as well as the upgrade of the Kawana Waters regional aquatic centre.

### Fleet

- Delays are being experienced in the procurement of heavy plant equipment, however \$900,000 of orders have been placed.

### Holiday Parks

- Council has entered into a \$1.4 million contract for the replacement of amenities at the Coolum Beach and Mudjimba holiday park.

### Stormwater

- Council's \$1.5 million stormwater pipe relining program has progressed 65% complete

### Transportation

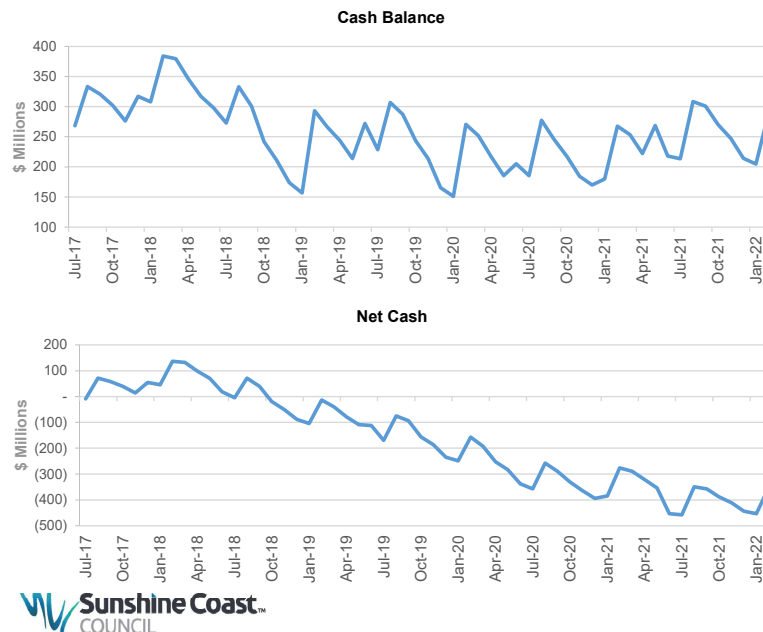
- Council's \$22.9 million road resurfacing and rehabilitation program has progressed 62% for February with a total expenditure of \$14.1 million.
- Council's \$2.18 million bus stop program has progressed 66% for February with a total expenditure of \$1.4 million.
- Construction continues for Council's major transport corridor upgrade at Brisbane Road Mooloolaba, while community consultation is underway for the Caloundra Transport Corridor Upgrade

### Waste

- Council has entered into \$20 million contract in October for the design and construction of a new material resource facility at the Nambour resource recovery centre.



## Cash Flows and Balance Sheet



### Cash and Balance Sheet - February 2022

	Original Budget \$000s
<b>CASH FLOWS</b>	
Opening Cash	186,095
Net Cash Inflow/(Outflows) from:	
Operating Activities	66,159
Investing Activities	126,453
Financing Activities	(187,393)
<b>Net Increase/(decrease) in Cash Held</b>	<b>5,219</b>
<b>Cash at year end</b>	<b>191,314</b>
<b>BALANCE SHEET</b>	
Current Assets	246,160
Non Current Assets	6,290,967
<b>Total Assets</b>	<b>6,537,127</b>
Current Liabilities	120,894
Non Current Liabilities	537,476
<b>Total Liabilities</b>	<b>658,370</b>
<b>Net Community Assets/Total Community Equity</b>	<b>5,878,757</b>

- Council's cash at 28 February 2022 is \$278.5 million
- Council's debt at 28 February 2022 is \$642.5 million

## Debt

Sunshine Coast Council's debt program is governed by the 2021/22 Debt Policy, which was adopted with the Original Budget adoption on 24 June 2021 and revised at the 16 September 2021 Ordinary Meeting.

New borrowings are undertaken in accordance with the Queensland Treasury Corporation Guidelines, the Statutory Bodies Financial Arrangements Act 1982 and Section 192 of the Local Government Regulation 2012.

Table 1 includes Sunshine Coast Council's budgeted debt balance for 2021/22 following Budget Review 1 adoption in September 2021.

Council's proposed borrowings for 2021/22 are \$96.5 million which consists of -

- Waste Management \$37.8 million
- Holiday Parks \$600,000
- Maroochydore Multideck \$13 million
- Sunshine Coast City Hall \$45 million

The Palisade Investment Group payment of \$305 million, due on 30 June 2022, will reduce Council's debt associated with the airport expansion project to nil.

Council has paid \$18.6 million off the principal and \$10 million off interest this financial year.

