

EMR updated on 20/10/08
Please file. Thanks.



Queensland
Government

Enquiries Angelina Bismarck
Telephone (07) 3224 8244
Your reference 2007/2538
Our reference Appl'n No.: Noosa/12/07(1) Part: 1 File No: BNE35046

Environmental Protection Agency

Incorporating the
Queensland Parks and Wildlife Service

29 January 2008

WA Stockwell Pty Ltd
C/-Stockwell Pty Ltd
PO Box 3144
SOUTH BRISBANE QLD 4101

Dear Sir/Madam,

Integrated Planning Act 1997 (Material Change of Use)

Application (No. 2007/2538) for development approval for assessable development to be carried out at 28 Eenie Creek Road, Noosaville (Lot 2 on SP182880).

The Environmental Protection Agency (EPA) – Contaminated Land Unit (CLU) has reviewed the supporting information for the above application and considers that an exemption stated in the *Integrated Planning Act 1997 (IP Act)*, Schedule 8, Part 1, Table 2, item 5 applies:

Item 5 - Making a material change of use of premises if all or part of the land forming part of the premises is on the environmental management register or contaminated land register under the Environmental Protection Act 1994, unless—

- ☐ (a) a suitability statement has been given and a site management plan has been approved for the land for the intended use and the application only involves—
 - (i) the fit-out of a building on the land; or
 - (ii) minor site excavation, including, for example, post holes for open-sided non-habitable structures; or
- ☒ (b) there is currently a notifiable activity on the land and the activity is continuing;
- ☐ (c) the proposed use is industrial and only involves minor site excavation, including, for example, post holes for open-sided non-habitable structures; or
- ☐ (d) the land is used for a mining activity or petroleum activity.

Hence, the EPA-CLU considers it does not have a concurrence role under the *IP Act*, and therefore has no further interest in this application.

For your information, a copy of Guide 5 – Contaminated land matters, prepared by Queensland Department of Local Government, Planning, Sport and Recreation, is enclosed.

IPA APPLICATION ASSESSMENT SHEET – CONTAMINATED LAND UNIT

Information Request Due Date: 29/01/2008

1. PROPOSAL DETAILS

Proposal: Material Change of Use
Proposal Description: Noosa Civic Stage 3

2. ADMINISTRATIVE DETAILS

EPA App'n No: Noosa/12/07(1) Part 1
File No: BNE35046
Council: Noosa Shire Council
LA App'n No: 2007/2538
Site Address: 28 Eenie Creek Road, Noosaville
Property Description: Lot 2 on SP182880
Applicant Name: WA Stockwell Pty Ltd, c/ Stockwell Pty Ltd

EMR/CLR/AMA details:

Lot/Plan	EMR/CLR/ AMA No:	Notifiable Activity (NA) or Hazardous Contamination.	On going NA Yes or No?
Lot 2 on SP182880	78766	NA 34 – Service Station	Yes

3. APPLICATION ASSESSMENT

3.1 Information from the application, EMR or CLU files:

Any existing ERA's?: ERA 11(a)
Any new ERA's?: No
ERA Jurisdiction: LG

3.2 Information from the application and IDAS forms, EMR or EPA-CLU files:

Past Use: Vacant land
Current Use: Noosa Civic Centre including a Service station

3.3 Supporting information: (For incorrect referral skip 3.3.1)

3.3.1 Are there any Environmental Values that are at risk?

Select one

3.3.2 Other relevant details supporting the conclusion(s)

- The site is now on the EMR for NA – Service Station;
- The service station is a part of the proposed development of Noosa Civic Centre;
- NA is continuing

4. ASSESSMENT OUTCOME

Conclusion: (Is the site suitable for the proposed development?)

The site is suitable for the proposed use – Shopping centre. As the NA is continuing, the exemption applies.

Recommendation:

It is recommended to issue a letter of exemption.

Assessor name: Angelina Bismarck **Assessor signature:**

sch4p4(6) Personal information ...

EMR

Lot 2 Plan SP182880 Category NOTIFIABLE ACTIVITY Record Type BP ID 78766
Hist ID

LGA NOOSA SHIRE COUNCIL Region S AMA
Site Name NOOSA CIVIC Notified By OWNER Notif Rec'd 29/01/2008
Street 28 EENIE CREEK ROAD Entry Date 29/01/2008 Last Altered
Suburb NOOSAVILLE QLD Post code 4565 Ext Ref Date
Owner MIROSE PTY LTD
Owner PO BOX 3144
Address SOUTH BRISBANE QLD
Haz Cont

Post code 4101
Parcel Status Area m² File BNE35046 Officer
Offsite Disposal Date

Notifiable Activities

SERVICE STATIONS

Comments

Registered Site ID 78766

Date	User ID	Corr N	Officer Name	Finalised	How Finalised
29/01/2008	LEWISAN				
NOTIFICATION REC'D FROM OWNER DATED 29/1/08 ADVISING OF SERVICE STATION ON SITE. MAP ATTACHED TO PAPER WORK.					

Notice of extension of Information Request Period Section 3.3.6 Integrated Planning Act 1997

This statutory notice is issued by the administering authority pursuant to section 3.3.6 of the *Integrated Planning Act 1997*, to advise you of a decision or action.

Enquiries to: Angelina Bismarck
Telephone: (07) 3224 8244
Your reference: 2007/2538
Our reference: Appl'n No.: Noosa/12/07(1) Part: 1, File No.: BNE35046

CC: sch4p4(6) Personal information
c/ Stockwell Building and Development
PO Box 3144
SOUTH BRISBANE QLD 4101

Noosa Shire Council
PO Box 141
TEWANTIN QLD 4565

Attention: sch4p4(6) Personal information

Re: Application for development approval.

The Environmental Protection Agency, acting as a concurrence agency for **contaminated land issues**, has extended the Information Request period by 10 business days at the end of the current period of 15/01/2008.

The extended Information Request Period will end on 29/01/2008.

Application Information

Applicant:	WA Stockwell Pty Ltd
Council Application number:	2007/2538
Description:	Material Change of Use
Street address of subject land:	28 Eenie Creek Road, Noosaville
Location details:	Lot 2 on SP182880

Concurrence Agency Information

Application received by EPA:	24/12/2007
EPA No.:	Noosa/12/07(1) Part 1
Relevant Laws and Policies:	<i>Environmental Protection Act 1994</i>
Concurrence Agency Office:	Southern Regional Office (Brisbane)
Postal Address:	GPO Box 2771 BRISBANE QLD 4001

Should you require any further information please do not hesitate to contact the above officer on the telephone number listed.

sch4p4(6) Personal information

Signed

sch4p4(6) Personal information

Date

14 January 2008

**Delegate of Administering Authority
*Environmental Protection Act 1994.***

Fax



Queensland Government

Environmental Protection Agency

Incorporating the
Queensland Parks and Wildlife Service

To:

[redacted] sch4p4(6) Personal information

Fax: 5447 1062 / 3004 6888 ⁹⁹

From: Angelina Bismarck

Telephone: 3224 8244

Fax: 3247 3278

E-mail:

Date: 15 January 2008

Pages: 2 (including this page)

Subject: DA 2007/2538 – 28 Eenie Creek Rd, Noosaville

Confidential

Privacy and confidentiality notice

The information contained in this facsimile is intended for the named recipient/s only. It may contain privileged and confidential information and if you are not an intended recipient, you must not copy, distribute or take any action in reliance on it. If you have received this facsimile in error, please notify the sender.

Dear [redacted] sch4p4(6) Personal information

Please find attached a copy of the Notice of Extension of Information Request Period.
Should you have any questions please contact me on 3224 8244 or e-mail:
Angelina.bismarck@epa.qld.gov.au

Kind regards,

[redacted] sch4p4(6) Personal information

Angelina Bismarck
Senior Environmental Officer
Contaminated Land Unit

FAXED
15/1/08

* * * COMMUNICATION RESULT REPORT (15. JAN. 2008 11:38) * * *

TTI EPA SOUTHERN REGION 07 32258723

FILE MODE	OPTION	ADDRESS (GROUP)	RESULT	PAGE
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REASON FOR ERROR
 E-1) HANG UP OR LINE FAIL
 E-3) NO ANSWER

E-2) BUSY
 E-4) NO FACSIMILE CONNECTION

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To:

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Fax: 5447 1062 / 3004 6888

From: Angelina Bismarck

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Dear sch4p4(6) Personal information

Please find attached a copy of the Notice of Extension of Information Request Period.

* * * COMMUNICATION RESULT REPORT (15. JAN. 2008 11:41) * * *

TTI EPA SOUTHERN REGION 07 32258723

FILE MODE	OPTION	ADDRESS (GROUP)	RESULT	PAGE
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REASON FOR ERROR
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Dear sch4p4(6) Personal information

Please find attached a conv of the Notice of Extension of Information Request Period

13/2 - Planning due date Ecotrack #

Proj. # 320564

AB

IDAS APPLICATIONS CHECKLIST

APPLICATION NUMBER: Noosa/12/07(1)

FILE NUMBER: BNE 35046

REFERRAL DATE: 27/12

INFORMATION REQUEST DUE:

RCU NUMBER:

☒ ACKNOWLEDGEMENT NOTICE

IPA FORMS

☒ COMMON DETAILS - PART A
☒ OWNERS CONSENT

☒ PART D - MATERIAL CHANGE OF USE

AND OR

☐ PART F - RECONFIGURATION A LOT

☒ PART N - CONTAMINATED LAND

☒ IDAS ASSESSMENT CHECKLIST

☐ REFERRAL COORDINATION REQUIRED

15/01/2008
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W.A. STOCKWELL PTY LTD

10 / 211 Montague Rd
West End QLD 4101
PO Box 3144
South Brisbane QLD 4101

T: 07 3004 6888

F: 07 3004 6899

www.stockwell.com.au

ABN 50 010 095 360

21 December 2007

Environmental Protection Agency
Contaminated Land Unit
GPO Box 2771
Brisbane 4001

Our Reference: 070095.L01.001.doc

Dear Sir/Madam,

Re Application for Material Change of Use – Noosa Civic Stage 3 comprising Commercial Business Types 1 & 2; Retail Business Type 2; Entertainment and Dining Business Types 1 & 2; Education Types 1,3 & 4; Wellbeing Types 1 & 2 and Transport Type 1 situated at 28 Eenie Creek Road Noosaville described as Lot 2 SP182880.

Council Application No: 2007/2538

We wish to advise that WA Stockwell Pty Ltd has recently lodged a development application with Noosa Shire Council in regard to the above development. The application requires referral to the Environmental Protection Agency as a Concurrence Agency. In accordance with Section 3.3.3 of the *Integrated Planning Act 1997* please find attached a copy of the application (including IDAS forms) and the Acknowledgement Notice received from the Assessment Manager.

We trust the attached information provided is sufficient to enable your assessment of the application. If further clarification is required please do not hesitate to contact myself on 0403181767 or (07) 30046858.

Yours faithfully,

W.A STOCKWELL PTY LTD

sch4p4(6) Personal information

Development Manager



W.A. STOCKWELL PTY LTD

10 / 211 Montague Rd

West End QLD 4101

PO Box 3144

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Yours faithfully,

W.A STOCKWELL PTY LTD

sch4p4(6) Personal information

Development Manager





Acknowledgement Notice

INTEGRATED PLANNING ACT 1997, IDAS DEVELOPMENT APPLICATION

File No: 2007/2538

For further information regarding this notice, please contact: sch4p4(6) Personal information Phone: 5449 5223

1 APPLICANT DETAILS

Name: WA Stockwell Pty Ltd
Postal address: CARE Stockwell Building & Development
PO Box 3144
SOUTH BRISBANE QLD 4101

Phone no: 3004 6858 Fax: 3004 6899

2 PROPERTY DESCRIPTION

Street address: 28 Eenie Creek Road NOOSAVILLE
Real property description: LOT 2 SP 182880

3 OWNER'S DETAILS

Name: Mirose Pty Ltd
Postal address: CARE Stockwell Property Management P/L
PO Box 3406
SOUTH BRISBANE QLD 4101

4 APPLICATION TYPE

What approval is being sought?

Material Change of Use - Noosa Civic Stage 3 comprising:
Commercial Business Type 1, Commercial Business Type 2;
Retail Business Type 2;
Entertainment & Dining Business Type 1, Entertainment & Dining
Business Type 2,;
Education Type 1, Education Type 3, Education Type 4;
Wellbeing Type 1, Wellbeing Type 2; &
Transport Type 1

Preliminary
Approval
No

Development
Permit
Yes

5 SUPERSEDED PLANNING SCHEME

The application will be assessed under the superseded Planning Scheme.

6 IMPACT ASSESSMENT

Will Impact Assessment be required? Yes

No

7 PUBLIC NOTIFICATION DETAILS

What is required for Public Notification?

1. Compliance with Section 3.4 of the *Integrated Planning Act 1997* & relevant Regulations
2. Public notification period of 30 business days.



Acknowledgement Notice

INTEGRATED PLANNING ACT 1997, IDAS DEVELOPMENT APPLICATION

File No: 2007/2538

For further information regarding this notice, please contact:

Sch 4p4 (6) Personal information

Phone: 5449 5223

1 APPLICANT DETAILS

Name: WA Stockwell Pty Ltd

Postal address: CARE Stockwell Building & Development
PO Box 3144
SOUTH BRISBANE QLD 4101

Phone no: 3004 6858

Fax: 3004 6899

2 PROPERTY DESCRIPTION

Street address: 28 Eenie Creek Road NOOSAVILLE

Real property description: LOT 2 SP 182880

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Name: Mirose Pty Ltd

Postal address: CARE Stockwell Property Management P/L
PO Box 3406
SOUTH BRISBANE QLD 4101

4 APPLICATION TYPE

What approval is being sought?

Preliminary
Approval

Development
Permit

Material Change of Use - Noosa Civic Stage 3 comprising:

No

Yes

Commercial Business Type 1, Commercial Business Type 2;

Retail Business Type 2;

Entertainment & Dining Business Type 1, Entertainment & Dining Business Type 2,;

Education Type 1, Education Type 3, Education Type 4;

Wellbeing Type 1, Wellbeing Type 2; &

Transport Type 1

5 SUPERSEDED PLANNING SCHEME

The application will be assessed under the superseded Planning Scheme.

No

6 IMPACT ASSESSMENT

Will Impact Assessment be required? Yes

7 PUBLIC NOTIFICATION DETAILS

What is required for Public Notification?

1. Compliance with Section 3.4 of the *Integrated Planning Act 1997* & relevant Regulations
2. Public notification period of 30 business days.

8 REFERRAL AGENCIES

What are the names and addresses of Referral Agencies?

REFERRAL AGENCY	ADDRESS	REFERRAL - BASIS
Dept Main Roads	PO Box 183, GYMPIE QLD 4570	CONCURRENCE Exceeds the threshold prescribed at Schedule 5 of IPA
Queensland Transport	Transport Planning Branch, GPO Box 213, BRISBANE 4001	CONCURRENCE Exceeds the threshold prescribed at Schedule 13C & 13D of IPA
Environmental Protection Agency	Contaminated Land Unit GPO Box 2771, BRISBANE QLD 4001	CONCURRENCE Site includes a Notifiable Activity (No 29 – Petroleum Product or Oil Storage)
Dept Natural Resources & Water	PO Box 573, NAMBOUR QLD 4560	CONCURRENCE Site contains assessable vegetation ADVICE Excavation of more than 1000m ³ involving Acid Sulfate Soils
Energex	GPO Box 1461, BRISBANE QLD 4001	ADVICE Site subject to an electricity easement
Environmental Protection Agency	Ecoaccess Customer Service Unit PO Box 15155, CITY EAST QLD 4002	ADVICE Site adjoins a National Park

9 INFORMATION REQUEST

Will a further Information Request be made by the Assessment Manager?

Yes

Notification is also given in accordance with section 3.3.6(6) of the *Integrated Planning Act* that the information request period is extended by 10 days.

10 ASSESSMENT MANAGER

Name: Noosa Council

Signature: sch4p4(6) Personal information

Date: 19/12/07



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West End QLD 4101

PO Box 3144
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ABN 50 010 095 360

5 December 2007

Our Reference: 070095.L01.001.doc

Chief Executive Officer
Noosa Shire Council
PO Box 141
TEWANTIN Q 4565

Dear Sir/Madam,

NOOSA CIVIC STAGE 3 -

IMPACT ASSESSABLE MATERIAL CHANGE OF USE DEVELOPMENT APPLICATION OVER LAND AT 28 EENIE CREEK ROAD, NOOSAVILLE AND DESCRIBED AS LOT 2 ON SP182880

Please find **enclosed** the following documentation associated with this development application:

1. Duly executed IDAS Application Form 1, Part A, Part D and Part N;
2. Duly executed IDAS Assessment Checklist;
3. Letter of consent from the current registered owner;
4. A cheque made payable to the Noosa Shire Council in the amount of \$237,000.00, as previously agreed. We request that this amount be considered the requisite fee for a duly made application in this instance with further bonds of \$474,000.00 available to be drawn against should Council's processing require more than the \$237,000.00 cash; and
5. Six (6) hard copies of the Town Planning Proposal Report prepared by Humphreys Reynolds Perkins Planning Consultants, including attached plans of development and technical reports.

If you have any queries, please contact me on 07 3004 6858.

Yours faithfully,

W.A STOCKWELL PTY LTD

sch4p4(6) Personal information

Development Manager

Encl Application Package (6 copies)

Form 1 Development Application

idas

Part A

Common details

Identification of the premises (the subject of the application)

1. Can any part of the premises be identified by a street address or lot on plan description?

☐ No - Answer Q1(a)

☒ Yes - Complete Table B and answer Q1(b) and Q1(c)

Table B

Unit number	Street number	Street name	Official suburb / locality name	Post code	Lot on plan description (If each description in a separate row)			Local government area
					Lot number	Plan type (e.g. RP, SP)	Plan number	
	28	Eenie Creek Road	Noosaville	4566	2	SP	182880	Noosa Shire Council

- 1(b). Can the address be further described by shop/tenancy number or storey/level?

☒ No

☐ Yes - Complete Table C

- 1(c). Is any part of the premises strategic port land under the *Transport Infrastructure Act 1994*?

☒ No

☐ Yes - Complete Table D

2. Can the premises best be identified by coordinates (e.g. for development proposed in waters, or on a site within a large rural lot)?

☒ No

☐ Yes - Complete Table E

3. Are the premises within or adjacent to a water body or watercourse?

☐ No

☒ Yes - Complete Table F and answer Q3(a)

Table F

Name of water body or watercourse	
1	Eenie Creek

- 3(a). Is any part of the development proposed in tidal waters (i.e. below high water mark)?

☒ No

☐ Yes

4. What is the total area of land that makes up the premises (i.e. the area covered by the application)?

Area of land above high water mark outside watercourse		Area in a water body or watercourse	
33.14	☐ m ² ☒ hectares (Tick applicable unit)	0.00	☒ m ² ☐ hectares (Tick applicable unit)

Existing use of the premises

5. Are the premises currently used for any purpose?

☐ No

☒ Yes - Ensure details of any existing use of the premises are provided in plans and documentation submitted with this application, e.g. location and nature of existing uses, buildings, structures and services

6. Are there any existing easements on the premises (e.g. for vehicular access, electricity, overland flow)?

☐ No

☒ Yes - Complete Table H and ensure the location and dimensions of each easement are included in plans, submitted with the application

Table H

	Purpose of each easement	Entity favoured by the easement
1	Easement 602533547 - easement in gross for electricity	SEQEB
2	Easement 602533548 - sewerage drains, pipes and pumping station	Noosa Shire Council
3	Easement 602533554 - easement in gross for water supply	Noosa Shire Council
4	Easement 710212346 - easement for drainage	Noosa Shire Council
5	Easement 710227520 - easement for sewerage drains, pipes	Noosa Shire Council
6	Easement 710227521 - easement for water supply, sewerage drains	Noosa Shire Council
7	Easement 710227522 - easement for drainage	Noosa Shire Council
8	Easement 710227524 - easement in gross for electricity	Energex Ltd

Proposal details

7. Are new uses proposed on the premises?

☐ No

☒ Yes - Provide details in Table I

Table I

	Each proposed new use
1	Business Uses (Commercial Business Type 1 Office)
2	Business Uses (Commercial Business Type 2 Medical)
3	Business Uses (Retail Business Type 2 Shop and Salon)
4	Business Uses (Entertainment and Dining Business Type 1)
5	Business Uses (Entertainment and Dining Business Type 2)
6	Community Uses (Education Type 1 Childcare)
7	Community Uses (Education Type 3 Adult)
8	Community Uses (Education Type 4 Information)
9	Community Uses (Wellbeing Type 1 Health)
10	Community Uses (Wellbeing Type 2 Social)

11	Infrastructure Uses (Transport Type 1 Passenger Terminal)
----	---

8. Are new buildings or structures proposed to be erected on the premises?

☐ No

☒ Yes - Ensure the nature, location and dimensions of the proposed new buildings, structures or services are included in plans, submitted with the application

Applicant details

9. Who is the applicant for the application?

Company/organisation name (if applicable)		WA Stockwell Pty Ltd ACN 010095360	
Individual/contact person details			
Title	Mrs	First name Schapelle	Last name Schapelle
Postal address		C/- Stockwell Building and Development PO Bpx 3144 South Brisbane, QLD 4101	
Contact telephone number		(07) 30046858	
Mobile phone number			
Facsimile number		(07) 30046899	
e-mail address		sch4p4(6) Personal information	

Owner's consent and resource entitlement

10. Does the application involve a State-owned resource prescribed by schedule 10 of the *Integrated Planning Regulation 1998* (IP Reg) or any other regulation?

☒ No

☐ Yes - Complete a new Table J for each State-owned resource and submit, with the application evidence of resource allocation or entitlement

11. Does the application involve land other than State-owned land (i.e. privately owned land) and require owner's consent?

☐ No

☒ Yes - Complete Table K and submit, with the application, written documentation of all owner's consent

Table K

	Owner name/s	Street address or lot/plan description	Date written consent was obtained
1	Mirose Pty Ltd ACN 010 278 118	28 Eenie Creek Road, Noosaville QLD 4566	30/11/2007

Mandatory attachments and supporting information

12. What are the other parts of IDAS Application Form 1 submitted with this application, and the other mandatory attachments and supporting information accompanying this application, not identified in those other form parts?

	Description of attachment or information (e.g. Part C of Form 1, owner's consent, evidence of resource allocation or entitlement, plans, drawings, reports)	Title (if applicable) (e.g. General Authority, James Street Traffic Report)	Date	Method of delivery to assessment manager
1	IDAS Form 1, Part D, Part N, Assessment		27-Nov-2007	over the counter
2	Owners Consent	Letter from Mirose Pty Ltd	30-Nov-2007	over the counter
3	Humphreys Reynolds Planning Report	Humphreys Reynolds Perkins Planning	01-Dec-2007	over the counter
4	Proposal Plans	The Buchan Group	01-Nov-2007	over the counter
5	Strategic Overview Report	Jackson Planning	16-Nov-2007	over the counter
6	Visual Impact Assessment	LVO Architecture	16-Nov-2007	over the counter

7	Economic Impact Assessment	Foresight Partners	24-Nov-2007	over the counter
8	Bushfire Management Plan	The Consultancy Bureau	16-Nov-2007	over the counter
9	Landscape Management Plan	Jeremy Ferrier Landscape Architects		over the counter
10	Design Environmental Management Plan	Natural Solutions	01-Nov-2007	over the counter
11	Rehabilitation Plan	Natural Solutions	01-Nov-2007	over the counter
12	Biodiversity Assessment Plan	Natural Solutions	01-Nov-2007	over the counter
13	Traffic Report	Cardno Epol Olsen	01-Nov-2007	over the counter
14				

Portable Long Service Leave (PLSL) levy for building and construction work

13. Is payment of a Portable Long Service Leave (PLSL) levy required for building and construction work before a development permit for the application can be given?

☒ No

☐ Yes

13(a). Indicate the reason PLSL is not applicable

- ☒ The application is not for building and construction work under the *Building and Construction Industry (Portable Long Service Leave) Act 1991*, section 3AA (e.g. the application is only for a change of use or for the following types of work carried out solely for farming purposes: land clearing, site preparation, earthworks, fences, fodder harvesting, clearing of encroaching vegetation, clearing of regrowth, thinning vegetation or controlling weeds or pests); or
- ☐ All costs, that relate to the work both directly and indirectly, are less than \$80,000, inclusive of GST; or
- ☐ The work is being carried out under an owner-builder permit issued under the *Queensland Building Services Authority Act 1991*- Complete and submit a *QLeave Notification and Payment Form* (no payment required if owner-builder permit number stated). The receipted form must be sighted by the assessment manager before a development permit can be given

OFFICE USE ONLY

Date Received Reference Numbers

FOR COMPLETION BY ASSESSMENT MANAGER

Is a QLeave Notification and Payment Form required for this application?

☐ No

☐ Yes - Complete Table M

NOTIFICATION OF ENGAGEMENT OF PRIVATE CERTIFIER

To Council

I have been engaged as the private certifier for the building work referred to in this application

Date of engagement	Accreditation number	Name	BSA Certification number	Building classification

Advice for completing Part A

General advice

- Under IPA, section 3.2.1(7) mandatory requirements must be correctly completed for a development application to be a 'properly made application'. The assessment manager may refuse to receive an application that is not properly made.
- Completion of Part A of Form 1 is required for all development applications. Other mandatory requirements, applicable to certain types of applications, are stated in other Parts of Form 1.
- The IDAS Assessment Checklist must also be completed for all development applications, other than those requiring assessment against the *Building Act 1975* only.
- For further information about completing this form go to [IDAS Guide 1 \(Making and IDAS application\)](#).

Q1 • The premises, the subject of the application, may be identified in a number of ways. Street address and lot on plan are most common. Lot on plan details can be obtained from title documents or through the local government.

- The term 'premises' is defined by the IPA, schedule 10 to mean a building or other structure, and land (whether or not a building or other structure is situated on the land). The term 'land' is also defined to include the estate in, on, over or under the land.
- A description of the land is not required if the application relates to a mobile and temporary Environmentally Relevant Activity (ERA) only. Instead complete Q1(a).
- Strategic Port Land is within a local government area but a local government's planning scheme does not apply on Strategic Port Land. Strategic Port Land is declared under the *Transport Infrastructure Act 1994*. For further information go to [IDAS Guide 11 \(Development on strategic port land\)](#) and the Queensland Transport (Ports) website.

Q2 • Coordinates often provide the best means of accurately identifying the location of development proposed in waters, or on a relatively small development site distant from property boundaries. Sufficient coordinates need to be provided to identify the boundary of the premises the subject of the application.

- Eastings and northings using GDA94 datum is preferred, but longitude and latitude and other (specified) datum may be provided.

Q3 • A single development application may involve land both within and outside waters.

- A 'watercourse' is defined by the *Water Act 2000*, schedule 4 and generally means a river, creek or stream upstream of the point to which high spring tide ordinarily flows and reflows (unless a regulation has declared a limit for the watercourse). Generally, a watercourse is in the jurisdiction of the Department of Natural Resources and Water.
- 'Tidal water' is defined in the *Coastal Protection Act 1995* (Schedule) and 'tidal area' for a local government and for strategic port land is defined in the IPA (schedule 10). Generally, the area below 'high-water mark' (defined by the Coastal Protection Act in relation to high water mark at spring tides) establishes the boundary of a tidal area.
- Land below high water mark is not within a local government's area unless provided for under the *Local Government Act 1993*. Unless otherwise provided for by legislation, a local government has no jurisdiction below high water mark. A tidal area for strategic port land is within the jurisdiction of the relevant port authority, while the Environmental Protection Agency generally has jurisdiction for a local government tidal area. However, the IPA gives local governments jurisdiction for assessing and deciding applications for prescribed tidal works within the tidal area for a local government, and the planning scheme may be applied to that assessment (to the extent provided for in the code for prescribed tidal work).

Q9 • The applicant need not be the owner of the land. However, the applicant is responsible for ensuring the information provided on the Form 1 Application Form (including this Part and any other relevant Part) is correct.

- If the applicant is a company or organisation, a contact person must be nominated.
- Evidence of this consent may need to be provided before the application will be accepted as properly made by the Assessment Manager, during the processes of the application or in the event of an appeal about the outcome of the application.

Q10 • Section 3.2.1(5) of the IPA requires evidence of resource entitlement be given for applications involving a prescribed State resource. Schedule 10 of the *Integrated Planning Regulation 1998* (IPR) prescribes the State resources, including State-owned land, where evidence is required to be given, and the evidence required to support the application. Link to [Integrated Planning Regulation](#)

- Section 3.2.1(10)(a)(ii) states an application cannot be taken to be properly made without the required evidence..
- Evidence may be required from more than one Department responsible for a State-owned resource, e.g. from the Environmental Protection Agency for quarry material below high water mark, and the Department of Natural Resources and Water in relation to the State-owned land above high water mark.
- In the case of applications involving the taking or interfering with water under the *Water Act*, the development application may be made at the same time as the request for resource entitlement.
- In the case of State-controlled roads, a resource entitlement is not required for an activity that is exempt ancillary works or encroachment (identified by gazette notice under the *Transport Infrastructure Act 1994*, section 50), or if the activity requires referral to the Department of Main Roads.

Q11	<ul style="list-style-type: none"> Section 3.2.1(3) of the IPA prescribes that an application must contain, or be supported by, the written consent of the land owner/s, if the application involves any of the following: <ul style="list-style-type: none"> (i) a material change of use; (ii) reconfiguration of a lot; (iii) work on land below high-water mark and not within a canal as defined under the <i>Coastal Protection and Management Act 1995</i>; or (iv) work on rail corridor land defined under the <i>Transport Infrastructure Act 1994</i>. 'Owner' for the purpose of a lodging an IDAS development application means the person at the time of lodging the application, entitled to receive the rent for the land (or would be entitled to receive the rent for it if it were let to a tenant at a rent). Owner's consent is not required for a mobile and temporary ERA.
Q12	Only information not identified in other Parts of Form 1 needs to be listed in this section of Part A.
Q13	<p>The Building and Construction Industry Portable Long Service Leave Scheme provides long service leave entitlements to workers in the building and construction industry who would be unlikely to accrue enough service with one employer to qualify for long service leave. To fund the scheme, a levy is collected on all building and construction work carried out in Queensland where the total cost of the work, whether direct or indirect, is \$80,000 or more inclusive of GST. This amount and other prescribed percentages and rates for calculating the levy are stated in the <i>Building and Construction Industry (Portable Long Service Leave) Regulation 2002</i>. Included in the amount collected by QLeave is the Workplace Health and Safety Fee and the Building and Construction Industry Training Levy.</p> <ul style="list-style-type: none"> The <i>Building and Construction Industry (Portable Long Service Leave) Act 1991</i> (PLSL Act) defines the building and construction industry for the purposes of the levy and includes, for example, renovating, relocating, constructing, altering, demolishing, maintaining or repairing buildings, pools, roads, jetties, pipelines, fences or earthworks, and works for subdividing, irrigating or draining land. The PLSL Act requires the portable long service leave levy (PLSL levy) be paid before the assessment manager may give a development permit for certain building or operational work. The assessment manager must sight an approved form issued by QLeave advising of the status of the payment of the levy. Building and Construction Industry Notification and Payment Forms are available from any Queensland post office or agency, on request from QLeave, or can be completed on the QLeave website at www.qleave.qld.gov.au For further information contact QLeave (Tel: 1800 803 481 Web: www.qleave.qld.gov.au)

Privacy Statement

The information collected on Form 1 will be used by the Department of Local Government, Planning, Sport and Recreation in accordance with the processing and assessment of your Application. Your personal details will not be disclosed for a purpose outside of the IDAS process, except where required by legislation (including the Freedom of Information Act 1992) or as required by Parliament. This information may be stored in a Department of Local Government, Planning, Sport and Recreation database. The information collected will be retained as required by the Public Records Act 2002. For further information on your privacy, contact the Privacy Contact Officer for the Department of Local Government, Planning, Sport and Recreation at (07) 3237 1860.

Proposal ID



Form 1 Development Application

idas

Part D**Material change of use assessable against a planning scheme****Planning scheme identification**

1. How is the premises identified / zoned in the applicable planning scheme?

	Each lot making up the premises	List of applicable zone/precincts/areas	List of applicable overlays
1	Lot 2 on SP182880	Noosaville Locality; Shire Business	Biodiversity; Natural Hazards (Landsc

Nature of the material change of use (MCU)

2. Is the application seeking approval for more than one MCU on the premises?

- ☐ No - Complete Table A
- ☒ Yes - Complete a new Table A for each proposed MCU

Table A

- (i) How is the proposed use defined in the applicable planning scheme? Also provide applicable details of the proposed use.

Planning scheme definition	Explanation of the proposed use	Number of dwelling/tenancy units (if applicable)	Days and hours of operation (if applicable)	Number of employees (if applicable)
Business Uses (Commercial Business Type 1 Office) Business Uses	Extension to shopping centre	0	Usual hours	0

- (ii) What is the nature of the material change of use?

- ☐ Start of a new use of the premises
- ☒ A material change in the intensity or scale of the use of the premises - Complete Table A(a)
- ☐ The re-establishment on the premises of a use that has been abandoned

Table A(a)

Intensity and scale of the current use	Extent of change of intensity and scale (e.g. additional 100 square metres of floor area, additional 2 dwelling units)
36025sqm GFA of retail, commercial, business and showrooms	Additional 41,050 sqm retail and commercial GFA and additional 1800 parking spaces

- (iii) What type of approval is being sought?

- ☒ Development Permit
- ☐ Preliminary Approval

- (iv) Is there a current Preliminary Approval for this use on the premises?

- ☒ No
- ☐ Yes - Complete Table A(b)

- (v) Does the proposed use involve the reuse of existing buildings on the premises?

- ☒ No
- ☐ Yes - Complete Table A(c) and submit, with the application, plans showing the size and location of the buildings to be reused

(vi) Does the proposed use involve new building work on the premises?

☐ No

☒ Yes - Complete Table A(d) and submit, with the application, plans showing the size and location of the proposed new building work

Table A(d)

Proposed floor area

41,050m²

Proposed site cover

Refer attached Proposal Report

Proposed maximum number of storeys

4

Proposed maximum height above natural ground level

14m

(vii) Does the proposed use involve the reuse of other existing works on the premises?

☒ No

☐ Yes - Complete Table A(e) and submit, with the application, plans showing the nature and location of the works to be reused

(viii) Does the proposed use involve new operational work on the premises?

☒ No

☐ Yes - Complete Table A(f) and submit, with the application, plans showing the nature and location of the proposed new operational works

Mandatory Information

3. Confirm that the following mandatory information accompanies this application.

	Confirmation of lodgement	Method of lodgement
For all applications		
(i) Plans showing the nature and location of the proposed use on the premises and a statement about the intensity and scale of the proposed use (e.g. number of visitors, number of seats, capacity of storage area)	☒ Confirmed	over the counter
When the application involves reuse of existing buildings		
(ii) Plans showing the size and location of the buildings to be reused	☐ Confirmed ☒ Not applicable	
When the application involves new building work		
(iii) Plans showing the size and location of the proposed new building work	☒ Confirmed ☐ Not applicable	over the counter
When the application involves reuse of other existing works		
(iv) Plans showing the nature and location of the works to be reused	☐ Confirmed ☒ Not applicable	over the counter
When the application involves new operational work		
(v) Plans showing the nature and location of the proposed new operational works	☐ Confirmed ☒ Not applicable	

OFFICE USE ONLY

Date received

Reference numbers

Advice for completing Part D**General advice**

- Part A must also be completed for all IDAS development applications.
- All questions must be answered unless following a response there is a statement to go directly to a particular question.

Table A A development permit authorises development to occur, while a preliminary approval is a step in the approval process and does not authorise development to occur.

Proposal ID



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Advice for completing Part N**General advice**

- Part A must also be completed for all IDAS development applications.
- All questions must be answered unless following a response there is a statement to go directly to a particular question.
- For further information about completing this form go to:
 - [IDAS Guide 5 \(Contaminated land matters\)](#)
 - [EPA contaminated land website](#)

Q2 A development permit authorises development to occur, while a preliminary approval is a step in the approval process and does not authorise development to occur.

Proposal ID



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Form 1 Development Application

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IDAS

Assessment Checklist

IDAS Development Application Form 1 is the approved form for all development applications under the *Integrated Planning Act 1997*. Form 1 is made up of various Parts. Part 1 (General details) of Form 1 must be completed for all applications. The relevance of other Parts of Form 1 depends on the nature of the application.

Form 1 also includes the IDAS Assessment Checklist, which is used to assist in determining the assessment and referral requirements, and the Parts of Form 1 relevant to the application.

Section 1 contains other relevant sections of the IDAS Assessment Checklist must be completed for all development applications except those for building work requiring assessment against the *Building Act 1975* only. For more information to Part 1 of the IDAS Application Form.

Answering the following questions will assist you in determining which sections of the checklist must be completed for your application. If unsure, phone or visit your local government or log on to the IPA website for help.

Does the application seek approval to materially change use of the premises? <i>If yes - complete Section 2 of this checklist</i>	☒ Yes	☐ No
Does the application seek approval to reconfigure a lot? <i>If yes - complete Section 3 of this checklist and Part F of IDAS Application Form 1 Assessment is by the local government</i>	☐ Yes	☒ No
Does the application seek approval to carry out operational work? <i>If yes - complete Section 4 of this checklist</i>	☐ Yes	☒ No
Does the application seek approval to carry out building work requiring assessment against the <i>Fisheries Act 1994</i> ? <i>If yes - complete Section 5 of this checklist</i>	☐ Yes	☒ No
Does the application seek approval to carry out building work requiring assessment against a local government planning scheme? <i>If yes - complete Part E of IDAS Application Form 1 Assessment is by the local government</i>	☐ Yes	☒ No
Does the application seek approval to carry out building work requiring assessment against the <i>Building Act 1975</i> ? <i>If yes - go to Appendix 1 of this checklist for advice on building referrals. Complete Part B of IDAS Application Form 1 Assessment is by a building certifier</i>	☐ Yes	☒ No

Section 1 must be completed for all applications that require completion of the IDAS Assessment Checklist

HERITAGE

1.1 Is any part of the proposal intended to be carried out on a registered place under the *Queensland Heritage Act 1992*?

- ☒ No
☐ Yes

IPA, schedule 8, part 1, table 5, item 2

IP Regulation, schedule 2, table 2, item 18

IPA, section 1.3.5 (Definitions for terms used in development)

REMOVING QUARRY MATERIAL, WILD RIVER AREA

1.2 Does the proposal involve removing quarry material from a watercourse or lake as defined under the *Water Act 2000*?

- ☒ No
☐ Yes

IPA, schedule 8, part 1, table 5, item 1
IP Regulation, schedule 2, table 2, item 11
IP Regulation, schedule 1, table 5, item 2 (wild river area)
Water Act 2000, section 966C
Wild Rivers Act 2005, section 43A

ENVIRONMENTALLY RELEVANT ACTIVITY, WILD RIVER AREA

1.3 Does the proposal involve an environmentally relevant activity (ERA), other than a mining activity or a petroleum activity?

- ☒ No
☐ Yes

IPA, schedule 8, part 1, table 2, item 1
IPA, schedule 8, part 1, table 5, items 3 and 4
IP Regulation, schedule 2, table 2, items 1 and 23
Environmental Protection Act 1994, section 73AA (wild river area)
Wild Rivers Act 2005, section 43A

WITHIN THE LIMITS OF A PORT

1.4 Is any part of the premises within the limits of a port under the *Transport Infrastructure Act 1994*?

- ☒ No
☐ Yes

IP Regulation, schedule 2, table 2, items 15 and 16

DECLARED FISH HABITAT AREA

1.5 Does any part of the premises adjoin a declared fish habitat area under the *Fisheries Act 1994*?

- ☒ No
☐ Yes - If answers to questions in other sections of this checklist indicate that the proposed development is assessable under IPA, schedule 8, this application requires assessment by the Department of Primary Industries and Fisheries (DPI&F). If DPI&F is not the Assessment Manager for the application, the agency has jurisdiction as Advice Agency.

IP Regulation, schedule 2, table 2, item 26

COMMUNITY INFRASTRUCTURE

1.6 Is any part of the premises designated for community infrastructure?

- ☒ No
☐ Yes

IP Regulation, schedule 2, table 3, item 7

WASTE WATER MANAGEMENT

1.7 Does the proposal involve the establishment or expansion of a waste water disposal system?

- ☒ No
☐ Yes

IP Regulation, schedule 2, table 3, item 5

Section 2 must be completed when the application seeks approval to materially change the use of premises.

PLANNING SCHEME

2.1 Is the proposed use assessable under the planning scheme?

- ☐ No - (Go to Question 2.2)
☒ Yes - (Complete Part D of IDAS Application Form 1 and answer Questions 2.1.1 - 2.1.14 below)

If yes, does the application request that the proposal be assessed against a superseded planning scheme?

- ☐ Yes- (Complete Attachment 1)
☒ No

STATE-CONTROLLED ROAD

2.1.1 Is any part of the premises within 100m of a State-controlled road, or part of a future State-controlled road?

- ☐ Yes
☒ No

If no, is the proposed use listed in schedule 5 of the *Integrated Planning Regulation 1998* and does it exceed the specified threshold?

- ☒ Yes - This application must be referred to the Department of Main Roads (DMR) as Concurrence Agency.
☐ No

IP Regulation, schedule 2, table 3, items 1(a) and 3

ACID SULFATE SOILS

2.1.2 Is the use proposed in a local government area listed² in State Planning Policy 2/02: *Planning and Managing Development Involving Acid Sulfate Soils*?

- ☐ No
☒ Yes

² Aunukun, Bowen, Brisbane, Broadsound, Bundaberg, Burdekin, Burke, Burnett, Caboolture, Cairns, Caliope, Caloundra, Cardwell, Carpentaria, Cook, Cooloola, Douglas, Fitzroy, Gladstone, Gold Coast, Hervey Bay, Hinchinbrook, Isis, Johnstone, Livingstone, Logan, Mackay, Maroochy, Maryborough, Mirum Vale, Mornington, Noosa, Pine Rivers, Redcliffe, Redland, Rockhampton, Sarina, Thuringowa, Tiara, Torres, Townsville, Whitsunday

If yes, is the natural ground level of any part of the premises less than 20m AHD?

- ☐ No
☒ Yes

If yes, will the proposed use involve the following?

- Excavating more than 1,000m³ of soil or sediment at or below 5m AHD ☐ No ☒ Yes
- Filling the premises with 1,000m³ or more of material with an average depth of 0.5m on land, soil or sediment at or below 5m AHD ☒ No ☐ Yes

If yes to either or both - this application must be referred to the Department of Natural Resources and Water (NRW) as Advice Agency.

IP Regulation, schedule 2, table 3, item 4
 State Planning Policy 2/02: *Planning and Managing Development Involving Acid Sulfate Soils*, section 3.6

COASTAL MANAGEMENT DISTRICT

2.1.3 Does the proposed use involve the following?

- Carrying out operational work, completely or partly in a coastal management district ☒ No ☐ Yes
- Carrying out building work, completely or partly in a coastal management district, that is the construction of new premises with a gross floor area (GFA) of at least 1,000m² ☒ No ☐ Yes
- Carrying out building work, completely or partly in a coastal management district, that is the enlargement of the GFA of existing premises by more than 1,000m² ☒ No ☐ Yes

If yes to any one - this application must be referred to EPA as Concurrence Agency.

IP Regulation, schedule 2, table 3, item 6

VEGETATION CLEARING

2.1.4 Do the premises include a lot containing the following?

- A category 1, 2 or 3 area shown on a Property Map of Assessable Vegetation (PMAV) ☒ No ☐ Yes
- If there is no PMAV for a lot, remnant vegetation ☒ No ☐ Yes

IP Regulation, schedule 2, table 3, item 11

CONTAMINATED LAND - UNEXPLODED ORDNANCE

2.1.5 Is any part of the premises in an area for which an area management advice has been given for unexploded ordnance?

- ☐ Yes - (Complete Part N) This application must be referred to the Administering Authority as Concurrence Agency.
☒ No

IP Regulation, schedule 2, table 3, item 12

PUBLIC PASSENGER TRANSPORT

2.1.6 Is the proposed use listed in schedule 13C of the *Integrated Planning Regulation 1998* and does it exceed the specified threshold?

☒ Yes - This application must be referred to Queensland Transport (QT) as Concurrence Agency.

☐ No

IP Regulation, schedule 2, table 3, item 14

RAILWAY SAFETY AND EFFICIENCY

2.1.7 Is the proposed use listed in schedule 13D of the *Integrated Planning Regulation 1998* and does it exceed the specified threshold?

☒ Yes - This application must be referred to Queensland Transport (QT) as Concurrence Agency.

☐ No

IP Regulation, schedule 2, table 3, item 15

KOALA CONSERVATION

2.1.8 Is any part of the premises in a koala conservation area or koala sustainability area?

☒ No

☐ Yes

IP Regulation, schedule 2, table 3, item 18

EASEMENTS AND SUBSTATIONS

2.1.9 Is the use associated with reconfiguring a lot?

☐ Yes

☒ No - Answer both (a) and (b) below

(a) Will any part of any structure or work that is the natural and ordinary consequence of the use, be located in an easement?

☐ No

☒ Yes - Answer both (i) and (ii) below

(i) Is there an easement in favour of a distribution entity or transmission entity under the *Electricity Act 1994* for a transmission grid or supply network under that Act?

☐ No

☒ Yes - This application must be referred to the entity as Advice Agency.

(ii) Is there an easement in favour of the holder of pipeline licence number 1 issued under the *Petroleum Act 1923* for the construction or operation of the Moonie to Brisbane strategic pipeline under that Act?

☒ No

☐ Yes - This application must be referred to the licence holder as Advice Agency.

(b) Is any part of the premises situated within 100m of a substation site under the *Electricity Act 1994*?

☐ No

☒ Yes - This application must be referred to the entity responsible for the substation as Advice Agency.

IP Regulation, schedule 2, table 3, item 8 (electricity easement)

IP Regulation, schedule 2, table 3, item 16 (pipeline easement)

IP Regulation, schedule 2, table 3, item 9 (substation)

RESIDENTIAL, COMMERCIAL OR INDUSTRIAL DEVELOPMENT IN A WILD RIVER AREA

2.1.10 Is any part of the premises in a wild river area declared under the *Wild Rivers Act 2005*?

☒ No

☐ Yes

IP Regulation, schedule 1, part 2, table 5, item 1(a)

Wild Rivers code (Note: the code does not currently contain applicable provisions for residential, industrial or commercial development inside a designated urban area)

WETLAND

2.1.11 Is the proposal only for the construction or use of a single residence on a lot and any reasonably associated building or structure?

☐ Yes

☒ No

If no, do the premises include a lot situated in, or within 100m of, a wetland shown on the 'Map of referable wetlands'?

☒ No

☐ Yes - This application must be referred to the Environmental Protection Agency (EPA) as Advice Agency.

IP Regulation, schedule 2, table 3, item 20

HERITAGE

2.1.12 Do the premises include a lot sharing a common boundary with a protected area or registered place under the *Queensland Heritage Act 1992*?

☒ No

☐ Yes - This application must be referred to the Queensland Heritage Council (QHC) as Advice Agency.

IP Regulation, schedule 2, table 3, item 22

CERTAIN PRELIMINARY APPROVALS

2.1.13 Is preliminary approval sought for the application under the IPA, section 3.1.6?

☒ No

☐ Yes - (Complete Attachment 2) This application must be referred to the Department of Local Government, Planning, Sport and Recreation (DLGPSR) as Advice Agency.

IP Regulation, schedule 2, table 3, item 23

BROTHEL

2.2 Is the proposed use a brothel as defined under the *Prostitution Act 1999*?

☒ No

☐ Yes

IPA, schedule 8, part 1, table 2, item 2

Prostitution Act 1999, section 64

STRATEGIC PORT LAND

2.3 Is any part of the use proposed on Strategic Port Land under the *Transport Infrastructure Act 1994*?

☒ No

☐ Yes

IPA, schedule 8, part 1, table 2, item 3

IP Regulation, schedule 2, table 2, item 6

MAJOR HAZARD FACILITY

2.4 Is the proposed use a major hazard facility or possible major hazard facility under the *Dangerous Goods Safety Management Act 2001*?

☒ No

☐ Yes - (Complete Part L) This application requires assessment by the Department of Emergency Services (DES). If DES is not the Assessment Manager for the application, the agency has jurisdiction as Concurrence Agency.

IPA, schedule 8, part 1, table 2, item 4

IP Regulation, schedule 2, table 2, item 7

CONTAMINATED LAND - REGISTERED LAND

2.5 Is any part of the land forming the premises on the Environmental Management Register or Contaminated Land Register under the *Environmental Protection Act 1994*?

☒ No

☐ Yes

IPA, schedule 8, part 1, table 2, item 5

IP Regulation, schedule 2, table 2, item 22

CONTAMINATED LAND - NOTIFIABLE ACTIVITY

2.6 Is any part of the land forming the premises currently used for a notifiable activity, or if there is no existing use was it last used for a notifiable activity?

☐ No

☒ Yes

If yes, does one or more of the following apply?

- A suitability statement, removing the land from the environmental management register, has been given under the *Environmental Protection Act 1994* for the existing use, or if there is no existing use, the last use, and the following **both** apply -
 - no new notifiable activity has occurred on the land since the suitability statement was issued; ☒ No ☐ Yes
 - the land is not otherwise contaminated by a hazardous contaminant
- A suitability statement has been given and a site management plan has been approved for the proposed use of the land, and the proposed use involves only the following -
 - the fit-out of a building on the land; or ☒ No ☐ Yes
 - minor site excavation, including for example, post holes for open-sided non-habitable structures
- The land is used for a mining activity or petroleum activity ☒ No ☐ Yes

If no to all - (Complete Part N) This application requires assessment by the Environmental protection Agency (EPA). If EPA is not the Assessment Manager for the application, the agency has jurisdiction as Concurrence Agency.

IPA, schedule 8, part 1, table 2, item 6
IP Regulation, schedule 2, table 2, item 22

CONTAMINATED LAND: INDUSTRIAL ACTIVITY

- 2.7 Is any part of the premises currently used for an industrial activity (other than for a mining activity or petroleum activity), or if there is no existing use was it last used for an industrial activity (other than for a mining activity or petroleum activity)?
- ☒ No
☐ Yes

IPA, schedule 8, part 1, table 2, item 6
IP Regulation, schedule 2, table 2, item 22

CONTAMINATED LAND: AREA MANAGEMENT ADVICE (NATURAL MINERALISATION OR INDUSTRIAL ACTIVITY)

- 2.8 Is any part of the premises in an area for which an area management advice has been given for natural mineralisation or industrial activity (other than for a mining activity or petroleum activity)?
- ☒ No
☐ Yes

IPA, schedule 8, part 1, table 2, item 7
IP Regulation, schedule 2, table 2, item 22

AQUACULTURE: WILD RIVER AREA

- 2.9 Is the proposed use for aquaculture as defined under the *Fisheries Act 1994*?
- ☒ No
☐ Yes

IPA, schedule 8, part 1, table 2, item 8
IPA, schedule 8, part 2, table 2, item 1 (self-assessable aquaculture)
IP Regulation, schedule 2, table 2, item 27
Fisheries Act 1994, section 76DA (wild river area)
Wild Rivers Act 2005, section 43A

AGRICULTURAL AND ANIMAL HUSBANDRY ACTIVITIES IN A WILD RIVER AREA

- 2.10 Is any part of the premises in a wild river area declared under the *Wild Rivers Act 2005*?
- ☒ No
☐ Yes

IPA, schedule 8, part 1, table 2, item 11
IP Regulation, schedule 2, table 2, item 36
Wild Rivers Act 2005, sections 42, 43A

SEQ REGIONAL PLAN

- 2.11 Is any part of the premises within the South East Queensland (SEQ) Regional Plan area?
- ☐ No
☒ Yes

If yes, does one or more of the following apply?

- A suitability statement, removing the land from the environmental management register, has been given under the *Environmental Protection Act 1994* for the existing use, or if there is no existing use, the last use, and the following both apply -
 - no new notifiable activity has occurred on the land since the suitability statement was issued; ☒ No ☐ Yes
 - the land is not otherwise contaminated by a hazardous contaminant
- A suitability statement has been given and a site management plan has been approved for the proposed use of the land, and the proposed use involves only the following -
 - the fit-out of a building on the land; or ☒ No ☐ Yes
 - minor site excavation, including for example, post holes for open-sided non-habitable structures
- The land is used for a mining activity or petroleum activity ☒ No ☐ Yes

If no to all - (Complete Part N) This application requires assessment by the Environmental protection Agency (EPA). If EPA is not the Assessment Manager for the application, the agency has jurisdiction as Concurrence Agency.

IPA, schedule 8, part 1, table 2, item 6
IP Regulation, schedule 2, table 2, item 22

CONTAMINATED LAND-INDUSTRIAL ACTIVITY

- 2.7 Is any part of the premises currently used for an industrial activity (other than for a mining activity or petroleum activity), or if there is no existing use was it last used for an industrial activity (other than for a mining activity or petroleum activity)?
- ☒ No
☐ Yes

IPA, schedule 8, part 1, table 2, item 6
IP Regulation, schedule 2, table 2, item 22

CONTAMINATED LAND-AREA MANAGEMENT ADVICE (NATURAL MINERALISATION OR INDUSTRIAL ACTIVITY)

- 2.8 Is any part of the premises in an area for which an area management advice has been given for natural mineralisation or industrial activity (other than for a mining activity or petroleum activity)?
- ☒ No
☐ Yes

IPA, schedule 8, part 1, table 2, item 7
IP Regulation, schedule 2, table 2, item 22

AQUACULTURE WILD RIVER AREA

- 2.9 Is the proposed use for aquaculture as defined under the *Fisheries Act 1994*?
- ☒ No
☐ Yes

IPA, schedule 8, part 1, table 2, item 8
IPA, schedule 8, part 2, table 2, item 1 (self-assessable aquaculture)
IP Regulation, schedule 2, table 2, item 27
Fisheries Act 1994, section 76DA (wild river area)
Wild Rivers Act 2005, section 43A

AGRICULTURAL AND ANIMAL HUSBANDRY ACTIVITIES IN A WILD RIVER AREA

- 2.10 Is any part of the premises in a wild river area declared under the *Wild Rivers Act 2005*?
- ☒ No
☐ Yes

IPA, schedule 8, part 1, table 2, item 11
IP Regulation, schedule 2, table 2, item 36
Wild Rivers Act 2005, sections 42, 43A

SEQ REGIONAL PLAN

- 2.11 Is any part of the premises within the South East Queensland (SEQ) Regional Plan area?
- ☐ No
☒ Yes

If yes, are the premises within one or more of the following areas?

