

4 BUSINESS ARISING

This item on the agenda allows Councillors the opportunity to seek clarification or updates on business arising from the minutes of the previous meeting.

5 MAYORAL MINUTE

This item on the agenda allows the Mayor to introduce, by a signed minute, a matter for consideration at the meeting. In accordance with Council's Standing Orders, such a matter takes precedence over all other matters for consideration at the meeting and may be adopted by a motion moved by the Mayor without the need for the motion to be seconded.

6 NOTICES OF MOTION

In accordance with Council's Standing Orders, Councillors may give notice of any business they wish to be discussed at an Ordinary Meeting by way of a Notice of Motion. This item on the agenda allows Councillors to introduce and move any motions they have submitted to the Chief Executive Officer for inclusion in the agenda.

6.1 - Councillor Expenditure

MEETING DETAILS: Ordinary Council Meeting - Wednesday 30 July 2025

REQUESTED BY: Cr John Collins

RESPONSIBLE OFFICER: Chief Executive Officer

PURPOSE

Request for Council to report on all costs associated with travel, sponsorship travel, functions and events attended by all Councillors, excluding the Mayor more regularly to ensure transparency and accessibility.

COUNCILLORS RECOMMENDATION

That Council report all costs and benefits associated with travel, sponsorship travel, functions and events attended by all Councillors, excluding the mayor and be reported within the quarterly report and annual report.

BACKGROUND

The Councillor would like to ensure reporting of Councillor expenditure is more transparent and accessible to the public. This motion is targeted at addressing that.

OFFICERS COMMENTS

Division 3 of the Local Government Regulation 2012 identifies mandatory reporting in Council's Annual Report each Financial Year. Included in this are the expenses incurred by, and the facilities provided to, each Councillor during the financial year under the local government's expenses reimbursement policy.

ATTACHMENTS

Nil

6.2 - Opening Hours - Cannonvale & Proserpine Libraries

MEETING DETAILS: Ordinary Council Meeting - Wednesday 30 July 2025

REQUESTED BY: Cr Clay Bauman

RESPONSIBLE OFFICER: Director Community Services and Facilitation

PURPOSE

To retain Saturday morning opening hours for the Proserpine and Cannonvale libraries.

COUNCILLORS RECOMMENDATION

That Council:

1. Allocates immediate funding to retain Saturday morning opening hours at the Proserpine and Cannonvale Libraries, effective for Saturday August 2nd, 2025;
2. Commits to aligning full-year funding for these services as part of Budget Review 1 of the 2025/26 financial year

BACKGROUND

During the 2025/26 budget deliberations, operational efficiencies were an important goal and should be part of any review of service delivery costs. However, Council's decisions should continue to balance community benefit relative to cost. Variations in Saturday visitation levels across branches would create different costs verse community benefit and in the case of Proserpine and Cannonvale libraries, usage appears to suggest that Saturday morning visitation remains strong enough to justify the continued investment in weekend service.

Saturday morning access to library services provides clear community benefits, particularly for:

- Working families and individuals who are unable to attend during weekday hours;
- Students, job seekers, and residents without reliable digital access, who depend on library resources for learning, technology, and support;
- Visitors and locals seeking access to information and a welcoming community space on weekends.

Current level of usage seems to indicate that continued Saturday access at these branches aligns with Council's intent to deliver cost-effective services that meet genuine community need.

OFFICERS COMMENTS

The below are the total door counts for 2024/2025 Saturday mornings for each Library: -

- a) Bowen Library – 2,532
- b) Cannonvale Library– 3,970
- c) Proserpine Library – 3,016

Total 9,518

To re-establish Saturday mornings across the region with staff plus ensure all activities and services continue Monday to Friday, the average cost per attendee each Saturday morning across the region would equate to \$17.75.

7 DEPUTATIONS

This item on the agenda allows persons to make a deputation to Council. Deputations are managed in accordance with Council's adopted Standing Orders.

8 PETITIONS / QUESTIONS ON NOTICE

This item on the agenda allows for the following two options:

1. Councillors to present a petition to the meeting in accordance with Council's Standing Orders, no debate on or in relation to the tabled petition shall be allowed and the only motion which may be moved is that the petition either be received, referred to a Committee or Council officer for consideration and report back to Council, or not be received because it is deemed invalid.
2. The inclusion of any responses prepared by officers in response to questions taken on notice at previous meetings of Council.

9 QUESTIONS FROM THE PUBLIC GALLERY

Excerpt from Council's Standing Orders:

1. In each Meeting, time shall be set aside to permit members of the public to address the Council on matters of public interest related to local government.
2. Questions from the Public Gallery will be taken on notice and may or may not be responded to at the Meeting.
3. The time allotted shall not exceed fifteen (15) minutes and no more than three (3) speakers shall be permitted to speak at any one (1) meeting.
4. Any person addressing the Council shall stand, act and speak with decorum and frame any remarks in respectful and courteous language.

10 COMMITTEES REPORTS

This item on the agenda is for consideration of any Council Committee's business.

11.1 - 20240682 - Development Application for Development Permit for Material Change of Use for Thirty-Two Rooming Accommodation Units and Short-term Accommodation (extension to Colonial Palms Motor Inn) - 2 Hermitage Drive Airlie Beach

MEETING DETAILS: Ordinary Council Meeting - Wednesday 30 July 2025

AUTHOR: Senior Planner

AUTHORISING OFFICER: Director Regional Strategy and Planning

PURPOSE

To present the assessment of the development application for 32 Rooming Accommodation units and Short-term accommodation in Airlie Beach and seek Council's determination.

EXECUTIVE SUMMARY

The proposal is for a new multi-storey building comprising 32 Rooming Accommodation units in a three-storey complex. While the primary use is Rooming Accommodation, the proposal also includes Short-term accommodation, specifically linked to a commercial kitchen that supports the operations of the adjacent Colonial Palms Motor Inn.

The rooming units will not be utilised for Short-term accommodation. As the proposed kitchen will be utilised by the Colonial Palms Motel, the definition of Short-term accommodation has to be included as part of this application.

A summary of the development is as follows:

- A three-storey building with a maximum height of 15.3m (to the lift overrun), plus a communal rooftop terrace. The main form of the building has a maximum height of 12.2m and an average height of approximately 11m.
- 32 rooms, each with a kitchenette (no cooking facilities) a sink, bathroom, and desk.
- A 100m² rooftop communal area for residents.
- A ground-floor commercial kitchen, shared with the adjoining Colonial Palms Motor Inn.
- Additional communal amenities including a luggage room, laundry, and drying court.
- Seven car parking spaces and 16 bicycle spaces at ground level.
- Vehicular access from Hermitage Drive, with a separate pedestrian access point.
- A building undercroft designed to maintain existing overland stormwater flow through the site.

The application was publicly notified from 20 January to 11 February 2025, during which 14 submissions opposing the development were received. The applicant formally responded to the concerns raised on two occasions. As a result, the proposal was amended to address the submissions by increasing building setbacks to 10 Hermitage Drive, reorienting windows to direct views away from the shared boundary and modifying the rooftop communal area. These rooftop changes include a greater setback from 10 Hermitage Drive and the addition of a planted trellis screen to enhance privacy for the upper-level units of the neighbouring property. The exhaust vent from the kitchen is shown to be directed away from 10 Hermitage Drive.

Privacy along the northwest boundary is protected by orienting windows away from the neighbouring unit complex and adding window screening to prevent overlooking. Conditions of approval are able to manage amenity and noise impacts by requiring the rooftop terrace to close between 9:00pm and 6:00am. The amendments to the proposal achieve the Performance Outcomes of the Short-term accommodation and Multi Unit Code for site layout, siting, and building design.

Through specialist reporting provided by the proponent, the full range of urban services can be connected to the development. The proposal achieves on-site parking required by the Planning Scheme and appropriately manages the stormwater flows through the site. The development incorporates a high standard of architecture, urban design and landscaping to deliver a functional building and streetscape and is therefore recommended for approval.

OFFICER'S RECOMMENDATION

That Council approve the Development Application for Development Permit for Material Change of Use for 32 Rooming Accommodation Units and Short-term accommodation (extension to Colonial Palms Motor Inn), made by Colonial Palms Operations Pty Ltd, on L: 11 and 12 SP: 245725 and located at 2 Hermitage Drive Airlie Beach, subject to the conditions outlined in **Attachment 11.1.5**.

BACKGROUND

The subject parcel was subdivided from Lot 12 (Colonial Palms Motel) in 2011. An overland flow stormwater easement was also placed on the land at this time.

DISCUSSION/CURRENT ISSUE

Rooming Accommodation is a land use that is supported within the Mixed use zone, which distils the primary issues of the proposal down to variations in building height, site setbacks, communal space provision and the interaction of existing stormwater flows through the site.

In relation to building height, the proposal does not comply with AO2.1 of the Building Height Overlay Code due to exceeding the 12m maximum building height with the uppermost point of the building at 15.3m. The additional height is confined to the 100m² rooftop communal area which includes the terrace pergola, lift, and stairwell, with the main building mass remaining under the 12m height limit. The increased elevation is also necessary to accommodate overland stormwater flows through the undercroft of the building that makes it unsuitable to develop the site with a slab on ground design. The areas of increased building height will not cause any significant overshadowing of adjoining buildings as they are setback within the development and maintains a multi-storey building streetscape character consistent with surrounding development.

Given these considerations, the proposal satisfies the performance outcomes of the Building height overlay code.

The building has variable setbacks with the front, side and rear boundaries.

The ground floor is 300mm within the front boundary setback (6m) and 1.85m at the 2nd and 3rd floors.

The back of the building is 1m within the setback (3m) at the 2nd and 3rd floors.

The boundary adjoining Le Jarden Apartments is 300mm within the setback at ground floor (2m) and 1m within the setback at the 2nd and 3rd floors (4m).

The suitability of the setback reductions has been addressed through design elements that respond to potential impacts on neighbouring properties and the streetscape.

The architectural plans submitted demonstrate the proposal can make a positive contribution to the streetscape with its modern architectural design. Features have been used to address building design concerns associated with the setback to Le Jarden with the bulk of the building wall achieving the compliant 4m setback and window areas orientated to prevent overlooking, along with the use of privacy screening. When added with extensive site landscaping and a 2m high boundary fence, the setback achieves the performance outcomes of the Planning Scheme.

Although 30% of the site area has not been provided for communal and private open space, the proposal provides adequate communal open space in the form of a roof top terrace and with the close proximity of the site to the Airlie Beach foreshore and Beacons Beach this provision is suitable. The proposal achieves the Performance Outcomes in relation to site layout, siting, building mass and composition, privacy, amenity and communal open space.

Operational conditions have been included to manage noise from the rooftop terrace. These require the terrace to be closed between 9pm and 6am daily and the operator monitoring the roof top terrace for excessive noise or anti-social behaviours and removing persons who cause disruptions. Conditions also set out a clear process for handling noise complaints, including the preparation of a noise monitoring report and implementing extra noise control measures if needed based on the recommendations of the reporting and to the satisfaction of Council.

The supporting Flood Hazard Assessment identifies the site is affected by overland flow from the Mt Whitsunday catchment. A culvert in Hermitage Drive which collects the stormwater from Mt Whitsunday is known to overtop in heavy rainfall events and flows over Hermitage Drive and through the subject land. To manage this overland flow, the building has been elevated to allow this stormwater to pass underneath the building via an undercroft. The supporting flood modelling which assumes the culvert is blocked, shows no increase in external flood levels for events up to the 1% AEP. High velocities on Council's footpath in Hermitage Drive have been identified, and conditions require further flood mitigation at operational works stage to ensure the pedestrian footpath has compliant velocities in accordance with the Development Manual.

The development is also conditioned to upgrade Council stormwater infrastructure beneath the site, being a reinforced concrete pipe. This currently requires repair in sections, reducing its performance and causing water leakage which may pose a risk to the development over time. While the building is located outside the easement, only a pedestrian access deck is proposed to be constructed over the pipe. The concrete pipe will be replaced with two high-density polyethylene (HDPE) pipes. This upgrade benefits both Council and the developer as the HDPE pipes reduce the risk of erosion beneath the development, and they can be relined for future repairs without removing the pedestrian decking.

FINANCIAL IMPLICATIONS

The application fee has been paid in full.

The development attracts infrastructure charges of **\$753,036.95**.

CONSULTATION/ENGAGEMENT

Manager Development Assessment

Development Engineer

Senior Stormwater Engineer

Principal Engineer Water and Sewer Network Operations

Environmental Health Officer

STATUTORY/COMPLIANCE MATTERS

Planning Act 2016

Whitsunday Regional Council Planning Scheme 2017

RISK ASSESSMENT/DEADLINES

The decision may be appealed in the Planning & Environment Court of Queensland.