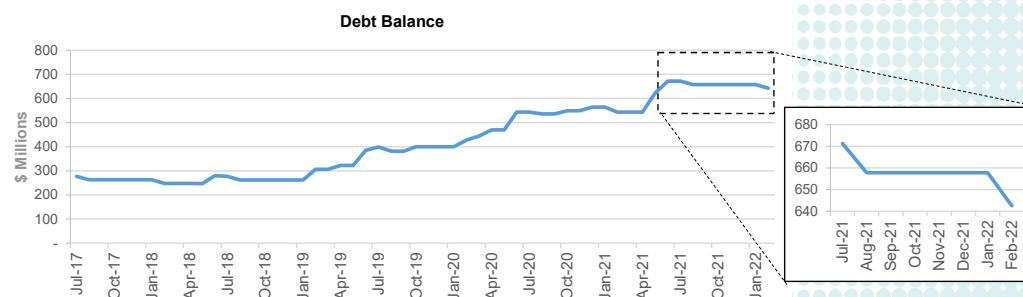
Council's forecast debt as at 30 June 2022 is \$488 million



### Debt - 2021/22

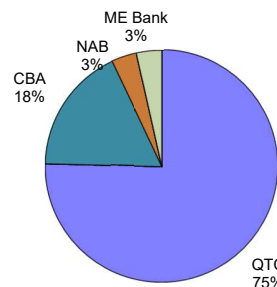
	Opening Balance	Debt Redemptions	New Borrowings	Closing Balance
	\$000	\$000	\$000	\$000
Sunshine Coast Council Core	257,375	11,672	96,461	342,164
Sunshine Coast Airport Expansion Project	265,004	265,004	-	-
Maroochydore City Centre	144,034	6,701	-	137,333
Sunshine Coast International Broadband Network	10,328	922	-	9,406
<b>Total</b>	<b>676,741</b>	<b>284,299</b>	<b>96,461</b>	<b>488,903</b>

Table 1: 2021/22 Adopted Debt Balance

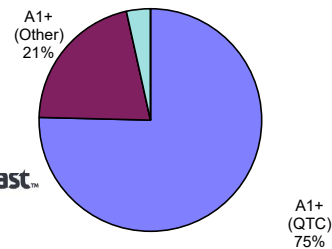


## Investment Performance

Investment per financial institution (%)



Investment by Standard & Poor's (Short Term Credit Rating)



### Investment Performance - February 2022

Liquidity as at:		28/02/2022		Term deposits maturing:			
		\$'000's				\$'000's	
						Count	
At-call accounts				within 30 days			
QTC + CBA (excl. trust)		258,508	89.47%	30-59 days			
Maturities within 7 days		-	0.00%	60-89 days			
Total at-call		258,508	89.47%	90-179 days		20,000	2
Investment Policy Target			10.00%	180-364 days		-	-
				1 year - 3 years		-	-
				Total		20,000	2

INVESTMENT SUMMARY (including Trust) as at:							Investment Policy	
	28/02/2022		28/11/2021		28/02/2021		Individual Limit	Group Limits
A1+ (QTC)	217,840	75%	218,664	88.5%	223,366	83.6%	100%	100%
A1+ (Other)	61,088	21%	28,419	11.5%	43,838	16.4%	40%	100%
A1	-	0%	-	0.0%	-	0.0%	30%	50%
A2	10,000	3%	-	0.0%	-	0.0%	30%	45%
A3	-	0%	-	0.0%	-	0.0%	5%	10%
Total Funds	288,929		247,083		267,204			
FUND SUMMARY								
General Funds	278,508		233,958		255,619			
Trust Funds	10,421		13,126		11,585			
Total Funds	288,929		247,083		267,204			

- All investment parameters remain within the guidelines established by the Investment Policy.
- For the month ending 28 February 2022 Council had \$278.5 million cash at call (excluding Trust Fund) with an average interest rate of 0.58%, being 0.53% above benchmark. This is compared to the same period last year with \$267 million cash (excluding Trust Fund) with an average interest rate of 0.56%, being 0.55% above benchmark.
- The benchmark used to measure performance of cash funds is Bloomberg AusBond Bank Bill index (BAUBIL).



