

SALTWATER CREEK ROAD,
ST HELENS, MARYBOROUGH QLD 4650

INFORMATION MEMORANDUM

PREPARED BY RAY WHITE SPECIAL PROJECTS QLD
OCTOBER 2019



Hervey Bay 30mins

Maryborough CBD 5mins



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THE OPPORTUNITY

Ray White Special Projects (Qld) has pleasure in offering for sale via Offers to Purchase, a 27ha* development site at Saltwater Creek Road, St Helens, Maryborough.

Features of the opportunity include:

- 27ha* site with 2 houses - great exposure; cleared and level
- Approved for Manufactured Home Park - 270 lots plus commercial & recreational areas
- Zoned Emerging Community/ Mixed Use - residential, industrial & commercial
- 6 existing titles
- 30mins* to Hervey Bay - direct access to Fraser Island
- 5 mins* to Maryborough CBD & 1.5* hours from Noosa
- Potential to increase DA (approx. 245 lots ^STCA)

For further information, please contact the exclusive marketing agent:



Andrew Burke
Ray White Special Projects (QLD)

M 0417 606 128

E andrew.burke@raywhite.com

*Approximately

^ Subject to Council Approval

Important: Prospective purchasers conduct due diligence investigations of the property strictly at their own expense and risk, and the vendor will have no liability in relation to such expenses. Consent by the vendor to the conduct by any potential purchaser of due diligence activities or investigation will not in any circumstance be construed as a representation that the vendor will be exercising, or refraining from exercising its rights to deal with the property, or any representation that the vendor intends to contract with that potential buyer, or at all.

SALE OPPORTUNITY

Address

Cnr Saltwater Creek Road & Hibiscus Road, Maryborough Qld 4650

Method of Sale

The property is being offered for sale by Offers to Purchase..

The sellers retain the right (in their absolute discretion) to:

- Decline to consider and/or accept any Offer to Purchase lodged in response to this invitation;
- Negotiate directly with any party who has lodged an Offer to Purchase at any stage;
- Accept or decline a non-conforming Offer to Purchase at any stage of the sale process;
- Enter into any agreement for sale of the property on such terms as are acceptable to the Seller in the Seller's absolute discretion;
- Change this invitation;
- Require additional information from a party who has lodged an Offer to Purchase;
- Reject all or any Offers to Purchase at any time for any reason; and
- Withdraw the property from sale

If the OTP is to be submitted by hard copy it is to be enclosed within a sealed envelope marked clearly with:

OTP for Hibiscus Gardens Community Lifestyle Village, Maryborough 4650
c/- Andrew Burke
Ray White Special Projects (QLD)
Level 26, One One One Eagle Street
111 Eagle Street, Brisbane Qld 4000

If the OTP is to be submitted electronically, details are as follows:

c/- Ray White Special Projects (QLD)
Facsimile: (07) 3832 4777
E-mail: andrew.burke@raywhite.com

Sale Documents are available from the marketing agents upon request.

GST

GST is payable on any quoted purchase price.

Marketing Agent

Andrew Burke
Ray White Special Projects (Qld)
M: 0417 606 128
E: andrew.burke@raywhite.com

PROPERTY OVERVIEW

Address: Crn Saltwater Creek Road & Hibiscus Road, Maryborough 4650

RPD: Six (6) parcels as follows:
Lot 1 RP 120421
Lot 23 & 24 W374
Lot 28 M 37617
Lot 1 & 2 RP159617

Land Area: 26.99ha*

Zoning: Emerging Communities – St Helens Local Plan
Designation – Mixed Use Area (Residential, Industrial & Commercial or a combination.)

Local Authority: Fraser Coast Regional Council

Brief Description

The site forms a rectangular shaped land parcel which benefits from over 800 metres of road frontage to Saltwater Creek Road and a further 201 metres of road frontage to Hibiscus Avenue to the southern alignment. Saltwater Creek Road serves as the major thoroughfare for the local are, with QLD Traffic Estimates indicating an Annual Average Daily Traffic Count of over 10,000 vehicles. Although the land has frontage to Saltwater Creek Road and Hibiscus Road, DMR have made it clear that access to the development must come from Hibiscus Road.

The land is almost fully cleared, and provides a predominantly level topography throughout well suited to future redevelopment.

The site benefits from easy access, via both road frontages.

Locale:

Just 5 minutes from Maryborough's CBD
35 minutes from Hervey Bay
1.5 hours from Noosa & the Sunshine Coast
3 hours from Brisbane

Development Approval Description:

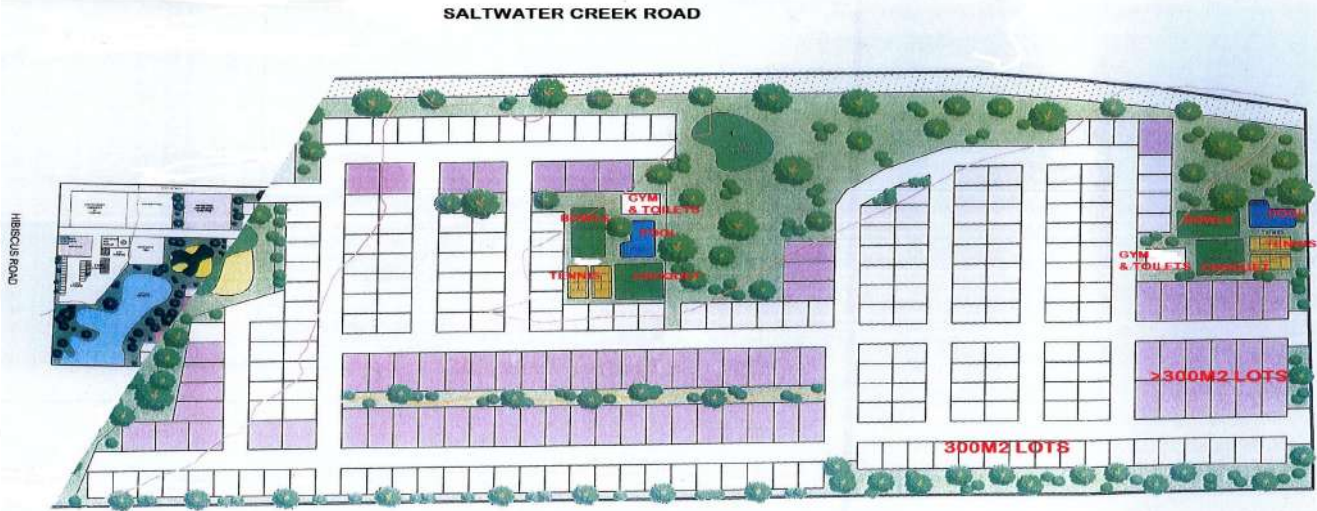
Preliminary Approval for Lifestyle Village Couplex including:

- 270 residential lots (194 @ 300m² plus 76 @ >300m²)
- Commercial Site
- Community Facilities - Hall, Storage, Motorhome Storage, Swimming Pool, Tennis Courts and Gymnasium
- Managers Residence
- Consent valid until June 2024

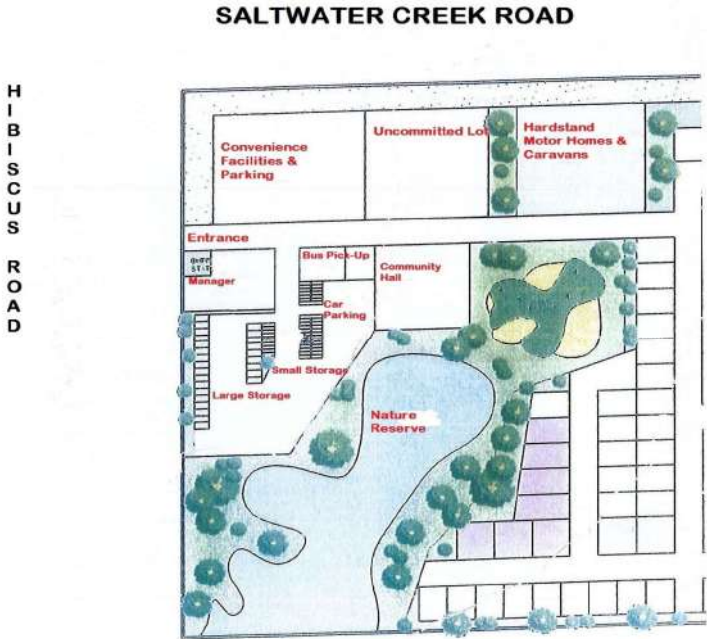
Rates: Local Council issues 3 invoices per financial year. Total payment for last period was \$1,909.81 (for one third of the year).

PROPERTY OVERVIEW

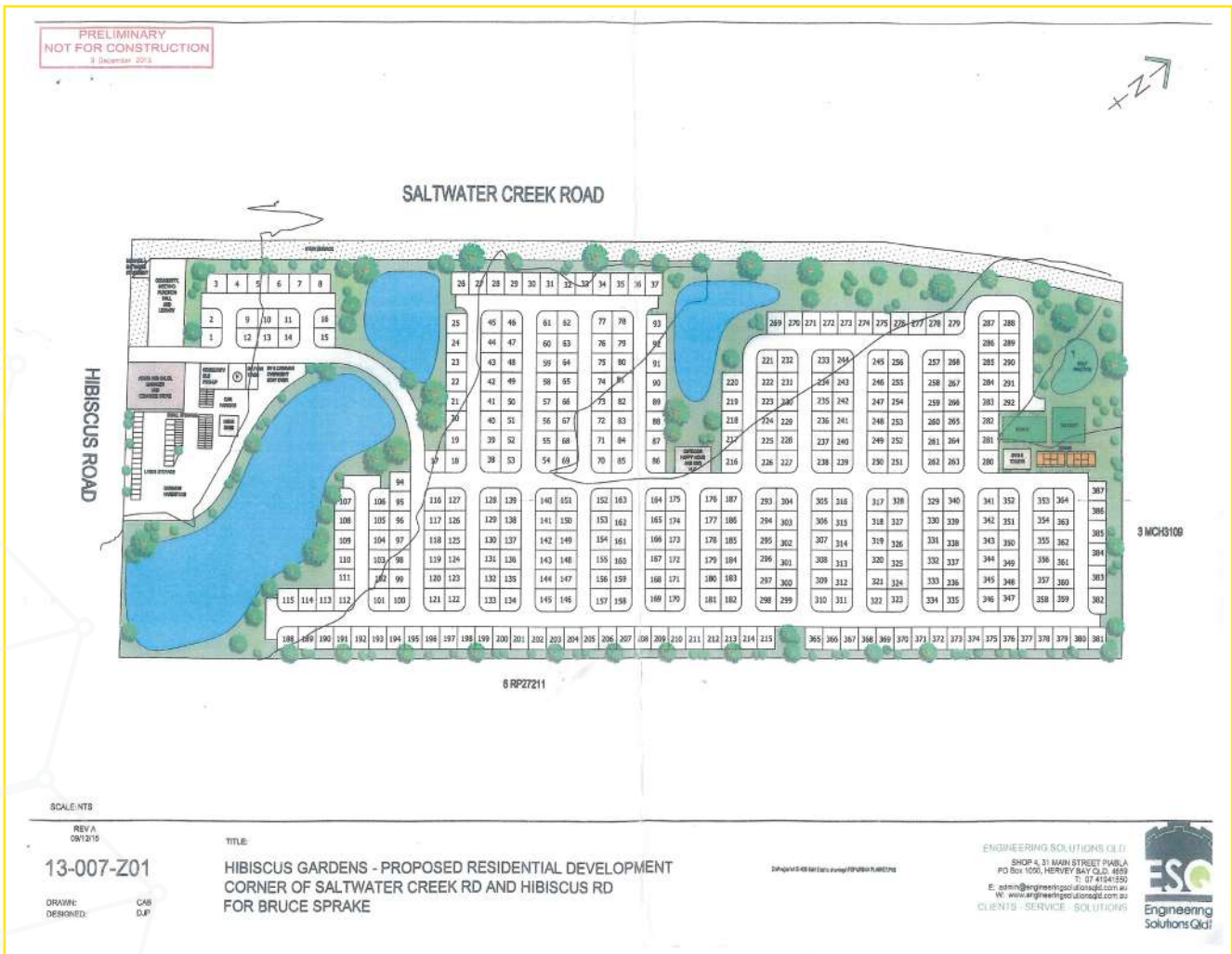
Development Consent – Residential Lots



Development Description – Commercial Lot & Community Facilities



PROPERTY OVERVIEW



The developer has prepared an alternative design concept for the site which would deliver 370 lots, making it suitable for a Manufactured Homes Estate or as a Recreational Vehicle Home Park – both predicated upon 250m² lots.

LOCATION OVERVIEW

The subject property is 5mins* drive north of the Maryborough town centre on the main road linking Maryborough and Hervey Bay. Maryborough is a historic city straddling the Mary River with its economy well established in sugar production/ processing, timber plantations/ milling/ manufacturing, heavy engineering, education and tourism.

Maryborough provides excellent access to some of Queensland's most prestigious tourism destinations including Fraser Island and The Great Sandy Straight and the Fraser coast Hinterland.

The township has all the key public and private infrastructure including Maryborough Hospital, Maryborough Train Station, Bunnings Maryborough, Station Square Shopping Centre and an IGA anchored Maryborough Central Shopping Centre.

The estate is located only a short car trip to the major regional township of Hervey Bay. Hervey Bay is a renowned tourist destination and growing residential centre on the Fraser Coast just 30 minutes from Maryborough, a regional centre of civic and industrial heritage.

In the 2015/2016 budget, the Fraser Coast Council allocated the largest infrastructure expenditure the region has ever seen with \$55 million being injected into the local community, with some of the highlights being:

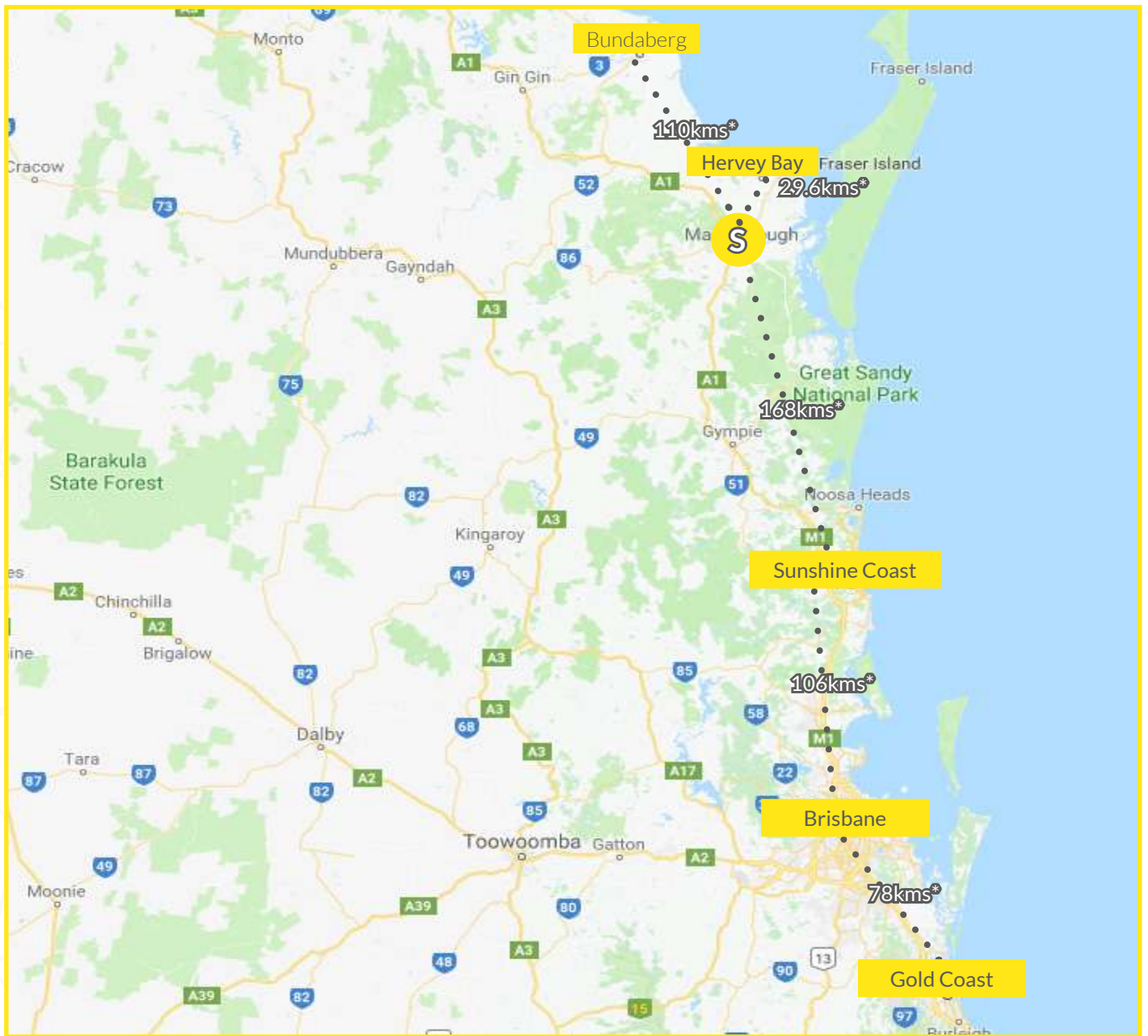
- \$46.62 million for roads
- \$13.93 million for parks and open space
- \$5 million for the sports precinct
- \$5.02 million for tourism, arts & culture; and
- \$3.07 million for libraries Council has already completed several projects in recent months including the construction of a new two-lane boat ramp, floating walkway, rock groyne and new parking facilities at Lions Park in Burrum Heads
- Approximately \$3 million worth of bitumen resealing works on existing sealed roads across the Fraser Coast region

Additionally, as small business creates thousands of jobs and is the backbone of the economy, Council has cut red tape to encourage them to do well and encourage new businesses to the region and support their growth. An example of this is the announcement in October 2018 that two companies will form a consortium to invest in a \$60 million Army Artillery Munitions facility in Maryborough.

Rheinmetall and NIOA will establish a new artillery manufacturing under an agreement with the Commonwealth that will see Australian-made munitions delivered to the Army and exported to selected nations globally. Under an agreement between Rheinmetall Defence Australia and Brisbane-based NIOA, the two companies will form a consortium to invest in a \$60 million facility and create up to 100 jobs in the Maryborough and Fraser Coast region.