- A Major Development Area in the Urban Footprint ☒ No ☐ Yes - (Answer (a) to (c) below)
- The Regional Landscape and Rural Production Area ☒ No ☐ Yes - (Answer (d) below)
- The Rural Living Area ☒ No ☐ Yes - (Answer (e) below)
- The Investigation Area ☒ No ☐ Yes - (Answer (f) and (g) below)

SEQ Regional Plan 2005-2026, Amendment 1, Regulatory Provisions, division 2
IP Regulation, schedule 2, table 3, item 13
IPA, section 2.5A.12 (3)

CONSERVATION ESTATE

2.12 Is the proposal for urban purposes, as defined under the IPA?

- ☐ No
☒ Yes

If yes, is the use proposed on a lot situated in, or within 100m of, any of the following?

- A protected area, forest reserve, critical habitat or area of major interest under the *Nature Conservation Act 1992* ☒ No ☐ Yes
- A State forest or timber reserve under the *Forestry Act 1959* ☒ No ☐ Yes
- A marine park under the *Marine Parks Act 2004* ☒ No ☐ Yes
- A recreation area under the *Recreation Area Management Act 1988* ☒ No ☐ Yes
- A world heritage area listed under the World Heritage Convention ☒ No ☐ Yes
- Brisbane forest park under the *Brisbane Forest Park Act 1977* ☒ No ☐ Yes

If yes to any one - This application must be referred to the chief executive under the relevant Act mentioned as Advice Agency.

IP Regulation, schedule 2, table 2, item 40

REMOVAL, DESTRUCTION OR DAMAGE OF A MARINE PLANT (This question only applies for applications not also seeking approval to carry out operational work)

2.13 Does the proposed use involve the removal, destruction or damage of marine plants under the *Fisheries Act 1994*?

- ☒ No
☐ Yes

IPA, section 3.2.2A
IPA, schedule 8, part 1, table 4, item 8 (assessable development)
IPA, schedule 8, part 2, table 4, item 4 (self-assessable development)
IP Regulation, schedule 2, table 2, item 29
IP Regulation, schedule 1, part 3, table 4, item 8
Fisheries Act 1994, section 76DA (wild river area)
Wild Rivers Act 2005, section 43A

Disclaimer:

While the Department of Local Government, Planning, Sport and Recreation (DLGPSR) believes that this information contained on this form and provided as part of this process will be of assistance to you, it is provided on the basis that you will not rely on the information without first making your own enquiries regarding the interpretation and application of the applicable legislation to your circumstances.

To the full extent permitted by law DLGPSR expressly disclaims all liability (including but not limited to liability for negligence) for errors or omissions of any kind or for any loss (including direct and indirect losses), damage or other consequence which may arise from your reliance on this process and the information contained on this form

Proposal ID



W.A. STOCKWELL PTY LTD

10 / 211 Montague Rd
West End QLD 4101

PO Box 3144
South Brisbane QLD 4101

T: 07 3004 6888

F: 07 3004 6899

www.stockwell.com.au

ABN 50 010 095 360

30 November 2007

The Chief Executive Officer
Noosa Council
PO 141
TEWANTIN QLD 4565

Dear Sir/Madam,

The undersigned is the registered owner of a development application over, land at 28 Eenie Creek Road, Noosaville, more properly described as Lot 2 on SP 182880, County of March, Parish of Tewantin.

As the owner, we hereby give our consent in relation to this development application.

Yours faithfully,

sch4p4(6) Personal information

Name

...
Director/Secretary
Mirose Pty Ltd
ACN 010 278 118

30.11.07
Date

TYPE	REFERENCE		GROSS AMOUNT	WITHHELD		NET AMOUNT
	DATE	NUMBER		CODE	AMOUNT	
132	05NOV07	DEVAPPLIFEE S	237000.00			237000.00

Published on DEER Disclosure Log
RTI Act 2009

STOCKWELL

RECEIPT NOT REQUIRED DETACH AND RETAIN

STOCKWELL
ABN 50 010 095 360

AUSTRALIA AND NEW ZEALAND BANKING GROUP LIMITED
KENMORE MOGGILL & BROOKFIELD RDS QLD

613509

PAY
THE
SUM
OF

TO THE ORDER OF TWO HUNDRED AND THIRTY SEVEN THOUSAND DOLLARS ONLY

22 NOV 07

NOOSA COUNCIL
PO BOX 141
TEWANTIN 4565

NOT
NEGOTIABLE
A/C PAYEE
ONLY

\$

*****237,000.00

sch4p4(6) Personal information
sch4p4(6) Personal information

FOR AND ON BEHALF OF W.A. Stockwell Pty Ltd ABN 50 010 095 360
Trading as Stockwell Building & Development

sch4p4(6) Personal information

6983354

NO.



602533547

MEMORANDUM OF ENCUMBRANCES, LIENS
AND INTERESTS

6983354

EAS IN GROSS

OF EASEMENT

BRIAN GERALD KENNEDY,
CARMEL MARY KENNEDY and
B.G. HARTWIG & CO. PTY. LIMITED

the Grantor

THE SOUTH EAST QUEENSLAND
ELECTRICITY BOARD

the Grantee

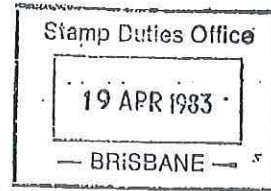
sch4p4(6) Personal information

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Volume.....Folio.....

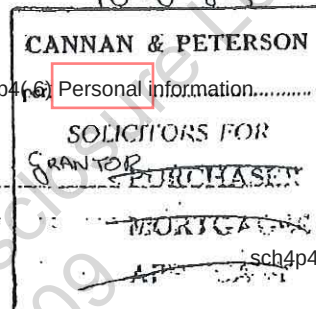
the .. day of ..
19 .. at ..

10 JUN 1983 (6) Personal information

at 9.00 am (6) Personal information
Registrar of Titles



Received
herein (6) Personal information



sch4p4(6) Personal information

sch4p4(6) Personal information

37317

sch4p4(6) Personal information

842

sch4p4(6) Personal information
sch4p4(6) Personal information

RECEIVED
REG. OF TITLES
MAY 12 11 08 AM '83

THYNNE & MACARTNEY,
SOLICITORS,
BRISBANE.

sch4p4(6) Personal information

Address:

67/16p25

Collect C/T Volume 5103 Folio 58

sch4p4(6) Personal information

sch4p4(6) Personal information

6.6.83

QUEENSLAND

STAMP DUTIES OFFICE

2430332 31

\$63.00

MEMORANDUM OF TRANSFER OF EASEMENT

WE, BRIAN GERALD KENNEDY, CARMEL MARY KENNEDY and B.G. HARTWIG & CO. PTY. LIMITED

(hereinafter called "the Grantor" which expression shall where the context permits be deemed to include the said Brian Gerald Kennedy, Carmel Mary Kennedy and B.G. Hartwig & Co. Pty. Limited their respective executors, administrators, successors ~~executors, administrators~~

sch4p4(6) Personal information

and assigns and other the owner, owners, occupier or occupiers, registered proprietor or registered proprietors for the time being of the land hereinafter referred to) being the Registered Proprietor of an estate in fee simple as tenants in common in the interests of one-quarter, one-quarter and one-half respectively SUBJECT HOWEVER to such encumbrances, liens and interests as are notified by Memorandum endorsed hereon in all that piece of land situated in the County of March Parish of Tewantin containing an area of 2.568 hectares more or less described as Easement C in Portion 29 and containing an area of 6699 square metres more or less described as Easement D in Portion 29 both as shown on Registered Plan No. 177294 being part of the land contained in Certificate of Title Volume 5103 Folio 58

(which land is hereinafter called "the said land") IN CONSIDERATION of the sum of Four thousand one hundred and fifty dollars (\$ 4,150.00) paid to us by THE SOUTH EAST QUEENSLAND ELECTRICITY BOARD (hereinafter with its successors and assigns called "the Grantee") the receipt of which sum we hereby acknowledge DO HEREBY GRANT AND TRANSFER to the Grantee an easement in perpetuity with full and free liberty and right at all times hereafter to convey, distribute and transform electricity over, across and on the said land by means of electric lines in accordance with the "Electricity Act 1976" which states "electric line" means any wire or wires, conductor or other means used for the purpose of conveying, transmitting, transforming or distributing electricity, together with any casing, coating, covering, tube, pipe, pillar, pole or tower, post, frame, bracket or insulator enclosing, surrounding or supporting the same or any part thereof, or any apparatus connected therewith for the purpose of conveying, transmitting, transforming or distributing electricity; (or any Act or Acts amending or in substitution for the same) with full power to the Grantee, its employees and others authorised by the Grantee to :-

1. (a) Construct and erect on, in or through the said land the electric lines hereinbefore described (as shall be required for so conveying, distributing and transforming electricity).
- (b) Inspect, maintain, repair and replace such electric lines.
- (c) Remove and carry away at any time the whole or any part or parts of such electric lines.
2. Construct and erect additional or further electric lines and/or

reconstruct the existing electric lines and for such purpose to erect on, in, or through the said land such further or new electric lines as the Grantee shall require or consider necessary and in the event of the erection of further electric lines or the reconstruction of the existing electric line the Grantor reserves the right to make a claim for further compensation by reason of or arising out of the erection of such further electric lines or the reconstruction of the existing electric line as aforesaid provided that such claim for compensation shall be lodged with the Grantee within three (3) calendar months from the date the erection of such electric lines or reconstruction of the existing electric line shall have been completed.

3. Clear and keep clear the said land by any means or method and to cut and remove timber, trees and undergrowth from the said land and to burn off on the said land such timber, trees and undergrowth.
4. Construct and maintain such access tracks, gates and appurtenant works as the Grantee shall consider necessary on the said land, and, subject to the prior consent of the Grantor, construct and maintain access tracks, gates and appurtenant works off the said land which the Grantee shall consider necessary.
5. Permit and allow structures or buildings now located on the said land to remain at the pleasure of the Grantor but to prevent the Grantor making or causing to be made any alterations or additions to such structures or buildings affecting their overall dimensions without the prior approval in writing of the Grantee.
6. Permit and allow the replacement of existing structures and buildings on the said land with the prior approval in writing of the Grantee.
7. Permit and allow the erection of any additional structures and buildings on the said land with the prior approval in writing of the Grantee and subject to statutory electrical clearances being maintained.
8. Permit the use of the said land for any purpose not inconsistent with the rights previously mentioned hereby granted to the Grantee and not likely to cause interference with or endanger the Grantee's electric lines, access tracks and appurtenant works.
9. Enter upon and remain, pass and repass on and over the said land for all or any of the purposes aforesaid and with or without vehicles, plant and equipment of any description.
10. The right of ingress and egress to and from the said land, over the land of the Grantor adjoining or adjacent to the said land to permit access to the nearest surveyed road or to such other point on the land of the Grantor as the Grantee shall consider convenient or necessary to obtain access to and from the said land.
11. PREVENT:
 - (a) The erection of any buildings or structures (other than fences) on the said land without the prior approval in writing of the Grantee.
 - (b) Any person or persons from residing in or occupying any caravan or

Title Reference

1. DEFINITIONS AND INTERPRETATIONS

1.1 The following definitions and those on the Form 9 apply unless the context requires otherwise.

"Development Approval" means a development approval issued by the Grantor for the development of the Relevant Area.

"Easement" means this easement including the schedules to it and any later amendments or variations made by the parties in writing.

"Grantee" means the persons described in Item 5 of the Form 9 and each of their executors, successors, servants, agents, tenants, licensees and invitees.

"Grantor" means the persons described in Item 1 of the Form 9 and each of their executors, successors, servants, agents, tenants, licensees and invitees.

"Relevant Area" means the north-eastern corner of Lot 2 on SP 167978, which includes the Servient Tenement.

"Open Drainage Channel" means the Grantor's open drainage outlet for the purpose of drainage of water onto the Servient Tenement.

1.2 This Easement is governed by Queensland law.

2. GRANT OF EASEMENT

2.1 The Grantor grants to the Grantee a drainage easement, on the following terms to:-

2.1.1 enter the Servient Tenement with its contractors and machinery to maintain, repair and replace the Open Drainage Channel; and

2.1.2 drain water over the Servient Tenement.

3. GRANTOR'S OBLIGATIONS

3.1 The Grantor must:

3.1.1 not unreasonably prevent or restrict the Grantee in the exercise of the rights granted by this Easement, unless the Grantor is obliged by law to do so;

3.1.2 not unreasonably obstruct the Grantee's access to the Servient Tenement or unreasonably interfere with the rights granted to the Grantee by this Easement;

3.1.3 subject to Clause 4.1.4, maintain (at its cost) the surface of the Servient Tenement (other than the Open Drainage Channel) in a good condition;

3.1.4 not without the consent of the Grantee (acting reasonably) at any time change or alter anything done by the Grantee in the proper exercise of the Grantee's right under this Easement, unless the Grantor is obliged by law to do so; and

Title Reference

3.1.5 pay the municipal rates and land tax (if any) imposed on the Servient Tenement.

4. GRANTEE'S COVENANTS

4.1 The Grantee must:

4.1.1 not, without the prior written consent of the Grantor, install any other pipes, drains, conduits or channels on, above or below the surface of the Servient Tenement or extend or substantially alter the Open Drainage Channel;

4.1.2 not cause any damage to the Servient Tenement and the improvements thereon;

4.1.3 at all times exercise the right granted by this Easement in a proper manner and so as to cause as little inconvenience as possible; and

4.1.4 within a reasonable time, repair (at its cost) and make good any damage caused by the Grantee to the Servient Tenement and the improvements thereon in the course of the Grantee's exercise (or purported exercise) of the right granted by this Easement.

4.2 Notwithstanding clause 4.1, the Grantee shall not be liable for any damage caused to the Servient Tenement and the improvements thereon to the extent that such damage is caused or contributed to by the flow of water over the Servient Tenement.

5. RISK AND INDEMNITY

5.1 The Grantee must observe each Covenant in Clause 4 at the Grantee's risk and expense.

5.2 The Grantee enters, occupies and uses the Servient Tenement at the Grantee's risk.

6. BENEFIT AND BURDEN OF STIPULATIONS

6.1 The benefit and burden of the covenants, agreements and stipulations in this Easement shall pass with and bind the Servient Tenement and Dominant Tenement and bind all persons deriving title from or under the Grantor or Grantee and the Grantor and Grantee on ceasing to be the registered owners of the Servient Tenement and Dominant Tenement respectively shall have no further entitlement and be under no further liability for any event or occurrence thereto.

7. SUBSEQUENT SURRENDER OF EASEMENT

7.1 Notwithstanding anything elsewhere herein contained or implied, the Grantee agrees that:

7.1.1 this Easement will not restrict or prevent the further development of the Relevant Area;
and

7.1.2 it will surrender this Easement as a condition of any Development Approval provided that the proposed development which is the subject of the Development Approval deals with the issue of drainage of water to the Grantee's satisfaction (acting reasonably).

Title Reference

- 7.2 The Grantee must execute all such documentation required to effect a surrender of this Easement at the Department of Natural Resources & Mines.

8. COSTS

- 8.1 The Grantor must pay the Grantee's reasonable costs (including legal costs), in accordance with the pre-agreed fee estimate provided by the Grantee, in relation to the preparation, negotiation and execution of this Easement.
- 8.2 The Grantor must pay all stamp duty, registration fees and survey fees in connection with this Easement and the surrender of this Easement pursuant to clause 7.

9. NOTICES

- 9.1 Any notice or other communication given by a party in connection with this Easement is deemed to have been duly given when made in writing and signed by the party or, in the case of a corporation, by an authorised officer of the party and sent by prepaid post or facsimile to:
- 9.1.1 the last known residential or business address of the other party (in the case of an individual); or
- 9.1.2 the registered office or last known business address of the other party (in the case of a corporation).
- 9.2 Any notice or other communication sent by post shall be deemed to have been received at the expiration of two (2) business days after the date of posting.
- 9.3 Any notice or other communication sent by facsimile shall be deemed to have been received upon production by the sending party's facsimile machine of a transmission report indicating the facsimile has been successfully sent.

10. DISPUTE RESOLUTION

- 10.1 Any dispute which arises between the Grantor and the Grantee to this Easement may be determined by a solicitor of the Supreme Court of Queensland appointed by the Chief Executive Officer at the relevant time of the Queensland Law Society Inc at the request of the Grantor or the Grantee.
- 10.2 The solicitor shall act as an expert not as an arbitrator and the solicitor's determination is final and binding on both parties.
- 10.3 The costs of the solicitor's determination shall be borne equally by the Grantor and the Grantee.

Title Reference

11. GENERAL PROVISIONS

- 11.1 No variation, modification or waiver of any provision of this Easement will be of any effect unless it is in writing signed by the parties or (in the case of a waiver) by the party giving it. Any variation, modification or waiver will be effective only to the extent to or for which it may be made or given.
- 11.2 No failure, delay, relaxation or indulgence by any party in exercising any legal, equitable, contractual, statutory or other right, power, authority, benefit, privilege, remedy, discretion or cause of action conferred on that party by this Easement will operate as a waiver of it, nor will any single or partial exercise nor any single failure to do so preclude any other or future exercise under this Easement.
- 11.3 The Grantor and Grantee must do all things and sign all deeds and other documents which may be reasonably required by the other party so as to carry out and give effect to the terms and intentions of this Easement.

QUEENSLAND LAND REGISTRY
Land Title Act 1994 and Land Act 1994

EASEMENT

Form 9 Version 3
Page 1 of 1



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\$111.30

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04/01/2007 08:26

BE 600

Mirose Pty Ltd ACN 010 278 118

Duty Imprint

Queensland Duty Paid \$ 1.50
On the Amount of \$ 1.00 Duty Code 12F1
13A-BNE:16447 Transaction Number 89106
Sch4p4(6) Personal information 03,10,06

Lodger (Name, address & phone number)
Hogan Besley Boyd
GPO Box 458
Brisbane Qld 4001
Tel: (07) 3229 4408

Lodger Code
463

2. Description of Easement/Lot on Plan	County	Parish	Title Reference
Servient Tenement (burdened land)			
Easement M in Lot 2 on SP192396 on SP182880	March	Tewantin	50600241
Easement N in Lot 2 on SP192396 on SP182880	March	Tewantin	50600241
*Dominant Tenement (benefited land)			

* not applicable if easement in gross

3. Interest being burdened
Fee simple

*4. Interest being benefited
Not Applicable

* not applicable if easement in gross

5. **Grantee** Given names Surname/Company name and number (include tenancy if more than one)
Energex Limited A.C.N. 078 849 055

6. Consideration
\$1.00

7. Purpose of easement
Electricity Services

8. Grant/Execution

The Grantor for the above consideration grants to the Grantee the easement over the servient tenement for the purpose stated in item 7 and the Grantor and Grantee covenant with each other in terms of document no. 708346714.

Witnessing officer must be aware of his/her obligations under section 162 of the Land Title Act 1994

Witnessing Officer Sch4p4(6) Personal information

Execution Date

Sch4p4(6) Personal information Mirose Pty Ltd ACN 010 278 118

Grantor's Signature

Sch4p4(6) Personal information

signature

28/9/06

Sch4p4(6) Personal information

Director

Sch4p4(6) Personal information

full name

Sch4p4(6) Personal information

Secretary

Solicitor

qualification

(Witnessing officer must be in accordance with Schedule 1 of Land Title Act 1994 eg Legal Practitioner, JP, C Dec)

Witnessing Officer

Execution Date

Grantee's Signature

Sch4p4(6) Personal information signature

09/9/06

Sch4p4(6) Personal information

full name

Energex Limited ACN 078 849 055
by its constituted Attorney Kenneth Ross Pollock
Network Development and Property Manager under
Power of Attorney No. 709874834

C. DEC 80227

qualification

Sch4p4(6) Personal information

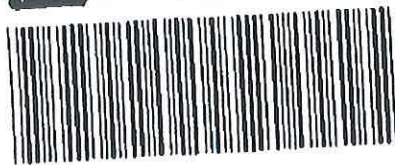
(Witnessing officer must be in accordance with Schedule 1 of Land Title Act 1994 eg Legal Practitioner, JP, C Dec)

QUEENSLAND LAND REGISTRY
Land Title Act 1994 and Land Act 1994

EASEMENT

Form 9 Version 3
Page 1 of 2

Duty Imprint



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04/01/2007 08:24

Queensland Duty Paid \$ 1.50	Duty Code TLEH
On the Amount of \$ 1.00	9/06
13A-DNE:16447 Transaction Number	9/06
Signed sch4p4(6) Personal information	9/06

BE 600

Mirose Pty Ltd ACN 010 278 118

Lodger (Name, address & phone number)
Hogan Besley Boyd
GPO Box 458
Brisbane Qld 4001
Tel: (07) 3229 4408

Lodger Code
463

2. Description of Easement/Lot on Plan	County	Parish	Title Reference
Servient Tenement (burdened land)			
Easement P in Lot 2 on SP 182880	March	Tewantin	50600241
Easement S in Lot 2 on SP 182880	March	Tewantin	50600241
* Dominant Tenement (benefited land)			(new title to issue)
N/A			
3. Interest being burdened	4. Interest being benefited		
Fee Simple	N/A		
	* not applicable if easement in gross		
5. Grantee	Given names	Surname/Company name and number	(include tenancy if more than one)
		Council of the Shire of Noosa	
6. Consideration	7. Purpose of easement		
\$1.00	Sewerage		

8. Grant/Execution

The Grantor for the above consideration grants to the Grantee the easement over the servient tenement for the purpose stated in item 7 and the Grantor and Grantee covenant with each other in terms of standard terms document number 701792601 as varied by the terms and conditions contained in the attached Schedule.

Witnessing officer must be aware of his/her obligations under section 162 of the Land Title Act 1994

Execution Date

Grantor's Signature

3, 10, 06

Mirose Pty Ltd ACN,010 278 118

sch4p4(6) Personal information

Director sch4p4(6) Personal information

sch4p4(6) Personal information

Director/Secretary

sch4p4(6) Personal information

Witnessing Officer

Execution Date

10, 10, 06

signature

full name

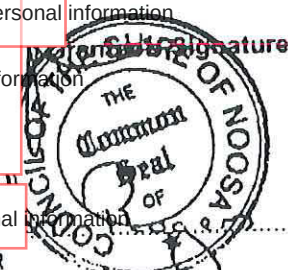
qualification

(Witnessing officer must be in accordance with Schedule 1 of Land Title Act 1994
eg Legal Practitioner, JP, C Dec)

sch4p4(6) Personal information

MAYOR

CHIEF EXECUTIVE OFFICER



SCHEDULE

Title Reference 50600241

Standard Registered Easement Document No. 701792601 is amended as follows:

A. The following clause is inserted:

"1 GRANTEE'S COVENANTS

1.1 Notwithstanding anything else herein contained or implied in this Easement, the Grantee must:

- 1.1.1** At all times exercise the right granted by this Easement in a proper manner and so as to cause as little inconvenience as possible; and
- 1.1.2** Within a reasonable time, repair (at its cost) and make good any damage caused by the Grantee to the Servient Tenement and any improvements thereon in the course of the Grantee's exercise (or purported exercise) of the right granted by this Easement."

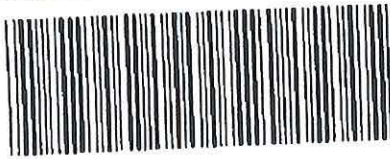
B. The words "and associated structures, access chambers, fittings and control devices" are inserted after the words "conduits and channels" at the end of the fourth line.

Published on DES Disclosure Log
RTI Act 2009

QUEENSLAND LAND REGISTRY
Land Title Act 1994 and Land Act 1994

EASEMENT

Form 9 Version 3
Page 1 of 2



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04/01/2007 08:25

BE 600

MIRROSE Pty Ltd ACN 010 278 118

Duty Imprint	
Queensland Duty Paid \$ 1.50	
On the Amount of \$ 1.00	Duty Code TRFH
13A-DNE:16447 Transaction Number	76/06
Signed:	sch4p4(6) Personal information 09/10/06

Lodger (Name, address & phone number)
Hogan Besley Boyd
GPO Box 458
Brisbane Qld 4001
Tel: (07) 3229 4408

Lodger Code
463

2. Description of Easement/Lot on Plan	County	Parish	Title Reference
Servient Tenement (burdened land)			
Easement Q in Lot 2 on SP 182880	March	Tewantin	50600241
Easement R in Lot 2 on SP 182880	March	Tewantin	50600241
* Dominant Tenement (benefited land)			(new title to issue)
N/A			
3. Interest being burdened	*4. Interest being benefited		
Fee Simple	N/A		
	* not applicable if easement in gross		
5. Grantee	Given names	Sumame/Company name and number	(include tenancy if more than one)
		Council of the Shire of Noosa	
6. Consideration	7. Purpose of easement		
\$1.00	Sewerage and Water Supply		

8. Grant/Execution

The Grantor for the above consideration grants to the Grantee the easement over the servient tenement for the purpose stated in item 7 and the Grantor and Grantee covenant with each other in terms of standard terms document number 701792601 (Sewerage) and 701792591 (Water Supply) as varied by the terms and conditions contained in the attached Schedule.

Witnessing officer must be aware of his/her obligations under section 162 of the Land Title Act 1994

Execution Date

Grantor's Signature

3 / 10 / 06

Mirrose Pty Ltd ACN 010 278 118

sch4p4(6) Personal information

Director

sch4p4(6) Personal information

sch4p4(6) Personal information

Director/Secretary

sch4p4(6) Personal information

sch4p4(6) Personal information

sch4p4(6) Personal information

sch4p4(6) Personal information

Witnessing Officer

Execution Date

10 / 10 / 06

signature

full name

qualification

(Witnessing officer must be in accordance with Schedule 1 of Land Title Act 1994
eg Legal Practitioner, JP, C Dec)

MAYOR
A/CHIEF EXECUTIVE OFFICER



SCHEDULE

Title Reference 50600241

Standard Registered Easement Document Nos. 701792601 and 701792591 are amended as follows:

A. The following clauses are inserted:

"1 GRANTEE'S COVENANTS

1.1 Notwithstanding anything else herein contained or implied in this Easement, the Grantee must:

- 1.1.1 At all times exercise the right granted by this Easement in a proper manner and so as to cause as little inconvenience as possible; and
- 1.1.2 Within a reasonable time, repair (at its cost) and make good any damage caused by the Grantee to the Servient Tenement and any improvements thereon in the course of the Grantee's exercise (or purported exercise) of the right granted by this Easement."

2. IMPROVEMENTS

- 2.1 The Grantee acknowledges the existence of the roof overhang at RL17.03m AHD which is located above the Servient Tenement at the date of this Easement (and which are identified as existing in the Servient Tenement on the Easement Plan 182880)."

B. The words "and associated structures, access chambers, fittings and control devices" are inserted after the words "conduits and channels" at the end of the fourth line.

QUEENSLAND LAND REGISTRY
Land Title Act 1994 and Land Act 1994

EASEMENT

Form 9 Version 3
Page 1 of 2

Duty Imprint



BE 600

Mirose Pty Ltd ACN 010 278 118

710227522
\$111.30
\$111.30
04/01/2007 08:25

Queensland Duty Paid \$1.50	Duty Code REH
On the Amount of \$ 1.00	Transaction Number 98106
13A-DNE-1647	Signed: 31/10/06

Lodger (Name, address & phone number)
Hogan Besley Boyd
GPO Box 458
Brisbane Qld 4001
Tel: (07) 3229 4408

Lodger
Code
463

2. Description of Easement/Lot on Plan	County	Parish	Title Reference
Servient Tenement (burdened land)			
Easement T in Lot 2 on SP 182880	March	Tewantin	50600241
Easement U in Lot 2 on SP 182880	March	Tewantin	50600241
Easement V in Lot 2 on SP 182880	March	Tewantin	50600241
* Dominant Tenement (benefited land)			(new title to issue)
N/A			

3. Interest being burdened
Fee Simple

*4. Interest being benefited
N/A

* not applicable if easement in gross

5. Grantee Given names

Surname/Company name and number
Council of the Shire of Noosa

(include tenancy if more than one)

6. Consideration
\$1.00

7. Purpose of easement
Drainage

8. Grant/Execution

The Grantor for the above consideration grants to the Grantee the easement over the servient tenement for the purpose stated in item 7 and the Grantor and Grantee covenant with each other in terms of standard terms document number 701792597 as varied by the terms and conditions contained in the attached Schedule.

Witnessing officer must be aware of his/her obligations under section 162 of the Land Title Act 1994

Execution Date

3 / 10 / 06

Grantor's Signature

Mirose Pty Ltd ACN 010 278 118
sch4p4(6) Personal information
sch4p4(6) Personal information

Director

sch4p4(6) Personal information
sch4p4(6) Personal information

Director/Secretary

sch4p4(6) Personal information
sch4p4(6) Personal information

Execution Date

10 / 10 / 06

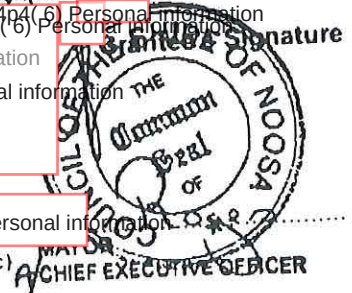
Witnessing Officer

signature

full name

qualification

(Witnessing officer must be in accordance with Schedule 1 of Land Title Act 1994 eg Legal Practitioner, JP, C Dec)



SCHEDULE

Title Reference 50600241

Standard Registered Easement Document No. 701792597 is amended as follows:

A. The following clause is inserted:

"1 GRANTEE'S COVENANTS

1.1 Notwithstanding anything else herein contained or implied in this Easement, the Grantee must:

- 1.1.1 At all times exercise the right granted by this Easement in a proper manner and so as to cause as little inconvenience as possible; and
- 1.1.2 Within a reasonable time, repair (at its cost) and make good any damage caused by the Grantee to the Servient Tenement and any improvements thereon in the course of the Grantee's exercise (or purported exercise) of the right granted by this Easement."

B. The Grantor covenants and agrees that the Grantee may discharge rain and stormwater from the adjoining road system onto the Servient Tenement whereupon the Grantor undertakes to operate and maintain a stormwater disposal system which is to the standards and requirements of the Grantee.

Appendix E

COVENANT DOCUMENTATION

Published on DES Disclosure Log
RTI Act 2009

QUEENSLAND LAND REGISTRY
Land Title Act 1994 and Land Act 1994

COVENANT

Form 31 Version 2

Page 1 of 5-6



BE 616

710056589

710227518

\$111.30

\$111.30

04/01/2007 08:24

Lodger (Name, address & phone number)

Lodger
Code

463

sch4p4(6) Personal information

Mirose Pty Ltd ACN 010 278 118

2. Description of Covenant / Lot on Plan	County	Parish	Title Reference
Covenant I in Lot 2 on SP182845	March	Tewantin	50600241 (new Title to issue)
Covenant J in Lot 2 on SP182845	March	Tewantin	50600241 (new Title to issue)
Covenant K in Lot 2 on SP182845	March	Tewantin	50600241 (new Title to issue)
Covenant L in Lot 2 on SP182845	March	Tewantin	50600241 (new Title to issue)

3. Covenant

Council of the Shire of Noosa

sch4p4(6) Personal information

4. Description of Covenant (include reference to relevant section of legislation)

Pursuant to sections 97A(3)(a)(i) and 97A(3)(b) of the Land Title Act 1994, the Covenant is to restrict the use of part of the lots described in Item 2 in the manner set out in the attached Schedule.

preserve the native vegetation on the land

5. Execution

The Covenantor being the registered owner of the lot described in item 2 covenants with the Covenantee in respect of the covenant described in item 4 and the attached schedule.

Witnessing officer must be aware of his/her obligations under section 161 of the Land Title Act 1994

Witnessing Officer

sch4p4(6) Personal information

sch4p4(6) Personal information

sch4p4(6) Personal information

SOLICITOR

Execution Date

14, 8, 06

Covenantor's Signature

Mirose Pty Ltd ACN 010 278 118

sch4p4(6) Personal information

sch4p4(6) Personal information

Director

sch4p4(6) Personal information

Director/Secretary

sch4p4(6) Personal information

sch4p4(6) Personal information

Covenantee's Signature

Witnessing Officer

Execution Date

3, 11, 06

signature

full name

qualification

(Witnessing officer must be in accordance with Schedule 1 of Land Title Act 1994 eg Legal Practitioner JP C Dec)

A/0608013h doc

This is the Schedule referred to in the Form 31 Covenant dated the 3rd day of October 2006.

1. **Purpose**

sch4p4(6) Personal information

This Covenant is entered into between the Covenantor and Covenantee pursuant to sections 94A(3)(a)(i) and 97A(3)(b) of the *Land Title Act 1994* for the purpose of the ~~conservation~~ preservation of the existing native vegetation in the lots described in Item 2 of the Form 31 Covenant.

sch4p4(6) Personal information

2. **Interpretation**

The Covenantor and the Covenantee agree that the intent of this Covenant is to ensure that the Native Vegetation on the Native Vegetation Area is maintained, and the Covenantor and the Covenantee agree that this Covenant is to be interpreted, performed and applied accordingly.

3. **Definitions**

In this Covenant: -

"Approved Plans" means any plans approved by the Covenantee at the date of this Covenant or in the future regarding the Land.

"Building" means a fixed structure that is either wholly or partly enclosed by walls and is roofed and includes any part of a building.

"Covenantee" means the Council of the Shire of Noosa and its successors.

"Covenantee's Agents" includes the Covenantee's elected members and officials together with the Covenantee's relevant agents, employees, contractors and subcontractors.

"Covenantee's Right of Access" means the rights set out in Clause 5 of this Covenant.

"Covenantor" means the registered proprietor of the Land and its successors in title, transferees and assignees.

"Covenantor's Obligations" means the obligations set out in Clause 4 of this Covenant.

"Declared and Undesirable Plants" means any vegetation declared by any legislation with jurisdiction in the State of Queensland, and any species defined as undesirable by the Noosa Council through either a Planning Scheme Policy or an adopted Pest Management Plan.

"Dividing Fences" has the same meaning as in the *Dividing Fence Act 1953*.

"Erect" includes erect, construct, make or place and also includes commencing or continuing the erection, construction, making or placing.

"Land" means the property described in Item 2 of the Covenant and any land created in lieu thereof by registration of any plan and howsoever described.

"Management Plan" means all management plans approved by the Covenantee from time to time affecting the Native Vegetation Area of the Land including but without limitation: -

- (a) Environmental Management Plan
- (b) Site Rehabilitation Plan
- (c) Stormwater Management Plan
- (d) Bushfire Management Plan

sch4p4(6) Personal information

"Native Vegetation Area" means the part of the Land depicted on the Survey Plan as being subject to the Covenant described in Item 2 of the Form 31 Covenant.

"Native Vegetation" means the native trees, bushes, plants, shrubs, flowers, grasses, algae and fungi, but does not include Declared and Undesirable Plants.

"Structure" includes any Building, wall, fence (other than a Dividing Fence), pillar, pipe, drain, conduit, post, roadway or path or other structure or erection.

"Survey Plan" means Plan SP182845.

4. Covenantor's Obligations

4.1. The Covenantor covenants and agrees with the Covenantee that the Native Vegetation Area will be protected, preserved and conserved by the Covenantor to the satisfaction of the Covenantee. Without limiting the generality of the preceding, the Covenantor agrees that: -

- (a) No living or dead vegetation now existing or hereafter existing in the Native Vegetation Area, will be trimmed, pruned, cut down, damaged, destroyed, mowed, harvested, picked or removed from the Native Vegetation Area unless approved by the Covenantee. However, in accordance with the Letter of Undertaking dated September 28, 2006 provided by Energex Limited ("Energex") to the Covenantor (a copy of which is attached as "Annexure 'A'"), the Covenantee acknowledges that Energex may be required in situations of emergency to clear part of the Native Vegetation Area which is subject to Energex's Easement for electricity services purposes without obtaining the Covenantee's prior approval subject to Energex causing as minimal disturbance as possible to the Native Vegetation Area. In any event, the Covenantor will reinstate, repair and make good any damage caused to the Native Vegetation Area (and any Native Vegetation) within a reasonable time;
- (b) No fixtures or improvements including Buildings or other Structures other than Structures approved in the Management Plan, the Master Plan (Map SBC (MP2 Plan)) or Approved Plans or previously approved by the Covenantee in writing will be erected in the Native Vegetation Area;
- (c) No trail, path, access or other way (other than those approved in the Management Plan, the Master Plan (Map SBC (MP2 Plan)) or Approved Plans or by the Covenantee) will be made laid out or erected in the Native Vegetation Area;
- (d) No fill, soil, rock, rubbish, ash, garbage, waste or other material foreign to the Native Vegetation Area will be deposited in or on the Native Vegetation Area other than mulch for the better growing of the vegetation in the Native Vegetation Area;
- (e) No other acts will be carried out in or in respect of the Native Vegetation Area which, in the opinion of the Covenantee, acting reasonably, may have a detrimental impact on the Native Vegetation Area;
- (f) The Covenantor will be responsible for the ongoing control and eradication of Declared or Undesirable Plants on the land; and
- (g) The Covenantor will adhere to the Management Plan.

4.2. Notwithstanding clause 4.1(a), if any living or dead vegetation on the Land (including the Native Vegetation Area) poses a risk to human safety: -

- (a) The vegetation may be cut down or trimmed with the prior written consent of the Covenantee, which will not be unreasonably withheld, so as to remove the risk; and
- (b) Unless it would, in the Covenantee's reasonable opinion, constitute a fire hazard, the cut vegetation or trimmings must be left on the Land so that natural regeneration processes may occur.

4.3. Notwithstanding clause 4.1, the Covenantor may undertake works in the Native Vegetation Area with the prior written consent of the Covenantee, which is not to be unreasonably withheld.

5. Covenantor's Rights of Access

The Covenantor hereby expressly authorises the Covenantor, at any reasonable time, to:-

- (a) Enter, re-enter, and traverse the Native Vegetation Area;
- (b) Enter, re-enter, and traverse that part of the Land that is reasonably required to in order to enter, re-enter, and traverse the Native Vegetation Area; and
- (c) Inspect, test and monitor the Native Vegetation Area and Native Vegetation on the Native Vegetation Area.

6. Covenantor May do Work

The Covenantor may, at any reasonable time carry out any planting, replanting, rehabilitation or remedial work in the Native Vegetation Area so as to restore any Native Vegetation harmed or damaged, for whatever reason, to a state as near as is practical to the state prior to such damage or harm.

7. Remedy for Non-Compliance

- 7.1. In the event of non-compliance by the Covenantor with the Covenantor's obligations contained in this Covenant, the Covenantor may, in its absolute discretion, issue a written direction requiring the Covenantor to remedy the non-compliance.
- 7.2. Where the Covenantor issues a written direction pursuant to clause 7.1, the Covenantor shall comply with the direction within 14 days of the issue of the direction or such other reasonable time as may be specified in the direction.
- 7.3. In the event that the Covenantor fails to comply with the written direction within the time allowed in accordance with clause 7.2, the Covenantor may enter the Covenant Area, perform the work required to ensure compliance by the Covenantor with the Covenantor's obligations and recover the costs of performing the work from the Covenantor as a debt payable on demand.

8. Release and Indemnity

The Covenantor irrevocably releases the Covenantor from and waives any right, claim, remedy, action, cause of action, loss, damage, expense or liability which the Covenantor may have against it in respect of this Covenant or its performance or breach. The Covenantor hereby indemnifies and holds the Covenantor harmless from and against any claim, right, action, remedy, cause of action, loss, damage, expense or liability incurred, suffered or asserted by it or anyone else in connection with the performance of this Covenant by the Covenantor or its breach by the Covenantor or in connection with any negligence or other legal wrong of the Covenantor.

The Covenantor agrees with the Covenantor that the Covenantor is, as between the Covenantor and the Covenantor, the sole occupier of the land.

9. No Obligations on Covenantor

The rights given to the Covenantor by this Covenant are permissive only and nothing in this Covenant imposes any duty of any kind on the Covenantor to anyone or obliges the Covenantor to perform any act or incur any expense for any of the purposes set out in this Covenant.

10. No Effect on Rates and Charges

Nothing in this Covenant or itself affects any obligations of the Covenantor to pay all taxes, rates, charges and levies lawfully imposed in respect of the Land.

11. Registration

The Covenantor agrees to do everything necessary at the Covenantor's expense to ensure that this Covenant is registered against the title to the Land.

12. **Severance**

If any part of this Covenant is held to be invalid, illegal or unenforceable by a court having the jurisdiction to do so, that part is to be considered severed from the rest of this Covenant and the rest of this Covenant remains in force and unaffected by that holding or by the severance of that part.

13. **Enurement**

This Covenant binds the parties to it and their respective successors and administrators.

14. **Conflict**

14.1 In the event of any conflict between the obligations placed on the Covenantee in clauses 4.1(a) - 4.1(f), inclusive and clause 4.1(g), clause 4.1(g) will prevail to the extent of any inconsistency.

14.2 Nothing in this Covenant will limit any right given to the Covenantee pursuant to any easement granted to or that benefits the Covenantee in the Native Vegetation Area registered before or after the creation of this Covenant.

Published on DES Disclosure Log
RTI Act 2009

ANNEXURE A

28 September 2006

The Directors
 Mirose Pty Ltd
 PO Box 3144
 SOUTH BRISBANE QLD 4101



Attention sch4p4(6) Personal information

Dear Leanno

Noosa Civic - Easements M and N on SP192396

We refer to our meeting today regarding the above matter and ENERGEX easement requirements for the project.

Whilst ENERGEX is not willing to alter our standard easements, we are prepared to provide the following comments and/or undertakings:-

- Access to the easement area to remove vegetation will only occur under emergency situations and the registered proprietor of the property or Noosa Shire Council will be responsible for reinstatement of the area to its prior condition.
- ENERGEX acknowledges that there are other existing services in the easement and that the current ENERGEX standards for separation will be followed.

The supply of electricity to the proposed development cannot occur until the following has occurred:-

- Easement documents in accordance with ENERGEX's standard easement conditions are executed by both parties
- All necessary consents are obtained and copies provided to ENERGEX.
- Undertaking to register the easements without delay and attend to any requisitions within 3 business days.
- Agreement to the terms and conditions of this letter.

Once this has been completed, ENERGEX will require up to 7 business days notice for switching and final connection. Please call me on 3407 4667 if you have any questions regarding the above matter.

Yours sincerely

sch4p4(6) Personal information

Network Property Specialist



Enquiries

sch4p4(6) Personal information

Telephone

(07) 3407 4667

Facsimile

(07) 3407 4144

Email

sch4p4(6) Personal information

Corporate Office

160 Charlotte Street

Brisbane Qld 4000

GPO Box 1461

Brisbane Qld 4001

Telephone (07) 3407 4000

Facsimile (07) 3407 4656

www.energex.com.au

ENERGEX Limited

ABN 40 078 840 065

Appendix F

CURRENT TITLES SEARCH & SURVEY PLANS

Published on DES Disclosure Log
RTI Act 2009

CURRENT TITLE SEARCH

NATURAL RESOURCES AND WATER, QUEENSLAND

Request No: 2497397
Search Date: 15/11/2007 09:53

Title Reference: 50644777
Date Created: 08/01/2007

Previous Title: 50644775

REGISTERED OWNER

Dealing No: 710227519 04/01/2007

MIROSE PTY LTD A.C.N. 010 278 118

ESTATE AND LAND

Estate in Fee Simple

LOT 2

SURVEY PLAN 182880

County of MARCH

Local Government: NOOSA SHIRE

Parish of TEWANTIN

EASEMENTS, ENCUMBRANCES AND INTERESTS

1. Rights and interests reserved to the Crown by
Deed of Grant No. 11714027 (Lot 29 on CP MCH390)
2. EASEMENT IN GROSS No 602533547 (G983354) 12/05/1983
burdening the land
THE SOUTH EAST QUEENSLAND ELECTRICITY BOARD
over
EASEMENT D ON RP177294
3. TRANSFER No 703629293 13/10/1999 at 13:58
EASEMENT IN GROSS: 602533547 (G983354)
SOUTH EAST QUEENSLAND ELECTRICITY CORPORATION LIMITED A.C.N.
078 849 055
4. EASEMENT IN GROSS No 602533548 (H49699) 04/08/1983
BURDENING THE LAND
TO COUNCIL OF THE SHIRE OF NOOSA
OVER EASEMENT A ON RP183901
5. EASEMENT IN GROSS No 602533554 (L463025D) 23/04/1993
BURDENING THE LAND
TO COUNCIL OF THE SHIRE OF NOOSA
OVER EASEMENT W ON RP844425
6. MORTGAGE No 708119030 08/10/2004 at 09:06
COMMONWEALTH BANK OF AUSTRALIA A.B.N. 48 123 123 124

CURRENT TITLE SEARCH

NATURAL RESOURCES AND WATER, QUEENSLAND

Request No: 2497397
Search Date: 15/11/2007 09:53

Title Reference: 50644777
Date Created: 08/01/2007

EASEMENTS, ENCUMBRANCES AND INTERESTS

7. EASEMENT IN GROSS No 710212346 22/12/2006 at 11:26
burdening the land
COUNCIL OF THE SHIRE OF NOOSA
over
EASEMENT E ON SP167978
8. COVENANT No 710227518 04/01/2007 at 08:24
COUNCIL OF THE SHIRE OF NOOSA
OVER COVENANTS I, J, K AND L ON SP182845
9. EASEMENT IN GROSS No 710227520 04/01/2007 at 08:24
burdening the land
COUNCIL OF THE SHIRE OF NOOSA
over
EASEMENTS P AND S ON SP182880
10. EASEMENT IN GROSS No 710227521 04/01/2007 at 08:25
burdening the land
COUNCIL OF THE SHIRE OF NOOSA
over
EASEMENTS Q AND R ON SP182880
11. EASEMENT IN GROSS No 710227522 04/01/2007 at 08:25
burdening the land
COUNCIL OF THE SHIRE OF NOOSA
over
EASEMENT T, U AND V ON SP182880
12. EASEMENT IN GROSS No 710227524 04/01/2007 at 08:26
burdening the land
ENERGEX LIMITED A.C.N. 078 849 055
over
EASEMENTS M AND N ON SP192396
13. LEASE No 710341326 15/02/2007 at 12:20
NOOSA MEAT FISH & POULTRY PTY LTD A.C.N. 099 569 810
OF PART OF THE GROUND FLOOR (LEASE 1002)
TERM: 12/10/2006 TO 11/10/2012 OPTION NIL
14. LEASE No 710341332 15/02/2007 at 12:22
SUNFONES PTY LTD A.C.N. 107 580 530
OF PART OF THE GROUND FLOOR (LEASE 1004)
TERM: 12/10/2006 TO 11/10/2012 OPTION NIL
15. LEASE No 710341336 15/02/2007 at 12:22
NOVELLINO PTY LTD A.C.N. 112 654 850
OF PART OF THE GROUND FLOOR (LEASE 1005/6)
TERM: 12/10/2006 TO 11/10/2016 OPTION NIL

CURRENT TITLE SEARCH

NATURAL RESOURCES AND WATER, QUEENSLAND

Request No: 2497397
Search Date: 15/11/2007 09:53

Title Reference: 50644777
Date Created: 08/01/2007

EASEMENTS, ENCUMBRANCES AND INTERESTS

24. LEASE No 710400463 08/03/2007 at 13:07
THE COFFEE CLUB (PROPERTIES) PTY LTD A.C.N. 066 111 742
OF PART OF THE GROUND FLOOR [LEASE 1049]
TERM: 12.10.2006 TO 11.10.2013 OPTION NIL
25. LEASE No 710400465 08/03/2007 at 13:08
TALLABROOK ENTERPRISES PTY LTD A.C.N. 100 880 359
TRUSTEE 1/2
UNDER INSTRUMENT NO.710400465
ALKALMAR PTY LTD A.C.N. 119 131 314 TRUSTEE 1/2
UNDER INSTRUMENT NO.710400465
OF PART OF THE GROUND FLOOR [LEASE 1069A]
TERM: 12.10.2006 TO 11.10.2016 OPTION NIL
26. LEASE No 710431000 19/03/2007 at 16:22
MICHAEL HILL JEWELLER (AUSTRALIA) PTY LTD A.C.N. 003 181 333
PART OF THE GROUND FLOOR LEASE 1059
TERM: 12/10/2006 TO 11/10/2012 OPTION NIL
27. LEASE No 710431001 19/03/2007 at 16:23
STEFAN HAIR FASHIONS PTY LTD A.C.N. 009 779 300
PART OF THE GROUND FLOOR LEASE 1065
TERM: 12/10/2006 TO 11/10/2012 OPTION NIL
28. LEASE No 710431004 19/03/2007 at 16:24
NONI B LIMITED A.C.N. 003 321 579
PART OF THE GROUND FLOOR LEASE 1013
TERM: 12/10/2006 TO 11/10/2011 OPTION NIL
29. LEASE No 710431009 19/03/2007 at 16:25
THE JEWELLERY CHAIN PROPRIETARY LIMITED A.C.N. 005 984 798
PART OF THE GROUND FLOOR LEASE 1014
TERM: 12/10/2006 TO 11/10/2011 OPTION NIL
30. LEASE No 710502880 16/04/2007 at 14:57
PAYLESS SHOES PTY LTD A.C.N. 002 717 419
OF PART OF THE GROUND FLOOR OF A BUILDING (LEASE 1048)
TERM: 12/10/2006 TO 11/10/2011 OPTION NIL
31. LEASE No 710509436 18/04/2007 at 11:11
EXECUTIVE INVESTMENTS AUSTRALIA PTY LTD A.C.N. 078 496 358
TRUSTEE
UNDER INSTRUMENT 710509436
OF PART OF THE GROUND FLOOR (LEASE 1034A)
TERM: 12/10/2006 TO 11/10/2013 OPTION NIL

CURRENT TITLE SEARCH

NATURAL RESOURCES AND WATER, QUEENSLAND

Request No: 2497397

Search Date: 15/11/2007 09:53

Title Reference: 50644777

Date Created: 08/01/2007

EASEMENTS, ENCUMBRANCES AND INTERESTS

32. LEASE No 710509461 18/04/2007 at 11:13
RED ZOO PTY LTD A.C.N. 100 724 392 TRUSTEE
UNDER INSTRUMENT 710509461
OF PART OF THE GROUND FLOOR (LEASE 1055)
TERM: 12/10/2006 TO 11/10/2013 OPTION NIL
33. LEASE No 710509474 18/04/2007 at 11:14
BUZZ HOLDINGS PTY LTD A.C.N. 099 411 060
OF PART OF THE GROUND FLOOR (LEASE 1067)
TERM: 12/10/2006 TO 11/10/2013 OPTION NIL
34. LEASE No 710509483 18/04/2007 at 11:15
HEALTH MINDERS PTY LIMITED A.C.N. 002 202 913
OF PART OF THE GROUND FLOOR (LEASE 1068)
TERM: 12/10/2006 TO 11/10/2013 OPTION NIL
35. LEASE No 710509491 18/04/2007 at 11:16
PENNI PTY LTD A.C.N. 107 630 419
OF PART OF THE GROUND FLOOR (LEASE 1042)
TERM: 12/10/2006 TO 11/10/2012 OPTION NIL
36. LEASE No 710509500 18/04/2007 at 11:16
BUTTERFLY SILVER LEASING PTY LTD A.C.N. 114 378 531
OF PART OF THE GROUND FLOOR (LEASE 1043B)
TERM: 12/10/2006 TO 11/10/2011 OPTION NIL
37. LEASE No 710509509 18/04/2007 at 11:17
JEANSWEST CORPORATION PTY LTD A.C.N. 007 305 839
OF PART OF THE GROUND FLOOR (LEASE 1050)
TERM: 12/10/2006 TO 11/10/2011 OPTION NIL
38. LEASE No 710509517 18/04/2007 at 11:18
COLORADO GROUP LTD A.C.N. 004 327 566
OF PART OF THE GROUND FLOOR (LEASE 1056)
TERM: 12/10/2006 TO 11/10/2011 OPTION NIL
39. LEASE No 710509530 18/04/2007 at 11:19
BLUE & WHITE PTY LTD A.C.N. 079 627 393
OF PART OF THE GROUND FLOOR (LEASE 1060)
TERM: 12/10/2006 TO 11/10/2013 OPTION NIL
40. LEASE No 710509542 18/04/2007 at 11:20
MCMAHON PROPERTIES PTY LTD A.C.N. 074 365 389 TRUSTEE
UNDER INSTRUMENT 710509542
OF PART OF THE GROUND FLOOR (LEASE CB-2/03)
TERM: 12/10/2006 TO 11/10/2011 OPTION NIL

CURRENT TITLE SEARCH

NATURAL RESOURCES AND WATER, QUEENSLAND

Request No: 2497397
Search Date: 15/11/2007 09:53

Title Reference: 50644777
Date Created: 08/01/2007

EASEMENTS, ENCUMBRANCES AND INTERESTS

41. LEASE No 710511808 18/04/2007 at 14:52
sch4p4(6) Personal information TENANT IN COMMON 1/2
sch4p4(6) Personal information TENANT IN COMMON 1/2
OF PART OF THE GROUND FLOOR (LEASE 1023)
TERM: 12/10/2006 TO 11/10/2011 OPTION NIL
42. LEASE No 710511812 18/04/2007 at 14:53
KKWI PTY LTD A.C.N. 114 907 925
OF PART OF THE GROUND FLOOR (LEASE 1033)
TERM: 12/10/2006 TO 11/10/2012 OPTION NIL
43. LEASE No 710511815 18/04/2007 at 14:53
DACKBROOK PTY LTD A.C.N. 010 273 800 TENANT IN COMMON 1/2
WEST END PTY LTD A.C.N. 072 706 195 TENANT IN COMMON 1/2
OF PART OF THE GROUND FLOOR (LEASE 1046)
TERM: 12/10/2006 TO 11/10/2011 OPTION NIL
44. LEASE No 710511817 18/04/2007 at 14:53
SUPRE PTY LTD A.C.N. 002 927 773
OF PART OF THE GROUND FLOOR (LEASE 1051)
TERM: 12/10/2006 TO 11/10/2011 OPTION NIL
45. LEASE No 710511822 18/04/2007 at 14:54
GREEN & KOVACS PTY LTD A.C.N. 072 763 743
OF PART OF THE GROUND FLOOR (LEASE 1071)
TERM: 12/10/2006 TO 11/10/2013 OPTION NIL
46. LEASE No 710511826 18/04/2007 at 14:54
DADDOW'S NOOSA MOTORS PTY LTD A.C.N. 009 873 572
OF PART OF THE GROUND FLOOR (LEASE 1073/74)
TERM: 12/10/2006 TO 11/10/2011 OPTION NIL
47. LEASE No 710511828 18/04/2007 at 14:54
sch4p4(6) Personal information
sch4p4(6) Personal information JOINT TENANTS
OF PART OF THE GROUND FLOOR (LEASE K1002A)
TERM: 12/10/2006 TO 11/10/2013 OPTION NIL
48. LEASE No 710631401 30/05/2007 at 11:08
SUBWAY REALTY PTY LTD A.C.N. 009 277 374
OF PART OF THE GROUND FLOOR (LEASE 1036)
TERM: 12/10/2006 TO 11/10/2014 OPTION NIL
49. LEASE No 710631413 30/05/2007 at 11:09
RIVERS (AUSTRALIA) PTY LTD A.C.N. 004 151 393
OF PART OF THE GROUND FLOOR (LEASE EA02-04)
TERM: 09/12/2006 TO 08/12/2011 OPTION NIL