2021/22 Financial Year Grant Funding

	Description	Division	Suburb	Estimated Construction Start Month	Construction Completed Month	TOTAL Grant Revenue \$'000	Project Expenditure to date \$'000
<b>Federal Government</b>						<b>(\$21,590)</b>	<b>\$13,658</b>
<b>1</b>	<b>Roads to Recovery Program</b>					<b>(\$4,800)</b>	
	<b>Blackspot Funding</b>					<b>(\$1,009)</b>	<b>\$18</b>
2	K2081 - BlackSpot Blackall Range Road West Woombye	Division 05	West Woombye	April 2022	June 2022	(\$157)	\$5
3	K2083 - BlackSpot Wust Road DOONAN - East of Regency Road - Stage 1	Division 09	Doonan	Cancelled	Cancelled	(\$60)	\$1
4	K2085 - BlackSpot Edmund St and William St Intersection Shelly Beach	Division 02	Shelly Beach	On Hold	On Hold	(\$792)	\$12
<b>Local Road and Community Infrastructure Grant Funding - Round 2 - Agreement end date 30 June 2022</b>						<b>(\$7,781)</b>	<b>\$5,897</b>
5	H3790 - LRCIP2 - Citrus Road Gravel Road Upgrade	Division 05	Palmwoods	August 2021	February 2022	(\$2,100)	\$1,819
6	H3799 - LRCIP2 - Zgrajewski Road Gravel Road Upgrade	Division 09	Yandina Creek	January 2022	May 2022	(\$2,200)	\$382
7	H3800 - LRCIP2 - Cupania Street East Stage 2 Kerb and Channel	Division 08	Mudjimba	May 2021	November 2021	(\$475)	\$786
8	H3941 - LRCIP2 - Crosby Hill Road Pathway	Division 07	Buderim	July 2021	January 2022	(\$709)	\$701
9	H4223 - LRCIP2 - Scholars Drive to Columbia Street - Road Link	Division 06	Sippy Downs	May 2022	June 2022	(\$450)	\$86
10	H4592 - LRCIP2 - Lees Road Western Section Gravel Road Upgrade	Division 10	Bridges	August 2021	December 2021	(\$650)	\$962
11	H9360 - LRCIP2 - Railway Street Service Road	Division 01	Landsborough	July 2021	August 2021	(\$130)	\$152
12	K1484 - LRCIP2 - Meridan Way Lighting	Division 03	Meridan Plains	September 2021	November 2021	(\$250)	\$242
13	K1492 - LRCIP2 Spray Seal - Old Gympie Road Resurfacing	Division 01	Glass House Mount	October 2021	October 2021	(\$168)	\$88
14	K1493 - LRCIP2 Spray Seal - Bald Knob Road	Division 05	Peacheater	October 2021	October 2021	(\$186)	\$90
15	K1495 - LRCIP2 Asphalt - Mountain View Road	Division 05	Maleny	October 2021	October 2021	(\$462)	\$589
<b>Urban Congestion Fund</b>						<b>(\$8,000)</b>	<b>\$7,743</b>
16	H3747 - Mooloolaba Transport Corridor - D and C	Division 04	Mooloolaba		November 2023	(\$8,000)	\$7,743
<b>State Government</b>						<b>(\$4,397)</b>	<b>\$6,774</b>
<b>Unite and Recover Stimulus Package - Agreement end date 30 June 2021</b>						<b>(\$1,575)</b>	<b>\$6,527</b>
17	B4741 - Place Making Mooloolaba Master Plan	Division 04	Mooloolaba	February 2021	May 2022	(\$1,500)	\$6,499
18	H9821 - Albany Lakes Park Sippy Downs Play Space Precinct Upgrade	Division 06	Sippy Downs	May 2021	August 2021	(\$75)	\$28
<b>19</b>	<b>Bus Stop Shelter Program</b>					<b>(\$247)</b>	
<b>20</b>	<b>Passenger Transport Accessible Infrastructure Program</b>					<b>(\$679)</b>	
<b>21</b>	<b>Passenger Transport Infrastructure Investment Program</b>					<b>(\$145)</b>	
<b>Transport Infrastructure Development Scheme</b>						<b>(\$206)</b>	<b>\$0</b>
22	K1314 - Bli Bli State School Precinct Active TIIP	Division 09	Bli Bli	April 2022	May 2022	(\$200)	\$0
23	K2436 - TIDS Talara School Precinct - Active TIIP	Division 03	Currimundi	July 2021	July 2021	(\$6)	\$0
<b>South East Queensland Community Stimulus Program - Agreement end date 30 June 2024</b>						<b>(\$1,545)</b>	<b>\$247</b>
24	H1670 - First Avenue Streetscape	Division 04	Maroochydhore		November 2023	(\$100)	\$12
25	H0956 - SEQCSP Mooloolaba to Alex Bluff Recreation	Division 04	Alexandra Headland			(\$100)	\$0
26	H9957 - SEQCSP Buderim Village Park Buderim Stage 9	Division 07	Buderim			(\$150)	\$35
27	K1618 - SEQCSP Caloundra Indoor Sports Stadium - Roof Replacement	Division 02	Caloundra	January 2022	June 2022	(\$350)	\$43
28	K1898 - SEQCSP Parkyn Parade Pedestrian Facilities	Division 04	Mooloolaba	March 2022	March 2022	(\$145)	\$32
29	K2259 - SEQCSP Albany Lakes Park Play Upgrade Stage 2	Division 06	Sippy Downs	April 2022	September 2022	(\$250)	\$52
30	K2406 - SEQCSP Turner Park Beerwah Activation Stage 2	Division 01	Beerwah	May 2022	June 2022	(\$100)	\$8
31	K2449 - SEQCSP North Shore Multi-Sports Complex	Division 08	Pacific Paradise			(\$50)	\$6
32	K2478 - SEQCSP Palmwoods Warriors Football Club	Division 05	Palmwoods			(\$50)	\$8
33	K2843 - SEQCSP Landsborough Streetscape - Stage 2	Division 01	Landsborough	April 2022	February 2023	(\$250)	\$50



**8.6 RESUMPTION OF LAND - CALOUNDRA**

<b>File No:</b>	<b>F19/00090</b>
<b>Author:</b>	<b>Property Officer Office of the CEO</b>
<b>Attachments:</b>	<b>Att 1 - Notice of Objection - 19 Third Avenue, Caloundra - <i>Confidential</i></b> <b>Att 2 - Notice of Objection - 15 Oval Avenue, Caloundra - <i>Confidential</i></b> <b>Att 3 - Objection Report - 19 Third Avenue, Caloundra - <i>Confidential</i></b> <b>Att 4 - Objection Report - 15 Oval Avenue, Caloundra - <i>Confidential</i></b> <b>Att 5 - Notice of Intention to Resume - 15 Oval Avenue, Caloundra - <i>Confidential</i></b> <b>Att 6 - Notice of Intention to Resume - 19 Third Avenue, Caloundra - <i>Confidential</i></b> <b>Att 7 - Estimate of Compensation - <i>Confidential</i></b>

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**PURPOSE**

The purpose of this report is to seek Council's support to continue with the compulsory acquisition for part of the following lots for the Caloundra Transport Corridor Upgrade Project (CTCU):

- 19 Third Avenue, Caloundra (Lot 629 CG4427); and
- 15 Oval Avenue, Caloundra (Lot 83 on RP65952).