LOCATION OVERVIEW



S Subject Property

- 5 minutes from Maryborough's CBD
- 35 minutes from Hervey Bay
- 1.5 hours from Noosa and the Sunshine Coast
- 3 hours from Brisbane

AMENITIES MAP



Schools

1. Alridge State State School
2. Maryborough Special School
3. Maryborough West State School
4. Sunbury Primary School
5. Maryborough State High School
6. St Mary's Catholic Primary School
7. St Helens State School

Shopping

8. Station Square Shopping Centre
9. Maryborough Central Shopping Centre

Recreational

10. Andrew Petrie Park
11. Maryborough Sport Club
12. Quota Park
13. James Dowzer Park
14. Maryborough Golf Club

Medical

15. Francis Family Doctors
16. Maryborough Family Medical Practice
17. Maryborough Base Public Hospital

Transport

18. Macalister Railway Station
19. Wide Bay Transit
20. Maryborough Airport



Subject Property

PLANNING ASSESSMENT REPORT



PLANNING ASSESSMENT REPORT

Hibiscus Street, St Helens, Maryborough

**Lot 1 on RP 120421, Lots 23 and 24 on Plan W374, Lot 28 on Plan M37617,
Lot 2 on RP 159617 and Lot 1 on RP 159617**

Ref: 06589

Date: September 2019

PLANNING ASSESSMENT

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Executive Summary

The subject site has a Preliminary Approval for Material Change of Use for a Lifestyle Residential Village and associated facilities (Other Residential and Commercial Activities A). The app has a currency period for the Preliminary Approval of 10 years, to June 2024 (Negotiated Decision Notice attached).

The subject site comprises six (6) allotments located on the Hervey Bay Maryborough Road with additional frontage to Hibiscus Street, St Helens.

The development proposal includes:

- 270 cluster housing sites for attached and detached dwellings;
- communal recreational areas;
- Manager's accommodation;
- Residents storage facilities;
- Community convenience store;
- Highway frontage commercial site;
- Internal pedestrian and bikeway network.

Under the provisions of the current (2014) Fraser Coast Planning Scheme the subject site is included in the **Emerging Communities zone and is within the Mixed Use and Environmental and Drainage Area designation on the St Helens Emerging Community Local Plan.**

The subject site is contained within the Emerging Communities zone. The purpose of the zone in essence is to provide a holding zone for land to ensure that the development, design and servicing of the land is undertaken in a coordinated manner. To this end, reference is also made to the "structure plan" in the form of the Local plan for the St Helens Emerging Community area.

The key outcomes of the Local Plan and precinct are provided in the Scheme as (highlighting added):

- (a) ***the St Helens emerging community local plan area is progressively developed as a logical, orderly, and efficient northern extension to Maryborough's urban area;***
- (b) ***urban development and rural residential development in the local plan area is limited to land identified for these purposes so as to avoid highly constrained land (particularly flood hazard), provide buffering and separation to incompatible land uses, protect ecologically important areas and provide for the efficient provision of infrastructure and services;***
- (c) ***development does not increase the risk to people, property and infrastructure from the potential adverse impacts of flood hazard;***

Note—according to hydrologic and hydraulic modelling undertaken by the Council, parts of the St Helens local plan area are subject to inundation in the 100 year average recurrence interval (ARI) flood event for the Mary River and Saltwater Creek. Therefore, development for urban purposes in the local plan area is subject to appropriate address of identified flood hazards, resulting in no increased risk to people, property and infrastructure.

- (d) development does not result in any adverse impacts upon water quality within Saltwater Creek, the Mary River and downstream receiving waters and environments;**
- (e) development for residential purposes in the local plan area creates a series of interconnected residential neighbourhoods which provide safe and pleasant living environments;**
- (f) a wide range of housing types are established within the local plan area to satisfy current and future predicted housing needs;**
- (g) a lower scale and intensity of residential development occurs in the central-western part of the local plan area to provide a transition to adjoining agricultural lands and the wastewater reuse irrigation area;**
- (h) a local activity centre is established in a central location within the local plan area to service the immediate convenience retail needs of residents and employees in the area and help create a central focal point for community activity and interaction in the local plan area;**
- (i) medium density housing is primarily focused around the planned local activity centre to maximise convenience for residents and to optimise the vitality of this centre;**
- (j) residents of the local plan area enjoy high levels of accessibility to the planned local activity centre, industry and employment area and to the higher order services and facilities offered at Maryborough's principal activity centre via the provision of local road connections, improved public transport and an extensive network of pedestrian and bicycle paths;**
- (k) building upon the existing industrial estate in the vicinity of Gladys Street, a functional and sustainable industry and employment area is progressively developed in the northern part of the local plan area to provide local economic and employment growth opportunities;**
- (l) the industry and employment area accommodates lower impact industry activities that complement, but do not compete with, the Bruce Highway industrial area;**

Note—Regionally significant industrial development, including large footprint and higher impact industrial uses, is primarily directed to the north west of Maryborough and Canterwood (identified in Figure 7.2.8B) to capitalise on proximity to major freight routes (Bruce Highway and North Coast Rail Line) and accessibility for employees.

- (m) industrial activities are physically separated and buffered from residential and other sensitive land uses to the south by the retention and enhancement of a central open space corridor focused along the natural waterway at this location;*
- (n) development in the north-eastern part of the local plan area provides for a mixed use area that accommodates a compatible mix of non-traditional residential uses and/or non-residential uses that facilitate employment generation and economic development opportunities;***
- (o) in recognition of its location at a gateway entrance to Maryborough from the north, development along Maryborough-Hervey Bay Road incorporates appropriate design and siting measures to provide an attractive address to this road corridor and minimise adverse amenity impacts;***
- (p) Maryborough-Hervey Bay Road is a State-controlled road, and development adjacent to the road will need to consider alternative local road access options rather than direct access to Maryborough-Hervey Bay Road;***
- (q) significant environmental values within the local plan area are protected and enhanced, including areas adjacent to Saltwater Creek, natural waterways and associated downstream wetlands and existing vegetation patches;***
- (r) the environmental open space network provides for low impact recreational experiences in addition to serving habitat protection and wildlife movement functions;*
- (s) local parks and recreation facilities are provided within the local plan area to promote active and healthy living;*
- (t) a high level of integration is achieved between the open space networks and the pedestrian and bicycle path network;*
- (u) appropriate physical separation, landscape buffering and/or acoustic attenuation is provided within the local plan area to minimise land use conflicts, protect residential amenity and maintain community health and safety, with a particular focus on:-***
 - i. maintaining the productive rural use of agricultural land classification class A and class B land;***
 - ii. maintaining the viability and operation of the treated wastewater reuse scheme associated with the Aubinville wastewater treatment plant;***

- iii. separation and buffering of sensitive land uses to existing and potential future industry and employment areas, the Maryborough recycling centre and landfill and Maryborough Airport; and*
- iv. the interface to Maryborough-Hervey Bay Road; and*
- (v) the provision of new and upgraded infrastructure within the local plan area, including roads (particularly local road connections to the south via Lawson, Neptune and Bryant Streets), pedestrian and bicycle paths, open space, community facilities and urban utilities, supports and enables the sequential and orderly growth of the local plan area.**

1. Site Description

The subject site is described as **Lot 1 on RP 120421, Lots 23 and 24 on Plan W374, Lot 28 on Plan M37617, Lot 2 on RP 159617 and Lot 1 on RP 159617** and is located at Maryborough Hervey bay Road and Hibiscus Street, St Helens, Maryborough.

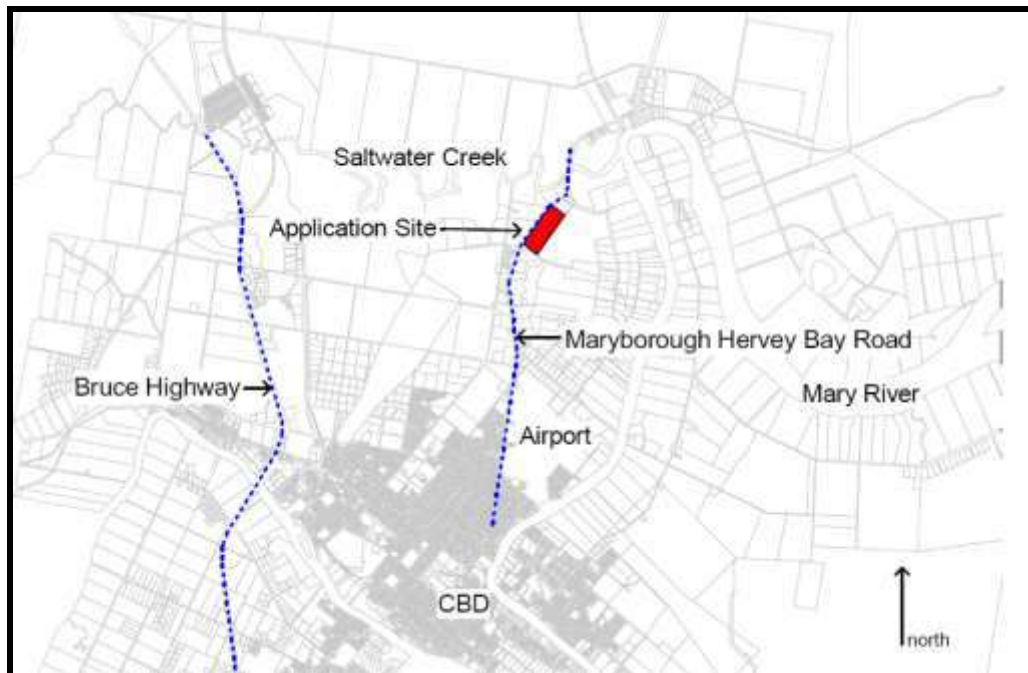
The site is included in the Emerging Communities zone of the 2014 Fraser Coast Planning Scheme and is within the Mixed Use precinct on the St Helens Emerging Community Local Plan.

2. Site area

The site contains an area of 26.966 hectares.

3. Site Location

The site is situated at Maryborough Hervey bay Road and Hibiscus Street, St Helens, Maryborough.



The subject site comprises six (6) lots and contains an area of approximately 26.9656 ha.

The site is generally level and covered with natural grasses and most of the allotments are vacant. Lot 2 on RP 159617 contains a dwelling and a number of rural buildings. An area of the site has been previously used as a source of filling material which has now been formed into a dam. Lot 1 on RP 159617 located on the corner of Hibiscus Street is improved with a dwelling and sheds.

4. Zoning

The site is in the Emerging Communities Zone and is located within the Mixed Use precinct on the St Helens Emerging Community Local Plan. The purpose of the emerging community zone is to:-

- (a) identify land that is intended for an urban purpose in the future; and
- (b) protect land that is identified for an urban purpose in the future from incompatible uses; and
- (c) provide for the timely conversion of non-urban land to land for urban purposes.

The development of land in this locality is to be guided by the provisions of the relevant Local Plan, in this instance the St Helens Emerging Community Local Plan, as identified in the purpose of the emerging community code.

Development for urban purposes is undertaken in accordance with a plan of development that appropriately addresses the matters identified in the performance outcomes of this code, and which is implemented via a preliminary approval pursuant to a variation request under section 50 of the Act and where applicable, development is in accordance with any local area planning undertaken by the Council, as specified in a local plan code.

The outcomes sought by the Mixed Use designation in the Local Plan seeks development that facilitates employment generation and economic development opportunities. In this regard Development in the Mixed use area provides for a mix of activities that may include:-

- a. **non-traditional residential activities and associated services and facilities; or**
- b. low impact industry, research and technology industry, service industry and other industry activities that are compatible with a mixed use environment; or
- c. high value agricultural enterprises (e.g. intensive horticulture) and value-adding industries (e.g. rural industry).

The point (a) above is highlighted to reflect the outcomes provided by the current Preliminary Approval over the site.

5. Development Potential

5.1 Existing development approval

The subject site has a Preliminary Approval for Material Change of Use for a Lifestyle Residential Village and associated facilities (Other Residential and Commercial Activities A). The app has a currency period for the Preliminary Approval of 10 years, to June 2024 (Negotiated Decision Notice attached).

The subject site comprises six (6) allotments located on the Hervey Bay Maryborough Road with additional frontage to Hibiscus Street, St Helens.

The development proposal includes:

- 270 cluster housing sites for attached and detached dwellings;
- communal recreational areas;
- Manager's accommodation;
- Residents storage facilities;
- Community convenience store;
- Highway frontage commercial site;
- Internal pedestrian and bikeway network.

The proposed development was lodged under the superseded Maryborough City Plan and thus referred to definitions contained in that planning scheme. The proposed development may be advanced, as further development approval is required to allow the development to commence on the site.

Under the current 2014 Fraser Coast Planning Scheme, the primary use of the site may be defined as a Retirement facility or a Relocatable Home Park, dependent on the proposed methodology of operation and facilities provided.

A Retirement facility means a residential use of premises for—

- (a) accommodation for older members of the community, or retired persons, in independent living units or services units; or
- (b) amenity and community facilities, a manager's residence, health care and support services, preparing food and drink or staff accommodation, if the use is ancillary to the use in paragraph (a).

Clearly this land use has a focus of the potential for "aging in place" and specifically provides for aged and/or retired persons. There are a number of tenure structures that can be facilitated in this defined land use.

The site may also be suitable under the current preliminary approval for development as a Relocatable Home Park (RHP) under the *Manufactured Homes (Residential Parks) Act 2003* (MHRPA). This use is not retirement or aged care. The proposed use falls under the MHRPA. Further RHPS are available to all persons not simply the over 50 demographic.

A consideration of the MHRPA and its explanatory notes and additional material published by the Queensland Government shows the residential park industry is a **unique residential product** not a retirement or aged care product and is characterised by the following features:

- Home owners are generally on low and/or fixed incomes,
- Well-located,

- Affordable,
- Well-regulated,
- Lifestyle orientated residential accommodation,
- With shared communal facilities.
- Participation by home owners in the affairs of the park.

5.2 Development

Notwithstanding the current development approval, one that meets the outcomes provided by the Local Plan, there may be other or denser land use opportunities associated with the site. The site is a highly exposed parcel located on a highly trafficked road. The site has limited constraints in terms of topography for development, noting that issues such as flood immunity, site access and infrastructure provision need to be considered.

The site may be able to be developed to a higher density, that is more dwelling units. This outcome would be subject to further design investigation.

The intent of the Planning Scheme for the Mixed use area provides for a mix of activities that may include:-

- a. non-traditional residential activities and associated services and facilities; or
- b. low impact industry, research and technology industry, service industry and other industry activities that are compatible with a mixed use environment; or
- c. high value agricultural enterprises (e.g. intensive horticulture) and value-adding industries (e.g. rural industry).

The options provided by the outcome in parts (b) and (c) are relatively self-explanatory, however other land use options may be suitable given the location of the site and the exposure and topography of the land. The potential to develop land in this location for alternate residential activities such as various short-term or tourist accommodation facilities or other business activities in the form of a service station and ancillary land uses may have planning merit.

A wide range of residential, business and entertainment activities as defined in the Planning Scheme are permitted uses and will require in many cases only a code assessment process for the material change of use component.

Water and Sewer Infrastructure

It must be noted that the site does have access to reticulated water and sewer services however is not located in a Priority Infrastructure Area (PIA). Pursuant to negotiations with the Fraser Coast Regional Council, a number of servicing options and associated costs are available to the site. It must be noted that the costs figures provided are estimates only provided through Wide Bay Water and are not based on detailed design and investigations. In this regard the costings provided are used as a guide only.

As advised by Council, infrastructure credits for trunk infrastructure provision may be applied to the provision of services to the site notwithstanding the site is not in a PIA under the *Emerging Community Local Plan Infrastructure Agreement Policy*. These credits would be available on a conditional basis provided delivery of suitable demand targets (in the form of numbers of dwelling units) are met over a five (5) year period. This target delivery would be on an agreed schedule of lots/dwellings per year over the delivery period, with credits provided where targets are achieved.

Reticulated water services are available to the site from the existing extent of infrastructure located to the south of the site. The water for the site development as approved (Hibiscus Gardens) sits at approximately \$250K which would require development of 146 lots in 5 years.

Reticulated sewer supply could be undertaken in three different options. These options do not rely on any other development in the St Helens Local Plan area and thus are provided without any cost savings that may be applicable if services are provided in concert with other development.

Option 1 – Ultimate Trunk Solution

Sewage pump station (regional)	\$1,300,000.00
300 mm rising main (Aubinville WWTP)	\$1,500,000.00
300mm Gravity Main (1500m)	\$1,000,000.00
Sewage lift station	\$600,000.00
225 Gravity Main (500m)	\$250,000.00
Total	\$4,650,000.00
Total Sewer Infrastructure charges -	\$1,292,760.00
70% policy target	\$3,255,000.00
No of lots to achieve policy target	679.82

Additional External Non-Trunk Works (By Developer) 150mm Gravity Main (to Lawson Street) (May also require a private pump station within the site)

Option 2 – Development limited solution

Private Sewage Pump Station	\$100,000.00
Private rising main (to Booker street)	\$300,000.00
Total	\$400,000.00

No credits would be applicable under the policy provisions.

Option 3- Interim as standalone development

Interim Pump station	\$400,000.00
Interim 150mm rising main (Booker Street)	\$500,000.00
300mm Gravity Main (1500m)- Trunk	\$1,000,000.00
Interim Sewerage Lift Station	\$200,000.00
225 Gravity Main (500mm) trunk	\$250,000.00
Total	\$2,350,000.00
70% policy target	\$1,645,000.00
No of lots to achieve policy target	343.5672515

6. Policies

Infrastructure contributions - Any Development Approval attached to the site may require the payment of infrastructure charges for trunk infrastructure for water, sewer, stormwater, open space, roads infrastructure, pedestrian paths and cycleway. The rates payable are not discounted as the site is located outside the PIA as previously described, however an opportunity for trunk credits may be achievable as detailed above.

Council has adopted an incentives policy associated with development and the payment of Infrastructure Charges (sunset clauses apply to all incentive policies). (policy attached).

The subsidy applies to the applicable infrastructure charges calculated pursuant to Council’s adopted infrastructure charges resolution (i.e. the infrastructure charges less any applicable credits or offsets).