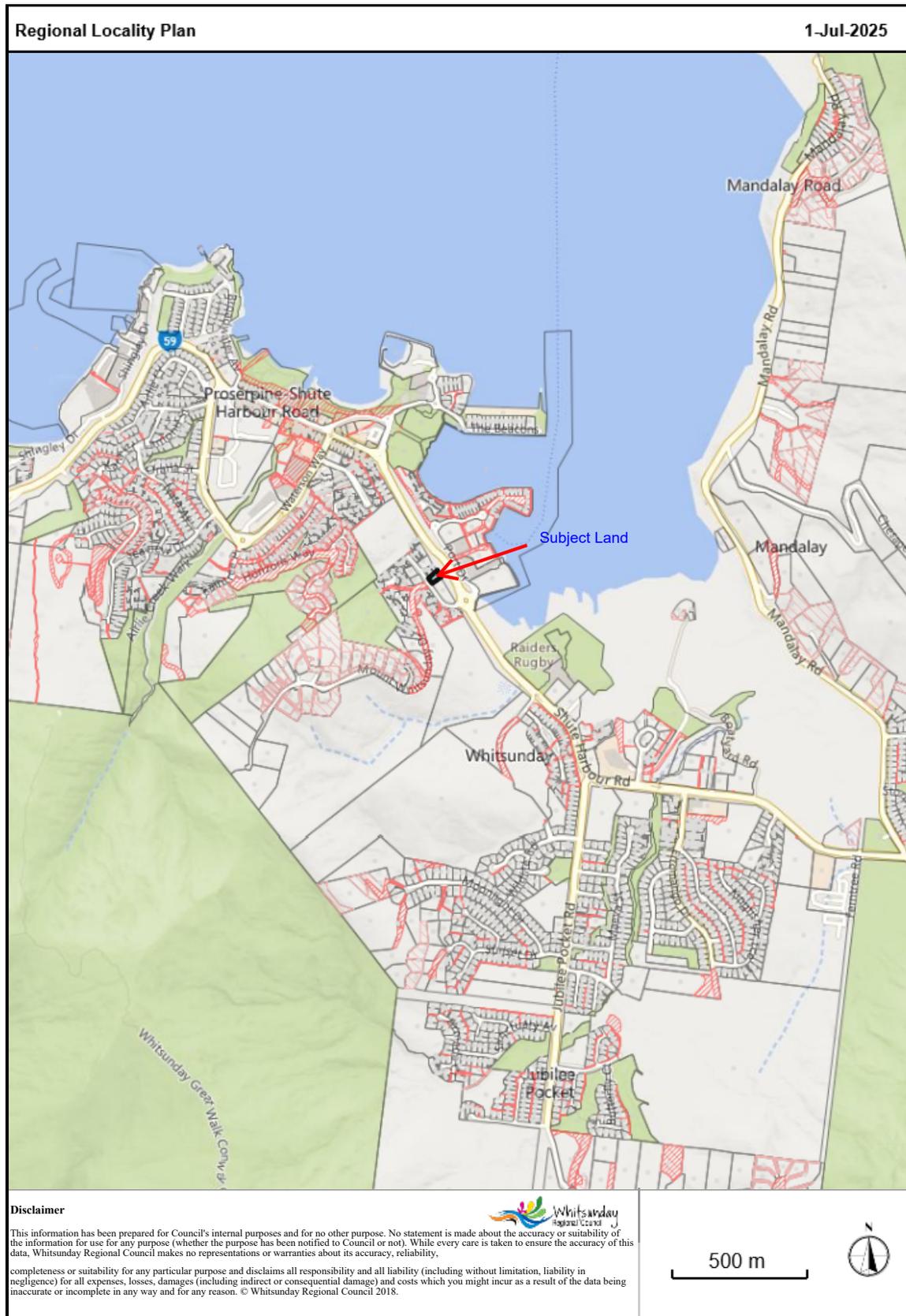
STRATEGIC IMPACTS

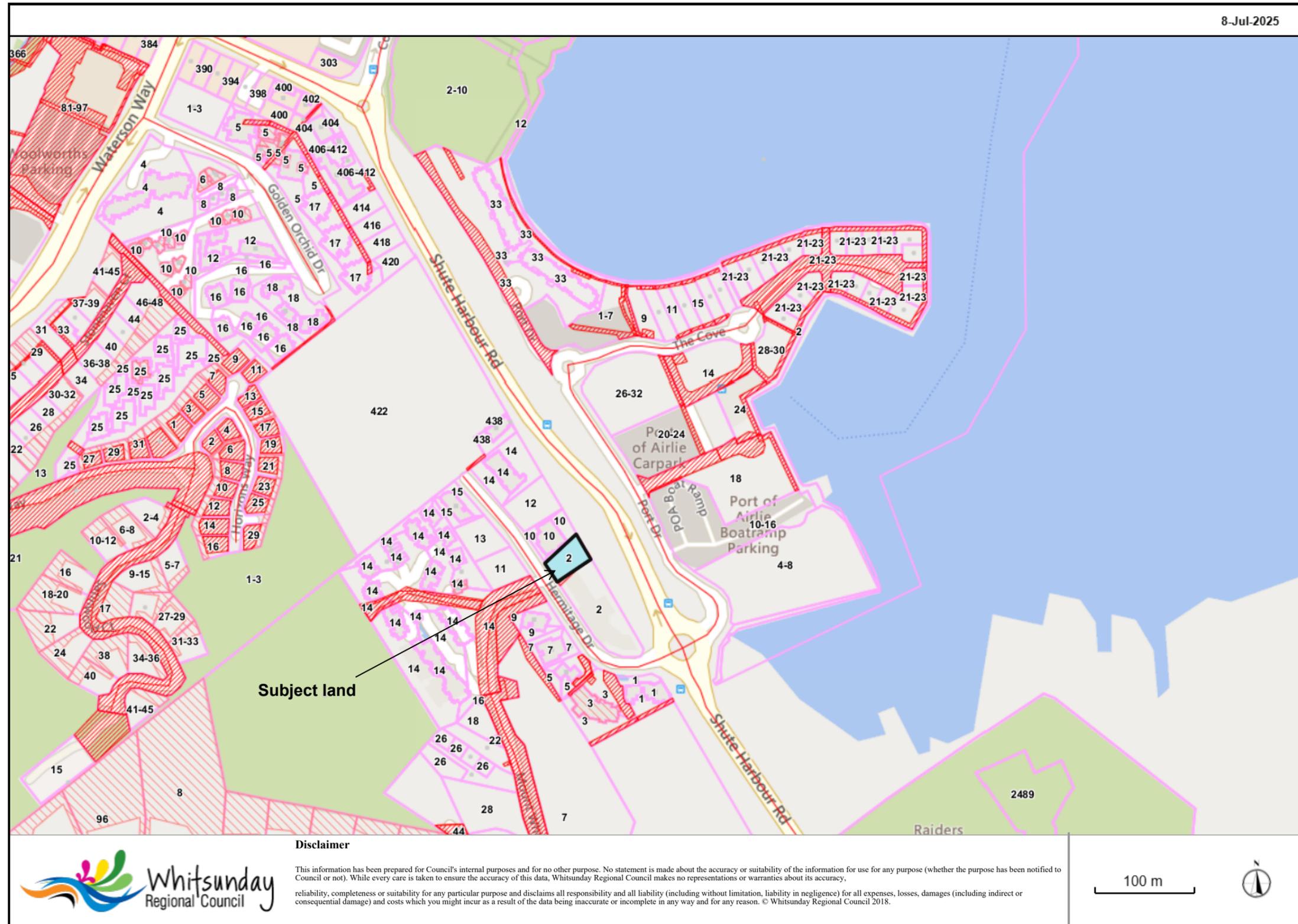
Corporate Plan Reference:

Process all statutory applications within statutory timeframes.

ATTACHMENTS

1. Regional Locality Plan [**11.1.1** - 1 page]
2. Locality Plan [**11.1.2** - 2 pages]
3. Planning Assessment Report [**11.1.3** - 15 pages]
4. Conditions of Approval [**11.1.4** - 9 pages]
5. Plans of Development [**11.1.5** - 9 pages]





Cadastre (1)

LotPlan: 11SP245725

ass_num: 1300392

pcl_num: 2262000

bld_nme:

Owner_Name: 6A Hermitage Drive Pty Ltd As TTE

Parcel_Add: 2 Hermitage Drive

Full_Add: 2 Hermitage Drive

Postal_add1: PO Box 304

Postal_add2: BALGOWLAH NSW 2093

Postal_add3:

Post_Code: 2093

PropArea: 1073

Unit_Type:

Unit_No:

Unit_End:

Unit_Alp:

HouseNo: 2

House_Start: 2

House_End:

StreetAlpha:

Street_Name: Hermitage

Street_Type: Drive

Suburb_Name: AIRLIE BEACH

LotPlanLegalDesc: 11P&EMTXSP245725

Tenure_Name: Freehold

LotNumber: 11

PlanType: SP

PlanNumber: 245725

ara_ind: M

Image: Plans/SurveyPlans/SP245725.tif

Display: Link to External Form

ParcelFlag: R

CouncilOwned: N

Survey_Plan: <https://ssa-internal.whitsundayrc.qld.gov.au/Plans/SurveyPlans/SP245725.pdf>

Note: To request current title search documentation please contact Rates via DL - Rates email

Note2: To obtain a property boundary plan please use the QLD SmartMap link below or for a current survey plan, title or easement documentation please contact your Conveyancer, Lawyer, Solicitor or use the Titles Queensland link below to do an online search.

Note2A: <https://apps.information.qld.gov.au/data/v2/Cadastre/SmartMap?lot=11&plan=SP245725>

Note3: <https://search.titlesqld.com.au/product-search>

PLANNING ASSESSMENT REPORT

Council has received the following Development Application, which has been assessed against the provisions of the relevant legislation as reported below.

1. Application Summary

Proposal:	Development Permit for a Material Change of Use for Thirty-Two Rooming Accommodation Units and Short-term Accommodation (extension to Colonial Palms Motor Inn)
Landowner	6A Hermitage Drive Pty Ltd As TTE (Lot 11) Hook Island Base Camp Pty (Lot 12)
Property Address:	2 Hermitage Drive Airlie Beach, Colonial Palms/2 Hermitage Drive Airlie Beach
Property Description:	L: 11 P: & EMT X SP: 245725, L: 12 SP: 245725
Area of Site:	1073m2 (Subject land), 3759m2 (Colonial Palms)
Planning Scheme Zone:	Mixed use zone
Level of assessment	Impact Assessable
Overlays:	Acid Sulfate Soils Overlay Bushfire Hazard Overlay (Lot 12) Building Heights Overlay Coastal Protection Overlay (Lot 12) Flood Hazard Overlay Infrastructure – Transport Overlay Infrastructure – Utility Overlay Landslide Hazard
Existing Use:	Vacant (Lot 11) / Colonial Palms Motor Inn (Lot 12)
Existing Approvals:	Nil
Public Notification:	20 January 2025 / 11 February 2025
Submissions received:	14 submissions
State referrals:	One – SARA/DTMR
Infrastructure charges:	\$753,036.95

2. Site Description

The subject land is a vacant land parcel located at 2 Hermitage Drive, Airlie Beach. The development site is situated between the Colonial Palms Motor Inn directly south and Le Jarden residential unit complex directly north. The site contains approximately 3m of fall from Hermitage Drive towards the Shute Harbour Road frontage and contains a sparse covering of trees across the site. Access is gained via a shared driveway with the Colonial Palms Motor Inn from Hermitage Drive. A culvert headwall to an open drain faces outwards from the Shute Harbour Road frontage.

3. Proposal Details

The proposal is for a Development Permit for Material Change of Use for Thirty-Two Rooming Accommodation units in a new multi-storey building. A commercial kitchen will be utilised by the Colonial Palms Motor Inn and the Applicant's other tourism ventures as part of their regional short-term accommodation operations. For the purposes of this report, the Rooming Accommodation aspect will be the main use assessed as the proposed building will be exclusively used for Rooming Accommodation. Some aspects of the Short-term Accommodation use will be assessed where it relates to access/operation/odour and crossover with the Rooming Accommodation use.

The proposal complies with the Rooming Accommodation definition, which is for residential accommodation, if each resident:

- Has a right to occupy 1 or more rooms on the premises
- Does not have the right to occupy the whole of the premise
- Does not occupy a self-contained unit, as defined under the *Residential Tenancies and Rooming Accommodation Act 2008*, schedule 2, or has only limited facilities available for private use
- Shares other rooms, facilities, furniture or equipment outside of the resident's room with 1 or more other residents whether or not the rooms, facilities, furniture or equipment are on the same or different premises.

A description of the proposal is as follows:

- A three-storey development with a communal roof terrace. The development has a maximum building height of 15.3m (to the lift overrun).
- The applicant proposes 32 rooms with each room serving as individual dormitory style rooming accommodation, including a kitchenette, bathroom and desk.
- A 100m² roof top terrace is proposed as the communal area for residents.
- A large communal kitchen on the ground floor, also to be utilised by the Colonial Palms Motor Inn as part of their operations (the Short-term Accommodation Use).
- Other communal areas including a luggage & locker room, laundry and drying court.
- Seven vehicle parking spaces and 16 bicycle spaces are provided at ground level.
- Vehicular access from Hermitage Drive as well as a second separate access for pedestrians.
- A building undercroft to allow for stormwater to pass through the site.

In response to submissions, the applicant formally responded to the concerns raised on two occasions. As a result, the proposal was amended to address the submissions by increasing building setbacks to 10 Hermitage Drive, reorienting windows to direct views away from the shared boundary and modifying the rooftop communal area. These rooftop changes include a greater setback from 10 Hermitage Drive and the addition of a planted trellis screen to enhance privacy for the upper-level units of the neighbouring property. The exhaust vent from the kitchen was also drawn in and shown to be directed away from 10 Hermitage Drive.

4. Planning Assessment

The application has been assessed against the relevant provisions of the *Planning Act, 2016* and the *Whitsunday Regional Council Planning Scheme, 2017*. The proposal is considered to be generally in accordance with the Planning Scheme and is recommended

Attachment 11.1.3 Planning Assessment Report

for approval in accordance with the drawings and documents submitted, subject to reasonable and relevant conditions (Attachment 1).

4.1. State Assessment and Referral Agency (SARA)

The Application was referred State Assessment Referral Agency (SARA) and department of Transport and Main Road (DTMR) due to the proximity of the site to Shute Harbour Road. A response was provided with no requirements.

4.2. State Planning Policy – July 2017

The State Planning Policy (SPP) includes interim development assessment requirements to ensure that State interests are appropriately considered by local government when assessing development applications where the local government Planning Scheme is appropriately integrated all the State's interests in the SPP. The most recent SPP has been reflected in the Whitsunday Regional Council Planning Scheme, in particular Part 2 of State Planning Provisions.

4.3. Mackay Isaac and Whitsunday Regional Plan – February 2012

The Mackay, Isaac and Whitsunday Regional Plan was established to provide the vision and direction for the region to 2031. The plan provides certainty about where the region is heading in the future and provides the framework to respond to the challenges and opportunities which may arise.

The Desired Regional Outcomes of the Plan are high level outcomes for development in the region and the proposal generally achieves all applicable outcomes. The proposal has alignment with the Strong Economy regional narrative as the proposal intends to support the private tourism sector with accommodation needed to support the Colonial Palms Motor Inn and the applicant's other tourism ventures.

4.4. Whitsunday Regional Council Planning Scheme, 2017

4.4.1. Strategic Framework

The Strategic framework sets the policy direction for the Planning Scheme and forms the basis for ensuring appropriate development occurs in the Planning Scheme area for the life of the Planning Scheme.

4.4.2. Strategic Intent

The Planning Scheme sets the policy direction to ensure that to 2036 and beyond the Whitsundays is a prosperous, liveable and sustainable region which will be achieved through the integration of the unique attributes and competitive advantages of each township. The Regions townships and communities have a strong and proud social identity linked to its key economic sectors. The promotion and protection of the regions environmental values is significant to the expressed identities, including the unique scenic values, which consist of key urban gateways, views and vistas. An assessment of the development against the key themes of the Strategic Intent is as followed:

Strategic Intent – Theme 1 - Liveable Communities and Housing

The proposed development supports the hierarchy of centres. The proposal is for an urban residential development within an urban zone and is provided with the full range of urban

infrastructure. The proposal is well located to facilitate the type of development intended. The proposal complies with Theme 1.

Strategic Intent – Theme 2 - Economic Growth

The proposal is for new accommodation intended to support staff related to the Colonial Palms Motor Inn and the Applicant's other tourist operations in the Whitsundays. New tourist accommodation intended to support island and mainland tourism activities are suitable to be in Airlie Beach as identified within Item 7 of the Economic Growth theme. Although not a tourism use specifically, the development will be utilised to support existing and new tourism uses in the area and is therefore in alignment with this theme. The proposal complies with Theme 2.

Strategic Intent – Theme 3 - Environment and Heritage

The environment and heritage theme seeks to protect the region's cultural heritage and environmental values for the future. The proposed development site contains no items of cultural heritage and is virtually cleared of all vegetation. There is no regional visual impact from the development and furthermore it is consistent with the existing built form along Hermitage Drive and Shute Harbour Road. The proposal complies with Theme 3.

Strategic Intent – Theme 4 - Safety and Resilience to Hazards

The development site is identified to be within a flood hazard area. A Flood Hazard Assessment has been provided in support of the proposal which establishes a non-worsening impact to the site and surrounding properties. Conditions of approval require the upgrade of Council stormwater infrastructure which will improve the flood conveyance in the area. The proposal complies with Theme 3.

Strategic Intent – Theme 5 – Infrastructure

The proposal will not impact Council's ability to supply infrastructure to the region.

The proposal aligns with Theme 5, Infrastructure.

4.4.3. Overlay Codes

Acid Sulfate Soils Overlay

Minimal earthworks will be required to undertake the development. If Acid Sulfates are encountered during construction, they are to be managed in accordance with the Queensland Acid Sulfate Soils Technical manual (Queensland Government, 2014) by the Building Certifier.

Building Heights Overlay

The proposal does not comply with AO2.1 of the overlay code as it exceeds the 12m building height for the Mixed use zone. The complex will have a total building height of 15.3m to the lift overrun. The portion of the building that exceeds the height limit comprises the rooftop terrace and the associated lift and stair structures. The majority of the building mass remains within the 12m height limit, as illustrated in the submitted development plans.

The applicant has justified the additional height as necessary to address overland stormwater and flood flows from the upstream Mount Whitsunday catchment. Due to undersized stormwater infrastructure in Hermitage Drive, flows from the culvert regularly

Attachment 11.1.3 Planning Assessment Report

overtop cross the site. In response, the building has been elevated to incorporate an undercroft, allowing unimpeded flow of storm and floodwater beneath the structure.

PO1 of the Building Height Overlay Code requires:

The height of a building does not unduly:

(a) Overshadow adjoining dwellings; or

(b) Dominate the intended streetscape character.

Given that the main building form remains under the 12m height limit, and the rooftop terrace is set back approximately 4m from the building's edge, the additional height is not expected to result in overshadowing impacts beyond what a compliant building would cause. While some overshadowing of neighbouring properties will occur, this would be consistent with a height-compliant development given the setbacks are mostly compliant and the bulk of the building is below 12m.

From Hermitage Drive, the development and adjacent units both present as three-storey structures. From Shute Harbour Road, both buildings appear as four storeys, maintaining a consistent streetscape character on both frontages. The rooftop terrace is centrally located towards the Hermitage Drive frontage, includes a lightweight pergola and is screened by a 1.3-metre-deep planter bed with a planted trellis. The supporting landscape plan depicts podium planting of shade trees within the planter bed to soften the built form of the roof and improve the visual interface with the streetscape. It is therefore concluded that the proposal does not dominate the intended streetscape character and achieves compliance with PO1 of the code. The proposal complies with the overlay.

Bushfire Hazard Overlay

There is no hazard that impacts on the subject land.

The Potential Impact Buffer sub-category of the overlay impacts the Colonial Palms Motor Inn on Lot 12. No further assessment is required as the development area is exclusively on Lot 11.