Section 8 of the *Acquisition of Land Act 1967* (ALA) requires Council, as the constructing authority, to consider the owners' grounds of objection and the delegate's reports when deciding whether to make an application to the Minister to take the land, amend the Notice(s) of Intention to Resume (NIR) or discontinue the proposed resumption(s).

**EXECUTIVE SUMMARY**

Sunshine Coast Council in partnership with the Queensland Government and the Australian Government are delivering a new transport corridor, as part of the Caloundra Transport Corridor Upgrade Project (CTCU).

The upgrade is a high priority project for improving access into the Caloundra CBD and surrounding destinations. The new upgrades will improve connectivity and travel choice and will connect the CBD and Omrah Avenue to Nicklin Way, north of the Caloundra Road roundabout.

At the Ordinary Meeting on 19 August 2021, Council resolved to proceed with the compulsory acquisition of land required to deliver the Caloundra Transport Corridor Upgrade Project. Council delegated authority to the Chief Executive Officer to make an application to the Minister for Resources (Minister) to take the land required for the Caloundra Transport Corridor Upgrade Project (provided that no objections were received) and settle claims for compensation.

To date Council has successfully negotiated the acquisition of 13 out of a total of 20 affected private properties. It is proposed that Council will compulsorily acquire the remaining seven properties if negotiated settlements cannot be reached with the landowners.

On 6 October 2021, Council served Notices of Intention to Resume (NIRs) on all remaining landowners and interested parties (tenants and mortgagees). The Notices of Intention to Resume and associated documentation set out the reasons for the acquisition, explained the compulsory acquisition process and provided a mechanism for each landowner to submit any formal objections to the compulsory acquisition.

Written objections were received from the owners of two properties: 19 Third Avenue, Caloundra (Lot 629 on CG4427) and 15 Oval Avenue, Caloundra (Lot 83 on RP65952).

On 11 November 2021, the owners of 19 Third Avenue, Caloundra submitted a written objection to the Notice of Intention to Resume.

The owners and their legal representative attended an objection hearing with Council's delegated officer on 18 November 2021. Following consideration of the written objections, and information supplied at the hearing, an objection report responding to each of the written objections, was prepared by Council's delegated officer. Council then provided the owners' solicitor with a copy of Council's objection report to comment on its accuracy.

On 11 November 2021, the owners of 15 Oval Avenue, Caloundra submitted a written objection to the Notice of Intention to Resume. The landowners did not ask to be heard in relation to their objections. After due consideration of the written objections, an objection report responding to each of the objections was prepared by Council's delegated officer and forwarded to the owners to comment on its accuracy.

No suggested amendments were received from any of the landowners or their representatives. Council's delegate then finalised the objection reports recommending that Council proceed with the proposed resumptions. The final objection reports were provided to the respective landowners on 18 January 2022.

Under s.9 (2) of the *Acquisition of Land Act 1967*, Council has 12 months from the date of the Notice of Intention to Resume to apply to the Minister for Resources (Minister) for the land to be taken. The Notices of Intention to Resume were served on 6 October 2021.

Due consideration has been given to all issues raised in the written objections and objection hearing. It is recommended that Council proceed to apply to the Minister to take the land identified in each respective Notice of Intention to Resume in addition to the five other lots for which no objections were received.

Related documents for this report are provided as confidential attachments, in accordance with section 254J(3)(h) of the *Local Government Regulations 2012*, as they contain information pertaining to negotiations relating to the taking of land by the local government under the *Acquisition of Land Act 1967*.



**OFFICER RECOMMENDATION**

That Council:

- (a) receive and note the report titled "Resumption of Land - Caloundra"; and
- (b) confirm, after due consideration of the objections, that parts of Lot 629 CG4427 and Lot 83 on RP65952 are required for road purposes for the Caloundra Transport Corridor Upgrade Project
- (c) proceed with the application to the Minister for Resources to acquire:
  - (i) approximately 594 square metres from Lot 629 CG4427 as shown on Plan No. 21434-C201 for road purposes; and
  - (ii) approximately 392 square metres from Lot 83 on RP65952 as shown on Plan No. 14205-L-02 for road purposes
- (d) delegate authority to the Chief Executive Officer to make an application to the Minister for Resources to take the land under section 9 of the *Acquisition of Land Act 1967*.

**FINANCE AND RESOURCING**

An estimation of the amount of compensation is provided in **Attachment 7**.

**CORPORATE PLAN**

**Corporate Plan Goal:** *Our environment and liveability*

**Outcome:** We serve our community by providing this great service

**Operational Activity:** S14 - Sustainable growth and network planning – providing land use planning, social policy, infrastructure planning and charges, flood mapping, transportation planning and environmental initiatives.

**CONSULTATION****Councillor Consultation**

The Councillor for Division 2, Councillor T Landsberg, has been briefed on this matter.