Where a development permit provides for staging, the assessment criteria below can be applied to individual stages. The application of the Policy will be entirely at the discretion of the Council and/or the Chief Executive Officer.

7. Planning Scheme Overlay plans

Acid Sulphate Soils

Although the site is in a location that may have potential ASS, the nature of the proposed use may trigger any need for ASS investigations (excavation or filling). The Assessment Manager can impose a generic condition that requires identification and management of ASS if materials are imported for filling or excavation works area required as part of a future land use application over the site.

Airport and Aviation Facilities

The mapping associated with airport operational characteristics has an impact on the site in the form of the Obstacle Limitation Surfaces (OLS). Given the height of the OLS at this location and the likely future building heights, a proposed development may

have impact on the operational characteristics of the airport, based on proposed building height.

Biodiversity Areas, waterways and wetlands

The site does contain some intrusion of local wetland buffers and these matters would be addressed under the Planning Scheme codes however do not appear to have any significant impact on the development of the site.

The site has a registered Property Map of assessable Vegetation (PMAV) under the Vegetation Protection Act. This PMAV addressed the existing site vegetation issues to allow the development of the site as approved.

Flood Hazard

Flood hazard mapping associated with the locality is generally consistent with the locations of the local drainage network and the mapped Q100 event predictions (updated by Council in March 2019). The proposed site is impacted by the mapped flood hazard.

It is recommended that engineering advice be obtained in relation to the issue of flood impacts on the site and the likely outcomes applicable to development on the site, notwithstanding these matters were addressed as part of the current application process.

Coastal protection

Storm surge impacts as mapped impact a small area of the site located generally in the locality of the existing dam on the south eastern corner of the site. Given the prescription for minimum habitable floor levels, the residential component of the use should not be significantly impacted by storm surge.

It is anticipated that the Assessment Manager will include conditions that provide for a minimum habitable floor level within each of the proposed sites to prevent negative impacts of storm surge.

Bushfire Hazard

The site is impacted by buffer areas to remnant vegetation adjoining the site. Bushfire management strategies will be required within the site development as well as the potential for varying building standards where dwelling sites are impacted by potential hazards.

Infrastructure

The site has frontage to the State Road Network and as such mitigation of potential impacts will be required through acoustic buffers and/or building standards on sites impacted along this site frontage.

8. State Government Mapping

A search of the SARA mapping database indicates the site is not in a Coastal Management District.

The subject site is affected by the mapped extent of Storm Tide Inundation and an Erosion Prone Area (as per the Planning Scheme overlay mapping) pursuant to the Coastal Hazards mapping. The south eastern corner of the site is shown as being potentially subject to High and Medium hazard area.

The site is mapped within the Wetland Protection Trigger Area and as such development will be required to be assessed for wetland impacts (high impact earthworks). Mapping amendments may be possible to reduce the current buffer/trigger area given the site is in an urban zone.

The site is not affected by areas of Ecological Significance.

The site has no mapped remnant vegetation. Reference is made to the registered PMAV over the site.

The site has frontage to the State Road Network and further development applications will trigger referral to DTMR notwithstanding the current approval and the approved traffic impact assessment. The density and/or form of development will also trigger referral to the Department of Transport and Main Roads based on potential impacts on the State Transport Network only if providing accommodation for more than 300 persons or more than 200 dwelling units.

9. Conclusions

In terms of land use planning the site is strategically located for urban development with high levels of accessibility to the extent of residential, commercial and community services in Maryborough and also Hervey Bay.

We have identified the flooding, coastal protection and drainage constraints to the development of the site for mixed use or residential purposes under the provisions of the Planning Scheme.

The site is a highly exposed and accessible location and suitable for mixed use development as approved or as anticipated by the Local Plan provisions within the 2014 Fraser Coast Planning Scheme. Contemporary planning and design will be



required to address the current Planning Scheme and State interest matters that impact the site.

Ward Veitch

Urban Planet Town Planning Consultants

Date: September 2019

ADDITIONAL INFORMATION

Below is a list of documents available to assist with your further enquiry on this development opportunity:

- Original Town Planning Application (2007)
- Environment report - Vegetation Mapping
- Preliminary Opinion of Costs
- Rates (August 2019)
- Emerging Community, Local Plan Area, Infrastructure Agreement Policy
- Sewer Network Analysis (2008)
- Stormwater Management Plan 2008
- Traffic Noise & Impact Assessment (2013)

DISCLAIMER

The information contained in this Information Memorandum and any other verbal or written information given in respect of the property ("Information") is provided to the recipient ("you") on the following conditions:

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5. We are not valuers and make no comment as to value. "Sold/ leased" designations show only that stock is "currently not available" - not that the property is contracted/ settled. If you require a valuation we recommend that you obtain advice from a registered valuer.
6. The Information does not and will not form part of any contract of sale for the property. If an interested party makes an offer or signs a contract for the property, the only information, representations and warranties upon which you will be entitled to rely will be as expressly set out in such a contract.
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8. We will not be liable to you (to the full extent permitted by law) for any liabilities, costs or expenses incurred in connection with the Information or subsequent sale of the property whatsoever, whether the loss or damage arises in connection with any negligence, default or lack of care on our part.
9. No person is authorised to give information other than the Information in this Information Memorandum or in another brochure or document authorised by us. Any statement or representation by an officer, agent, supplier, customer, relative or employee of the vendor will not be binding on the vendor or us.
10. To the extent that any of the above paragraphs may be construed as being a contravention of any law of the State or the Commonwealth, such paragraphs should be read down, severed or both as the case may require and the remaining paragraphs shall continue to have full force and effect.
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12. The Information must not be reproduced, transmitted or otherwise made available to any other person without our prior written consent.

SOURCE OF INFORMATION

PAGE	CONTENT	SOURCE
Page 3	Property Overview	Fraser Coast Regional Council/ RPData
Page 5	Town Planning	Fraser Coast Regional Council
Page 13	Location Profile	Google / Fraser Coast Regional Council
Page 14	Location Map	Google Maps
Page 15	Amenities Map	Google / Whereis.com.au
Annexure A	Offers to Purchase Form	Ray White
Annexure B	Additional Images	Seller
Annexure C	Title Searches	Department of Natural Resources and Mines
Annexure D	Survey Plans	Department of Natural Resources and Mines
Annexure E	Decision Notice	Fraser Coast Regional Council
Annexure F	Currency Period of Decision Notice	Urban Planet
Annexure G	Environmental Clearance Notice	Cullen & Couper Pty. Ltd.

ANNEXURE A

OTP FORM

SOURCE: RAY WHITE

OFFERS TO PURCHASE FORM

Offers to Purchase (OTP) Form / Particulars

I / We register our Offer to Purchase to enter into negotiations to purchase the Hibiscus Gardens Lifestyle Village, Maryborough Qld 4650 ("the Property").

Address	Saltwater Creek, St Helens, Maryborough Qld 4650
Real Property Details	Lot 1 RP 120421 Lot 23 & 24 W374 Lot 28 M 37617 Lot 1 & 2 RP159617
Land Area	26.99ha
Zoning	Emerging Communities
Local Authority	Fraser Coast Regional Council

Proposed Price: \$ excluding GST

Proposed Deposit: 10% of the Purchase Price

Proposed Settlement Date:

Further Details / Information:
(Finance, Conditions etc.)

Details of Proposed Buyer

Full Name(s):

If Company Name:
ABN:
Registered for GST: Yes or No (please circle one)

Contact Details Address:
Mobile:
Email:

FIRB approval require to purchase the Property: Registered for GST: Yes or No (please circle one)
Buyers should consult their legal advisers if in doubt

Proposed Guarantors* (please complete if the proposed Buyer is a company or trustee of a trust): Name:
Address:
Telephone:
Email:

*Guarantors should be directors of a company Buyer or principal beneficiaries if trustee Buyer

Details of Proposed Buyer's Solicitor (if known)

Firm:

Name / Contact:

Address:

Contacts:

Telephone:

Email:

Proposed Buyer Acknowledgment

In submitting an Offer to Purchase to buy the subject property ("OTP"), the Proposed Buyer agrees to the following conditions:

1. The Proposed Buyer agrees to and accepts all disclaimers, limitations and qualifications in any written or verbal brochure, advertisement, representation, search, advice or information issued by the Vendors or Ray White or anyone on behalf of either of them ("Marketing Material").
2. The Proposed Buyer acknowledges that the Proposed Buyer has to satisfy itself about the characteristics, value, potential and features of the subject property by relying only on the Buyer's own enquiries and investigations and not on any Marketing Material. Therefore, neither the Vendors nor Ray White (or their respective employees and agents) will be liable if any Marketing Material is incorrect, incomplete or misleading.
3. The Proposed Buyer accepts and agrees to the terms of the Disclaimer in the Information Memorandum containing this OTP form.
4. The Proposed Buyer agrees that the Vendors will not be obliged to sell the subject property in response to this or any particular OTP.
5. The Vendors may sell the subject property to any person they choose, as a result of the OTP process or otherwise, or not at all. The Proposed Buyer cannot assume or expect that:
 - the Vendors will negotiate, or not negotiate, with the Proposed Buyer or any other respondent;
 - the Vendors will accept the highest purchase price offered;
 - the Vendors will consider any particular feature of an OTP or other proposal to buy the subject property as determinative; or
 - the submission of the Proposed Buyer's OTP will lead to any particular outcome.
6. No claim can be made against the Vendors or Ray White in relation to any costs or expenses incurred by a respondent in evaluating the subject property or submitting an OTP.
7. This OTP constitutes an Offer to Purchase by the Proposed Buyer to negotiate for the possible sale and purchase of the subject property.

Execution

Signed by the Proposed Buyer:

Signature

Full Name:

ANNEXURE B

ADDITIONAL IMAGES

SOURCE: SELLER





ANNEXURE C TITLE SEARCHES

SOURCE: DEPARTMENT OF NATURAL RESOURCES AND MINES

CURRENT TITLE SEARCH
NATURAL RESOURCES, MINES AND ENERGY, QUEENSLAND

Request No: 32263525

Search Date: 03/10/2019 10:34

Title Reference: 15800163

Date Created: 18/08/1978

Previous Title: 15216056

REGISTERED OWNER

Dealing No: 715044341 19/04/2013

CHANTILLY ONE PTY LTD A.C.N. 161 627 989

TRUSTEE

UNDER INSTRUMENT 711039564

ESTATE AND LAND

Estate in Fee Simple

LOT 1 REGISTERED PLAN 159617

Local Government: FRASER COAST

EASEMENTS, ENCUMBRANCES AND INTERESTS

1. Rights and interests reserved to the Crown by
Deed of Grant No. 10098234 (ALLOT 5 SEC 203)

ADMINISTRATIVE ADVICES

Dealing	Type	Lodgement Date	Status
713775971	VEG NOTICE	24/03/2011 15:36	CURRENT

VEGETATION MANAGEMENT ACT 1999

UNREGISTERED DEALINGS - NIL

CERTIFICATE OF TITLE ISSUED - No

** End of Current Title Search **

COPYRIGHT THE STATE OF QUEENSLAND (NATURAL RESOURCES, MINES AND ENERGY) [2019]
Requested By: D-ENQ GLOBAL X

CURRENT TITLE SEARCH
NATURAL RESOURCES, MINES AND ENERGY, QUEENSLAND

Request No: 32263521
Search Date: 03/10/2019 10:34

Title Reference: 15800164
Date Created: 18/08/1978

Previous Title: 15216056

REGISTERED OWNER

Dealing No: 715044345 19/04/2013

CHANTILLY ONE PTY LTD A.C.N. 161 627 989
TRUSTEE
UNDER INSTRUMENT 710885119

ESTATE AND LAND

Estate in Fee Simple

LOT 2 REGISTERED PLAN 159617
Local Government: FRASER COAST

EASEMENTS, ENCUMBRANCES AND INTERESTS

1. Rights and interests reserved to the Crown by
Deed of Grant No. 10098234 (ALLOT 5 SEC 203)

ADMINISTRATIVE ADVICES

Dealing	Type	Lodgement Date	Status
713775971	VEG NOTICE	24/03/2011 15:36	CURRENT

VEGETATION MANAGEMENT ACT 1999

UNREGISTERED DEALINGS - NIL

CERTIFICATE OF TITLE ISSUED - No

** End of Current Title Search **

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Requested By: D-ENQ GLOBAL X

CURRENT TITLE SEARCH
NATURAL RESOURCES, MINES AND ENERGY, QUEENSLAND

Request No: 32263523
Search Date: 03/10/2019 10:34

Title Reference: 16006188
Date Created: 19/06/1980

Previous Title: 15216056

REGISTERED OWNER

Dealing No: 715044361 19/04/2013

CHANTILLY ONE PTY LTD A.C.N. 161 627 989
TRUSTEE
UNDER INSTRUMENT 715044361

ESTATE AND LAND

Estate in Fee Simple

LOT 23 CROWN PLAN W374
Local Government: FRASER COAST
LOT 24 CROWN PLAN W374
Local Government: FRASER COAST
LOT 1 REGISTERED PLAN 120421
Local Government: FRASER COAST

EASEMENTS, ENCUMBRANCES AND INTERESTS

1. Rights and interests reserved to the Crown by
Deed of Grant No. 10089163 (ALLOT 4 SEC 203)
Deed of Grant No. 10089164 (ALLOT 3 SEC 203)
Deed of Grant No. 10105136 (ALLOT 2 SEC 203)

ADMINISTRATIVE ADVICES

Dealing	Type	Lodgement Date	Status
713775971	VEG NOTICE	24/03/2011 15:36	CURRENT

VEGETATION MANAGEMENT ACT 1999

UNREGISTERED DEALINGS - NIL

CERTIFICATE OF TITLE ISSUED - No

** End of Current Title Search **

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Requested By: D-ENQ GLOBAL X

CURRENT TITLE SEARCH
NATURAL RESOURCES, MINES AND ENERGY, QUEENSLAND

Request No: 32263522

Search Date: 03/10/2019 10:34

Title Reference: 16530049

Date Created: 10/10/1983

Previous Title: 11144180

REGISTERED OWNER

Dealing No: 715044361 19/04/2013

CHANTILLY ONE PTY LTD A.C.N. 161 627 989

TRUSTEE

UNDER INSTRUMENT 715044361

ESTATE AND LAND

Estate in Fee Simple

LOT 28 CROWN PLAN M37617

Local Government: FRASER COAST

EASEMENTS, ENCUMBRANCES AND INTERESTS

1. Rights and interests reserved to the Crown by
Deed of Grant No. 11144180 (POR 28)

ADMINISTRATIVE ADVICES

Dealing	Type	Lodgement Date	Status
713775971	VEG NOTICE	24/03/2011 15:36	CURRENT

VEGETATION MANAGEMENT ACT 1999

UNREGISTERED DEALINGS - NIL

CERTIFICATE OF TITLE ISSUED - No

** End of Current Title Search **

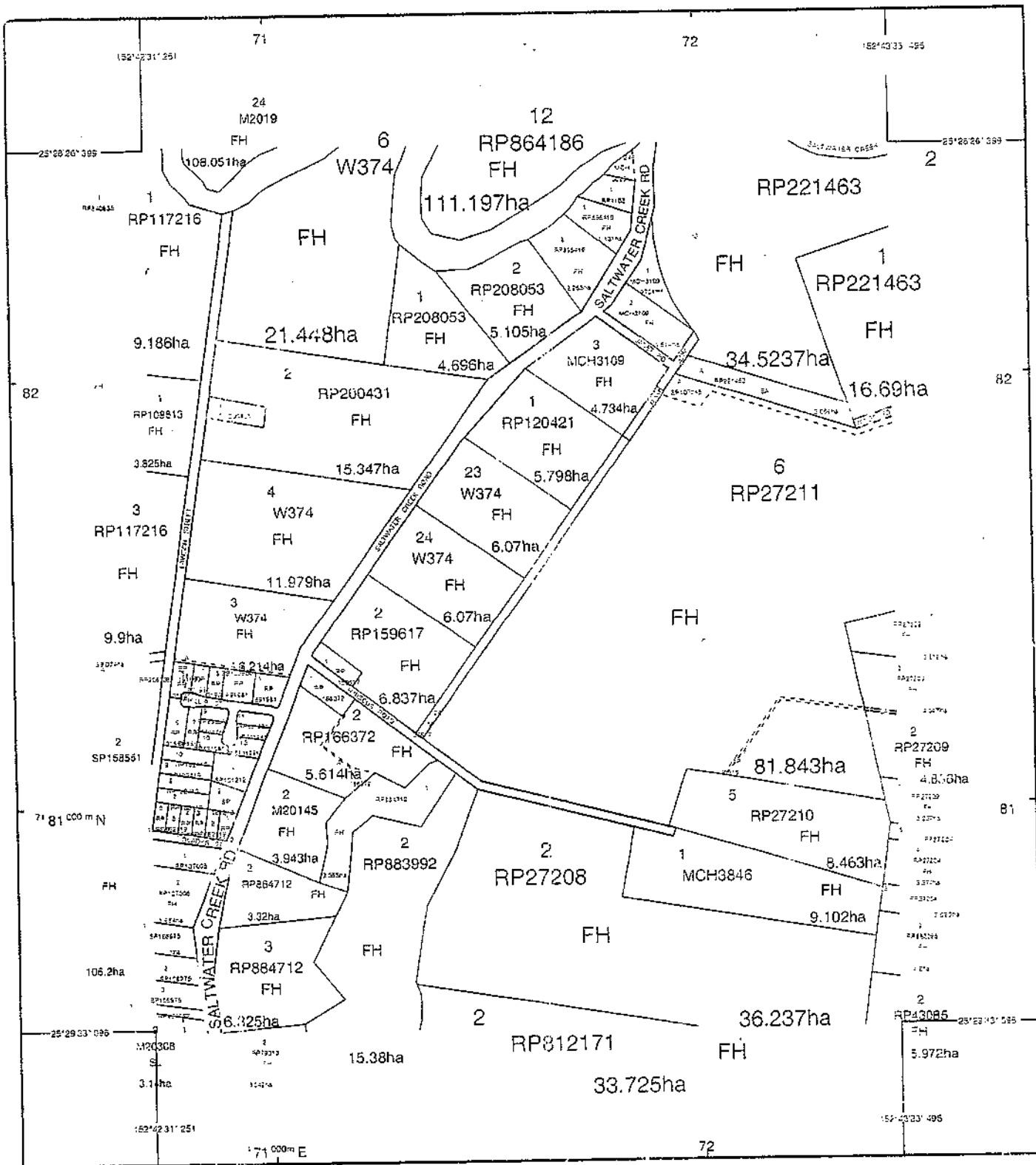
COPYRIGHT THE STATE OF QUEENSLAND (NATURAL RESOURCES, MINES AND ENERGY) [2019]
Requested By: D-ENQ GLOBAL X