Coastal Protection Overlay (Coastal Management District)

Lot 11 is not affected by the overlay.

A slither of the Coastal Management District sub-category of the overlay impacts the southern corner of Lot 12. As no development is proposed on Lot 12, no further assessment is required as the development area is exclusively on Lot 11.

Flood Hazard Overlay

The supporting Flood Hazard Assessment identifies the site is subject to a flood hazard from the upstream 14.9ha catchment of Mt Whitsunday. The stormwater infrastructure in Hermitage Drive is known to overtop during heavy rainfall events. To assess the worst-case scenario, flood modelling assumes the Hermitage Drive culvert is blocked.

To manage flood risk, the development proposes to retain the existing overland flow path by allowing stormwater to pass through the site via the proposed undercroft of the building. This design aims to replicate natural flow conditions and ensure no worsening of flood impacts downstream or to adjoining properties. Modelling results confirm there is no increase in flood levels external to the site for all storm events up to and including the 1%

AEP event. Within the site, a maximum afflux (flood level rise) of 50mm was identified, which is within acceptable limits.

Higher velocities of flood water above pedestrian safety limits from the upstream catchment were also identified on the Council footpath in Hermitage Drive and conditions of approval require the applicant to provide additional flood reporting that demonstrates the footpath has velocities less than 0.4m²/s where the depth of the flow is less than 0.5m and velocity of flow less than 2m/s for the 1 %AEP rainfall event.

Infrastructure – Transport Overlay (Road Noise & Public Passenger Transport Buffer)

As the proposal is for a residential land use within the road noise corridor, any future building works application will be required to address and demonstrate compliance with QDC MP4.4 (Buildings in a transport noise corridor).

In terms of the Public Passenger Transport Buffer, the proposed development will not impact access to or from any nearby public transport modes. Pedestrian access is proposed through the site to Shute Harbour Road, which will only enhance access to public transport for residents.

Infrastructure – Utility Overlay (Major Electricity Buffer)

The Major Electricity Buffer only applies to transmission lines above 132kV. The electrical infrastructure adjacent the site is mapped as 66kV according to the Ergon Service Map and is therefore not applicable.

Landslide Hazard

The landslide hazard overlay is not present on the development site at Lot 11 and only exists in the southern portion of Colonial Palms Motor Inn on Lot 12. The overlay is therefore not relevant to this development.

4.4.4. Mixed use Zone Code

The proposed Rooming Accommodation development is a land use considered compatible and consistent with the intent of the Mixed use zone, providing an accommodation typology that has limited supply in the area, expanding the range of accommodation available in Airlie Beach. The development plans demonstrate an architectural design that contains built form and character that will contribute to the existing high standard of building design in Hermitage Drive.

The proposal is supported by a landscaping design that appropriately addresses all boundary interfaces, providing dense foliage tree and shrub species to all property boundaries in addition to a 2m solid fence on both side boundaries for increased residential privacy at ground level and screening of the undercroft. The development layout has contributed to ensuring an active and articulated street frontage, providing direct pedestrian access from Hermitage Drive and through to Shute Harbour Road, providing an additional and more direct connection to nearby public transport services for the intended residents.

The built form is consistent with nearby multiple dwelling uses, presenting a three-storey building from Hermitage Drive in the surrounding low-medium rise environment. It is noted that the orientation of the units within the building are north-west/ south-east and adjacent accommodation is north-east/ south-west towards the Port of Airlie Marina. This has meant that the design has had to incorporate window orientation down the sides of the

property and include window screens to each unit window on the northwest face to reduce the potential for onlooking and uphold privacy to adjacent dwelling units.

Due to the small lot size, communal space for residents has been provided in a manner that is new to the area in the form of a rooftop terrace. This area is setback appropriately from the adjoining residential accommodation and is also provided with a planted trellis screen which provides full screening of the communal area to substantially reduce the potential amenity conflict with the top level balcony of the adjacent unit complex.

The final design provides setbacks generally in compliance with the requirements of Table 9.3.17.3.2 of the Short-term Accommodation and Multi Unit Code, with minor encroachments at the ground and first level. These encroachments are acceptable given the additional privacy screening elements that have been incorporated to uphold the amenity of the adjacent units. A further detailed assessment on setbacks and amenity is provided in s4.4.5 below.

The development provides the compliant number of parking spaces, suitable pedestrian access and includes provisions for readily available active transport storage on the ground floor. The site contains connections to existing urban services including reticulated water, sewerage, stormwater drainage, roads, electricity and telecommunications infrastructure.

Overall, the development incorporates a high standard of architecture, urban design and landscaping which will deliver a functional building and streetscape, which satisfies Overall Outcome 3(i), as the proposal has been appropriately located and designed in a manner that does not unreasonably impact on the amenity of surrounding development.

4.4.5. Development Codes

Short-term Accommodation and Multi Unit Code

Note: Assessment of this code is only based on the final design provided in the final response to submissions.

Site layout, Siting and Building mass and composition

The site area of 1073m² complies with AO2.1. Pedestrian and vehicle access points are clearly defined from the primary frontage to Hermitage Drive. A mechanical air vent associated with the large ground floor kitchen has been integrated into the roof design and is orientated away from the adjacent permanent accommodation at 10 Hermitage Drive. Conditions of approval can be included that ensure mechanical plant is aesthetically screened from view.

Site cover is compliant at 57.9%. The architectural design avoids continuous blank walls longer than 15 metres and demonstrates compliance with AO6.2 by incorporating angled wall planes and horizontal and vertical articulation through materials including cladding and privacy screens. A review of the setback compliance factors with Table 9.3.17.3.2 Minimum boundary setbacks for multi-unit uses is as follows:

Setback	Acceptable Outcome	Proposed
Front	<ul style="list-style-type: none"> • Up to 8.5m – 6m • Up to 11m – 6m • Up to 16m – 6m 	<ul style="list-style-type: none"> • 5.7m (ground level) • 4.15m – 7m (level 2) • 4.15m – 7m (level 3)

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Secondary frontage (Shute Harbour Road)	<ul style="list-style-type: none"> • Up to 8.5m – 3m • Up to 11m – 4m • Up to 16m – 4m 	<ul style="list-style-type: none"> • 3m (ground level) • 3m – 5m (level 2) • 3m – 5m (level 3)
Side (southeast)	<ul style="list-style-type: none"> • Up to 8.5m – 2m • Up to 11m – 4m • Up to 16m – 4m 	<ul style="list-style-type: none"> • 3.5m – 4.66m (ground level) • 1.7m – 6.3m (level 2) • 1.7m – 6.3m (level 3)
Side (northwest)	<ul style="list-style-type: none"> • Up to 8.5m – 2m • Up to 11m – 4m • Up to 16m – 4m 	<ul style="list-style-type: none"> • 1.7m – 2m (ground level) • 3m to windows – 4m building proper (level 2) • 3m to windows – 4m building proper (level 3) • 7m to planter, 8.5m – 11.37m to communal open space (roof)

The ground level front setback to Hermitage Drive is marginally non-compliant at 5.7m (0.3m shortfall), though this has no adverse impact due to the recessed design of the car parking area where the walls that will face perpendicular to the street are measured to be setback 13.5m from Hermitage Drive. Levels 2 and 3 have a setback of 4.15m which varies to 7m where it introduces articulation to the building to ensure visual interest and provide allowances for casual surveillance to the street from the hallway openings. Importantly, the average front setback for both levels is over 6m. This satisfies PO7 by maintaining streetscape amenity, enables landscaping within the setback, and maintains visual continuity with neighbouring development.

On the secondary frontage to Shute Harbour Road, ground-level setbacks meet Acceptable Outcome (AO) requirements. Levels 2 and 3 vary between 3m and 5m with the AO being 4m. PO7 is achieved as the orientation of the windows facing Shute Harbour Road do not impact any existing residential uses and therefore results in no increased amenity impacts such as overlooking. Landscaping is also proposed within this setback area to hide the undercroft of the building.

The southwestern boundary which adjoins the Colonial Palms Motor Inn meets the AO requirement at ground level but is deficient for a small portion of the side boundary at levels 2 and 3 where a 1.7m setback is provided. The amenity impacts on this boundary are lessened in part due to there being no windows or openings of the Colonial Palms Motor Inn facing towards the subject land. As such, the reduced setback is consistent with PO7.

The northwestern boundary adjoining 10 Hermitage Drive at ground level has a varied setback of 1.7m – 2m, where a 2m setback is required as per AO7.1. The section of the ground floor 0.3m into the setback area is the car park, with the remaining bulk of the building achieving a 2m setback. For the entire northwestern boundary, no windows are proposed at ground level to ensure there is no ability to impinge on the privacy of the adjacent premises from the ground floor. Furthermore, the landscaping plan demonstrates

a 2m solid timber fence with dense foliage tree and shrub species to be provided within the setback to ensure the walls and undercroft of the building at ground level can be screened. The proposal complies with PO7 on the northwestern boundary at ground level.

Levels 2 and 3 provide a 3m setback to windows and 4m to the building wall. While the window encroachment falls short of the AO requirement, it is a deliberate design choice to enhance privacy and reduce potential for onlooking by orienting windows toward Hermitage Drive and Shute Harbour Road. Each window on this boundary is also provided with an additional privacy screen to further reduce onlooking. The applicant has provided the following drawing to illustrate this outcome:

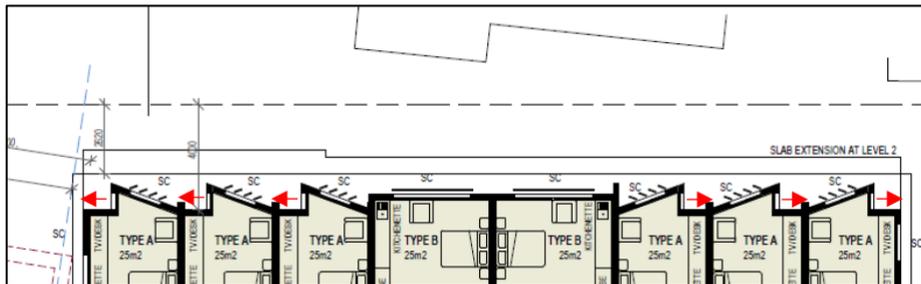


Figure 1: Red arrows denote view direction of room windows

In addition to improving privacy and reducing onlooking, the varying window design adds visual interest through building articulation and screening. The result is a building separation of 6.18m to 8.02m to 10 Hermitage Drive, allowing adequate light and ventilation between structures. Landscaping at ground level reinforces this outcome and establishes that the northwestern boundary satisfies PO7. The applicant has provided a surveyed measurement between 10 Hermitage Drive and the proposed development:

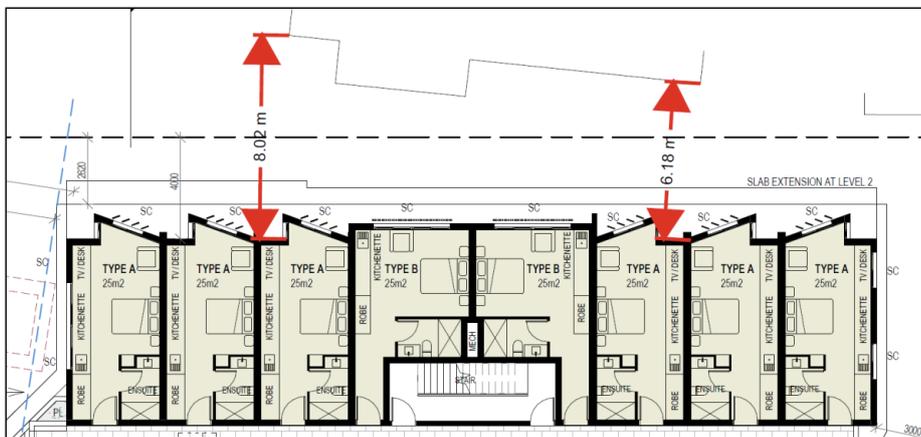


Figure 2: Separation distance to units at 10 Hermitage Drive

Privacy, amenity, communal and open space

No non-habitable room windows overlook neighbouring habitable areas, and all habitable windows facing sensitive boundaries include privacy screening. The Colonial Palms side has no openings facing the new development, avoiding mutual privacy concerns.

Attachment 11.1.3 Planning Assessment Report

The roof level setbacks are 7m to the planter and 8.5m to the communal area. The rooftop terrace includes a 1.3m planter bed and trellis screen. The trellis screen in combination with setback distance will ensure privacy is maintained and onlooking potential from the communal area is reduced. Conditions of approval will require all plantings to be installed prior to commencement of the use. Additional Operational conditions of approval are included to control audible amenity impacts from the rooftop terrace including the closure of the terrace from 9pm to 6am each day and that excessive noise and anti-social behaviour is managed by the operator who is responsible to remove persons committing such behaviour. Further conditions are included that provide a clear procedure for the applicant to follow if they have received a noise complaint including a noise monitoring report with requirements for providing additional noise attenuation measures to resolve the complaint. The roof level complies with AO7.2/PO7 and AO9.3/PO9.

The proposal does not meet AO11.1 regarding the provision of 30% site area as communal and private open space. However, PO11 is achieved through a 100m² rooftop communal terrace, a shared kitchen, and a clothes-drying area. These communal facilities are suitable for the intended residents and the site takes advantage of its proximity to Airlie Beach foreshore and the Beacons Beach. Similarly, compliance with PO11 is achieved despite the lack of private balconies for each room.

The development provides a communal drying court that directly adjoins the laundry on the ground floor in the absence of individual amenities in each room. 3 x 1,100L waste bins are also provided in the ground floor parking area which will be screened from view from Hermitage Drive, achieving the site facilities and waste management AO's.

The proposed development complies with the code.

Infrastructure code

The site has an available location to connect to reticulated sewerage infrastructure at the Shute Harbour Road frontage of the site and the development intends to connect a DN160 property connection from this location. A sewerage network analysis was supplied in the information request response which confirms adequate supply for the development is available without detriment to other developments in the area. The analysis has been accepted by Whitsunday Water and Waste.

Water reticulation will be provided to the site from Hermitage Drive via a 150mm water service located in the verge. A water network analysis also supplied in the information request response confirmed sufficient capacity to accommodate the proposed development and that Council's minimum level of service for water supply pressure during Peak Demand period is shown to be met under all modelled scenarios. The modelling also confirmed that commercial firefighting parameters remain compliant for both the development and surrounding uses. The network reporting for water reticulation has been accepted by Whitsunday Water and Waste.

Stormwater for the proposed development will be managed in accordance with the supporting Stormwater Management Plan. The lawful point of discharge (LPOD) for the development will be the existing drainage infrastructure located at the rear boundary of the site, which connects to Shute Harbour Road and ultimately discharges to Pioneer Bay. Minor stormwater flows from the roof and ground-level areas will be collected on site and directed to this LPOD via the proposed on-site stormwater system. On-site detention is not required, as the development does not result in an increase in peak discharge flows to downstream infrastructure or neighbouring properties.

An existing DN1350 reinforced concrete stormwater pipe (RCP) runs beneath the site within an easement along the southern boundary. While the proposed building is located outside the easement, a pedestrian access deck is proposed to be constructed over the pipe. Council's CCTV footage of the pipe finds that it is dislodged in sections, reducing its performance and causing water leakage, which may pose a risk to the development over time. As the development could be affected if this infrastructure deteriorates further, conditions of approval will require the existing pipe to be replaced with two DN1200 high-density polyethylene (HDPE) pipes. This upgrade benefits both Council and the developer as the HDPE pipes reduce the risk of erosion beneath the development, and they can be relined for future repairs without removing the pedestrian deck.

Healthy Waters Code

Not applicable due to the size of the development site.

Landscaping code

A Landscape Concept Plan prepared by Bombax Design has been provided in support of the proposal. The landscape design compliments the scale of the proposal, placing endemic shade trees and shrubs species to all property boundaries for increased residential privacy and to reduce potential overlooking impacts on adjacent properties. Built form will be softened by the proposed landscaping elements, supporting the intended tropical theme for the site. A 2m solid timber fence is proposed on the northwest and southeast boundaries to assist in screening the undercroft area from adjacent residential accommodation. Overall, the proposed landscaping is appropriate for the development and reacts accordingly to compensate for the minor setback non-compliances as discussed in the setback assessment above.