**Internal Consultation**

Council's Senior Transport Engineer & Coordinator of Transport Network provided technical information referred to in the Objection reports and supports the recommendation.

**External Consultation**

Council's solicitors, Clayton Utz, have been consulted regarding the compulsory acquisition process, Notices of Intention to Resume and Objection reports.

Council officers have been corresponding with the owners and their representatives, including solicitor.

The solicitor representing owners of 19 Third Avenue was provided a copy of the Council Objection Report (**refer Attachment 3**) on 6 December 2021 and given the opportunity to respond regarding the accuracy of the report by 20 December 2021 in accordance with the Department of Resources' acquisition policy. No response was received.

The owners of 15 Oval Avenue were provided a copy of the Council Objection Report (**refer Attachment 4**) on 7 December 2021 and given the opportunity to respond regarding the accuracy of the report by 21 December 2021. No response was received.

The landowners were then provided with a final copy of the objection hearing report, which included the delegate's recommendation that the land be taken for the Caloundra Transport Corridor Upgrade Project.

### **Community Engagement**

Community consultation for the project began in 2000 with the then Caloundra City Council completing consultation on the Planning Scheme which included planning to upgrade Oval Avenue to four lanes. In 2013, Council in conjunction with Transport and Main Roads completed the Caloundra Area Transport Study. The study included community consultation on potential transport options, including upgrading Oval Avenue and Third Avenue. In 2016, Council consulted the community on the draft Caloundra Centre Master Plan which included the Oval Avenue and Third Avenue transport upgrade. Council staff met with key stakeholders to provide notification of the draft master plan consultation and submission process. In 2018, Council undertook community consultation and engagement with key stakeholders on the Sunshine Coast Council Local Government Infrastructure Plan, which included the upgrade of Oval & Third Avenue.

Council has continued to liaise with key stakeholders, including adjacent landowners and businesses along the Project Corridor. In 2020, Council revised the Project design based on feedback. From July – October 2021, further community engagement was undertaken with this phase of consultation requesting feedback on the concept designs which will inform the further detailed design and construction phases of the Project.

Information regarding the Project's concept design has been shared with the community via an August 2021 Community Update newsletter. This was mailed to every property owner and resident in the Caloundra postcode. A dedicated website and email address, community displays, and advertising has been established and communicated with directly impacted stakeholders.

### **PROPOSAL**

Sunshine Coast Council in conjunction with the Queensland Government, has undertaken significant planning for the Caloundra Transport Corridor Upgrade Project (CTCU) which is intended to cater for future growth of the region. Both parties recognise the need to provide the Third Avenue Extension (new link to Nicklin Way) and upgrade Oval Avenue and Third Avenue, whilst delivering an outcome which supports the local economy, provides a pedestrian, cycle and bus friendly environment, whilst also reducing congestion in Caloundra.

The current Project alignment was chosen in part because it consolidates the impacts to one corridor instead of two. Council adopted the preferred alignment at the Ordinary Meeting of Council on 31 January 2019. A preferred layout was progressed and proposed a four-lane carriageway with a central median strip, two-way cycle track and pedestrian pathways.

The Caloundra Transport Corridor Upgrade Project is made up of two sections nominated as Section 1 and Section 2.

Section 1 is between Omrah Avenue and Arthur Street and is part of the Project which will be delivered and funded by Council. Section 1 will include:

- Duplicating existing traffic lanes to provide two lanes in each direction on Oval Avenue and Third Avenue
- Connecting Oval Avenue and Omrah Avenue
- Upgrading various intersections
- Two-way cycle track and pedestrian pathways

Section 2 is between Arthur Street and Nicklin Way and is jointly funded by Council, the Queensland Government, and the Australian Government.

To progress the Caloundra Transport Corridor Upgrade Project, at the Ordinary Meeting on 19 August 2021, Council resolved to compulsorily acquire the land required for the Caloundra Transport Corridor Upgrade Project. This included part of 19 Third Avenue, Caloundra described as Lot 629 CG4427 & part of 15 Oval Avenue, Caloundra, described as Lot 83 on RP65952 for road purposes.

To date Council has successfully negotiated the acquisition of 13 out of a total of 20 affected private properties. It is proposed that Council will compulsorily acquire the remaining seven properties if negotiated settlements cannot be reached with the landowners. Properties acquired by Council for the Caloundra Transport Corridor Upgrade Project are shown in **Figure 1**.



**Figure 1 - Acquisition corridor for CTCU**

The properties which are the subject of this report are shown in **Figures 2, 3 and 5**.