ANNEXURE D

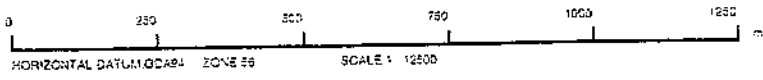
SURVEY PLANS

SOURCE: DEPARTMENT OF NATURAL RESOURCES AND MINES

TITLE SHEET



STANDARD MAP NUMBER
9447-32231



MAP WINDOW POSITION & NEAREST LOCATION

SUBJECT PARCEL DESCRIPTION

DCDB	28M37617
Lot/Plan	1 71ha
Area/Volume	FREEHOLD
Tenure	MARYBOROUGH CITY
Local Government	ST HELENS
Locality	MARYBOROUGH
Region	MARCH
County	4134843
Parcel/Segment	

CLIENT SERVICE STANDARDS

PRINTED (admin/ny/ny) 02/09/2008

DCDB 31/05/2008 - Lots with an area less than 1000 square metres are not shown

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For further information on SmartMap products visit <http://www.nrm.qld.gov.au/property/mapping/p-map>



SmartMap
An Essential Product of
SmartMap Information Services
Based upon an extraction from the
Digital Cadastral Data Base



Queensland Government
Natural Resources and Mines
© The State of Queensland,
Natural Resources and Mines, 2008

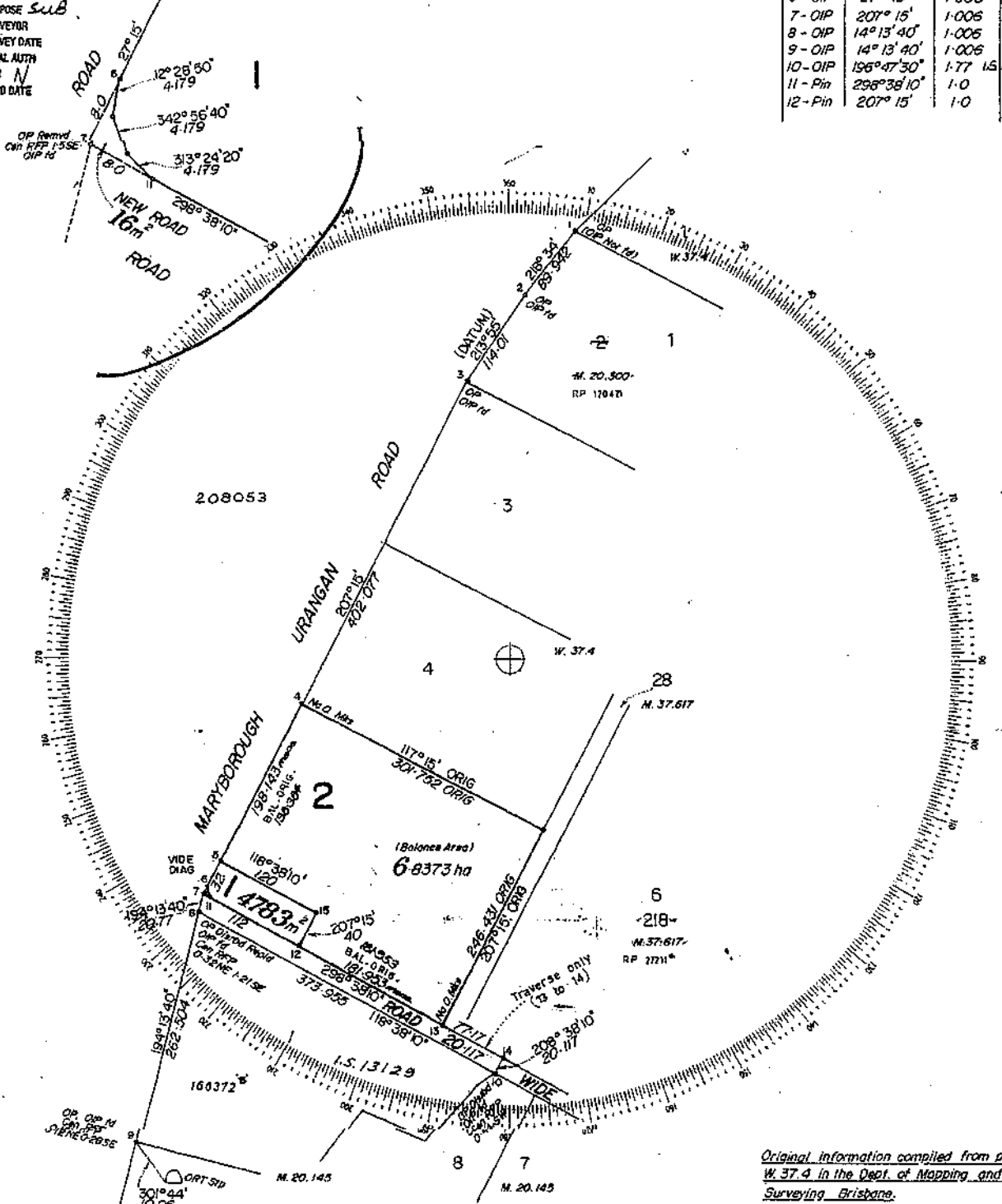
Folding or Mutilating may Lead to Refusal

159617

DIAGRAM
1:400

	IRON	PINS
2 - OIP	33° 55'	1.006
3 - OIP	27° 15'	1.006
7 - OIP	207° 15'	1.006
8 - OIP	14° 13' 40"	1.006
9 - OIP	14° 13' 40"	1.006
10 - OIP	196° 47' 30"	1.77 15 13129
11 - Pin	298° 38' 10"	1.0
12 - Pin	207° 15'	1.0

LOGGED DATE
PURPOSE *sub*
SURVEYOR
SURVEY DATE
LOCAL AUTH
CCC *N*
NEED DATE



Drawing of Plan must be restricted to the face inside the blue lines

Original information compiled from plan
W. 37.4 in the Dept. of Mapping and
Surveying Brisbane.

D.J. Matheson
D.J. Matheson (Authorised Surveyor)

Alterations & additions in red by me
Auth Surveyor *D.J. Matheson*
3-7-78



Lots 1 & 2
Cancelling Alloc. 5 of Section 203 on D.M.S. Plan W.37.4
Surveyed by D.J. MATHESON 30/6/1977
Orig. Portion Alloc. 5 of Section 203
Orig. Grant 15470
County of March Town of City of Maryborough
Parish of MARYBOROUGH
SCALE 1:4000 REGISTERED PLAN 159617

CROWN COPYRIGHT RESERVED. REGISTRAR OF TITLES, QUEENSLAND



CANCELLATIONS ETC

159617

This plan MUST NOT BE FOLDED but may be rolled.

FOR TITLES OFFICE USE ONLY

Donald James Matheson of Maryborough
 Authorized Surveyor, do hereby solemnly and sincerely declare that I have faithfully and truly surveyed, measured and marked on the ground the parcel of land herein referred to, and that the measurements and boundaries given in this plan are correct, and do not to the best of my belief in any way interfere with the rights or property of any persons, owners or occupiers of the land adjoining the above land, and described in the said plan; and I make this solemn declaration conscientiously believing the same to be true, and by virtue of the provisions of the "Oaths Acts, 1867-1960"

Previous Title CT 5216-56 101/2/216/3/45 16324
M. T. GARS... CO. (S) CT. TO... N.E.W. ROAD... GLEN

D. J. Matheson
 Authorized Surveyor

Made and Signed at MARYBOROUGH this 11th day of JULY 1977 before me.

P. J. Hastings JP
 Signature of Registrar of Titles or of a Magistrate.

Council of the CITY of MARYBOROUGH certifies that all the requirements of this Council, the Local Governments Acts of 1936 to 1977 and all By-Laws here have been complied with and approves this Plan of Subdivision subject to

Done this 5th day of AUGUST 1977.
[Signature]
 Mayor
 Town of MARYBOROUGH
 Shire Clerk

We KEVIN RONALD HARDY (Name in full) as proprietor/s of this land, agree to this Plan of subdivision, and dedicate the new roads shown hereon to public use.

Signature of Proprietor/s K.R. Hardy

For Additional Plan & Document Notings Refer to C18P

Lodged by:
 Public Curator Office
 Maryborough

New C.T. Ref. 1

Sheet-Sub	Vol.	Fol.
2	5800	763
		764

Fees Payable

Postal fee and Postage	35
Logdt. & Exam.	1.50
Entd. on Docs.	23
New Title	4.50
Entd. on Deeds	3
Photo Fee	70.00
Total	70.00
Stamp Fees Paid	

Received Registrar of Titles
 Journal No. **F518530**
 Receipt No. **36083**
 JAN 27 9 40 AM '78
 RECEIVED
 REG. OF TITLES

Calc. Bk. No. 204/120
 Examined 20/3/78
 Passed 20/5/78
 Charted 2/8/78
 Located R.M. Part. A

Particulars entered in Register Book
 Vol. 5216 Folio 56

7 AUG 1978

 REGISTRAR OF TITLES

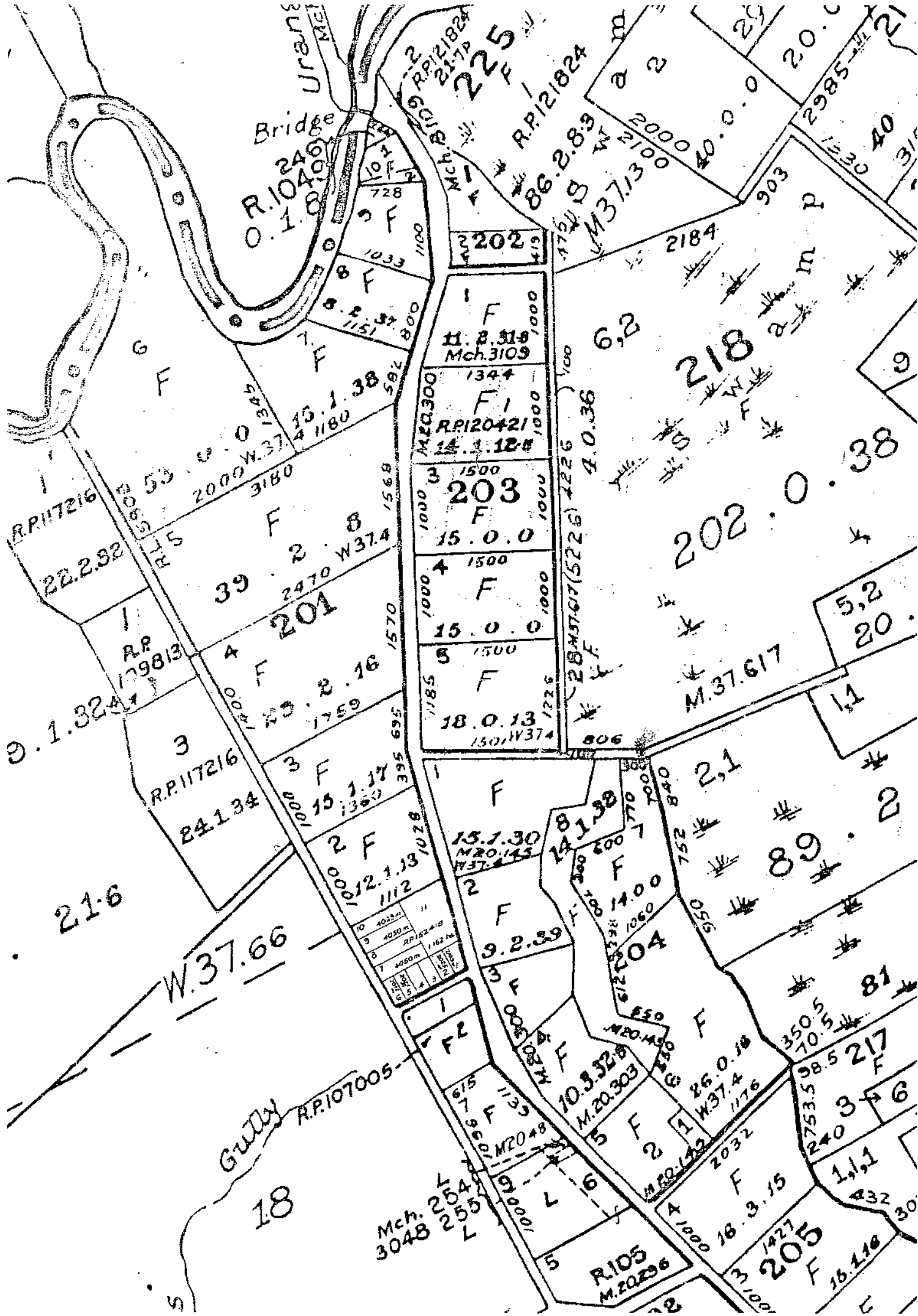
FINL...
1/78

NO 49814

159617

159617

REGISTERED PLAN 159617



Uranian
Bridge
R.10406
O.18409

R.P.121824
21.74
225 F

R.P.121824
86.2.83
M.37.13
2000 40.0.0
2100 40.0.0

20.0
2985
40
31

R.P.117216
22.2.32
R.P.117216
2000 W.37.66
3180

R.P.117216
24.1.34
R.P.117216
2000 W.37.66
3180

21.6
W.37.66
Gully
R.P.107005
18

202
11.8.319
Mch.3109
1344
F
R.P.120421
14.1.12
1500
203
F
15.0.0
1500
F
15.0.0
1500
F
18.0.13
1501 W.37.4

218
202.0.38
M.37.617
5.2
20.

204
15.7.30
M.20.143
14.1.38
14.0.0
10.3.32
M.20.303
10.3.32
M.20.303
10.3.32
M.20.303

2.1
89.2
217
F
205
F
16.1.16

Mch. 3048
20255 L

R.105
M.20.296

ANNEXURE E

DECISION NOTICE

SOURCE: FRASER COAST REGIONAL COUNCIL



Fraser Coast
REGIONAL COUNCIL

Fraser Coast Regional Council

77 TAVISTOCK STREET TORQUAY HERVEY BAY Q 4655

431-433 KENT STREET MARYBOROUGH Q 4650

P O Box 1943, Hervey Bay Q 4655

Phone 1300 794 929 Fax 4197 4455

06 JUN 2014

Development Application Negotiated Decision Notice

Integrated Planning Act 1997

File No: 513/3-091329

Date of Decision: 3 June 2014

1. APPLICANT DETAILS

Name BR & CL SPRAKE C/- URBAN PLANET TOWN PLANNING CONSULTANTS

Postal Address PO BOX 232 HERVEY BAY QLD 4655

2. OWNER DETAILS

Name CHANTILLY ONE PTY LTD

3. SITE DETAILS

Property Address

6 Hibiscus Road and Saltwater Creek Road St Helens

Property Description

Lots 1 and 2 RP159617

Lot 1 RP120421

Lot 28 M37617

Lots 23 and 24 W374

4. REFERRAL AGENCIES

Referral Agency	Address	Basis
Department of Transport and Main Roads	Locked Bag 486 Bundaberg DC QLD 4670	Concurrence Agency
Department of Natural Resources and Mines	GPO BOX 2454 Brisbane Qld 4001	Advice Agency
Department of Environment and Heritage Protection	GPO BOX 2454 Brisbane Qld 4001	Advice Agency
Department of State Development, Infrastructure and Planning	PO BOX 979 Bundaberg Qld 4670	Advice Agency

5. DECISION TYPE

Development	Approved Plans	Preliminary Approval	Development Permit
Preliminary Approval under section 3.1.6 of the <i>Integrated Planning Act 1997</i> for Material Change of Use to Vary the Level of Assessment for the establishment of Commercial Activities A, Shopping Local and Other Residential Uses	Plan No. 06589, titled Assessment Criteria – Hibiscus Gardens - Lifestyle Village Complex Hibiscus Garden Development Code Hibiscus Gardens Village Locality Code	Approved	No

6. CONDITIONS

Council's conditions are attached. In addition, conditions from the Department of Transport and Main Roads, as a concurrence agency to this development application are also attached.

7. FURTHER DEVELOPMENT PERMITS REQUIRED

Further Development Permits, as required by the *Integrated Planning Act 1997*, must be obtained in respect of any Material Change of Use, Reconfiguration, Operational Works, Building Works and Plumbing Works in relation to this approval before any such works are commenced.

8. CODES FOR SELF ASSESSABLE DEVELOPMENT

Hervey Bay City Planning Scheme 2006 and Relevant Policies

9. PROPERLY MADE SUBMISSIONS ABOUT THE APPLICATION

Five properly made submissions:

BP Scougall and JA Scougall
PO BOX 554
Maryborough Qld 4650

Rebecca Cleave
2 Baumgart Road
Island Plantation Qld 4650

Aaron Nitschinisk
189 Island Plantation Road
Maryborough Qld 4650

Shane R Gibbs
1196 Saltwater Creek Road
St Helens Qld 4650

Pamela Bailey
1196 Saltwater Creek Road
St Helens Qld 4650

10. REFUSAL DETAILS

Not Applicable

11. CONFLICT WITH LAWS AND POLICIES

The Assessment Manager considers that the Decision conflicts with the following matters mentioned in section 3.5.15.2(k) of the *Integrated Planning Act* 1997:

Conflict	Reason for the decision, including a statement about the sufficient grounds to justify the decision despite the conflict.
The proposed use of the land for Commercial Activities A, Shopping Local and Other Residential purposes are inconsistent with the intent of the Rural Precinct under the Maryborough City Plan 2000 and Rural zone under the Fraser Coast Planning Scheme 2014.	The proposed Commercial Activities A, Shopping Local and Other Residential Uses are consistent with the future policy direction reflected in the adopted Saint Helens Local Plan.