CURRENT TITLE SEARCH

NATURAL RESOURCES AND WATER, QUEENSLAND

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Title Reference: 50644777
Date Created: 08/01/2007

EASEMENTS, ENCUMBRANCES AND INTERESTS

50. LEASE No 710631422 30/05/2007 at 11:10
WIDE BAY AUSTRALIA LTD A.C.N. 087 652 060
OF PART OF THE GROUND FLOOR (LEASE 1064)
TERM: 12/10/2006 TO 11/10/2011 OPTION NIL
51. LEASE No 710631434 30/05/2007 at 11:11
NATIONAL AUSTRALIA BANK LIMITED A.C.N. 004 044 937
OF PART OF THE FIRST FLOOR OF A BUILDING (LEASE 06/7/8)
TERM: 12/10/2006 TO 11/10/2014 OPTION NIL
52. LEASE No 710631442 30/05/2007 at 11:11
sch4p4(6) Personal information TENANT IN COMMON 1/3
sch4p4(6) Personal information TENANT IN COMMON 1/3
sch4p4(6) Personal information TENANT IN COMMON 1/3
OF PART OF THE GROUND FLOOR (LEASE 1052)
TERM: 12/10/2006 TO 11/10/2013 OPTION NIL
53. LEASE No 710631453 30/05/2007 at 11:12
EXCALIBUR TRADING PTY LTD A.C.N. 086 859 136
OF PART OF THE GROUND FLOOR (LEASE K1004)
TERM: 12/10/2006 TO 11/10/2011 OPTION NIL
54. LEASE No 710631460 30/05/2007 at 11:13
sch4p4(6) Personal information
OF PART OF THE GROUND FLOOR (LEASE 1034B)
TERM: 12/10/2006 TO 11/10/2011 OPTION NIL
55. LEASE No 710631471 30/05/2007 at 11:14
HARRISONS NORTH PTY LIMITED A.C.N. 113 840 841
OF PART OF THE GROUND FLOOR (LEASE MM1)
TERM: 12/10/2006 TO 11/10/2016 OPTION NIL
56. MORTGAGE No 711105383 19/10/2007 at 12:00
BANK OF WESTERN AUSTRALIA LTD A.B.N. 22 050 494 454
over
LEASE: 710631471
57. LEASE No 710631485 30/05/2007 at 11:14
RUGS QLD PTY LTD A.C.N. 109 826 468
OF PART OF THE GROUND FLOOR (LEASE ED2)
TERM: 12/10/2006 TO 11/10/2011 OPTION NIL
58. LEASE No 710631501 30/05/2007 at 11:15
sch4p4(6) Personal information TENANT IN COMMON 1/2
sch4p4(6) Personal information TENANT IN COMMON 1/2
OF PART OF THE GROUND FLOOR (LEASE 1032)
TERM: 12/10/2006 TO 11/10/2014 OPTION NIL

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59. LEASE No 710631516 30/05/2007 at 11:16
ELECTRICAL HOME-AIDS PTY LIMITED A.C.N. 007 539 577
OF PART OF THE GROUND FLOOR (LEASE ED04)
TERM: 14/12/2006 TO 13/12/2013 OPTION NIL
60. LEASE No 710631527 30/05/2007 at 11:17
MILLER'S RETAIL LIMITED A.C.N. 057 569 169
OF PART OF THE GROUND FLOOR (LEASE 1045)
TERM: 12/10/2006 TO 11/10/2012 OPTION NIL
61. LEASE No 710631534 30/05/2007 at 11:17
AXAMER PTY LTD A.C.N. 095 861 322 TRUSTEE
UNDER INSTRUMENT 710631534
OF PART OF THE GROUND FLOOR (LEASE BA04)
TERM: 02/04/2007 TO 01/04/2013 OPTION NIL
62. LEASE No 710631540 30/05/2007 at 11:18
LE GREG INVESTMENTS PTY LTD A.C.N. 088 978 634
OF PART OF THE GROUND FLOOR (LEASE 1072)
TERM: 12/10/2006 TO 11/10/2011 OPTION NIL
63. LEASE No 710631545 30/05/2007 at 11:19
TENANT IN COMMON 1/3
OF PART OF THE GROUND FLOOR (LEASE 1035B)
TERM: 12/10/2006 TO 11/10/2012 OPTION NIL
64. LEASE No 710631556 30/05/2007 at 11:19
FONE ZONE LIMITED A.C.N. 061 796 414
OF PART OF THE GROUND FLOOR (LEASE 1058B)
TERM: 12/10/2006 TO 11/10/2012 OPTION NIL
65. LEASE No 710631566 30/05/2007 at 11:20
HERITAGE BUILDING SOCIETY LIMITED A.C.N. 087 652 024
OF PART OF THE GROUND FLOOR (LEASE 1030)
TERM: 12/10/2006 TO 11/10/2011 OPTION NIL
66. LEASE No 710631575 30/05/2007 at 11:21
FLIGHT CENTRE LIMITED A.C.N. 003 377 188
OF PART OF THE GROUND FLOOR (LEASE 1061)
TERM: 12/10/2006 TO 11/10/2012 OPTION NIL
67. LEASE No 710634455 30/05/2007 at 16:02
DICK SMITH ELECTRONICS PTY LTD A.C.N. 000 908 716
OF PART OF THE GROUND FLOOR (LEASE EC01)
TERM: 12/10/2006 TO 11/10/2012 OPTION NIL

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68. LEASE No 710634473 30/05/2007 at 16:03
LEALDIR PTY LTD A.C.N. 104 246 433
OF PART OF THE GROUND FLOOR (LEASE MM2)
TERM: 12/10/2006 TO 11/10/2011 OPTION NIL
69. LEASE No 710634487 30/05/2007 at 16:04
KING OF KNIVES PTY LIMITED A.C.N. 003 232 531
OF PART OF THE GROUND FLOOR (LEASE 1066)
TERM: 12/10/2006 TO 11/10/2012 OPTION NIL
70. LEASE No 710634496 30/05/2007 at 16:05
STINGRAY PTY LTD A.C.N. 009 844 820 TENANT IN COMMON 1/2
FELLMERE PTY LTD A.C.N. 074 076 574 TENANT IN COMMON 1/2
OF PART OF THE GROUND FLOOR (LEASE EC05)
TERM: 12/10/2006 TO 11/10/2009 OPTION 3 YEARS
71. LEASE No 710634509 30/05/2007 at 16:06
SHINE NAIL PTY LTD A.C.N. 115 118 495
OF PART OF THE GROUND FLOOR (LEASE 1031)
TERM: 12/10/2006 TO 11/10/2011 OPTION 3 YEARS
72. LEASE No 710634514 30/05/2007 at 16:07
THE ATHLETE'S FOOT AUSTRALIA PTY LIMITED A.C.N. 001 777 582
OF PART OF THE GROUND FLOOR (LEASE 1054)
TERM: 12/10/2006 TO 11/10/2012 OPTION NIL
73. LEASE No 710634527 30/05/2007 at 16:09
NOOSA ALLIED HEALTH SERVICES PTY LTD A.C.N. 092 569 036
OF PART OF THE GROUND FLOOR (LEASE CB04)
TERM: 12/10/2006 TO 11/10/2011 OPTION NIL
74. LEASE No 710634550 30/05/2007 at 16:11
BRANDS UNITED PTY LTD A.C.N. 064 814 240
OF PART OF THE GROUND FLOOR (LEASE 1015)
TERM: 12/10/2006 TO 11/10/2011 OPTION NIL
75. LEASE No 710634558 30/05/2007 at 16:12
BRIGHT EYES LEASING PTY LTD A.C.N. 096 607 840
OF PART OF THE GROUND FLOOR (LEASE 1058A)
TERM: 12/10/2006 TO 11/10/2012 OPTION NIL
76. LEASE No 710634562 30/05/2007 at 16:13
WALLACE BISHOP PTY LTD A.C.N. 009 665 212
OF PART OF THE GROUND FLOOR (LEASE 1016)
TERM: 12/10/2006 TO 11/10/2013 OPTION NIL

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77. LEASE No 710634579 30/05/2007 at 16:17
WHITE CLOUD TRADING PTY LTD A.C.N. 003 667 178
OF PART OF THE GROUND FLOOR (LEASE 1021)
TERM: 12/10/2006 TO 11/10/2011 OPTION NIL
78. LEASE No 710639634 31/05/2007 at 16:29
STARBUCKS COFFEE COMPANY (AUSTRALIA) PTY LTD A.C.N. 089 313 057
OF PART OF THE GROUND FLOOR (LEASE 1040)
TERM: 12/10/2006 TO 11/10/2014 OPTION NIL
79. LEASE No 710645640 04/06/2007 at 11:37
OPSM PTY LTD A.C.N. 000 025 758
OF PART OF THE GROUND FLOOR (LEASE 1041)
TERM: 12/10/2006 TO 11/10/2012 OPTION NIL
80. LEASE No 710645655 04/06/2007 at 11:39
ANGUS & COOTE PTY LTD A.C.N. 000 009 772
OF PART OF THE GROUND FLOOR (LEASE 1020)
TERM: 12/10/2006 TO 11/10/2013 OPTION NIL
81. LEASE No 710645667 04/06/2007 at 11:40
SPECS DIRECT PTY LTD A.C.N. 089 118 392
OF PART OF THE GROUND FLOOR (LEASE 1070)
TERM: 12/10/2006 TO 11/10/2012 OPTION NIL
82. LEASE No 710645680 04/06/2007 at 11:42
sch4p4(6) Personal information
sch4p4(6) Personal information JOINT TENANTS
OF PART OF THE GROUND FLOOR (LEASE BA03)
TERM: 12/10/2006 TO 11/10/2011 OPTION NIL
83. TRANSFER No 711058189 04/10/2007 at 10:04
LEASE: 710645680
I & C ON THE BEACH PTY LTD A.C.N. 116 903 694
84. LEASE No 710691395 14/06/2007 at 16:22
IRONBARK QLD PTY LTD A.C.N. 089 767 493
OF PART OF THE GROUND FLOOR (LEASE 1026)
TERM: 12/10/2006 TO 11/10/2011 OPTION NIL
85. LEASE No 710700443 15/06/2007 at 15:51
WCNCN PTY LTD A.C.N. 122 082 455 TRUSTEE 1/2
UNDER INSTRUMENT 710700443
WCNCN PTY LTD A.C.N. 122 082 455 TRUSTEE 1/2
UNDER INSTRUMENT 710700443
OF PART OF THE GROUND FLOOR (LEASE CA03)
TERM: 01/01/2007 TO 31/12/2011 OPTION NIL

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86. LEASE No 710728983 21/06/2007 at 13:05
ANSTON PTY LTD A.C.N. 054 261 200 TENANT IN COMMON 1/3
AQUALUMIERE PTY LTD A.C.N. 009 564 913 TENANT IN COMMON 1/3
sch4p4(6) Personal information TRUSTEE 1/3
UNDER INSTRUMENT NO.710728983
OF PART OF THE GROUND FLOOR [LEASE T1069B]
TERM: 12.10.2006 TO 11.10.2011 OPTION NIL
87. LEASE No 710729023 21/06/2007 at 13:08
COMPLETE FRAMING AUSTRALIA PTY LTD A.C.N. 098 699 435
OF PART OF THE GROUND FLOOR [TENANCY EA-01]
TERM: 12.10.2006 TO 11.10.2011 OPTION NIL
88. LEASE No 710729048 21/06/2007 at 13:09
sch4p4(6) Personal information
sch4p4(6) Personal information JOINT TENANTS
OF PART OF THE GROUND FLOOR [TENANCY 1047]
TERM: 12.10.2006 TO 11.10.2011 OPTION NIL
89. LEASE No 710729062 21/06/2007 at 13:10
D C K AUSTRALIA PTY LTD A.C.N. 101 872 888
OF PART OF THE GROUND FLOOR [TENANCY 1057]
TERM: 12.10.2006 TO 11.10.2011 OPTION NIL
90. LEASE No 710729081 21/06/2007 at 13:11
sch4p4(6) Personal information TRUSTEE
UNDER INSTRUMENT NO.710729081
OF PART OF THE GROUND FLOOR [LEASE 1044]
TERM: 12.10.2006 TO 11.10.2011 OPTION NIL
91. LEASE No 710777946 03/07/2007 at 13:29
THE COMMONWEALTH OF AUSTRALIA REPRESENTED BY THE CHIEF
OFFICER OF CENTRELINK
OF PART OF THE GROUND FLOOR (LEASE BA01)
TERM: 12/10/2006 TO 11/10/2013 OPTION 4 YEARS
92. LEASE No 710791660 06/07/2007 at 16:02
SUNSTATE FOODS PTY LIMITED A.C.N. 010 621 477 TRUSTEE
UNDER INSTRUMENT NO.710791660
OF PART OF THE GROUND FLOOR [LEASE 1024]
TERM: 22.11.2006 TO 21.11.2011 OPTION 3 YEARS
93. LEASE No 710830640 20/07/2007 at 13:11
SKILL CENTRED QUEENSLAND INC.
OF PART OF THE GROUND FLOOR [LEASE BA2]
TERM: 12.10.2006 TO 11.10.2012 OPTION NIL

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EASEMENTS, ENCUMBRANCES AND INTERESTS

94. LEASE No 710830691 20/07/2007 at 13:14
VANCRIS PTY LTD A.B.N. 19 078 351 103 TENANT IN COMMON 1/2
SURFEROSA PTY LTD A.B.N. 13 117 145 258 TENANT IN COMMON 1/2
OF PART OF THE GROUND FLOOR [LEASE ED-01]
TERM: 12.10.2006 TO 11.10.2011 OPTION NIL
95. LEASE No 710832631 20/07/2007 at 16:18
AMI RADIO PTY LIMITED A.C.N. 075 044 861
OF PART OF THE FIRST FLOOR [LEASE CB09/10]
TERM: 12.10.2006 TO 11.10.2016 OPTION NIL
96. LEASE No 710832666 20/07/2007 at 16:22
ALLY FASHION PTY LTD A.C.N. 097 575 294
OF PART OF THE GROUND FLOOR (LEASE 1053)
TERM: 12/10/2006 TO 11/10/2011 OPTION NIL
97. LEASE No 710848647 26/07/2007 at 16:06
JUSTKIN PTY LTD A.C.N. 098 452 754
PART OF THE GROUND FLOOR TENANCY 1063
TERM: 12/10/2006 TO 11/10/2013 OPTION NIL
98. LEASE No 710855013 30/07/2007 at 12:43
BOARDROOMS AUSTRALIA PTY LTD A.C.N. 118 098 909
PART OF THE FIRST FLOOR LEASE CA 8/9/10
TERM: 12/10/2006 TO 11/10/2016 OPTION NIL
99. LEASE No 710871428 03/08/2007 at 12:50
NATIONAL AUSTRALIA BANK LIMITED A.C.N. 004 044 937
OF PART OF THE GROUND FLOOR (LEASE BB11-12) AND PART OF THE
MEZZANINE FLOOR (LEASE BB11-12M)
TERM: 12/10/2006 TO 11/10/2014 OPTION NIL
100. LEASE No 710912142 17/08/2007 at 15:36
SUNCORP-METWAY LIMITED A.C.N. 010 831 722
OF PART OF THE GROUND FLOOR (ATM 1)
TERM: 12/10/2006 TO 11/10/2009 OPTION NIL
101. LEASE No 710928341 23/08/2007 at 11:49
COMMONWEALTH BANK OF AUSTRALIA A.C.N. 123 123 124
OF PART OF THE GROUND FLOOR (ATM 5 AND ATM 6)
TERM: 22/05/2007 TO 21/05/2010 OPTION NIL
102. LEASE No 710970315 05/09/2007 at 15:57
MATES RATES ONLINE.COM PTY LTD A.C.N. 109 945 986
OF PART OF THE GROUND FLOOR (LEASE CB01)
TERM: 12/10/2006 TO 11/10/2011 OPTION NIL

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103. LEASE No 711003024 17/09/2007 at 11:53
INGLAS PTY LTD A.C.N. 106 495 265
PART OF THE GROUND FLOOR LEASE 1043A
TERM: 12/10/2006 TO 11/10/2011 OPTION NIL
104. LEASE No 711005444 18/09/2007 at 08:49
BLOCK ENTERPRISES PTY LTD A.C.N. 124 380 669 TRUSTEE
UNDER INSTRUMENT 711005444
OF PART OF THE FIRST FLOOR (LEASE CA06-07)
TERM: 16/05/2007 TO 15/05/2014 OPTION NIL
105. LEASE No 711027785 25/09/2007 at 11:33
BANK OF QUEENSLAND LIMITED A.C.N. 009 656 740
PART OF THE GROUND FLOOR ATM 4
TERM: 12/10/2006 TO 11/10/2009 OPTION NIL
106. LEASE No 711027796 25/09/2007 at 11:34
SUNCORP-METWAY LIMITED A.C.N. 010 831 722
PART OF THE GROUND FLOOR LEASE BB05/06 AND PART OF THE
MEZZANINE FLOOR LEASE BB05/06MEZ
TERM: 27/06/2007 TO 26/06/2013 OPTION NIL
107. LEASE No 711027811 25/09/2007 at 11:35
WESTPAC BANKING CORPORATION A.C.N. 007 457 141
PART OF THE GROUND FLOOR ATM 3
TERM: 07/12/2006 TO 06/12/2009 OPTION NIL
108. LEASE No 711073777 09/10/2007 at 16:14
JAMAICA BLUE PTY LIMITED A.C.N. 059 236 387
OF PART OF THE GROUND FLOOR (LEASE K1002)
TERM: 12/10/2006 TO 11/10/2013 OPTION NIL
109. LEASE No 711073779 09/10/2007 at 16:15
MUFFIN BREAK PTY LTD A.C.N. 007 192 529
OF PART OF THE GROUND FLOOR (LEASE K1006)
TERM: 12/10/2006 TO 11/10/2013 OPTION NIL
110. LEASE No 711107673 19/10/2007 at 16:08
BCF AUSTRALIA PTY LTD A.C.N. 110 667 411
OF PART OF THE GROUND FLOOR (LEASE EB 01-05)
TERM: 16/12/2006 TO 15/12/2016 OPTION 5 YEARS
111. LEASE No 711135623 30/10/2007 at 15:51
GO SUSHI (CORPORATE) PTY LTD A.C.N. 106 006 919
OF PART OF THE GROUND FLOOR (LEASE K1007)
TERM: 12/10/2006 TO 11/10/2013 OPTION NIL

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112. LEASE No 711135633 30/10/2007 at 15:52
DONUT MANAGEMENT PTY LTD A.C.N. 069 960 701
OF PART OF THE GROUND FLOOR (LEASE K1001)
TERM: 12/10/2006 TO 11/10/2013 OPTION NIL
113. LEASE No 711136219 31/10/2007 at 09:07
WOOLWORTHS LIMITED A.B.N. 88 000 014 675
OF PART OF THE GROUND FLOOR (LEASE M1001) AND PART OF THE
MEZZANINE (LEASE M1001A)
TERM: 12/10/2006 TO 11/10/2026 OPTION 10 YEARS
114. LEASE No 711145793 02/11/2007 at 11:47
THE STATE OF QUEENSLAND
(REPRESENTED BY DEPARTMENT OF PUBLIC WORKS)
OF PART OF THE GROUND FLOOR (LEASE CB-05)
TERM: 01/07/2007 TO 30/06/2011 OPTION 2 YEARS
115. LEASE No 711148206 02/11/2007 at 16:21
OGERP PTY LTD A.C.N. 009 539 726
PART OF THE GROUND FLOOR (LEASE 1003)
TERM: 12/10/2006 TO 11/10/2011 OPTION NIL
116. LEASE No 711148213 02/11/2007 at 16:23
COOINDA QLD PTY LTD A.C.N. 108 212 200
PART OF THE GROUND FLOOR (LEASE EC-03)
TERM: 02/07/2007 TO 01/07/2012 OPTION NIL
117. LEASE No 711160144 07/11/2007 at 15:56
AUSTRALIA AND NEW ZEALAND BANKING GROUP LIMITED A.C.N. 005
357 522
OF PART OF THE GROUND FLOOR (LEASE BB09/10)
TERM: 12/10/2006 TO 11/10/2014 OPTION NIL
118. LEASE No 711166119 09/11/2007 at 11:47
MOUNTFORD PROPERTIES PTY LTD A.C.N. 074 365 370 TRUSTEE
UNDER INSTRUMENT 711166119
OF PART OF THE GROUND FLOOR (LEASE CA 04/05)
TERM: 12/10/2006 TO 11/10/2013 OPTION NIL

ADMINISTRATIVE ADVICES - NIL

UNREGISTERED DEALINGS

Dealing	Type	Lodgement Date	Status
710981233	LEASE	10/09/2007 11:28	UNVERIFIED
710981275	SURVEY PLAN SP/182832	10/09/2007 11:31	UNVERIFIED
711148210	LEASE	02/11/2007 16:22	UNVERIFIED
711160149	LEASE	07/11/2007 15:57	UNVERIFIED
711177846	SURRENDER	14/11/2007 10:49	UNVERIFIED
711181162	LEASE	14/11/2007 16:09	UNVERIFIED

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CERTIFICATE OF TITLE ISSUED - No

Caution - Charges do not necessarily appear in order of priority

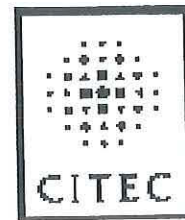
** End of Current Title Search **

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Requested By: CITEC CONFIRM

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Search Receipt

Date/Time (AEST)	15-Nov-2007 09:53:43 AM
Account	2001-2674
User Name	
Your Reference	TR:070095/0
CONFIRM Reference	17176311
Transaction	QLD Land Title Search
Value	\$14.86
GST	\$1.49
Price	\$16.35

DIAGRAM A

Scale 1:2000

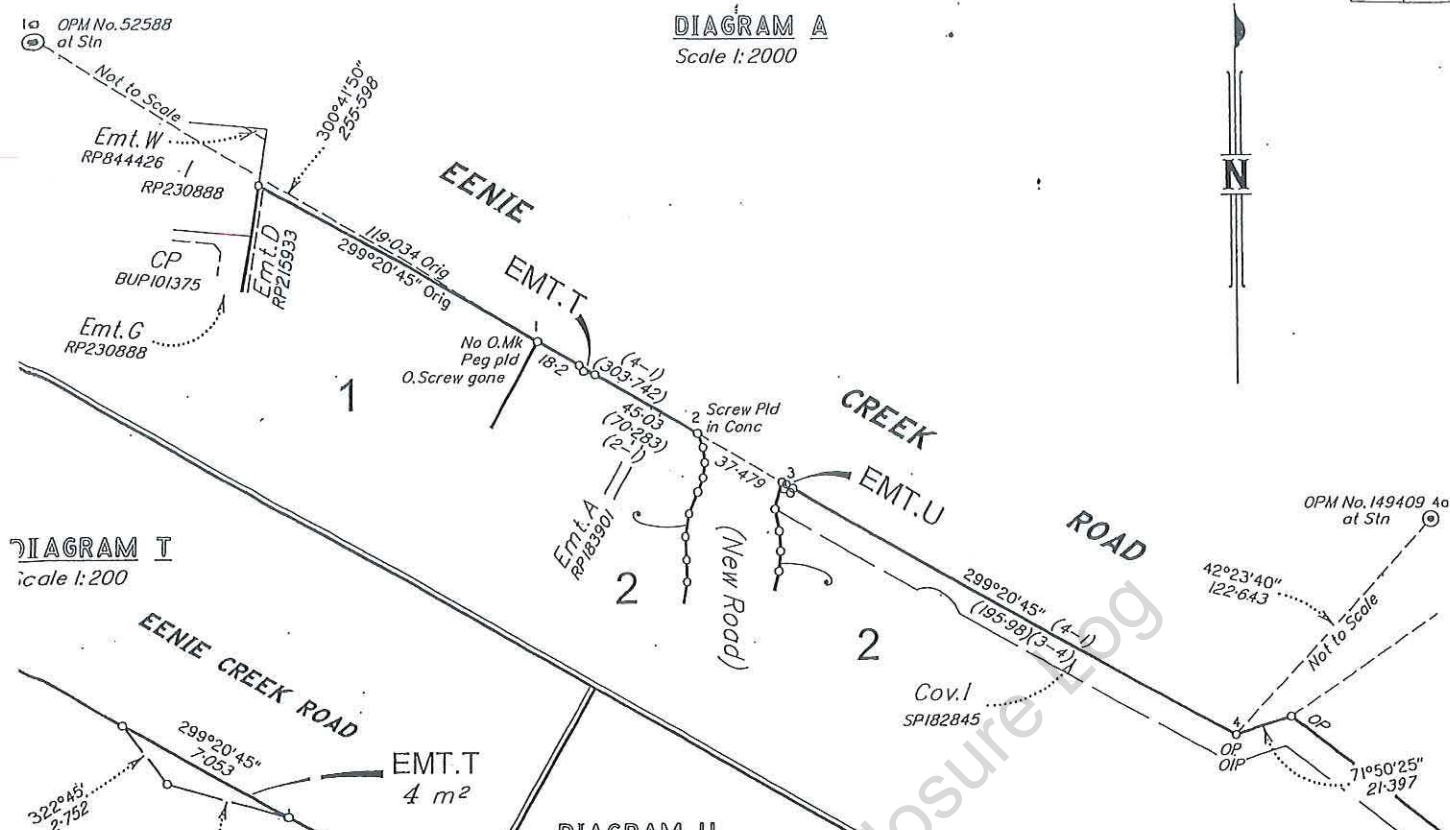


DIAGRAM T

Scale 1:200

DIAGRAM U

Scale 1:200

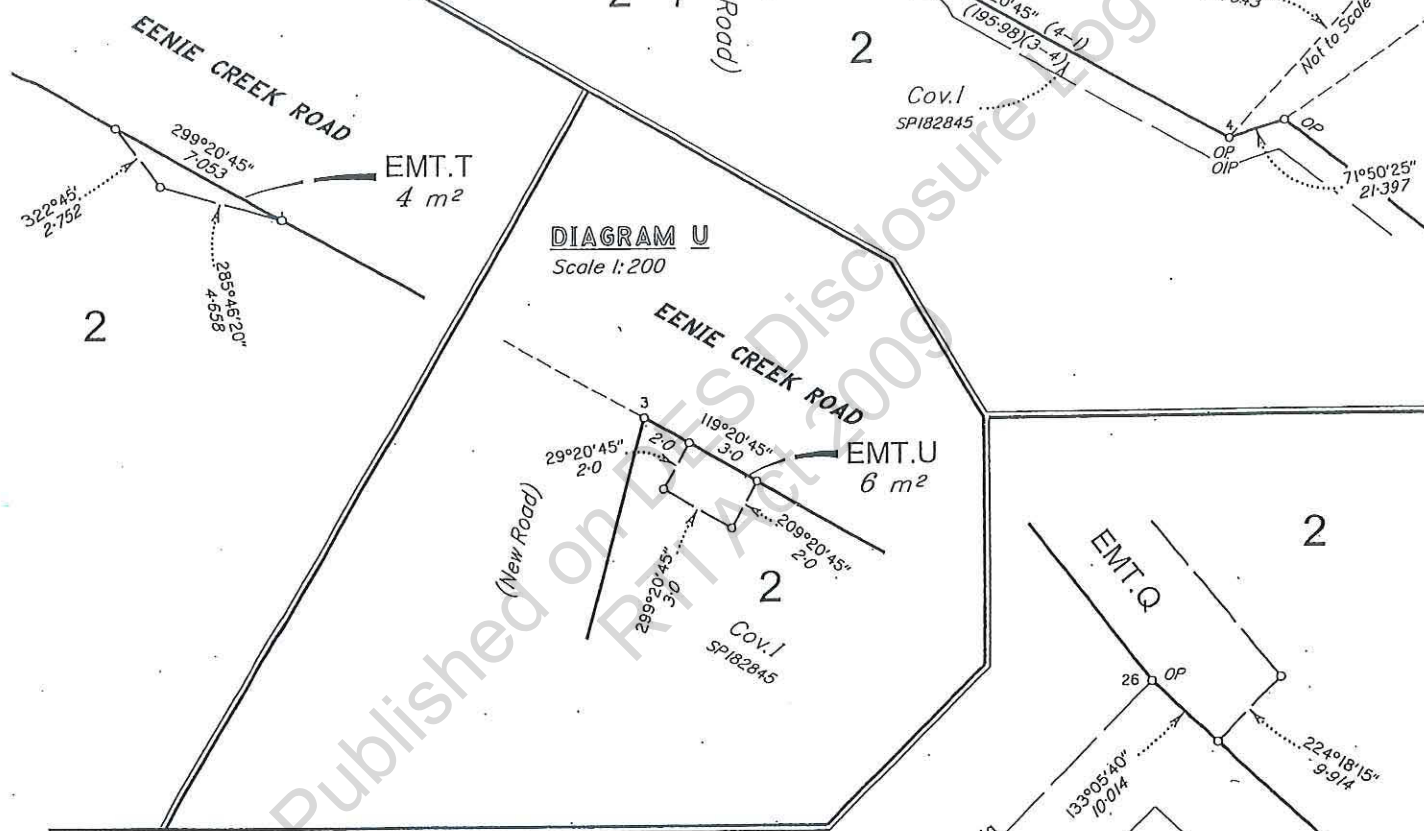
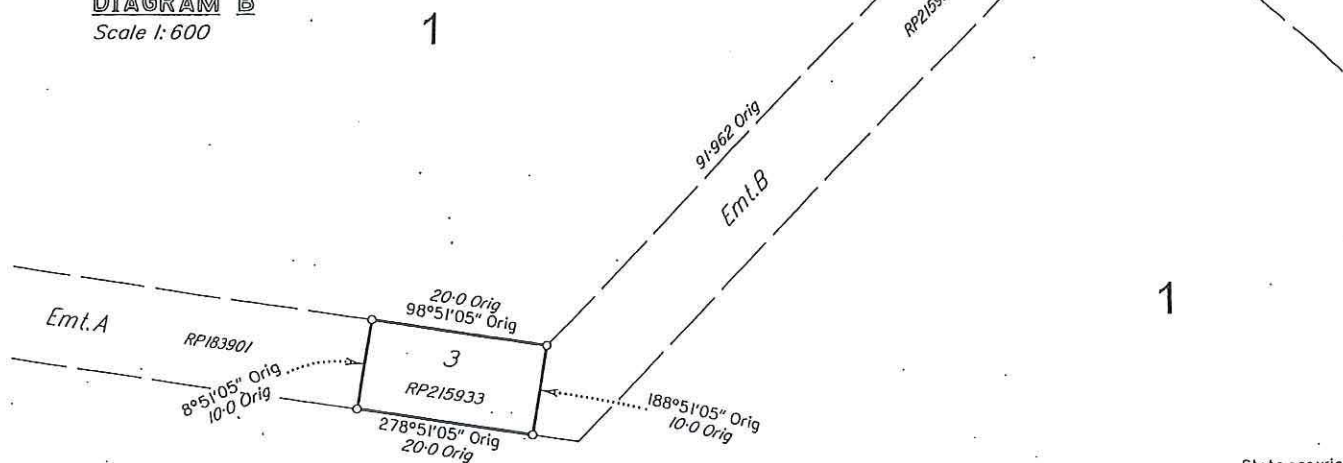


DIAGRAM B

Scale 1:600



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22-050 50 mm 100 mm File D 150 mm

Release

DIAGRAM C

Scale 1:1250

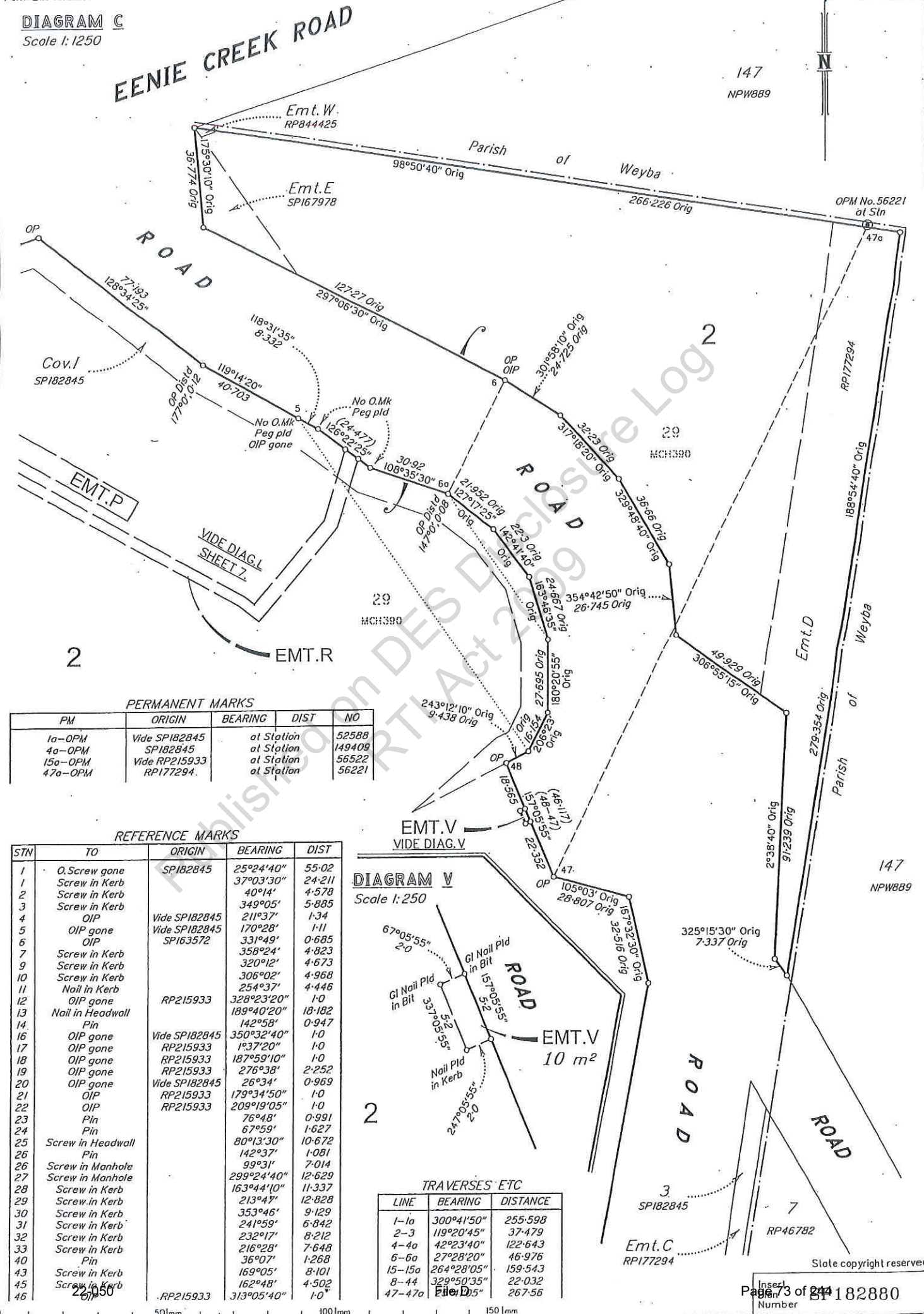
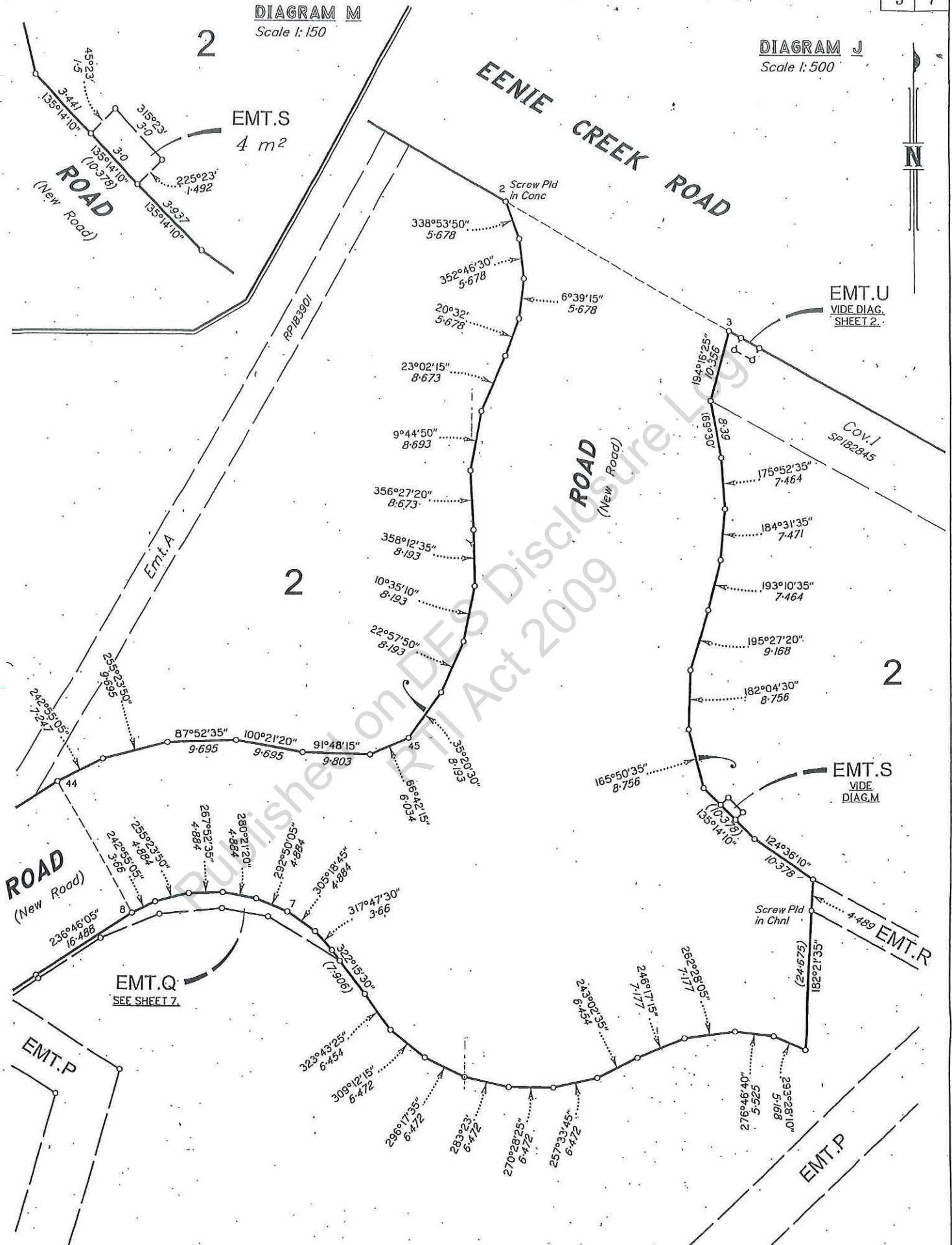
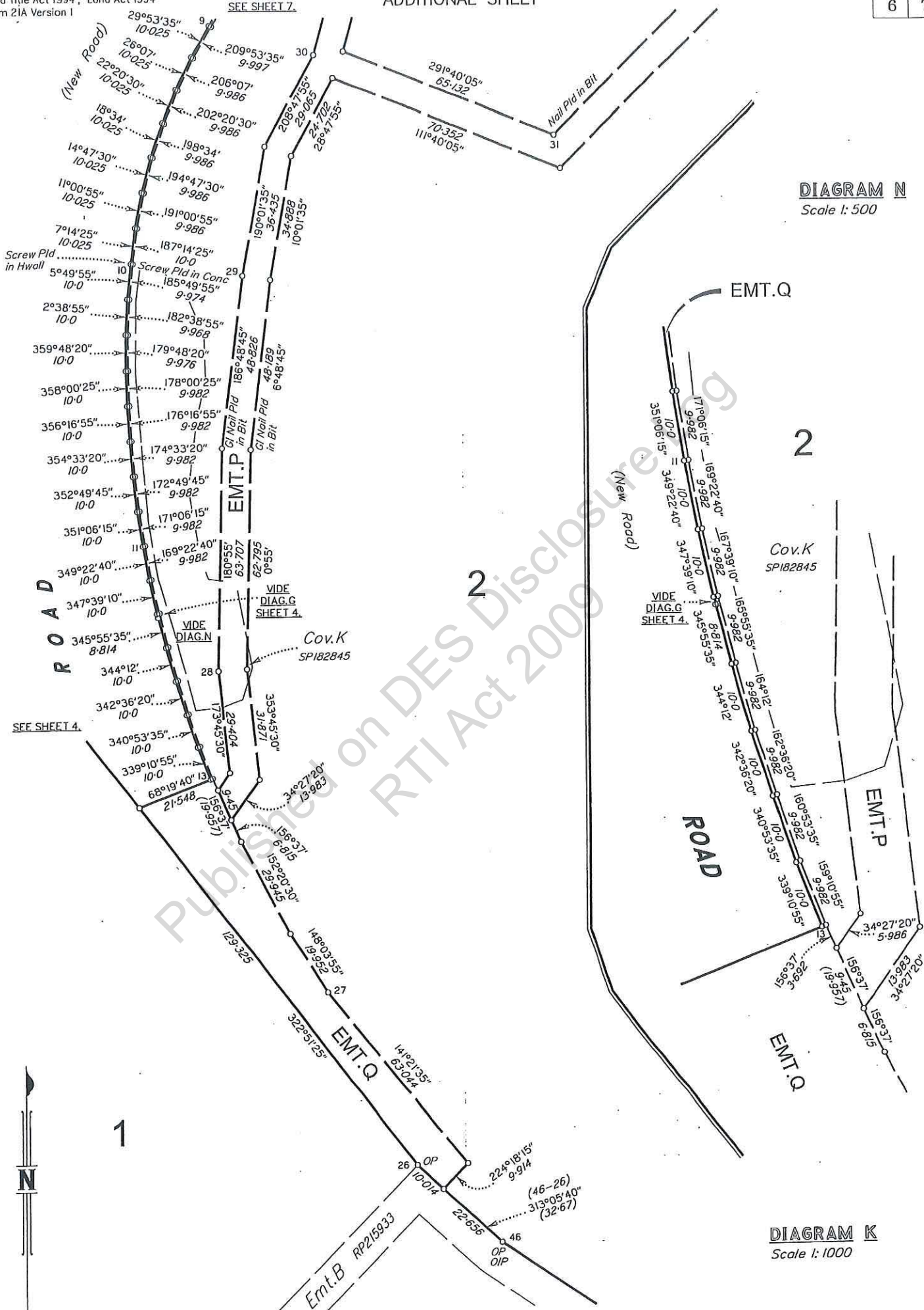
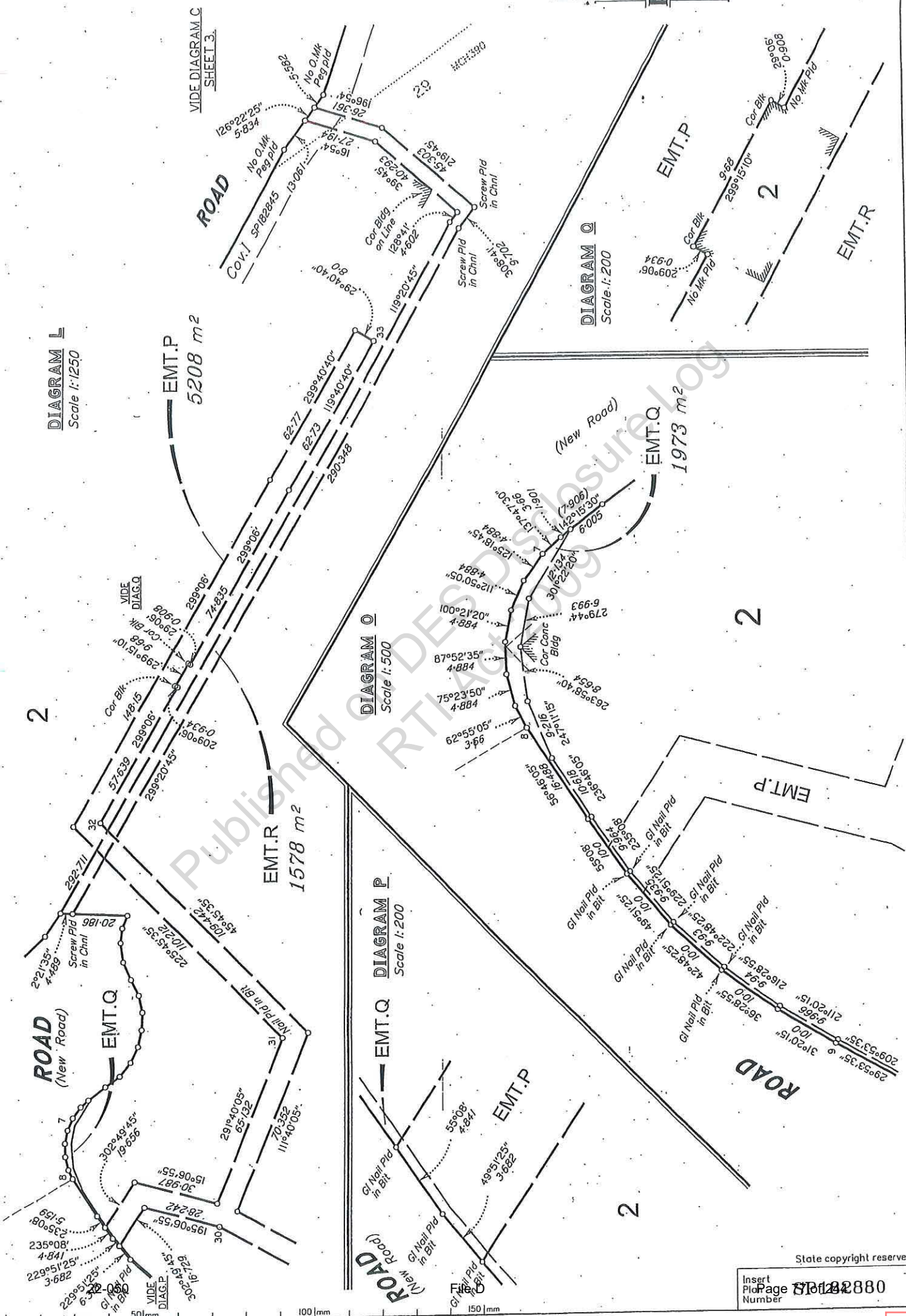


DIAGRAM M
Scale 1:150

DIAGRAM J
Scale 1:500







Appendix G

WRITTEN EXPRESSIONS OF INTEREST FROM MAJOR RETAILERS

Published on DES Disclosure Log
RTI Act 2009

MYER

Myer Pty Ltd
ABN 83 004 143 239

Myer Store Support Office
PO Box 869J
Melbourne VIC 3001
Australia



16 November 2007

sch4p4(6) Personal information

Managing Director

Stockwell

PO Box 3144

SOUTH BRISBANE QLD 4101

sch4p4(6) Personal information

Dear

Re: Noosa Civic Stage 3 – Proposed Myer Store

I have received the plans that were lodged as part of your Development Application for Stage 3 at Noosa Civic.

I express Myer's interest in leasing 10,000m² over 2 levels as outlined on the Buchan Group's plan. I understand the proposed opening is October 2012.

Any agreement reached will be subject to final approval by the Myer Board.

I look forward to negotiating the Agreement for Lease with you shortly.

Regards,

sch4p4(6) Personal information

Director of Property

sch4p4(6) Personal information



9 November 2007

sch4p4(6) Personal information
Stockwell
Unit 10
211 Montague Road
WEST END QLD 4101

sch4p4(6) Personal information

Re: Expression of Interest - Coles Supermarket & Target - Noosa Civic Centre

We refer to our recent discussions concerning stage 2 of the Noosa Civic Centre and confirm our company's interest in pursuing a Coles Supermarket & Target tenancy as part of this proposed development.

We confirm our advice that we would require a supermarket tenancy of 3,500 square metres and Target of 6,500 square metres. We would be pleased to work with you in designing stores, which would meet our specific requirements and integrate with the overall development.

It would be our desire to take long term leases over the premises and our interest in the new tenancies is naturally subject to agreement on tenancy terms, satisfaction of all store design issues, and the approval of the Corporate Board of Directors of Coles Group Limited.

We understand that you are preparing to lodge your development application for this site and we look forward to further discussions for the new Supermarket and Target in the near future.

Yours sincerely
Coles Group Limited

sch4p4(6) Personal information

Manager Retail Leasing
Property Services

BEST & LESS PTY LIMITED

A.B.N. 29 003 724 696

22 November 2007

sch4p4(6) Personal information

Leasing Manager
Stockwell Property Management
Unit 2/211 Montague Road
WEST END QLD 4101

Dear sch4p4(6) Personal information

RE: Expression of Interest – Best and Less – Noosa Civic Centre

We refer to our recent discussions concerning Stage 3 of the Noosa Civic Centre and confirm our company's interest in pursuing a Best and Less tenancy as part of this proposed development.

We confirm our advice that we would require a tenancy of 1000square metres plus with a frontage minimum of 16 metres. We are available to work with you in designing a configuration which would meet our specific requirements and integrate with the overall development.

We understand that you are preparing to lodge your development application for this site and we look forward to further discussions.

Yours faithfully,

sch4p4(6) Personal information

**Executive Director – Property
Best & Less Pty Limited**

P.O. Box 85 Westgate NSW 2048
657-673 Parramatta Road Leichhardt NSW 2040 Australia
Phone +61 2 9561 3400

23 November 2007

Mr [redacted] sch4p4(6) Personal information
Leasing Manager
Stockwell Property Management
Unit 2/211 Montague Road
WEST END QLD 4101

Dear [redacted] sch4p4(6) Personal information

RE: Expression of Interest – Millers and Katies – Noosa Civic Centre

We refer to our recent discussions concerning Stage 3 of the Noosa Civic Centre and confirm our company's interest in pursuing both a Millers and a Katies store as part of this proposed development.

Please keep us informed of the opportunity and the timing of the project.

Yours faithfully,

[redacted] sch4p4(6) Personal information

[redacted] sch4p4(6) Personal information

From: Francis Vanessa [Vanessa.Francis@nrw.qld.gov.au]

Sent: Wednesday, 21 November 2007 8:35 AM

sch4p4(6) Personal information

Subject: Cultural Heritage Search - 28 Eenie Creek Road, Noosaville

I refer to your application in which you requested advice on Aboriginal cultural heritage places recorded on the above location.

I wish to advise that no Aboriginal cultural heritage is recorded on the Cultural Heritage Database and Register in your specific search area, from the data provided by you. However, it is probable that the absence of recorded Aboriginal cultural heritage places reflects a lack of previous cultural heritage surveys of the area. Therefore, our records are not likely to reflect a true picture of the Aboriginal cultural heritage values of the area.

All significant Aboriginal cultural heritage in Queensland is protected under the *Aboriginal Cultural Heritage Act 2003*, and penalty provisions apply for any unauthorized harm. Under the legislation a person carrying out an activity must take all reasonable and practical measures to ensure the activity does not harm Aboriginal Cultural Heritage. This applies whether or not such places are recorded in a official register and whether or not they are located in, on or under private land.

Aboriginal cultural heritage, which may occur on the subject property, is protected under the terms of the *Aboriginal Cultural Heritage Act 2003* even if Natural Resources & Water has no records relating to it.

Please refer to our website www.nrw.qld.gov.au/cultural_heritage/index.html for a copy of the gazetted Cultural Heritage duty of care guidelines, which set out reasonable and practical measures for meeting the duty of care. The Aboriginal party(s) for the area is:

XC99/35 - Q6034/99

Gubbi Gubbi People #2

sch4p4(6) Personal information

If you should have any further queries, please do not hesitate to contact me on (07) 3238 3839.

Kind Regards

Vanessa Francis

VPolicy Officer | Cultural Heritage Coordination Unit
Department of Natural Resources and Water

Level 5 Landcentre | Cnr Main & Vulture Sts | Gabba Q 4102
P 323 83839 | F 323 83842 | www.nrw.qld.gov.au

Appendix D

EASEMENT DOCUMENTATION

Published on DES Disclosure Log
RTI Act 2009

Form 12-1000 (1986) BACKING SHEET

L463025D

\$81.00

23 APR 1993
11:00 AM

5500 EASEMENT

sch4p4(6) Personal information

sch4p4(6) Personal information

EASEMENT IN GROSS

sch4p4(6) Personal information

(insert type of dealing)

ENTERED IN THE REGISTER BOOK

VOLUME 7154

FOLIO 154

AT 1.57 AM 7PM

19 APR 1993
sch4p4(6) Personal information
REGISTRAR OF TITLES

CORRESPONDENCE NUMBER

REQUISITIONS

From 33 and 35

sch4p4(6) Personal information

4-5-93

(6/5/93)



602533554

L463025D

EAS IN GROSS

sch4p4(6) Personal information

Plan
noted

IMAGED FROM MICROFILM

BELOW THIS LINE TO BE COMPLETED BY LODGER		LODGER CODE
LODGED BY: PETER ATKINSON COMPANY		6
ADDRESS: 1000A SHIRE COUNCIL		
CERTIFICATES OF TITLE DEEDS OF GRANT DECLARATIONS ETC LODGED WITH THIS DOCUMENT TO BE COMPLETED BY LODGING PARTIES		
1. LODGED BY: McLELLOUGH ROBERTSON		
2. (26)		
3.		
BELOW THIS LINE FOR DELIVERY NOTATIONS		
RECEIPT NOTATIONS	OFFICE USE	
ITEMS RECEIVED:	sch4p4(6) Personal information	
FIRM NAME:	sch4p4(6) Personal information	
PER:	19	
AUTHORITY:		
DATE:		
ITEMS DELIVERED BY POST		
FORWARDED TO LODGER OF THIS DOCUMENT ON		

SAM Law Stationers • By Authority License No 1283

EASEMENT IN GROSS

22-050

(13)

CERTIFIED CORRECT FOR THE PURPOSE OF REGISTRATION BY

sch4p4(6) Personal information

sch4p4(6) Personal information

GRANTEE (signature)

sch4p4(6) Personal information

OR
his/her SOLICITOR (signature)

sch4p4(6) Personal information

(Full name to be printed)

Published on DES Disclosure Log
RTI Act 2009

FORM 33
Queensland
Real Property Act 1861-1985
Real Property Regulations 1986

SCHEDULE

This is the Schedule in Easement in Gross dated the 15th day of October 1992 comprising 1 page/s.

The Grantors do hereby grant transfer and confirm unto the Grantee the following easement namely the full and free right and liberty to the Grantee its agents, servants, workmen and others authorised on its behalf at all times hereafter to lay water mains upon, under and through the surface of the servient tenement and to use the same in common with any other person lawfully entitled thereto and freely to run and to pass water through under and along the same and from time to time and at all times to enter upon the servient tenement to inspect cleanse repair and maintain the said water mains and when and where necessary to lay new water mains in substitution therefor.

AND the Grantor hereby covenants with the Grantee that the Grantee its agents, servants, workmen and others authorised on its behalf for the purpose of the full enjoyment of the aforesaid rights shall have full free and uninterrupted right and liberty at all times hereafter by day or night and with or without vehicles machinery or tools of any description to enter upon and to go pass and repass over and along the said servient tenement and shall have the right to enter upon and under the servient tenement and to open and break up the soil of the servient tenement or any part thereof as well as the sub-surface as the surface thereof and to bring and place in and upon the servient tenement and remove such materials machinery tools and other articles and to do such other things in the premises as the said Grantee shall in its discretion think fit.