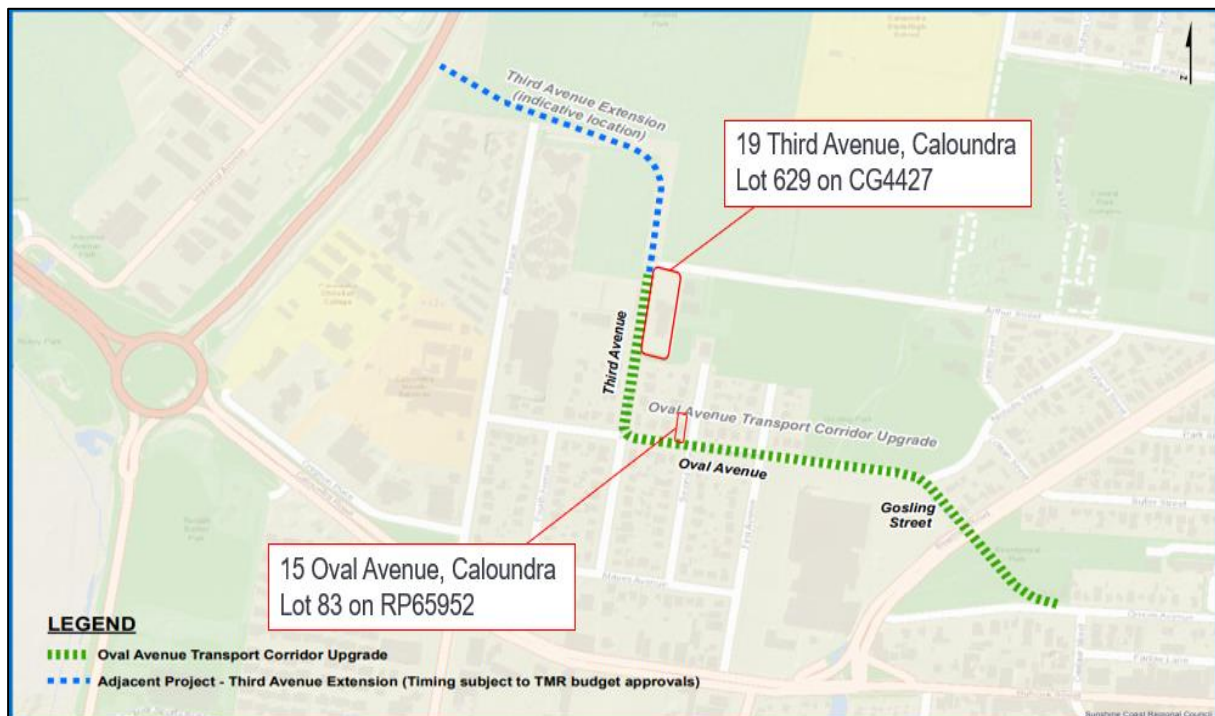


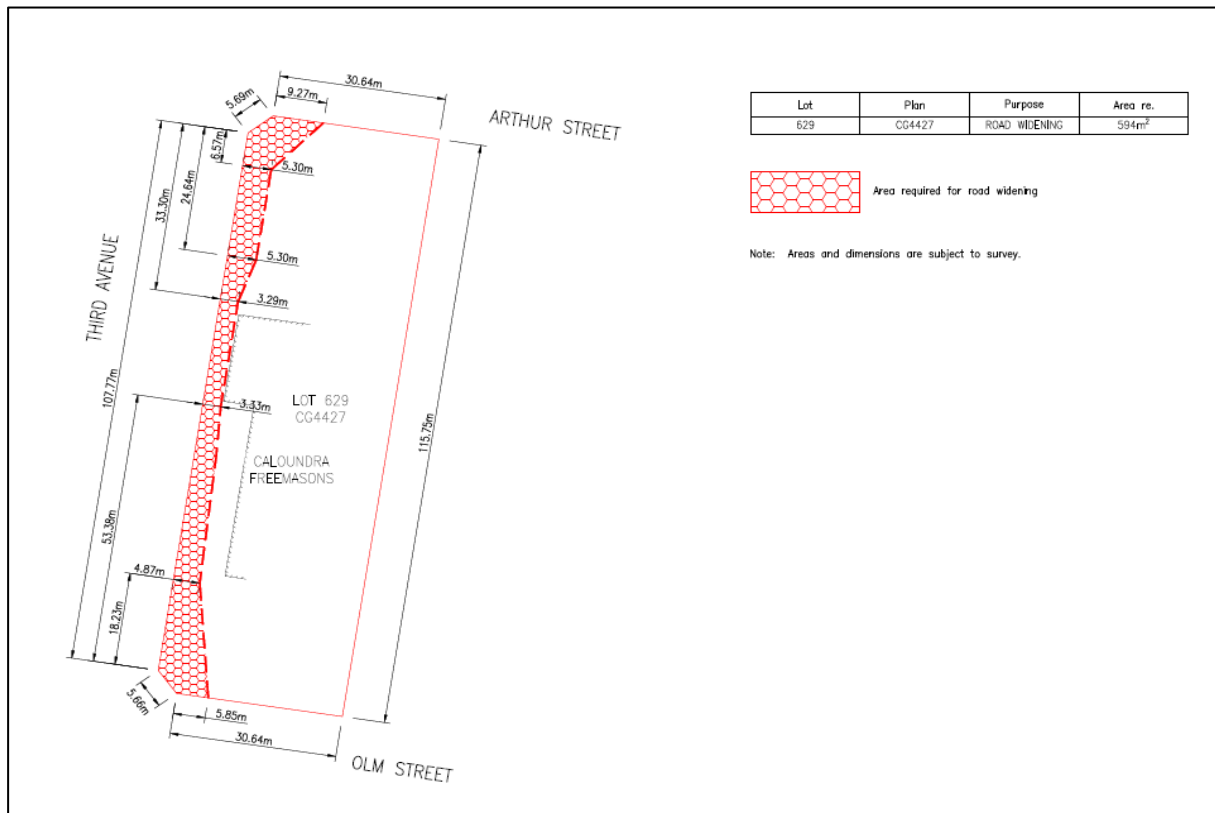
Figure 2 - Location of subject properties