12. PRELIMINARY APPROVAL MENTIONED IN SECTION 3.1.6

All or part of this approval is for a Preliminary Approval mentioned in section 3.1.6 of the *Integrated Planning Act* 1997. The Assessment Manager has approved the following variation to an applicable local planning instrument:

Local Planning Instrument	Variation Approved
Maryborough City Plan 2000 (amended 2012) (superseded)	Replace Part 3.7 and Table 3.8 Local Area 6 – Maryborough West and North with Assessment Criteria – Hibiscus Gardens Lifestyle Village Complex Incorporate the following: Hibiscus Garden Development Code Hibiscus Gardens Village Locality Code

13. RIGHTS OF APPEAL

Rights of appeal in relation to this application are attached.

14. ASSESSMENT MANAGER

Name: Paul Rice

Signature:



Date: 5.6.14



Fraser Coast
REGIONAL COUNCIL

Fraser Coast Regional Council Conditions
INTEGRATED PLANNING ACT 1997, IDAS DEVELOPMENT APPLICATION

DEVELOPMENT PERMIT NO 513/3-091329

Conditions imposed by the Assessment Manager:

1. Any future related application for a Development Permit shall be assessed against the endorsed plans and documents referred to in this approval. In the event there is conflict between the endorsed plans and documents and the Planning Scheme current at the time of application, the endorsed plans and documents prevail.
2. Any future related application for a Development Permit is to include a site master plan incorporating all anticipated development in order to avoid piecemeal development of the site. Such master plan should consider the provision of adequate distance attenuation, buffers and physical barriers to ensure that residential amenity can be reasonably achieved and the continued use of existing nearby rural and industrial pursuits will not be unreasonably limited by the introduction of sensitive receivers, building siting, car parking, loading docks and waste management facilities, landscaping, stormwater management strategies, advertising devices and lighting. Development may be subsequently undertaken in stages in accordance with the endorsed master plan.
3. Any future related application for a Development Permit is to include a report that demonstrates how the development incorporates design elements to address the requirements of current State Planning Policy and related Guidelines relating to the separation of agricultural and residential land uses, including but not limited to impacts relating to noise, dust, smoke and ash from agricultural activities.
4. Any future related application for a Development Permit is to be supported by an **Acoustic Impact Assessment Report**, prepared by a suitably qualified person, demonstrating that noise attenuation measures can be implemented to ensure noise sensitive receivers (i.e. residences) can achieve compliance with the **Environmental Protection (Noise) Policy 2008** under the *Environmental Protection Act 1994*. Particular regard is to be given to noise emissions associated with nearby industrial and rural activities.
5. Any future related application for a Development Permit is to be supported by a Water Supply and Sewer Reticulation Masterplan and Network Analysis report demonstrating the necessary water and sewer infrastructure to meet the service demands, fire flow requirements, alternative feed arrangements, pumping requirements and staging plans (if required) for the development site. The Developer must consult directly with Council/Wide Bay Water Corporation (WBWC) in regard to water and sewer service for this development.
6. Any future related application for a Development Permit is to maintain under private ownership the stormwater management treatments as common property subject to any related Body Corporate's Community Management Statement for registration on the Certificate of Title relating to all parcels associated with the stormwater management.

7. This approval will lapse 10 years from the date it takes effect or from 2 years after the day that Council adopts a new Planning Scheme that changes the zoning of the land to reflect the approval, whichever occurs sooner.

This Negotiated Decision Notice replaces the Decision Notice issued by Council on 26 March 2014 by replacing condition 4, deleting condition 5 and renumbering as appropriate.

Assessment Criteria



Hibiscus Gardens Lifestyle Village Complex

FRASER COAST REGIONAL COUNCIL
These are the plans referred to in
Decision Notice No.

513/3-091329 - 5 JUN 2014

.....
For Assessment Mgr.

Hibiscus Gardens Development Code

~~FRASER COAST REGIONAL COUNCIL
These are the plans referred to in
Decision Notice No.~~

~~513/3 - 091329 26 MAR 2014~~

~~.....
For Assessment Mgr.~~

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 - 1.1 Purpose of the Preliminary Approval
2. PRELIMINARY APPROVAL STRUCTURE
 - 2.1 Administration
 - 2.2 Strategic Objectives
 - 2.3 Assessment Requirements – Structural Elements
 - 2.4 Development Requirements

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2. PRECINCT CODES
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 - 2.1.1 Overall Outcomes for the Village
 - 2.1.2 Overall Outcomes for Precinct 1 (Commercial)
 - 2.1.3 Overall Outcomes for Precinct 2 (Community)
 - 2.1.4 Overall Outcomes for Precinct 3 (Cluster Housing)
 - 2.1.5 Overall Outcomes for Precinct 4 (Small Housing)
 - 2.1.6 Overall Outcomes for Precinct 5 (Larger Housing)

PART 1 - ADMINISTRATION

1. INTRODUCTION

1.1 Purpose of the Preliminary Approval

The Hibiscus Gardens Village Preliminary Approval has been prepared in accordance with the provisions of the *Integrated Planning Act 1997*. The Preliminary Approval sets out planning and development intentions and applies to the subject land located at Hibiscus Street, St Helen's in the City of Maryborough.

The Preliminary Approval establishes the framework for managing development in a way that advances the purposes of the IPA¹ by identifying outcomes sought to be achieved in the subject locality within the local government area as the context for assessing development.

2. PRELIMINARY APPROVAL STRUCTURE

The Preliminary Approval consists of four parts, being:

- Part 1 – Administration;
- Part 2 – Development Requirements.

2.1 Administration

Part 1 of the Preliminary Approval contains the administrative components of the Approval.

2.2 Strategic Objectives

The Hibiscus Gardens Village is made up of five land use precincts. Individual site development controls will be provided within the terms of the Community Management Statement (CMS).

High standards of built forms and landscape development and the development of ESD principles will be encouraged through this Preliminary Approval. The overall development is intended to provide for the provision of secure, independent living units (detached and attached) for the over 55 age group.

Strategic outcomes and development intent:

- Creation of an attractive environment and the introduction of ESD principles to a large master-planned residential community;
- The provision of a range of support and complimentary land uses to the Village; and
- Provision of a secure and modern residential environment for the future residents; and
- The inclusion of non-residential land uses that are supportive and complimentary to the City's economic growth in a high exposure location.

2.3 Assessment Requirements – Structural Elements

The Preliminary Approval divides the subject land into five precincts. These precincts are identified on the Hibiscus Gardens Village Plan and are as follows:

- Precinct 1 – Commercial

- Precinct 2 – Community
- Precinct 3 – Cluster Housing
- Precinct 4 – Small Housing
- Precinct 5 – Larger Housing

- 1 *The purpose of the IPA (Section 1.2.1) is to seek to achieve ecological sustainability by (a) coordinating and integrating planning at the local, regional and state levels; and (b) managing the process by which development occurs; and (c) managing the effects of development on the environment (including managing the use of premises).*

PART 2 – DEVELOPMENT REQUIREMENTS

2. LOCALITY CODE

2.1 Hibiscus Gardens Village Locality Code

The Hibiscus Gardens Village Locality Code includes –

- The overall outcomes for the Hibiscus Gardens Village Locality;
- The overall outcomes for each Precinct within the Hibiscus Gardens Village Locality; and
- Performance criteria and acceptable solutions for each Precinct in the Hibiscus Gardens Village Locality.

2.1.1 Overall Outcomes for the Hibiscus Gardens Village Locality

The overall outcomes are the purpose for the Hibiscus Gardens Village Locality Code. The overall outcomes for the Hibiscus Gardens Village Locality Code are as follows –

- Development provides an attractive environment and the introduction of ESD principles to a large master-planned residential community; and
- Development includes provision of a range of support and complimentary land uses to the Village; and
- Provision of a secure and modern residential environment for the future residents; and
- Development demonstrates sufficient market demand and growth to accommodate the development without jeopardising the viability or functionality of existing centres; and
- Development is sympathetic to the natural character of the area; and
- Development is undertaken in an environmentally sensitive manner.

2.1.2 Overall Outcomes for Precinct 1 - Commercial

The overall outcomes for Precinct 1 – Commercial are the purpose for the precinct. The overall outcomes are as follows –

- a) To provide a range of related commercial services including convenience needs to the Village.
- b) The type and scale of development is located, designated and managed to maintain the amenity of surrounding land uses.
- c) To provide high standards of built form and landscaping to ensure an attractive and inviting entrance.
- d) Development is adequately serviced by infrastructure.
- e) Landscaping of premises contributes to maintaining or establishing an attractive streetscape.

2.1.2.1 Development Principles

PERFORMANCE CRITERIA	ACCEPTABLE SOLUTION/S
Land Use	
PC1 The following uses are inconsistent in Precinct 1 and are not located in this Precinct: <ul style="list-style-type: none"> • Any rural use; • Any residential use. 	No acceptable solution provided.
PC2 Development is suitably designed and located so as not to impact on the amenity of the area.	AS2.1 Signage to the Hervey Bay Maryborough Road shall be designed and sited in accordance with the requirements of the Department of Main Roads. AS2.2 Air conditioning units and other plant equipment are installed on the roof or at the rear of the building. AS2.3 Air conditioning units and other plant equipment are located within an enclosed sound proof structure.
Building Height	
PC3 The building height of development is consistent with existing development of the locality.	AS3.1 The maximum building height is two (2) storeys and 8.5 metres above natural ground level.
Building Setbacks	
PC4 The building setbacks complement the setbacks of surrounding development and do not detrimentally impact on the amenity of adjoining land uses and the area.	AS4.1 Buildings are setback a minimum 3 metres from any side or rear boundary. AS4.2 Buildings are setback a minimum 10 metres from the Hervey Bay Maryborough Road.

PERFORMANCE CRITERIA	ACCEPTABLE SOLUTION/S
Site Cover	
PC5 The density of development is consistent with the existing built form of the area and provides area for landscaping, access and carparking.	AS5.1 The site cover does not exceed 50% of the total site area.
Parking	
PC6 Parking areas are designed to be unobtrusive when viewed from the Hervey Bay Maryborough Road.	AS6.1 Car Parking areas are located at the road frontage with road access.
Design for Safety	
PC7 The design of buildings and public spaces provide a safe environment for users of the space.	Where assessable development – AS8.1 Building design and layout incorporates the following features – <ul style="list-style-type: none"> - opportunities for casual surveillance and sightlines (eg. windows overlooking parking and communal areas) - adequate definition of uses and ownership (eg. landscaping to define private and communal space); - adequate lighting (eg. lighting of potential entrapment locations); - appropriate way finding mechanisms (eg. signage); - minimisation of predictable routes of entrapment (eg. concealed areas, particularly near building entries).
Landscaping	
PC8 Buildings and carparking areas are landscaped to create an attractive streetscape.	AS8.1 Provide a landscape buffer of at least 2.0 metres in width to all street frontages. AS8.2 A minimum of one (1) shade tree is provided for every six (6) carparking spaces. OR Shade structures (in the form of sails or similar or undercover parking) are provided over car parking spaces.

2.1.3 Overall Outcomes for Precinct 2 – Community

The overall outcomes for Precinct 2 – Community are the purpose for the precinct. The overall outcomes are as follows –

- a) To provide a range of community support services for the Village residents and their guests.
- b) The type and scale of development is located, designated and managed to maintain the amenity of surrounding land uses.
- c) To provide high standards of built form and landscaping to ensure an attractive and inviting visual amenity for residents and their guests.
- d) Development is adequately serviced by infrastructure.
- e) Landscaping of premises contributes to maintaining or establishing an attractive streetscape.

2.1.3.1.1 Development Principles

PERFORMANCE CRITERIA	ACCEPTABLE SOLUTION/S
PC1 Development is suitably designed and located so as not to impact on the amenity of the area.	AS2.1 Air conditioning units and other plant equipment are installed on the roof or at the rear of the building.
	AS2.2 Air conditioning units and other plant equipment are located within an enclosed sound proof structure.
	AS2.3 There is no open storage of goods or materials within the community space.
Building Height	
PC2 The building height of development is consistent with existing development of the locality.	AS3.1 The maximum building height is one (1) storey and 4.5 metres above natural ground level.
Building Setbacks	
PC4 The building setbacks complement the setbacks of surrounding development and do not detrimentally impact on the amenity of adjoining land uses and the area.	AS4.1 Buildings are setback a minimum 3 metres from any side or rear boundary.
Site Cover	
PC5 The density of development is consistent with the existing built form of the area and provides area for landscaping, access and carparking.	AS5.1 The site cover does not exceed 50% of the total site area.

PERFORMANCE CRITERIA	ACCEPTABLE SOLUTION/S
Parking	
PC6 Parking areas are designed to be unobtrusive when viewed from any external boundary.	AS6.1 Car Parking areas are located adjacent to each community facility with road access from within the Village. AS6.2 Provision is made for the parking of alternative transport vehicles such as motorised carts or bicycles.
Design for Safety	
PC7 The design of buildings and public spaces provide a safe environment for users of the space.	Where assessable development – ASB.1 Building design and layout incorporates the following features – <ul style="list-style-type: none"> - opportunities for casual surveillance and sightlines (eg. windows overlooking parking and communal areas) - adequate definition of uses and ownership (eg. landscaping to define private and communal space); - adequate lighting (eg. lighting of potential entrapment locations); - appropriate way finding mechanisms (eg. signage); - minimisation of predictable routes of entrapment (eg. concealed areas, particularly near building entries).
Landscaping	
PC8 Buildings and carparking areas are landscaped to create an attractive streetscape.	ASB.1 Provide a landscape buffer of at least 2.0 metres in width to all external property boundaries. ASB.2 A minimum of one (1) shade tree is provided for every six (6) carparking spaces. OR Shade structures (in the form of sails or similar or undercover parking) are provided over car parking spaces.

2.1.4 Overall Outcomes for Precinct 3 – Cluster Housing

The overall outcomes for Precinct 3 – Cluster Housing are the purpose for the precinct. The overall outcomes are as follows –

- a) The type and scale of development is located, designated and managed to maintain the amenity of surrounding land uses.
- b) To provide a secure housing environment for residents whilst minimising external maintenance requirements.
- c) To provide variety and choice in housing product within the Village in terms of building height, form and density
- d) Development is adequately serviced by infrastructure.
- e) Landscaping of premises contributes to maintaining or establishing an attractive streetscape.

2.1.4.1 Development Principles

PERFORMANCE CRITERIA		ACCEPTABLE SOLUTION/S	
Building Height			
PC1	The building height of development is consistent with existing development of the locality.	AS1.1	The maximum building height is two (2) storeys or 8.5 metres above natural ground level.
Building Setbacks			
PC2	The building setbacks complement the setbacks of surrounding development and do not detrimentally impact on the amenity of adjoining land uses and the area.	AS2.1	Buildings have no minimum side boundary setback.
		AS2.3	Buildings are setback an average of three (3) metres from any internal road frontage.
		AS2.2	Buildings are setback a minimum three (3) metres from any rear boundary.
Site Cover			
PC3	The density of development is consistent with the existing built form of the area and provides area for landscaping, private open space, access and carparking.	AS3.1	The site cover does not exceed 40% of the total site area.
Building design			
PC4	The built form is of a similar bulk and scale to other buildings and structures in the area and compliments the scale and function of the streetscape.	AS4.1	Building design incorporates a combination of the following design elements: <ul style="list-style-type: none"> - verandahs; - recesses; - variation in materials, colours and/or textures including between levels; - windows that face the street frontage; - variation in roof designs, pitches and shapes including rooftop landscape features, such as pavilions, sky gardens, and recreation areas.

Hibiscus Gardens Development Code

PERFORMANCE CRITERIA		ACCEPTABLE SOLUTION/S	
Parking			
PC5	Parking areas are designed to be unobtrusive and functional for each lot.	AS5.1	Car parking areas are located on the subject allotment for a minimum of one (1) vehicle and the on-site storage of an alternative transport vehicle such as a motorised cart or bicycle.
Landscaping and Open Space			
PC6	Buildings are landscaped to create an attractive streetscape and provision is made for adequate areas for private recreation on each site.	AS6.1	Each dwelling must be provided with a minimum of 35m ² of private open space with a minimum dimension of three (3) metres.
		AS6.2	A minimum of 30% of the site is provided as private open space. Open space area is to have a dimension of at least two (2) metres (exclusive of obstacles including driveways, car parking spaces, garbage areas and the like).
		AS6.3	All landscape areas shall include appropriate paving materials, landscape works and embellishment to meet the needs of the residents.
		AS6.4	Landscape design allows for casual surveillance of the site, the street and pedestrian and entry areas.
Waste Storage			
PC7	Waste disposal and collection areas are unobtrusive, and located to ensure adverse impacts on neighbouring properties are mitigated.	AS7.1	The design provides for the on-site storage of refuse.
		AS7.2	Refuse disposal and storage areas are screened by a solid fence a minimum height of 1.2 metres.
		AS7.3	Refuse storage areas are not directly visible from the road.

2.1.5 Overall Outcomes for Precinct 4 – Small Lot Housing

The overall outcomes for Precinct 4 – Small Lot Housing are the purpose for the precinct. The overall outcomes are as follows –

- a) The type and scale of development is located, designated and managed to maintain the amenity of surrounding land uses.
- b) Buildings and structures are sited to protect the amenity of adjoining premises and contribute to maintaining a residential landscape.
- c) Development is adequately serviced by infrastructure.
- d) Landscaping of premises contributes to maintaining or establishing an attractive streetscape.

2.1.51 Development Principles

PERFORMANCE CRITERIA	ACCEPTABLE SOLUTION/S
Building Height	
PC2 The building height of development is consistent with existing development of the locality.	AS1.1 The maximum building height is one (1) storey or 4.5 metres above natural ground level.
Building Setbacks	
PC2 The building setbacks complement the setbacks of surrounding development and do not detrimentally impact on the amenity of adjoining land uses and the area.	AS2.1 Building setbacks comply with the acceptable solutions set out in the Queensland Development Code Part 11 as prepared by the Queensland Department of Local Government, Sport and Recreation.
Site Cover	
PC3 The density of development is consistent with the existing built form of the area and provides area for landscaping, private open space, access and carparking.	AS3.1 The site cover does not exceed 50% of the total site area.
Building design	
PC4 The built form is of a similar bulk and scale to other buildings and structures in the area and compliments the scale and function of the streetscape.	AS4.1 Building design incorporates a combination of the following design elements: <ul style="list-style-type: none"> - verandahs; - recesses; - variation in materials, colours and/or textures including between levels; - windows that face the street frontage; - variation in roof designs, pitches and shapes including rooftop landscape features, such as pavilions, sky gardens, and recreation areas.