AND the Grantor shall not nor will at any time build upon the servient tenement or any part thereof or use the said land in such a way as to obstruct or interfere with the said water mains and water reticulation system and the proper and effective use thereof by the Grantee.

AND the Grantee hereby covenants with the Grantor that the Grantee will at all times hereafter exercise the rights and privileges hereby granted in a proper and workmanlike manner and so as to cause as little inconvenience as possible and do as little damage as practicable to the servient tenement.

Form 35
Queensland
Real Property Act 1861-1988
Real Property Regulations 1986

GENERAL CONSENT

Item.

(1) Type of Instrument: Easement in Gross

Dealing number:) JOHN STUART HOFMANN
OR) KATHLEEN MARY HOFMANN
Names of parties:) and
COUNCIL OF THE SHIRE OF NOOSA

Date of Instrument: 15.10.92

(2) Title Reference: Part of Vol: 7154 Fol: 154

(3) I, METWAY BANK LIMITED A.C.N. 010 831 722

being the mortgagee

under Bill of Mortgages Numbers J644249C, K205588R, K221554G
and L 369 760 T hereby consent to the registration of the
instrument specified in Item (1) above.

(4) Signed this 1ST day of FEBRUARY 1993
METWAY BANK LIMITED BY ITS DULY CONSTITUTED ATTORNEYS LEONIE
JEAN ROFF (LEVEL 11) AND TONY ANDREW ANDERSON (LEVEL 11) UNDER
POWER OF ATTORNEY NO. K865425N

(signature of witness)

(qualification) A JUSTICE OF THE PEACE

(full name to be printed) sch4p4(6) Personal information

sch4p4(6) Personal information

sch4p4(6) Personal information

sch4p4(6) Personal information

Party Consenting

sch4p4(6) Personal information

36825/1
m/s

NO.....

H 496989

MEMORANDUM OF ENCUMBRANCES LIENS AND

INTERESTS

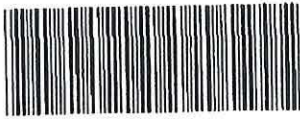
TRANSFER OF EASEMENT



BRIAN GERALD KENNEDY,
CARMEL MARY KENNEDY and
B.G. HARTWIG AND CO. PTY.
LIMITED

Grantors

COUNCIL OF THE SHIRE OF NOOSA



H49699 EAS IN GROSS

Particulars entered in the Register

Book Volume 5103 Folio 58

this day of

1983.

Plan
Noted.

19 AUG 1983

(6) Personal information

sch4p4(6) Personal information

at 8.00 am

sch4p4(6) Personal information

Registrar of Titles

52399

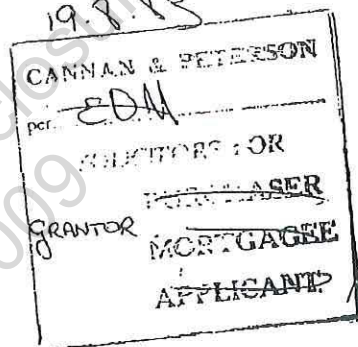
42

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Plan 183 101

(H49699)

RECEIVED
REG. OF TITLES
AUG 4 3 48 PM '83



SYKES NEILSON & CO.

SOLICITORS

GYMPIE sch4p4(6) Personal information

CANNAN & PETERSON
HTR

sch4p4(6) Personal information

QUEENSLANDTRANSFER OF EASEMENT

sch4p4(6) Personal information

sch4p4(6) Personal information
and B.G. HARTWIG AND CO. PTY.

LIMITED (hereinafter called "the Grantors") being the registered proprietors as tenants in common in shares of one-quarter, one-quarter and one-half respectively of an estate in fee simple SUBJECT HOWEVER to such encumbrances liens and interests as are notified by memorandum endorsed hereon in all that piece of land situated in the County of March Parish of Tewantin and described in the First Schedule hereunder:-

FIRST SCHEDULE

*27/07/93 R/N1603930
STAMP DUTIES OFFICE
 * 3110033 31 \$1.50

Certificate of Title Volume	Folio	Description	Area
5103	58	Portion 29	96.24 hectares exclusive of 1.224 hectares for a surveyed road

IN CONSIDERATION of the sum of ONE DOLLAR (\$1.00) agreed to be paid to the Grantors by COUNCIL OF THE SHIRE OF NOOSA of Tewantin in the State of Queensland (hereinafter called "the Grantee") DO HEREBY GRANT AND TRANSFER to the Grantee its successors and assigns the full and free right and liberty at all times hereafter and from time to time to have, lay, construct and thereafter forever to use and maintain through under over and above that part of the aforesaid piece of land situated in the County of March Parish of Tewantin and described in the Second Schedule hereunder:-

SECOND SCHEDULE

Certificate of Title Volume	Folio	Description	Area
5103	58	Easement A in Portion 29 on Registered Plan No. 183901	3202 square metres

(which land in the Second Schedule is hereinafter referred to as "the said land") drains, pipes, sewers and pumping station for the purpose of the passage or conveyance of sewerage, sewage, foul liquids or nightsoil and for the purposes aforesaid and for the purpose of obtaining access to the said drains, pipes, sewers and pumping station and for the purposes of changing the size and number of such drains, pipes, sewers and pumping

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 sch4p4(6) Personal information

station as aforesaid, full free and uninterrupted right and liberty at all times by day and by night and from time to time to enter upon, to go, pass and repass over, along and under the said land or any part or parts thereof with or without surveyors, engineers, servants, agents, licensees, contractors, subcontractors, workmen and others authorised by the Grantee and with or without any necessary equipment for the purposes aforesaid and to dig into, erect scaffolding upon and to open and break up the soil of the said land or any part or parts thereof, and to bring and place in and upon the said land or any part or parts thereof such materials, machinery, equipment, tools and articles as may be necessary or incidental to any of the purposes aforesaid;

AND THE GRANTORS HEREBY COVENANT WITH THE GRANTEE that the Grantors shall not nor will at any time build upon the said land or any part or parts thereof or use the said land in such a way as to obstruct or interfere with the said drains, pipes, sewers or sewerage pumping station and the proper and effective use thereof by the Grantee.

AND THE GRANTORS AND THE GRANTEE AGREE that this Easement shall bind their executors, administrators, successors in title and assigns.

IN WITNESS WHEREOF the said parties to these presents have hereunto set their hands and seals the day and year hereunder written. ✓

SIGNED-SEALED AND DELIVERED by)
the said sch4p4(6) Personal information)
as Grantors)
and sch4p4(6) Personal information this)
day of)
sch4p4(6) Personal information 1983 in the)
presence of:)

sch4p4(6) Personal information

sch4p4(6) Personal information

A JUSTICE OF THE PEACE

as Grantors

kd & THE COMMON SEAL of B.G. HARTWIG)
AND CO. PTY. LIMITED was hereto)
affixed pursuant to a resolution)
of the Board of Directors this)
"under" day of March 1983;)
in the presence of:)



sch4p4(6) Personal information

sch4p4(6) Personal information

sch4p4(6) Personal information
sch4p4(6) Personal information

Director sch4p4(6) Personal information

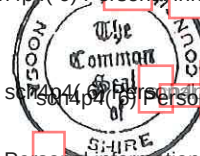
Witness: sch4p4(6) Personal information

A JUSTICE OF THE PEACE

as GRANTEE

THE COMMON SEAL was hereunto
affixed by authority of a
resolution of COUNCIL OF THE
SHIRE OF NOOSA by the Shire
Chairman WEHL HUBERT WANSLEY
and the Shire Clerk DANIEL
JOHN PHILPOT this *ninth*
day of *March* 1983.

sch4p4(6) Personal information
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A JUSTICE OF THE PEACE

CORRECT FOR THE PURPOSES OF REGISTRATION

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SOLICITORS FOR THE GRANTORS

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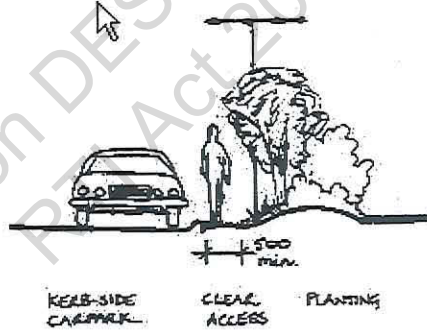
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SOLICITORS FOR THE GRANTEE

SPECIFIC OUTCOMES		PROBABLE SOLUTIONS		COMPLIANCE
	landscape character of the locality.		surrounding recreation facilities; c) the planting of shade trees around recreation facilities, including playfields and playgrounds; d) provision of landscaped <i>buffer areas</i> to adjacent <i>residential development</i> ; and e) installation of recreational facilities that include the use of natural materials and finishes, where appropriate, and colours that blend with the natural environment.	
Passive Parkland and Reserves				
O22	Landscaping within <i>passive parkland</i> and adjacent to national parks and conservation reserves, provides for-- a) the protection and enhancement of native wildlife habitat and corridors; b) the replanting of disturbed areas; c) the protection of <i>riparian zones</i> where the site adjoins or includes a waterway; d) a relaxed and pleasant environment for visitors, with low key, low impact recreation facilities; and e) linkages to other open space areas, where appropriate.	S22.1	Landscape works within <i>passive parkland</i> and adjacent to national parks and conservation reserves, include- a) retention of existing <i>vegetation of local origin</i> , including understorey plants and surface mulch; b) revegetation of cleared and disturbed areas; c) planting food/ <i>habitat trees</i> in areas supporting important fauna populations and including nest boxes where it has been necessary to clear <i>habitat trees</i> for development; d) removal of species identified as undesirable plant species in <i>PSP3 Landscaping Plants and Guidelines</i> ; e) enhancement of the area through the provision of walking trails, picnic tables and bridges; f) the provision of linkages to the	Not applicable. The proposed development does not contain any passive parkland component.

SPECIFIC OUTCOMES		PROBABLE SOLUTIONS		COMPLIANCE
	<p>utilities;</p> <p>g) maintains site distances to and from corners, intersections, driveways and pedestrian crossing points; and</p> <p>h) maintains overland stormwater flow to avoid ponding on footpaths, nature strips or adjoining premises.</p>	S23.3	<p>AND</p> <p>Street trees are planted a minimum of 1m from the back of the kerb in the road reserve verge.</p>	
Environment Protection and Conservation				
Watercourses and Drainage Lines				
O24	<p>Landscaping works along watercourses and drainage lines-</p> <p>a) retains and enhances the existing riparian vegetation including understorey; and</p> <p>b) rehabilitates and revegetates degraded riparian zones to filter stormwater run-off and provide for native wildlife habitat; and</p> <p>c) avoids slashing and turfing of waterway edges and drainage lines; and</p> <p>d) avoids engineering design solutions, such as concrete drains; and</p> <p>e) use natural materials in the construction of boardwalks, bridges and similar structures to blend with the natural environment.</p>	S24.1	No solution provided.	<p>Performance Solution.</p> <p>The drainage line within the adjacent OS7 is retained and the edge rehabilitated.</p>

SPECIFIC OUTCOMES		PROBABLE SOLUTIONS		COMPLIANCE
		S25.2	AND Vegetation of <i>local origin</i> is retained and replanted in areas indicated in Schedule 5 on Map 4 - Open Space Networks.	
Water Management				
026	Landscaping works promote the effective use of water through appropriate plant selection and layout and by maximising opportunities for water infiltration.	S26.1	The infiltration and conservation of water is optimised through- a) selecting native plant species identified in <i>PSP3</i> Landscaping Plants and Guidelines; b) grouping plants in mulched beds; c) minimising impervious surfaces; d) using semi-pervious pavement surfaces; such as grass cell paving, as a alternative to pervious surfaces e) draining hard surfaces areas to <i>landscaped areas</i> ; f) planting microphytes along driveways to absorb hydrocarbons; and g) using surface and subsurface drainage swales.	Complies. The proposed landscaping treatment optimises the conservation and efficient use of water. Refer to Appendix I - Landscape Concept.
Soil Stability				
027	Landscaping works are design and sited to ensure the stability of soils and minimise sediment and erosion activity, particularly on <i>steep slopes</i> and in landslide hazard areas, making use of <i>soft landscaping</i> rather than hard landscaping solutions wherever possible.	S27.1	No solutions provided	Not Applicable.

SPECIFIC OUTCOMES		PROBABLE SOLUTIONS		COMPLIANCE
		S28.8	<p>AND</p> <p>A planting bed of at least 1m width with screen fencing and dense planting is provided to any property boundary with an adjacent <i>residential development</i>.</p>	
On-Street Car Parks				
O29	Edges to parking and turning spaces for on street parking are landscaped to provide shade and screening, while ensuring adequate access to vehicles.	<p>S29.1</p> <p>S29.2</p>	<p>Where vehicles are parked parallel to the kerb, landscaping is setback a minimum of 500mm from the back of the kerb to allow adequate access (see Figure 14-28).</p> <p>Street trees are planted a minimum of 1m from the back of the kerb in the road reserve verge.</p> <p>Figure 14-28 Allow 500mm for passenger access</p> 	Not applicable.

TRANSPORT, ROADS AND DRAINAGE CODE

Prepared by CARDNO EPELL OLSEN AND HUMPHREYS REYNOLDS PERKINS

SPECIFIC OUTCOMES		PROBABLE SOLUTIONS		COMPLIANCE
SPECIFIC OUTCOMES SOUGHT FOR THE TRANSPORT, ROADS AND DRAINAGE CODE				
Strategic Transport Network				
Strategic Transport Network				
O1	Traffic generation from the development is considered in a localised and a Shire wide context to ensure that-- a) the transport network has the capacity to safely and efficiently accommodate projected movements; and/or b) the development includes measures to upgrade the transport network to meet the imposed demands.	S1.1	Where the development leads to the need to increase transport infrastructure in the Shire, the development contributes to the transport network in accordance with the requirements of Infrastructure Charges Plans (ICP); and where developments requires infrastructure not included in the ICP, the development upgrades the infrastructure at no cost to Council. Advisory note Council may for some development require the preparation of a Transport Impact Assessment Report. Planning Scheme Policy PSP1 details matters to be addressed in the Report.	Complies. Infrastructure needs are addressed in Section 6.0 of the traffic report.
O2	Development is designed and located to avoid excessive travel for users.	S2.1	No solution provided.	Performance Solution The development is located within the Noosa Shire Business Centre. This concept was developed to establish an employment and retail centre to cater for the local community.
O3	Development is designed- a) to encourage travel by community transport, walking and cycling rather than by private car; and b) to maximise accessibility via existing and planned community transport facilities.	S3.1	Facilities for boarding and exiting community transport services and facilities are incorporated into developments.	Complies. Noosa Civic forms one of four planned transit hubs in the region. High standard bus facilities are already in place at the centre and discussions are underway with TransLink and Noosa Shire Council to identify the future requirements of this hub. Current and proposed pedestrian and bicycle facilities provide good accessibility and connectivity within the site, to the transit hub and to external areas.

SPECIFIC OUTCOMES		PROBABLE SOLUTIONS		COMPLIANCE
	<p>roads;</p> <p>vi. is easily maintained by Council equipment; and</p> <p>vii. where appropriate, has the ability to accommodate public transport services;</p> <p>b) road pavement surfaces-</p> <p>i. are durable enough to carry estimated wheel loads of travelling and parked vehicles;</p> <p>ii. provide for the safe passage of vehicles, pedestrians, cyclists, and discharge of stormwater run-off from contributing catchments and the preservation</p>		<p>in these documents.</p>	
		S5.3	<p>AND</p> <p>On-road cycling treatment is utilised to provide safe and continuous movement of cyclists along a roadway, such as--</p> <p>a) sealed shoulders;</p> <p>b) wide kerbside lane;</p> <p>c) exclusive or peak period bicycle lane;</p> <p>d) advisory treatments such as Bicycle Awareness Zone;</p> <p>e) shared parking / bicycle lane;</p> <p>f) contra flow bicycle lane; and</p> <p>g) bus/bicycle lane.</p>	

SPECIFIC OUTCOMES		PROBABLE SOLUTIONS		COMPLIANCE
	a) be accessible, cost effective and easily maintainable; b) protect downstream capacity; c) protect downstream water quality; d) maximise on-site stormwater retention and retardation; and e) convey run-off to stormwater drainage in a manner that allows roads to be trafficable in Q100 ARI local rainfall events.	S6.2 S6.3	AND As Constructed data is submitted in accordance with Section 6 of PSP5 Engineering Design Standards - Roads, Drainage and Earthworks; AND Stormwater drainage planning, design and construction is in accordance with the <i>Queensland Urban Drainage Design Manual</i> .	of PSP5 'Engineering Design Standards - Roads, Drainage and Earthworks' and Queensland Urban Drainage Design Manual. AND As Constructed data shall be submitted in accordance with Section 6 of PSP5 'Engineering Design Standards - Roads, Drainage and Earthworks'.
07	Roads and stormwater drainage infrastructure is constructed- a) in accordance with appropriate engineering standards; and b) to minimise adverse environmental impacts, including from run-off and erosion.	S7.1	Roads and stormwater drainage infrastructure is constructed in accordance with- a) Sections 2, 3 and 4 of PSP5 Engineering Design Standards - Roads, Drainage and Earthworks; b) <i>Queensland Design Code for Residential Streets</i> ; c) <i>AUSTROADS</i> ; or d) A combination of the principles in these documents;	Complies. Roads and stormwater drainage infrastructure shall be constructed in accordance with: (a) Sections 2, 3 and 4 of PSP5 'Engineering Design Standards - Roads, Drainage and Earthworks' (b) Queensland Design Code for Residential Streets. AND Erosion and sediment control measures shall be designed and implemented in accordance with the Institution of Engineers Australia (Queensland Division) Soil Erosion and Sediment Control Guidelines for Queensland Construction Sites.
		S7.2	AND Erosion and sediment control measures are designed and implemented in accordance with the <i>Institution of Engineers Australia (Queensland Division) Soil Erosion and Sediment Control - Guidelines for Queensland Construction Sites</i> .	

SPECIFIC OUTCOMES		PROBABLE SOLUTIONS		COMPLIANCE
O10	Alignment of stormwater drainage infrastructure is to allow for easy access for the ongoing maintenance by Council.	S10.1 S10.2	<p>The location, design and construction of stormwater drainage structures is in accordance with Sections 4 and 5 of <i>PSP5</i>, Engineering Design Standards - Roads, Drainage and Earthworks;</p> <p>AND</p> <p>Where infrastructure is located on private land an easement is dedicated over the infrastructure in accordance with Section 4 of <i>PSP5</i>, Engineering Design Standards - Roads, Drainage and Earthworks.</p>	<p>Complies.</p> <p>The location, design and construction of stormwater drainage structures shall be in accordance with Sections 4 and 5 of <i>PSP5</i>, Engineering Design Standards - Roads, Drainage and Earthworks.</p>
Frontage Works				
O11	Development is provided with external roadworks along the full extent of the <i>frontage</i> of the site to an appropriate standard having regard to the specified function of the road.	S11.1	<p>The following infrastructure components already exist at the <i>frontage</i> of the <i>site</i> or are provided at the developer's expense-</p> <ul style="list-style-type: none"> a) full width sealed road; b) concrete kerb and channel where appropriate; c) forming and grading to footpaths; d) vehicular kerb and footpath crossings; e) a constructed bikeway; f) a constructed footpath; g) a constructed carriageway; h) required alterations to public utility mains, services or installations; i) construction of any required alterations to public utility mains, services or installations; j) stormwater drainage works; and k) installation of electrical conduits; 	<p>Can Comply.</p> <p>Roads and paths along the site frontage are partially or fully constructed. It is expected that partially constructed paths would be completed as part of the development.</p>

SPECIFIC OUTCOMES		PROBABLE SOLUTIONS		COMPLIANCE
Staged Development				
O13	Staged development is planned, designed and constructed to ensure that- a) each stage of the development can be constructed without interruption to services and utilities provided to the previous stages; b) the infrastructure provided is capable of servicing the entire development; and c) the materials used are consistent throughout the development.	S13.1	No solution provided.	Performance Solution. The project is being constructed in stages- this application is for stage 3.
Alternations to Services and Utilities				
O14	Any alterations or repairs to infrastructure as a result of the development are made at no cost to Council.	S14.1	Any alterations or repair to infrastructure as a result of the development are completed at the developer's expense.	Complies. Any alterations or repair to infrastructure as a result of the development shall be completed at the developer's expense.

SPECIFIC OUTCOMES		PROBABLE SOLUTIONS		COMPLIANCE
O3	In <i>commercial zoned</i> areas, the number of driveways across pedestrian footpaths is minimised	S3.1 S3.2	Design of multi-tenanted developments in <i>commercial zoned areas</i> include shared driveways and parking areas; AND Driveways are located so they abut existing driveways of adjoining development where practicable and reciprocal easements are created to reduce the sealed driveway width.	Performance Solution. Service bays are located at the rear of the building, where possible. One pedestrian crossing is required at the loading bay arrangement on the northern side of the proposed Stage 3 development. Refer to Appendix L - Traffic Impact Assessment Report.
O4	Vehicular access does not adversely impact on the capacity, operations and maintenance of the existing infrastructure;	S4.1	Footpath and kerb crossings are located clear of existing stormwater inlet structures, water and sewerage infrastructure fittings, any other exiting utility infrastructure, existing landscaping and vegetation.	Can Comply. Detailed design has not been undertaken as part of the traffic impact assessment and will be appropriately addressed at the Operational Works stage.
O5	AND Vehicular access does not adversely impact on the integrity of existing landscaping or native vegetation.	S5.1	No solution provided.	Can Comply. Detailed design has not been undertaken as part of the traffic impact assessment and will be appropriately addressed at the Operational Works stage.
O6	Driveway run-off is filtered prior to leaving the premises.	S6.1	For- a) Ancillary dwelling unit, Multiple housing Types 1 or 2 if less than 5 carparking spaces, Visitor accommodation Type 1 and Home based business -the driveway is formed to drain to <i>landscaped areas</i> ; and b) for other uses-grease and oil arrestors or stormwater quality improvement devices are incorporated into the design to treat run-off prior to run-off exiting from the premises.	Can Comply. Detailed design has not been undertaken as part of the traffic impact assessment and will be appropriately addressed at the Operational Works stage.

SPECIFIC OUTCOMES		PROBABLE SOLUTIONS		COMPLIANCE
	alternative carparking			at Appendix L - Traffic Impact Assessment Report , prepared by Cardno Eppell Olsen.
O10	<p>The layout of the development provides adequate, clearly defined and easily accessible-</p> <p>a) on-site vehicle parking and manoeuvring areas; and</p> <p>b) loading and manoeuvring areas for delivery and service vehicles</p>	<p>S10.1</p> <p>S10.2</p>	<p>Parking bays, manoeuvring areas, queuing areas, loading, setdown and pickup areas and driveways are designed to the standards set out in Sections 2 and 3 of Australian Standard AS 2890.1 <i>Parking Facilities (Part 1: Off-street Carparking)</i> and AS 2890.2 - <i>Off-street Parking (Part 2: Commercial Vehicles)</i>;</p> <p>AND</p> <p>The number of loading bays is not less than the minimum number specified in Table 14-47</p>	<p>Complies.</p> <p>Parking areas generally comply with Australian Standards.</p> <p>All loading bays have been assessed using AutoTURN swept path software to ensure that adequate space is provided to safely access and exit loading areas.</p> <p>Refer to Appendix L - Traffic Impact Assessment Report.</p>
O11	Parking areas are located where they will not unduly conflict with pedestrians and will not dominate the streetscape.	S11.1	Carparking areas are accessed from rear laneways where practicable.	<p>Complies.</p> <p>Service bays are located at the rear of the building, where possible. One pedestrian crossing is required at the loading bay arrangement on the northern side of the proposed Stage 3 development.</p> <p>Refer to Appendix L - Traffic Impact Assessment Report.</p>
O12	Provision is made for a reasonable number of on site carparking spaces identified and reserved for people with disabilities.	S12.1	Carparking spaces are provided for people with disabilities at the rate specified in Section 2.4.5 of AS 2890.1 - <i>Parking Facilities (Part1: Off-street Carparking)</i> .	<p>Complies.</p> <p>Disabled bays are provided at a rate of 1.3% of total spaces. The quantity and location of disabled bays are considered appropriate.</p> <p>Refer to Appendix L - Traffic Impact Assessment Report.</p>
O13	Access and egress points do not impact on the safety and operations of the road system.	S13.1	Vehicle manoeuvring areas are provided in accordance with Section 3 of AS 2890.1 <i>Parking Facilities (Part 1: Off-street</i>	Complies.

SPECIFIC OUTCOMES		PROBABLE SOLUTIONS		COMPLIANCE
		S15.5	On-site pedestrian facilities such as seating and shade are provided in developments for the convenience of persons walking to the site.	
O16	Carparks are designed to ensure run-off is treated to remove pollutants prior to leaving the premises.	S16.1	Grease and oil arrestors or stormwater quality improvement devices are incorporated into the design to treat run-off prior to it leaving the premises.	Can Comply. Detailed design has not been undertaken as part of the traffic impact assessment and will be appropriately addressed at the Operational Works stage.
O17	Carparking areas are designed to ensure drainage without the use of pumps or other electrical apparatus.	S17.1	No solution provided	Can Comply. Detailed design has not been undertaken as part of the traffic impact assessment and will be appropriately addressed at the Operational Works stage.
O18	Site layout and building design provides for <i>soft landscaping</i> to be established.	S18.1	Below ground components of buildings, including car parks, do not extend beyond the above ground footprint to allow for the provision of landscaping, particularly within building setbacks.	Performance Solution. The basement car park limits the ability to provide shade trees in that part of the at-grade carpark above the basement level. However, sufficient soft landscaping treatment is provided on the site. Refer to Appendix I - Landscape Concept .
Education Type 1, 2 or 3				
O19	Carparking and setdown areas are designed and located to facilitate their safe and efficient use.	S19.1 S19.2 S19.3	Paved setdown areas are provided within the <i>site</i> ; areas; AND For a minimum of 50% of carparking spaces, pedestrian access to buildings is not across or through driveways, carparks, setdown or manoeuvring AND Carparking and setdown areas are visible from off-site.	Performance Solution. Car parks are designed with a focus on safe pedestrian movements through the site.

SPECIFIC OUTCOMES		PROBABLE SOLUTIONS		COMPLIANCE
	sustain the ecology and hydrology of downstream systems (environmental flows);			environment.
05	AND Within the Shire Business Centre site, as shown on Map SBC, on-site detention measures are contained within the developed areas of the site, clear of <i>drainage lines</i> and Open Space Precincts.	S5.1	No solution provided.	Performance Solution. Detention systems are contained onsite, clear of the drainage lines, as described in the SWMP.
Run-off treatment				
06	Run-off that leaves the <i>site</i> is treated so as not to adversely impact on the ecology and hydrology of downstream environmental flows;	S6.1	No solution provided.	Performance Solution. A stormwater treatment train as described in the SWMP will ensure that Council's Water Quality objectives are met.
07	AND Within the Shire Business Centre site, as shown on Map SBC- a) run-off treatment occurs within the <i>site</i> ; and b) <i>drainage lines</i> are only used for final polishing of run-off.	S7.1	No solution provided.	Performance Solution. Runoff treatment occurs onsite clear of the drainage lines as described in the SWMP.
Town Water Supply Connections				
08	Backflow devices or similar systems ensure water reuse facilities have no impact on the quality of the town mains water.	S8.1	A suitable backflow prevention device is installed to protect the potable water within the reticulated water supply in accordance with AS/NZS 3500:2003 Plumbing and Drainage.	Complies. A suitable backflow prevention device will be installed as described in the SWMP.
Use of Natural Treatments and Systems				
09	Natural treatment strategies, including grass swales and bio-retention systems, vegetated filtration strips and gross pollutant traps, are used wherever practicable;	S9.1	No solution provided.	Performance Solution. The stormwater treatment train described in the SWMP includes bioretention systems, rainwater storage tanks and gross pollutant traps.

WASTE MANAGEMENT CODE

PREPARED BY HUMPHREYS REYNOLDS PERKINS

SPECIFIC OUTCOMES		PROBABLE SOLUTIONS		COMPLIANCE
SPECIFIC OUTCOMES SOUGHT FOR THE WASTE MANAGEMENT CODE				
Waste Separation				
O1	Development that generates several classes of waste is designed so waste is collected, stored and disposed of in a safe and ecologically sustainable manner.	S1.1 S1.2	Construction, operational and demolition works are planned and managed in accordance <i>PSP11</i> ; AND Adequate area is provided for on-site for the collection and separate storage of recyclable, non-recyclable, vegetative and hazardous materials in their specific waste streams during construction, operational and demolition works;	Will Comply. The proposed development will provide appropriate waste storage, disposal and separation facilities.
O2	Waste storage areas provide for adequate separation of all recyclable and non-recyclable materials.	S2.1	AND Waste storage areas allow for the separate storage of different waste materials for reuse or recycling by- a) providing sufficient area to store all recyclable material and recycling containers required, and b) sign posting the types of waste stored.	Will Comply. The proposed development will provide appropriate waste storage, disposal and separation facilities.
Design and Location of Waste Storage Areas				
O3	Waste storage areas are located so that they are convenient and safe to use and provide for convenient and safe collection by service vehicles;	S3.1 S3.2	Waste storage areas are designed and maintained in accordance with <i>PSP 9</i> ; AND Waste storage areas are designed and located so they- a) are easily accessed and convenient to use; b) have unobstructed access for the	Will Comply. The proposed development will provide appropriate waste storage, disposal and separation facilities.

SPECIFIC OUTCOMES		PROBABLE SOLUTIONS		COMPLIANCE
			side and rear property boundaries; c) screened so that bins are not visible from neighbouring properties or passing vehicular and pedestrian traffic; and d) not located directly adjacent to <i>dwelling units</i> on the site on neighbouring properties;	
O5	AND Waste storage areas are designed for ease of maintenance and ease of access for cleaning;	S5.1 S5.2	AND Waste storage areas are constructed of impermeable, durable and non-textured materials and surfaces so that they are easily cleaned; AND A minimum distance of 0.5m ² distance is provided between and around waste storage bins to allow for manoeuvring and washing of bins.	Will Comply. The proposed development will provide appropriate waste storage, disposal and separation facilities.
O6	Waste storage areas provide a safe and secure environment for users through- a) appropriate siting and access; b) the provision of lighting; and c) restricting access to the general public by making the area clearly identifiable as private space (eg. through landscaping, change of paving material or fencing, rather than locking the area.	S6.1	No solution provided.	Will Comply. The proposed development will provide appropriate waste storage, disposal and separation facilities.

BUILDING WORKS CODE

PREPARED BY HUMPHREYS REYNOLDS PERKINS

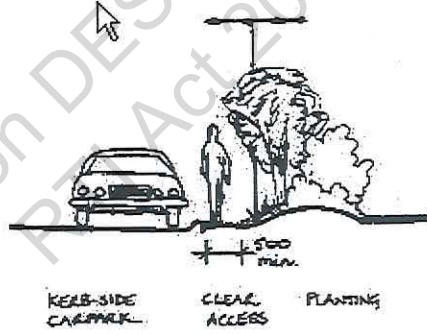
SPECIFIC OUTCOMES		PROBABLE SOLUTIONS		COMPLIANCE
SPECIFIC OUTCOMES SOUGHT FOR THE BUILDING WORKS CODE				
Building Works				
Siting				
Setbacks				
O1	<p><i>Buildings and other structures are appropriately designed and sited to-</i></p> <p>a) provide amenity for users of the premises as well as preserve the visual and acoustic privacy of adjoining and nearby land uses;</p> <p>b) preserve any existing <i>vegetation</i> that will buffer the proposed building from adjoining uses;</p> <p>c) allow for landscaping to be provided between buildings; and</p> <p>d) maintain the visual continuity and pattern of buildings and landscape elements within the street.</p> <p><i>SBR alternative provision to QDC Parts 11 and 12, P1, P2 and P7.</i></p>	<p>S1.1</p> <p>S1.2</p> <p>S1.3</p>	<p>The minimum setback of buildings and structures from boundaries is not less than the minimum specified in Schedule 1;</p> <p>OR</p> <p>Where there is a conflict between boundary setbacks in Schedule 1, the greater of the setbacks prevails;</p> <p>AND</p> <p>If there are no applicable setbacks shown in Schedule 1, the siting provisions of Part 11 or 12 of the Queensland Development Code apply.</p> <p><i>SBR alternative provision to QDC Parts 11 and 12, A1, A2 and A7.</i></p>	<p>Not Applicable.</p> <p>The Noosaville Locality Code provides more specific design provisions than those nominated herein. Refer to the assessment of the proposed development against the Noosaville Locality Code.</p>

SPECIFIC OUTCOMES		PROBABLE SOLUTIONS		COMPLIANCE
03	Development does not adversely impact on the Lake Macdonald water supply.	S3.1	Buildings or other structures within the Lake Macdonald catchment (indicated on Figure 14-16) are located above the 98.5m AHD level.	Not Applicable.
Electricity Supply Infrastructure				
04	Uses and works maintain an adequate safe distance from electrical infrastructure including substations, overhead powerlines, power poles and transformers.	S4.1	<i>Buildings and structures</i> (including swimming pools, sheds, tennis courts or outbuildings) are not constructed under overhead electricity transmission lines, or within electricity easements.	Complies. No development is proposed under overhead electricity transmission lines.
Landslide Hazard Areas				
05	Detached houses and associated uses are sited or constructed to maintain the safety of people and property from the risk of landslide.	S5.1	If on land identified as a Slip Hazard Area on Overlay Maps OM1.3-9.3, the use does not- a) involve the removal of vegetation other than grass from use areas; or b) involve excavating or filling of more than 50m ³ of material (other than placement of topsoil not exceeding 100mm in depth; or c) involve cut or fill with a vertical depth of more than 1.5m relative to ground level; or d) redirect or impede water flows in an existing watercourse or stormwater drain; or e) involve construction of an on-site <i>effluent disposal system</i> ;	Not applicable. The proposed development is not situated on land identified as a Slip Hazard Area and does not involve detached houses and associated uses.
		S5.2	OR A site specific geo-technical report prepared by a registered professional engineer either-- a) certifies that the site is not at risk from landslip emanating from the site or from other land;	

SPECIFIC OUTCOMES		PROBABLE SOLUTIONS		COMPLIANCE
	<ul style="list-style-type: none"> - 3 storeys; o Precinct REC/MU - 1 storey; iv if in the Noosaville Locality and the Attached Housing Zone - 2 or 3 storeys depending on the location of the site; v otherwise - 2 storeys; 		<ul style="list-style-type: none"> St - 3 storeys and 12m; e) if in the Noosa North Shore Locality and in the Detached Housing Zone - 2 storeys and 8m or 2 storeys and 9m where the pitched roof, but no other part of the building or structure, exceeds 8m; or f) if in the Tewantin Locality and the Business Centre Zone - 2 storeys and 10m; g) if in the Rural Zone or Rural Settlement Zone - 2 storeys and 8m or 2 storeys and 9m where the pitched roof, but no other part of the building or structure, exceeds 8m; or h) otherwise - 2 storeys and 8m. 	
c)	do not visually dominate the street, surrounding spaces or the existing skyline;			
d)	preserve the amenity of surrounding land including access to sunlight;			
e)	respect the scale of surrounding vegetation; and			
f)	respond to the topography of the site by stepping down the slope or siting above the ground level on stumps, for sloping sites.			
	SBR alternative provision to QDC Parts 11 and 12, P4.		SBR alternative provision to QDC Parts 11 and 12, A4.	
Environmental Protection				
Effluent Disposal				
O19	Effluent disposal does not have a significant adverse effect on biodiversity, natural vegetation or water quality.	S19.1	No solution provided.	Performance Solution. The proposed development will not dispose effluent in a manner which adversely effects biodiversity, ecological or water quality values.

SPECIFIC OUTCOMES		PROBABLE SOLUTIONS	COMPLIANCE
	<p>utilities;</p> <p>g) maintains site distances to and from corners, intersections, driveways and pedestrian crossing points; and</p> <p>h) maintains overland stormwater flow to avoid ponding on footpaths, nature strips or adjoining premises.</p>	<p>S23.3</p> <p>AND</p> <p>Street trees are planted a minimum of 1m from the back of the kerb in the road reserve verge.</p>	
Environment Protection and Conservation			
Watercourses and Drainage Lines			
O24	<p>Landscaping works along watercourses and drainage lines-</p> <p>a) retains and enhances the existing <i>riparian vegetation</i> including understorey; and</p> <p>b) rehabilitates and revegetates degraded <i>riparian zones</i> to filter stormwater run-off and provide for native wildlife habitat; and</p> <p>c) avoids slashing and turfing of <i>waterway</i> edges and <i>drainage lines</i>; and</p> <p>d) avoids engineering design solutions, such as concrete drains; and</p> <p>e) use natural materials in the construction of boardwalks, bridges and similar structures to blend with the natural environment.</p>	<p>S24.1</p> <p>No solution provided.</p>	<p>Performance Solution.</p> <p>The drainage line within the adjacent OS7 is retained and the edge rehabilitated.</p>

SPECIFIC OUTCOMES		PROBABLE SOLUTIONS		COMPLIANCE
		S25.2	AND Vegetation of <i>local origin</i> is retained and replanted in areas indicated in Schedule 5 on Map 4 - Open Space Networks.	
Water Management				
026	Landscaping works promote the effective use of water through appropriate plant selection and layout and by maximising opportunities for water infiltration.	S26.1	The infiltration and conservation of water is optimised through- a) selecting native plant species identified in <i>PSP3</i> Landscaping Plants and Guidelines; b) grouping plants in mulched beds; c) minimising impervious surfaces; d) using semi-pervious pavement surfaces; such as grass cell paving, as a alternative to pervious surfaces e) draining hard surfaces areas to <i>landscaped areas</i> ; f) planting microphytes along driveways to absorb hydrocarbons; and g) using surface and subsurface drainage swales.	Complies. The proposed landscaping treatment optimises the conservation and efficient use of water. Refer to Appendix I - Landscape Concept.
Soil Stability				
027	Landscaping works are design and sited to ensure the stability of soils and minimise sediment and erosion activity, particularly on <i>steep slopes</i> and in landslide hazard areas, making use of <i>soft landscaping</i> rather than hard landscaping solutions wherever possible.	S27.1	No solutions provided	Not Applicable.

SPECIFIC OUTCOMES		PROBABLE SOLUTIONS		COMPLIANCE
		S28.8	<p>AND</p> <p>A planting bed of at least 1m width with screen fencing and dense planting is provided to any property boundary with an adjacent <i>residential development</i>.</p>	
On-Street Car Parks				
O29	Edges to parking and turning spaces for on street parking are landscaped to provide shade and screening, while ensuring adequate access to vehicles.	<p>S29.1</p> <p>S29.2</p>	<p>Where vehicles are parked parallel to the kerb, landscaping is setback a minimum of 500mm from the back of the kerb to allow adequate access (see Figure 14-28).</p> <p>Street trees are planted a minimum of 1m from the back of the kerb in the road reserve verge.</p> <p>Figure 14-28 Allow 500mm for passenger access</p> 	Not applicable.

TRANSPORT, ROADS AND DRAINAGE CODE

Prepared by CARDNO EPELL OLSEN AND HUMPHREYS REYNOLDS PERKINS

SPECIFIC OUTCOMES		PROBABLE SOLUTIONS		COMPLIANCE
SPECIFIC OUTCOMES SOUGHT FOR THE TRANSPORT, ROADS AND DRAINAGE CODE				
Strategic Transport Network				
Strategic Transport Network				
O1	Traffic generation from the development is considered in a localised and a Shire wide context to ensure that-- a) the transport network has the capacity to safely and efficiently accommodate projected movements; and/or b) the development includes measures to upgrade the transport network to meet the imposed demands.	S1.1	Where the development leads to the need to increase transport infrastructure in the Shire, the development contributes to the transport network in accordance with the requirements of Infrastructure Charges Plans (ICP); and where developments requires infrastructure not included in the ICP, the development upgrades the infrastructure at no cost to Council. Advisory note Council may for some development require the preparation of a Transport Impact Assessment Report. Planning Scheme Policy PSP1 details matters to be addressed in the Report.	Complies. Infrastructure needs are addressed in Section 6.0 of the traffic report.
O2	Development is designed and located to avoid excessive travel for users.	S2.1	No solution provided.	Performance Solution The development is located within the Noosa Shire Business Centre. This concept was developed to establish an employment and retail centre to cater for the local community.
O3	Development is designed- a) to encourage travel by community transport, walking and cycling rather than by private car; and b) to maximise accessibility via existing and planned community transport facilities.	S3.1	Facilities for boarding and exiting community transport services and facilities are incorporated into developments.	Complies. Noosa Civic forms one of four planned transit hubs in the region. High standard bus facilities are already in place at the centre and discussions are underway with TransLink and Noosa Shire Council to identify the future requirements of this hub. Current and proposed pedestrian and bicycle facilities provide good accessibility and connectivity within the site, to the transit hub and to external areas.

SPECIFIC OUTCOMES		PROBABLE SOLUTIONS		COMPLIANCE
	<p>roads;</p> <p>vi. is easily maintained by Council equipment; and</p> <p>vii. where appropriate, has the ability to accommodate public transport services;</p> <p>b) road pavement surfaces-</p> <p>i. are durable enough to carry estimated wheel loads of travelling and parked vehicles;</p> <p>ii. provide for the safe passage of vehicles, pedestrians, cyclists, and discharge of stormwater run-off from contributing catchments and the preservation</p>		<p>in these documents.</p>	
		S5.3	<p>AND</p> <p>On-road cycling treatment is utilised to provide safe and continuous movement of cyclists along a roadway, such as--</p> <p>a) sealed shoulders;</p> <p>b) wide kerbside lane;</p> <p>c) exclusive or peak period bicycle lane;</p> <p>d) advisory treatments such as Bicycle Awareness Zone;</p> <p>e) shared parking / bicycle lane;</p> <p>f) contra flow bicycle lane; and</p> <p>g) bus/bicycle lane.</p>	

SPECIFIC OUTCOMES		PROBABLE SOLUTIONS		COMPLIANCE
	<p>a) be accessible, cost effective and easily maintainable;</p> <p>b) protect downstream capacity;</p> <p>c) protect downstream water quality;</p> <p>d) maximise on-site stormwater retention and retardation; and</p> <p>e) convey run-off to stormwater drainage in a manner that allows roads to be trafficable in Q100 ARI local rainfall events.</p>	<p>S6.2</p> <p>S6.3</p>	<p>AND</p> <p>As Constructed data is submitted in accordance with Section 6 of <i>PSP5 Engineering Design Standards - Roads, Drainage and Earthworks</i>;</p> <p>AND</p> <p>Stormwater drainage planning, design and construction is in accordance with the <i>Queensland Urban Drainage Design Manual</i>.</p>	<p>of <i>PSP5 'Engineering Design Standards - Roads, Drainage and Earthworks'</i> and <i>Queensland Urban Drainage Design Manual</i>.</p> <p>AND</p> <p>As Constructed data shall be submitted in accordance with Section 6 of <i>PSP5 'Engineering Design Standards - Roads, Drainage and Earthworks'</i>.</p>
07	<p>Roads and stormwater drainage infrastructure is constructed-</p> <p>a) in accordance with appropriate engineering standards; and</p> <p>b) to minimise adverse environmental impacts, including from run-off and erosion.</p>	<p>S7.1</p> <p>S7.2</p>	<p>Roads and stormwater drainage infrastructure is constructed in accordance with-</p> <p>a) Sections 2, 3 and 4 of <i>PSP5 Engineering Design Standards - Roads, Drainage and Earthworks</i>;</p> <p>b) <i>Queensland Design Code for Residential Streets</i>;</p> <p>c) <i>AUSTROADS</i>; or</p> <p>d) A combination of the principles in these documents;</p> <p>AND</p> <p>Erosion and sediment control measures are designed and implemented in accordance with the <i>Institution of Engineers Australia (Queensland Division) Soil Erosion and Sediment Control - Guidelines for Queensland Construction Sites</i>.</p>	<p>Complies.</p> <p>Roads and stormwater drainage infrastructure shall be constructed in accordance with:</p> <p>(a) Sections 2, 3 and 4 of <i>PSP5 'Engineering Design Standards - Roads, Drainage and Earthworks'</i></p> <p>(b) <i>Queensland Design Code for Residential Streets</i>.</p> <p>AND</p> <p>Erosion and sediment control measures shall be designed and implemented in accordance with the <i>Institution of Engineers Australia (Queensland Division) Soil Erosion and Sediment Control Guidelines for Queensland Construction Sites</i>.</p>

SPECIFIC OUTCOMES		PROBABLE SOLUTIONS		COMPLIANCE
O10	Alignment of stormwater drainage infrastructure is to allow for easy access for the ongoing maintenance by Council.	S10.1 S10.2	<p>The location, design and construction of stormwater drainage structures is in accordance with Sections 4 and 5 of <i>PSP5</i>, Engineering Design Standards - Roads, Drainage and Earthworks;</p> <p>AND</p> <p>Where infrastructure is located on private land an easement is dedicated over the infrastructure in accordance with Section 4 of <i>PSP5</i>, Engineering Design Standards - Roads, Drainage and Earthworks.</p>	<p>Complies.</p> <p>The location, design and construction of stormwater drainage structures shall be in accordance with Sections 4 and 5 of <i>PSP5</i>, Engineering Design Standards - Roads, Drainage and Earthworks.</p>
Frontage Works				
O11	Development is provided with external roadworks along the full extent of the <i>frontage</i> of the site to an appropriate standard having regard to the specified function of the road.	S11.1	<p>The following infrastructure components already exist at the <i>frontage</i> of the <i>site</i> or are provided at the developer's expense-</p> <ul style="list-style-type: none"> a) full width sealed road; b) concrete kerb and channel where appropriate; c) forming and grading to footpaths; d) vehicular kerb and footpath crossings; e) a constructed bikeway; f) a constructed footpath; g) a constructed carriageway; h) required alterations to public utility mains, services or installations; i) construction of any required alterations to public utility mains, services or installations; j) stormwater drainage works; and k) installation of electrical conduits; 	<p>Can Comply.</p> <p>Roads and paths along the site frontage are partially or fully constructed. It is expected that partially constructed paths would be completed as part of the development.</p>

SPECIFIC OUTCOMES		PROBABLE SOLUTIONS		COMPLIANCE
Staged Development				
O13	Staged development is planned, designed and constructed to ensure that- a) each stage of the development can be constructed without interruption to services and utilities provided to the previous stages; b) the infrastructure provided is capable of servicing the entire development; and c) the materials used are consistent throughout the development.	S13.1	No solution provided.	Performance Solution. The project is being constructed in stages- this application is for stage 3.
Alternations to Services and Utilities				
O14	Any alterations or repairs to infrastructure as a result of the development are made at no cost to Council.	S14.1	Any alterations or repair to infrastructure as a result of the development are completed at the developer's expense.	Complies. Any alterations or repair to infrastructure as a result of the development shall be completed at the developer's expense.

SPECIFIC OUTCOMES		PROBABLE SOLUTIONS		COMPLIANCE
O3	In <i>commercial zoned</i> areas, the number of driveways across pedestrian footpaths is minimised	S3.1 S3.2	Design of multi-tenanted developments in <i>commercial zoned areas</i> include shared driveways and parking areas; AND Driveways are located so they abut existing driveways of adjoining development where practicable and reciprocal easements are created to reduce the sealed driveway width.	Performance Solution. Service bays are located at the rear of the building, where possible. One pedestrian crossing is required at the loading bay arrangement on the northern side of the proposed Stage 3 development. Refer to Appendix L - Traffic Impact Assessment Report.
O4	Vehicular access does not adversely impact on the capacity, operations and maintenance of the existing infrastructure;	S4.1	Footpath and kerb crossings are located clear of existing stormwater inlet structures, water and sewerage infrastructure fittings, any other exiting utility infrastructure, existing landscaping and vegetation.	Can Comply. Detailed design has not been undertaken as part of the traffic impact assessment and will be appropriately addressed at the Operational Works stage.
O5	AND Vehicular access does not adversely impact on the integrity of existing landscaping or native vegetation.	S5.1	No solution provided.	Can Comply. Detailed design has not been undertaken as part of the traffic impact assessment and will be appropriately addressed at the Operational Works stage.
O6	Driveway run-off is filtered prior to leaving the premises.	S6.1	For- a) Ancillary dwelling unit, Multiple housing Types 1 or 2 if less than 5 carparking spaces, Visitor accommodation Type 1 and Home based business -the driveway is formed to drain to <i>landscaped areas</i> ; and b) for other uses-grease and oil arrestors or stormwater quality improvement devices are incorporated into the design to treat run-off prior to run-off exiting from the premises.	Can Comply. Detailed design has not been undertaken as part of the traffic impact assessment and will be appropriately addressed at the Operational Works stage.

SPECIFIC OUTCOMES		PROBABLE SOLUTIONS		COMPLIANCE
	alternative carparking			at Appendix L - Traffic Impact Assessment Report , prepared by Cardno Eppell Olsen.
O10	The layout of the development provides adequate, clearly defined and easily accessible- a) on-site vehicle parking and manoeuvring areas; and b) loading and manoeuvring areas for delivery and service vehicles	S10.1 S10.2	Parking bays, manoeuvring areas, queuing areas, loading, setdown and pickup areas and driveways are designed to the standards set out in Sections 2 and 3 of Australian Standard AS 2890.1 <i>Parking Facilities (Part 1: Off-street Carparking)</i> and AS 2890.2 - <i>Off-street Parking (Part 2: Commercial Vehicles)</i> ; AND The number of loading bays is not less than the minimum number specified in Table 14-47	Complies. Parking areas generally comply with Australian Standards. All loading bays have been assessed using AutoTURN swept path software to ensure that adequate space is provided to safely access and exit loading areas. Refer to Appendix L - Traffic Impact Assessment Report .
O11	Parking areas are located where they will not unduly conflict with pedestrians and will not dominate the streetscape.	S11.1	Carparking areas are accessed from rear laneways where practicable.	Complies. Service bays are located at the rear of the building, where possible. One pedestrian crossing is required at the loading bay arrangement on the northern side of the proposed Stage 3 development. Refer to Appendix L - Traffic Impact Assessment Report .
O12	Provision is made for a reasonable number of on site carparking spaces identified and reserved for people with disabilities.	S12.1	Carparking spaces are provided for people with disabilities at the rate specified in Section 2.4.5 of AS 2890.1 - <i>Parking Facilities (Part1: Off-street Carparking)</i> .	Complies. Disabled bays are provided at a rate of 1.3% of total spaces. The quantity and location of disabled bays are considered appropriate. Refer to Appendix L - Traffic Impact Assessment Report .
O13	Access and egress points do not impact on the safety and operations of the road system.	S13.1	Vehicle manoeuvring areas are provided in accordance with Section 3 of AS 2890.1 <i>Parking Facilities (Part 1: Off-street</i>	Complies.

SPECIFIC OUTCOMES		PROBABLE SOLUTIONS		COMPLIANCE
		S15.5	On-site pedestrian facilities such as seating and shade are provided in developments for the convenience of persons walking to the site.	
O16	Carparks are designed to ensure run-off is treated to remove pollutants prior to leaving the premises.	S16.1	Grease and oil arrestors or stormwater quality improvement devices are incorporated into the design to treat run-off prior to it leaving the premises.	Can Comply. Detailed design has not been undertaken as part of the traffic impact assessment and will be appropriately addressed at the Operational Works stage.
O17	Carparking areas are designed to ensure drainage without the use of pumps or other electrical apparatus.	S17.1	No solution provided	Can Comply. Detailed design has not been undertaken as part of the traffic impact assessment and will be appropriately addressed at the Operational Works stage.
O18	Site layout and building design provides for <i>soft landscaping</i> to be established.	S18.1	Below ground components of buildings, including car parks, do not extend beyond the above ground footprint to allow for the provision of landscaping, particularly within building setbacks.	Performance Solution. The basement car park limits the ability to provide shade trees in that part of the at-grade carpark above the basement level. However, sufficient soft landscaping treatment is provided on the site. Refer to Appendix I - Landscape Concept .
Education Type 1, 2 or 3				
O19	Carparking and setdown areas are designed and located to facilitate their safe and efficient use.	S19.1 S19.2 S19.3	Paved setdown areas are provided within the <i>site</i> ; areas; AND For a minimum of 50% of carparking spaces, pedestrian access to buildings is not across or through driveways, carparks, setdown or manoeuvring AND Carparking and setdown areas are visible from off-site.	Performance Solution. Car parks are designed with a focus on safe pedestrian movements through the site.

SPECIFIC OUTCOMES		PROBABLE SOLUTIONS		COMPLIANCE
	sustain the ecology and hydrology of downstream systems (environmental flows);			environment.
05	AND Within the Shire Business Centre site, as shown on Map SBC, on-site detention measures are contained within the developed areas of the site, clear of <i>drainage lines</i> and Open Space Precincts.	S5.1	No solution provided.	Performance Solution. Detention systems are contained onsite, clear of the drainage lines, as described in the SWMP.
Run-off treatment				
06	Run-off that leaves the <i>site</i> is treated so as not to adversely impact on the ecology and hydrology of downstream environmental flows;	S6.1	No solution provided.	Performance Solution. A stormwater treatment train as described in the SWMP will ensure that Council's Water Quality objectives are met.
07	AND Within the Shire Business Centre site, as shown on Map SBC- a) run-off treatment occurs within the <i>site</i> ; and b) <i>drainage lines</i> are only used for final polishing of run-off.	S7.1	No solution provided.	Performance Solution. Runoff treatment occurs onsite clear of the drainage lines as described in the SWMP.
Town Water Supply Connections				
08	Backflow devices or similar systems ensure water reuse facilities have no impact on the quality of the town mains water.	S8.1	A suitable backflow prevention device is installed to protect the potable water within the reticulated water supply in accordance with AS/NZS 3500:2003 Plumbing and Drainage.	Complies. A suitable backflow prevention device will be installed as described in the SWMP.
Use of Natural Treatments and Systems				
09	Natural treatment strategies, including grass swales and bio-retention systems, vegetated filtration strips and gross pollutant traps, are used wherever practicable;	S9.1	No solution provided.	Performance Solution. The stormwater treatment train described in the SWMP includes bioretention systems, rainwater storage tanks and gross pollutant traps.