### 19 Third Avenue (Lot 629 on CG4427)



Figure 3 - Locality plan of 19 Third Avenue Caloundra

On 6 October 2021, an Notice of Intention to Resume was served on the owners of 19 Third Avenue, Caloundra (refer **Attachment 6**), noting the requirement for Council to acquire approximately 594 square metres from the Third Avenue frontage of the property (refer **Figure 4- Resumption Plan**). The Notice of Intention to Resume provided an opportunity for the landowners to submit written objections and to be heard in relation to any objections.



**Figure 4 - Resumption Plan 19 Third Avenue, Caloundra**

On 11 November 2021, the owners submitted a Notice of Objection to the Notice of Intention to Resume (Refer **Attachment 1**) and requested to be heard in relation to their objections. An objection hearing was convened on 18 November 2021 at Council's Eddie De Vere Administration Building, Nambour, attended by Council's delegated officer, the landowners, and their legal representative.

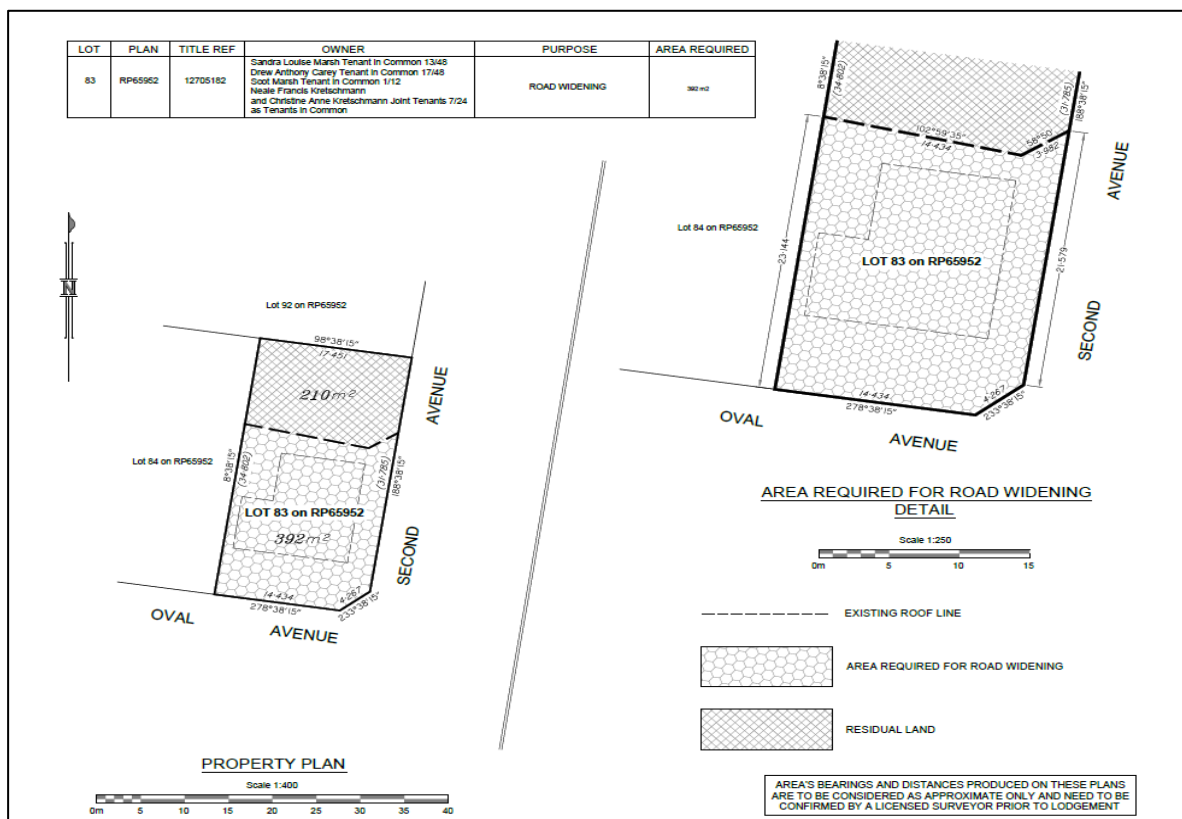
Following consideration of the written objections and information provided at the objection hearing, a draft objection report was prepared and forwarded to the owners' legal representative to ensure the objections had been understood accurately and identify any errors in the report. No suggested amendments were received. A final copy of the objection report was provided to the owners on 18 January 2022 (refer **Attachment 3**).

Due consideration has been given to all issues raised in the written objection and expanded on at the objection hearing. It is recommended that Council apply to the Minister under section 9 of the *Acquisition of Land Act 1967* to take the land as identified in the Notice of Intention to Resume.