PERFORMANCE CRITERIA		ACCEPTABLE SOLUTION/S	
		AS4.2	Building design is carried out pursuant to the performance criteria set out in the Queensland Development Code Part 11 as prepared by the Queensland Department of Local Government, Sport and Recreation.
Parking			
PC5	Parking areas are designed to be unobtrusive and functional for each lot.	AS5.1	Car parking areas are located on the subject allotment for a minimum of one (1) vehicle and the on-site storage of an alternative transport vehicle such as a motorised cart or bicycle.
Landscaping and Open Space			
PC6	Buildings are landscaped to create an attractive streetscape and provision is made for adequate areas for private recreation on each site.	AS6.1	Each dwelling must be provided with a minimum of 35m ² of private open space with a minimum dimension of three (3) metres.
		AS6.2	A minimum of 30% of the site is provided as private open space. Open space area is to have a dimension of at least two (2) metres (exclusive of obstacles including driveways, car parking spaces, garbage areas and the like).
		AS6.3	All landscape areas shall include appropriate paving materials, landscape works and embellishment to meet the needs of the residents.
		AS6.4	Landscape design allows for casual surveillance of the site, the street and pedestrian and entry areas.
Waste Storage			
PC7	Waste disposal and collection areas are unobtrusive, and located to ensure adverse impacts on neighbouring properties are mitigated.	AS7.1	The design provides for the on-site storage of refuse.
		AS7.2	Refuse disposal and storage areas are screened by a solid fence a minimum height of 1.2 metres.
		AS7.3	Refuse storage areas are not directly visible from the road.

2.1.6 Overall Outcomes for Precinct 5 – Larger Housing

The overall outcomes for Precinct 5 – Larger Housing are the purpose for the precinct. The overall outcomes are as follows –

- a) The type and scale of development is located, designated and managed to maintain the amenity of surrounding land uses.
- b) To make provision for traditional housing styles within a secure residential village.
- c) Buildings and structures are sited to protect the amenity of adjoining premises and contribute to maintaining a residential landscape.
- d) Development is adequately serviced by infrastructure.
- e) Landscaping of premises contributes to maintaining or establishing an attractive streetscape.

2.1.6.1 Development Principles

PERFORMANCE CRITERIA	ACCEPTABLE SOLUTION/S
Building Height	
PC3 The building height of development is consistent with existing development of the locality.	AS1.1 The maximum building height is one (1) storey or 4.5 metres above natural ground level.
Building Setbacks	
PC2 The building setbacks complement the setbacks of surrounding development and do not detrimentally impact on the amenity of adjoining land uses and the area.	AS2.1 Building setbacks comply with the acceptable solutions set out in the Queensland Development Code Part 12 as prepared by the Queensland Department of Local Government, Sport and Recreation.
Site Cover	
PC3 The density of development is consistent with the existing built form of the area and provides area for landscaping, private open space, access and carparking.	AS3.1 The site cover does not exceed 50% of the total site area.
Building design	
PC4 The built form is of a similar bulk and scale to other buildings and structures in the area and compliments the scale and function of the streetscape.	AS4.1 Building design incorporates a combination of the following design elements: <ul style="list-style-type: none"> - verandahs; - recesses; - variation in materials, colours and/or textures including between levels; - windows that face the street frontage; - variation in roof designs, pitches and shapes including rooftop landscape features, such as pavilions, sky gardens, and recreation areas.

Hibiscus Gardens Development Code

PERFORMANCE CRITERIA		ACCEPTABLE SOLUTION/S	
		AS4.2	Building design is carried out pursuant to the performance criteria set out in the Queensland Development Code Part 12 as prepared by the Queensland Department of Local Government, Sport and Recreation.
Parking			
PC5	Parking areas are designed to be unobtrusive and functional for each lot.	AS5.1	Car parking areas are located on the subject allotment for a minimum of one (1) vehicle and the on-site storage of an alternative transport vehicle such as a motorised cart or bicycle.
Landscaping and Open Space			
PC6	Buildings are landscaped to create an attractive streetscape and provision is made for adequate areas for private recreation on each site.	AS6.1	Each dwelling must be provided with a minimum of 35m ² of private open space with a minimum dimension of three (3) metres.
		AS6.2	A minimum of 30% of the site is provided as private open space. Open space area is to have a dimension of at least two (2) metres (exclusive of obstacles including driveways, car parking spaces, garbage areas and the like).
		AS6.3	All landscape areas shall include appropriate paving materials, landscape works and embellishment to meet the needs of the residents.
		AS6.4	Landscape design allows for casual surveillance of the site, the street and pedestrian and entry areas.
Waste Storage			
PC7	Waste disposal and collection areas are unobtrusive, and located to ensure adverse impacts on neighbouring properties are mitigated.	AS7.1	The design provides for the on-site storage of refuse.
		AS7.2	Refuse disposal and storage areas are screened by a solid fence a minimum height of 1.2 metres.
		AS7.3	Refuse storage areas are not directly visible from the road.



Queensland
Government

Our ref TMR13-005357
Your ref 6WMIHibiscus
Enquiries Les Kenneday

Department of
Transport and Main Roads

16 July 2013

The Chief Executive Officer
Fraser Coast Regional Council
PO Box 1943
Hervey Bay QLD 4655

Attention: Ms Zana Larikka

Dear Madam

CONCURRENCE AGENCY RESPONSE – CONDITIONS

Proposed Development: Preliminary Approval – Material change of use under Section 3.1.6 of the *Integrated Planning Act 1997* to Overriding the Planning Scheme to Vary the Level of Assessment for Commercial Activities A, Shopping Local and Other Residential Uses

Real Property Description: Lot 1RP120421, 1RP159617, 23W374, 24W374, 28M37617, 2RP159617

Street Address: Saltwater Creek Road & Hibiscus Road, St Helens QLD 4650

Assessment Manager ref.: 6WMIHibiscus

Local Government Area: Fraser Coast Regional Council

Applicant: B & C Sprake

State-controlled road: Maryborough – Hervey Bay Road (Saltwater Creek Road)

Access location: 163 at 10.988R (Hibiscus Road)

Reference is made to the referral agency material for the proposed development, which was received by the Department of Transport and Main Roads (the department) under section 3.3.3 of the *Integrated Planning Act 1997* (IPA) on 7 February 2013.

An assessment of the proposed development has been undertaken against the purposes of the *Transport Infrastructure Act 1994* for state-controlled roads and transport coordination under the *Transport Planning and Coordination Act 1994*. Based on this jurisdiction, the department provides this concurrence agency response under section 3.3.16 of the IPA.

Program Delivery and Operations
Wide Bay/Burnett Region / Bundaberg Office
23 Quay Street Bundaberg Queensland 4670
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ABN 39 407 690 291

The department advises the assessment manager that it requires conditions to attach to any development approval for the application. The department would also like to provide advice about the application to the assessment manager under section 3.3.18 of the IPA.

Under section 3.5.11 of the IPA, the assessment manager must therefore attach this response, including the enclosed Department of Transport and Main Roads Concurrence Agency Conditions and Statement of Reasons, to any approval for the application.

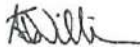
The department may change its concurrence agency response in accordance with section 3.3.17 of the IPA.

The department must be provided with a copy of the assessment manager's decision notice regarding the application within five (5) business days after the day the decision is made in accordance with section 3.5.15 of the IPA.

A copy of this response has been sent to the applicant for their information.

If you have any questions or wish to seek clarification about any of the details in this response, please contact Les Kenneday, Advisor (Development Control) on 07 4154 0224.

Yours sincerely



Adam Williams
Program Manager (Corridor and Land Management)

- Enc. (1) Department of Transport and Main Roads Agency Conditions and Statement of Reasons
(2) Urban Planet's Plan No. 06589 – Residential dated December 2012
(3) Form CMO-SC004 Standard conditions design of private roadworks within state-controlled road boundaries (15 Aug 2012)
(4) Form CMCNFM10 Standard conditions of approval major private works state-controlled roads (7 May 13)

C/c B & C Sprake
C/- Urban Planet Town Planning Consultants
PO Box 232
Hervey Bay QLD 4655



Queensland
Government

Department of
Transport and Main Roads

Our ref TMR13-005357
Your ref 06589

C/c B & C Sprake
C/- Urban Planet Town Planning Consultants
PO Box 232
Hervey Bay QLD 4655

Attention: Mr Ward Veitch

Please find attached correspondence for your information and action as required. Should you wish to discuss this correspondence, please contact Les Kenneday, Advisor (Development Control) on 07 4154 0224.

Yours sincerely

Adam Williams
Program Manager (Corridor and Land Management)

16 July 2013

- Enc. (1) Department of Transport and Main Roads Agency Conditions and Statement of Reasons
(2) Urban Planet's Plan No. 06589 – Residential dated December 2012
(3) Form CMO-SC004 Standard conditions design of private roadworks within state-controlled road boundaries (15 Aug 2012)
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Department of Transport and Main Roads
Concurrence Agency Conditions and Statement of Reasons

Proposed Development: Preliminary Approval – Material change of use under Section 3.1.6 of the *Integrated Planning Act 1997* to Overriding the Planning Scheme to Vary the Level of Assessment for Commercial Activities A, Shopping Local and Other Residential Uses

Real Property Description: Lot 1RP120421, 1RP159617, 23W374, 24W374, 28M37617, 2RP159617

Street Address: Saltwater Creek Road & Hibiscus Road, St Helens QLD 4650

Our ref.: TMR13-005357

Assessment Manager ref.: 6MNHibiscus

Local Government Area: Fraser Coast Regional Council

Applicant: B & C Sprake

State-controlled road: Maryborough – Hervey Bay Road (Saltwater Creek Road)

Access location: 163 at 10.988R (Hibiscus Road)

No.	Conditions of Development	Condition Timing	Jurisdiction and Reasons
	Preliminary Approval for Material Change of Use under Section 3.1.6 of the Integrated Planning Act 1997 to Overriding the Planning Scheme to Vary the Level of Assessment for Commercial Activities A, Shopping Local and Other Residential Uses		
1	Development must be carried out generally in accordance with the attached Urban Planet's Plan No. 06589 – Residential dated December 2012, except as modified by these concurrence agency conditions.	Prior to the commencement of use and to be maintained at all times.	The purposes of the Transport Infrastructure Act 1994. The Department of Transport and Main Roads' assessment of the development application was undertaken on the basis of the cited plan, which generally depicts how the proposed development will be carried out.

Transport and Main Roads

No.	Conditions of Development	Condition Timing	Jurisdiction and Reasons
2	<p>(a) The development must be generally in accordance with Belleng VDM's Stormwater Management Plan (Issue 1) dated 2 May 2008. Stormwater management for the development must ensure no worsening or actionable nuisance to the state-controlled road network caused by peak discharges, flood levels, frequency/duration of flooding, flow velocities, water quality, sedimentation and scour effects.</p> <p>AND</p> <p>(b) Any excavation, filling, paving, landscaping, construction or any other works to the land must not:</p> <ol style="list-style-type: none"> i. create any new discharge points for stormwater runoff onto the state-controlled road; ii. interfere with and/or cause damage to the existing stormwater drainage on the state-controlled road; iii. surcharge any existing culvert or drain on the state-controlled road; iv. reduce the quality of stormwater discharge onto the state-controlled road. <p>AND</p> <p>(c) The applicant must provide RPEQ certification to the Department of Transport and Main Roads that the development has been designed and constructed in accordance with parts (a) and (b) of this condition.</p>	<p>(a) & (b) Prior to the commencement of use and to be maintained at all times</p> <p>(c) Prior to obtaining a final inspection certificate or certificate of classification, whichever is applicable, or prior to the commencement of use, whichever occurs first</p>	<p>The purposes of the Transport Infrastructure Act 1994.</p> <p>The safety and efficiency of state-controlled roads can be adversely affected by changes to stormwater runoff as a result of development.</p> <p>Additional comments or information: Please refer to the Department of Transport and Main Roads' Road Drainage Manual which can be accessed at http://www.tmr.qld.gov.au/Business-industry/Technical-standards-publications.aspx.</p> <p>Further guidance regarding stormwater management is also provided in the Queensland Urban Drainage Manual available at www.derm.qld.gov.au and in the Environmental Protection Act 1994 and Environmental Protection (Water) Policy 2009 which are available at www.legislation.qld.gov.au</p>

Transport and Main Roads

No. Conditions of Development	Condition Timing	Jurisdiction and Reasons
<p>3 Submit as part of any Development Application for a development permit a plan that shows: -</p> <p>(a) The existing five catchments will be regraded into three catchments, as described in Belleng VDM's Stormwater Management Plan (Issue 1) dated 2 May 2008; and</p> <p>(b) Three detention basins of 3165m³, 310m³ and 3846m³.</p>	<p>Prior to the commencement of use and to be maintained at all times.</p>	<p>The purposes of the Transport Infrastructure Act 1994.</p> <p>The safety and efficiency of state-controlled roads can be adversely affected by changes to stormwater runoff as a result of development.</p>
<p>4 The area marked 'DTMR Setback' on Urban Planet's Plan No. 06589 – Residential dated December 2012, must be kept free of any permanent buildings, structures and improvements above and below the ground at all times. The setback area shall be 15m wide along the full length of the boundary abutting the Maryborough – Hervey Bay Road.</p>	<p>Prior to commencement of use and to be maintained at all times</p>	<p>The purposes of the Transport Infrastructure Act 1994 (TIA).</p> <p>Department of Transport and Main Roads' road corridor planning indicates that a future land requirement affects this property. A setback to be kept clear of permanent buildings, structures and improvements is required to protect the future road corridor.</p>
		<p>Information regarding land acquisition can be accessed via the Department of Transport and Main Roads' website at: http://www.tmr.qld.gov.au/Community-and-environment/Property-information.aspx</p>

Transport and Main Roads

No. Conditions of Development	Condition Timing	Jurisdiction and Reasons
<p>5 (a) The Maryborough – Hervey Bay Road/Hibiscus Road intersection and the Maryborough – Hervey Bay Road must be upgraded to the following standard, generally as shown on the attached Burchill VDM's Drawing No. SK08 Rev B dated 16 October 2009, for Job No. QE07-0387: -</p> <ul style="list-style-type: none"> (i) A Rural Type CHR for right turns into Hibiscus Road; (ii) A separated Rural Type CHL with an auxiliary AUL for left turns into Hibiscus Road; (iii) A Rural Type CHR for right turns into Phillip Court; (iv) A Rural Type CHR(S) for right turns into Lots 1 & 2 on RP208053; (v) Restrict the existing access to Lot 4 on W374 to left in/left out; and (vi) Relocating the start of the existing overtaking lane to near Janet Road <p>Note:</p> <ul style="list-style-type: none"> • If any portion of the subject land is required to accommodate the upgraded Maryborough – Hervey Bay Road/Hibiscus Road intersection, the applicant shall dedicate the required area of land at no cost to Transport and Main Roads. 	<p>(a) - Prior to the commencement of use</p> <p>(b) & (c) -For the duration of constructing the works, including a maintenance period of 12 months</p>	<p>The purposes of the Transport Infrastructure Act 1994 (TIA).</p> <p>The intersection upgrade is required as a result of the development and its associated traffic impacts to ensure the safety and efficiency of the state-controlled road network.</p> <p>In accordance with Section 33 of the TIA, you must have written approval to carry out road works, including road access works on a state-controlled road. These development conditions do not constitute such approval. You will need to contact the Department of Transport and Main Roads Bundaberg Office on 4154 0200 to make an application for approval under section 33 of the TIA to carry out road works.</p> <p>The Department of Transport and Main Roads' technical standards and publications can be accessed at http://www.tmr.qld.gov.au/Business-industry/Tech-standards-publications.aspx.</p> <p>Where services within the state-controlled road reserve will be impacted by the development, the applicant will need to contact the relevant service</p>

Transport and Main Roads

No. Conditions of Development	Condition Timing	Jurisdiction and Reasons
<ul style="list-style-type: none"> • Should the applicant apply for an extension of the currency period, Transport and Main Roads may require the applicant to submit for approval a Road Impact Assessment prepared in accordance with the department's Guidelines for Assessment of Road Impacts of Development, or equivalent guidelines at that time, that identifies the impacts to the Maryborough – Hervey Bay Road/Hibiscus Road intersection and/or the state-controlled road network, including any works required to mitigate the impact of the development on the intersection and/or road network. <p>AND</p> <ul style="list-style-type: none"> (b) The intersection must be provided by the applicant at no cost to the Department of Transport and Main Roads. <p>AND</p> <ul style="list-style-type: none"> (c) All adjustments and/or relocations to existing services within the state-controlled road as a result of the development are at the applicant's expense. 		<p>provider.</p>
<p>6</p> <ul style="list-style-type: none"> (a) The Department of Transport and Main Roads' <i>Road Planning and Design Manual (RPDM)</i>, including the <i>Interim Guide to Road Planning and Design Practice</i>; 	<p>Prior to commencing any construction works in the state-controlled road</p>	<p>The purposes of the Transport Infrastructure Act 1994 (TIA).</p> <p>In accordance with Section 33 of the TIA, a person must have written approval to carry out roadworks on a state-controlled road. These development conditions do not constitute an</p>

Transport and Main Roads

No.	Conditions of Development	Condition Timing	Jurisdiction and Reasons
(b)	The <i>Road Drainage Manual</i> ;		approval to carry out works on a state-controlled road under Section 33 of the TIA.
(c)	The <i>Manual of Uniform Traffic Control Devices</i> ;		Please contact Transport and Main Roads' Bundaberg Office on (07) 4154 0200 to make an application for approval under Section 33 of the TIA to carry out road works on a state-controlled road.
(d)	Australian Standard 1158 – <i>Lighting for Roads and Public Spaces</i> ;		
(e)	The Maryborough – Hervey Bay Road/Hibiscus Road intersection must include Category V3 overhead lighting in accordance with Chapter 17 of the Department of Transport and Main Roads' <i>Road Planning and Design Manual</i> including the <i>Interim Guide to Road Planning and Design Practice</i> ;		
(f)	The attached Department of Transport and Main Roads' <i>Standard Conditions – Design of Private Road Works within State-controlled Road Boundaries</i> (Form CMO-SC004);		
(g)	Where the detailed design does not meet the department's requirements, submit a design exemption report prepared generally in accordance with <i>Chapter 2 of the RPDM and Part 4A of Austroads Guide to Road Design</i> ;		
(h)	All final detailed drawings (i.e. civil and electrical design drawings, design exemption reports) shall be certified by a Registered Professional Engineer of Queensland (RPEQ); and		
(i)	Any other relevant Department of Transport and Main Roads' standards and specifications and Australian Standards.		