WASTE MANAGEMENT CODE

PREPARED BY HUMPHREYS REYNOLDS PERKINS

SPECIFIC OUTCOMES		PROBABLE SOLUTIONS		COMPLIANCE
SPECIFIC OUTCOMES SOUGHT FOR THE WASTE MANAGEMENT CODE				
Waste Separation				
O1	Development that generates several classes of waste is designed so waste is collected, stored and disposed of in a safe and ecologically sustainable manner.	S1.1 S1.2	Construction, operational and demolition works are planned and managed in accordance <i>PSP11</i> ; AND Adequate area is provided for on-site for the collection and separate storage of recyclable, non-recyclable, vegetative and hazardous materials in their specific waste streams during construction, operational and demolition works;	Will Comply. The proposed development will provide appropriate waste storage, disposal and separation facilities.
O2	Waste storage areas provide for adequate separation of all recyclable and non-recyclable materials.	S2.1	AND Waste storage areas allow for the separate storage of different waste materials for reuse or recycling by- a) providing sufficient area to store all recyclable material and recycling containers required, and b) sign posting the types of waste stored.	Will Comply. The proposed development will provide appropriate waste storage, disposal and separation facilities.
Design and Location of Waste Storage Areas				
O3	Waste storage areas are located so that they are convenient and safe to use and provide for convenient and safe collection by service vehicles;	S3.1 S3.2	Waste storage areas are designed and maintained in accordance with <i>PSP 9</i> ; AND Waste storage areas are designed and located so they- a) are easily accessed and convenient to use; b) have unobstructed access for the	Will Comply. The proposed development will provide appropriate waste storage, disposal and separation facilities.

SPECIFIC OUTCOMES		PROBABLE SOLUTIONS		COMPLIANCE
			side and rear property boundaries; c) screened so that bins are not visible from neighbouring properties or passing vehicular and pedestrian traffic; and d) not located directly adjacent to <i>dwelling units</i> on the site on neighbouring properties;	
O5	AND Waste storage areas are designed for ease of maintenance and ease of access for cleaning;	S5.1 S5.2	AND Waste storage areas are constructed of impermeable, durable and non-textured materials and surfaces so that they are easily cleaned; AND A minimum distance of 0.5m ² distance is provided between and around waste storage bins to allow for manoeuvring and washing of bins.	Will Comply. The proposed development will provide appropriate waste storage, disposal and separation facilities.
O6	Waste storage areas provide a safe and secure environment for users through- a) appropriate siting and access; b) the provision of lighting; and c) restricting access to the general public by making the area clearly identifiable as private space (eg. through landscaping, change of paving material or fencing, rather than locking the area.	S6.1	No solution provided.	Will Comply. The proposed development will provide appropriate waste storage, disposal and separation facilities.

BUILDING WORKS CODE

PREPARED BY HUMPHREYS REYNOLDS PERKINS

SPECIFIC OUTCOMES		PROBABLE SOLUTIONS		COMPLIANCE
SPECIFIC OUTCOMES SOUGHT FOR THE BUILDING WORKS CODE				
Building Works				
Siting				
Setbacks				
O1	<p><i>Buildings and other structures are appropriately designed and sited to-</i></p> <p>a) provide amenity for users of the premises as well as preserve the visual and acoustic privacy of adjoining and nearby land uses;</p> <p>b) preserve any existing <i>vegetation</i> that will buffer the proposed building from adjoining uses;</p> <p>c) allow for landscaping to be provided between buildings; and</p> <p>d) maintain the visual continuity and pattern of buildings and landscape elements within the street.</p> <p><i>SBR alternative provision to QDC Parts 11 and 12, P1, P2 and P7.</i></p>	<p>S1.1</p> <p>S1.2</p> <p>S1.3</p>	<p>The minimum setback of buildings and structures from boundaries is not less than the minimum specified in Schedule 1;</p> <p>OR</p> <p>Where there is a conflict between boundary setbacks in Schedule 1, the greater of the setbacks prevails;</p> <p>AND</p> <p>If there are no applicable setbacks shown in Schedule 1, the siting provisions of Part 11 or 12 of the Queensland Development Code apply.</p> <p><i>SBR alternative provision to QDC Parts 11 and 12, A1, A2 and A7.</i></p>	<p>Not Applicable.</p> <p>The Noosaville Locality Code provides more specific design provisions than those nominated herein. Refer to the assessment of the proposed development against the Noosaville Locality Code.</p>

SPECIFIC OUTCOMES		PROBABLE SOLUTIONS		COMPLIANCE
03	Development does not adversely impact on the Lake Macdonald water supply.	S3.1	Buildings or other structures within the Lake Macdonald catchment (indicated on Figure 14-16) are located above the 98.5m AHD level.	Not Applicable.
Electricity Supply Infrastructure				
04	Uses and works maintain an adequate safe distance from electrical infrastructure including substations, overhead powerlines, power poles and transformers.	S4.1	<i>Buildings and structures</i> (including swimming pools, sheds, tennis courts or outbuildings) are not constructed under overhead electricity transmission lines, or within electricity easements.	Complies. No development is proposed under overhead electricity transmission lines.
Landslide Hazard Areas				
05	Detached houses and associated uses are sited or constructed to maintain the safety of people and property from the risk of landslide.	S5.1	If on land identified as a Slip Hazard Area on Overlay Maps OM1.3-9.3, the use does not- a) involve the removal of vegetation other than grass from use areas; or b) involve excavating or filling of more than 50m ³ of material (other than placement of topsoil not exceeding 100mm in depth; or c) involve cut or fill with a vertical depth of more than 1.5m relative to ground level; or d) redirect or impede water flows in an existing watercourse or stormwater drain; or e) involve construction of an on-site <i>effluent disposal system</i> ;	Not applicable. The proposed development is not situated on land identified as a Slip Hazard Area and does not involve detached houses and associated uses.
		S5.2	OR A site specific geo-technical report prepared by a registered professional engineer either-- a) certifies that the site is not at risk from landslip emanating from the site or from other land;	

SPECIFIC OUTCOMES		PROBABLE SOLUTIONS		COMPLIANCE
	<ul style="list-style-type: none"> - 3 storeys; o Precinct REC/MU - 1 storey; iv if in the Noosaville Locality and the Attached Housing Zone - 2 or 3 storeys depending on the location of the site; v otherwise - 2 storeys; 		<ul style="list-style-type: none"> St - 3 storeys and 12m; e) if in the Noosa North Shore Locality and in the Detached Housing Zone - 2 storeys and 8m or 2 storeys and 9m where the pitched roof, but no other part of the building or structure, exceeds 8m; or f) if in the Tewantin Locality and the Business Centre Zone - 2 storeys and 10m; g) if in the Rural Zone or Rural Settlement Zone - 2 storeys and 8m or 2 storeys and 9m where the pitched roof, but no other part of the building or structure, exceeds 8m; or h) otherwise - 2 storeys and 8m. 	
c)	do not visually dominate the street, surrounding spaces or the existing skyline;			
d)	preserve the amenity of surrounding land including access to sunlight;			
e)	respect the scale of surrounding vegetation; and			
f)	respond to the topography of the site by stepping down the slope or siting above the ground level on stumps, for sloping sites.			
	SBR alternative provision to QDC Parts 11 and 12, P4.		SBR alternative provision to QDC Parts 11 and 12, A4.	
Environmental Protection				
Effluent Disposal				
O19	Effluent disposal does not have a significant adverse effect on biodiversity, natural vegetation or water quality.	S19.1	No solution provided.	Performance Solution. The proposed development will not dispose effluent in a manner which adversely effects biodiversity, ecological or water quality values.

Appendix B

CONTAMINATED LAND AND ENVIRONMENTAL MANAGEMENT REGISTER SEARCH EXTRACTS

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RTI Act 2009

QLD ENVIRONMENTAL PROTECTION AGENCY
ENVIRONMENTAL MANAGEMENT REGISTER (EMR)
CONTAMINATED LAND REGISTER (CLR)

Transaction ID: 999006 EMR Site Id: 15 November 2007
This response relates to a search request received for the site:
Lot: 2 Plan: SP182880

EMR RESULT

The above site is NOT included on the Environmental Management Register.

CLR RESULT

The above site is NOT included on the Contaminated Land Register.

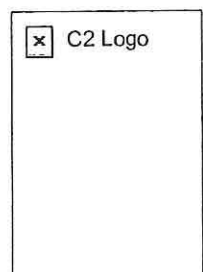
ADDITIONAL ADVICE

Note: Searches maybe conducted online through the State Government Website
www.smartservice.qld.gov.au or Citec Confirm www.confirm.com.au. *****

CULTURAL HERITAGE SEARCHES: will be available at www.smartservice.qld.gov.au
from 05/11/07 for \$29.30 per lot/plan *****

If you have any queries in relation to this search please phone (07) 3227 7370.

Lindi Bowen
Registrar, Contaminated Land Unit



Search Receipt

Date/Time (AEST)	15-Nov-2007 12:27:40 PM
Account	2001-2674
User Name	
Your Reference	TR:070095/0
CONFIRM Reference	17185754
Transaction	QLD Contaminated Sites Extract
Search Criteria	2 / SP182880
Value	\$41.78
GST	\$0.58
Price	\$42.36

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RTI Act 2009

Appendix C

ABORIGINAL AND TORRES STRAIT ISLANDER CULTURAL HERITAGE REGISTER EXTRACT

Published on DES Disclosure Log
RTI Act 2009

SPECIFIC OUTCOMES		PROBABLE SOLUTIONS		COMPLIANCE
			<p>avoided. Where solid blank surfaces are unavoidable, landscaping, creepers, murals, vandal resistant paint, etc are used; and</p> <p>b) toughened glass, security screens and other measures (not including opaque security shutters) are used in windows which are provided at ground level, to deter break and enters; and</p> <p>c) hardy vandal proof materials and anti-graffiti paint are used in the construction of buildings, where appropriate.</p> <p>d) height of 0.75m, to avoid clumping and to retain sightlines.</p>	
O15	Lighting of appropriate intensities is provided to maximise safety.	<p>S15.1</p> <p>S15.2</p> <p>S15.3</p> <p>S15.4</p>	<p>Lighting of appropriate intensities is provided which satisfies the requirements of Australian Standard AS1158: Public Lighting Code, unless otherwise specified in this Code;</p> <p>AND</p> <p>External lighting of a graduated intensity is provided which starts at a lower level of brightness at the perimeter of the site and rises to a greater intensity at the entrance to buildings, or at the centre of the site;</p> <p>AND</p> <p>Lighting is directed onto the site and away from neighbouring properties;</p> <p>AND</p> <p>Vandal-resistant lighting is used in public and publicly accessible areas.</p>	<p>Complies.</p> <p>All lighting will satisfy AS1158 as required.</p> <p>Complies.</p> <p>External lighting near the open space areas will be provided at a lower intensity than in developed areas.</p> <p>Complies.</p> <p>All lighting will be directed onto the site.</p> <p>Complies.</p> <p>Vandal resistant lighting is to be used in the proposed development.</p>

SPECIFIC OUTCOMES		PROBABLE SOLUTIONS		COMPLIANCE
O20	AND The childcare centre is located in close proximity to Neighbourhood, Business Centres and Community Services Zones;	S20.1	No solution provided.	Performance Solution. Should any tenancy within the extended Noosa Civic centre be used for childcare purposes, it would be located on a site within the Shire Business Centre Zone.
O21	OR The childcare centre is located in close proximity to entrances to residential neighbourhoods.	S21.1	No solution provided.	Performance Solution. Should any tenancy within the extended Noosa Civic centre be used for childcare purposes, it would be located proximate to residential neighbourhoods.
O22	The site is capable of accommodating a well designed and integrated facility incorporating buildings and structures, vehicle access, parking and manoeuvring, landscaping and other <i>buffer elements</i> .	S22.1	Site area is- a) a minimum of 1,500m ² for between 25-50 children; or b) a minimum of 2,000m ² for more than 50 children.	Complies. Should any tenancy within the extended Noosa Civic centre be used for childcare purposes, the size, layout and existing facilities on the site would be appropriate.
Built-Form				
Amenity				
O23	Adjoining Residential Uses are protected from any potential <i>environmental nuisances</i> caused by the childcare uses.	S23.1	A screen fence of a minimum of 1.8m in height is erected on all side and rear boundaries adjoining any land in a <i>residential zone</i> .	Not applicable. The proposed development is not situated adjoining residential uses.
Wellbeing Type 1 Health				
Effects of Use				
O28	Site design and layout ensures efficient access and egress for emergency vehicles.	S28.1	No solution provided.	Performance Solution. Should any tenancy within the extended Noosa Civic centre be used for purposes defined as Wellbeing Type 1 – Health, efficient access and egress for emergency vehicles would be available.

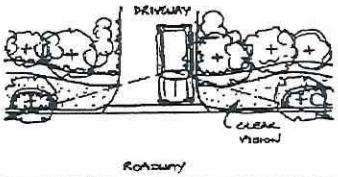
SPECIFIC OUTCOMES		PROBABLE SOLUTIONS		COMPLIANCE
S4	The siting and design of buildings or other structures reflects and is compatible with the setting and character of the locality in which the Infrastructure Use is located, including the use of sympathetic colour schemes.	S4.1	No solution provided.	Performance Solution. Any future bus station on the site would incorporate building and structure design which was appropriate and compatible with existing development and the established character of the site and locality.
S5	Infrastructure Uses are secure and potential impacts from vandalism are minimised.	S5.1 S5.2	For Installations and Towers—the use is fenced with security fencing; For other Infrastructure Uses—no probable solution	Not Applicable. Performance Solution Any future bus station on the site will be developed in a manner that is safe and minimises the opportunity for vandalism.
S6	The generation of spill light by development, which gives rise to annoyance, discomfort, distraction or a reduction in the ability to see essential information, is avoided.	S6.1	Lighting associated with the use is designed, installed, operated and maintained in accordance with Section 3 of AS4282 The Control of the Obtrusive Effects of Outdoor Lighting.	Will Comply. Any future bus station will provide lighting in accordance with the relevant standard.
S7	Mechanical plant and equipment (including air conditioning equipment) are— a) positioned to minimise adverse impacts on the amenity of any residential premises; b) designed and positioned to visually integrate with the building and roof design; and c) appropriately screened.	S7.1 S7.2	Plant and equipment are— a) located more than 2m from any property boundary; and b) screened by dense vegetation or fencing (i.e. 1.5m wide vegetated buffer area); Plant and equipment are located within a building.	Complies. Performance Solution. Some mechanical plant on the site which may be utilised in the development of any future bus station is located on the centre roof however is appropriately screened and enclosed to mitigate any adverse amenity impacts.
S8	There are no significant adverse effects on the biodiversity, natural vegetation, native wildlife, habitats, landscape quality, water quality or heritage values, including those related to –	S8.1	No solution provided.	Performance Solution. The development of any future bus station on the site would be located within the existing developed area and therefore not have any significantly adverse impact on biodiversity or environmental values.

LANDSCAPING CODE

Prepared by JEREMY FERRIER LANDSCAPE ARCHITECT

SPECIFIC OUTCOMES		PROBABLE SOLUTIONS	COMPLIANCE
SPECIFIC OUTCOMES SOUGHT FOR THE LANDSCAPING CODE			
Landscaping			
General Requirements			
Streetscape and Amenity			
01	Sufficient <i>landscaped areas</i> are provided to-	S1.1	Complies. Landscaped areas, not less than the minimum areas and dimensions specified are provided and maintained. Landscaping is designed, planted and maintained in accordance with PSP3 Landscaping Plants and Guidelines.
	a) enhance the visual amenity and natural landscape character of the area, streetscape and local area; b) retain natural landscape features, such as rock outcrops and existing large trees; c) retain existing native vegetation and enhance <i>buffer areas</i> around property boundaries; d) suit the relative size and nature of the development and its setting; e) reduce the visual impact of large or bulky structures and fencing along waterways; and f) conceal service, carparking and loading areas of developments; g) screen incompatible land uses; and	S1.2	
		<i>Landscaped areas</i> , not less than the minimum areas and dimensions specified in Tables 14-53 or 14-54, are provided and maintained. Landscaping is designed, planted and maintained in accordance with <i>PSP3</i> Landscaping Plants and Guidelines.	

SPECIFIC OUTCOMES		PROBABLE SOLUTIONS		COMPLIANCE
Species Selection				
O3	Landscaped areas include plant species that-	S3.1	Plantings-	Complies. Landscape comprises plant species identified for the relevant landscape character area in PSP3 and Guidelines; and avoids undesirable plant species identified in and Guidelines.
	a) are appropriate to the biophysical conditions and landscape character of the area;		a) comprise plant species identified for the relevant landscape character area in PSP3 Landscaping Plants and Guidelines; and	
	b) are suitable for the space available, the level of visual and climatic exposure, the functional requirements of the site and the scale of the development;		b) avoid undesirable plant species identified in PSP3 Landscaping Plants and Guidelines.	
	c) provide for appropriate levels of shade and sunlight to occupants of the development throughout the year;	S3.2	OR For landscaping around pool areas-	
	d) minimise the demand for water use;		a) no more than 30% of the landscaped area is a mixture of plants of local origin and exotic plant species, provided none of the plant species are undesirable plants identified in PSP3 Landscaping Plants and Guidelines; and	
	e) in road reserves, provide street trees with effective canopy shade having regard to the size and scale of the road reserve and the location of services and other structures;		b) palms are specifically located in group plantings in accordance with PSP3 Landscaping Plants and Guidelines;	
	f) for street trees in towns are villages, are consistent with the existing streetscape character;	S3.3	AND Root guards are utilised around species with potentially invasive roots.	
	g) do not cause potential damage to buildings or structures;			
	h) are not harmful to pedestrians, particularly			

SPECIFIC OUTCOMES	PROBABLE SOLUTIONS	COMPLIANCE
<p>distances at planting bed ends within carparks;</p> <p>f) protecting solid fences from graffiti by incorporating elements such as landscaping, creepers, murals or vandal resistant paint; and</p> <p>g) separating and defining pedestrian and vehicle circulation routes.</p> <p>Figure 14-17- Landscaping allows for adequate safe vision at driveways and intersections</p> 		

SPECIFIC OUTCOMES	PROBABLE SOLUTIONS	COMPLIANCE
	<div data-bbox="929 327 1310 550"> </div> <div data-bbox="795 574 862 606">S7.3</div> <div data-bbox="918 574 1366 678"> <p>For power lines that connect to a premises, the height of plant species at maturity provides for a 2m clearance below the power line; (see Figure 14-19)</p> </div> <div data-bbox="918 718 1075 750">Figure 14-19</div> <div data-bbox="929 766 1355 989"> </div> <div data-bbox="795 1013 862 1045">S7.4</div> <div data-bbox="918 1013 1366 1061"> <p>Trees and large scrubs are located a minimum of-</p> </div> <div data-bbox="918 1069 1366 1284"> <ul style="list-style-type: none"> a) 5m from electricity poles and pillars; b) 4m from street lamps; c) 2m from stormwater catchment pits; and d) 2m from underground services and utilities; </div> <div data-bbox="795 1292 862 1324">S7.5</div> <div data-bbox="918 1292 1366 1372"> <p>AND Plants are located to enable tradespersons to access, view and inspect service</p> </div>	

SPECIFIC OUTCOMES		PROBABLE SOLUTIONS	COMPLIANCE
Specific Requirements for Business Uses			
Design of Commercial and Retail Spaces			
O19	Landscaping softens building bulk and creates pleasant settings for visitors and staff that function well in an intensively used environment by- <ul style="list-style-type: none"> a) providing canopy trees and shade structures; b) using shrubs and garden beds to clearly define public spaces and pedestrian walkways; c) providing areas for public art, where appropriate; d) providing outdoor areas with seating for staff and visitors; e) adopting landscape solutions that reduce the visual impact of building bulk (see Figure 14-24); f) using mounding and screen planting to conceal service and loading areas; g) making provision for <i>outdoor dining areas</i> where appropriate, that integrate well within the streetscape (see Figure 14-25); h) providing adequate screening along the perimeters of the development; i) avoiding the use of 	S19.1	No solution provided.
			Performance Solution. Landscaping softens building bulk and creates pleasant settings for visitors and staff that function well in an intensively used environment by: <ul style="list-style-type: none"> • providing canopy trees; • providing outdoor areas with seating for staff and visitors; • adopting landscape solutions that reduce the visual impact of building bulk • providing adequate screening along the perimeters of the development; • avoiding the use of formal planting design; and • providing planting design and species selection that can endure an intensively used environment.

SPECIFIC OUTCOMES		PROBABLE SOLUTIONS		COMPLIANCE
			space.	
O10	Buildings and structures are designed to minimise opportunities for vandalism.	S10.1	<p>Buildings or structures that are visible from a public street or laneway-</p> <ul style="list-style-type: none"> a) avoid the use of solid fences and blank walls which attract graffiti. Where solid blank surfaces are unavoidable measures in the form of landscaping, creepers, murals, vandal resistant paint, etc are used; and b) use toughened glass, security screens and other measures (but not including security shutters that obscure the view of shopfronts) are used in windows which are provided at ground level, to deter break and enters; and c) use hardy vandal proof materials and anti-graffiti paint are used in the construction of buildings. 	<p>Complies.</p> <p>The design of the proposed development reduces opportunities for vandalism to the greatest extent practicable. Details of the materials, finishes and other security measures will be resolved further as part of subsequent applications.</p>
O11	Lighting of appropriate intensities is provided to maximise safety.	<p>S11.1</p> <p>S11.2</p> <p>S11.3</p> <p>S11.4</p>	<p>Lighting of appropriate intensities is provided which satisfies the requirements of Australian Standard AS1158: Public Lighting Code, unless otherwise specified in this Code;</p> <p>External lighting of a graduated intensity is provided which starts at a lower level of brightness at the perimeter of the site and rises to a higher level at the entrance to buildings or at the centre of the site;</p> <p>Lighting is directed onto the site and away from neighbouring properties;</p> <p>Vandal-resistant lighting is used in public and publicly accessible areas.</p>	<p>Will Comply.</p> <p>Appropriate lighting will be provided to maximise safety and legibility whilst minimising nuisance.</p>

SPECIFIC OUTCOMES		PROBABLE SOLUTIONS		COMPLIANCE
	h) and behaviour; and disturbance of buildings and features, including natural features, of heritage significance.			
Entertainment and Dining Business or Retail Business Types 1 or 2				
Effects of Use				
Noise and Visual Amenity				
O15	<i>Uses</i> maintain a satisfactory level of acoustic and visual amenity for surrounding <i>uses</i>	S15.1	For uses involving outdoor courts including tennis courts, half courts and netball courts-the use complies with the requirements in Section 2 of <i>PSP8 Tennis and other Courts</i> .	Not applicable. The proposed development does not include outdoor courts, tennis courts, half courts and netball courts.
Outdoor Dining Areas				
O16	Outdoor dining areas are designed and located so that- a) structures are aesthetically pleasing and in keeping with the existing character of the area, including the architecture of the associated building; b) outdoor dining adds to the landscaped streetscape without increasing perceived building bulk; c) temporary walls or roofs are stored when not in use and secured at all times; d) adequate air movement is available; and e) structures do not impede the movement of pedestrians or vehicles;	S16.1 S16.2 S16.3	Walls to <i>outdoor dining areas</i> are- a) if facing a roadway or other public area, transparent; b) not made of flexible, roll-up or drop plastic sheeting; c) separated from the floor and any roof by a minimum vertical gap of 500mm; and d) if detachable or collapsible, are only used during inclement weather; AND Roof, walls or other structures do not extend beyond the boundaries of the premises; AND The <i>outdoor dining area</i> complies with Planning Scheme Policy <i>PSP14 Outdoor Dining</i> ;	Not Applicable. The proposed development does not propose outdoor dining facilities.

COMMUNITY USES CODE

Prepared by HUMPHREYS REYNOLDS PERKINS

SPECIFIC OUTCOMES		PROBABLE SOLUTIONS		COMPLIANCE
SPECIFIC OUTCOMES SOUGHT FOR THE COMMUNITY USE CODE				
For all Community Uses				
Effects of Use				
Electricity Supply Infrastructure				
O1	The development does not adversely impact on existing or future electricity supply infrastructure;	S1.1	No solutions provided	Performance Solution. The subject site has convenient access to necessary electricity infrastructure and will not impact upon the ongoing viability of these services for the broader community.
O2	AND All uses and works maintain an adequate safe distance from electrical infrastructure including substations, overhead powerlines, power poles and transformers.	S2.1	Development for uses adjacent to or within 50m of an existing electricity substation incorporates noise attenuation measures to mitigate noise impacts;	Can Comply In the event that any part of the development is within 50 metres of a substation, any unreasonably adverse noise impacts can be appropriately mitigated.
		S2.2	Buildings and structures (including swimming pools, sheds, tennis courts and outbuildings) are not constructed under overhead electricity transmission lines, or within electricity easements;	Complies. No development is proposed under overhead electricity transmission lines.
		S2.3	AND A minimum separation distance is maintained from the electricity transmission line to the closest boundary of <i>habitable buildings</i> and <i>child activity areas</i> , as follows- a) 20m for transmission lines up to 132kV; b) 30m for transmission lines between 133kV and 275kV; and c) 40m for transmission lines greater than 275kV.	Will Comply. Minimum separation distances will be maintained as prescribed.

SPECIFIC OUTCOMES		PROBABLE SOLUTIONS		COMPLIANCE
	corridors; or b) applying appropriate noise attenuation measures into the development.	S6.3	OR Solid concrete articulated fences are constructed on-site to attenuate noise.	
Artificial Lighting				
07	The obtrusiveness of lighting is minimised without unduly limiting the use, enjoyment or safety of outdoor recreation facilities;	S7.1	Lighting associated with the use is designed, installed, operated and maintained in accordance with Section 3 of AS4282 "The Control of the Obtrusive Effects of Outdoor Lighting";	Complies. All aspects of the proposed development will be appropriately lit and will not generate obtrusive light nuisance .
		S7.2	AND If for Sport and Recreation-Development complies with Australian Standard AS2560 <i>Guide to Sports Lighting</i> .	
08	AND Development does not include spill light which gives rise to annoyance, discomfort, distraction or a reduction in the ability to see essential information	S8.1	No solution provided	Performance Solution. All aspects of the proposed development will be appropriately lit and will not generate obtrusive light nuisance .
Built Form				
Safety and Security				
09	All property boundaries are clearly identifiable and public and private spaces are clearly defined.	S9.1	Boundaries identified by such means as: a) fencing; b) changes in surface materials or levels; c) landscape treatments.	Complies.
010	All premises and access routes are clearly identifiable to all persons, particularly emergency services personnel.	S10.1	All premises are identified by the provision of the street number in a prominent location, preferably near the site entry, (ie. on the kerb or letterbox or by signage on the building or site).	Complies.
011	All building entries are designed to be obvious and easily identifiable.	S11.1	The number of entrances and exits are limited and main building entrances/exits located at the front of the site are in view of the street. Where this is not possible,	Complies.

SPECIFIC OUTCOMES		PROBABLE SOLUTIONS		COMPLIANCE
			replaced by <i>vegetation of local origin</i> .	
O6	AND <i>Wetlands</i> are protected from removal or degradation and any impacts on <i>wetlands</i> are prevented, minimised or mitigated by	in S5.5 and S6.1	a) species planted are of local origin and are harvested through sustainable harvesting; and b) any undesirable plant species are replaced by vegetation of local origin.	Not applicable. There are no identified Wetland areas present on the Stage 3 site.
	a) maintaining adequate separation between the wetland and any adjacent development or use ¹⁰ ; b) minimising any modification of the natural characteristics of the <i>wetland</i> , including the topography, surface and groundwater hydrology, water quality and flora and fauna species; c) preventing any new development within <i>wetlands</i> ; d) minimising access to the <i>wetland</i> ; e) minimising impacts associated with pest insect control and invasion by <i>undesirable plant species</i> ; and f) providing for the rehabilitation and replanting of degraded <i>wetlands</i> .	S6.2	A minimum separation distance of 100m is provided between a <i>wetland</i> and any adjacent development or use.	
Environmental Enhancement Vegetation				
O7	Vegetation of <i>local origin</i> on premises identified as Environmental Enhancement is protected from the impacts of development (edge effects) and fragmentation by being maintained in manageable and viable	S7.1	No <i>interference</i> with <i>vegetation</i> on premises identified as Environmental Enhancement on Biodiversity Overlay Maps OM1.1 to OM9.1;	Conflict. Areas of Environmental Enhancement will be cleared for the proposed development. In order to offset this impact large areas of vegetation will be retained and improved

SPECIFIC OUTCOMES		PROBABLE SOLUTIONS		COMPLIANCE
	identified in <i>Vegetation of Noosa Shire</i> .		<p>0.3ha-interference with vegetation does not extend beyond 10m of a building or structure where the interference is <i>reasonably necessary</i> for access to the building or structure; or</p> <p>e) for freehold lots 10ha or more-interference with vegetation does not extend beyond 30m of a building or within 10m of a structure where the interference is <i>reasonably necessary</i> for the control of fire risk to the building or structure; or</p> <p>f) for freehold lots less than 10ha where-</p> <p>i. located within an area identified as a Bushfire Hazard Area on the Natural Hazards Overlay Maps OM1.4-OM9.4; and</p> <p>ii. an on site assessment in accordance with Australian Standard AS3959 confirms the site is within a Medium or High Bushfire Hazard Area-</p> <p>interference with vegetation does not extend beyond 10m of a building or structure or a distance equal to 1.5 times the predominant mature canopy tree height, whichever is the greater.</p>	
Open Space Networks and Wildlife Corridors				
09	Open space networks and wildlife corridors are maintained and embellished to provide for viable connectivity between vegetation by	S9.1	<i>Vegetation</i> is enhanced through revegetation and vegetation maintenance in areas indicated in Schedule 5 on Map 4 - Open Space Networks.	<p>Not applicable.</p> <p>No Open Space Corridors or Wildlife Corridors are mapped on Schedule 5 on Map 4 for the Stage 3 development site, though</p>

SPECIFIC OUTCOMES		PROBABLE SOLUTIONS		COMPLIANCE
Engineering and Site Works				
O15	Development is sited and designed to- a) provide adequate separation distance between the <i>vegetation</i> to be protected and the development to avoid disturbing, destabilising and deoxygenating any tree or altering the drainage; b) avoid traversing or fragmenting <i>vegetation</i> or habitats for significant flora and fauna species; and c) avoid creating barriers to faunal movement.	S15.1	Works, including roads, driveways, fences, sewer lines and other infrastructure- a) do not transect areas of vegetation; or b) are co-located within a combined utility corridor; and c) provide for fauna underpasses, speed reduction devices and associated fencing, lighting and warning signs, where appropriate;	Complies. Works will not bisect any existing wildlife corridors. An extensive area to function as a wildlife corridor will be retained along Eenie Creek. Traffic calming devices will reduce speeds to a minimum within the proposed development. No fences will be incorporated within the proposed development. No domestic animals will be on the associated with the development.
		S15.2	AND Development within or adjacent to areas of vegetation, incorporates fences that allow for protected fauna movement and to control unrestricted access of domestic cats and dogs;	
		S15.3	AND <i>Vegetation</i> is protected from interference resulting from clearing or construction activities by- a) clearly marking <i>vegetation</i> to be retained with flagging tape; b) installing protective fencing around the <i>dripline</i> of the vegetation; and c) ensuring stock piling, storage and vehicle parking occur outside the identified vegetation areas;	
		S15.4	AND Low impact construction techniques are used around <i>vegetation</i> to minimise interference with the <i>vegetation</i> .	

SPECIFIC OUTCOMES		PROBABLE SOLUTIONS		COMPLIANCE
Fire Management				
O19	Fire management measures are adopted based on ecological principles, which- a) maintain and enhance biodiversity; b) minimise threat of fire to the natural environment, life and property; and c) provide for effective use and maintenance of <i>buildings</i> and <i>structures</i> .	S19.1	No solutions provided	Performance Solution. A bushfire management plan has been prepared for the site. This outlines all measures put in place to minimise the threat of fire to the natural environment. The current fire regime imposed on the site has been deemed to be too frequent for the optimal conservation of the site's ecology. The current fire regime will be reduced as a result of management actions put in place with the proposed development.

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NATURAL HAZARDS OVERLAY CODE

Prepared by THE CONSULTANCY BUREAU PTY LTD and HUMPHREYS REYNOLDS PERKINS

SPECIFIC OUTCOMES		PROBABLE SOLUTIONS		COMPLIANCE
SPECIFIC OUTCOMES SOUGHT FOR THE NATURAL HAZARDS OVERLAY CODE				
Effects of Use				
General				
O1	Development is located to ensure it does not compromise the safety of people, property or hazardous materials manufactured or stored in bulk by increasing risk of landslide;	S1.1 S1.2 S1.3	The proposed development is not located in a landslide hazard area as indicated on Overlay Maps OM1.3-OM9.3; OR The development site is not subject to landslide, either internally or from sloping land above the site {ie. slopes are less than 15% (1:6.6)} AND Development, including necessary earthworks within Precinct F of the Noosa Springs site, improves the stability of any non-natural landform so it is not at risk from landslide either on the site or from sloping land above the site.	Not applicable. The proposed development is not located in a landslide hazard area or on or adjacent to a sloping site and no hazardous materials are proposed to be manufactured or stored in bulk on the subject site.
O2	Development, including accessways is designed and constructed to- a) minimise impacts on the natural landform; b) minimise risk to people and property from landslide; c) avoid any potential instability and associated problems, including long term stability of the site and long term stability of the	S2.1	No solutions provided	Not applicable. The proposed development is not located in a landslide hazard area or on or adjacent to a sloping site.

SPECIFIC OUTCOMES		PROBABLE SOLUTIONS		COMPLIANCE
Protection of Infrastructure and Community Uses				
O5	<p>Community Uses and Infrastructure Uses, including that identified below, are able to function effectively during and immediately after bushfire events-</p> <p>a) Emergency service facilities;</p> <p>b) Hospitals;</p> <p>c) Education Type 4 uses, including stores for valuable records or items of historic or cultural significance; and</p> <p>d) Service and utility uses, including electricity substations, major electrical depots and water treatment plants.</p>	<p>S5.1</p> <p>S5.2</p> <p>S5.3</p>	<p>Community Uses and Infrastructure Uses are not located in a High or Medium Bushfire Hazard Area identified on Overlay Maps OM1.4 to OM9.4;</p> <p>OR</p> <p>Building work will not involve more than an additional 20m² of <i>Gross Floor Area</i> to an existing building;</p> <p>OR</p> <p>Where located in a High or Medium Bushfire Hazard Area identified on Overlay Maps OM1.4 to OM9.4, uses are designed to function effectively during and immediately after bushfire events.</p>	<p>Not applicable.</p> <p>The proposed development is not situated on land classified as a High or Medium Bushfire Hazard Area.</p>
Hazardous Materials				
O6	Public safety and the environment are not adversely affected by the detrimental impacts of bushfire on hazardous materials manufactured or stored in bulk.	S6.1	Hazardous materials are not manufactured and stored on the site	<p>Complies.</p> <p>The proposed development does not include the on-site manufacture and storage of hazardous materials.</p>
Siting, Design and Construction				
O7	<p>Uses and works including building works are sited, designed and constructed to-</p> <p>a) minimise the number of people and property subject to bushfire risk; and</p> <p>b) maximise the protection of people and property during the passage of a</p>	S7.1	<p>Uses and works including building works are sited-</p> <p>a) on lots greater than 2500m²;</p> <p>i) in locations of lowest hazard within the lot (Figure 13.5 provides guidance); and</p> <p>ii) to achieve setbacks from hazardous vegetation of 1.5 times the</p>	<p>Complies.</p> <p>The proposed development involves the construction of an internal southern loop road from Walter Hay Drive with a width exceeding 20m to provide sufficient separation between the proposed development and vegetation to the south of the subject site.</p> <p>Refer to Appendix P - Bushfire Management Plan of this report for further details.</p>

SPECIFIC OUTCOMES		PROBABLE SOLUTIONS		COMPLIANCE
			iii. have a formed pavement; iv. have access at each end and in other locations where necessary; v. have passing areas and turning areas; vi. have clearly identified access points for emergency vehicles; and vii. are located on public land or within access easements that are granted in favour of Noosa Shire Council and the Queensland Fire and Rescue Service.	
Flood Hazard Areas – Effects of Use and Works				
Safety and Floodplain Function				
O14	The proposed use does not compromise the safety of people or property from floods up to and including a 1% AEP (1:100 year ARI) flood event.	S14.1 S14.2 S14.3 S14.4	The use does not result in an increase in the number of persons living, working or congregating in Flood Hazard Areas identified on Overlay Maps OM1.3-OM9.3; OR At least one access route above the 1% AEP (1:100 year ARI) flood level is available for evacuation; OR An area of sufficient size and dimensions to accommodate users is provided, above the 1% AEP (1:100 year ARI) flood level that allows for safe congregation and evacuation; AND Works avoid any reductions in on-site flood storage capacity and contain within the site any adverse changes, including	Not applicable. Whilst the southern part of the subject site is situated within a flood hazard area, being adjacent to Eenie Creek, no part of the proposed development is situated in the flood hazard area.

SPECIFIC OUTCOMES		PROBABLE SOLUTIONS		COMPLIANCE
			c) Police station- 0.5% AEP (1:200 ARI); d) Hospital-0.2% AEP (1:500 ARI); e) Electricity substation- 0.2% AEP (1:500 ARI); f) Water treatment plant- 0.2% AEP (1:500 ARI); g) Power station -0.5% AEP (1:200 ARI); h) Major electrical switch yard- 0.5% AEP (1:200 ARI); and i) Store for valuable records or items of historic or cultural significance- 0.5% AEP (1:200 ARI).	
O19	All lots have sufficient area that is above the 1% AEP (1:100 year ARI) flood level or where modelling is not available, the highest recorded flood level, to safely and adequately accommodate their intended use.	S19.1 S19.2	The minimum area above flood level for each lot, is in accordance with Table 13.11; AND Where the existing roads servicing a development provide a specific flood immunity (as determined by Chapter 6 of the Qld Transport Road and Drainage Design Manual and the Australian Rainfall and Runoff Guide), all lots have access to the flood free area identified in Table 13.11 that matches the road immunity;	Not applicable. Whilst the southern part of the subject site is situated within a flood hazard area, being adjacent to Eenie Creek, no part of the proposed development is situated in the flood hazard area.
O20	AND Development integrates with the natural landform rather than modifying the landform to suit the development.	S20.1 S20.2	AND Flood immunity for development areas is not achieved by filling land below the 1% AEP (1:100 year ARI) flood level; OR Where modelling is not available, flood immunity for development areas is not achieved by filling land below the highest recorded flood level.	Not applicable. Whilst the southern part of the subject site is situated within a flood hazard area, being adjacent to Eenie Creek, no part of the proposed development is situated in the flood hazard area.

SPECIFIC OUTCOMES		PROBABLE SOLUTIONS		COMPLIANCE
		S22.2	<p>OR</p> <p>The disturbance of acid sulfate soils avoids the release of acid or associated metal contaminants by-</p> <ul style="list-style-type: none"> a) neutralising existing acidity and preventing the generation of acid and associated metal contaminants; and b) preventing the release of surface or groundwater flows containing acid or associated metal contaminants into the environment. 	

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SPECIFIC OUTCOMES		PROBABLE SOLUTIONS		COMPLIANCE
Mechanical Plant and Equipment and Storage Areas				
O4	Mechanical plant and equipment (including air conditioning equipment) and storage areas are designed and located to- a) avoid adverse visual impacts when viewed from the street and adjoining properties; and b) visually integrate with the building design.	S4.1	Mechanical plant and equipment are- a) located more than 2m from any property boundary; b) where located at ground level, screened by fencing 1.5m in height or dense <i>vegetation</i> of at least 1.5m in width incorporating grouped trees and shrubs with maximum separation distance of 1m measured from the centre of the tree or scrub; and c) are visually integrated into the line and plane of the <i>building</i> and roof design and do not project beyond the height or width of the <i>building</i> when viewed from the street and adjoining properties	Complies. Mechanical plant and equipment is located on the roof and has been integrated within the design so as not to be visually intrusive. The proposed development is separated and screened from the external road network by a vegetated buffer zone along the road frontage and is well setback from the boundary with at grade car parking in between.
		S4.2	AND For Industrial business and Retail business Type 3, materials stored outside of a <i>building</i> do not exceed 4m in height or half the height of the on-site <i>buildings</i> whichever is the greater.	Not applicable. The proposed development does not include any Industrial business and Retail business Type 3 uses.
Safety and Security				
O5	All property boundaries are clearly identifiable with public and private spaces clearly defined.	S5.1	Boundaries are identified by such means as - a) fencing; or b) changes in surface materials or levels; or c) landscape treatments.	Complies. The boundaries of the site are clearly defined.
O6	All premises and access routes are clearly identifiable to all persons, particularly emergency services personnel.	S6.1	All premises are identified by the provision of the street number in a prominent location, preferably near the site entry, (i.e. on the kerb or letterbox or by signage on the building or site).	Complies. The Noosa Civic centre is clearly identified and well signed.

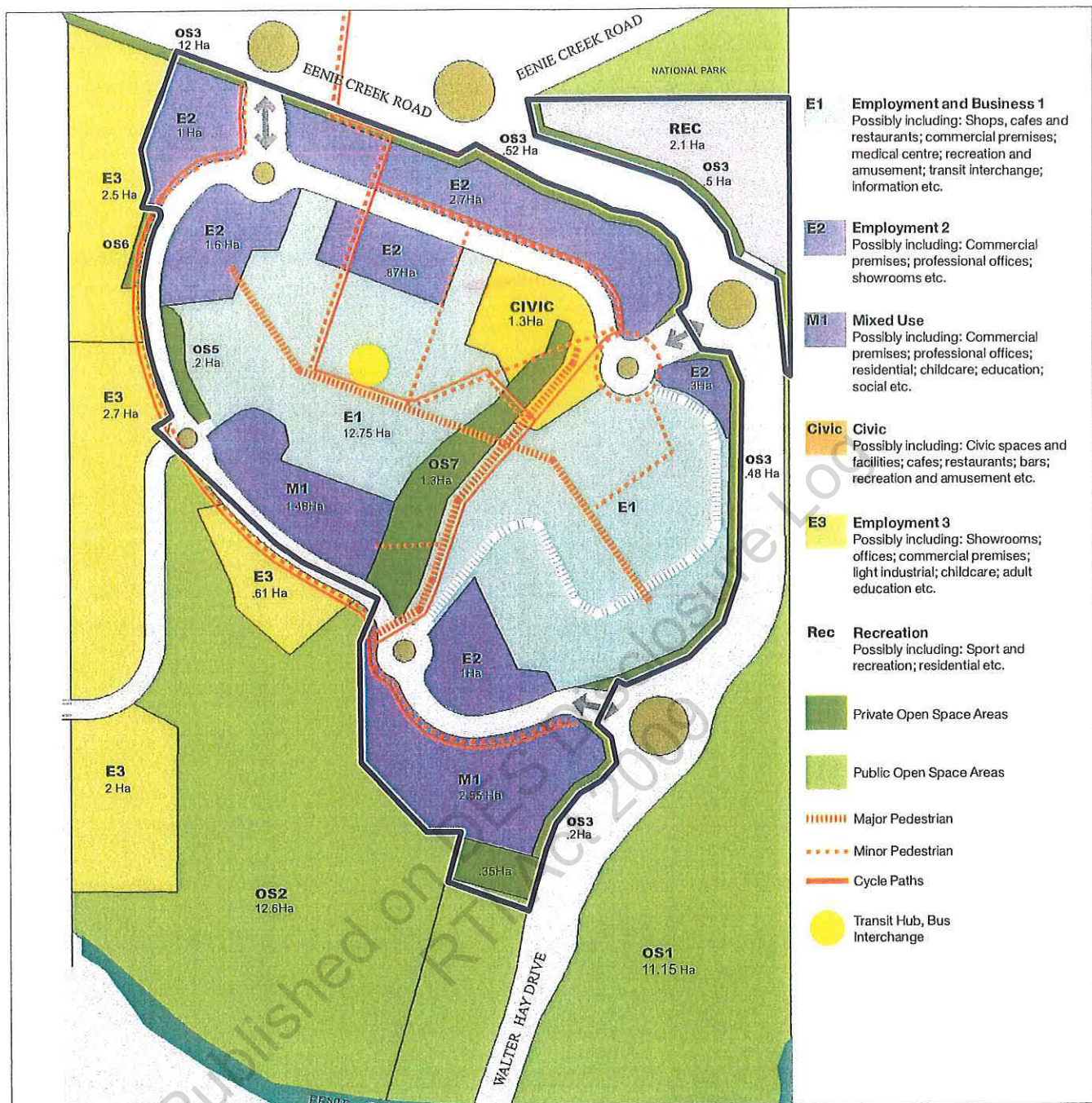
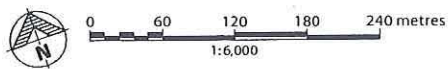


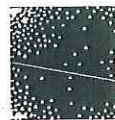
FIGURE 5



LEGEND



Subject Site



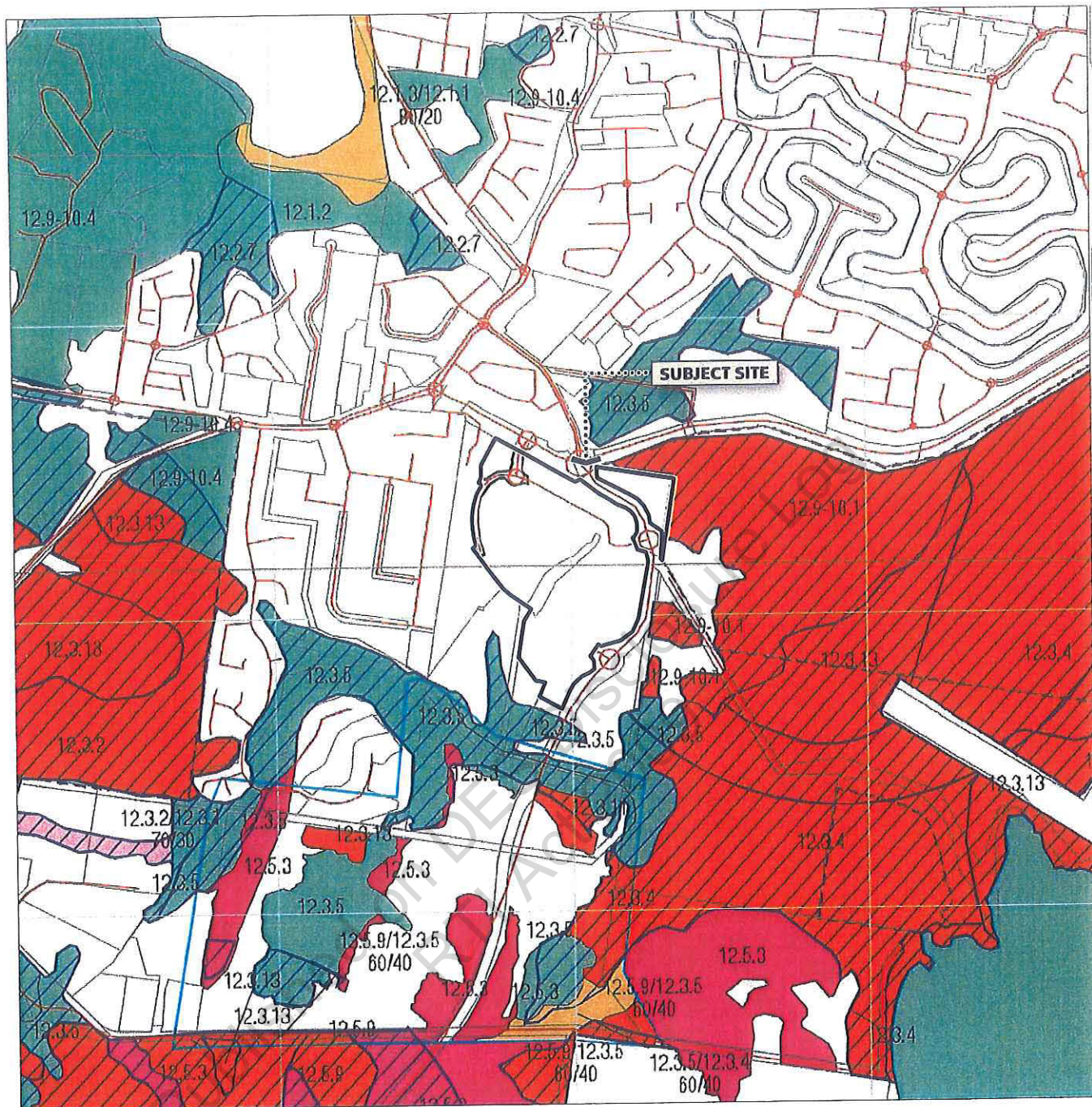
HUMPHREYS REYNOLDS PERKINS PLANNING CONSULTANTS

NOOSA CIVIC - STAGE 3
EENIE CREEK ROAD, NOOSAVILLE

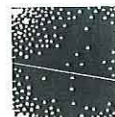
OVERALL DEVELOPMENT CONCEPT PLAN

FILENAME >	OVERALL CONCEPT PLAN	DATE >	04 DECEMBER '07
JOB NO. >	070095	AMENDED >	N/A
SCALE >	1:6,000	VERSION >	1.0
SOURCE >	STOCKWELL		

FIGURE 5



0 200 400 600 800 metres
1:20,000



HUMPHREYS REYNOLDS PERKINS PLANNING CONSULTANTS

LEGEND

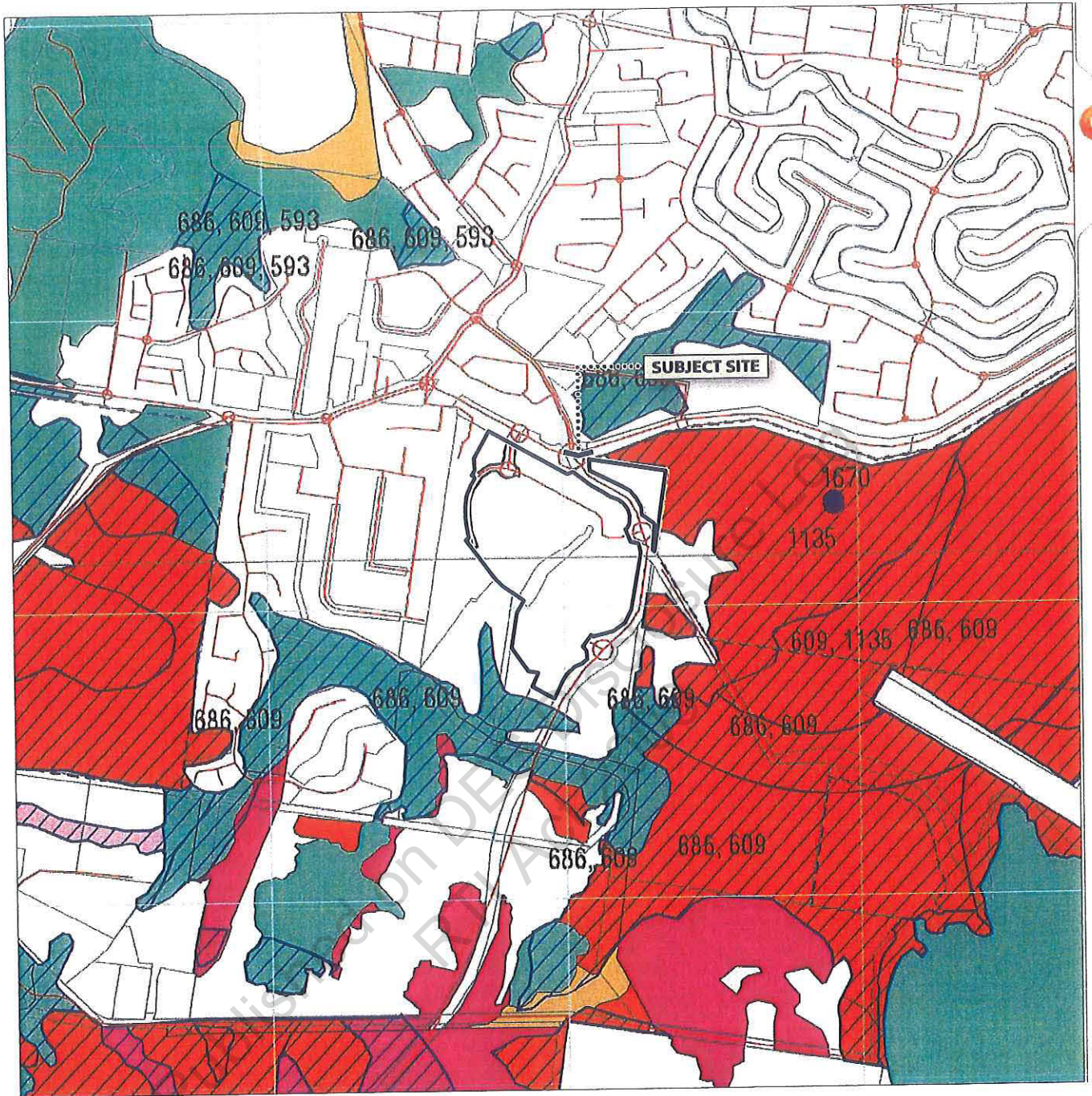
- 2003 Remnant endangered regional ecosystem
 - Dominant
 - Sub-dominant
- 2003 Remnant of concern regional ecosystem
 - Dominant
 - Sub-dominant
- 2003 Remnant not of concern regional ecosystem
 - Non-remnant
- Plantation Forest
- Dam or Reservoir
- 2003 Remnant Vegetation Cover (RVC)
- Vegetation Management Act Essential Habitat
Area identified as essential habitat by the EPA for a species of wildlife listed as endangered, vulnerable, near threatened or rare under the Nature Conservation Act 1992.
For further information on VMA Essential Habitat, please see the attached VMA Essential Habitat map.

- Subject Lot
- Certified Map Amendment area
- Roads
- * MapInfo Australia Pty Ltd 2006
- Bioregion boundary
- National Park, Conservation Area State Forest and other reserves
- Cadastral line
- The maximum spatial error of parcels extracted for this map from the Digital Cadastral Data Base (DCDB) range from: 14m to 251m at a 95% confidence level. Property boundaries shown are provided as a locational aid only.
- Towns

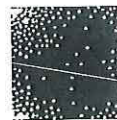
NOOSA CIVIC - STAGE 3
EENIE CREEK ROAD, NOOSAVILLE

REGIONAL ECOSYSTEM MAP

FILENAME >	REGIONAL ECOSYSTEM MAP	DATE >	04 DECEMBER '07
JOB NO. >	070095	AMENDED >	N/A
SCALE >	1:20,000	VERSION >	1.0
SOURCE >	QUEENSLAND GOVERNMENT EPA/QPWS: 2003 REGIONAL ECOSYSTEM MAP		



0 200 400 600 800 metres
1:20,000



HUMPHREYS REYNOLDS PERKINS PLANNING CONSULTANTS

LEGEND

- 2003 Remnant endangered regional ecosystem
 - Dominant
 - Sub-dominant
- 2003 Remnant of concern regional ecosystem
 - Dominant
 - Sub-dominant
- 2003 Remnant not of concern regional ecosystem
- Non-remnant
- Plantation Forest
- Dam or Reservoir
- 2003 Remnant Vegetation Cover (RVC)
- Vegetation Management Act Essential Habitat Area identified as essential habitat by the EPA for a species of wildlife listed as endangered, vulnerable, near threatened or rare under the Nature Conservation Act 1992.
- Vegetation Management Act Essential Habitat Species Records
- Subject Lot
- Roads
 - * MapInfo Australia Pty Ltd 2008
- Bioregion boundary
- National Park, Conservation Area State Forest and other reserves
- Cadastral line
- The maximum spatial error of parcels extracted for this map from the Digital Cadastral Data Base (DCDB) range from: 14m to 251m at a 95% confidence level. Property boundaries shown are provided as a locational aid only.