Transport and parking code

The proposal is supported by a Traffic Impact Assessment (TIA) by ITE Consulting. Vehicle access to the site is proposed via a newly constructed 6.5-metre-wide driveway from Hermitage Drive, replacing the existing shared secondary access arrangement with Colonial Palms. The applicant has confirmed that the removal of the shared access will not impact the operations of Colonial Palms, as its primary access is located further south within the Colonial Palms site. The proposed driveway complies with the Development Manual and AO1.1 and AO1.2. The applicant has also advised through supplementary traffic advice that the existing refuse area for the Colonial Palms will be relocated closer to the existing crossover further south on Hermitage Drive. The advice informs that the new location on Lot 12 would be within acceptable transfer distance to the refuse truck, where the refuse truck would also have sufficient frontage space for kerbside collection and that it will not impact Colonial Palms from an operational or safety standpoint.

One existing on-street parking space is located centrally along the site frontage and will need to be removed to accommodate the new vehicle and pedestrian access points. Due to the positioning of the new driveway and pedestrian entrance, there is no suitable location to replace this lost space. However, as the existing parking bay is centrally located and was only feasible due to the former shared driveway arrangement, its removal is considered acceptable to facilitate the proposed development and will not unreasonably jeopardise on-street parking in the area.

Table 9.4.8.3.3 Minimum on-site parking requirements and AO4.1 seek an on-site parking requirement of 5.3 parking spaces in accordance with the Rooming Accommodation rates.

The proposal provides seven on-site parking spaces in compliance with AO4.1, one of which is shown as a disability space in accordance with AO5.1/AO5.2. The additional two on-site parking spaces will account for the single on-street parking space that was lost.

3 x 1100L bins are proposed within the bin enclosure on the ground floor. The applicant's traffic engineer has advised that kerbside collection for the bins will be sufficient for the development. Ample kerbside space is available for a 25-tonne truck to stand and load the bins from the rear. Bins will be manually transported from the bin bay to kerbside for collection. The waste vehicle will have no impact on or block access to the crossover to the site.

Allowance has been made for one SRV space on the ground floor as per AO6.1, with compliant swept-paths provided to demonstrate on-site manoeuvring and compliance with AO6.2. Additional swept-path templates of a regular B85 (sedan) vehicle manoeuvring the parking area compliantly achieves AO7.1/AO7.2. The TIA also advises that the proposal will achieve the minimum 50m of sight distance in both directions due to the straight alignment of Hermitage Drive.

The proposal complies with the code.

5. Public Submissions

The development application was placed on public notification between 20 January 2025 and 11 February 2025 in accordance with the relevant provisions of the Planning Act 2016. The Notice of Compliance was received on 12 February 2025. 14 submissions were received during this period of Public Notification.

Submissions have been received and summarised in the below table:

Issue	Comment/Condition Number
1. Land use	<p>Submitters have raised concern regarding defining the use as Rooming Accommodation and its association with the Colonial Palms Motel as the Short-Term Accommodation use.</p> <p>The proposal complies with the Rooming Accommodation definition, which is for residential accommodation, if each resident:</p> <ul style="list-style-type: none"> - Has a right to occupy 1 or more rooms on the premises - Does not have the right to occupy the whole of the premise - Does not occupy a self-contained unit, as defined under the <i>Residential Tenancies and Rooming Accommodation Act 2008</i>, schedule 2, or has only limited facilities available for private use - Shares other rooms, facilities, furniture or equipment outside of the resident's room with 1 or more other residents whether or not the rooms, facilities, furniture or equipment are on the same or different premises <p>Rooms will comprise a bed, bathroom, desk and small kitchenette (not including cooking facilities) which conforms to the definition of Rooming Accommodation. The rooms do not represent self-</p>

	<p>contained units as there is no full kitchen or cooking facilities. Further, each resident has a right to occupy 1 or more rooms on the premises but does not have a right to occupy the whole of the premises. The development is also not providing short-term accommodation as residents will be on-site longer than 3 months and therefore Rooming Accommodation is the correct definition for the accommodation component of the development.</p> <p>The proposal is associated with the Short-term Accommodation use of the adjoining Colonial Palms Motel and as such this land use has been included in the proposal for the purposes of using the proposed commercial kitchen to supplement the existing restaurant activities of Colonial Palms. Conditions of approval are proposed to address the impacts of the commercial kitchen.</p>
<p>2. Car Parking</p>	<p>Submitters have raised concern in relation to the following parking items:</p> <ol style="list-style-type: none"> 1. The parking rate for Rooming Accommodation 2. Not enough on-site parking / shortfall 3. No capacity in the street to accommodate a shortfall 4. Increased traffic on Hermitage Drive. <p>Response:</p> <p>Item 1 – The land use is correct and therefore the corresponding parking rate is on-site parking requirement.</p> <p>Item 2 – The revised proposal achieves the on-site parking requirement for Rooming Accommodation in accordance with AO4.1 of the Transport and Parking Code.</p> <p>Item 3 – As the on-site parking requirement has been achieved, there is no reliance on on-street parking to account for any on-site shortfall.</p> <p>Item 4 – The applicant has acknowledged that there will be increased traffic on Hermitage Drive from the proposal. However, the increased vehicle movements do not increase the road to the next category in the road hierarchy. The applicant also advises that private vehicle ownership among residents is expected to be very low, and it is expected that residents will rely on either public transport or active transport (walking/ cycling), together with transport options provided by the ownership / management of the residential accommodation and the places of employment.</p>
<p>3. Side boundary setback (northwest boundary)</p>	<p>Submitters have raised concern with the original side boundary interface with 10 Hermitage Drive, siting amenity impacts and privacy issues between the complexes due to non-compliances with the setbacks, window orientation and a potential for onlooking.</p>

	<p>The applicant has modified the proposal in response to the issues raised in the submissions in relation to amenity, privacy and onlooking impacts. The changes include moving the building to the south for greater separation between the buildings, modifying window orientation away from 10 Hermitage Drive and adding substantial window screening on all windows on the northwest boundary. See section 4.4.5 for the full assessment of the siting of the proposal.</p>
<p>4. Amenity impacts from Kitchen and rooftop terrace</p>	<p>Submissions raised concerns regarding the commercial kitchen creating ventilation, noise and odour amenity impacts to the adjacent 10 Hermitage Drive. Submitters also raised concern regarding the positioning and use of the communal open space creating noise and privacy impacts.</p> <p>Operational conditions of approval are included to control audible amenity impacts from the rooftop terrace including the closure of the terrace from 9pm to 6am each day and that excessive noise and anti-social behaviour is to be managed by the operator. Further conditions are included that provide a clear procedure for the applicant to follow if they have received a noise complaint including a noise monitoring report with requirements for providing additional noise attenuation measures to resolve the complaint.</p> <p>The applicant has modified the proposal in response to the issues raised in the submissions. The windows within the ground floor kitchen have been removed to improve the amenity interface to the adjoining 10 Hermitage Drive. The revised plans show the kitchen exhaust extending to the roof and is directed away from 10 Hermitage Drive back towards to the Colonial Palms. The exhaust outfall is 11.37m away from the site boundary. An exhaust fan within the Mixed use zone environment is to be expected, and the proposal has mitigated the potential negative impact sufficiently through the design of the rooftop terrace area. Conditions of approval require all ventilation, aircons and mechanical plant to comply with <i>AS 1668.2:2024: The use of ventilation and air-conditioning in buildings – part 2: mechanical ventilation in buildings</i>.</p>
<p>5. Flooding</p>	<p>Submitters have raised concern in relation to the potential for additional flooding on the adjacent premises at 10 Hermitage Drive.</p> <p>The flood modelling provided by the applicant shows no additional flooding on adjacent premises. All flood water is contained within the undercroft and conveyed to the lawful point of discharge. Conditions of approval require no additional off-site impacts from flooding on adjacent properties. Upgrade conditions</p>

	in relation to the underground stormwater infrastructure will also improve flooding on Hermitage Drive.
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6. Infrastructure Charges

6.1. Adopted Infrastructure Charges Resolution

The following is a breakdown on the Infrastructure Charges for the development:

Adopted Charge					
Type of Development	Development Category	Demand Unit & Qty	Charge Rate		Adopted Charge
MCU	Residential – 2-bedroom dwelling	32	\$24,609.05		\$787,489.60
MCU – existing Colonial Palms	Residential – 2-bedroom dwelling	30	\$24,609.05		\$738,271.50
<i>Total Adopted Charge</i>					\$1,525,761.10
Credit					
Type of Development	Development Category	Demand Unit & Qty	Charge Rate	Discount	Total Credit
Existing	Residential	1	\$34,452.65	100%	\$34,452.65
MCU – existing Colonial Palms	Residential – 2-bedroom dwelling	30	\$24,609.05	100%	\$738,271.50
<i>Total Credit</i>					\$772,724.15
Total Levied Charge					\$753,036.95

Attachment 11.1.4 Conditions of Approval

1.0 **ADMINISTRATION**

1.1 The approved development must be completed and maintained generally in accordance with the approved drawings and documents:

Plan/Document Name	Prepared By	Plan Number	Dated
Location Plan	Prospect Apartment Architecture	PA_0.04	28/05/2025
Site Boundary Plan	Prospect Apartment Architecture	PA_1.00	28/05/2025
Subfloor Plan	Prospect Apartment Architecture	PA_1.01	28/05/2025
Ground (L1) Plan	Prospect Apartment Architecture	PA_1.02	28/05/2025
Level 2 & 3 Floor Plan	Prospect Apartment Architecture	PA_1.03	28/05/2025
Level Roof	Prospect Apartment Architecture	PA_1.04	28/05/2025
Unit Plans	Prospect Apartment Architecture	PA_1.10	28/05/2025
Section 1	Prospect Apartment Architecture	PA_2.01	28/05/2025
Section 2	Prospect Apartment Architecture	PA_2.02	28/05/2025
Boundary – Lobby Section	Prospect Apartment Architecture	PA_2.10	28/05/2025
Boundary – Overland Flow Section	Prospect Apartment Architecture	PA_2.11	28/05/2025
North Elevation	Prospect Apartment Architecture	PA_3.01	28/05/2025
South Elevation	Prospect Apartment Architecture	PA_3.02	28/05/2025
East Elevation	Prospect Apartment Architecture	PA_3.03	28/05/2025
West Elevation	Prospect Apartment Architecture	PA_3.04	28/05/2025
Landscape Concept Plan	Bom Bax Design	LCP	24/06/2024
Traffic Impact Assessment and RFI Response Letter	ITE Consulting	001	01/07/2024
Engineering Services Report	Westera Partners	S24-048 Rev. A	25/06/2024
Stormwater Management Report	Westera Partners	S24-048 Rev. C	05/12/2024
Flood Report	Westera Partners	S24-048 Rev. B	29/11/2024
Water & Sewer Hydraulic Analysis Report	BetterAIM	REP/CPO-2411-R01	29/11/2024

1.2 The applicant is to comply with the Department of State Development, Infrastructure, Local Government and Planning conditions as outlined in the Department's correspondence dated 6 September 2024.

1.3 The following further development permits are required prior to commencement of work on site or commencement of the use:

Attachment 11.1.4 Conditions of Approval

- Operational Works:
 - Earthworks;
 - Stormwater;
 - Sewage Infrastructure
 - Water Infrastructure
 - Access and Parking;
 - Roadworks; and
 - Erosion Prevention and Sediment Control.

All Operational Works, Plumbing and Drainage Works Development Permits must be obtained prior to the issue of a Building Works Development Permit.

- 1.4 Where a discrepancy or conflict exists between the written conditions of this approval and the approved plans, the requirements of the written condition(s) will prevail.
- 1.5 All conditions of this approval must be complied with in full to Council's satisfaction prior to the commencement of the use.
- 1.6 The applicant shall demonstrate and provide evidence that compliance with all conditions of this development approval and any other subsequent development approvals as a result of this development approval have been complied with at the time of the commencement of the use.

2.0 CLEARING, LANDSCAPING AND FENCING

- 2.1 Any vegetation removed must be disposed of to the requirements of the Council. Transplanting, chipping or removal from site are the preferred solutions.
- 2.2 All vegetative waste cleared as part of the development of the site is to be either:
 - a) stored neatly on site and shredded within sixty (60) days of clearing; or
 - b) removed off the site to an approved disposal location.
- 2.3 Any pruning works must be in accordance with AS 4373-1996 – Pruning of Amenity Tree.
- 2.4 No invasive plants (Biosecurity Act, 2014) or declared local pests (Local Law no.3) shall be planted on the site or allowed to invade the site and the site must be managed and maintained to exclude weeds.
- 2.5 To reduce the spread of weeds, all earthmoving equipment shall be free of soil and seed before being taken to the work site and again on completion of the project.
- 2.6 Erect solid timber fencing, a minimum of 2.0 metres high, along the side boundaries of the site.
- 2.7 Prior to commencement of the use, landscaping is to be provided in accordance with the Landscaping Concept Plan by Bom Bax Design dated 24/06/2024.
- 2.8 The landscaping must comply with Council's Planning Scheme Policy SC6.4. Landscaping must be provided using species from PSP SC6.4.5 – Plant Species List and must avoid any weeds species.
- 2.9 The landscaping must be established in accordance with the approved plans prior to the commencement of the use and maintained thereafter to the requirements of the Council.

3.0 BUILDING

- 3.1 Ventilation and mechanical plant must be located and designed so that prevailing breezes do not direct undesirable noise and odours towards nearby residential accommodation.
- 3.2 All air-conditioning units are not to be visible from the street or adjoining properties and are to be aesthetically screened.

Attachment 11.1.4 Conditions of Approval

- 3.3 Building and landscaping materials are not to be highly reflective, or likely to create glare, or slippery or otherwise hazardous conditions.
- 3.4 Buildings are to be finished with external building materials and colours to reduce scale and bulk.
- 3.5 The privacy of residents of adjoining premises is protected by ensuring all upper storey windows overlooking adjoining residential properties include appropriate screening as shown on the plans of development.
- 3.6 Shutters, block-out curtains, blinds or suitably tinted windowpanes must be provided on all bedroom windows of each unit to shield excessive sunlight from the bedrooms. No silver or other reflective materials may be used for sun block purposes.

4.0 EARTHWORKS

- 4.1 All cut/fill batter slopes created as a result of earthworks carried out on the site are to be protected and retained. Any retaining structure, necessary as a result of works on the site must be designed, supervised and certified by a Registered Professional Engineer of Queensland prior to commencement of the use.
- 4.2 Any retaining structure must not be located within road reserve.

5.0 WATER INFRASTRUCTURE

- 5.1 A Development Permit for Operational Works (Water Infrastructure) must be obtained prior to commencement of work on site. Any application for Operational Works (Water Infrastructure) must be accompanied by engineering design drawings, and certifications of the design, demonstrating compliance with Council's Development Manual (current at the time of development) and this Decision Notice.
- 5.2 The development must be connected to Council's water network prior to commencement of the use.
- 5.3 All existing water service connections must be disconnected and sealed to the satisfaction of Council's Water & Sewer Services at the time of removal prior to commencement of the use.
- 5.4 All water Infrastructure must be designed and constructed in accordance with Council's Development Manual (current at the time of development), prior to commencement of the use.
- 5.5 Prior to commencement of use on the site, the applicant must lodge with Council a civil engineer's design and construction certification (by an experienced and qualified engineer). The certification must be addressed to Council and must certify that all Water Infrastructure works have been designed and constructed according to the conditions of this Decision Notice and Council's Development Manual.

6.0 SEWERAGE INFRASTRUCTURE

- 6.1 A Development Permit for Operational Works (Sewer Infrastructure) must be obtained prior to commencement of work on site. Any application for Operational Works (Sewer Infrastructure) must be accompanied by engineering design drawings, and certifications of the design, demonstrating compliance with Council's Development Manual (current at the time of development) and this Decision Notice.
- 6.2 The development must be connected to Council's sewerage network prior to commencement of the use.
- 6.3 The development must be constructed clear of all existing gravity and/or rising sewer mains on the property and any adjoining properties.
- 6.4 All existing property drainage and sewer connections must be disconnected and sealed to the satisfaction of Council's Water & Sewer Services at the time of removal of the existing structure.