If requested by Department of Transport and Main Roads, a road

Transport and Main Roads

No.	Conditions of Development	Condition Timing	Jurisdiction and Reasons
	<p>safety audit for the detailed design shall be provided by a Registered Safety Auditor in accordance with the Austroads publication Road Safety audit (2nd Edition).</p>		
7	<p>The works described in Condition No. 5 must be constructed in accordance with the attached Department of Transport and Main Roads' <i>Standard Conditions of Approval Major Private Works State-Controlled Roads</i> (Form CMCNFM10 dated 7 May 2013).</p> <p>Note:</p> <ul style="list-style-type: none"> • Prior to undertaking any construction works within the state-controlled road, the Client is to make written application to the department for construction approval. • No works shall commence in the state-controlled road until the Department of Transport and Main Roads has issued an <i>Approval to Commence Work</i> notice. • The Department of Transport and Main Roads will require a bond (e.g. cheque or bank guarantee in favour of Transport and Main Roads) to the value of one third of the estimated final cost of the works, prior to issuing an <i>Approval to Commence Work</i> notice. 	<p>Prior to commencing any construction works in the state-controlled road and for the duration of the works, including a maintenance period of 12 months.</p>	<p>The purposes of the Transport Infrastructure Act 1994 (TIA).</p> <p>In accordance with Section 33 of the TIA, a person must have written approval to carry out roadworks on a state-controlled road. These development conditions do not constitute an approval to carry out works on a state-controlled road under Section 33 of the TIA.</p> <p>Please contact Transport and Main Roads' Bundaberg Office on (07) 4154 0200 to make an application for approval under Section 33 of the TIA to carry</p>
8	<p>(a) The development must incorporate noise attenuation treatments as detailed in the report Traffic Noise Impact Assessment, Proposed Mixed Use Development (VDM, Report No. GC130087-C0703-A-R-TNIA-01 dated 15/05/2013.</p>	<p>(a) & (b) Prior to the commencement of use for any development permit and to be maintained</p>	<p>The purposes of the Transport Infrastructure Act 1994 (TIA).</p> <p>The development is creating a noise sensitive use</p>

Transport and Main Roads

No. Conditions of Development	Condition Timing	Jurisdiction and Reasons
<p>AND</p> <p>(b) The applicant must provide RPEQ certification to the Department of Transport and Main Roads that the development has been designed and constructed in accordance with part (a) of this condition</p>	<p>at all times</p>	<p>in proximity to a state-controlled road.</p> <p>VDM's Traffic Noise Impact Assessment, Proposed Mixed Use Development (VDM, Report No. GC130087-C0703-A-R-TNIA-01 dated 15/05/2013 provides a suitable mitigation strategy to ameliorate road traffic noise impacts.</p>
<p>9 For the area marked on Urban Planet's Plan No. 06589 – Residential dated December 2012 as 'Medical', submit a Road Traffic Noise Assessment Report that determines the nature and extent of the state-controlled road traffic noise impacts on the use and recommends appropriate noise attenuation treatments.</p> <p>The Road Traffic Noise Assessment Report must:</p> <p>(a) be conducted in accordance with the department's <i>Road Traffic Noise Management: Code of Practice</i>, Chapter 4 which is available at http://www.tmr.qld.gov.au/Business-industry/Technical-standards-publications.aspx, and the Attachment entitled, <i>Additional requirements for preparing a Road Traffic Noise Assessment Report in accordance with an IDAS information request</i>;</p>	<p>Prior to submitting a development application for a development permit for the medical centre</p>	<p>The purposes of the Transport Infrastructure Act 1994 (TIA).</p> <p>The medical centre would create a noise sensitive use in proximity to a state-controlled road and it has not been addressed in VDM's Traffic Noise Impact Assessment, Proposed Mixed Use Development (VDM, Report No. GC130087-C0703-A-R-TNIA-01 dated 15/05/2013</p>
<p>(b) be prepared and certified by a Registered Professional Engineer of Queensland (RPEQ);</p> <p>(c) demonstrate that the development can achieve the relevant environmental emission criteria for noise with the recommended noise attenuation treatments. The department's environmental emission criteria for noise are</p>		

Transport and Main Roads

No.	Conditions of Development	Condition Timing	Jurisdiction and Reasons
	<p>set out in the <i>Department of Transport and Main Roads Policy Position Statement: Development on Land Affected by Environmental Emissions from Transport and Transport Infrastructure</i>; Version 2.0 dated 10 May 2013, which is available at: http://www.tmr.qld.gov.au/Community-and-environment/Planning-and-development/Planning-policy/Policy-statements-guidelines-and-development-codes/Development-on-Land-Affected-by-Environmental-Emissions.aspx.</p> <p>The relevant noise criteria for a medical centre are:</p> <ul style="list-style-type: none"> • external noise criterion of ≤ 58 dB(A) L_{10} (1hr) facade corrected (maximum hour during normal opening hours), • internal noise criterion for health care services and hospitals (medical) of ≤ 35 dB(A) Leq (1hr) (maximum hour during normal opening hours), 		
10	<p>Any landscaping adjacent to the boundary abutting the Maryborough – Hervey Road shall be contained wholly within the subject land and must be planted in accordance with the Department of Transport and Main Roads' Road Landscape Manual 2004, section C5 – Safety Requirements and Landscape Design.</p>	<p>Prior to the commencement of use and to be maintained at all times</p>	<p>The purposes of the Transport Infrastructure Act 1994 (TIA). Department of Transport and Main Roads' road corridor planning indicates that a future land requirement affects this property. A setback to be kept clear of permanent buildings, structures and improvements is required to protect the future road corridor.</p>

Transport and Main Roads

No.	Conditions of Development	Condition Timing	Jurisdiction and Reasons
11	On-street parking on the Maryborough – Hervey Bay Road shall not be used to comply with Council's parking provisions.	At all times	Landscaping or other objects can impact on sight distance visibility at the intersection of the road access location and state-controlled road, affecting the safety of the state-controlled road network. The purposes of the Transport Infrastructure Act 1994. Parking on the state-controlled road reserve adjacent to the site can impact on the safety and efficiency of the state-controlled road.



Adam Williams
Program Manager (Corridor and Land Management)

16 July 2013

Noise attenuating structure efficiency

- 1 The assumed noise sensitive receiver heights are based on the pad levels AND/OR finished floor levels AND/OR receiver height levels used to produce the approved Road Traffic Noise Management Report.
 - 1.1 The receiver heights (building pad levels or finished floor levels) shall not increase by more than 200 mm and/or the effective noise attenuating structure height shall not be reduced by more than 200 mm compared to the assumptions made in the approved Road Traffic Noise Management Report.
 - 1.2 If designed or as-constructed receiver heights and/or effective noise attenuating structure heights do not meet this requirement, then a revised Road Traffic Noise Management Report acceptable to Transport and Main Roads shall be submitted to Transport and Main Roads. A request to Transport and Main Roads to alter its Referral Agency response may also be required.

Advice for state controlled roads

Under section 33 of the *Transport Infrastructure Act 1994*, written approval is required from the Department of Transport and Main Roads to carry out road works, including road access works, on a state-controlled road. Please contact the Department of Transport and Main Roads Bundaberg Office on (07) 4154 0200 to make an application for road works approval. This approval must be obtained prior to commencing any works on the state-controlled road reserve. The approval process may require the approval of engineering designs of the proposed works, certified by a Registered Professional Engineer of Queensland (RPEQ).

Pursuant to Section 580 of the *Sustainable Planning Act 2009* it is a development offence to contravene a development approval, including any condition in the approval.

INFORMATION ATTACHMENT TO CONCURRENCE AGENCY RESPONSE

Representations on Referral Agency Response

If the applicant intends to make a representation to the Department of Transport and Main Roads (the department) regarding the attached concurrence agency response, the applicant needs to do this before the assessment manager decides the application.

The applicant will need to give the assessment manager written notice under section 320(1) of the *Sustainable Planning Act 2009* (SPA) to stop the decision-making period to make a representation to the department and subsequently contact the department to make the representation. The decision making period cannot be stopped for more than 3 months.

Planning and Environment Court Appeals

If an appeal is lodged in the Planning and Environment Court in relation to this application, the appellant must give written notice of the appeal to the department under section 482(1) of the SPA. This notice should be given to:

Chief Executive Officer
Department of Transport and Main Roads
C/- Planning Law Team
Planning Management Branch
GPO Box 213
Brisbane QLD 4001

This notice should be given within 2 business days if the appeal is started by a submitter, or otherwise within 10 business days after the appeal is started.



Standard Conditions - Design of Private Roadworks within State-controlled Road Boundaries

1 Definitions

- 1.1 The *Works* are the roadworks required as a consequence of a development application or Transport and Main Roads (the department) making a decision about access.
- 1.2 The *Principal Contractor* is the person or company responsible for funding and constructing the works. The department is NOT the principal contractor.
- 1.3 The *Designer* is the person or company engaged by the principal contractor to design the works.
- 1.4 The *Registered Professional Engineer of Queensland (RPEQ)* is the person nominated by the principal contractor to certify the design.

2 Workplace health and safety

These conditions do not absolve the principal contractor and/or designer of their obligations under the provisions of the *Work Health and Safety Act 2011*.

3 The principal contractor

The principal contractor shall: -

- Be responsible for funding the design (including surveying, geotechnical testing amendments to the design and As Constructed plans).
- Be responsible for funding the works.
- If applicable, obtain approvals from other government departments, service authorities or the local government. Any conflicting requirements imposed by other authorities are to be brought to the attention of the department promptly.
- Submit RPEQ certified drawings, specifications and associated documentation to the department for approval.
- Allow 15 business days for the department to review the design, specifications and associated documentation. Failure to provide adequate information may result in delays to approvals or rejection of the design.
- Advise the owner/occupier/operator of any adjacent properties (including the operator of cane railways, service installations or other ancillary works or encroachments), whether of a temporary or permanent nature, regarding the relocation, removal or other proposed measures associated with the works.
- If applicable, advise the department about any issues raised by the owner/occupier/operator of any adjacent properties impacted by the works.
- If required, have a Registered Safety Auditor conduct a safety audit in accordance with Austroads' *Guide to Road Safety Part 6*.
- Be responsible for ensuring the works comply with all relevant State and Federal Acts pertaining to environmental and cultural heritage management.

4 The designer

The designer shall: -

- Design the works in accordance with the department's referral agency's response or Section 62 Decision, which ever is applicable. The department can provide a copy of the relevant response.
- Have an RPEQ certify the design. Where the design does not conform to the department's requirements, provide full details and reasons for the non-compliance/variation.
- Unless otherwise agreed to by the department, provide a pavement design based on a 20 year design life and the department's *Pavement Design Manual (2009)*. The pavement design shall include:
 - Subgrade CBR test results and design subgrade CBR
 - Traffic data adopted (AADT, % growth, % CV's)
 - Design calculations
 - Full details of the existing pavement (depth, strength, type, suitability for re-use)
 - Recommended pavement design configuration including layer depths and types (min total pavement depth to be used shall be no less than existing)
 - Proposed surface treatment, including seal design

The pavement design may be subject to review during construction.

- Provide a road drainage design in accordance with the department's *Road Drainage Manual*. Unless otherwise agreed to by the department, the drainage design shall include:
 - Hydraulic calculations to support the recommended drainage design. If necessary, the calculations shall include an assessment of the impact on the existing drainage.
 - Cross drainage calculations including documentation and certification that any proposed increased in upstream afflux levels will not adversely affect properties or property improvements.
 - Stormwater drainage calculations including demonstration that all criteria for roadway flow path widths are met.
 - Aquaplaning calculations including demonstration that all criteria for surface water film depths are met.

5 The design

The design shall: -

5.1 General

- Comply with the department's *Drafting and Design Presentation Standards* (e.g. format, presentation and plan sequence) and are presented at a scale appropriate to the level of detail which needs to be conveyed.
- Unless exempted by the department, provide for pedestrians and cyclists.
- Include sufficient survey detail to allow accurate assessment of the proposal. As a minimum the survey should:-
 - Extend along the centreline a minimum 100m beyond the proposed works
 - Extend along any side road a minimum 50m beyond the proposed works

- For cross section purposes, extend 10m from proposed construction batter points or to the road boundary, whichever is less.
- Include proposed signs and pavement markings that are fixed to a control line so they can be accurately located.
- Tie to existing surveys or cadastral boundaries and some prominent nearby physical object (e.g. a Bench Mark, culvert or junction).
- Integrate proposed pavement markings with existing pavement markings. Proposed pavement markings shall be in accordance with the Manual of Uniform Traffic Control Devices.
- Include contract and works specifications documents, schedule of works and an estimate of cost of construction.

5.2 Drainage

- Include any proposed drainage likely to affect the existing state-controlled road drainage system, including dimensions (size, class and length) and invert levels (inlet and outlet). Unless approved otherwise by the department, the following recurrence intervals shall be adopted for drainage design:-
 - Cross drainage - National Highway 100 year, elsewhere 50 year
 - Pavement surface drainage - 10 year

5.3 Environment

- If required, include a detailed environmental impact assessment for potential and actual environmental impacts. The department's Road Project Environmental Processes Manual may provide guidance regarding this matter.

5.4 Electrical/overhead lighting

- If required, include intersection and route lighting (including isolux plots) in accordance with *Australian Standard AS1158* and Chapter 17 (Lighting) of the *Road Planning & Design Manual*. The lighting design and electrical layout design shall be certified by an RPEQ (Electrical).

5.5 Traffic signals

- If new or modified traffic signals are required, the design shall: -
 - Provide for pedestrians, including pram ramps and tactile tiles, where appropriate
 - Provide for connection to the department's Traffic Management System, STREAMS
 - Include proposed phasing

5.6 Extended Design Domain

- Extended Design Domain shall not be adopted without acceptance by the department.

6 Reference documents

- *Interim Guide to Road Planning & Design Practice (May 2010)*
- *Road Planning and Design Manual (RPDM)*
- *Austrroads Publications*

- *Austrroads guides to pavement technology*
- *Pavement Design Manual*
- *Road Drainage Manual*
- *AS1158 - Lighting for Roads and Public Spaces*
- *Standard Specifications Roads*
- *Standard Specifications ITS and Electrical Technology*
- *Drafting and Design Presentation Standards (DDPS)*
- *Standard Drawings Roads Manual*
- *Manual of Uniform Traffic Control Devices (MUTCD)*
- *Traffic and Road Use Management Manual (TRUM)*
- *Road Project Environmental Processes Manual*
- *Work Health and Safety Act 2011*
- *Australian Standards*

7 Currency of reference documents

For departmental approval purposes the latest editions, including any amendments, will be used. Departmental reference documents can be accessed via the *Technical Standards and Publications* tab on the website at www.tmr.qld.gov.au

8 Acceptance of design and documents

When the department is satisfied that the design and documents comply with the specified conditions it will issue a Notification of Acceptance of Project Documents.

Acceptance of the design and associated documentation by the department does not authorise any person to commence work on a state-controlled road.

9 Correspondence

For applications in Bundaberg, Fraser Coast and North Burnett Regional Councils, forward correspondence to:-

Regional Director (Wide Bay/Burnett Region)
Transport and Main Roads
Locked Bag 486
Bundaberg Qld 4670

For applications in Gympie and South Burnett Regional Councils, forward correspondence to:-

District Director (Gympie)
Transport and Main Roads
P O Box 183
Gympie Qld 4570

**STANDARD CONDITIONS
OF
APPROVAL
MAJOR PRIVATE WORKS
STATE-CONTROLLED
ROADS**

1 Preamble

The Department of Transport and Main Roads' (TMR) Standard Specifications, Standard Drawings and General Conditions of Contract apply to construction of Private Roadwork, except as detailed in this document.

2 Definitions

2.1 *Major Private Roadworks* are any works on the carriageway, including a road shoulder. It is a decision of TMR which roadworks are Major. Minor roadworks are property accesses and similar, that do not have an impact on the through traffic.

2.2 The *Client* is the person who commissions the works. TMR is NOT the client.



- 2.3 The *Project Manager* is the person appointed by the client to plan and manage the works on their behalf.
- 2.4 The *Designer* is the person engaged by the client to design the works.
- 2.5 The *Registered Professional Engineer of Queensland (RPEQ)* is the person nominated by the client. The RPEQ is responsible for ensuring the works are carried out in accordance with the Contract Documents, issuing a Certificate of Completion for the works and certifying the As Constructed drawings.
- 2.6 A *Person* is an individual or a company.
- 2.7 The *Contractor* is the person nominated by the client to construct the works.
- 2.8 *Control Documents* are the approved set of plans and specifications for the works.
- 2.9 *Final inspection* is the inspection undertaken by TMR after the contractor has submitted all required documents and advised the department in writing that the works are finished.
- 2.10 *Certificate of Practical Completion* is the notice that TMR issues when it deems the works to be satisfactorily completed.
- 2.11 The *On Maintenance* period is 12 months from the date that the department accepts the works as satisfactorily completed.
- 2.12 *Final Certificate* is the notice that TMR issues after the works are inspected at the end of the maintenance period and no remedial works are identified.

3 General

- 3.1 These standard conditions do not absolve the client, designer, project manager, RPEQ or contractor of their obligations regarding workplace safety, including the Work Health and Safety Act 2011, Traffic Management for Construction or Maintenance Work Code of Practice 2008 (ref:- <http://www.deir.qld.gov.au/workplace/resources/pdfs/traffic-management-construction-cop-2008.pdf>) and Manual of Uniform Traffic Control Devices.

4 The client

The client shall: -

- 4.1 Make written application to TMR for an Approval to Commence Work Notice. The application shall: -
 - Include an itemised estimated cost of the works.
 - Include a security bond for the works for an amount of 30% of the value of the works, as accepted by TMR.
 - Nominate a project manager.
 - Nominate an RPEQ.
 - Nominate a contractor for acceptance.