• 22-050

NOOSA CIVIC - STAGE 3
EENIE CREEK ROAD, NOOSAVILLE

ESSENTIAL HABITAT MAP

FILENAME >	ESSENTIAL HABITAT MAP	DATE >	04 DECEMBER '07
JOB NO. >	070095	AMENDED >	N/A
SCALE >	1:20,000	VERSION >	1.0
SOURCE >	QUEENSLAND GOVERNMENT EPA/QPWS:		
	VEGETATION MANAGEMENT ACT - ESSENTIAL HABITAT MAP		

FIGURE 7

Appendices

- Appendix A** – Town Planning Compliance Schedule
- Appendix B** – Contaminated Land and Environmental Management Register Extracts
- Appendix C** – ATSIIC Cultural Heritage Register Extract
- Appendix D** – Easement Documentation
- Appendix E** – Covenant Documentation
- Appendix F** – Current Titles Search & Survey Plans
- Appendix G** – Written Expressions of Interest From Major Retailers
- Appendix H** – Plans of Development
- Appendix I** – Landscape Concept Plan
- Appendix J** – Economic Impact Assessment
- Appendix K** – Strategic Overview Report
- Appendix L** – Traffic Impact Assessment Report
- Appendix M** – Visual Impact Assessment
- Appendix N** – Rehabilitation Plan
- Appendix O** – Biodiversity Assessment
- Appendix P** – Bushfire Management Plan
- Appendix Q** – Design Environmental Management Plan

Appendix A

TOWN PLANNING COMPLIANCE SCHEDULE

PREPARED BY HUMPHREYS REYNOLDS PERKINS PLANNING CONSULTANTS AND
TECHNICAL CONSULTANTS

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SEQ REGIONAL PLAN PRINCIPLES AND POLICIES

Prepared by HUMPHREYS REYNOLDS PERKINS PLANNING CONSULTANTS

REFERENCE	PROVISION	COMPLIANCE
PART F – REGIONAL PRINCIPLES AND POLICIES		
2.1	Conserve and manage the region's biodiversity values and maintain supporting ecological processes	Not Applicable. The site is included in the Urban Footprint and does not contain any biodiversity values identified under the Regional Plan. Nevertheless, the proposed development has been designed and sited to appropriately minimise any impact on existing local ecological values and achieves an appropriate balance between development and environmental considerations.
2.1.1	Protect, manage and enhance the region's nature conservation and biodiversity values and supporting ecological processes, including areas of state, regional and local biodiversity significance.	Not Applicable. The site is included in the Urban Footprint and does not contain any biodiversity values identified under the Regional Plan. Nevertheless, the proposed development has been designed and sited to appropriately minimise any impact on existing local ecological values and achieves an appropriate balance between development and environmental considerations.
2.1.2	Ensure land use planning and development activities within areas of state or regional biodiversity significance respect identified biodiversity values, taking account of existing land use rights.	Not Applicable. The site is included in the Urban Footprint and does not contain any biodiversity values identified under the Regional Plan. Nevertheless, the proposed development has been designed and sited to appropriately minimise any impact on existing local ecological values and achieves an appropriate balance between development and environmental considerations.
2.1.3	Protect, manage and enhance areas of state, regional and local biodiversity significance in areas outside the Urban Footprint, having regard to the <i>Vegetation Management Act 1999</i> and existing land use rights.	Not Applicable. The site is included in the Urban Footprint.
2.1.4	Avoid or mitigate potential adverse impacts in areas of state or regional biodiversity significance inside the Urban Footprint, having regard to the development intent for the land in local government planning schemes and associated planning instruments.	Not Applicable. The site is included in the Urban Footprint and does not contain any biodiversity values identified under the Regional Plan. Nevertheless, the proposed development has been designed and sited to appropriately minimise any impact on existing local ecological values and achieves an appropriate balance between development and environmental considerations.
2.2	Assist the survival of koalas in SEQ by protecting identified koala habitat areas and adopting conservation measures to reduce conflict between urban development and koalas.	Complies. The site is included in the Urban Koala Area under the Koala Conservation Plan 2005. In accordance with the relevant and applicable provisions of the Koala Conservation Plan, the development is consistent with the urban development intent for the site while maintaining vegetation, habitat and fauna connections to the greatest extent practicable given the location and use of the site.

REFERENCE	PROVISION	COMPLIANCE
3.2	Acknowledge, protect and manage significant scenic amenity areas and features.	Complies. The proposed development has been designed and sited with the specific objective of preserving and enhancing the scenic amenity of the site and the broader locality. The built form of the development has been minimised to the greatest extent practicable, presents high quality architectural features, preserves existing visual buffers which restrict views into the site and is located centrally to allow future non-retail development on the site to dominate the visual character and amenity of the Noosa Shire Business Centre.
3.3	Recognise and manage landscape heritage to maintain character, culture and sense of place.	Complies. Although the site does not contain elements of particular landscape heritage value, the development has been designed and sited to maintain and enhance the character and sense of place of the locality.
4.2	Manage the region's natural economic resources to sustainably and efficiently meet the needs of existing and future communities.	Not Applicable.
4.2.1	Identify and protect natural economic resource areas from further fragmentation and inappropriate land use.	Not Applicable.
4.2.5	Rehabilitate, protect and manage the region's marine and freshwater fish habitats in a sustainable way.	Not Applicable.
6.1	Maximise access to appropriate social infrastructure for all residents in the region.	Complies. The proposed development will provide the critical mass of core retailing activities necessary to consolidate the Shire Business Centre and function as a critical catalyst and attractor for the future development of social infrastructure in the most appropriate location within Noosa Shire.
6.1.1	Plan for the future provision of a range of community services and facilities to meet community need.	Complies. The proposed development will provide the critical mass of core retailing activities necessary to consolidate the Shire Business Centre and function as a critical catalyst and attractor for the future development of social infrastructure in the most appropriate location within Noosa Shire.
6.1.2	Provide accessible social infrastructure that is well located in relation to transport, residential areas and employment.	Complies. The proposed development will provide the critical mass of core retailing activities necessary to consolidate the Shire Business Centre and function as a critical catalyst and attractor for the future development of social infrastructure. The Shire Business Centre is the most appropriate for the provision of social infrastructure within Noosa Shire, being a developing Major Activity Centre that is increasingly accessible and proximate to future residential and key employment areas.
6.7.2	Support the arts and cultural development through the planning and provision of cultural infrastructure and spaces.	Complies. The proposed extension includes the provision of high quality civic spaces and opportunities for cultural and social interaction which are designed to contribute strongly to the vitality

REFERENCE	PROVISION	COMPLIANCE
		Centre in a manner that supports, and does not threaten, the primacy of the Maroochydore Principal Activity Centre or any other element of the Network of Regional Activity Centres defined by the SEQ Regional Plan.
8.6.2	Locate major employment and trip generating activities within regional activity centres.	Complies. The proposed development will provide the critical mass of core retailing activities necessary to ensure the ongoing development of the Shire Business Centre as a Major Activity Centre within the Network of Regional Activity Centres and the focus of business, employment and broader economic activities within Noosa.
8.6.3	Locate suitable government employment activities of regional and sub-regional significance within regional activity centres.	Complies. The proposed development will provide the critical mass of core retailing activities necessary to ensure the future co-location of appropriate branch offices of government employers within the centre.
8.6.4	Support regional activity centres with appropriate transport infrastructure, government and community services.	Complies. The continued development of the Shire Business Centre, as a Major Activity Centre, is well supported by previous and ongoing investment in transport infrastructure and community services.
8.6.5	Control inappropriate forms of out-of-centre land use and development.	Complies. The proposed development is wholly and appropriately contained within a designated Major Activity Centre.
8.6.6	Prepare detailed master plans for regional activity centres to guide land use, transport, quality of design of buildings and public spaces.	Complies. Detailed master plans have previously been prepared for the site. The proposed development contributes to the ultimate achievement of the outcome sought for the site, albeit by proposing some alternative and more appropriate design and layout solutions than originally proposed, and is therefore generally consistent with the objectives of those earlier master plans.
9.1	Develop a diversified regional economy, characterised by knowledge-based, high value-adding industries that build on existing regional and sub-regional competitive advantages and specialisations.	Complies. The proposed development, which contributes strongly to the ongoing development of the Noosa Shire Business Centre, is consistent with the Noosa Creative Alliance between Council and the Applicant, which is actively diversifying the economic base of Noosa Shire and the broader region by incubating a creative, knowledge-based economy within the Shire and focussed at the Shire Business Centre.
9.4	Maximise job creation and employment diversity in centres of economic activity, including regional activity centres, major industrial areas, mixed-use developments and knowledge precincts.	Complies. The proposed development will provide the critical mass of core retailing activities necessary to attract and underpin future intensive employment and job creation development in the Noosa Major Activity Centre.
9.4.2	Encourage employment growth in regional activity centres and economic activity locations.	Complies. The proposed development will provide the critical mass of core retailing activities necessary to attract and underpin future intensive employment and job creation development in the Noosa Major Activity Centre.

KOALA CONSERVATION PLAN CRITERIA – URBAN KOALA AREA

Prepared by HUMPHREYS REYNOLDS PERKINS PLANNING CONSULTANTS

CRITERIA	SOLUTION	RESPONSE
1. Development is consistent with the urban intent of the area while maintaining koala habitat linkages, and incorporating koala sensitive development, where practicable.	<ol style="list-style-type: none"> 1. Development maintains koala habitat linkages. 2. The location and design of buildings, structures and other works, to the extent practicable, allows koalas to traverse the landscape in which the development is located. This includes: <ol style="list-style-type: none"> (a) Siting buildings/structures, roads and works in ways that minimise the fragmentation of koala habitat to be retained. (b) Incorporating layout and design measures to minimise the extent to which a koala that is traversing the landscape is impeded from reaching its destination either within the development site, or on the other side of the development site. (c) Locating buildings/structures and other works in existing cleared areas. (d) Retaining koala habitat trees in those parts of the development site not required for achieving the development objectives of the site. (e) Providing habitat links of native vegetation across the site. (f) Erecting koala friendly fences on lot boundaries, except where koala exclusion fences are the only practical way of safeguarding koalas from uses on the lot. 3. Roads or road networks are located, designed and constructed to minimise the risk to koalas from vehicle strike. 	<p>Complies. That part of the site on which the development is proposed has little koala habitat value. Similarly, the site is currently fragmented from surrounding habitat areas and therefore provides little habitat connectivity value. The proposed development has been designed and sited in such a manner that preserves the Open Space precincts and any ecological values on the site to the greatest extent practicable however, the characteristics of the site, along with its committed urban development intent, have resulted in the site being largely inappropriate and of little value as koala habitat.</p> <p>The proposed development will not adversely affect the koala habitat values of any adjacent or proximate land, including the Noosa National Park.</p>

CRITERIA	SOLUTION	RESPONSE
	<p>the area, including koala habitat trees native to the area, where practicable.</p> <p>5. Development is designed to:</p> <ul style="list-style-type: none"> (a) minimise the total footprint within which all activities, buildings or structures, driveways, landscaping, fencing or infrastructure are contained (b) be located in cleared areas or areas that support koala habitat trees with a height of less than 4m; or a trunk with a diameter less than 10cm at 1.3m above the ground, where practicable; (c) minimise impacts on adjacent areas. 	

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REFERENCE	PROVISION	COMPLIANCE
	<p>Centre as the principle business, retail and administrative centre;</p> <p>iv. recognising that it may be necessary to increase floor space in existing centres to meet changing needs, provided any increased floor space does not impact on the successful operation and development of the Shire Business Centre;</p> <p>v. business centres at Cooroy, Noosa Junction, Noosaville and Tewantin;</p> <p>vi. neighbourhood or visitor centres at Peregrine Beach, Sunrise Beach, Sunshine Beach, Noosa Heads, Noosaville, Tewantin, Cooroibah and Teewah;</p> <p>vii. the town of Pomona and the village centres of Kin Kin, Boreen Point and Cooran;</p> <p>viii. Uses that comprise a large component of Commercial and Retail business uses or other non-industrial uses are not located on land that is otherwise intended for Industrial business uses;</p> <p>ix. Home-based business uses that contribute to the economy of the Shire, but do not reduce surrounding residential amenity or environmental values; and</p> <p>x. energy efficiency and water conservation principles.</p>	<p>The long term viability of the Shire Business Centre is not only protected, but actually depends on the proposed extension of the retail facilities. It is essential that the core retail component of the Shire Business Centre expands to a size and composition, consistent with community need, which can provide the vitality and critical mass necessary for it to function as a catalytic attractor for the employment-generating, civic, administrative and transit activities which must co-locate and consolidate the centre if it is to ultimately achieve its intended function as the principle business, retail and administrative centre for the Shire and a Major Activity Centre within the region.</p> <p>Finally, the proposed development will not have an unreasonably adverse impact on any of the proximate centres, including the Maroochydore CBD or any of the lower order business, retail or tourist centres within Noosa Shire. Conversely, the extension of the Noosa Civic Shopping Centre, including the provision of limited higher order comparison shopping opportunities will improve levels of convenience and service in response to community need, support the function of other centres and enhance the functionality of the centres hierarchy across the Sunshine Coast.</p> <p>A more comprehensive discussion which details the manner in which the proposed development is appropriate within the centres hierarchy is provided at Section 6 of this Proposal Report.</p>
Community Uses and Facilities		
3.1.3 (c)	<p>An adequate range of community services and facilities supporting the physical, safety, artistic and social needs of the community are equitably distributed having regard to the-</p> <p>i. location and density of housing;</p> <p>ii. location of transport infrastructure;</p> <p>iii. location of business centres;</p> <p>iv. social, economic and demographic patterns of Noosa Shire; and</p> <p>v. function of towns and villages.</p>	<p>Complies. The proposed extension includes the provision of high quality civic or community spaces and opportunities for cultural and social interaction which are designed to contribute strongly to the vitality and sense of community within the centre and the broader locality.</p> <p>Further, the development will provide the critical mass of core retailing activities necessary to ensure the ongoing development of the Shire Business Centre as the focus of future community, residential, transport, business, employment and broader economic activities within Noosa and the Sunshine Coast.</p>
Heritage		
3.1.3 (d)	<p>The indigenous and non-indigenous history, culture and traditions are reflected in the built and natural heritage of Noosa Shire and are preserved for future generations.</p>	<p>Not applicable.</p> <p>The proposed development is not situated on land designated as a heritage site.</p>

REFERENCE	PROVISION	COMPLIANCE
	<ul style="list-style-type: none"> ii. set Noosa Shire apart from other coastal parts of south-east Queensland by strongly protecting the natural environment; iii. support the economy through the tourism industry; iv. define the boundaries to or of each of the distinct urban localities of the Shire; v. protect water quality, landscape stability and biodiversity; vi. provide passive, nature-based recreational and educational opportunities; vii. enhance visual amenity; and viii. provide linkages beyond the Shire's boundaries 	<p>Shopping Centre, and a visual buffer to the site from Walter Hay Drive.</p> <p>Open Space Precincts along the road corridor are lined with native vegetation to provide a vegetated screen between the road network and the buildings and structures on site.</p>
Sport and Recreation Uses		
3.1.3 (h)	<p>The creation of sport and recreation opportunities, strongly relating to the outdoors, are established to facilitate social interaction, healthy lifestyles and appreciation and protection of the Shire's natural, cultural and community assets including-</p> <ul style="list-style-type: none"> i. the subtropical climate; ii. the beaches, watercourses and foreshores; iii. the national parks and bushland; iv. the iconic mountains and landforms; v. cultural traditions; and vi. sporting fields and facilities 	<p>Not applicable.</p> <p>The proposed development is an extension to the existing Noosa Civic, within the Shire Business Centre, and does not include sport and recreation uses.</p>
Residential Uses		
3.1.3 (i)	<p>Urban and rural settlement for residential use is developed to be consistent with-</p> <ul style="list-style-type: none"> i. the planned capacity for roads, community services and infrastructure for the particular locality; ii. the expectations of the Shire's population to have access to a broad range of safe, secure and affordable housing; iii. the expected character and amenity for the particular locality; iv. the landform, natural environmental and climatic conditions of the locality; v. energy efficiency and water conserving design principles; 	<p>Not applicable.</p> <p>The proposed development does not include residential uses.</p>

OVERALL OUTCOMES FOR THE NOOSAVILLE LOCALITY

PROVISION		RESPONSE
OVERALL OUTCOMES SOUGHT FOR THE NOOSAVILLE LOCALITY		
General		
11.8.2	The overall outcomes sought for the Noosaville Locality are the following-	Complies. The proposed development will be screened by mature vegetation in Open Space Precincts to largely limit views into the site from Walter Hay Drive. The extended centre has been designed and sited to minimise any adverse impact on the visual amenity of the locality. As the proposed development represents a high quality and appropriate extension of the existing shopping centre, that will be well screened from beyond the site, any visual impact will be appropriate in the context of the site and its contextual setting. Refer to Appendix M - Visual Impact Assessment of this report for further details. The application proposes uses which are not only compatible with, but that are a logical extension of existing uses on the site. Likewise, the proposed development will not fetter the future development of appropriate land uses on the site. The extended shopping centre will not have significantly adverse impacts on the natural environment, including vegetation, habitat or acoustic amenity values. The extension is sited centrally on a large landholding, within an area identified for urban development, largely retains important vegetation areas on the site and enhances the amenity of the site through the provision of extensive high quality landscaping.
	(a) New uses and works are located, designed and managed to- i be compatible with other uses and works; ii maintain the safety of people and works; iii avoid significant adverse impacts on the amenity enjoyed by users of other premises, including acoustic and visual qualities; and iv avoid significant adverse effects on the natural environment, including native habitat removal, fragmentation and attrition;	
	(b) Noosaville retains its role as a focus for visitor accommodation and services in the Shire;	Complies. The proposed development is an extension to the existing Noosa Civic Shopping Centre situated within an area designated for the Noosa Shire Business Centre. It is specifically designed to provide residents and visitors to Noosa with an improved range of retail facilities, consistent with the identified community need.
	(c) The resident population is accommodated in both Detached house and Multiple housing forms with high levels of residential amenity;	Not applicable.
	(d) Land with frontage to and on the southern side of Gympie Terrace is the principal visitor focal point of the locality, with strong relationships to the recreation opportunities afforded by the Noosa River and its foreshore;	Not applicable. The proposed development is not situated on land with frontage to the Noosa River and Gympie Terrace.

PROVISION	RESPONSE
(k) Areas of native remnant or regrowth vegetation, including their biodiversity and habitat values are protected and retained in their natural state;	Not applicable. The subject site is devoid of any remnant endangered, remnant of concern or remnant not of concern vegetation or essential habitat. Regrowth vegetation which has established on the site since historical disturbance and clearing has limited biodiversity value but has been retained to the greatest extent practicable.
(l) The environmental and aesthetic values of Noosa National Park, Keyser Island and Weyba Creek Conservation Parks; Noosa River and its foreshore; Lakes Doonella and Weyba; Eenie and Weyba Creeks and their associated riparian communities are of the highest significance and have the highest order of protection;	Complies. The proposed development, whilst not situated immediately adjacent to Eenie Creek and Lake Weyba, does not impact upon the environmental and aesthetic values of these areas. Open space precincts have been retained on site and no part of the proposed development is situated in the Open Space Conversation Zone on site to provide a buffer between the proposed development and the environmental sensitive areas of Eenie Creek.
(m) Gibson Road, part of Mary Street, Noosa Parade, Reef Street, Walter Hay Drive, Eenie Creek Road, Beckmans Road and Eumundi Road are protected as parts of the Shire's <i>major road network</i> ;	Complies. The proposed development will not generate traffic volumes which will unreasonably threaten the efficiency or operational capacity of the Shire's major road network. In instances which the consequential traffic volumes are likely to impact on the operation of intersections proximate to the site, the development application proposes upgrade works to manage and mitigate those impacts and preserve the efficiency of the broader road network. Refer to Appendix L - Traffic Impact Assessment Report to this report for further details.
(n) The function, safety and visual amenity of the Shire's <i>major road network</i> are protected;	Complies. The proposed development will not generate traffic volumes which will unreasonably threaten the efficiency or operational capacity of the Shire's major road network. In instances which the consequential traffic volumes are likely to impact on the operation of intersections proximate to the site, the development application proposes upgrade works to manage and mitigate those impacts and preserve the efficiency of the broader road network. The extension will only be visible from limited locations within the immediate proximity of the site as the application proposes to retain the existing vegetation buffers on the site to preserve the visual amenity of the Shire's major road network. Refer to Appendix L - Traffic Impact Assessment Report and Appendix M - Visual Impact Assessment to this report for further details.

PROVISION	RESPONSE
vii provides for an inter-regional transit facility that functions as an integrated public transport node, with pedestrian and bicycle paths and appropriate external connections;	through the extensive use of glass, sunlights and outdoor civic and landscaped areas. Complies. The existing Noosa Civic centre provides bus stop facilities and are serviced primarily by local bus services. Preliminary discussions with Noosa Shire Council and Translink indicate that the existing bus stop facilities present the optimum location to accommodate the proposed transport node. This development application proposes to expand the existing facilities to provide capacity for a four bus facility however, any further expansion to provide an inter-regional transit facility is premature as the operational and design criteria for such a facility remain the subject of discussions and concepts being prepared by Noosa Shire Council and Translink. Therefore, by expanding the existing facilities to accommodate the additional demand generated by the proposed development, whilst preserving the opportunity to convert the facilities into a larger inter-regional transit facility at the appropriate time represents an appropriate outcome that is consistent with the stated Overall Outcome.
viii provides visual and physical connectivity across and throughout the site;	Complies. The proposed development, which includes the provision of a retail bridge connecting the two components of the extended shopping centre, along with a number of designated pedestrian and bicycle circulation routes, provides high levels of connectivity across and throughout the subject site.
ix is designed to ensure that peak traffic flows and access to the Shire Business Centre do not impact on the wider functions of Eenie Creek Road and Walter Hay Drive;	Complies. The additional traffic volumes that will be generated by the proposed development will not have an unreasonably adverse impact on the efficiency and functionality of the road network however, will bring forward some necessary upgrade or augmentation works as a consequence of the proposed development. The carrying out of those upgrade works, as detailed at Appendix L - Traffic Impact Assessment Report , in association with the proposed development will ameliorate any unreasonable traffic impacts.
x retains development capacity within the Shire Business Centre in the longer term to take advantage of potential new employment opportunities;	Complies. The Strategic Overview Report prepared by Jackson Planning (refer to Appendix K - Strategic Overview Report) confirms that the current planning scheme provides for the development of up to 197,300 sqm of floor space within the Noosa Shire Business Centre. Of the total developable floorspace, 36,025 sqm has currently been development of which:- <ul style="list-style-type: none">• around 66% is existing shopping centre floor space;• 20% is showroom floorspace; and• and 14% is commercial floorspace. The Stage 3 extensions proposed by this application, along with the development currently proposed by S & L Developments on the balance

PROVISION		RESPONSE
Precinct (REC/MU), developed for the purposes of a minor recreation use or minor mixed use development;		
For the Open Space Conservation Zone		
11.8.2 (z)	Natural environmental values of high order and warranting conservation status are- <ul style="list-style-type: none"> i protected for their importance in contributing to <i>ecological sustainability</i> including maintenance of water quality and provision of habitat and open space linkages; and ii appropriately managed to the general exclusion of development or any further subdivision of freehold lots. 	<p>Complies.</p> <p>The proposed development retains Open Space Precincts on the site and will be appropriately managed and enhanced to preserve the ecological and visual amenity values.</p>

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SPECIFIC OUTCOMES		PROBABLE SOLUTIONS		COMPLIANCE
Neighbourhood Identities				
04	The separate identities of the various residential neighbourhoods remain important and distinct elements of the residential character of Noosaville.	S4.1	No solution provided.	Performance Solution. The Noosa Shire Business Centre is separated from existing residential neighbourhoods but is appropriate for the character and amenity of the broader Noosaville locality.
Airport				
05	Development and use of premises within 750m of the airport do not cause an obstruction or other potential hazard to aircraft movement associated with the airport by the way of- a) the physical intrusion of <i>buildings</i> or other structures into aircraft take-off and approach flight paths; b) attracting birds or bats to the area, which could cause or contribute to bird-strike hazard; c) providing very bright lighting or lighting similar to runway lighting, which can distract or confuse aircraft pilots; d) interfering with navigation or communication facilities; e) emissions that may affect pilot visibility or aircraft operations; and f) transient intrusions into the airport's operational airspace. See Figure 11.1 - Airport traffic area	S5.1	No solution provided.	Not applicable. No part of the proposed development is situated within 750m of the airport.

SPECIFIC OUTCOMES		PROBABLE SOLUTIONS		COMPLIANCE
	<p>16 Mary Street; and</p> <p>B. Lot 21 on RP815864 situated at 11-13 William Street;</p> <p>iii. For the Visitor Mixed Use Zone- 160 persons per hectare; and</p> <p>c) has a low site impact to enhance the opportunity to maintain natural site characteristics, including native vegetation and natural landforms.</p>			
Height				
07	<p>Buildings and other structures-</p> <p>a) are low rise and have a visual bulk and an architectural scale consistent with structures on adjoining or nearby land;</p> <p>b) do not exceed a building height of-</p> <p>i. for the Attached Housing Zone 2 storeys unless located on property with frontage to the following streets: - Russell St, William St and Howard St, or Weyba Rd, James St and Albert St north of their intersections with Elizabeth St, where they are not to exceed a</p>	S7.1	<p>Buildings and other structures have a maximum building height of-</p> <p>a) if in the Attached Housing Zone - 8m, with the exception of those properties with frontage to the following streets: - Russell St, William St and Howard St, or Weyba Rd, James St and Albert St north of their intersections with Elizabeth St where they have a maximum building height of 12m;</p> <p>b) if in the Visitor Mixed Use Zone - 12m;</p> <p>c) if in the Business Centre or Industry Zones - 10m;</p> <p>d) if in the Shire Business Centre Zone -8m, except in Precinct E1 or E2 where 12m;</p> <p>e) if in the Industry Zone - 10m</p> <p>f) in all other zones-8m.</p>	<p>Conflict.</p> <p>The proposed development is situated in Precincts E1 and E6 of the Shire Business Centre Zone.</p> <p>Except for the department store, the proposed building components are between 3 and 4 storeys high but achieve heights only slightly greater than the 8 metre and 12 metre height limits sought by the Probable Solutions.</p> <p>Regardless of the measured height, except for the department store, the proposed buildings will be consistent in height with the adjoining existing buildings of Stage 1 of the Business Centre and will be appropriate to the regional role of the Business Centre.</p> <p>The additional height of the department store will not result in significant adverse visual impacts because it is appropriately located towards the centre of the business centre and is integrated by a foreground of adjoining lower commercial buildings.</p>

SPECIFIC OUTCOMES		PROBABLE SOLUTIONS	COMPLIANCE
	<p>from adjoining land uses;</p> <p>c) allow space for required vehicle parking;</p> <p>d) preserve any existing <i>vegetation</i> that will <i>buffer</i> the proposed building;</p> <p>e) allow for landscaping to be provided between buildings;</p> <p>f) avoid large areas of continuous wall planes by varying the building <i>setbacks</i> and using appropriate techniques to provide visual relief; and</p> <p>g) protect the natural character and visual amenity of the Noosa River system and other <i>watercourses</i>.</p>		<p>vegetation buffer between the proposed development and Walter Hay Drive.</p> <p>Likewise, the proposed building setbacks have allowed for the provision of limited at-grade car parking areas and extensive landscape treatments.</p> <p>Despite the nature of the proposed development, continuous wall planes have been avoided as far as practicable and, where necessary, incorporate visual reliefs, recesses and other architectural treatments.</p>
Site Cover, Gross Floor Area and Plot Ratio			
09	<p>The site cover, gross floor area and plot ratio of buildings and other roofed <i>structures</i>-</p> <p>a) results in a building scale that is compatible with surrounding development;</p> <p>b) does not present an appearance of bulk to adjacent properties, roads or other areas in the vicinity of the <i>site</i>;</p> <p>c) maximises the retention of existing vegetation and allows for additional <i>soft landscaping</i> between buildings;</p> <p>d) allows for adequate area at ground level for outdoor recreation, entertainment, clothes drying and other <i>site</i></p>	S9.1	<p>No solution provided.</p> <p>Performance Solution.</p> <p>The scale of the proposed development is compatible with both existing and future development on the site and presents a built form that is appropriate for the character of the Shire Business Centre and the surrounding locality.</p> <p>Vegetation is retained through the OS7 and OS3 open space areas. Vegetation will also be added to these areas to improve screening ability, in accordance with the landscape concept plan submitted with this report. Refer to Appendix I - Landscape Concept Plan and Appendix M - Visual Impact Assessment of this report for further detail.</p>

SPECIFIC OUTCOMES		PROBABLE SOLUTIONS		COMPLIANCE
O13	For the Visitor Mixed Use Zone, the maximum <i>gross floor area</i> equals the allowable population in persons multiplied by 40m ² , provided that the <i>gross floor area</i> does not exceed 13,600m ²	S13.1	No solution provided.	Not applicable. The proposed development is not situated in the Visitor Mixed Use Zone.
O14	For the Detached house Zone and Semi-attached Housing Zone - <i>soft landscaping</i> is provided and retained over a minimum of 20% of the site area	S14.1	No solution provided.	Not applicable. The proposed development is not situated in the Detached House Zone and Semi-attached Housing Zone.
O15	For the Business Centre Zone, outside of the Mary Street/Thomas Street Precinct the maximum plot ratio is - a) 0.8:1 for site areas up to and including 2,000m ² ; plus b) 0.3:1 for the balance portion of the site area in excess of 2000m ² .	S15.1	No solution provided.	Not applicable. The proposed development is not situated in the Business Centre Zone.
O16	For the Business Centre Zone within the Mary Street/Thomas Street Precinct the maximum plot ratio is 0.5:1.	S16.1	No solution provided.	Not applicable. The proposed development is not situated in the Business Centre Zone.
O17	Within the Shire Business Centre Zone, the maximum plot ratio for development within the following precincts is - a) Precincts B1 and B2 combined- 0.5:1; b) Precinct B3- 0.8; c) Precinct E1- 0.6; d) Precinct E2- 0.6; e) Precinct E3- 0.6; f) Precinct E4- 0.6; g) Precinct E5- 0.6 h) Precinct E6- 0.6; i) Precinct E7- 0.6;	S17.1	No solution provided.	Conflict. As the application proposes development which is not wholly contained within the prescribed precincts, it is difficult to express the proposed plot ratio in response to Specific Outcome O17. Planning grounds which justify this conflict with the design intent of Specific O17 are provided at Section 8 of the Proposal Report. In order to provide some indication of the proposed plot ratio, if that part of the site over which the development is proposed is taken to align generally with the limits of Precincts E1 and E6, the permissible plot ratio is 0.6. That part of the site over which the application is made comprises an area of approximately 98,640 sqm in which it is proposed to develop a total of 41,050 sqm of floor area. The indicative plot ratio

SPECIFIC OUTCOMES		PROBABLE SOLUTIONS		COMPLIANCE
Sloping Sites and Ridgelines				
O19	Development on <i>sloping sites</i> -	S19.1	<i>Buildings</i> and associated access ways are not constructed on land with a slope greater than 25% (1 in 4);	Not applicable. The proposed development is not situated on a sloping site as that term is defined in the <i>Noosa Plan</i> .
	a) is responsive to the natural topography of the <i>site</i> and minimises cut and fill;		AND	
	b) does not visually dominate the hill slope or interrupt the skyline;	S19.2	<i>Buildings</i> are of split level design that step down the slope or have suspended floor construction;	
	c) is integrated with the natural site characteristics including <i>vegetation</i> ; and	S19.3	Cut or fill is less than 1.2m in depth;	
	d) for Multiple housing , takes the form of small separate buildings;	S19.4	The distance between the ground and the lowest part of the floor of the building does not exceed 3m to avoid large under building areas;	
AND		S19.5	Buildings present no more than 2 or 3 storeys at any one point.	
O20	On <i>steep slopes</i> or ridgelines which are visible from the <i>major road network</i> , areas of <i>public open space</i> , the Noosa River or the beaches-	S20.1	No solution provided	Not applicable. The proposed development is not situated on a sloping site as that term is defined in the <i>Noosa Plan</i> or a ridgeline which is visible from the <i>major road network</i> , areas of <i>public open space</i> , the Noosa River or the beaches.
	a) new <i>buildings</i> and <i>structures</i> including outbuildings, are designed so as not to dominate or detract from the scenic and environmental qualities of the <i>site</i> and its setting			
Roof Form				
O21	Rooflines-	S21.1	The main roof of the <i>building</i> has a <i>roof pitch</i> no less than 5 degrees and has roof overhangs a minimum of 600mm wide;	Complies. Refer to Appendix H – Plans of Development . The proposed development does not include a roof top terrace.
	a) contribute positively to the local skyline;		AND	

SPECIFIC OUTCOMES		PROBABLE SOLUTIONS		COMPLIANCE
	e) effluent disposal; f) changes to fauna habitat and behaviour; and g) disturbance of buildings and features, including natural features of cultural heritage significance.			
Open Space Network				
O24	An integrated open space network is established throughout the locality and- a) allows for both passive and active recreational pursuits; b) provides safe and convenient connectivity for pedestrians and cyclists to neighbourhood centres, community services and other key destinations such as <i>public open space</i> , the Noosa River and Wallace Estate; c) provides habitat connectivity for wildlife; d) protects <i>watercourses</i> and <i>drainage lines</i> in the lowlands; and e) forms a scenic backdrop for the locality's residential neighbourhoods.	S24.1	Open space corridors and existing native vegetation in areas indicated in Schedule 5 - Map 4 are protected from fragmentation and encroachment by development.	Performance Solution. The proposed development retains Open Space Precincts on the site, particularly OS7 Open Space Precinct, which provides a drainage line through the site. The Open Space Precincts along the major road network provide a vegetated screen between the subject site and Eenie Creek Road and Walter Hay Drive. The southern part of the site will remain undisturbed in order to maintain and protect the vegetated entrance to Noosaville and the Shire generally at this location and provide a buffer between the site and the environmentally sensitive Eenie Creek. There are no watercourses on the subject site.
O25	AND Physical and visual links between <i>public open space areas</i> and <i>watercourses</i> are retained.	S25.1	No solution provided	Performance Solution. The proposed development retains Open Space Precincts on the site. The Open Space Precincts along the major road network provide a vegetated screen between the subject site and Eenie Creek Road and Walter Hay Drive. The southern part of the site will remain

SHIRE BUSINESS CENTRE ZONE CODE

SPECIFIC OUTCOMES		PROBABLE SOLUTIONS		COMPLIANCE
SPECIFIC OUTCOMES SOUGHT FOR THE SHIRE BUSINESS CENTRE ZONE				
Consistent Uses				
091	<p>The following defined uses and use classes are consistent uses and are located in the Shire Business Centre Zone-</p> <p>a) Commercial business Type 1;</p> <p>b) Commercial business Type 2 if located in Precinct E1-E7;</p> <p>c) Entertainment and dining business if located in Precinct B1 or B2;</p> <p>d) Industrial business Types 1 or 2 if located in Precinct E4 or E5;</p> <p>e) Retail business Types 1 or 2 if located in Precinct B1 or B2;</p> <p>f) Retail business Type 4 if located in Precinct B3;</p> <p>g) Retail business Type 5 if located in Precinct REC/MU;</p> <p>h) Retail business Type 6 if located in Precincts B3, E1, E4, E5, or E6;</p> <p>i) Retail business Type 7 if located in Precinct B3;</p> <p>j) Education Types 3 or 4 if located in Precinct E1-E7;</p> <p>k) Wellbeing Type 2 if located in Precinct E1-E7;</p> <p>l) Transport Type 1 if located in Precinct E6 or E7;</p>	S91.1	No solution provided.	<p>Conflicts.</p> <p>The proposed development includes the following uses in Precinct E1:-</p> <p>(a) Business Uses (Commercial Business Type 1 Office)</p> <p>(b) Business Uses (Commercial Business Type 2 Medical)</p> <p>(c) Business Uses (Retail Business Type 2 Shop and Salon)</p> <p>(d) Business Uses (Entertainment and Dining Business Type 1)</p> <p>(e) Business Uses (Entertainment and Dining Business Type 2)</p> <p>(f) Community Uses (Education Type 1 Childcare)</p> <p>(g) Community Uses (Education Type 3 Adult)</p> <p>(h) Community Uses (Education Type 4 Information)</p> <p>(i) Community Uses (Wellbeing Type 1 Health)</p> <p>(j) Community Uses (Wellbeing Type 2 Social)</p> <p>(k) Infrastructure Uses (Transport Type 1 Passenger Terminal).</p> <p>Sufficient grounds to justify the conflict involved with proposing alternative uses as part of the extension of the Noosa Civic Shopping Centre and the broader development of the Shire Business Centre are provided at Section 8 of the Proposal Report.</p>

SPECIFIC OUTCOMES		PROBABLE SOLUTIONS		COMPLIANCE
	not located in Precinct B3; m) Education Types 1 or 2; n) Education Types 3 or 4 if not located in Precinct E1-E7; o) Emergency service; p) Open space; q) Wellbeing Types 1, 3 or 4; r) Wellbeing Type 2 if not located in Precinct E1- E7; s) All Service and utility; t) Transport Type 1 if not located in Precinct E6 or E7; u) Transport Types 2, 3, 4, 5 or 6; v) Detached house; w) All Multiple housing; x) Visitor accommodation Types 1, 2 or 3; and y) Visitor accommodation Type 4 or Multiple Housing Type 4 if not located in Precinct RES or REC/MU.			
Effects of Use				
Visual and Physical Connectivity				
O93	Strong visual and physical connectivity is provided for between adjoining and adjacent- a) Business Precincts and Open Space Precincts; b) Employment Precincts and Open Space Precincts; and c) Business Precincts and Employment Precincts;	S93.1	No solution provided.	Conflicts. The development proposes strong visual and physical connectivity between existing and future development precincts. However, as these precincts differ slightly from those prescribed by the planning scheme, a minor conflict exists with the Specific Outcome. Planning grounds justifying this conflict with Specific Outcome O93 are provided at Section 8 of the Proposal Report.

SPECIFIC OUTCOMES		PROBABLE SOLUTIONS		COMPLIANCE
O99	AND Within precincts other than Precinct B3, E3, E4 and E5 buildings and landscaping are the dominant visual features when viewed from internal roads, with car parking located at the side or rear of buildings, or preferably in underground or under-building car parks	S99.1	No solution provided	Performance Solution. The majority of the additional car parking proposed for the development is located in the underground basement level. Some car parking spaces are proposed at-grade to provide convenient and safe access for convenience shoppers. However, the extended centre and landscaping treatment, not the at grade parking area, will provide the dominant visual character.
O100	AND Car parking areas are located immediately adjacent to key parking generators, including Retail business, Commercial business and Industrial business uses ;	S100.1	No solution provided	Performance Solution. All additional car parking spaces are located either under or adjacent to the buildings proposed in the development.
O101	AND Vehicular parking facilities servicing Precincts B1, B2, and E1, have primary points of access located along the loop road, with parking located at basement level, under a building or otherwise covered.	S101.1	No solution provided	Performance Solution. All additional car parking spaces are located either under or adjacent to the buildings proposed in the development and have primary and direct access to the internal loop road network.
Pedestrian and Bike Links				
O102	Pedestrian and bicycle paths are constructed throughout the Shire Business Centre site, with appropriate external connections provided.	S102.1	Pedestrian and bicycle paths are constructed as shown on Schedule 4 - Shire Business Centre Map.	Performance Solution. The proposed development provides a network of pedestrian and bicycle pathways through the subject site which connect with existing pathways external to the site. In particular, a pathway is provided though the site along a north-south axis along OS7 Open Space Precinct.
O103	Pedestrian and bicycle movements between key nodes within the Shire Business Centre site are designated to minimise the need to cross over roads and where road crossovers are necessary, central refuges are provided.	S103.1	No solution provided	Performance Solution. A network of pedestrian and bicycle pathways are provided in the proposed development linking the proposed development with the existing centre, the Shire Business Centre buildings, the car

SPECIFIC OUTCOMES		PROBABLE SOLUTIONS		COMPLIANCE
	<p>c) the construction of Eenie Creek Road between Reef Street and Langura Street;</p> <p>d) the construction of Walter Hay Drive between Emu Mountain Road and Eenie Creek Road;</p> <p>e) interim transport circulation and access strategies in the absence of the internal loop road being complete;</p> <p>f) an established landscape theme for the developed <i>precincts</i>;</p> <p>g) landscaped entry statements;</p> <p>h) a suitable stormwater management system;</p> <p>i) appropriate signage;</p> <p>j) commencement of the associated pedestrian and bikeway network and related external connections; and</p> <p>k) dedication of a substantial area of the southern part of the Shire Business Centre as <i>public open space</i>;</p>	S105.2	<p>is contracted for sale or lease, prior to the Retail business Type 2 Shop development operating;</p> <p>AND</p> <p>Two road accesses are constructed into the Shire Business Centre site as part of the first stage of the development.</p>	
O106	<p>Subsequent development stages provide for the-</p> <p>a) completion of the access intersections leading into the Shire Business Centre site;</p> <p>b) completion of further stages of the internal loop road;</p> <p>c) completion of further stages of development within the <i>precincts</i>;</p> <p>d) completion of the pedestrian</p>	S106.1	No solution provided	<p>Performance Solution.</p> <p>The proposed development includes completion of the access intersections from Walter Hay Drive, southern internal loop road and roundabouts, pedestrian and bikeway network, and landscaping design elements, particularly at the civic plaza adjacent to the entrance at the northern end of Walter Hay Drive. Open space precincts OS3 and OS7 have been retained and integrated within the proposed development.</p>

SPECIFIC OUTCOMES		PROBABLE SOLUTIONS		COMPLIANCE
	building facades; f) integrate signage with the building design; g) integrate landscaping into the building design and car parking areas; and h) retain and provide areas for outdoor dining and meeting opportunities on the ground level.			A significant civic space, comprising native gardens, landscaped court and trellised arbour, will be included in the development located at the gateway to the centre from Walter Hay Drive. This area will also include raised pedestrian and cycle pathways, water features, terraced gardens, landscaped open space and civic promenade, fringed with outdoor dining and meeting areas.
Business Precincts				
Business Precincts B1 and B2				
O108	Precinct B1 and B2 are designed and located to form the retail core of the Shire Business Centre site;	S108.1	No solution provided	Not applicable. The proposed development is not situated in Precinct B1 or B2.
O109	AND Development within Precinct B1 comprises a <i>gross floor area</i> of- a) for Retail business -up to 18,300m ² ; and b) for Commercial business -up to 3,000m ² ;	S109.1	No solution provided	Not applicable. The proposed development is not situated in Precinct B1 or B2.
O110	AND Precinct B2 comprises a car parking oriented precinct, with Commercial business Type 1 Office uses developed only where land is available after provision is made for car parking to serve the needs of development in Precinct B1;	S110.1	No solution provided	Not applicable. The proposed development is not situated in Precinct B1 or B2.
O111	AND Primary points of access are located along the loop road;	S111.1	No solution provided	Not applicable. The proposed development is not situated in Precinct B1 or B2.

SPECIFIC OUTCOMES		PROBABLE SOLUTIONS		COMPLIANCE
Business Precinct B3				
O120	Precinct B3 provides primarily for Retail business Type 4 Showroom and Commercial business Type 1 Office uses;	S120.1	No solution provided	Not applicable. The proposed development is not situated in Precinct B3.
O121	AND Development within Precinct B3 comprises a <i>gross floor area</i> of- a) For Retail business Type 4 Showroom -up to 7,000m ² ; and b) For Commercial business -up to 11,000m ² ;	S121.1	No solution provided	Not applicable. The proposed development is not situated in Precinct B3.
O122	AND Where development is staged, Commercial business Type 1 Offices and other non-Retail business uses are developed as part of the first stage;	S122.1	No solution provided	Not applicable. The proposed development is not situated in Precinct B3.
O123	AND Dense vegetated screening is provided between the development and Eenie Creek Road;	S123.1	No solution provided	Not applicable. The proposed development is not situated in Precinct B3.
O124	AND Development has strong visual linkages to internal roads with no reliance on visual association with Eenie Creek Road;	S124.1	No solution provided	Not applicable. The proposed development is not situated in Precinct B3.
O125	AND Vehicular parking is provided on site within the precinct.	S125.1	No solution provided	Not applicable. The proposed development is not situated in Precinct B3.

SPECIFIC OUTCOMES		PROBABLE SOLUTIONS		COMPLIANCE
				<p>limited in its scope to matters of design and site layout and does not extend to any conflict or inconsistency with the broader planning and development intent for the Noosa Shire Business Centre.</p> <p>In the particular circumstances of this development proposal, a degree of conflict with the planning scheme is inevitable as the planning scheme intends that the Shire Business Centre continues to develop in stages to satisfy the needs of the population of both Noosa Shire and the northern areas of Maroochy Shire, but by the application of prescriptive regulatory provisions, makes the implementation and achievement of that intent, without conflict, difficult.</p> <p>Planning grounds which justify this conflict are submitted at Section 8 of the Proposal Report.</p>
0128	<p>AND</p> <p>Development is designed and sited within a park like setting, with landscape treatment enhancing and forming an extension of the adjoining open space areas;</p>	S128.1	No solution provided	<p>Performance Solution.</p> <p>The proposed development retains Open Space Precincts on the site, particularly OS7 Open Space Precinct.</p> <p>The Open Space Precincts along the major road network provide a vegetated screen between the subject site and Eenie Creek Road and Walter Hay Drive.</p> <p>The southern part of the site will remain undisturbed in order to maintain and protect the vegetated entrance to Noosaville and the Shire generally at this location and provide a buffer between the site and the environmentally sensitive Eenie Creek.</p> <p>A significant civic space, comprising native gardens, landscaped court and trellised arbour, will be included in the development located at the gateway to the centre from Walter Hay Drive and adjacent to the OS7 Open Space Precinct. This area will also include raised pedestrian and cycle pathways, water features, terraced gardens,</p>

SPECIFIC OUTCOMES		PROBABLE SOLUTIONS		COMPLIANCE
0134	AND Parking is provided on site, generally at the side, rear or underneath of buildings.	S134.1	No solution provided	Performance Solution. The majority of parking in the proposed development is located underground or underneath the building. Some at-grade parking is provided and is located to the side of the building so that the civic plaza centred on the internal roundabout adjacent to the northern entrance from Walter Hay Drive is featured and enhanced.
Employment Precinct E2				
0135	Development within Precinct E2 is designed and located to form a central employment node based on an educative and environmental research, with a strong environmental theme;	S135.1	No solution provided	Not Applicable.
0136	AND Uses promote strong business associations between this node and Precinct E1;	S136.1	No solution provided	Not Applicable.
0137	AND Buildings generally have a presentation to the loop road;	S137.1	No solution provided	Not Applicable.
0138	AND Car parking is provided for on site, generally at the side, rear or underneath of buildings;	S138.1	No solution provided	Not Applicable.
0139	AND Development has strong visual links with Precincts B1, OS7 and RES;	S139.1	No solution provided	Not Applicable.
0140	AND Development has strong pedestrian and bikeway connectivity with Precincts B1, E1 and RES;	S140.1	No solution provided	Not Applicable.
0141	AND Development has significant business relationships with development in	S141.1	No solution provided	Not Applicable.

SPECIFIC OUTCOMES		PROBABLE SOLUTIONS		COMPLIANCE
Employment Precinct E4 and E5				
O148	Development provides for the expansion of the Noosaville Industrial Estate;	S148.1	No solution provided	Not Applicable.
O149	AND Development in Precincts E4 and E5 recognises the role these precincts play in linking the Noosaville Industrial Estate to the Business Uses and open space functions within the Shire Business Centre site;	S149.1	No solution provided	Not Applicable.
O150	AND The nature, design and operation of any use in Precinct E4 and E5 is compatible and has strong relationships with development in other precincts, in particular, Business Uses in Precinct B3;	S150.1	No solution provided	Not Applicable.
O151	AND Development has strong pedestrian and bikeway connectivity with Precinct B1 and B3;	S151.1	No solution provided	Not Applicable.
O152	AND Vehicular parking is provided on-site;	S152.1	No solution provided	Not Applicable.
O153	AND Development complies with the Specific Outcomes for the Industrial Zone within this locality.	S153.1	No solution provided	Not Applicable.
Employment Precinct E6 and E7				
O154	Precincts E6 and E7 are designed and located to form an employment node with unspecified employment opportunities that may be developed in the later stages of the Shire Business Centre;	S154.1	No solution provided	Conflicts. The planning scheme divides the Noosa Shire Business Centre site into land use precincts. The development conflicts with the nominated Specific Outcome as it proposes the development of land uses in an alternative configuration not entirely consistent with the precincts prescribed by the planning scheme.

SPECIFIC OUTCOMES		PROBABLE SOLUTIONS		COMPLIANCE
				regional transit facility is premature as the operational and design criteria for such a facility remain the subject of discussions and concepts being prepared by Noosa Shire Council and Translink. Therefore, by expanding the existing facilities to accommodate the additional demand generated by the proposed development, whilst preserving the opportunity to convert the facilities into a larger inter-regional transit facility at the appropriate time represents an appropriate outcome that is consistent with the stated Overall Outcome.
O157	AND Development has strong visual linkages with Precincts E1, OS1 and OS2;	S157.1	No solution provided	Performance Solution. The proposed development has strong visual linkages with Precincts E1, OS1 and OS2.
O158	AND Development has strong pedestrian and bikeway connectivity with Precincts B1 and E1;	S158.1	No solution provided	Performance Solution. The proposed development provides a number of dedicated pedestrian and bicycle circulation routes which strongly link with Precincts B1 and E1.
O159	AND Development in Precinct E7 is compatible with, and does not impact upon, the open space function of Precinct OS2; Business Uses in Precinct B3;	S159.1	No solution provided	Not Applicable
O160	AND Buildings generally have a presentation to the loop road;	S160.1	No solution provided	Performance Solution. The proposed development presents well to the internal loop road network.
O161	AND Parking is provided on site, generally at the side, rear or underneath of buildings.	S161.1	No solution provided	Performance Solution. The majority of parking in the proposed development is located underground or underneath the building. Some at-grade parking is provided and is located to the side of the building so that the civic plaza

OPEN SPACE CONSERVATION ZONE CODE

SPECIFIC OUTCOMES		PROBABLE SOLUTIONS		COMPLIANCE
SPECIFIC OUTCOMES SOUGHT FOR OPEN SPACE CONSERVATION ZONE				
Consistent Uses				
O204	<p>The following defined uses and use classes are consistent uses and are located in the Open Space Conservation Zone-</p> <p>a) If in the Shire Business Centre Open Space Precincts - No uses</p> <p>b) Otherwise-</p> <p>i. Industrial business Type 2 on Lot 165 MCH839217 (Chaplin Park);</p> <p>ii. Education Type 4, if an <i>information centre</i>; and</p> <p>iii. Transport Type 6 on Lot 165 MCH839217 (Chaplin Park).</p>	S204.1	No solution provided.	<p>Conflicts.</p> <p>The planning scheme divides the Noosa Shire Business Centre site into land use precincts. The development conflicts with the nominated Specific Outcome as it proposes the development of land uses in an alternative configuration not entirely consistent with the precincts prescribed by the planning scheme.</p> <p>The conflict between the proposed development and the Specific Outcome is limited in its scope to matters of design and site layout and does not extend to any conflict or inconsistency with the broader planning and development intent for the Noosa Shire Business Centre.</p> <p>Planning grounds which justify this conflict are submitted at Section 8 of the Proposal Report.</p> <p>The proposed development straddles the OS7 - Open Space Precinct through a raised, enclosed bridge joining the two sections of the centre, whilst maintaining, integrating and featuring the Open Space Precinct within the development. A network of pedestrian and cycle bridges and pathways run along this area to promote people to enjoy and appreciate the Precinct.</p>
Inconsistent Uses				
O205	<p>The following defined uses and use classes are inconsistent uses and are not located in the Open Space Conservation Zone-</p> <p>a) If in the Shire Business</p>	S205.1	No solution provided.	<p>Conflicts.</p> <p>The planning scheme divides the Noosa Shire Business Centre site into land use precincts. The development conflicts with the nominated Specific Outcome as it</p>

SPECIFIC OUTCOMES		PROBABLE SOLUTIONS		COMPLIANCE
Built Form				
O206	Buildings and structures are designed and sited to- a) be attractive, comfortable and accessible to the public; and b) provide suitable landscape treatment, seating, lighting and other amenities conducive to community interaction and convenience and public safety.	S206.1	No solution provided.	Performance Solution. The proposed development will span the OS7 – Open Space Precinct by way of an elevated, enclosed bridge joining the two sections of the extended shopping centre. At ground level, a network of pedestrian and cycle bridges and pathways will run along and cross this Precinct to promote people to enjoy and appreciate the Precinct.
Open Space, Environment and Conservation				
Public Access				
O207	Access to the Noosa River, Weyba Creek, Eenie Creek and Lakes Doonella and Weyba is defined and controlled by the establishment of key access nodes with formalised communal paths, rather than informal tracks, which are designed and sited such that the level of environmental impact on these open space systems does not increase;	S207.1	No solution provided.	Not Applicable.
O208	AND Existing impacts from public access are reduced or negated.	S208.1	No solution provided.	Not Applicable.

SPECIFIC OUTCOMES		PROBABLE SOLUTIONS		COMPLIANCE
	e) protect fauna of conservation significance (in particular the Elf Skink, Wallum Froglet and Silvia's Blind Snake) and f) buffer the National Park;			
O212	AND Development within Precincts OS1 or OS2 is limited to paths for pedestrian and bicycle access or for essential environmental management purposes;	S212.1	No solution provided.	Not applicable. No part of the proposed development is situated within Precincts OS1 and OS2.
O213	AND Pedestrian and bicycle access is limited to designated tracks, shown on Schedule 4 - Shire Business Centre Map	S213.1	No solution provided.	Not applicable. No part of the proposed development is situated within Precincts OS1 and OS2.
O214	AND Vehicular access is restricted to access for essential environmental management purposes.	S214.1	No solution provided.	Not applicable. No part of the proposed development is situated within Precincts OS1 and OS2.
Open Space Precincts OS3				
O215	Precinct OS3 provides for landscape screening between the site and Walter Hay Drive and Eenie Creek Road and ensures that development maintains an internal focus;	S215.1	No solution provided.	Performance Solution. The proposed development largely retains land within Precinct OS3 for open space purposes and to screen the subject site from the Shire's major road network. The small encroachment proposed is required to accommodate the alignment of the new southern site access and will be ameliorated by replacement plantings.