Attachment 11.1.4 Conditions of Approval

- 6.5 All sewerage Infrastructure must be designed and constructed in accordance with Council's Development Manual (current at the time of development), prior to commencement of the use.
- 6.6 Sewerage infrastructure must be constructed to comply with SG6 "Sewer Reticulation" of Council's Development Manual, Council's Standard Drawings and Water Services Association of Australia Sewerage Code of Australia. Where a discrepancy or conflict exists between Council's Development Manual and the Sewerage Code, the requirements of Council's Development Manual will prevail.
- 6.7 All existing property drainage and sewer connections must be disconnected and sealed to the satisfaction of Council's Water & Sewer Services prior to commencement of the use.
- 6.8 Prior to commencement of use on the site, the applicant must lodge with Council, a civil engineer's design and construction certification (by an experienced and qualified engineer). The certification must be addressed to Council and must certify that all Sewer Infrastructure works have been designed and constructed according to the conditions of this Decision Notice and Council's Development Manual.

7.0 ACCESS AND PARKING

- 7.1 Prior to commencement of any work on site an Operational Works development permit must be obtained in relation to Access and Parking. Any application for Operational Works (Access and Parking) must be accompanied by detailed engineering drawings demonstrating compliance with Council's Development Manual (current at the time of development), Australian Standard AS2890, AS1428 and this Decision Notice.
- 7.2 The external driveway must be constructed prior to commencement of use and maintained thereafter to the requirements of Council.
- 7.3 All internal accesses, driveways, circulation roads, aisles, parking bays and manoeuvring areas are to be provided generally as indicated on Prospect Apartment Architecture - Ground (L1) Plan – PA_1.02 dated 28/05/2025 and constructed so as to comply with the criteria described in Council's Development Manual, AS2890 and AS1428.
- 7.4 A minimum of 7 car parking spaces, must be provided on site prior to commencement of the use.
- 7.5 A Road Works permit must be obtained prior to commencement of work for the external access on site.
- 7.6 Prior to commencement of use on the site, the applicant must lodge with Council, a civil RPEQ engineer's design and construction certification. The certification must be addressed to Council and must certify that all internal accesses, driveways, circulation roads, aisles, parking bays and manoeuvring areas comply with the requirements of the Whitsunday Regional Council Development Manual, AS2890 and AS1428.

8.0 STORMWATER AND FLOODING

- 8.1 Prior to commencement of any work on site an Operational Works development permit must be obtained in relation to Stormwater Drainage. Any application for Operational Works (Stormwater) must be accompanied by engineering design drawings, including calculations and certifications of the design, demonstrating compliance with Queensland Urban Drainage Manual current at the time of development, Council's Development Manual (current at the time of development) and this Decision Notice.
- 8.2 The applicant must demonstrate that the developed flows from the land drain to a lawful point of discharge. Natural and Developed Flows from adjoining properties are to be managed through the site and discharged to a lawful point of discharge. Easements will be required over any land to accommodate the flows.
- 8.3 All site works must be undertaken to ensure that there is no increase in flood levels and/or flood frequency at any locations where existing landowners and/or users are adversely affected by waterway flooding for all events up to and including Q100.

Attachment 11.1.4 Conditions of Approval

- 8.4 Prior to commencement of building works, the developer must obtain approval for *QDC M1.4 - Building over or near relevant infrastructure* for the proximity of the building to the existing stormwater infrastructure in Easement A on SP245725.
- 8.5 Prior to the submission of the first operational works application, the developer must effect changes to Easement A on SP245725 or register a new easement to cover the following:
- a) Council and its authorised employees, agents and contractors may enter the Land at any reasonable time after giving the Owner reasonable notice for the purpose of inspecting, maintaining, constructing or repairing the drain or assets located within the Easement (Works).
 - b) If Council incurs additional costs in carrying out the Works because of the Building items within the Easement, the Owner will be responsible to pay those additional costs to Council on demand.
 - c) Council will not be responsible for any damage whatsoever caused to the Building items within the Easement as a result of the Works.
 - d) The Owner agrees that the Owner will be responsible for any damage caused to assets owned by a third party as a result of Council carrying out Works where that damage arises due to the existence of the Building items within the Easement.
 - e) Council may serve a notice on the Owner requiring the Owner, at its own cost, to remove the Building items within the Easement from the Easement.
 - f) The notice must specify the date by which the Building must be removed and this date is to be determined by Council in its absolute discretion having regard to the nature of the Building.
 - g) The Owner agrees that it is responsible for remedying any damage caused to the Easement or assets located within the Easement in removing the Building from the Land.
- 8.6 Easements must be provided over all land assessed to be below the Q100 level of immunity identified in the Westera Partners – Flood Report – S24-048 dated 29/11/2024.
- 8.7 Prior to commencement of use, an adequate size stormwater pit must be constructed on Hermitage Drive and replace the existing DN1350 RCP with two DN1200 SN8 RRJ Polypropylene pipe on Easement A on SP245725 to the existing outfall on Shute Harbour Road with adequate headwall and outlet energy dissipation treatment in accordance with Queensland Urban Design Manual (QUDM).
- 8.8 At the operational works stage, a detailed engineering plan must be submitted for approval for the replacement of the existing DN1350 RCP with two DN1200 SN8 RRJ Polypropylene Pipe.
- 8.9 All site work must be undertaken to ensure that any increase in velocity profiles does not cause souring and/or erosion.
- 8.10 The earthworks design is to provide for the capture and management of natural flows from External Catchments, adjoining properties and site drainage through the site and discharged, as called for in Queensland Urban Drainage Manual, to a Legal Point of discharge.
- 8.11 Prior to commencement of use on the site, the owner must lodge with Council, a civil engineer's design and construction certification (by an experienced and qualified engineer). The certification must be addressed to Council and must certify that the Roof and Allotment/ Stormwater Drainage works have been constructed in accordance with the requirements of Queensland Urban Drainage Manual current at the time of development, Councils Development Manual (current at the time of development) and this Decision Notice and will not cause adverse effects to adjoining or downstream properties or infrastructure.

9.0 ROADWORKS

- 9.1 A Development Permit for Operational Works (Roadworks) must be obtained prior to commencement of work on site. Any application for Operational Works (Roadworks) must be accompanied by engineering design drawings, including calculations and certifications of the design, demonstrating compliance with Queensland Urban Drainage Manual (current at the time of development), Council's Development Manual (current at the time of development) and this Decision Notice.
- 9.2 A 1.5 metre wide concrete, or approved alternative finish, footpath, including tactile indicators in accordance with AS1428.4, must be provided for the full frontage of the proposed development in Hermitage Drive prior to commencement of the use.
- 9.3 At the Operational works stage, an updated flood model must be submitted to Council for approval demonstrating that the Flood Hazard over the proposed footpath is less than 0.4m²/s with the depth of the flow is less than 0.5m and velocity of flow less than 2m/s for the 1 %AEP rainfall event.

10.0 ELECTRICITY AND TELECOMMUNICATIONS

- 10.1 Provide electricity and telecommunications connection to the proposed development to the requirements of the relevant authority. The application must submit to Council, either:
- (a) a certificate of supply demonstrating that existing low-voltage electricity supply is available to the newly created lots; or
 - (b) a certificate of supply that the applicant has entered into an agreement with the authorized electricity supplier, Ergon, to provide electricity services to the newly created lots, payment has been received and the connection will be completed at a date in the future.

If low-voltage electricity supply is unavailable to the newly created lots then the applicant must provide a certificate of supply of the proposed electricity connection date to all future property owners prior to entering into a contract of sale for the newly created lots prior to commencement of the use.

11.0 ENVIRONMENTAL MANAGEMENT PLAN (EMP)

- 11.1 A Development Permit for Operational Works (Erosion Prevention and Sediment Control) must be obtained prior to commencement of work on site. Prior to commencement of any work on the site, the applicant must submit to Council for approval, a site based Erosion Prevention and Sediment Control Plan for the site.
- 11.2 The plan must be prepared in accordance with Council's Development Manual (current at the time of the development), the Soil Erosion and Sediment Control Engineering Guidelines for Queensland Construction Sites, June 1996 by The Institution of Engineers, Australia and the EPA Best Practice Urban Stormwater Management – Erosion and Sediment Control Guideline.
- 11.3 The strategy of the plan must be implemented and maintained for the duration of the operational and building works, and until exposed soil areas are permanently stabilised (e.g. turfed, concreted).
- 11.4 Discharges of water pollutants, wastewater or stormwater from the site must not cause measurable levels of water pollutants in the receiving waters to fall outside the acceptable ranges specified in the 'Australian Water Quality Guidelines for Fresh and Marine Waters', ANZECC 2000.
- 11.5 No visible emissions of dust must occur beyond the boundaries of the site during earthworks and construction activities on the site. If, at any time during the earthworks and construction activities the dust emissions exceed the levels specified above, all dust generating activities must cease until the corrective actions have been implemented to reduce dust emissions to acceptable levels or wind conditions are such that acceptable levels are achieved.

Attachment 11.1.4 Conditions of Approval

- 11.6 The applicant must ensure that when undertaking any on-site or external works, including any filling and extraction, appropriate dust control measures are implemented in accordance with the Environmental Protection Act 1994 and complies with the relevant air quality objectives defined in the Environmental Protection (Air) Policy 2008.

12.0 ENVIRONMENTAL HEALTH

- 12.1 In the event the business/operator or Council receives a noise complaint the following procedure must be enacted:

- a) The business/operator shall record the following details of the complaint:
 - i. Contact details of the complainant;
 - ii. Time and date of the complaint;
 - iii. Details and nature of the complaint;
 - iv. The method which the complaint was lodged; and
 - v. The action taken by the responsible person in relation to the complaint.
- b) If the issue cannot be resolved in house between the business/operator and the complainant within 5 days, the business/operator shall be responsible to commission an independent noise consultant which is endorsed by Council to conduct a noise assessment. The noise assessment must include:
 - i. The nature or the potential harm/nuisance;
 - ii. The sensitivity of the receiving environment;
 - iii. The current state of technical knowledge of the activity;
 - iv. Appropriate noise standards; and
 - v. The likelihood of successful application of different attenuation measures that may be taken.
- c) Upon receipt of the noise acoustic report the business/operator must undertake appropriate actions to resolve the complaint.
- d) The business/operator must then advise the complainant and Council of the actions taken to resolve the complaint.

- 12.2 Refuse bins are to be screened from view from any adjoining road or dwelling.

- 12.3 All reasonable and practical measures are to be taken to ensure that waste storage areas are kept to a standard of cleanliness where there is no accumulation of:

- a) Waste, except in waste containers;
- b) Recycled matter, except in containers;
- c) Grease; or
- d) Other visible matter.

- 12.4 All ventilation, aircons and mechanical plant to comply with *AS 1668.2:2024: The use of ventilation and air-conditioning in buildings – part 2: mechanical ventilation in buildings*.

13.0 OPERATING PROCEDURES

- 13.1 The rooftop terrace is to be closed for resident usage from the hours of 9pm to 6am, at all times.

- 13.2 The operator is responsible to ensure the use of rooftop terrace is monitored for excessive noise and anti-social behaviour and removal of persons causing disruptions from the roof top terrace.

- 13.3 The Rooming Accommodation rooms must not be used for Short-Term Accommodation, as defined in the Whitsunday Regional Council Planning Scheme 2017.

14.0 MISCELLANEOUS

Attachment 11.1.4 Conditions of Approval

- 14.1 If any item of cultural heritage is identified during site works, all work must cease and the relevant State Agency must be notified. Work can resume only after State Agency clearance is obtained.

The Applicant is reminded of their obligations under the Aboriginal Cultural Heritage Act, 2003 and the Torres Strait Islander Cultural Heritage Act 2003. Further information and databases are available from the Department of Aboriginal and Torres Strait Islander Partnerships at: www.datsip.qld.gov.au

- 14.2 Any alteration necessary to electricity, telephone, water mains, sewerage mains, and/or public utility installations resulting from the development or in connection with the development, must be at full cost to the developer.
- 14.3 Any building materials, equipment and the like must be appropriately tied down, placed indoors and secured on site at the time of preparation for cyclone events. The on site supervisor is to ensure that all contractors/employees take the necessary steps to secure the construction site in the event of a cyclone.
- 14.4 All construction materials, waste, waste skips, machinery and contractors' vehicles must be located and stored or parked within the site. No storage of materials, parking of construction machinery or contractors' vehicles will be permitted in Road Reserve or adjoining land unless written permission from the owner of that land and Council is provided.
- 14.5 It is the developer's responsibility for the full rectification of any damage caused to neighbouring public infrastructure (such as footpaths, driveways, fences, gardens, trees and the like) caused by contractors, including clean up of any litter or waste that is a result of the subject development.

15.0 ADVISORY NOTES

15.1 Hours of work

It is the developer's responsibility to ensure compliance with the Environmental Protection Act 1994, which prohibits any construction, building and earthworks activities likely to cause nuisance noise (including the entry and departure of heavy vehicles) between the hours of 6.30 pm and 6.30 am from Monday to Saturday and at all times on Sundays or Public Holidays.

15.2 Dust Control

It is the developer's responsibility to ensure compliance with the Environmental Nuisance of the Environmental Protection Act 1994 which prohibits unlawful environmental nuisance caused by dust, ash, fumes, light, odour or smoke beyond the boundaries of the property during all stages of the development including earthworks and construction.

15.3 Sedimentation Control

It is the developer's responsibility to ensure compliance with the Environmental Protection Act 1994 and Schedule 9 of the Environmental Protection Regulation 2008 to prevent soil erosion and contamination of the stormwater drainage system and waterways.

15.4 Noise During Construction and Noise in General

It is the developer's responsibility to ensure compliance with the Environmental Protection Act 1994.

15.5 General Safety of Public During Construction

It is the project manager's responsibility to ensure compliance with the Work Health and Safety Act 2011. It states that the project manager is obliged to ensure construction work is planned and managed in a way that prevents or minimises risks to the health and safety of members of the public at or near the workplace during construction work.

It is the principal contractor's responsibility to ensure compliance with the Work Health and Safety Act 2011. It states that the principal contractor is obliged on a construction workplace to ensure that work activities at the workplace prevent or minimise risks to the health and safety of the public at or near the workplace during the work.

Attachment 11.1.4 Conditions of Approval

It is the responsibility of the person in control of the workplace to ensure compliance with the Work Health and Safety Act 2011. It states that the person in control of the workplace is obliged to ensure there is appropriate, safe access to and from the workplace for persons other than the person's workers.

- 15.6 Enquiries relating to the aforementioned conditions should be directed to the Regional Strategy and Planning Directorate who will direct the enquiry to the relevant officer.



DISCLAIMER: The drawings and proposed yield are subject to consultant and Council review / input. Client is advised to conduct their own full due diligence review of the proposal.