**15 Oval Avenue (Lot 83 on RP65952)****Figure 5 - Locality plan 15 Oval Avenue, Caloundra**

On 6 October 2021, an Notice of Intention to Resume was served on the owners of 15 Oval Avenue, Caloundra (refer **Attachment 5**), noting that Council requires approximately 392 square metres from the Oval Avenue frontage of the property (refer **Figure 6- Resumption Plan**). The Notice of Intention to Resume provided an opportunity for the landowners to submit written objections and be heard regarding any objections.

**Figure 6 - Resumption plan 15 Oval Avenue, Caloundra**

On 11 November 2021, the landowners provided a Notice of Objection to the Notice of Intention to Resume (refer **Attachment 2**). They did not request to be heard in relation to their objection.

Following consideration of the written objections, a draft objection report was prepared and forwarded to the owners to ensure the objections had been understood accurately and identify any errors in the report. No suggested amendments were received. A final copy of the objection report was provided to the owners on 18 January 2022 (refer **Attachment 4**).

A typographical error has been identified in the Objection Report for 15 Oval Avenue, Caloundra. The address is incorrectly described as 15 Third Avenue, Caloundra. All other property details and references are correct including Lot and Plan description. The substantive elements of the report remain unaffected and the Objection Report is still valid for making any application to the Minister.

Due consideration has been given to all issues raised in the written objection and expanded on at the objection hearing. It is recommended that Council apply to the Minister under section 9 of the *Acquisition of Land Act 1967* to take the land as identified in the Notice of Intention to Resume.

### Legal

The acquisition process has complied with the *Acquisition of Land Act 1967* and has been guided by legal advice from Clayton Utz Lawyers.

### Policy

There are no policy issues associated with this decision.

### Risk

As with any resumption of land under the *Acquisition of Land Act 1967*, landowners may seek judicial review of various decisions throughout the process including Council's decision to make an application to the Minister to take the land. However, the risk is considered to be low given Council has complied with the processes in the *Acquisition of Land Act 1967*.

### Previous Council Resolution

#### Ordinary Meeting 19 August 2021 (OM21/83)

*That Council:*

- (a) receive and note the report titled "**Resumption of Land Caloundra**"
- (b) delegate authority to the Chief Executive Officer to commence the process under the *Acquisition of Land Act 1967* to acquire the following land:
  - (i) Lots 18, 83, 84 & 87 on RP65952 for road purposes and purpose incidental to the purpose of road
  - (ii) Lots 85 & 86 on RP65952 for road purposes
  - (iii) Lots 0, 1 & 2 on SP137997 for road purposes and purpose incidental to the purpose of road
  - (iv) Lot 34 on RP56889 for road purposes
  - (v) approximately 54m<sup>2</sup> from Lot 35 on RP56889 for road purposes
  - (vi) approximately 594m<sup>2</sup> from Lot 629 on CG4427 for road purposes
  - (vii) approximately 317m<sup>2</sup> from Lot 470 on SP194659 for road purposes
- (c) note that if there is an objection to a Notice of Intention to Resume (NIR), a report on the objection will be presented to Council for it to make a decision about whether Council should make an application to the Minister to take the land under section 9 of the *Acquisition of Land Act 1967* or whether the NIR should be amended or whether Council should discontinue the resumption

- (d) *delegate authority to the Chief Executive Officer to make an application to the Minister for Resources to take the land under section 9 of the Acquisition of Land Act 1967, provided that no objections are received and*
- (e) *delegate authority to the Chief Executive Officer to settle claims for compensation if the land is compulsory acquired.*

### **Related Documentation**

The objections received from the landowners of both 19 Third Avenue, Caloundra and 15 Oval Avenue, Caloundra including the Council delegate's objection hearing reports are attached to this report as confidential attachments.

Related documents for this report are provided as confidential attachments, in accordance with section 254J(3)(h) of the *Local Government Regulations 2012*, as they contain information pertaining to negotiations relating to the taking of land by the local government under the *Acquisition of Land Act 1967*.

### **Critical Dates**

Should Council decide to continue with the compulsory acquisition process, then an application is to be made to the Minister prior to 6 October 2022. However, submitted applications with the Minister can take up to 18 months to be decided. Under Council's current planning, early works for the project are due to commence around June 2023.

### **Implementation**

- Proceed with the application to the Minister for Resources under s.9 of the *Acquisition of Land Act 1967* to acquire:
  - approximately 594 square metres from Lot 629 CG4427 as shown on Plan No. 21434-C201 for road purposes and
  - approximately 392 square metres from Lot 83 on RP65952 as shown on Plan No. 14205-L-02 for road purposes.
- Delegate authority to the Chief Executive Officer to make an application to the Minister for Resources to take the land under section 9 of the *Acquisition of Land Act 1967*.
- If Council endorses the recommendations in this report, the Strategic Property Team will manage the resumption process.



**9 NOTIFIED MOTIONS****10 TABLING OF PETITIONS**

Petitions only eligible for submission if:

- \* Legible
- \* Have purpose of the petition on top of each page
- \* Contain at least 10 signatures
- \* Motion limited to:
  - Petition received and referred to a future meeting
  - Petition received and referred to the Chief Executive Officer for report and consideration of recommendation
  - Petition not be received

**11 CONFIDENTIAL SESSION****12 NEXT MEETING**

The next Ordinary Meeting will be held on 28 April 2022.

**13 MEETING CLOSURE**