SPECIFIC OUTCOMES		PROBABLE SOLUTIONS		COMPLIANCE
Open Space: Precincts OS5 and OS6				
O221	Precincts OS5 and OS6 are designed and treated with landscaping works to- a) provide a landscaped element adjacent to part of the internal loop road and between precincts; b) assist in providing a visual frame and reference for traffic on the loop road and for development in Precincts B3, E4 and E5; and c) provide internal habitat linkages;	S221.1	No solution provided.	Not applicable. No part of the proposed development is situated within Precincts OS5 and OS6.
O222	AND Existing vegetation of <i>local origin</i> is retained and enhanced by additional plantings	S222.1	Additional plantings consist of species endemic to the Shire Business Centre site or species identified for the relevant landscape character area in <i>PSP3</i> Landscaping Plants and Guidelines.	Not applicable. No part of the proposed development is situated within Precincts OS5 and OS6.

SPECIFIC OUTCOMES	PROBABLE SOLUTIONS	COMPLIANCE
<p>possess at least one of the following environmental values or criteria-</p> <ul style="list-style-type: none"> The regional conservation status under the <i>Queensland Vegetation Management Act 1999</i> is "Endangered"; It forms habitat for rare, threatened or protected flora species, as identified in <i>Vegetation of Noosa Shire</i>; It is rare or naturally restricted regionally or locally, as identified in <i>Vegetation of Noosa Shire</i>; or The extent reserved within protected areas in Noosa Shire is 'low', as identified in <i>Vegetation of Noosa Shire</i>. 	<p>b) areas of lesser importance in terms of biodiversity and habitat values are utilised, to the greatest extent practicable; and</p> <p>c) for freehold lots 0.3ha or less- interference with vegetation does not extend beyond 3m of a building or structure where the interference is <i>reasonably necessary</i> for access to the building or structure; or</p> <p>d) for freehold lots greater than 0.3ha and less than 10 ha- interference with vegetation does not extend beyond 10m of a building or structure where the interference is <i>reasonably necessary</i> for access to the building or structure; or</p> <p>e) for freehold lots 10ha or more- interference with vegetation does not extend beyond 30m of a building or within 10m of a structure where the interference is <i>reasonably necessary</i> for the control of fire risk to the building or structure; or</p> <p>f) for freehold lots less than 10ha where-</p> <ol style="list-style-type: none"> located within an area identified as a Bushfire Hazard Area on the Natural Hazards Overlay Maps OM1.4-OM9.4; and an on site assessment in accordance with Australian Standard AS3959 confirms the site is within a Medium or High Bushfire Hazard Area- 	

SPECIFIC OUTCOMES		PROBABLE SOLUTIONS		COMPLIANCE
	and f) providing for the rehabilitation and replanting of degraded <i>wetlands</i> .			
Riparian Buffers				
05	<p>The biodiversity and ecosystem values of <i>watercourses</i>, <i>drainage lines</i>, <i>wetlands</i> and <i>adjacent riparian zones</i> are protected by-</p> <ul style="list-style-type: none"> a) avoiding any new development in the riparian buffer; b) retaining aquatic and terrestrial habitat; c) maintaining wildlife corridors along <i>watercourses</i> and <i>drainage lines</i> for native fauna movement; d) avoiding edge effects and incompatible uses in riparian zones; e) maintaining bank stability by minimising bank erosion and slumping; f) maintaining water quality by filtering sediments, nutrients and other pollutants; and g) removing <i>undesirable plant species</i> and replacing them with vegetation of <i>local origin</i>; 	<p>S5.1</p> <p>S5.2</p> <p>S5.3</p>	<p>No new development occurs on, or partly on, premises indicated as Riparian Buffer on Biodiversity Overlay Maps OM1.1 to OM9.1, except for-</p> <ul style="list-style-type: none"> a) temporary use of the land; or b) infrastructure which provides access to a <i>watercourse</i> for recreational purposes; <p>OR</p> <p>Where Detached house and located on an allotment situated wholly within the Riparian Buffer, the following minimum building setbacks measured from mean high water mark are complied with-</p> <ul style="list-style-type: none"> a) if within the Coastal Protection Precinct as identified on the Natural Resources Overlay Maps-in accordance with Schedule 1 Minimum Boundary Setbacks; or b) otherwise-40m; <p>OR</p> <p>For Animal husbandry on premises in the Rural Zone-</p> <ul style="list-style-type: none"> a) stock proof fencing is installed along <i>watercourses</i> at a distance of no less than 10m from the top of the bank; b) stock watering points are located no less than 15m away from the top of the bank of <i>watercourses</i>; and c) stock crossing points across 	<p>Complies.</p> <p>No new development will occur on land identified as Riparian Buffers as there are no areas of this type acknowledged on the Stage 3 site under Biodiversity Overlay Maps OM1.1 to OM9.1.</p>

The net economic impact of the proposed development on the Sunshine Coast retail network will be the \$129.02 million transfer of sales to Noosa Civic in 2013. The net economic impact of the development on the Maroochydore CBD (Sunshine Plaza specifically) and the key lower order centres in Noosa Shire, when expressed as a percentage of centre turnover, can be summarised⁴ as follows:-

Centre	Change In Percentage Turnover (at 2013)
Maroochydore CBD (Sunshine Plaza)	- 5.3%
Noosa Fair/Noosa Junction Area	- 11.2%
Noosa Village/Noosaville Area	-10.1%
Hastings Street	-5.9%

The project economic consultants define an impact of -15% or greater as cause for concern. Clearly, the impact of the proposed development is well below this -15% threshold at all of the key centres and, most significantly, involves an impact of only -5.3% at Sunshine Plaza in the Maroochydore CBD, with which the extended Noosa Civic is expected to most compete.

Furthermore, it is anticipated that any sales which will be initially transferred to the extended Noosa Civic Centre from other key centres will be recovered quickly due to proposed expansions at those centres and continuing population growth. This is particularly the case for the Maroochydore CBD which is not only expected to benefit from major extensions in the foreseeable future, but is also well positioned to recover lost sales quickly by capturing the expected population and expenditure growth which will be concentrated in the central and southern parts of the Sunshine Coast over the next twenty years.

The Noosa Shire Business Centre is the only appropriate location within Noosa Shire and northern Maroochy in which to provide development which responds and satisfies the identified community need. As there is a community need and demand for the proposed retail facilities, the impact of the proposed development will not jeopardise the viability of existing centres or threaten the functional roles of those centres, including the primacy of the Maroochydore CBD, in the centres hierarchy.

2. The proposed expansion of retail facilities is critical if the competitive position and capacity of the Shire Business Centre to perform its intended role as a Major Activity Centre is to be preserved.

In order to achieve its intended sub-regional function as a Major Activity Centre, it is essential that the core retail component of the Shire Business Centre expands to a size and composition, consistent with community need, which can provide the vitality and critical mass necessary to function as a catalytic attractor for the employment-generating, civic, administrative and transit activities which must co-locate and consolidate the centre. The

⁴ Summarised from the Economic Impact Assessment prepared by Foresight Partners and appended at Appendix J.

proposed development provides that opportunity, which is critical not only to the long term viability and success of the Noosa Shire Business Centre, but also to the preservation of the regional centres hierarchy.

It is particularly important to provide the retail catalyst for the Shire Business Centre's continued development given the strong population growth and continued expansion of other major centres on the Sunshine Coast. The failure to provide for the timely expansion of the Shire Business Centres could therefore result in both of these pressures redirecting investment and development to the southern parts of the Sunshine Coast, leaving the residents of Noosa poorly serviced and reliant on frequent, congested and unsustainable trips to Maroochydore.

Significantly, the necessary extension of the retail core of the broader centre, will not fetter future non-retail development at the Shire Business Centre or compromise its ongoing emergence as the principal business and employment focus of the Shire.

The Strategic Overview Report⁵ confirms that the current planning scheme provides for the development of up to 197,300 sqm of floorspace within the Noosa Shire Business Centre. Of the total developable floorspace, 36,025 sqm has currently been developed, of which:-

- around 66% is existing shopping centre floor space;
- 20% is showroom floorspace; and
- and 14% is commercial floorspace.

The Stage 3 extensions proposed by this application, along with the development currently proposed by S & L Developments on the balance part (Lot 1 on SP182880) of the Shire Business Centre land, will redistribute that floorspace ratio to approximately:-

- 47% retail floorspace;
- 17% showroom floorspace; and
- 36% commercial, business and industry floorspace.

This initial focus on retail development, followed by the subsequent increase in non-retail development, is consistent with the ordinary sequencing and maturing of a mixed use centre such as the Noosa Shire Business Centre.

Importantly, even after the development of the current proposals, the Shire Business Centre will have sufficient land capacity to accommodate an additional 70,000 sqm of floor space which will predominantly comprise non-retail activities to further increase the non-retail element and ultimately achieve the outcome sought for the Shire Business Centre as a Major Activity Centre within the Network of Regional Activity Centres.

⁵ Refer to Appendix K - Strategic Overview Report prepared by Jackson Planning.

3. The proposed development promotes the centre hierarchy and, in particular, supports the primacy of the Maroochydore Principal Activity Centre.

The proposed development actively promotes the Network of Regional Activity Centres defined in the SEQ Regional Plan. It involves the ongoing and appropriate development of a Major Activity Centre in a manner that supports, and does not threaten, the primacy of the Maroochydore Principal Activity Centre or any other element of the Network of Regional Activity Centres defined by the SEQ Regional Plan.

The Maroochydore Principal Activity Centre will continue to grow and consolidate its size and primacy as the highest order centre on the Sunshine Coast. Major redevelopment and retail expansion projects are approved or under construction; a new railway line and major rail station is proposed; a Structure Plan which is understood to identify the need for over 300,000 square meters of additional retail and commercial floor space within the CBD is being prepared to guide and facilitate ongoing development; heavy private and public investment is being made in infrastructure; and strong growth in population and expenditure is expected to continue in the expanding urban areas on the central and southern Sunshine Coast proximate to the Maroochydore CBD. For all of these reasons, the Maroochydore CBD continues to be consolidated and elevated as the Principal Activity Centre for the Sunshine Coast.

As this occurs, it becomes imperative that the centre hierarchy continues to evolve and respond to the strengthening of the highest order centre. For this reason, the provision of limited higher order retail facilities, along with increased opportunities for commercial development, economic diversification local employment and community development in Major Activity Centres such as the Noosa Shire Business Centre provides a timely opportunity to improve the level of service, convenience and opportunity available to the residents of Noosa and northern Maroochy to satisfy community need and preserve the operational capacity, efficiency and functional role of all centres in the regional centre hierarchy.

4. The proposed development achieves a far superior retail planning outcome than that which is prescribed for the Shire Business Centre under the planning scheme.

The proposed expansion of the retail core of the Shire Business Centre will achieve a far superior retail planning and development outcome for the site than that currently prescribed by the design provisions of planning scheme and one that is far more likely to ultimately succeed in providing the prosperity, convenience, vitality and critical mass necessary to attract the employment-generating and other non-retail development which is intended to co-locate within the centre.

In this way, whilst the development proposes some alternative, superior design solutions, the extent of any conflict between the proposal and the provisions of the planning scheme is limited to specific design considerations only and does not extend to the broader vision and outcome sought for the Shire Business Centre site.

In respect to retail planning objectives, the expanded centre will include a department store and a range of other major anchor tenancies which will attract higher intensities of economic and community vitality within the centre. In addition, the expanded shopping centre will provide high quality civic spaces and create a focal point for community activities within the locality. The economic and community vitality which is created in a well planned centre underpins its successful operation and continued growth in both retail and non-retail sectors. In this way, the superior retail planning outcome that will be achieved by the proposed development will greatly improve the prospect of the community's vision for the Noosa Shire Business Centre ultimately being achieved.

5. The proposed development provides for the sustainable growth of the region.

The massive population growth that is forecast⁶ within Maroochydore and the southern areas of the Sunshine Coast will place immense pressures on the Maroochydore Principal Activity Centre which, although serving a pre-eminent function by providing the highest order services and facilities within the Sunshine Coast region, must also provide lower order services to its rapidly growing local catchment. Any attempt to then satisfy the additional demand for local services, facilities, infrastructure and carparking which will be generated by population growth in Noosa and northern Maroochy will represent 'unsustainable growth' within the region.

The impacts of unsustainable growth on the Sunshine Coast will manifest themselves primarily in the Maroochydore CBD and will likely include high levels of traffic congestion, poor levels of convenience and accessibility, scarce land supply and increasingly prohibitive housing and development costs. The impacts of unsustainable growth on the Maroochydore CBD will be obstructive to the centre achieving and preserving its function as the Principal Activity Centre for the region.

The alternative is to provide for the 'sustainable growth' of the region by allowing growth to occur in an area where appropriate provision has been made for that growth in terms of land supply, infrastructure, detailed planning and where there will be clear benefits to the community. There is no reason for the forecast growth in Noosa and northern Maroochy to be unsustainable when the Noosa Shire Business Centre, with its ample land supply, existing transport infrastructure and future development potential, can so easily and appropriately accommodate that growth in a sustainable manner.

⁶ Refer to the Economic Impact Assessment prepared by Foresight Partners and appended at Appendix J.

The proposed development, which will satisfy an existing community need for retail services within its sub-regional catchment, consistent with the centre's position in the Network of Regional Activity Centres, and help to preserve the operational capacity of Maroochydore, will therefore provide for the sustainable growth of the Sunshine Coast region.

6. The proposed development provides proportionate retail and employment growth in the northern Sunshine Coast.

Whilst the principle is intrinsically related to the broader issue of sustainable growth, it is important to specifically appreciate the benefits to the community which will be provided by accommodating proportionate retail and employment growth in the northern sub-region of the Sunshine Coast. If provision is not made for retail and employment growth, proportionate with population and expenditure growth, in Noosa and northern Maroochy, the residents of the northern sub-region will become rapidly disadvantaged and under-served as development and infrastructure investment is consumed by the massive growth in the southern sub-region of the Sunshine Coast.

Disproportionate growth across the region would have substantial implications, not only for Noosa, but for Maroochydore and the balance of the Sunshine Coast. For example, if population growth is disproportionate to retail and employment growth in Noosa, it will be necessary for an increasingly large number of Noosa residents to make frequent, lengthy private vehicle trips to access employment opportunities, higher order retail facilities and basic community services. Such a situation has adverse environmental impacts, due to increased vehicle trips, increased congestion on the road network and within major centres, as well as broader economic and social impacts. Proportionate growth however, resolves issues such as this and the associated impacts.

Providing the proportionate growth of retail facilities in the Noosa Shire Business Centre will appropriately increase the level of retail choice and convenience in the northern sub-region of the Sunshine Coast. Doing so will initially reduce the environmental, economic and social impacts associated with Noosa residents too often having to travel to Maroochydore and will provide an increased level of service to residents of the northern sub-region. However, the benefits of accommodating proportionate retail growth extend further, principally to act as the catalyst for future employment-generating development, but consequently improving local employment opportunities, attracting further private and public sector investment, broadening the economic base of the locality and generally driving the Noosa Shire Business Centre towards achieving its ultimate vision.

The proportionate economic growth proposed by the development application and for which there is a community need, could not be facilitated by this application without some conflict with parts of the planning scheme. However, the broad benefits to the community which can be achieved by allowing for the proportionate growth of retail activities, as community need dictates,

represents a strong planning ground which justifies that any conflict with the planning scheme.

7. The proposed development will make the most efficient use of the substantial investment which has been made in the provision of infrastructure at the Shire Business Centre.

The establishment of the Shire Business Centre has involved substantial investment in the provision of infrastructure to the site, both to service existing development and to provide for future development. Most significantly, extensive investment has been made in the transport infrastructure servicing the site, including public transport facilities and the upgrade and augmentation of the external road network to provide sufficient capacity for the increased traffic volumes associated with future development at the site. Significantly, the Applicant has already contributed close to \$20 million (in land, upgrade works and finances) as investment in transport infrastructure at and around the Noosa Shire Business Centre.

The proposed development will make good and efficient use of the existing infrastructure on and around the site. Furthermore, by way of expanding the public transport facilities, creating high quality civic spaces within the extended centre and providing additional employment opportunities, in both the short and long term, the proposed extension will provide substantial further investment in the region's physical and social infrastructure networks.

In respect to the social infrastructure network, and in concert with this development application, Stockwell are currently implementing a broader \$2.1 million programme to actively attract, accommodate and grow an economy of creative industries within Noosa. The Shire Business Centre, as a large, dynamic and mixed use centre, underpinned by a strong retail core, will provide excellent opportunities to build on this investment in social infrastructure.

8. The proposed development will not compromise, but will enhance, the functions of the Open Space Precinct OS7.

The development proposal includes the construction of a number of crossings which traverse the Open Space OS7 Precinct.

The primary function of the OS7 Precinct is as an environmental drainage corridor which carries and polishes stormwater from parts of the site. As each of the proposed crossings are supported by columns located specifically to prevent the blockage or alteration of stormwater flows, the development will not have an adverse impact on the safe and efficient carrying capacity of the stormwater drainage corridor.

The short term impact of some vegetation removal, necessary to accommodate the development, will be appropriately mitigated by the use of erosion and sediment control devices which will not restrict the flow regime within the corridor.

In the longer term, vegetation under the bridges will be rehabilitated and enhanced, using appropriate vegetation species, to further enhance the efficiency and effectiveness of the OS7 Precinct as an environmental drainage corridor.

The secondary function of the OS7 Precinct is as a key landscape character element. The extent of vegetation clearing required to accommodate the proposed development has been limited to the greatest extent practicable and is situated appropriately to avoid any compromise of the landscape values of Precinct OS7.

In summary, notwithstanding the proposed development conflicts to a certain extent with the planning scheme in its current form, there are sufficient grounds to justify the proposal despite any conflict.

The conflict between the development proposal and the planning scheme does not pertain to the fundamental issue of community need nor the role and function of the Shire Business Centre within the Network of Regional Activity Centres. The Applicant has demonstrated that there is a community need for the proposed retail facilities and that providing those facilities on the site will not threaten the primacy of the Maroochydore CBD or the broader centres hierarchy across the Sunshine Coast. Rather, the conflict is effectively limited to planning and design considerations and is largely an inevitable consequence of the planning scheme setting down prescriptive provisions in seeking to implement an earlier master plan to ensure the site is ultimately developed in a manner that is consistent with, and achieves, the community's vision for the Noosa Shire Business Centre. This application continues to work towards achieving that same vision however, proposes a planning solution which varies slightly from the concept embedded in the planning scheme provisions but will provide a far superior outcome for the Noosa Shire Business Centre.

9. Recommendation

The Applicant's proposal to extend the existing Noosa Civic centre represents the logical and timely extension of an established centre in direct response to community need and market demand. The proposed development represents the continued consolidation and expansion of core activities in the Noosa Shire Business Centre and is generally consistent with the nature, scale, role and function which the centre is intended to serve as both the highest order centre in Noosa Shire and a Major Activity Centre in the South East Queensland region.

The Plans of Development and detailed technical assessments which have been prepared and submitted clearly demonstrate that the proposed development will not have an unreasonably adverse impact on the future non-retail development potential of the Shire Business Centre, the amenity and environmental values of the site and its surrounds, the function of the defined centres hierarchy or the viability of key existing centres including the Maroochydore CBD, or the character and identity of Noosa.

Furthermore, the proposed development generally complies, and is consistent with the relevant and applicable provisions of the statutory town planning framework, including the:-

- Integrated Planning Act 1997;
- Integrated Planning Regulation 1998;
- South East Queensland Regional Plan;
- Nature Conservation Act 1992;
- Nature Conservation (Koala) Conservation Plan 2006;
- Aboriginal Cultural Heritage Act 2003; and
- Noosa Shire Council Planning Scheme.

The extent of any inconsistency or conflict with the applicable planning scheme provisions is generally limited to specific design considerations. In instances of such conflict, sufficient planning grounds justify that conflict. The proposed development is consistent with the higher level policy intent of the statutory town planning framework, including the Noosa Shire Council planning scheme, as it represents the continued development of the Noosa Shire Business Centre as the highest order centre and the business and employment focus of Noosa Shire and is critical to the centre's continued consolidation as a Major Activity Centre for the Sunshine Coast.

Accordingly, we recommend that this development application be considered favourably by Council and the relevant Concurrence Agencies, and be approved subject to reasonable and relevant conditions.

Figures

Figure 1 – Location Map

Figure 2 – Subject Site

Figure 3 – Zone Map

Figure 4 – Noosa Shire Business Centre Map

Figure 5 – Overall Development Concept Map

Figure 6 – Regional Ecosystem Map

Figure 7 – Essential Habitat Map

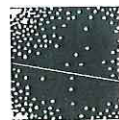
Published on DES Disclosure Log
RTI Act 2009



FIGURE 1



0 200 400 600 800 metres
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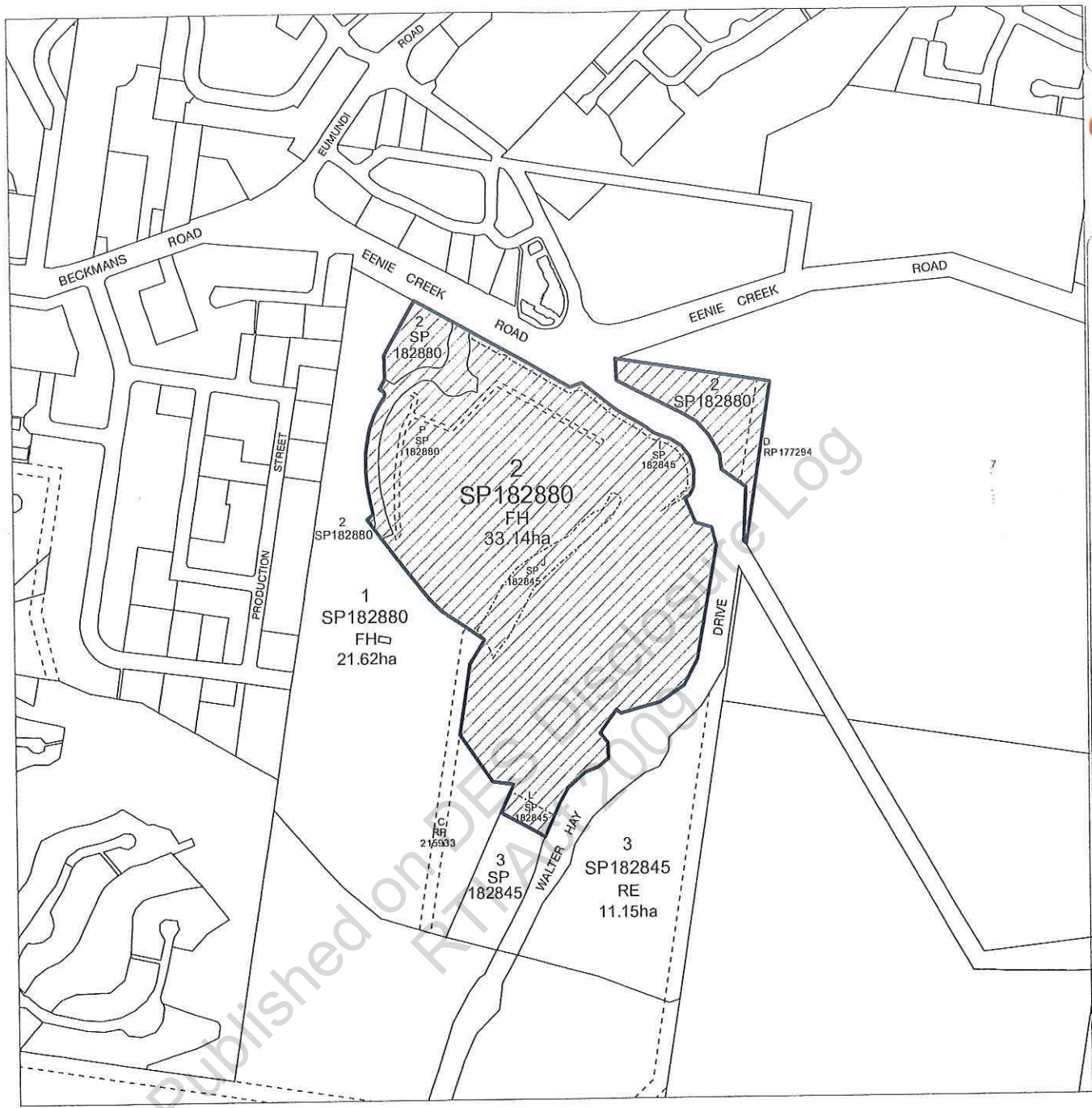
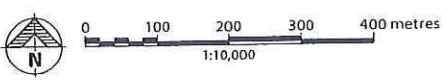
HUMPHREYS REYNOLDS PERKINS PLANNING CONSULTANTS

NOOSA CIVIC - STAGE 3
EENIE CREEK ROAD, NOOSAVILLE

LOCATION MAP

FILENAME >	LOCATION MAP	DATE >	04 DECEMBER '07
JOB NO. >	070095	AMENDED >	N/A
SCALE >	1:20,000	VERSION >	1.0
SOURCE >	UNIVERSAL PUBLISHERS PTY LTD		

FIGURE 1

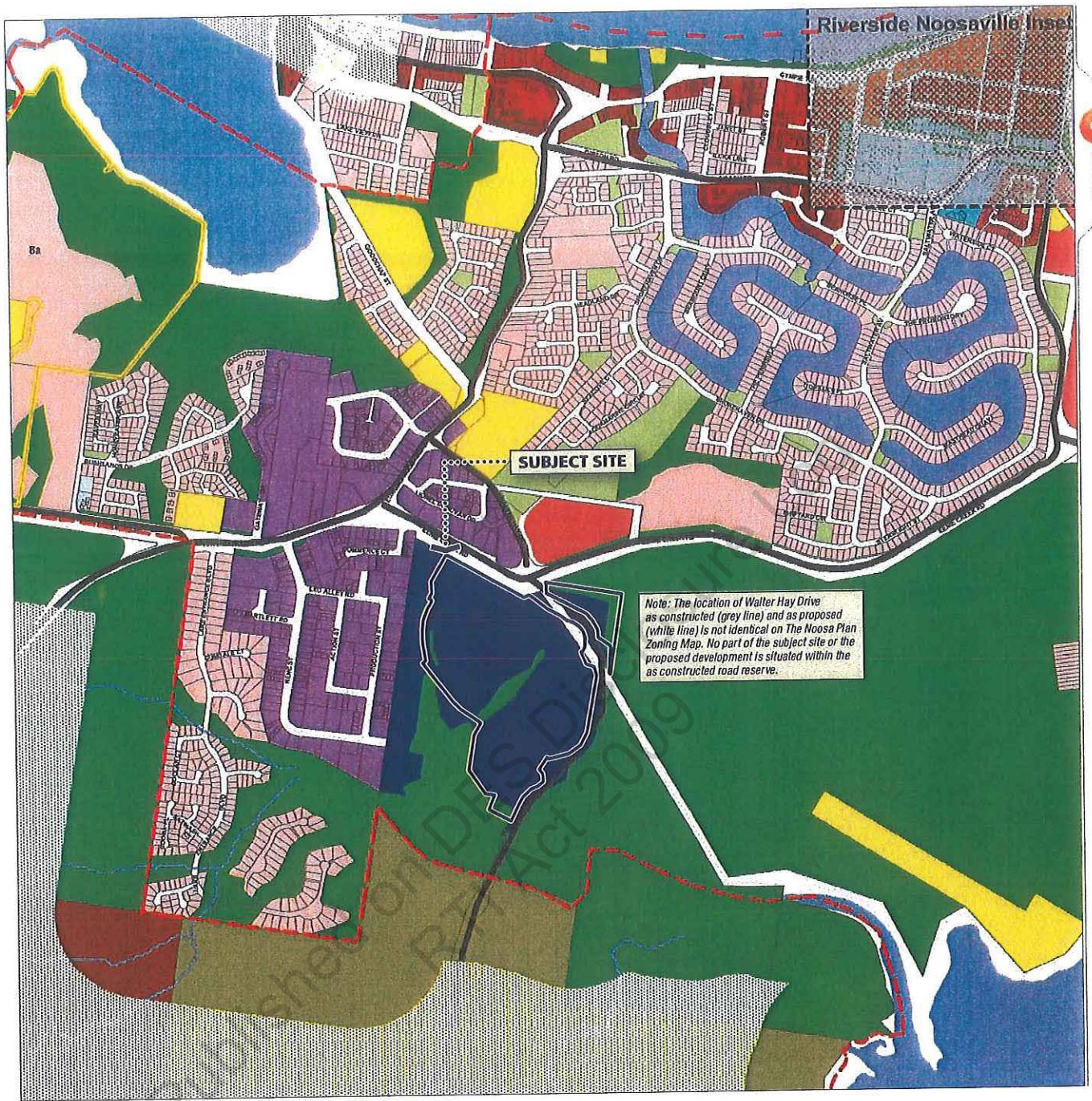


HUMPHREYS REYNOLDS PERKINS PLANNING CONSULTANTS



NOOSA CIVIC - STAGE 3
EENIE CREEK ROAD, NOOSAVILLE
SITE PLAN

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JOB NO. >	070095	AMENDED >	N/A
SCALE >	1:10,000	VERSION >	1.0
SOURCE >	QUEENSLAND GOVERNMENT SMARTMAP		



HUMPHREYS REYNOLDS PERKINS PLANNING CONSULTANTS

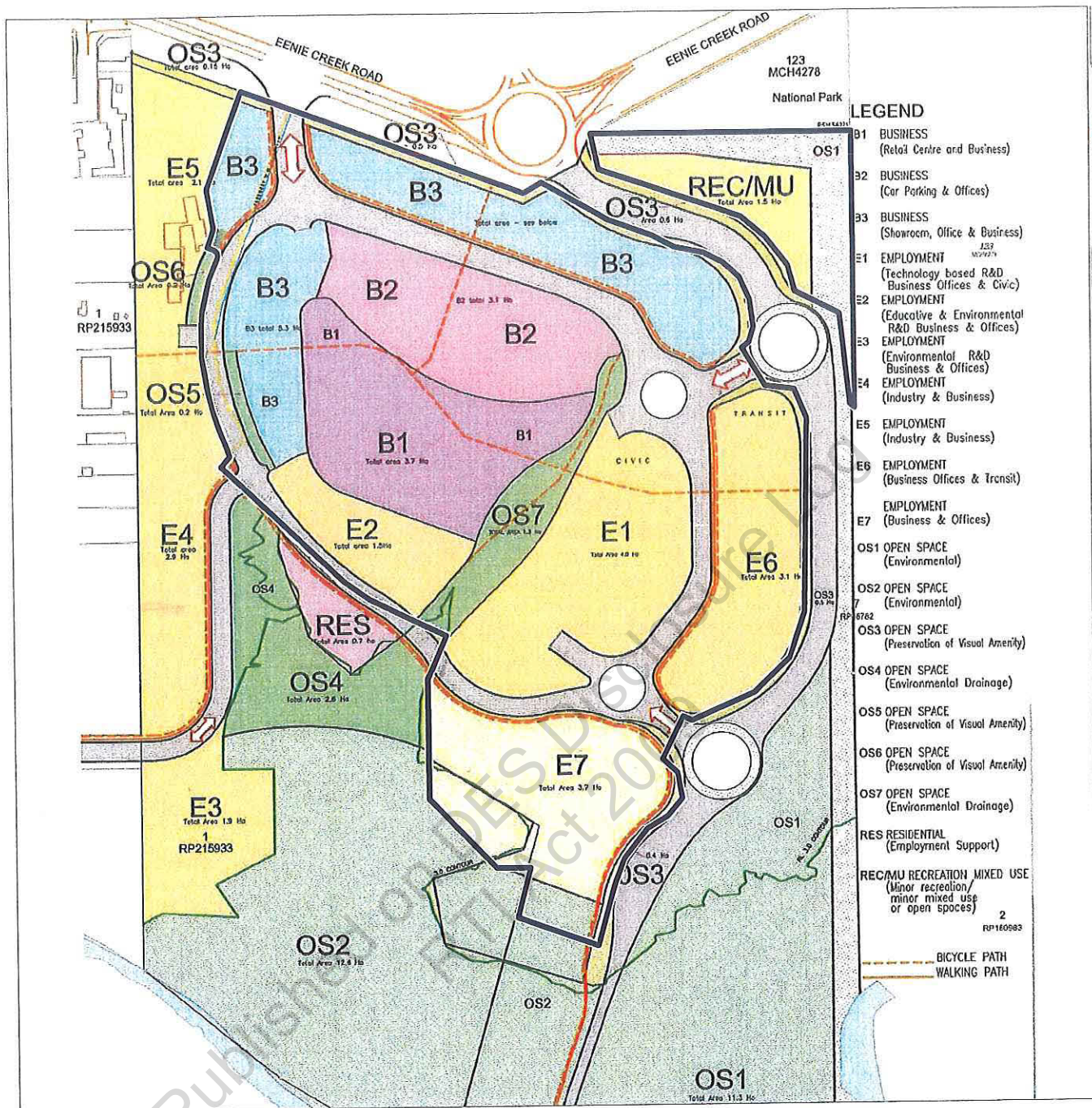
LEGEND

- | | |
|-------------------------|---------------------|
| Detached Housing | Locality Boundaries |
| Semi-Attached Housing | Major Road Network |
| Attached Housing | Major Water Bodies |
| Neighbourhood Centre | |
| Shire Business Centre | |
| Community Services | |
| Industry | |
| Rural | |
| Open Space Recreation | |
| Open Space Conservation | |

NOOSA CIVIC - STAGE 3
EENIE CREEK ROAD, NOOSAVILLE

ZONING MAP

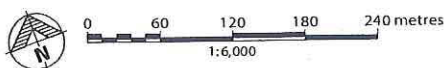
FILENAME >	ZONING MAP	DATE >	04 DECEMBER '07
JOB NO. >	070095	AMENDED >	N/A
SCALE >	1:20,000	VERSION >	1.0
SOURCE >	THE NOOSA PLAN (FEBRUARY 2006) - ZONE MAP ZMB (NOOSAVILLE)		



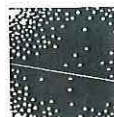
LEGEND

- B1 BUSINESS (Retail Centre and Business)
- B2 BUSINESS (Car Parking & Offices)
- B3 BUSINESS (Showroom, Office & Business)
- E1 EMPLOYMENT (Technology based R&D Business Offices & Civic)
- E2 EMPLOYMENT (Educative & Environmental R&D Business & Offices)
- E3 EMPLOYMENT (Environmental R&D Business & Offices)
- E4 EMPLOYMENT (Industry & Business)
- E5 EMPLOYMENT (Industry & Business)
- E6 EMPLOYMENT (Business Offices & Transit)
- E7 EMPLOYMENT (Business & Offices)
- OS1 OPEN SPACE (Environmental)
- OS2 OPEN SPACE (Environmental)
- OS3 OPEN SPACE (Preservation of Visual Amenity)
- OS4 OPEN SPACE (Environmental Drainage)
- OS5 OPEN SPACE (Preservation of Visual Amenity)
- OS6 OPEN SPACE (Preservation of Visual Amenity)
- OS7 OPEN SPACE (Environmental Drainage)
- RES RESIDENTIAL (Employment Support)
- REC/MU RECREATION MIXED USE (Minor recreation/ minor mixed use or open spaces)

--- BICYCLE PATH
--- WALKING PATH



LEGEND



HUMPHREYS REYNOLDS PERKINS PLANNING CONSULTANTS

NOOSA CIVIC - STAGE 3
EENIE CREEK ROAD, NOOSAVILLE

NOOSA SHIRE BUSINESS CENTRE MAP

FILENAME >	BUSINESS CENTRE MAP	DATE >	04 DECEMBER '07
JOB NO. >	070095	AMENDED >	N/A
SCALE >	1:6,000	VERSION >	1.0
SOURCE >	THE NOOSA PLAN (FEBRUARY 2006) -		
NOOSA SHIRE BAUSINESS CENTRE MAP (MAP SBC)			

FIGURE 4

Furthermore, the Maroochydore Structure Plan is understood to propose the location of a new railway alignment and rail station in the Maroochydore CBD. The development of a major transport infrastructure such as a rail station within the Maroochydore CBD provides one of the strongest distinctions between Maroochydore as the Principal Activity Centre and Major Activity Centres on the Sunshine Coast.

6.2.3 Major Activity Centres

The Regional Activity Centres Network provided by the SEQ Regional Plan identifies Major Activity Centres which, in complementing the Principal Activity Centres, are intended to serve catchments of sub-regional significance and accommodate key concentrations of employment. Major Activity Centres provide business, service and both major convenience and limited comparison retail functions, along with a sub-regional administrative focus and cultural and entertainment facilities of regional significance. As a focus for the intensification of residential development and employment-generating activities, Major Activity Centres also typically comprise key suburban or inter-urban nodes of regional public transport networks.

The SEQ Regional Plan identifies Noosa as a Major Activity Centre. As the Noosa Shire Business Centre is the highest order retail and administration centre within Noosa Shire, it has been specifically identified in the Noosa Shire Council planning scheme as the Major Activity Centre for the purposes of the SEQ Regional Plan.

Throughout the SEQ region, a total of seven Major Activity Centres contain department stores, being Pacific Fair, North Lakes, Toombul, Brookside, Toowong, Logan Hyperdome and Strathpine. However, none of the six Major Activity Centres on the Sunshine Coast currently contain a department store, instead being anchored by either discount department stores or supermarkets, as follows:-

Sunshine Coast Major Activity Centre	Anchor Tenant
Noosa	Discount Department Store
Nambour	Discount Department Store
Kawana Waters	Discount Department Store
Caloundra	Discount Department Store
Sippy Downs	Supermarket
Beerwah	Supermarket

As none of the Major Activity Centres on the Sunshine Coast contain a department store, the residents of the region currently have no option other than to drive to the Maroochydore CBD to access higher order retail services. With the Sunshine Coast's current (June 2006) population of approximately 290,000 people forecast to grow approximately 473,727 people by the 2026, limiting the provision of higher order retail services to a single location within the region will place increasingly immense pressure on the convenience and functionality of retail facilities, the capacity of transport infrastructure and the land supply within the Maroochydore CBD.

The question then becomes at what point is it appropriate to provide some higher order retail services in Major Activity Centres in order to reduce the pressure on

Principal Activity Centre and maintain acceptable levels of service and convenience at all centres throughout the region. The answer to this question lies in the interpretation of the concept of 'limited comparison shopping' which is embedded in the defined role and function of Major Activity Centres under the SEQ Regional Plan.

6.2.4 The Threshold Of Limited Comparison Shopping

In defining the role and function of Principal Activity Centres and Major Activity Centres, the SEQ Regional Plan makes a specific distinction between Principal Activity Centres providing 'major comparison and convenience' retail uses and Major Activity Centres providing 'limited comparison and major convenience' retail uses. It is obvious that this distinction has been made with the objective of preserving the hierarchal function of the Regional Activity Centres Network however, the provisions of the SEQ Regional Plan do not go so far as to define 'limited comparison shopping' nor to specifically preclude the development of department stores in Major Activity Centres. It is therefore necessary to examine the concept of 'limited comparison shopping' within the context of the Network of Regional Activity Centres.

6.2.4.1 The Irrelevance Of The Department Store

Historically, the presence of a department store has been the accepted indicator of a centre's highest function within a retail hierarchy. However, this traditional indicator has become increasingly less relevant as department stores continue to evolve and modify their form and operations in an attempt to stay competitive in a marketplace increasingly subject to the competitive pressures exerted by new retail formats (such as 'big box' retail showrooms, factory outlets and lifestyle centres) and the strengthening of fashion and other chains of speciality stores.

The principal response of department stores to the changing nature and competitive pressure of the marketplace has been the rolling out of new store formats, typically of between 10,000sqm and 12,000sqm in floor area, which rely on far smaller population thresholds than traditional department store formats. The smaller store formats have allowed department stores to develop in centres other than the highest order centres to which their location has typically been limited. This pattern has become evident in the Regional Activity Centres Network in the SEQ region where, of the fifteen Principal Activity Centres in the SEQ Region:-

- only seven currently contain department stores;
- five are anchored by discount department stores; and
- three are supermarket-based.

Department stores and other higher order retail services currently exist in a number of Major Activity Centres throughout the SEQ region, which can be attributed to the changing nature, role and function of department stores. It is also indicative of the increasing irrelevance of department stores as the defining retail element of highest order centres and demonstrates that the concept of 'limited comparison shopping' should not necessarily exclude the development of a department store. Consequently, the presence of a department store is not an appropriate basis for determining the scope of 'limited comparison shopping'.

6.2.4.2 Determining The Threshold By Relativity

The purpose of allowing limiting comparison shopping in Major Activity Centres is to enable those centres to support, without threatening, Principal Activity Centres. The question of whether an amount of comparison shopping floorspace either supports or threatens the Principal Activity Centre comes down to a question of the quantum (size and range) of the comparison shopping offer.

In its simplest form, the concept of limited comparison shopping therefore dictates that a Principal Activity Centre should provide more comparison shopping opportunities than a Major Activity Centre. In this way, the threshold of limited comparison shopping is one of relativity. The only way to determine the appropriate quantum of 'limited comparison shopping' within a Major Activity Centre is to examine that comparison shopping offer relative to the quantum of the comparison shopping offer at the Principal Activity Centre.

It would rarely be appropriate that a Major Activity Centre provided a department store if the Principal Activity Centre for the sub-region did not. However, if the Principal Activity Centre provided one or more department stores, the provision of one department store in a Major Activity Centre could quite easily constitute limited comparison shopping in comparison. Similarly, it is unlikely that the provision of a greater amount of speciality retail stores in a Major Activity Centre than in the sub-region's Principal Activity Centre would constitute limited comparison shopping.

In the case of the relationship between the Maroochydore PAC and the Noosa MAC, the existing quantum of comparison shopping facilities (i.e. department stores, discount department stores and speciality stores) can be estimated by using 2006 floorspace estimates². On this basis, the existing comparison retail offer at Maroochydore CBD (in the Sunshine Plaza, Plaza Parade and Big Top centres alone) is estimated to be 55,377 sqm (comprising one department store, discount department stores and speciality stores) compared to only 7,930 sqm (comprising only a discount department store and speciality stores) at Noosa Civic.

If allowance is then made for the inclusion of the proposed development (comprising a department store and additional speciality stores), the total comparison shopping offer at Noosa Civic increases to only 25,930 sqm GLA, which remains significantly less than the existing comparison offer at Maroochydore CBD.

Finally, if the major approved or proposed expansions of the Sunshine Plaza and Big Top centres at Maroochydore CBD are then taken into account (which are expected to include another department store and additional specialty stores), along with the quantum of comparison shopping offered within the Maroochydore CBD but outside of Sunshine Plaza, Plaza Parade and Big Top, the quantum of the comparison retail offer at Maroochydore expands significantly, further reducing the quantum of the proportionate offer at Noosa Civic, despite the proposed Stage 3 extension.

² Taken from the Queensland Shopping Centre Directory 2006, prepared by the Property Council of Australia. In order to calculate only the comparison shopping offer of each centre, any floor area used for supermarkets and offices has been subtracted from the total centre area floorspace nominate in the Queensland Shopping Centre Directory 2006.

6.2.4.3 The Relevance Of The Proximity Of Centres

The separation distance between centres is also relevant in determining the scope of 'limited comparison shopping'. Retail centres have physical catchments which correlate with the distance shoppers are prepared to travel. The table below compares the distances between selected Major Activity Centres and Principal Activity Centres throughout South East Queensland.

PRINCIPAL ACTIVITY CENTRE	Maroochydore	Caboolture/Morayfield	Chermside	Indooroopilly	Ipswich	Springfield	Springwood	Beenleigh	Southport	Robina
MAJOR ACTIVITY CENTRE	Kilometres to Principal Activity Centre (approximately)									
Noosa	27	-	-	-	-	-	-	-	-	-
Kawana Waters	7	-	-	-	-	-	-	-	-	-
Nambour	15	-	-	-	-	-	-	-	-	-
Sippy Downs	7	-	-	-	-	-	-	-	-	-
Caloundra	16	-	-	-	-	-	-	-	-	-
Beerwah	27	26	-	-	-	-	-	-	-	-
North Lakes	-	19	16	-	-	-	-	-	-	-
Redcliffe	-	22	18	-	-	-	-	-	-	-
Strathpine	-	25	9	-	-	-	-	-	-	-
Toombul	-	-	4	-	-	-	-	-	-	-
Mitchelton	-	-	6	-	-	-	-	-	-	-
Toowong	-	-	-	2	-	-	-	-	-	-
Goodna	-	-	-	-	14	7	-	-	-	-
Ripley	-	-	-	-	7	12	-	-	-	-
Flagstone	-	-	-	-	-	15	-	-	-	-
Logan Central	-	-	-	-	-	-	4	13	-	-
Logan Hyperdome	-	-	-	-	-	-	7	7	-	-
Browns Plains	-	-	-	-	-	-	8	15	-	-
Yarrabilba	-	-	-	-	-	-	-	12	-	-
Coomera	-	-	-	-	-	-	-	16	13	-
Nerang	-	-	-	-	-	-	-	-	8	-
Surfers Paradise	-	-	-	-	-	-	-	-	4	-
Bundall	-	-	-	-	-	-	-	-	5	-
Broadbeach	-	-	-	-	-	-	-	-	8	7
Coolangatta/Tweed	-	-	-	-	-	-	-	-	-	19

The Noosa Major Activity Centre is situated approximately 27 kilometres from the Maroochydore Principal Activity Centre, which is further than the distance between any other Major Activity Centre and Principal Activity Centre in the region.

In the context of the Network of Regional Activity Centres, a short distance between a Principal Activity Centre and a Major Activity Centre should greatly constrain the quantum of comparison shopping that is appropriate in the Major

Activity Centre so as to limit the risk of that centre compromising the primacy of the Principal Activity Centre. Conversely, where lengthy distances exist between a Principal Activity Centre and a Major Activity Centre, a higher threshold of 'limited comparison shopping' exists as there is far less risk of the Major Activity Centre threatening the Principal Activity Centre.

6.2.4.4 A Means Of Achieving The Principles Of Good Centres Planning

The appropriate provision of limited higher order comparison shopping facilities within Major Activity Centres is consistent with the key principles of good centres planning, primarily because it:-

- reduces congestion and other pressures which constrain the functionality and convenience of the Principal Activity Centre by providing complementary services without threatening its primacy in the centre hierarchy;
- reduces the number (and associated environmental impacts) of private vehicle trips which must otherwise be made over longer distances to the Principal Activity Centre;
- improves the level of retail convenience offered to residents serviced by the Major Activity Centre;
- further consolidates the retail core of large, mixed use centres and serves as an attractor and catalyst for the co-location of other retail, non-retail and civic development and investment; and
- contributes to the creation of vitality, a sense of identity and a strong community focus within prosperous centres.

The achievement of these principles through the provision of some higher order retail functions, including a department store, within appropriate Major Activity Centres provides the opportunity to reinforce, consolidate and strengthen the Regional Network of Activity Centres and implement the Policies sought by Section 8.6 of the SEQ Regional Plan.

6.2.5 Lower Order Centres

Whilst the SEQ Regional Plan seeks to achieve the Regional Network of Activity Centres, the higher order centres which comprise that network must continue to be supported by lower order centres at the local level in order to preserve the efficiency and functionality of the broader centres hierarchy.

The Noosa Shire Business Centre is identified in the Noosa Shire Council planning scheme as the highest order centre within the Shire and is intended to be the focus of business and employment activities, along with retail, industrial and community facilities.

The Shire Business Centre is supported by second order business centres at Noosa Junction, Noosaville, Tewantin and Cooroy which are intended to continue servicing local catchments. It is anticipated that only limited development, in the form of commercial and retail infill, will be necessary within the business centres to maintain appropriate levels of service, convenience and retail choice over the life of the planning scheme. The planning scheme makes no provision for the

development of additional business centres within the Shire and only limited provision for the expansion or intensification of the existing business centres, providing the primacy of the Shire Business Centre is preserved.

The business centres are, in turn, supported by a series of lower order neighbourhood centres and village centres which provide local convenience shopping facilities to satisfy only the immediate needs of local residents.

Within the Shire of Noosa, the visitor and tourism precincts of Hastings Street, Gympie Terrace and Sunshine Beach also provide a small range of retail services, consistent with their specialised function within the Shire.

6.2.6 The Role Of The Noosa Shire Business Centre

The network of well defined lower order centres, in servicing the convenience needs of the local population, play an important role in supporting the higher order function of the Shire Business Centre. However, in determining the role of the Noosa Shire Business Centre, it is not sufficient to look at Noosa Shire Business Centre only as the pre-eminent centre within Noosa Shire – it must also be viewed in the context of the broader Network of Regional Activity Centres. The following subsection seeks to clearly determine and define the role and function that the Noosa Shire Business Centre is intended to perform in both the local and regional context.

The Network of Regional Activity Centres defined by the SEQ Regional Plan provides a useful planning mechanism to develop and preserve a network of consolidated, efficient, accessible and sustainable centres. However, the broad categorisation and definition of centres within that network cannot adequately define the disparities in the size, role or function of centres, nor can it appropriately quantify the complex interrelationship between factors such as development patterns, topography, transportation networks, socio-economic characteristics or market influences which ultimately drive demand and consumer response. The success of a centre is ultimately determined by its ability to compete within the marketplace, including its ability to adapt and evolve in response to market forces and other influences in a manner that preserves the competitiveness of its commercial and retail offer. In this respect, whilst it is important that the Noosa Shire Business Centre maintains its primacy within Noosa Shire, it is equally imperative that the centre maintains its function and competitiveness as a Major Activity Centre in the regional context.

The primacy of the Maroochydore CBD as the highest order centre on the Sunshine Coast is secure, and continues to be reinforced through expansion and both public and private sector investment. However, the continued growth of the Maroochydore Principal Activity Centre, along with the massive urban growth both occurring and forecast in the southern parts of the Sunshine Coast, threatens the ability of the Noosa Shire Business Centre to maintain its competitive position and capacity to perform its intended role as a Major Activity Centre within the Network of Regional Activity Centres.

As a Major Activity Centre, the Noosa Shire Business Centre is intended to provide key concentrations of employment, business, service and both major convenience and limited comparison retail functions, and administrative and cultural facilities. In

order to achieve its intended sub-regional function as a Major Activity Centre, it is critical that the core retail component of the centre expands to a size and composition which can provide the vitality and critical mass necessary to function as a catalytic attractor for the employment-generating, civic and administrative activities which must co-locate and consolidate the centre. In the context of the Sunshine Coast region, which is experiencing strong population growth over a dispersed area, the provision of some higher order retail services such as a department store represents a valuable opportunity to expand the existing retail offer to a size and composition that is sufficient to attract the employment-generating non-retail development that is necessary to achieve the ultimate vision for the Noosa Shire Business Centre and Major Activity Centres.

The development of higher order retail services within the Noosa Shire Business Centre is generally appropriate if a community need exists within the catchment. This principle is embedded in the SEQ Regional Plan and the Noosa Shire Council planning scheme.

The economic studies which have been prepared and submitted in support of this development application have established a community need for higher order retail services within the catchment of the Noosa Shire Business Centre. On this basis, the community is currently enduring lower levels of service and convenience. It is therefore necessary to identify and evaluate the available options for satisfying that demand for higher order retail services.

Firstly, could the additional higher order retail services be provided in the Principal Activity Centre at Maroochydore? The answer to this question is probably yes however, doing so would likely have a number of significant implications for both the Maroochydore Principal Activity Centre and the Noosa Major Activity Centre.

The provision of additional higher order retail facilities in Maroochydore would preserve and exacerbate the existing and increasing pressures on land supply, transport infrastructure, accessibility and convenience within the Principal Activity Centre. These circumstances not only reduce the level of convenience for people visiting Maroochydore but also for the rapidly increasing population of local residents who rely on the Maroochydore CBD for local convenience services as well as higher order retail functions. Furthermore, it would maintain the current situation in which Sunshine Coast residents, from Noosa to Caloundra, must drive to Maroochydore in order to access basic items such as homewares and cosmetics which are primarily sold in department stores. Forcing all Sunshine Coast residents to drive to Maroochydore for such retail items is an unsustainable outcome in terms of both ecological sustainability and traffic management.

Secondly, could the higher order retail services be provided at Noosa Junction, or some other local centre within Noosa Shire? This option is not feasible as it would be inconsistent with the provisions of the planning scheme and would compromise the hierarchy of centres within Noosa Shire. It is also unlikely that sufficient land supply to accommodate the necessary development exists in any of the other Noosa centres. Furthermore, the development of higher order retail facilities at Noosa Junction, or any other local centre, would prejudice the ultimate achievement of the vision and objectives for the Noosa Shire Business Centre as the critical mass of retail activities could not be achieved.

Finally then, is the Noosa Shire Business Centre the appropriate location to provide the higher order retail services? Yes, the provision of higher order retail services at the Noosa Shire Business Centre, commensurate with community need, is generally appropriate from both a planning and economic viewpoint.

The Shire Business Centre is recognised as a Major Activity Centre within the SEQ region and the highest order centre within Noosa Shire, in which the development of a limited amount of higher order retail is anticipated by, and therefore consistent with, the defined role and function of Major Activity Centres in the Network of Regional Activity Centres.

The development of higher order comparison retailing, including a department store, at the Noosa Shire Business Centre will satisfy the existing demand for limited higher order retail services without threatening the primacy or function of the Maroochydore Principal Activity Centre. In doing so, the northern end of the Sunshine Coast would be largely self-sufficient in terms of higher order goods and services, with private vehicle trips to Maroochydore then being necessary only for true regional services (such as the Courts, government offices or employment purposes with public sector employers or larger businesses). The provision of higher order retail at the Noosa Shire Business Centre will thereby reduce levels of congestion and consequently improve convenience within the Maroochydore CBD. The Shire Business Centre has a more than adequate supply of land to accommodate the additional retail development which is necessary to achieve the critical mass required to attract subsequent non-retail development and land use activities. It is only in this manner that the efficient use of resources and investment can be maximised, and the vision for the Noosa Shire Business Centre ultimately achieved.

7. Town Planning Compliance Summary

A detailed assessment of the proposed development against the applicable statutory assessment provisions is provided at **Appendix A – Town Planning Compliance Schedule**.

In summary, the proposed development generally complies, and is consistent with the relevant and applicable provisions of the statutory town planning framework, including the:-

- Integrated Planning Act 1997;
- Integrated Planning Regulation 1998;
- South East Queensland Regional Plan;
- Nature Conservation Act 1992;
- Nature Conservation (Koala) Conservation Plan 2006;
- Aboriginal Cultural Heritage Act 2003; and
- Noosa Shire Council Planning Scheme, comprising the:-
 - Desired Environmental Outcomes for the Shire;
 - Overall Outcomes for the Noosaville Locality, Shire Business Centre Zone, Open Space Conservation Zone, applicable Overlays and all relevant Codes;
 - Specific Outcomes for the relevant Codes; and
 - Probable Solutions for the relevant Codes.

The extent of any inconsistency or conflict with the applicable planning scheme provisions is generally limited to specific design considerations. In instances of such conflict, detailed planning grounds which justify that conflict are submitted and discussed at Section 8 of this Proposal Report.

The proposed development is consistent with the higher level policy intent of the statutory town planning framework, including the Noosa Shire Council planning scheme, as it represents the continued development of the Noosa Shire Business Centre as the highest order centre and the business and employment focus of Noosa Shire and is critical to the centre's continued consolidation as a Major Activity Centre for the Sunshine Coast.