4 HERMITAGE DRIVE AIRLIE BEACH QLD 4802

GROUND (L1) PLAN

1 : 200 @ A3



28 05 2025



PA_1.02



CODE	ITEM
BA	BALUSTRADE / RAILING
CT	COMMS - TELSTRA
EP	ELEC PILLAR
FH	FIRE HYDRANT
FL	FOOD LOGS
IO	IN / OUT
LP	LIGHT POLE
PL	PLANTER
PW	PAPERWORK
RQ	REQUISITIONS
SC	SCREEN
SE	SLAB EDGE
ST	STORAGE
SC	SERVICES CUPBOARD
SV	STOP VALVE
WM	WATER METER

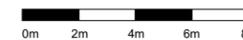
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4 HERMITAGE DRIVE AIRLIE BEACH QLD 4802

LEVEL 2 & 3 FLOOR PLAN

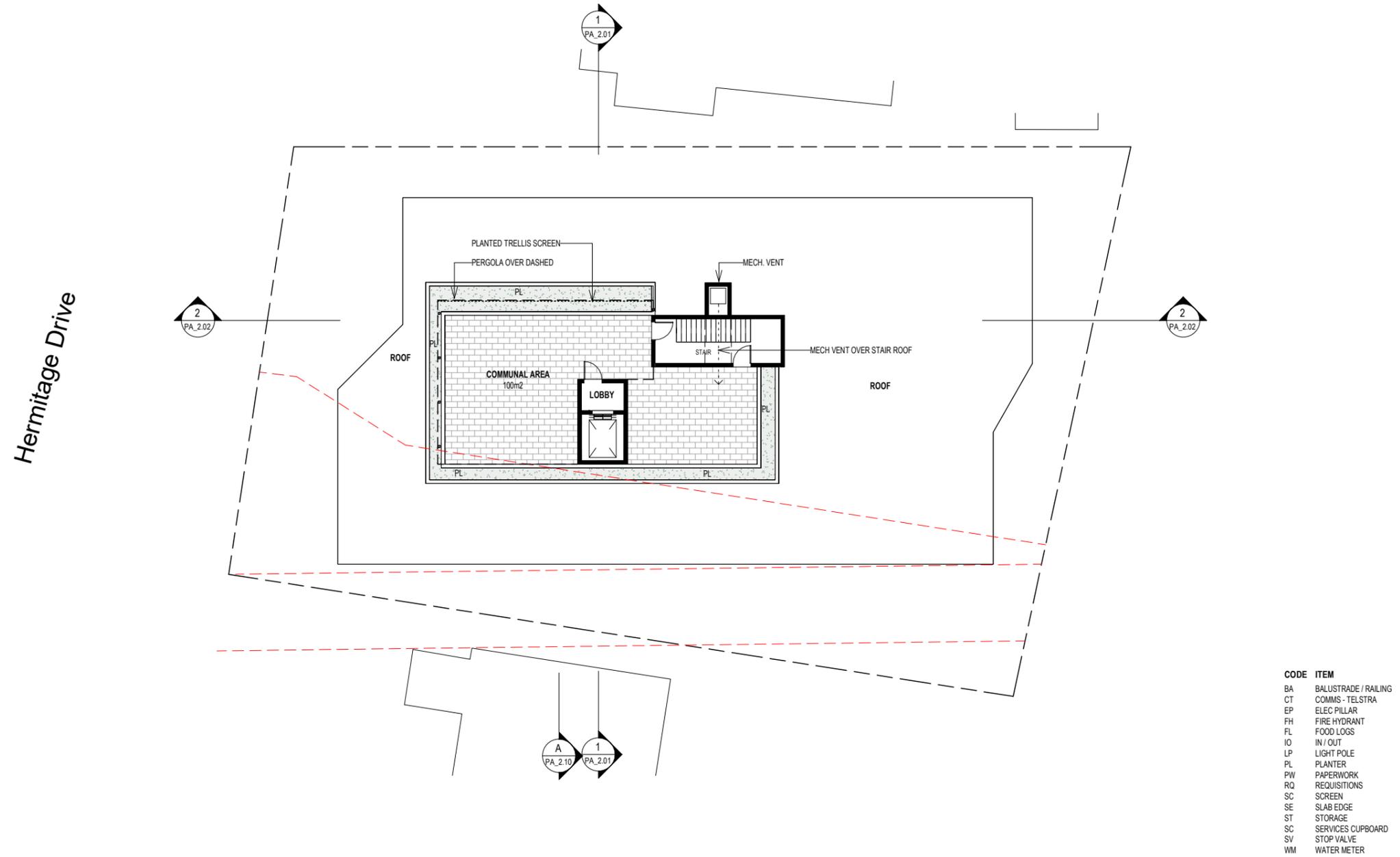
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28 05 2025



PA_1.03



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FH	FIRE HYDRANT
FL	FOOD LOGS
IO	IN / OUT
LP	LIGHT POLE
PL	PLANTER
PW	PAPERWORK
RQ	REQUISITIONS
SC	SCREEN
SE	SLAB EDGE
ST	STORAGE
SC	SERVICES CUPBOARD
SV	STOP VALVE
WM	WATER METER

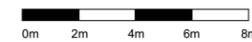
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4 HERMITAGE DRIVE AIRLIE BEACH QLD 4802

LEVEL ROOF

1 : 200 @ A3



28 05 2025



PA_1.04



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4 HERMITAGE DRIVE AIRLIE BEACH QLD 4802

SECTION 1

1 : 200 @ A3



28 05 2025

PA_2.01



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4 HERMITAGE DRIVE AIRLIE BEACH QLD 4802

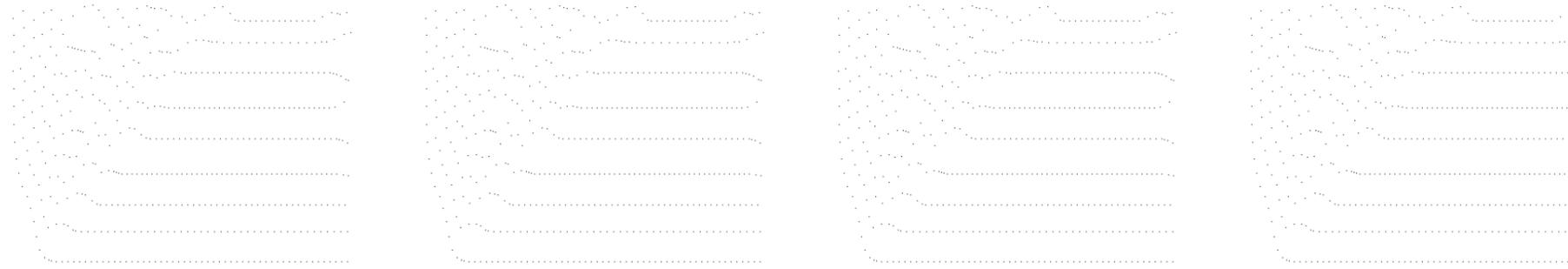
SECTION 2

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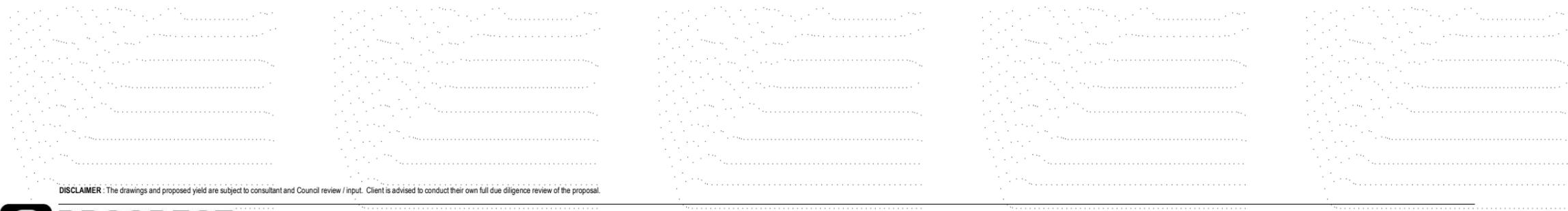


28 05 2025

PA_2.02



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CO	ENTRY CANOPY
FN	FENCE
GL	GLAZING
PG	PERGOLA
PT	PLANTER
LO	LIFT OVERUN
RF	RENDERED FINISH
SC	SCREEN
SE	SLAB EDGE
SL	SCORE LINES
UC	UNDERCROFT
	(SCREEN NOT SHOWN FOR CLARITY)
WB	WEATHERBOARD CLADDING



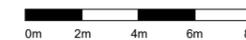
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4 HERMITAGE DRIVE AIRLIE BEACH QLD 4802

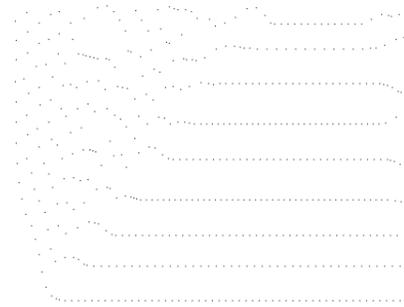
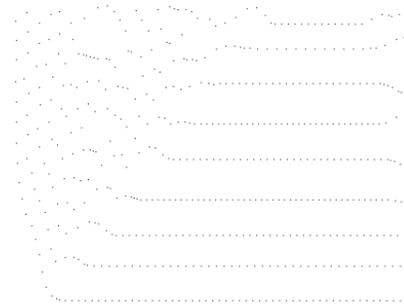
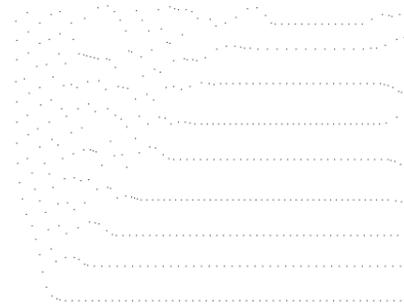
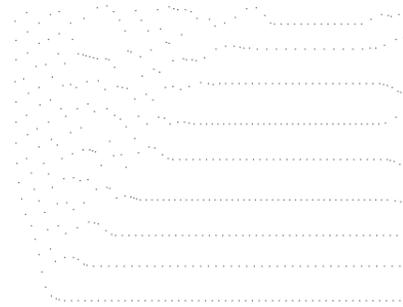
NORTH ELEVATION

1 : 200 @ A3

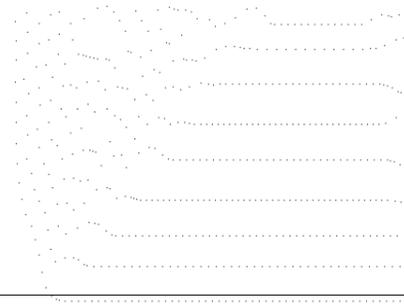
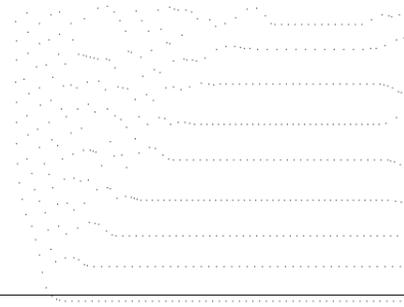
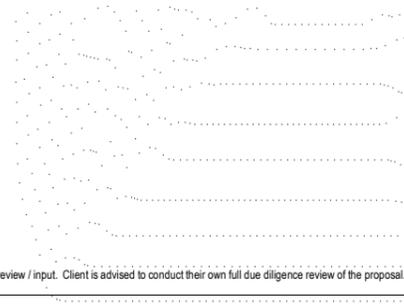


28 05 2025

PA_3.01



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GL	GLAZING
PG	PERGOLA
PT	PLANTER
LO	LIFT OVERUN
RF	RENDERED FINISH
SC	SCREEN
SE	SLAB EDGE
SL	SCORE LINES
UC	UNDERCROFT
	(SCREEN NOT SHOWN FOR CLARITY)
WB	WEATHERBOARD CLADDING



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4 HERMITAGE DRIVE AIRLIE BEACH QLD 4802

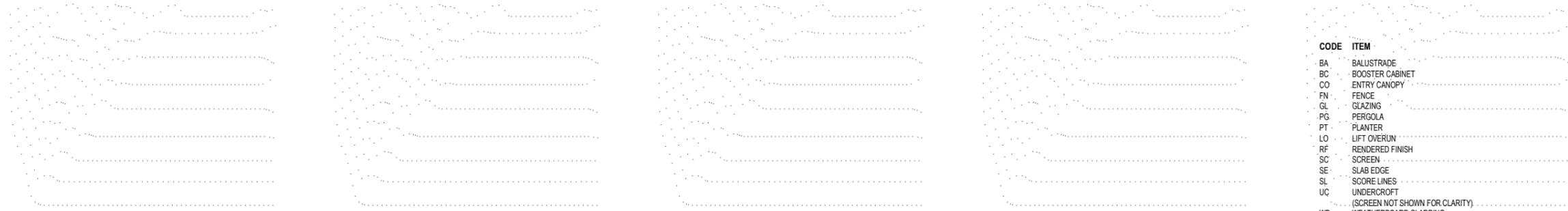
SOUTH ELEVATION

1 : 200 @ A3



28 05 2025

PA_3.02



CODE	ITEM
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CO	ENTRY CANOPY
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GL	GLAZING
PG	PERGOLA
PT	PLANTER
LO	LIFT OVERUN
RF	RENDERED FINISH
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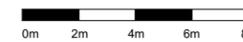
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4 HERMITAGE DRIVE AIRLIE BEACH QLD 4802

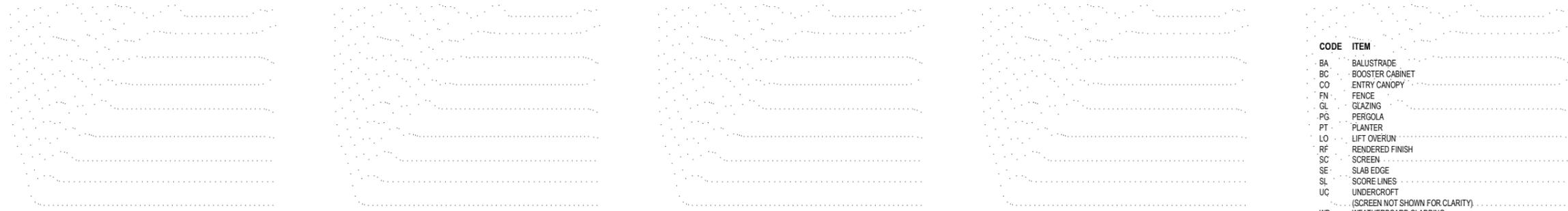
EAST ELEVATION

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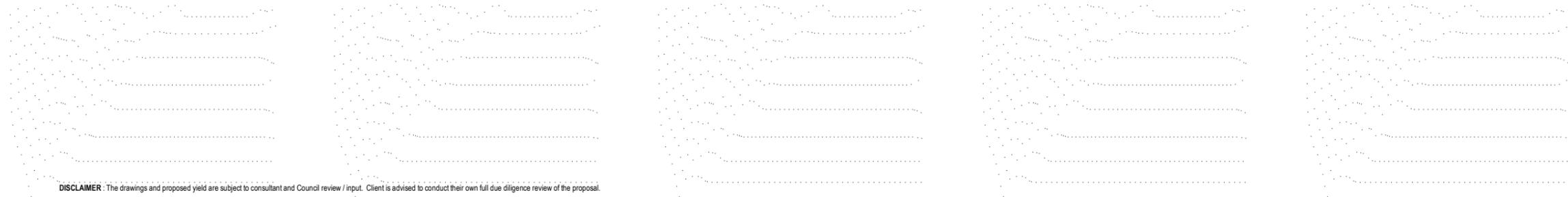


28 05 2025

PA_3.03



CODE	ITEM
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GL	GLAZING
PG	PERGOLA
PT	PLANTER
LO	LIFT OVERUN
RF	RENDERED FINISH
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	(SCREEN NOT SHOWN FOR CLARITY)
WB	WEATHERBOARD CLADDING



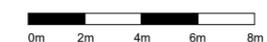
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4 HERMITAGE DRIVE AIRLIE BEACH QLD 4802

WEST ELEVATION

1 : 200 @ A3



28 05 2025 PA_3.04

11.2 - 20241307 - Development Application for Development Permit for Material Change of Use - Childcare Centre - 25-27 Parker Road, Cannonvale - 10SP332202 - Parker Road Investments Pty Ltd

MEETING DETAILS: Ordinary Council Meeting - Wednesday 30 July 2025

AUTHOR: Planner

AUTHORISING OFFICER: Director Regional Strategy and Planning

PURPOSE

To present the assessment of the development application for a Childcare centre at 25-27 Parker Road Cannonvale and seek Council's determination.

EXECUTIVE SUMMARY

The application is for a Childcare centre in the Low density residential zone. The proposal consists of a single storey building with two outdoor play areas for children, accommodating up to 104 children and 21 staff. A Childcare centre is code assessable within the Low density residential zone and the proposal complies with the purpose and overall outcomes of the zone.

The subject site is well located to service the Cannonvale and Cannon Valley catchments and is close to the major commercial centre of Cannonvale, which is a major employment node. The key matters for consideration by Council in approving the development is the capacity of Parker Road and onsite car parking.

Parker Road is classified as an Urban Collector Road which will function at 3,000 vehicle movements per day as per Development Manual when all approved residential allotments along Parker Road are completed. The development will increase the use of Parker Road by 309 vehicles per day which will exceed its threshold capacity. A Traffic Impact Assessment has been submitted to support the proposal and has found that the capacity of Parker Road based on Austroads standards is approximately 864 passenger cars per hour per lane. The assessment concluded that the projected peak hour flow created by the proposed Childcare centre will not exceed the capacity of Abell Road-Parker Road sections and the proposed onsite parking arrangements will ensure no vehicle queuing or disruption on Parker Road.

The acceptable outcomes of the Planning Scheme require 2 spaces for every 4 children in attendance plus 1 per employee, resulting in 73 car parking spaces required. The 73 carparks have not been provided and as such the acceptable outcome has not been achieved.

The applicant has proposed 51 car parking spaces. The parking layout has been designed such that six parking bays are provided for pick up and drop off, eight parking spaces along the northern boundary are dedicated for staff, the queuing length on-site is adequate for up to five vehicles and an additional 45 parking spaces are provided for both staff and visitors. Considering the nature of the business, with car parking demand only high at peak periods, as well as having dedicated parking for staff, on-site queuing provision and turnover of short-term bays, the proposed on-site parking is sufficient to meet the operational needs of the development and satisfy performance outcomes.

Therefore, the development achieves compliance with the Transport and parking code.

The application is being considered by Council as the proposed development will take traffic volumes along Parker Road to more than 3000 vpd which is above the development manual standard.

The proposal is recommended for approval, subject to reasonable and relevant conditions.

OFFICER'S RECOMMENDATION

That Council approve the application for Development Application for Development Permit for Material Change of Use for Child Care Centre, made by Parker Road Investments Pty Ltd As TTE, on L: 10 SP: 332202 and located at 25-27 Parker Road Cannonvale, subject to the conditions outlined in **Attachment 11.2.4**.

BACKGROUND

The application was not lodged following any compliance action from Council.

DISCUSSION/CURRENT ISSUE

The application is code assessable against the Whitsunday Regional Council Planning Scheme 2017. It is found that the proposal is consistent with overall outcomes of the following development codes:

- Child care centre code, where the premises is located within residential communities and close to a major employment node; and
- Transport and parking code, where the capacity of Abell Road-Parker Road and the provision of on-site parking operate in a safe and efficient manner especially during peak hours.

FINANCIAL IMPLICATIONS

The application fee has been paid in full.

The development attracts infrastructure charges of \$127,755.18.

CONSULTATION/ENGAGEMENT

Manager Development Assessment

Development Engineer

Environment Officer

STATUTORY/COMPLIANCE MATTERS

Planning Act 2016

Whitsunday Regional Council Planning Scheme 2017

RISK ASSESSMENT/DEADLINES

The decision may be appealed in the Planning & Environment Court of Queensland

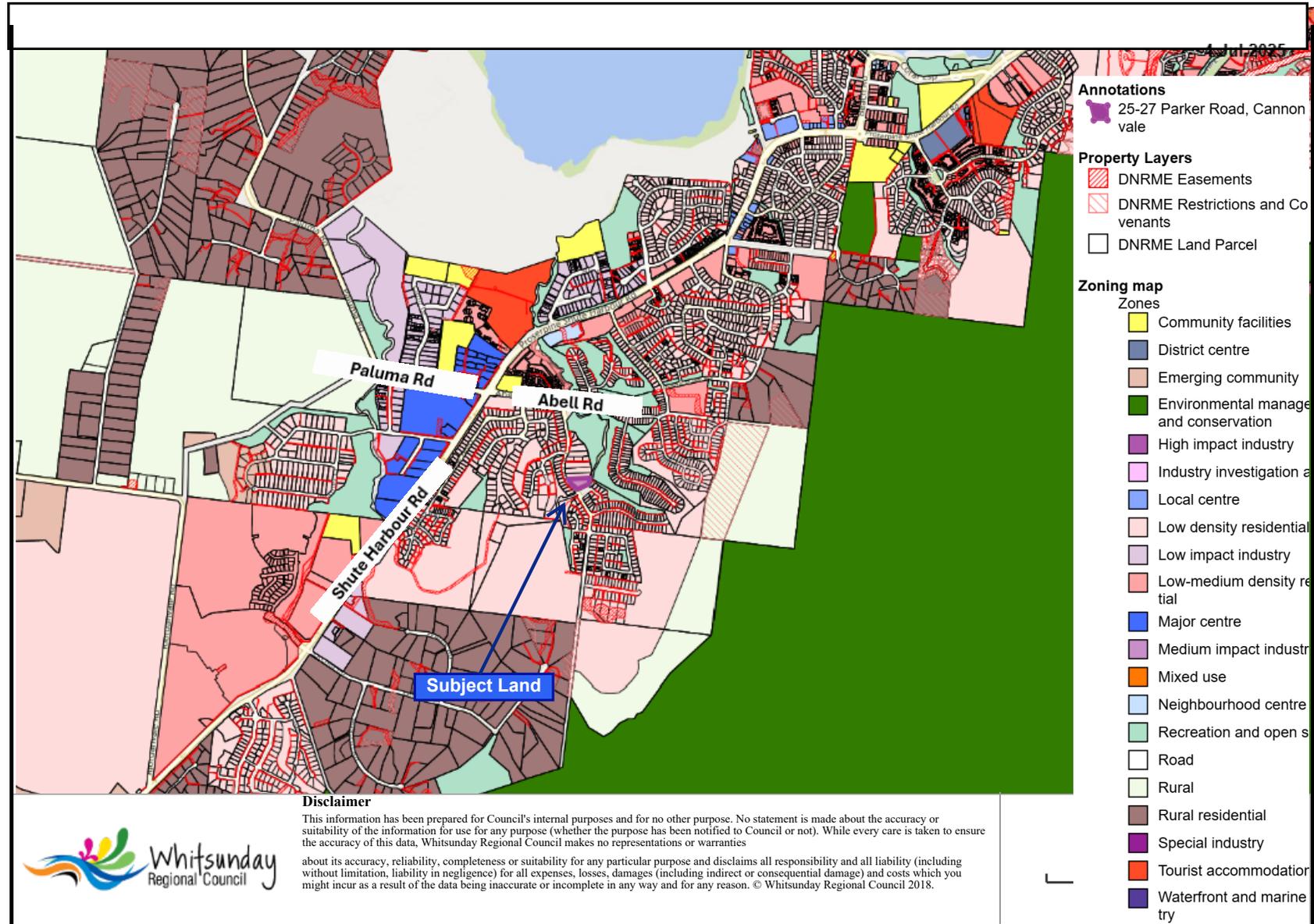
STRATEGIC IMPACTS

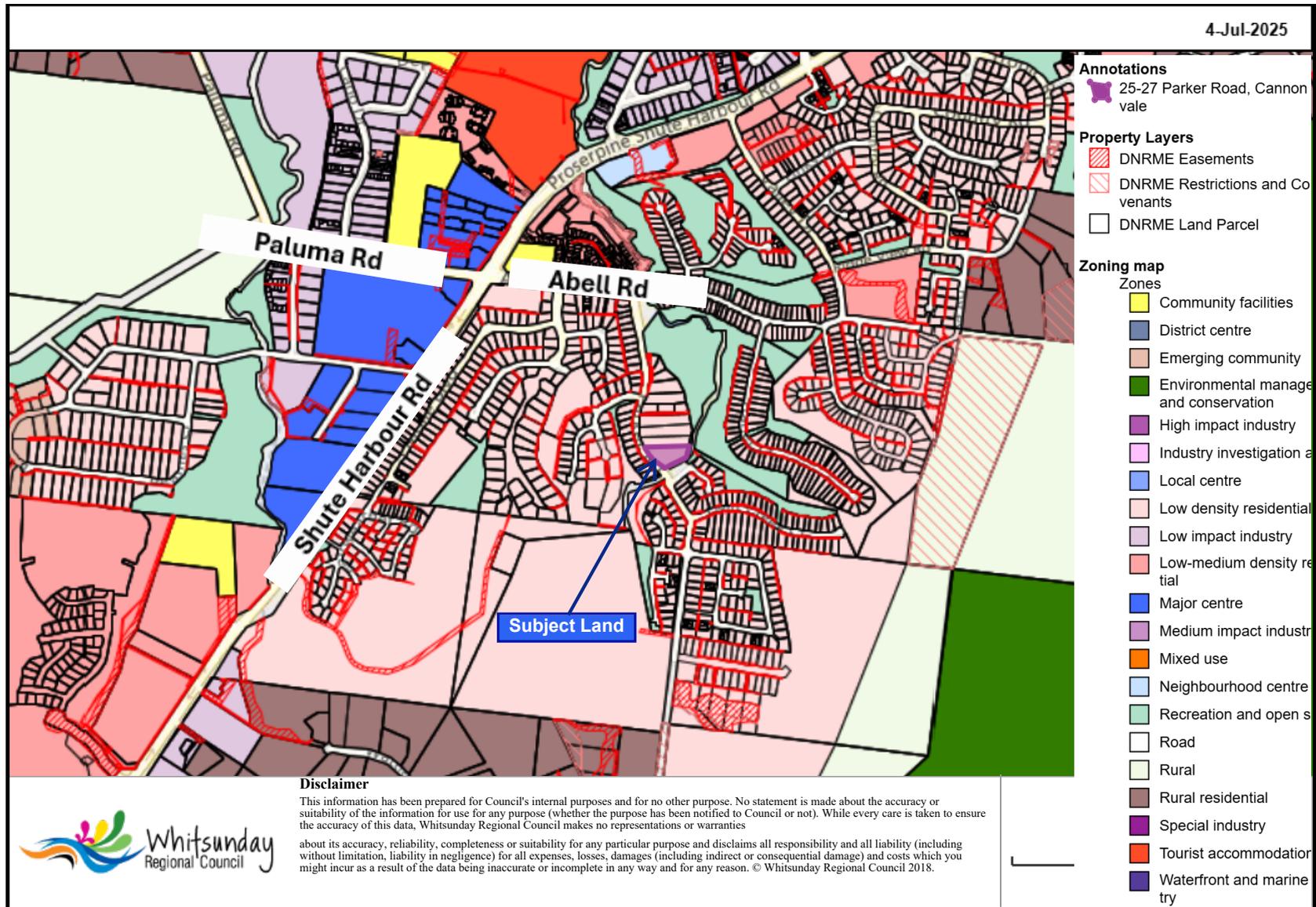
Corporate Plan 2022-2026 Development Services objective 4.

Process all statutory applications within statutory timeframes.

ATTACHMENTS

1. Regional Plan [11.2.1 - 1 page]
2. Locality Plan [11.2.2 - 1 page]
3. Planning Assessment Report [11.2.3 - 6 pages]
4. Conditions of Approval [11.2.4 - 8 pages]
5. Plans of Development [11.2.5 - 8 pages]





PLANNING ASSESSMENT REPORT

Council has received the following Development Application, which has been assessed against the provisions of the relevant legislation as reported below.

1. Application Summary

Proposal:	Development Application for Development Permit for Material Change of Use for Child Care Centre
Landowner	Parker Road Investments Pty Ltd As TTE
Property Address:	25-27 Parker Road, Cannonvale
Property Description:	L: 10 SP: 332202
Area of Site:	4595m ²
Planning Scheme Zone:	Low density residential zone
Level of assessment	Code assessment
Overlays:	Acid sulfate soils overlay Bushfire hazard overlay Building heights overlay Biodiversity, waterways and wetlands overlay Flood hazard overlay Landslide hazard overlay
Existing Use:	Vacant land
Existing Approvals:	NIL
Public Notification:	NIL
Submissions received:	NIL
State referrals:	NIL
Infrastructure charges:	NIL

2. Site Description

The subject premises is relatively flat and cleared of all vegetation. The site is located among other low density residential allotments on Parker Road. The adjoining property to the west is a vacant residential lot. To the east of the property is the Whitsunday Lakes Park and Waite Creek. The land is currently vacant.

3. Proposal Details

The proposal is for a Child care centre with a Gross Floor Area of (GFA) of 941.7m² and dedicated children outdoor area of 1447.7m². A total of 51 car parking spaces including six short term parking bays will be provided. The proposed Child care centre can accommodate up to 104 children and 21 staff.

4. Planning Assessment

The application has been assessed against the relevant provisions of the *Planning Act, 2016* and the *Whitsunday Regional Council Planning Scheme, 2017*. The proposal is generally in accordance with the Planning Scheme and is recommended for approval in accordance with the drawings and documents submitted, subject to reasonable and relevant conditions (Attachment 4).

4.1. State Assessment and Referral Agency (SARA)

The application was not referrable.

4.2. State Planning Policy – July 2017

The State Planning Policy (SPP) includes interim development assessment requirements to ensure that State interests are appropriately considered by local government when assessing development applications where the most recent SPP has been reflected in the Whitsunday Regional Council Planning Scheme, in particular Part 2 of State Planning Provisions. The most recent SPP has been reflected in the Whitsunday Regional Council Planning Scheme, in particular Part 2 of State Planning Provisions.

4.3. Mackay Isaac and Whitsunday Regional Plan – February 2012

The Mackay, Isaac and Whitsunday Regional Plan was established to provide the vision and direction for the region to 2031. The plan provides certainty about where the region is heading in the future and provides the framework to respond to the challenges and opportunities which may arise.

The Desired Regional Outcomes of the Plan are high level outcomes for development in the region and the proposal generally achieves all applicable outcomes.

4.4. Whitsunday Regional Council Planning Scheme, 2017

4.4.1. Strategic Framework

The Strategic Framework is not applicable in Code Assessable development.

4.4.2. Overlay Codes

Acid sulfate soils overlay

The premises is subjected to the acid sulfate soils overlay. Conditions of approval have been imposed required in the event acid sulfate soils are encountered they are managed in accordance with the Queensland Government requirements.

Bushfire hazard overlay

The front of the premises is mapped as potential impact buffer. The site and its vicinity are cleared of vegetation. There is a fire hydrant within the vicinity of the premises for fire fighting purposes.

Building heights overlay

The proposed building is a single storey and therefore will not exceed the building height limit.

Biodiversity, waterways and wetlands overlay

There are no ecological values for the site. It is noted that the vegetation on the watercourse currently has low ecological value, however Council is currently revegetating the adjoining creek within the vicinity of the site.

Flood hazard overlay

The premises is subjected to low, medium and high flood hazard given its proximity to the Waite Creek. Whilst there are no specific requirements to address the existing flood

hazard, the applicant has consented to construct a flood levee berm or wall along the southern and eastern boundary of the lot under operational works.

Landslide hazard overlay

There is moderate landslide hazard located along the front of the premises. The proposed building will be sited outside of the overlay mapping and therefore complies with the code.

4.4.3. Zone Code

Low density residential zone

The zone allows for limited Community activities such as a Child care centre. The proposed development will directly support the child care needs of the immediate residential community, given there are no other Child care centres within the Whitsunday Lakes catchment. The proposed operation is at a scale appropriate for the size of the site. The single storey building is relatively small in scale which is compatible with the surrounding residential character. The development has responded to the potential to cause amenity disruptions with the activity occurring more than 20m from existing residences on the front and side boundary and the provision of acoustic fencing.

4.4.4. Development Codes

Child care centre code

The proposed development does not meet the requirements of Acceptable Outcome 1.1 or Performance Outcome 1 given that the proposed Child care centre is not located within 400m of, or is integrated with, another compatible Community activity. However, the site is located centrally in Cannonvale and highly accessible to the Whitsunday Lakes community. The site is also 700m away from Cannonvale's major commercial area and employment node. The proposed Child care centre therefore achieves Overall Outcome (b), which states Child care centres are conveniently located close to residential communities or major employment nodes.

The premises is located fronting Parker Road and is not affected by soil, air or noise contamination and nuisances. Although the site has a slope of more than 10% and is irregularly shaped, the building and Child care activities areas are sited to avoid the sloping area at the front of the premises. The Child care centre has been designed such that the sloping area will be established for car parking.

All buildings, structures and outdoor play areas are setback 3m from the boundaries. A 2m high acoustic fence has been conditioned along all site boundaries that have outdoor child play activities. A plan of the fencing will be provided at operational works stage.

Conditions of approval will ensure the development is connected to reticulated water and sewer. Adequate set down and pick up area will be provided conveniently along the front of the building.

Healthy waters code

The development will be provided with an internal stormwater system to meet the water quality objectives as per the WRC Stormwater Quality Guidelines.

Infrastructure code

The site is connected to Council's reticulated sewer and water infrastructure. The proposal is required to upgrade the existing water connection under operational works.

Attachment 11.2.3 Planning Assessment Report

The internal stormwater system will be designed so that runoff will be collected towards the lawful point of discharge at Waite Creek.

Landscaping code

Landscaping will cover 37.5% of the site. The landscaping includes a minimum of 2m low planting along the shared boundary with the northern adjoining allotment.

Transport and parking code

The proposed development does not meet the requirements of AO9.2 and PO9 given that the proposed use will exceed the requirements for an Urban Collector Road under Table D1.1 of the Whitsunday Regional Council Development Manual.

The development site will be accessed via Parker Road which is classified as an Urban Collector Road under Council's Road Register. According to Table D1.1 of the Whitsunday Regional Council Development Manual, Urban Collector Roads are planned to accommodate up to 3,000 vehicles per day (VPD). The threshold will be met when all approved future residential allotments along Parker Road are completed. Each lot has a standard generation rate of 10 VPD resulting in a 3,000 VPD.