8. Sufficient Grounds To Justify Conflict

The Integrated Planning Act 1997, at Section 3.5.14(2)(b), requires that an application be refused if it conflicts with the planning scheme, unless there are sufficient planning grounds to justify approving the application despite that conflict. The development application presents sufficient grounds to justify its approval, despite the conflict with the statutory planning framework.

The Applicant acknowledges that the proposed development does conflict, to a certain extent, with the planning scheme. In the particular circumstances of this development proposal, a degree of conflict with the planning scheme is inevitable as the scheme, somewhat ambiguously, intends that the Shire Business Centre continues to develop in stages to satisfy the needs of the population of both Noosa Shire and the northern areas of Maroochy Shire, but by the application of prescriptive regulatory provisions, makes the implementation and achievement of that intent, without conflict, difficult.

The planning grounds which justify the approval of the development application are submitted hereafter.

8.1 Planning Grounds

1. There is a community need for the development.

The submitted Economic Impact Assessment demonstrates that there is a need for the retail core of the Noosa Shire Business Centre to grow in response to population growth. Over the next ten years to 2017, the population growth forecast within Noosa Civic's trade area will generate a theoretical demand for an additional 59,300 sqm GLA of retail floor space. As the proposed development comprises 30,000sqm GLA of retail development, it is sufficient only to satisfy approximately half of that increased demand.

In response to the increasing demand for retail services, major retailers have expressed their interest and intention to establish new stores within the extended Noosa Civic³. The Noosa Shire Business Centre, as both the highest order centre in Noosa Shire and the only centre with sufficient latent capacity to accommodate major retailers, is the only appropriate location on the northern Sunshine Coast in which to provide higher order retail facilities to satisfy the community need.

The proposed extension will increase Noosa Civic's market share from the existing 9.7% to 18% by June 2013 (being the first full year for which the extended centre is expected to trade).

³ Refer to Appendix G - Written Expressions of Interest From Major Retailers.

3.3 Building Height

The height of the proposed development will be generally three storeys (as defined by the Noosa Shire Council planning scheme), including a basement car park, increasing to four storeys in limited sections.

The majority of the proposed development has a maximum height of between six and nine metres and three storeys. The exceptions to this are:

- (a) the 13.5m wide internal mall, which will have a maximum height of approximately 12m and four (4) storeys;
- (b) the department store situated adjacent to the civic plaza, which will have a maximum height of approximately 14m and four (4) storeys; and,
- (c) plant room situated above the supermarket at the eastern end of the site, which will have a maximum height of approximately 8.5m and three (3) storeys.

Although the height of the proposed development is strictly defined as three to four storeys, the design and architectural treatment of the buildings achieves a built form that presents as single storey buildings.

3.4 Site Cover

On the basis of the area of Stage Three representing approximately 9.86 hectares, and comprising a development footprint of approximately 3.63 hectares, the development has an estimated site cover of 36.84%.

Taking into account the whole of the site and all development existing or proposed in Stages One, Two or Three, the total site cover is currently estimated at 31.85%.

3.5 Plot Ratio

In order to provide some indication of the proposed plot ratio, that part of the site over which the development is proposed is taken to align generally with the limits of Precincts E1 and E6 (refer to **Figure 4 – Noosa Shire Business Centre Map**),

That part of the site over which the application is made comprises an area of approximately 98,640 sqm in which it is proposed to develop a total of 41,050 sqm of floor area.

The estimated plot ratio for the proposed development is therefore approximately 0.42.

3.6 Access and Servicing

The subject site will continue to be accessed by an entrance from Eenie Creek Road and Walter Hay Drive. An additional entrance will also be constructed at the southern end of Walter Hay Drive, to intersect with the existing roundabout that was constructed in anticipation of future development. Additional access is also

expected to be available via the Rene Street road connection to be constructed by S & L Developments Pty Ltd.

All entrances will provide both ingress and egress from the site via single lane carriageways. The final section of Hoffman Drive will be constructed, completing the ring road and connecting the Eenie Creek Road entrance to the Walter Hay Drive entrance.

Four additional loading bays will be provided to service the proposed development. Two will be situated at the rear of the centre and accessed from Hoffman Drive. In addition, a further service road will be constructed off Hoffman Drive to service the existing loading bay located to the rear of the Stage One development.

A series of roundabouts will be provided at all major intersections on the internal road network to assist with traffic circulation on site.

3.7 Car Parking

Car parking is provided on site, predominately in the underground basement car park and also in the at-grade parking areas located in front of the proposed development in the north-east corner of the site. No parking will be provided along the internal road network or Walter Hay Drive. A total of 1,793 car parking spaces are proposed for the site, which includes disabled car parking spaces, as follows:

Level	Number of Spaces
Basement level parking	1,275 car parking spaces
Ground level parking	525 car parking spaces
Level one parking	0 car parking spaces
Total Car Spaces:	1,793 car parking spaces

3.8 Pedestrian Access and Bicycle Parking

A network of cycle and pedestrian pathways will be provided on the site, linking existing pathways with the proposed development, civic space, environmental protection area, parking areas and entrances.

Pedestrian crossings are provided at all intersections of the car park road network, including basement level, as well as a number of crossings on the internal loop road to minimise opportunities for pedestrian – vehicle conflict.

The proposed development also makes provision for a total of 111 bicycle parking spaces along with associated amenities (35 lockers and 7 showers).

3.9 Transit Hub

Noosa Civic is presently served by two bus services at a dedicated bus stop and waiting area, which is centrally located between the two main pedestrian access points into the existing shopping centre. The bus stop has capacity to service two standard buses within a dedicated 'Bus Zone' area. Toilet, shower and baby

changing facilities, sheltered passenger seating and timetable and route information contained within a Translink information board are also provided.

Modifications are being considered to increase the available spaces for buses to accommodate a total of four bus bays. These modifications, which will augment the existing public transport arrangements to improve accessibility of Noosa Civic with surrounding areas and allow for increased service frequency and routeing, have not been finalised and do not form part of the development for the proposed development.

3.10 Preserving The Function Of Precinct OS7

The proposed development includes a number of crossings over the existing Open Space Precinct OS7, which will separate the two retail components of the extended centre. Whilst the Precinct has some landscape values, the primary function of the OS7 Precinct, as prescribed in the planning scheme, is as an environmental drainage corridor which receives stormwater runoff from the hardstand areas of the site and polishes that stormwater as it flows through the corridor, across other Open Space Precincts and eventually into Eenie Creek.

The proposed extension has been designed, and will be constructed, in a manner which preserves the primary function of the OS7 Precinct.

Each of the proposed bridges which traverse the Precinct will be supported by columns which are located to prevent the blockage or alteration of stormwater flows.

The short term impact of some vegetation removal, necessary to accommodate the development, will be appropriately mitigated by the use of erosion and sediment control devices which will not restrict the flow regime within the corridor. In the longer term, the rehabilitation of vegetation under the bridges will be completed, using appropriate vegetation species, which will ameliorate any impact of temporary vegetation loss on stormwater quality.

An Erosion and Sediment Control Plan and a Water Quality Monitoring Plan will be prepared prior to the commencement of work to protect stormwater quality and flow rates, and to ensure that the primary drainage function of the OS7 Precinct is preserved.

3.11 Landscape Rehabilitation

A Site Rehabilitation Plan and a Public Open Space Management Plan has previously been prepared by the Applicant addressing the rehabilitation of a number of Open Space Precinct on the subject site, including OS1 - Open Space (Environmental), OS2 - Open Space (Environmental), OS3 - Open Space (Preservation of Visual Amenity), OS5 - Open Space (Preservation of Visual Amenity) and OS7 - Open Space (Environmental Drainage).

The Applicant, as part of the proposed development, has prepared a Rehabilitation Plan for the OS3 - Open Space (Preservation of Visual Amenity) Precinct adjacent to the proposed development. The Rehabilitation Plan will provide visual buffering

between the proposed development and Walter hay Drive, retain and enhance the natural vegetation within the OS3 – Open Space (Preservation of Visual Amenity) Precinct and provide some habitat resources for fauna and flora. These objectives will be achieved through natural recruitment and regeneration, removal of invasive weed species and revegetation using suitable native species.

Refer to **Appendix N - Rehabilitation Plan** of this report for further details.

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4. Key Planning Issues

The following sections discuss the key issues and considerations associated with the proposed development.

4.1 Achieving the Noosa Shire Business Centre Vision

The Noosa Shire Council planning scheme intends that the Noosa Shire Business Centre develops as the highest order centre in the Shire and the focus for key employment and business activities within Noosa. The proposed development involves the extension of the existing Stage One development (the retail core) into parts of the site which are currently identified in the planning scheme as Employment precincts. The proposed development however, does not seek to undermine the vision for the Shire Business Centre by creating a sprawling retail centre but instead seeks to consolidate the existing retail core, consistent with community need, so as to provide the vitality and critical mass necessary for the established retail centre to function as the catalyst for the employment-generating, civic, administrative and transit activities which must be attracted to and accommodated on the site in order to allow the Shire Business Centre to achieve its intended role and function.

The extension of the Noosa Civic centre, as proposed by this application, will not fetter future non-retail development at the Shire Business Centre or compromise its ongoing emergence as the principal business and employment focus of the Shire.

The Strategic Overview Report¹ confirms that the current planning scheme provides for the development of up to 197,300 sqm of floorspace within the Noosa Shire Business Centre. Of the total developable floorspace, 36,025 sqm has currently been developed, of which:-

- around 66% is existing shopping centre floor space;
- 20% is showroom floorspace; and
- and 14% is commercial floorspace.

The Stage 3 extensions proposed by this application, along with the development currently proposed by S & L Developments on the balance part (Lot 1 on SP182880) of the Shire Business Centre land, will redistribute that floorspace ratio to approximately:-

- 47% retail floorspace;
- 17% showroom floorspace; and
- 36% commercial, business and industry floorspace.

¹ Refer to Appendix K - Strategic Overview Report prepared by Jackson Planning

This initial focus on retail development, followed by the subsequent increase in non-retail development, is consistent with the ordinary sequencing and maturing of a mixed use centre such as the Noosa Shire Business Centre.

Importantly, even after the development of the current proposals, the Shire Business Centre will have sufficient land capacity to accommodate an additional 70,000 sqm of floor space which will predominantly comprise non-retail activities developed on the future development sites conceptually illustrated at **Figure 5 – Overall Development Concept Plan**. Figure 5 clearly demonstrates that, notwithstanding the proposed development, the site maintains ample capacity across a number of high quality development sites to accommodate sufficient employment, business and economic development, as part of future development staged, to ultimately achieve the outcome sought for the Noosa Shire Business Centre.

4.2 Community Need and Economic Impact

The Economic Impact Assessment (submitted at **Appendix J - Economic Impact Assessment**) demonstrates that there is a need for the retail core of the Noosa Shire Business Centre to grow in response to population growth. Over the next ten years to 2017, the population growth forecast within Noosa Civic's trade area will generate a theoretical demand for an additional 59,300 sqm GLA of retail floor space. As the proposed development comprises 30,000sqm GLA of retail development, it is sufficient only to satisfy approximately half of that increased demand.

The proposed extension will increase Noosa Civic's market share from the existing 9.7% to 18% by June 2013 (being the first full year for which the extended centre is expected to trade).

The net economic impact of the proposed development on the Sunshine Coast retail network will be the \$129.02 million transfer of sales to Noosa Civic in 2013. Any sales which will be initially transferred to the extended Noosa Civic Centre from most other centres will be recovered quickly due to proposed expansions at those centres and continuing population growth.

The net economic impact of the development on the Maroochydore CBD, and the other centres in the Sunshine Coast centre hierarchy, is well within the appropriate range and will not jeopardise the viability of existing centres or threaten the function of the centres hierarchy.

A detailed assessment and discussion of need for, and impacts of, the proposed development is provided at both **Appendix J - Economic Impact Assessment** and **Appendix K - Strategic Overview Report**.

4.3 Visual Amenity

A detailed Visual Impact Assessment has been prepared by LVO Architecture (refer to **Appendix M – Visual Impact Assessment** to this report) to assess the impacts of the proposed development on the visual environment of the local area.

According to the findings of the Visual Impact Assessment:

"In this instance, significant adverse impacts on the visual environment are unlikely. This is largely due to the following reasons:

- i. The existing stages of the Shire Business Centre and other nearby commercial developments have inherently adjusted the public's perception of the surrounding visual environment. Due to the nature of such development some visibility of built form is expected when passing through the local area.*
- ii. As a result of the road network, the existing vegetation, and the topography of the site and surrounding area, the visual catchment of the subject site and the proposed development is extremely confined.*
- iii. There is a vegetation buffer (OS3) separating the site from Walter Hay Drive which, if well maintained, will almost entirely screen the proposed buildings and mitigate any potential adverse impacts on the visual environment.*
- iv. The only part of the development where this may not occur is at the southern corner of the site, primarily because part of the proposed development is located close to the road and the vegetative buffer is reduced to a width of 3 metres. At this location it is critical that the vegetated buffer is well maintained as a dense visual screen. It would also be beneficial if the southern supermarket wall is treated with non reflective materials and subtle colours consistent with the vegetated screen.*

In summary, at both a strategic and statutory level in terms of impacts on the visual environment, the proposed development is:

- i. consistent with the general intents of the Shire Business Centre masterplan;*
- ii. consistent with the existing built form appearance and layout of the earlier stages of the Shire Business Centre;*
- iii. consistent with the expectations of the local community;*
- iv. consistent with the applicable provisions of the Planning Scheme.*

As such, the proposed development will have acceptable and anticipated levels of visual impacts on the existing visual environment, and, in terms of visual impacts, should be approved.

I consider that the proposed Stage 3 is of a higher standard of architectural quality than that of Stage 1. It portrays greater levels of articulation and detail. The juxtaposition of the proposed commercial components with the north eastern roundabout within the site provides a sense of arrival and a "front door" to the entire Shire Business Centre. That part of the development will provide facilities and spaces that are civic in nature, character and use, and will successfully incorporate the natural environment of OS7 into the built form of the development.

The proposed development will not only have an acceptable level of impact on the visual amenity of the site and the broader locality, but will also provide a high quality architectural statement and built environment appropriate to the function and character of the Shire Business Centre.

4.4 Environmental Impact

A comprehensive Biodiversity Assessment has been undertaken by Natural Solutions Environmental Consultants (refer to **Appendix O – Biodiversity Assessment** to this report) to assess the biodiversity values of the subject site and prepare a report making recommendations for the management of those values.

The relevant findings of the Biodiversity Assessment Report are as follows:

A review of previous reporting of environmental values for Stage 3 and the overall site has identified six key issues of ecological importance for the locality. These include:

- *The presence of Wallum Froglets (*Crinia tinnula*) Listed as Vulnerable under the NCA;*
- *The presence of Green-thighed Frog (*Litoria brevipalmata*) listed as Vulnerable under the NCA;*
- *The presence of Elf Skink (*Erotoscincus graciloides*) listed as Rare under the NCA;*
- *The presence of Sylvia's Blind Snake (*Ramphotyphlops silvia*) listed as Rare under the NCA;*
- *The presence of Koala (*Phascolarctos cinereus*) listed as Vulnerable under the NCA; and*
- *Eenie Creek forms the southern boundary of the site.*

Although none of the aforementioned species have been recorded within the Stage 3 locality it is considered likely that they may also occur within this portion of the site. The strategy for amelioration of potential impacts on significant species has been to allocate a large extent of open space between Stages 1 & 2 and Eenie Creek. This area will be retained as natural vegetation providing habitat for Koala, Green-thighed Frog and Elf Skink and buffering the development from Eenie Creek. This "conservative allocation" has been done as part of the original development application / concept for the site.

Previous reports by Olsen (2003) have indicated that the vegetation present on the site has been poorly managed with respect to past disturbance and inappropriate fire regimes. Whilst the proposed Stage 3 development will result in the loss of additional vegetation from the site it has also been noted that improved management regimes will also be implemented within the remainder. It is considered that this will be particularly important for the smaller ground dwelling herpetofauna species that make up the majority of significant species recorded on the site.

These species particularly rely on a suitably complex habitat structure. This will be improved upon with a reduction in fire frequency that will be coupled with the proposed development. Elf Skink monitoring completed in January 2006 failed to locate the species on site most likely as a result of the inappropriate fire regime that has occurred on the site. OS7 has been identified as being important for drainage and not a biodiversity function, this value will be retained.

The Biodiversity Assessment Report identifies loss of vegetation as the highest level of impact caused by the proposed development. The proposed mitigation measures for this impact are as follows:

- *Retention and rehabilitation of vegetation along OS7, OS3 within conservation areas, open space areas and road reserves;*
- *Provision of temporary fencing around vegetated areas to be retained adjacent to the development area;*
- *A Rehabilitation Management Plan will be developed to direct the rehabilitation and replanting works to occur within OS3, proposed development layout – only native and endemic species will be used in plantings;*
- *A Landscaping Plan will be developed, which incorporates the use of only native and endemic plant species for landscaping within the development area;*
- *Regular monitoring, and repair if necessary, of temporary fences (erected prior to and during construction phase) surrounding retained vegetation and areas of disturbance;*
- *Suitable management of soil stripping and vegetation mulching;*
- *No dumping of refuse into retained vegetation or OS areas; and*
- *Loss of vegetation within OS7 for bridge construction."*

The Biodiversity Assessment Report makes the following recommendations for the proposed development:

1. *All native vegetation within the OS areas (OS3 & OS7) to be retained clearly demarcated prior to construction works in order to prevent damage/clearing within these areas;*
2. *Environmental weeds are not to be introduced into the site. Environmental weeds are to be managed within conservation areas and ecological features to enhance the value of these areas for native fauna species. Ongoing management of weeds is to occur to prevent weed infestations from dominating areas of retained/rehabilitated vegetation as per the **Rehabilitation Plan**. No declared or invasive environmental weeds should be permitted in any landscaping works;*
3. *Terrestrial structural elements, such as hollow-bearing timber, should be retained across the site. If these elements occur in areas to be developed, they should be carefully removed and utilised within*

landscaping/rehabilitation works within the open space areas. This will help to enhance the habitat value of these areas for native fauna species;

4. *No rubbish, litter, garden clippings or other waste is permitted to be disposed of within the conservation areas and/or retained/rehabilitated vegetation areas;*
5. *Any required clearing of vegetation within the development layout should occur in a sequential manner, use of spotter-catchers during any clearing works and retention of trees in which Koalas or other fauna are spotted until they have moved out of the tree of its own accord;*
6. *The erosion and sediment control plan (ESCP) in accordance with the Engineers Australia, Queensland Division 'Soil Erosion and Sediment Control: Engineering Guidelines for Queensland Construction Sites' should be strictly adhered to including:*
 - *Drainage control, erosion control, sediment control and revegetation;*
 - *Moderate to high erosive nature of the soils;*
 - *The ESCP will provide details of pre-construction, construction and post construction controls and management practices that will be implemented to control erosion and minimise sedimentation of areas affected by the works;*
7. *Rehabilitation of disturbed areas in accordance with LMP and rehabilitation plan; and*
8. *Design and Construction of the bridge across OS7 to accommodate significant habitat trees and minimise vegetation disturbance.*

Although the existing floristic assemblages on the site demonstrate low biodiversity values as a consequence of past disturbance, the Applicant intends to implement the recommendations of Natural Solutions Environmental Consultants to mitigate the impacts the proposed development may otherwise have on the biodiversity values of the site.

That part of the site on which the development is proposed supports a vegetation community described as a non-remnant secondary community which is well represented in the broader locality, including within the Noosa National Park on the opposite side of Walter Hay Drive. Whilst the site was historically connected to the adjoining Noosa National Park, the construction of Walter Hay Drive severed this connection and, due to the road reserve width and traffic volume on Walter Hay Drive, the site now demonstrates limited connectivity value. Nevertheless, the proposed development has been designed and sited to preserve, as far as practicable, and enhance the natural biodiversity values of the site.

4.5 Landscaping and Rehabilitation

A Landscape Concept Plan has been prepared for the proposed development by Jeremy Ferrier Landscape Architect (refer to **Appendix I – Landscape Concept Plan**).

The design intent of the Landscape Concept Plan is as follows:

"The Noosa Civic Stage 3 landscape design divides the site into 5 areas. The intent of the design of each area is to best integrate it with its immediate context. Planting for each area employs a single dominant canopy with accompanying understorey planting. Planting themes are based on the two plant communities of the site; Tall Mixed Open Sclerophyll Forest and Paperbark Wetlands and Fringing Swamp.

Generally the landscaping has been designed with the following principles:

- Retention of existing vegetation where possible;
- Use of endemic plant species. At least 85% of the species and 85% of the quantity of plants used in landscaping shall be endemic to the site. In addition all 'signature species' (eg. street trees, shade trees in car parks and feature plantings) shall be endemic to the site;
- Informal planting arrangements, consisting of clumping of trees and massing of understorey planting. To reflect the surrounding vegetation and merge the proposed new development with existing retained vegetation;
- A minimum landscaped area of 10% for any development site and 15% within each precinct."

The Landscape Concept Plan demonstrates that the proposal provides a high level of visual amenity, softens the built form of the development, complements the existing vegetation on the site and enhances the natural landscape character of the area.

In addition, the Applicant has prepared and submitted a Rehabilitation Plan for the Stage 3 extensions which specifically relates to the rehabilitation and ongoing management of Open Space Precinct OS3. The rehabilitation of the precinct will assist in preserving the existing visual buffer between the proposed development and Walter Hay Drive, as well as enhancing and maintaining the vegetation and habitat values of the Open Space Precinct OS3.

The Rehabilitation Plan, prepared by Natural Solutions, is submitted at **Appendix N - Stage 3 Rehabilitation Plan**.

4.6 Landscape Covenants

Parts of the site, which generally align with the Open Space Precincts, are subject to covenants made between Mirose Pty Ltd and Noosa Shire Council pursuant to the Land Title Act 1994.

Whilst the covenants generally seek to preserve native vegetation on those parts of the site, the terms of those covenants allows development (including buildings, structures, trails, paths etc.) within the covenanted areas where that development is approved by Noosa Shire Council or its successors on Approved Plans.

Relevantly, the covenants define Approved Plans as follows:-

"Approved Plans" means any plans approved by the at the date of this Covenant or in the future regarding the land.

As the terms of the covenant preserve the opportunity for any development approved by Council after the date of the covenant to be developed within the covenanted areas, those components of the development proposal (including the retail bridge, pedestrian paths and cycle paths) situated therein are not prohibited by the terms of the covenant.

Nevertheless, to remove any doubt, the Applicant requests that Council expressly approve the removal of any covenanted vegetation made necessary by the proposed development, under Clause 4.1(a) of the respective covenants.

4.7 Car Parking

When the proposed development is assessed in the context of generating demand for additional car parking spaces, it is estimated that the proposal generates demand for an additional 2,249 car parking spaces. This car parking rate is based on the assumption that the applicable minimum car parking rates, as required by the planning scheme, are as follows:-

Development Component	Defined Use	GLA (Use Area)	Required Car Parking Rate	Required Spaces
Retail	Shop	30,000 sqm	1/20 sqm up to 100 sqm plus 1/15 over 100 sqm	1,998.33
Commercial	Office	5,000 sqm	1/20sqm	250
Total Car Parking Spaces Required				2,249

Notwithstanding the car parking rates set down by the planning scheme, the development of the first stage of the Noosa Civic Shopping Centre involved the provision of car parking at the following rates, determined to be appropriate by the traffic engineer and Council in assessing the application:-

- Retail – 5.4 spaces per 100 sqm use area; and
- Commercial – 1 space per 30 sqm of use area.

If these alternative car parking rates are applied to the proposed Stage 3 development, the expected car parking demand is as follows:-

Development Component	Required Spaces
Retail	1,620
Commercial	167
Total Car Parking Spaces Required	1,787

It is proposed to provide a total of 1,793 additional car parking spaces as part of the proposed development which is considered sufficient to cater for the additional demand generated by the extensions. The additional car parking spaces will be provided over two levels with 528 spaces being provided at grade (for convenient access to convenience retailers, and the balance 1,265 spaces being provided in the basement car park below the new retail mall.

Further discussion and justification of the proposed alternative car parking rate is provided at **Appendix L - Traffic Impact Assessment Report**, prepared by Cardno Eppell Olsen.

4.8 Transport and Traffic Impact

A Traffic Impact Assessment has been undertaken by Cardno Eppell Olsen for the site. Refer to **Appendix L - Traffic Impact Assessment Report** of this report for further details.

In order to assess the likely impacts of the proposed development on the local road network, the Traffic Impact Assessment modelled traffic generation rates over a ten year design horizon commencing at the anticipated opening of the extended centre in 2012. The key results of the modelling analysis were that:-

"...a number of intersections were exceeding capacity in this timeframe due to background growth, including:

- *Eenie Creek Road/Walter Hay Drive intersection;*
- *Reef Road/Weyba Road intersection;*
- *Eenie Creek Road/Eumundi-Noosa Road intersection;*
- *Eumundi-Noosa Road/Walter Hay Drive/Venture Drive intersection;*
- *Eumundi-Noosa Road/Goodchap Street intersection;*
- *Eumundi-Noosa Road/Gibson Road/Wallace Drive intersection;*
- *Eumundi-Noosa Road/Beckmans Road intersection.*

These roundabout intersections are generally built to a reasonably high capacity standard and in most scenarios it would be difficult to increase the capacity if it is desirable to maintain intersection type rather than upgrading to a traffic signal form. The capacity constraints are largely related to major north south links, particularly Eumundi-Noosa Road and Eenie Creek Road, and it may be suitable to consider alternative links to reduce the traffic load along these links."

In response to the key findings of the modelling analysis, the Traffic Impact Assessment Report makes a number of recommendations to bring forward scheduled road upgrades to mitigate the impact of the increased traffic volumes on the road network, as follows:-

"In some instances relative minor works results in a significant improvement in the analysed operation. This is the case for the following intersections:

- *Eenie Creek Road/Walter Hay Drive intersection would require 150m short lanes on Walter Hay Drive (north);*
- *Eumundi-Noosa Road/Walter Hay Drive/Venture Drive intersection – 40m turn slot on Venture Drive and modified line marking on Walter Hay Drive to include a double right turn;*
- *Eumundi-Noosa Road/Gibson Road/Wallace Drive intersection – 50m short turn lane on Gibson Road;*
- *Eenie Creek Road/Western Site Access intersection - modified line marking on Western Site Access to include a double left turn.*

...for other intersections, it would be necessary to undertake significant works or provide alternative connections. The following intersections exceed capacity with or without the development, but works would be brought forward as a result of the additional demand from the Stage 3 development:

- *Reef Road/Weyba Road intersection;*
- *Eenie Creek Road/Eumundi-Noosa Road intersection;*
- *Eumundi-Noosa Road/Goodchap Street intersection;*
- *Eumundi-Noosa Road/Beckmans Road intersection."*

The nature and extent of the recommended upgrade works are set out in further detail at **Appendix L - Traffic Impact Assessment Report**.

In terms of the internal road network, site circulation, and pedestrian and bicycle access, the Traffic Impact Assessment Report found as follows:-

The internal layout of the site generally complies with good planning practices and Australian Standards. The site layout provides good circulation via an internal ring road, connectivity between car parks, excellent pedestrian mobility within the car park areas and well located parking spaces for particular uses including taxi, disabled and family bays.

Pedestrian and bicycle paths connect the internal retail, commercial and civic areas with commuter and recreational paths provided to external areas."

Furthermore, the Noosa Shire Business Centre is designated as a transit hub, which the Traffic Impact Assessment addresses as follows:-

"The existing bus stop facility provides a high standard facility and would be able to accommodate a higher demand and increasing frequency of services. Modifications have been considered to increase the available space for buses to accommodate a total of four bays in the ultimate arrangement. TransLink and Council are also considering options to improve signage and information facilities around the network. Potential options for the Noosa Civic facility will need to be developed in negotiation with the proponent."

The Traffic Impact Assessment Report demonstrates that car parking provision and layout, internal site vehicular circulation, servicing and manoeuvrability requirements and pedestrian and bicycle requirements are all appropriate for the nature and scale of the proposed development. The site is provided with adequate

access and will not, subject to implementation of recommended road upgrades, generate any adverse impacts upon the safety and operation of the external road network. The Applicant intends to implement the recommendations contained in the Traffic Impact Assessment Report and carry out the recommended road upgrades as required.

4.9 Stormwater and Water Quality

The proposed development will preserve the primary drainage and stormwater polishing function of the Open Space OS7 Precinct, and other elements of the stormwater management regime across the site.

A Site Based Stormwater Management Plan is presently being finalised and will be lodged with Council separately.

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5. Statutory Town Planning Provisions

5.1 Integrated Planning Act 1997

5.1.1 Impact Assessment

The Integrated Planning Act 1997 (IPA) provides the overall statutory planning framework for Queensland. The subject site is included within the jurisdiction of the Noosa Shire Council Planning Scheme (the planning scheme), which came into effect on 03 February 2006. Accordingly, the Noosa Shire Council planning scheme should be read in conjunction with the IPA.

The planning scheme requires that all aspects of the proposed development be subject to impact assessment. Section 3.5.5(2) of the IPA identifies the matters to which the Assessment Manager is to have regard when assessing the development application, as follows: -

- (a) *the common material;*
 - (b) *the planning scheme and any other relevant local planning instruments;*
 - (c) *if they are not identified in the planning scheme as being appropriately reflected in the planning scheme—*
 - (i) *State planning policies, or parts of State planning policies; and*
 - (ii) *for the planning scheme of a local government in the relevant area for a State planning regulatory provision—the provision; and*
 - (iii) *for the planning scheme of a local government in a designated region—the region's regional plan;*
- Note— For declared master planned areas, see also section 2.5B.70 (Assessable development requiring impact assessment).*
- (d) *any development approval for, and any lawful use of, premises the subject of the application or adjacent premises;*
 - (e) *if the assessment manager is not a local government—the laws that are administered by, and the policies that are reasonably identifiable as policies applied by, the assessment manager and that are relevant to the application;*
 - (f) *the matters prescribed under a regulation (to the extent they apply to a particular proposal).*

At the time of lodging the development application, the common material comprises the application material only. This proposal report forms part of that common material used to assess the development proposal. It accompanies duly executed forms and Plans of Development, and also includes the series of technical reports

appended hereto, which address key aspects and technical issues relevant to the proposed development.

As the assessment of the development application progresses under the statutory Integrated Development Assessment System (IDAS), additional information which arises from the subsequent Information and Referral Stage and Notification Stage, will also form part of the common material which will be considered by Council in the assessment of the application.

5.1.2 State Planning Policies

The development application must have regard to all relevant and applicable State Planning Policies, which are not incorporated or reflected in the Noosa Shire Council planning scheme. No State Planning Policies which have not been reflected in the planning scheme are relevant to the subject site and the proposed development.

5.1.3 Referral

The development application triggers referral to the following Referral Agencies (Concurrence, Advice and Third Party Advice) under the provisions of the Integrated Planning Act 1997 and the Integrated Planning Regulation 1998.

5.1.3.1 Department Of Main Roads

The development, whilst not proposed on land contiguous to a State-controlled road, exceeds the threshold of 10,000 sqm GFA of retail and commercial uses, prescribed at Schedule 5 of the Integrated Planning Regulation 1998. The development application is therefore referable to the Department of Main Roads as a Concurrence Agency.

5.1.3.2 Queensland Transport

The proposed development exceeds the threshold for retail and commercial premises prescribed at Schedule 13C and Schedule 13D of the Integrated Planning Regulation 1998, relating to public transport. The development application is therefore referable to Queensland Transport as a Concurrence Agency.

5.1.3.3 Environmental Protection Agency

Part of the site is developed and used as a service station which, as it includes underground petroleum storage tanks with a holding capacity in excess of 200 litres, constitutes the carrying out of a Notifiable Activity (No. 29 – Petroleum Product or Oil Storage) prescribed under the Environmental Protection Act. The development application is therefore referable to the Environmental Protection Agency (Contaminated Land Unit) as a Concurrence Agency.

5.1.3.4 Department of Natural Resources and Water

The proposed development involves the excavation of more than 1,000m³ and is development to which State Planning Policy 2/02 Planning And Managing Development Involving Acid Sulfate Soils applies. The application is therefore

referrable to the Department of Natural Resources and Water as an Advice Agency for Acid Sulfate Soil matters.

5.1.3.5 Energex

The subject site is burdened by an easement on the land for a transmission grid or supply network in favour of Energex. The application is therefore referrable to Energex as an Advice Agency.

5.1.4 Public Notification Requirements

The development application is subject to the procedures of Impact Assessment and triggers referral to three Referral (Concurrence) Agencies. Accordingly, public notification for a period of thirty (30) business days will be carried out in accordance with s.3.4.4, s.3.4.5 and s.6.7.1A of the Integrated Planning Act 1997.

5.2 South East Queensland Regional Plan

The South East Queensland (SEQ) Regional Plan came into effect on 30 June, 2005 and was subsequently amended by Amendment One on 31 October 2006. The Regional Plan seeks to guide growth and development in the South East Queensland region to 2026.

The provisions of the SEQ Regional Plan (as amended) are applicable to land within the jurisdiction of Noosa Shire Council and, therefore, to the site.

The site is wholly included in the Urban Footprint under the SEQ Regional Plan.

At a broader scale, Noosa is designated as a Major Activity Centre for the purposes of the SEQ Regional Plan.

5.2.1 Regulatory Provisions

The Amendment One Regulatory Provisions of the SEQ Regional Plan apply in addition to any relevant matters applying under a planning scheme for assessing and deciding a development application.

The Amendment One Regulatory Provisions of the SEQ Regional Plan define an Urban Activity as follows:-

- (1) *Urban activity means a residential, industrial, retail, commercial, sporting, recreation, tourism or community activity...*

For the purposes of the SEQ Regional Plan, the proposal therefore constitutes an Urban Activity on land within the Urban Footprint. As a consequence, the Regulatory Provisions (which provide additional development assessment criteria for stated development in particular areas) are not applicable to this development application.

5.2.2 Regional Policies

Under the SEQ Regional Plan, and as far as can be determined from the broad scale mapping, the subject site is not affected by any designation on the SEQ Regional

Plan policy maps, except to be broadly identified as part of the Noosa Major Activity Centre on Map 8.

It is noted that the Noosa Major Activity Centre, as identified on Map 8, does not directly align with the location of the subject site. Given the scale of Map 8, it is not appropriate to strictly apply the broad level designations at a cadastral scale. This mapping inconsistency is therefore considered to be a consequence of the broad scale mapping included in the SEQ Regional Plan, rather than any intentional exclusion of the site for the Major Activity Centre designation. Both the SEQ Regional Plan and the Noosa Shire Council planning scheme clearly consider and intend the Noosa Shire Business Centre, as the highest order centre in Noosa Shire, to be developed in a manner that serves the role and function of a Major Activity Centre within the Network of Regional Activity Centres.

The relevant Principles and Policies which are triggered by these designations, and against which the proposed development has therefore been assessed, are included at **Appendix A – Town Planning Compliance Schedule**.

Chapter 6 of this report provides a discussion of the broader planning intent, as well as the planning principles that are the basis of the SEQ Regional Plan. The discussion is relevant in this instance as the principles of good centres planning are complex, interrelated and multi-disciplinary, and warrant further discussion and full understanding in the context of this development application.

5.3 Noosa Shire Council Planning Scheme

Development on land within the jurisdiction of Noosa Shire is regulated by the Noosa Shire Council Planning Scheme, which came into force on 03 February 2006. Whilst, at the time of lodgement, draft amendments to the Planning Scheme are proposed, those amendments have not taken effect and have therefore not been taken into account.

The planning scheme comprises a series of structural elements which the following sections identify and briefly discuss, to the extent they apply to the proposed development.

5.3.1 Desired Environmental Outcomes

Part 3 of the planning scheme sets down the Desired Environmental Outcomes for development throughout the Shire over the life of the planning scheme. The Desired Environmental Outcomes are based on the concept of ecological sustainability (as it is defined for the purposes of the Integrated Planning Act 1997) and are the means whereby the planning scheme ultimately seeks to advance the purpose of that Act.

The Desired Environmental Outcomes which are relevant to the proposed development are set out at **Appendix A – Town Planning Compliance Schedule**.

5.3.2 Localities

The planning scheme divides the whole of the Shire into a series of geographic localities for the purposes of regulating development, the provisions for each of which, including assessment tables and a specific Locality Code, are contained in a Locality Plan.

The site is wholly contained within the Noosaville Locality.

The applicable provisions of the Noosaville Locality Code, comprising the Overall Outcomes, Specific Outcomes and Probable Solutions, are included at **Appendix A – Town Planning Compliance Schedule**.

5.3.3 Zones

The planning scheme further divides each of the Localities into a series of Zones which more precisely reflect the preferred pattern of development and land use.

The site is subject to a split zoning under the planning scheme, being predominantly contained in the Noosa Shire Business Centre Zone, but also partly within the Open Space Conservation Zone.

The development assessment provisions which are applicable to development in both the Noosa Shire Business Centre Zone and the Open Space Conservation Zone are contained in the Noosaville Locality Code under the planning scheme and included herein at **Appendix A – Town Planning Compliance Schedule**.

5.3.4 Precincts

The planning scheme provides for certain Zones to incorporate Precincts which provide a finer level of guidance as to the pattern and nature of development that was anticipated at the time the planning scheme was prepared. Both the Shire Business Centre Zone and the Open Space Conservation Zone incorporate a series of Precincts which divide the Noosa Shire Business Centre site into discrete land use areas.

The planning scheme provisions applicable to development in each of the relevant Precincts are set down by the Noosaville Locality Code and are included in full at **Appendix A – Town Planning Compliance Schedule**.

5.3.5 Overlays

A series of four Overlays are included in the planning scheme, each of which identify the extent of a range of environmental, heritage and locational constraints throughout the Shire.

The site is affected by the following Overlays:-

- Biodiversity Overlay;
- Natural Hazards (Landslide and Flood) Overlay; and
- Natural Hazards (Bushfire and Acid Sulfate Soil) Overlay.

Each Overlay Map included in the planning scheme is supported by an Assessment Table which, in some instances, alters the level of assessment that would otherwise

apply to development in a particular Zone, along with an Overlay Code containing specific development assessment criteria which apply to development on land affected by the Overlay.

The applicable provisions of each of the relevant Overlay Codes are included at **Appendix A – Town Planning Compliance Schedule**.

5.3.6 Use Codes and Works Codes

The planning scheme includes a suite of Use Codes and Works Codes which apply specifically to development of a stated purpose or type. The development application is subject to the procedures of Impact Assessment under the Noosa Shire Council Planning Scheme. The following Use Codes and Works Codes, or parts thereof, are therefore considered relevant to the assessment of this Material Change of Use application:-

Use Codes

- Business Uses Code;
- Community Uses Code; and
- Infrastructure Uses Code.

Works Codes

- Building Works Code;
- Driveways and Carparking Code;
- Landscaping Code;
- Transport, Roads and Drainage Code;
- Waste Management Code; and
- Water Sensitive Design Code.

The relevant sections of the applicable Use Codes and Works Codes are included at **Appendix A – Town Planning Compliance Schedule**.

5.3.7 Defined Use

Section 2.11 of the Noosa Shire Council Planning Scheme provides a list of defined land use activities. For the purposes of the planning scheme, the components of the proposed development are defined as follows:-

Business Uses (Commercial Business Type 1 Office)

The use of premises for a commercial business conducted in an office environment. The use includes a bank, professional office, travel agent, and estate sales office.

Business Uses (Commercial Business Type 2 Medical)

The use of premises for the practice of human or animal medicine and therapies. The use class does not include Wellbeing Type 2 Health uses as separately defined.

Business Uses (Retail Business Type 2 Shop and Salon)

The use of premises for an activity that is generally found in a shopping complex, strip or centre. The use includes a shop, hairdressing salon, appliance repairs, alterations, dry cleaning and a café with dining facilities for up to 10 people.

Business Uses (Entertainment and Dining Business Type 1 Food and Beverages)

The use of premises involving the sale of food and beverages for consumption on the premises. The use class includes a function room or restaurant or café with dining facilities for 10 or more people.

Business Uses (Entertainment and Dining Business Type 2 Recreation, Amusement and Fitness)

The use of premises involving recreation or amusement activities, including cinema, health & fitness club, gym, sport activity or brothel.

Community Uses (Education Type 1 Childcare)

The use of premises for the education, recreation, minding or care, of more than four children (not residing at the site) for a fee or reward.

Community Uses (Education Type 3 Adult)

The use of premises for adult education or vocational training whether operated for profit or not. The use includes a TAFE, university, language school, hospitality training.

Community Uses (Education Type 4 Information)

The use of premises for the collection and display of information for reference or reflection. The use includes a library, museum, and information centre.

Community Uses (Wellbeing Type 1 Health)

The use of premises for the care, treatment and necessary short-term accommodation of sick or injured people or animals. The use includes a hospital, institution, hospice, but does not include a Commercial business Type 2 Medical or Multiple housing Type 3 Retirement & special needs as separately defined.

Community Uses (Wellbeing Type 2 Social)

The use of premises for the gathering of people for networking, support, common pastimes, exercise, charitable work or companionship. The term does not include a commercial club, indoor entertainment or sports and recreation. While the premises may accommodate the making of items that are later sold it is not a business use nor is it used for profit making enterprises. The use includes arts and craft, community meeting room, CWA.

Infrastructure Uses (Transport Type 1 Passenger Terminal)

The use of premises, by the travelling public, as an air, rail, water or road transport passenger terminal, station or interchange. The term

does not include the storing of vehicles. The use includes a bus station.

It is important to note that, although the proposed development essentially involves the extension of the Stage One and will involve primarily retail and commercial tenancies, application is made for a broad range of defined land uses in order to preserve the future commercial and operational flexibility of the extended shopping centre.

5.3.8 Level of Assessment

Part 11, Divisions 9 and 13 of the planning scheme prescribe the levels of assessment for assessable Material Changes of Use development in the Shire Business Centre Zone and Open Space Conservation Zone of the Noosaville Locality.

The proposed development is subject to Impact Assessment (Inconsistent Uses) in accordance with Part 11, Divisions 9 and 13 of the planning scheme.

Part 13 of the planning scheme prescribes alternative levels of assessment for development on land affected by the respective Overlays. However, as the Assessment Tables for the Shire Business Centre Zone and the Open Space Conservation Zone make the proposed development Impact Assessable in the initial instance and, in accordance with Section 2.6.4 of the planning scheme, Impact Assessment prevails over Code Assessment and Self Assessment, the primary level of assessment is not altered as a consequence of the land being affected by any of the respective Overlays.

5.4 Environmental Protection Act 1994

The site is not currently listed on the Environmental Management Register however, a service station is currently located on the site and is serviced by underground fuel storage tanks with a total holding capacity in excess of 200 litres. The existing service station is therefore prescribed as a Notifiable Activity by Schedule 2 to the Environmental Protection Act 1994.

5.5 Nature Conservation Act 1992

The *Nature Conservation Act 1992* provides for the conservation of nature and prescribes management principles for protected wildlife. The Act also makes provision for the prescription of specific requirements to recover or conserve wildlife within a Conservation Plan. Following the listing of the koala as a Vulnerable Species within the South East Queensland Bioregion in 2004, the *Nature Conservation (Koala) Conservation Plan* was prepared and came into force on 02 October 2006.

Upon its adoption, the *Nature Conservation (Koala) Conservation Plan 2006* superseded the *SEQ Regional Plan – Interim Guideline: Koalas and Development*, which had previously regulated development in regard to koalas throughout the South East Queensland region.

5.5.1 Nature Conservation (Koala) Conservation Plan 2006

The *Nature Conservation (Koala) Conservation Plan 2006* (hereafter referred to as the Koala Conservation Plan) divides the State into three Koala Districts. The site is situated within Koala District A, which encompasses the South East Queensland region.

Koala District A is further divided into three discrete Koala Habitat Areas. The subject site is contained in the Urban Koala Area, which recognises land that is both located within the Urban Footprint under the SEQ Regional Plan and has a recognised urban planning intent under the relevant local government planning scheme. Land within the Urban Koala Area may include areas in which vegetation is cleared, heavily fragmented or demonstrates only varied levels of habitat connectivity and koala habitat values.

Section 5.5 of the Koala Conservation Plan prescribes that the application is assessable against the development assessment criteria set down at Table 12 of the Koala Conservation Plan.

5.6 Environment Protection and Biodiversity Conservation Act

The development application does not trigger referral to the Australian Government Department of Environmental and Heritage under the *Environment Protection and Biodiversity Conservation Act 1999 (Cth)*.

5.7 Aboriginal Cultural Heritage Act 2003

The *Aboriginal Cultural Heritage Act 2003* establishes a cultural heritage duty of care which, amongst other objectives, seeks to protect areas and artefacts of Aboriginal cultural heritage from disturbance, damage and other potentially adverse impacts of development.

To the best of the Applicant's knowledge, no indigenous cultural heritage sites or values occur on that part of the site over which application is made.

6. Discussion of Planning Intent

This section provides a broad discussion of the planning intent for the development of centres. The planning of centres is the very fulcrum upon which the ultimate achievement of the Integrated Planning Act's purpose, being to seek to achieve ecological sustainability, turns. The proper and sustainable planning of centres is therefore critical to good planning and, as the principles of centres planning are complex, interrelated and multi-disciplinary, warrants further analysis and discussion in the context of this development application.

6.1 The Principles Of Good Centres Planning

The Notes to Section 8.6 of the SEQ Regional Plan are not only relevant to the proposed development, but also provide a useful summary of the principles of good centres planning, as follows:-

- to provide for economic growth by co-locating a mix of land uses;
- to achieve a more efficient concentration of goods and services;
- to identify appropriate locations for government investment in public transport, health, education, cultural and entertainment facilities;
- to provide a focus for community and social interaction;
- to manage private travel demand by encouraging multipurpose trips and shorter travel distances;
- to provide better opportunities for land use and transport integration, particularly walking, cycling and public transport;
- to accommodate higher density residential development and land uses that support high levels of employment and trip generating activities and facilitate transit oriented development; and
- to provide a focus for delivering a range of services to rural communities.

The following subsections provides an analytical discussion of each of the stated objectives of the Regional Activity Centres Network under the SEQ Regional Plan, in the broader context of the key principles of centres planning.

6.1.1 The Co-Location Of Land Uses And Efficient Concentration Of Goods And Services

The co-location of a mix of land uses consolidates the levels of activity within centres, allowing different retail, commercial and community uses to form symbiotic synergies which can widen their attraction and improve their robustness in the competitive marketplace. The co-location of uses can facilitate the efficient provision of a broader range of services and facilities, achieve greater land use efficiencies, avoid the duplication of services and improve the level of choice, variety and depth of offer in retail markets.

The consolidation of activity that is achieved by co-locating retail and non-retail land uses also gives rise to a higher intensity of economic and community vitality within centres. Economic and community vitality underpins the successful operation of a centre and, in turn, makes a critical contribution to employment growth in non-retail sectors, as well as the achievement of all other centre planning objectives.

If the co-location of a mix of uses is not encouraged and facilitated in centres, fragmented centres develop in which synergies cannot be developed or exploited and which usually results in the inefficient duplication and dispersion of land uses, reduced levels of convenience and choice and lower, unsustainable levels of vitality and commercial and social intensity.

A successful mix of land uses cannot be achieved without the initial establishment of a core activities which, in time, grow to function as the catalyst for the attraction and co-location of a range of other land use and development types. The establishment of retailing activities has consistently functioned as the initial impetus for the eventual development of successful large mixed use centres. It is therefore essential that provision is made for the timely development of a critical mass of retail activity within centres sufficient to attract, support and underpin the co-location of subsequent commercial, residential and civic land use activities, each of which can, in turn, generate high patronage to the retail, public transport and civic services within a centre.

6.1.2 Infrastructure Investment

The consolidation of development and land uses in well planned centres presents the opportunity to make the most efficient use of investment made by public and private sectors in the provision of both physical and social infrastructure. In the case of larger centres, significant investment is made by both the private sector and public providers in a range of infrastructure networks, primarily including public transport, reticulated services, environmental open space and community services.

In instances where centres are allowed to develop in a more dispersed or fragmented pattern, the cost of servicing development to an appropriate standard is greatly increased and, consequently, development is subjected to a lower level of service. For example, concentrating development within designated centres provides the opportunity to optimise the use and viability of public transport services, thereby maximising the quality and frequency of those services. The opportunities for achieving efficiencies associated with providing, operating and maintaining intersections, traffic signals and pedestrian networks are also maximised when concentrated in and around designated centres. Similarly, community infrastructure such as civic spaces and facilities are sensibly situated in consolidated centres, where they are accessible, safe and convenient.

Heavy investment in the provision of infrastructure is often made during the initial stages of centre development and serves as a catalyst for the subsequent consolidation of development. This is particularly true of investment in transport infrastructure which not only underpins the development of a new centre, but often contributes to the resolution of existing traffic problems at other proximate centres. In instances where advanced investment has been made in the provision of infrastructure, it becomes a planning imperative to facilitate subsequent,

consolidating development in a manner that is timely, in response to community need, and that makes the most efficient and sustainable use of that investment to achieve the broader planning and development outcomes sought for the centre.

6.1.3 Focus For Community And Social Interaction

The consolidation of activities in large, dynamic centres presents the critical opportunity to establish a strong community focus and facilitate social interaction in both formal and informal settings. This is principally achieved by creating and dedicating central spaces to civic activities which, by providing a community hub, assist in establishing and fostering the individual identity of a centre and increases its legibility and attraction as the centre of a community. Fragmented or smaller centres do not provide such opportunities because the dispersed pattern of development and activity fail in creating dynamic central spaces.

The strong community focus which is created in well planned centres contributes greatly to successfully encouraging the subsequent co-location and development of non-retail land uses, including employment-generating activities and civic services, which help to achieve vibrant, compact, self-contained and sustainable communities.

6.1.4 Land Use And Transport Integration

Good centres planning seeks to integrate a range of land uses and transport options (including private transport, public transport, taxis, cycling and walking) in order to maximise the accessibility and sustainability of the centre. Allowing centres to develop in fragmented or dispersed patterns significantly increases the degree to which private vehicles are relied upon which, as a consequence, detrimentally affects the feasibility of alternative transport modes, reduces general levels of convenience and accessibility and, by requiring the provision of expansive car parking and circulation areas, substantially constrains the land supply and development options within centres.

A key benefit of integrating land uses and transport in consolidated centres is that multi-function trips, often by more sustainable modes of transport, are encouraged by the co-location of a mix of retail, commercial, residential and civic activities in a hierarchal series of convenient and accessible locations. The development of centres to which multi-function trips can be made significantly reduces reliance on private motor vehicles and improves general levels of convenience as it is not necessary to make multiple trips to disparate locations in order to satisfy a range of different needs.

The benefits reducing reliance on private motor vehicles and improving pedestrian accessibility and public transport patronage in the environmental context are well documented and widely accepted. However, in the specific context of good centres planning, land use and transport integration represents an effective means of creating dynamic, convenient and prosperous centres. In this way, the integration of land use and transport within centres can contribute strongly towards achieving ecological sustainability.

6.1.5 Traffic Management

The consolidation of land uses in centres provides the opportunity to better organise and control vehicular traffic in a manner that reduces the potential for traffic conflicts. Most significantly, well planned centres can coordinate and limit vehicular access and circulation arrangements to designated points in the road network, thereby avoiding the incremental development of a multiplicity of intersections and reduces the number of traffic conflicts. The management of traffic volumes and circulation can also assist in maximising and preserving the operational capacity of the road network and reduces the overall cost of road infrastructure by optimising efficiencies within the network.

The loading and servicing arrangements are also more easily and effectively managed in consolidated centres, as shared arrangements can be provided in appropriate and convenient locations.

6.1.6 Amenity

Achieving a high quality and amenable urban environment is a key principle of good centres planning. The consolidation of land uses in centres provides the opportunity to coordinate and focus the planning, design and investment in a centre on creating amenable urban environments which are characterised by high quality physical outcomes such as an integrated and legible built form, functional and efficient circulation networks and coordinated landscape and open space concepts. Particular economies of scale exist in the provision of high quality and dynamic civic spaces within consolidated centres.

6.2 The Network of Regional Activity Centres

The organised arrangement of consolidated centres into coordinated networks (or hierarchies) across a region is a widely accepted planning principle that can encourage a community focus and assist in creating compact, efficient, sustainable and diverse communities which are well serviced by efficient public transport systems, government investment in infrastructure and community services and conveniently located employment opportunities and retail facilities.

This principle represents a fundamental basis of the broad policy intent provided by the SEQ Regional Plan and informs the Regional Activity Centres Network which is defined therein. The Regional Activity Centres Network is based on the key principles of centres planning and comprises the following hierarchical series of Regional Activity Centres, each of which has a defined and symbiotic role and function within the broader network:-

- Primary Activity Centre;
- Principal Activity Centres;
- Major Activity Centres;
- Specialist Activity Centres;
- Principal Rural Activity Centres; and
- Major Rural Activity Centres.

The following subsections discuss the particular role and function of each of the respective categories of Regional Activity Centres under the SEQ Regional Plan, to the extent they are relevant to the proposed development.

6.2.1 The Primary Activity Centre

The Brisbane Central Business District (CBD) is the Primary Activity Centre for the SEQ region and, as such, accommodates the largest and most diverse range of land uses and activities, including some of State-interest, within the region. The Principal Activity Centre is the key focus of government administration, retail, commercial and specialised and professional services within the state, as well as accommodating cultural, entertainment, health and education facilities which are of significance not only to the state, but also at both a national and international level.

The Brisbane CBD is the focus of the region's radial public transport network and, being the centre of highest employment depth, mix and density as well as supporting an increasingly significant in-centre residential population, generates and attracts a large number of transport trips.

6.2.2 Principal Activity Centres

The SEQ Regional Plan identifies a total of fifteen Principal Activity Centres throughout the region, which it defines as serving catchments of regional significance by accommodating key concentrations of employment and serving business, major comparison and convenience retail, and service uses. Principal Activity Centres also provide a secondary administrative focus, typically through accommodating regional offices of government along with regionally-significant health, education, cultural and entertainment facilities. As the key focal points of regional employment and in-centre residential development, Principal Activity Centres are major trip generators which, by providing key nodes in the regional public transport system are typically serviced by multi-modal public transport services.

Maroochydore is the Principal Activity Centre for the Sunshine Coast, providing the largest supply of commercial office space (between 70,000sqm and 80,000sqm) in the Sunshine Coast region, along with an estimated total of 115,000 square metres of retail floor space, approximately 56% of which is situated in the existing Sunshine Plaza and Big Top centres.

The ongoing consolidation and expansion of the Maroochydore CBD area is currently being progressed by a number of major development applications and proposals. More significantly, the Maroochydore CBD (comprising over 250 hectares of land) has been designated as a Major Development Area of regional significance under the SEQ Regional Plan. This designation is supported by the Maroochydore CBD Structure Plan which the Maroochy Shire Council is currently finalising in cooperation with the Office of Urban Management and which is understood to identify a need for an additional 100,000 square metres of retail floor space and an additional 130,000 to 200,000 square metres of office space in the medium term.