The proposed Child care centre is designed to accommodate up to 104 children which is expected to generate an additional 309 VPD (based on 2.97 VPD per child, as referenced in the Transport for NSW Guide to Traffic Impact Assessment). This brings the estimated future volume on Parker Road to approximately 3,309 VPD, representing a 10.3 percent increase above the nominal threshold outlined in the Development Manual. It is also noted that traffic count data from 2021 recorded a daily volume of 1,746 VPD, equating to approximately 58.2% of the 3,000 VPD. However, at that time, not all lots along Parker Road had been developed or approved, meaning the road had not reached its full planned service level.

The applicant has provided a Traffic Impact Assessment (TIA) Report. The report has demonstrated that the practical capacity of Parker Road based on Austroads guidance (AGTM03-20) is approximately 864 passenger cars per hour per lane (pc/h/ln). It has stated that:

- the development will not alter the Level of Service at the Abell Road–Parker Road roundabout and will continue to operate within acceptable performance limits under the proposed traffic scenario;
- Parker Road retains sufficient operational capacity
- Peak hour traffic remains well within Austroads' midblock capacity guidelines; and
- On-site traffic is managed internally to avoid external impacts.

An internal review carried out was based on a conservative assumption that if 15 percent of daily traffic occurs during the peak hour, the projected peak hour flow for the proposed childcare centre is approximately 250 pc/h/ln which will not exceed the capacity of the Abell Road-Parker Road sections (midblock capacity for a two-lane, 7.5-metre-wide collector road). In addition, pick-up and drop-off activity will occur entirely within the development site which is supported by adequate on-site parking and traffic treatments to ensure that queuing or disruption on Parker Road is unlikely to occur. The proposal is therefore considered to meet the overall outcomes of the Transport and Parking Code.

In relation to on-site parking, the proposed Child care centre will also accommodate 21 staff and therefore triggers a total on-site parking requirement of 73 car parking spaces in accordance with Table 9.4.8.3.3 Minimum on-site parking requirements. The

applicant proposed a total of 51 on-site car parking spaces, where six out the 51 spaces are used as short-term parking bays for pick-up and drop-off. All parking areas and internal circulation roads to be designed and constructed in accordance with AS 2890. It is noted that Council's car parking rate for a Child care facility is considerably higher than all other local governments in Queensland who utilise a rate at half that of Council. The reason for such is unclear. However notwithstanding, to address the shortfall in on-site parking, the applicant proposes the following measures:

1. Parking spaces 25 to 32, located along the northern boundary of the site, will be designated for staff parking only. Staff arrival and departure times are scheduled outside of the AM and PM peak client movement periods, ensuring that vehicles parked in these spaces do not obstruct the internal aisle or interfere with circulation during busy times.
2. The site layout allows for approximately 34 metres of queuing length on-site prior to the short-term parking bays, which can accommodate up to five vehicles. This queuing space will reduce pressure at the site access point and help manage inbound vehicle flow during peak periods.
3. In addition to staff and short-term spaces, there are 24 standard parking bays available on-site for visitor use throughout the day. It is expected that parents are not long-term parking users as on-site parking will occur in infrequent and in limited circumstances.

Given the combination of dedicated staff parking, on-site queuing provision, and cycling turnover of short-term bays, the proposed parking layout is expected to operate efficiently. These measures ensure that vehicle queuing on Parker Road will be avoided, and that the available on-site parking is sufficient to meet the operational needs of the development.

The proposal therefore will operate at an acceptable standard in a safe and efficient manner and provides reasonable on-site parking requirements which achieves compliance with the Overall Outcomes of the code.

5. Public Submissions

Not applicable in Code Assessable development.

6. Infrastructure Charges

6.1. Adopted Infrastructure Charges Resolution

The following is a breakdown on the Infrastructure Charges for the development:

Adopted Charge					
Type of Development	Development Category	Demand Unit & Qty	Charge Rate	Adopted Charge	
MCU	Educational facility	941.7m ²	\$172.25 per m ² of GFA	\$162,207.83	
Total Adopted Charge				\$162,207.83	
Credit					
Type of Development	Development Category	Demand Unit & Qty	Charge Rate	Discount	Total Credit

Attachment 11.2.3 Planning Assessment Report

MCU – existing lawful use	Residential – 3 or more bedroom dwelling house	1	\$34,452.65	100%	\$34,452.65
Total Credit					\$34,452.65
Total Charge					\$127,755.18

Attachment 11.2.4 Conditions of Approval

1.0 **ADMINISTRATION**

1.1 The approved development must be completed and maintained generally in accordance with the approved drawings and documents:

Plan/Document Name	Prepared By	Plan Number	Dated
Cover Sheet	Architectural Nature	Lot 10 Parker Road, Cannonvale, QLD	04/2025
Site Plan (Annotated in red)	Architectural Nature	Lot 10 Parker Road, Cannonvale, QLD A04.01 - 1	07/07/2025
Ground Floor Plan	Architectural Nature	Lot 10 Parker Road, Cannonvale, QLD A04.01	04/2025
Roof Plan	Architectural Nature	Lot 10 Parker Road, Cannonvale, QLD A04.01	04/2025
West Elevation, South Elevation, East Elevation	Architectural Nature	Lot 10 Parker Road, Cannonvale, QLD A01.02	04/2025
West Street Elevation, South Street (Creek) Elevation	Architectural Nature	Lot 10 Parker Road, Cannonvale, QLD A01.02	04/2025
3D Render	Architectural Nature	Lot 10 Parker Road, Cannonvale, QLD	04/2025
Contour and Detail Plan	Vision Surveys	24332-CS01 Sheet 1 of 1 Rev. A	27/03/2024
Engineering Report	Northern Consulting Engineers	WPD0004_Eng Rev. A	22/11/2024
RE: Proposed Child Care Centre at 25-27 Parker Road, Cannonvale - Information Request in Relation to Development Application MCU 20241307	Northern Consulting Engineers	WPD0004:BB	22/05/2025
WRC Biodiversity, waterways and wetlands overlay	Wynne Planning & Development Pty Ltd	NIL	18/11/2024
Bushfire Hazard Assessment – MCU – Child Care Centre –	Wynne Planning & Development	NIL	14/11/2024

Attachment 11.2.4 Conditions of Approval

Whitsunday Regional Council	Pty Ltd		
Landscaping Plan	Wynne Planning & Development Pty Ltd	2025WRC052 Sheet 1 of 4	09/04/2025
Landscaping Plan	Wynne Planning & Development Pty Ltd	2025WRC052 Sheet 2 of 4	09/04/2025
Landscaping Plan	Wynne Planning & Development Pty Ltd	2025WRC052 Sheet 3 of 4	09/04/2025
Landscaping Plan	Wynne Planning & Development Pty Ltd	2025WRC052 Sheet 4 of 4	09/04/2025

1.2 The following further development permits are required prior to commencement of work on site or commencement of the use:

- a) Operational Works:
 - i. Sewerage infrastructure;
 - ii. Water infrastructure;
 - iii. Earthworks;
 - iv. Access and Parking;
 - v. Stormwater; and
 - vi. Erosion Prevention and Sediment Control.
- b) Building Works.
- c) Plumbing and Drainage Works

All Operational Works, Plumbing and Drainage Works Development Permits must be obtained prior to the issue of a Building Works Development Permit.

1.3 Where a discrepancy or conflict exists between the written conditions of this approval and the approved plans, the requirements of the written condition(s) will prevail.

1.4 All conditions of this approval must be complied with in full to Council's satisfaction prior to the commencement of the use.

1.5 The applicant shall demonstrate and provide evidence that compliance with all conditions of this development approval and any other subsequent development approvals as a result of this development approval have been complied with at the time of sealing the survey plan or commencement of the use, whichever is the sooner.

2.0 CLEARING, LANDSCAPING AND FENCING

2.1 Any vegetation removed must be disposed of to the requirements of the Council. Transplanting, chipping or removal from site are the preferred solutions.

2.2 All vegetative waste cleared as part of the development of the site is to be either:

- a) stored neatly on site and shredded within sixty (60) days of clearing; or
- b) removed off the site to an approved disposal location.

2.3 Prior to commencement of use on the site, a 2m high acoustic fencing is constructed along all boundaries, and internal boundary to the car parking area, that adjoins child play activities.

2.4 With the first operational works application a detailed acoustic fencing plan is to be provided.

3.0 BUILDING

- 3.1 Building and landscaping materials are not to be highly reflective, or likely to create glare, or slippery or otherwise hazardous conditions.
- 3.2 Buildings are to be finished with external building materials and colours to reduce scale and bulk.

4.0 EARTHWORKS

- 4.1 Prior to commencement of any work on site an Operational Works development permit must be obtained in relation to Earthworks.
- 4.2 Any application for Operational Works (Earthworks) must be accompanied by engineering design drawings demonstrating compliance with the recommendations of the Geotechnical and Civil site report for the site. All earthworks are to be placed, trimmed and compacted as a minimum to standards identified in AS3798. Compaction test results are to be submitted to Council for its records.
- 4.3 Prior to commencement of use on the site, the owner must lodge with Council, a geotechnical engineer's certification (by an experienced and qualified geotechnical engineer). The certification must be addressed to Council and must certify that the works have been constructed according to the Level 1 Earthworks requirements identified in AS3798.
- 4.4 During and at the completion of the excavation and filling of the site the applicants Civil/Geotechnical Engineer shall supervise, and at the completion, certify that the work carried out on site has meet the design intent and provide evidence that the finished work will not cause adverse impact on adjoining property and will be stable over the long term.
- 4.5 All cut/fill batter slopes created as a result of earthworks carried out on the site are to be protected and retained. Any retaining structure, necessary as a result of works on the site must be designed, supervised and certified by a Registered Professional Engineer of Queensland prior to signing of the Survey Plan.
- 4.7 Any retaining structure must not be located within road reserve.

5.0 WATER INFRASTRUCTURE

- 5.1 A Development Permit for Operational Works (Water Infrastructure) must be obtained prior to commencement of work on site.
- 5.2 Any application for Operational Works (Water Infrastructure) must be accompanied by engineering design drawings, and certifications of the design, demonstrating compliance with Council's Development Manual (current at the time of development) and this Decision Notice.
- 5.3 The development must be connected to Council's water network prior to commencement of the use.
- 5.4 All water infrastructure must be designed and constructed in accordance with Council's Whitsunday Regional Council Development Manual (or equivalent replacement document current at the time of development) prior to signing of the survey plans.
- 5.5 Prior to commencement of use on the site, the applicant must lodge with Council a civil engineer's design and construction certification (by an experienced and qualified engineer). The certification must be addressed to Council and must certify that all Water Infrastructure works have been designed and constructed according to the conditions of this Decision Notice and Council's Development Manual.

6.0 SEWERAGE INFRASTRUCTURE

- 6.1 The development must be connected to Council's sewerage network prior to commencement of the use.

Attachment 11.2.4 Conditions of Approval

- 6.2 All sewerage infrastructure must be designed and constructed in accordance with Council's Whitsunday Regional Council Development Manual prior to commencement of the use.
- 6.3 Prior to commencement of use on the site, the applicant must lodge with Council, a civil engineer's design and construction certification (by an experienced and qualified engineer). The certification must be addressed to Council and must certify that all Sewer Infrastructure works have been designed and constructed according to the conditions of this Decision Notice and Councils Development Manual.

7.0 ACCESS AND PARKING

- 7.1 Prior to commencement of any work on site an Operational Works development permit must be obtained in relation to Access and Parking.
- 7.2 Any application for Operational Works (Access and Parking) must be accompanied by detailed engineering drawings demonstrating compliance with Council's Development Manual (current at the time of development), Australian Standard AS2890, AS1428 and this Decision Notice.
- 7.3 A minimum of 51 car parking spaces must be provided on site prior to commencement of the use.
- 7.4 Prior to commencement of use, the parking bays 25 to 32 as noted on Architectural Nature – Site Plan must be nominated to staff parking only. Clear signs or marking must be installed to identify the parking bays for Staff only.
- 7.5 All internal accesses, driveways, circulation roads, aisles, parking bays and manoeuvring areas are to be provided generally as indicated on Architectural Nature – Site Plan and constructed so as to comply with the criteria described in Councils Development Manual, AS2890 and AS1428.
- 7.6 All driveways must be constructed prior to commencement of use and maintained thereafter to the requirements of Council.
- 7.7 Prior to commencement of use on the site, the applicant must lodge with Council, a civil RPEQ engineer's design and construction certification. The certification must be addressed to Council and must certify that all internal accesses, driveways, circulation roads, aisles, parking bays and manoeuvring areas comply with the requirements of the Whitsunday Regional Council Development Manual, AS2890 and AS1428.
- 7.10 A Road Works permit must be obtained prior to commencement of work for the external access on site.
- 7.11 The external access must be constructed in accordance with the Approved Road Works permit.

8.0 STORMWATER AND FLOODING

- 8.1 Prior to commencement of any work on site an Operational Works development permit must be obtained in relation to Stormwater Drainage.
- 8.2 Any application for Operational Works (Stormwater) must be accompanied by engineering design drawings, including calculations and certifications of the design, demonstrating compliance with Queensland Urban Drainage Manual current at the time of development, Council's Development Manual (current at the time of development) and this Decision Notice.
- 8.3 The applicant must demonstrate that the developed flows from the land drain to a lawful point of discharge. Natural and Developed Flows from adjoining properties are to be managed through the site and discharged to a lawful point of discharge. Easements will be required over any land to accommodate the flows.

Attachment 11.2.4 Conditions of Approval

- 8.4 All stormwater drainage works must be designed and constructed in accordance with the Queensland Urban Drainage Manual current at the time of development and Council's Development Manual (or equivalent replacement document current at the time of development).
 - 8.5 All site works must be undertaken to ensure that there is no increase in flood levels and/or flood frequency at any locations where existing landowners and/or users are adversely affected by waterway flooding for all events up to and including Q100.
 - 8.6 The stormwater design is to provide for the developed flows from the site to be piped to a Legal Point of discharge.
 - 8.7 The allotment must be designed to be self-draining and flood free for all levels of immunity up to and including Q100.
 - 8.8 An inter-allotment drainage system must be provided to all allotments where any part of the allotment falls away from the frontage of the roadway or the mid-block finished surface level is less than 600mm above the channel level along the frontage kerb and channel. Easements must be provided over inter-allotment systems. The design criteria shall be in accordance with QUDM and Council's Standard.
 - 8.9 Stormwater for the development must include gross pollutant traps, or other appropriate water quality measures, within the system adequate to ensure stormwater from the site must not cause measurable levels of water pollutants in the receiving waters to fall outside the acceptable ranges specified in the 'Australian Water Quality Guidelines for Fresh and Marine Waters', ANZECC 2000.
 - 8.10 Prior to commencement of use on the site, the owner must lodge with Council, a civil engineer's design and construction certification (by an experienced and qualified engineer). The certification must be addressed to Council and must certify that the Roof and Allotment/ Stormwater Drainage works have been constructed in accordance with the requirements of Queensland Urban Drainage Manual current at the time of development, Council's Development Manual (current at the time of development) and this Decision Notice and will not cause adverse effects to adjoining or downstream properties or infrastructure.
 - 8.11 Prior to commencement of use, a flood levee berm or wall must be constructed along the Southern and Eastern Boundary of the Lot 10 SP332202 to the RL15.7m AHD or higher. The berm or wall is to be constructed at no cost to Whitsunday Regional Council.
- 9.0 ENVIRONMENTAL MANAGEMENT PLAN (EMP)**
- 9.1 A Development Permit for Operational Works (Erosion Prevention and Sediment Control) must be obtained prior to commencement of work on site.
 - 9.2 The plan must be prepared in accordance with requirements of the Whitsunday Regional Council Development Manual and the Best Practice Erosion & Sediment Control – November 2008 (IECA White Book) and the requirements of the Environmental Protection Act.
 - 9.3 The strategy of the plan must be implemented and maintained for the duration of the operational and building works, and until exposed soil areas are permanently stabilised (e.g. turfed, concreted).
 - 9.4 Discharges of water pollutants, wastewater or stormwater from the site must not cause measurable levels of water pollutants in the receiving waters to fall outside the acceptable ranges specified in the 'Australian Water Quality Guidelines for Fresh and Marine Waters', ANZECC 2000.
 - 9.5 No visible emissions of dust must occur beyond the boundaries of the site during earthworks and construction activities on the site. If, at any time during the earthworks and construction activities the dust emissions exceed the levels specified above, all dust