The contractor is to be pre-qualified under the department's pre-qualification system.

- 4.2 Obtain from the relevant authority any additional approvals required as a consequence of the works.
- 4.3 Indemnify TMR for the period of construction and maintenance of the works, in accordance with Form CMCNFM01.
- 4.4 Provide evidence of public liability insurance for a minimum sum of \$20M.
- 4.5 Be responsible for funding all costs associated with the works, including costs associated with other approvals and/or costs incurred in relocating, repairing and/or dealing with issues relating to services associated with the works (e.g. Telstra, Ergon).
- 4.6 Be responsible for funding the repair of any existing road infrastructure damaged during the works.
- 4.7 If requested by the department, arrange for a Registered Safety Auditor to conduct a safety audit in accordance with the Austroads *Road Safety Audit Part 6*.
- 4.8 Be responsible for maintaining the works during the on maintenance period, including rectifying all faults and/or defects, until TMR issues a Final Certificate.

The on maintenance period may be extended for any faults and/or defects rectified while the works are on maintenance.

5 The project manager

The project manager shall: -

- 5.1 Plan and manage the works on behalf of the client.
- 5.2 Liaise with the designer, contractor, RPEQ, TMR, local government, other government departments and service authorities about issues that occur prior to the works starting, during construction and during maintenance and/or remedial works.
- 5.3 As required, notify the public about the works, to the department's satisfaction (e.g. radio, newspaper, doorknock, pamphlet drop and/or variable message signs).

Media releases

No information, publication, document or article concerning the works shall be released to the media without prior approval from TMR.

- 5.4 Provide a Surveillance Plan for the supervision of the work prepared by the RPEQ that ensures the works are constructed in accordance with the Contract Documents.
- 5.5 Provide a Stakeholder Consultation plan for approval by TMR that takes into account all construction stages and the impacts on adjacent landowners and other stakeholders.
- 5.6 Unless otherwise agreed to by TMR, be responsible for the pre-start meeting, including: -



- Arrange a time and place for the meeting and hold the meeting at least 10 working days prior to the planned commencement.
 - Ensure all relevant persons attend, including a TMR representative.
 - Appoint a chairperson.
 - Record minutes and forward a copy to relevant attendees.
 - Comply with any decisions made at the meeting.
- 5.7 Copies of all documents for the job shall be held at the job site and must be produced on request by any authorised officer from TMR.
- 5.8 All testing shall be carried out in accordance with TMR's current specifications and testing procedures and performed by a NATA registered testing laboratory. TMR reserves the right to carry out audit testing on any part of the work at the contractor's cost.
- 5.9 At the completion of the works, and prior to TMR attending a final inspection, submit the following to TMR: -
- Written advice that the works are finished.
 - A Certificate of Completion Notice signed and dated by the RPEQ that states the works have been completed in accordance with the Contract Documents.
 - Signage records for the duration of the work.
 - The M994(s) completed by the Nominated Traffic Officer.
 - Any documents identified in the WHS Management Plan (Site-specific) as needing to be submitted at the completion of the works.
 - As Constructed plans, including a survey model of the completed works, certified by the RPEQ.

6 The contractor

The contractor shall:-

- 6.1 Be responsible for constructing the works in accordance with the Contract Documents and TMR's Standard Specifications Roads, Standard Specifications ITS and Electrical Technology and Standard Drawings Roads.
- 6.2 Supply a WHS Management Plan. As a guide, the WHS Management Plan should address the matters included in Attachment A.
- 6.3 Provide a staging plan and construction sequence bar chart and critical path diagram for approval.
- 6.4 Submit an Environmental Management Plan which includes, but may not be limited to, the matters listed in Attachment B.

7 Registered Professional Engineer of Queensland (RPEQ)

The nominated RPEQ shall: -

- 7.1 Provide a Surveillance Plan for ensuring conformance with the Contract Documents for all stages of construction.



- 7.2 Ensure that all works are carried out in accordance with the Contract Documents.
- 7.3 At completion of the works, issue a Certificate of Completion Notice. The Notice shall state that the works have been constructed in accordance with the Contract Documents.
- 7.4 Certify the As Constructed drawings.
- 7.5 Provide a summary of all variations from the drawings accepted by TMR.
- 7.6 Provide a certified copy of all test results.
- 7.7 Certify the survey model submitted with the As Constructed drawings.

8 Electrical works

All electrical works shall be carried out by a contractor approved by TMR.

9 Approval to Commence Work Notice

- 9.1 The construction drawings must be approved by TMR in writing. Following this approval, the Contract Documents are to be prepared and submitted to TMR for written approval.
- 9.2 Prior to issuing an Approval to Commence Work Notice, the items listed in clauses 5.4, 5.5, 6.2 and 6.3 must be completed and submitted to TMR for approval.
- 9.3 No work shall commence until a pre-start meeting is held to confirm acceptance of all submissions for the commencement of work. TMR will then provide an Approval to Commence Work Notice.

In the event that work is commenced without TMR written approval, the Contractor shall cease work immediately upon request by TMR.

The Contractor shall, at no cost to TMR, if required by TMR, remove any works constructed prior to the issuing of the Approval to Commence Work Notice and reinstate all areas affected by such construction, to TMR's satisfaction.

If the Contractor is unable or unwilling to remove or reinstate the works, TMR may arrange for the work to be carried out by others and all reasonable costs incurred by TMR in respect of carrying out the work shall be recoverable from the Contractor. TMR shall not be held liable for any damage or loss that may result from such action.

- 9.4 An Approval to Commence Work Notice shall NOT be interpreted as approval by any other government department, local government or service authority.
- 9.5 Unless agreed to in writing, TMR will not contribute toward the cost of the works.

10 Correspondence

Forward correspondence to:-

Regional Director (Wide Bay/Burnett Region)
Department of Transport and Main Roads
Bundaberg Office
Locked Bag 486
Bundaberg Qld 4670



Attachment A (ref. Clause 6.2)

Checklist for Contractor's WHS Management Plan

Following is a list of items that the contractor's WHS Management Plan needs to address when they are undertaking private roadworks within the boundaries of a state-controlled road.

The checklist may not include all items that the contractor's WHS Management Plan needs to address.

For the purposes of this checklist the contractor is deemed to be a person conducting a business or undertaking, as defined in s5 of the Work Health & Safety Act 2011.

In accordance with s19 of the Work Health and Safety Act 2011, a person conducting a business or undertaking has a primary duty of care regarding health and safety.

The items in this checklist are based on Transport and Main Roads' Supplementary Conditions of Contract (SCoC) and annexure, the Work Health & Safety Act 2011 (WHS Act 2011) and the Work Health & Safety Regulation 2011 (WHS Reg 2011).

Reference	Item	How addressed
SCoC Clause 11.7	<p>The Plan shall include the following: -</p> <ul style="list-style-type: none"> (a) The names of the client, principal contractor, and any major subcontractors; (b) The principal contractor's ABN; (c) The location of the works; (d) The scope of the works; (e) The anticipated start date and duration; (a) Occupational health and safety policy; (b) Responsibilities and accountabilities; (c) Notifications and registrations; (d) Plant and equipment and their controls; (e) Emergency planning; (f) Consultative processes; (g) Prescribed and restricted occupations; (h) Hazardous substance and dangerous goods management; (i) Hazard identification, risk evaluation, control and monitoring; (j) Training (including process for inductions); (k) Subcontractor controls; (l) Accident reporting, recording, investigation and analysis; (m) Safe Work Method Statements for high risk activities; (n) Safe housekeeping practices; (o) How public safety will be addressed (p) Safety inspections and audits; and (f) How the requirements of the Manual of Uniform 	



	Traffic Control Devices will be addressed regarding working with traffic.	
SCoC Annexure 43.2.9.3	The plan must: - <ul style="list-style-type: none"> • Be written so as to be understood by persons required to use it; • Outline how the content of the WHS Management Plan will be communicated to all workers; and • Be signed and dated by an authorised representative of the principal contractor 	
s309 2(a) WHS Reg 2011	Information on all positions that involve specific health and safety responsibilities including: <ul style="list-style-type: none"> • Name(s) • Position(s) • Health & Safety responsibilities 	
s46 WHS Act 2011 s309 (2) (b) WHS Reg 2011	The WHS Management Plan must outline how the principal contractor will consult, cooperate and coordinate with other duty holders at the workplace about how activities will be conducted.	
s309 (2) (c) WHS Reg 2011	The plan must outline what arrangements are in place for managing WHS incidents, including: <ul style="list-style-type: none"> • Reporting • Recording • Investigation • Analysis • Advising Transport and Main Roads 	
s309 (2) (d) WHS Reg 2011	The Plan must outline what arrangements are in place for: - <ul style="list-style-type: none"> • Managing WHS Site specific health and safety rules; and • Ensuring all workers are made aware of the site rules 	
s309 (2) (e) WHS Reg 2011 s312 WHS Reg 2011	The Plan must outline what arrangements are in place for the collection and any assessment, monitoring and review of Safe Work Method Statements.	
s310 WHS Reg 2011	The Plan must outline how the principal contractor will, so far as is reasonably practicable, that each person who is to carry out construction work in connection with the project is, before commencing work: - <ul style="list-style-type: none"> • Made aware of the WHS Management Plan; and • The person's right to inspect the WHS Management Plan. 	
s311 WHS Reg 2011	The Plan must outline how the principal contractor intends to review and, as necessary, revise the WHS	



	Management Plan to ensure that it remains up to date.	
s313 WHS Reg 2011	The Plan must state where it will be kept at the workplace and how it will be retained as per legislation requirements.	
Part 3.1 WHS Reg 2011	Information on the Principal Contractor's process for Risk Management including: <ul style="list-style-type: none"> • Hazard identification • Risk evaluation, how will principal contractor ensure control measures are used • Proposed control measures • Process for monitoring & reviewing proposed control measures 	
Part 3.1 WHS Reg 2011	Hazard identification: <ul style="list-style-type: none"> • Proposed control measures • Risk evaluation, how will principal contractor ensure control measures are used • Process for monitoring & reviewing proposed control measures 	
s314 WHS Reg 2011	Further health and safety duties in accordance with s314 WHS Reg 2011. <ul style="list-style-type: none"> • General working environment • First Aid • Emergency plans • PPE • Managing risks from airborne contaminants • Hazardous atmospheres • Storage of flammable or combustible substances • Falling objects 	
s315 WHS Reg 2011	Information on how the risks for the following are to be managed: <ul style="list-style-type: none"> • Storage, movement and disposal of construction materials and waste • Storage at the workplace of plant not in use • Traffic in the vicinity of the workplace that maybe affected by the construction work, and • Essential services at the workplace 	
s315A, s41 & Schedule 5A WHS Reg 2011	What arrangements are in place for the provision and management of facilities required by the Regulation	
SCoC 11.7(e)	Plant and equipment and their controls (including storage at the workplace of plant not in use)	
RCC SCoC 11.7(f) s11.5 WHS Reg	Provision of an emergency plan including appointment of a first aid officer.	



2011 Part 3.2 (42 & 43) WHS Reg 2011		
RCC SCoC 11.7(i)	Details of the management of hazardous chemicals including a hazardous chemicals register, risk assessment, training, storage, transport (if applicable) and responsibilities.	
SCoC 11.7(k)	<p>Training (including process for inductions)</p> <ul style="list-style-type: none"> • How site inductions will be recorded • Information about how competencies, including licenses for high risk work, are checked and recorded. • Information on training records including site inductions. 	
RCC SCoC 11.7(l)	<p>Subcontractor controls</p> <ul style="list-style-type: none"> • Information on subcontractor management 	
SCoC 11.7(r)	Public safety	
SCoC 11.7(s)	Safety inspections and audits	
How to manage Work Health and Safety risks Code of Practice 2011		



Attachment B (Ref Clause 6.4)

Contractor's Environmental issues checklist

Purpose

- (a) Identify which environmental items relate to works; and
- (b) Determine the Level of Impact for each identified item(s); and
- (c) Determine whether an Environmental Management Plan is required.

Identify which environmental items relate to the works and their Level of Impact

Instructions for using the below table.

- (i) Tick (✓) any items that relate to the works.
- (ii) Include a description for each ticked item.
- (iii) Rate the Level of Impact as Low, Medium or High. The description is to include, by may not be limited to: -
 - o Where the works are (include a sketch if required);
 - o What works are involved; and
 - o How the works will be carried out.

Item	✓ if yes	Description, including Level of Impact (Low, Medium, High)
Ground disturbance / Earthworks	<input type="checkbox"/>	
Disposal of spoil on/off road reserve	<input type="checkbox"/>	
Ground disturbance outside of existing formation (table drains)	<input type="checkbox"/>	
Widen existing formation (either batters or drains)	<input type="checkbox"/>	
Excavation in and around waterways or tidal lands and waters	<input type="checkbox"/>	
Works outside road reserve (site offices, camps, storage yards)	<input type="checkbox"/>	
Construction of new stockpile(s)	<input type="checkbox"/>	
Installation or relocation of utilities (power, water, sewer or telecommunications)	<input type="checkbox"/>	



Excavation or filling in coastal areas below 5m AHD (possible Acid Sulphate soil)	<input type="checkbox"/>	
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Vegetation / Habitat Disturbance	✓ if yes	Description, including Level of Impact (Low, Medium, High)
Clearing native vegetation on road reserve (regrowth or remnant)	<input type="checkbox"/>	
Clearing native vegetation off road reserve (regrowth or remnant)	<input type="checkbox"/>	
Potential to interfere with animal breeding/roosting place (trees or structures)	<input type="checkbox"/>	
Burning of vegetation/ lighting fires	<input type="checkbox"/>	
Work inside WTWHA/ National Parks or other protected area	<input type="checkbox"/>	
Clearing of fence lines, utility corridors for clear zones	<input type="checkbox"/>	
Clearing for or widening existing access tracks side tracks	<input type="checkbox"/>	
Clearing for lay down areas, stockpile sites or prefabrication yards	<input type="checkbox"/>	

Watercourses and Coastal Areas	✓ if yes	Description, including Level of Impact (Low, Medium, High)
Installation of new culvert or bridge structure	<input type="checkbox"/>	
Replacement or modification of existing culvert or bridge structure	<input type="checkbox"/>	
Disturbance of marine plants in tidal areas	<input type="checkbox"/>	



Excavation or filling within a waterway (temporary or permanent)	<input type="checkbox"/>	
Temporary crossings or work platforms through waterways	<input type="checkbox"/>	
Works in a tidal watercourse (bunds, cofferdams, dewater site)	<input type="checkbox"/>	
Taking of water from a waterway or bore	<input type="checkbox"/>	
Removal of red lead paint from structures	<input type="checkbox"/>	
Earthworks or clearing in waterways	<input type="checkbox"/>	
Work through or adjacent to a wetland NOTE: Not all wetlands have standing water at all times.	<input type="checkbox"/>	

Environmentally Relevant Activities	✓ if yes	Description, including Level of Impact (Low, Medium, High)
Transportation of regulated waste (>250kg)	<input type="checkbox"/>	
Disposal of waste on/off road reserve	<input type="checkbox"/>	
Screening, crushing, milling or grinding operations	<input type="checkbox"/>	
Abrasive blasting	<input type="checkbox"/>	
Septic system for camp or office	<input type="checkbox"/>	
Storage of fuel (>10,000L) on site	<input type="checkbox"/>	
Concrete batching (>200t/yr/site)	<input type="checkbox"/>	
Asphalt manufacturing (>1000t/yr/site)	<input type="checkbox"/>	
Vibration generating activities within 60m of a building or structure	<input type="checkbox"/>	



Opening of new or existing gravel/borrow pits	<input type="checkbox"/>	
Blasting or other use of explosives	<input type="checkbox"/>	
Significant painting/surface coating (>1t/yr/site)	<input type="checkbox"/>	

Other Activities that may impact the environment	✓ if yes	Description, including Level of Impact (Low, Medium, High)
	<input type="checkbox"/>	
	<input type="checkbox"/>	
	<input type="checkbox"/>	
	<input type="checkbox"/>	

Is an Environment Management Plan required?

- Based on the above I have determined that an Environmental Management Plan is required for the works.
Find attached a copy of the Environmental Management Plan dated _____
- Based on the above I have determined that an Environmental Management Plan is not required for the works.

Name of person signing on behalf the contractor

Title

Signature

Date

SALT WATER CREEK ROAD



- 1/4" 300 sq. LOTS
- 7/8" 300 sq. LOTS
- 7/8" >300 sq. LOTS

Distances and areas are approximate only and subject to final survey

TITLE: HIBISCUS GARDENS
 PROPOSED RESIDENTIAL DEVELOPMENT

DATE: DECEMBER 2017
 REVISION: 1
 DRAWN BY: [Signature]
 PLAN NO: 8028 - RESIDENTIAL



SCALE: 1"=200' O.A.D.



ANNEXURE F CURRENCY PERIOD OF DECISION NOTICE

SOURCE: URBAN PLANET

Ref: 06589

8 October, 2014

B & C Sprake
331 Lennox Street
Maryborough QLD 4650

tel 07 4128 2888 fax 07 4128 2588
email ward@urbanplanet.com.au
address 2/59 Torquay Rd
postal PO Box 232
Hervey Bay QLD 4655
web www.urbanplanet.com.au
ABN 72 412 077 971

Dear Sir

Re: Hibiscus Gardens Residential Community Lifestyle and Associated Commercial Activities Development at St Helens, Maryborough 4650

As Town Planning Consultants for Chantilly One Pty Ltd, registered proprietors of the above mention proposed development, we confirm the following.

A Preliminary Development Approval for this proposed development was granted by the Fraser Coast Regional Council on 3 June 2014, providing for 270 residential lots and associated commercial activities.

This Development Approval has a currency period of 10 years from the date it takes effect or 2 years from the date Council adopts a new Planning Scheme that changes the zone to reflect the approval, whichever is sooner.

Yours faithfully,

Ward Veitch
Urban Planet Town Planning Consultants



ANNEXURE G ENVIRONMENTAL CLEARANCE NOTICE

SOURCE: CULLEN & COUPER PTY. LTD



Cullen & Couper Pty. Ltd.

ACN 050 842 503

ABN 67 050 842 503

"Clients are our business"



TOWN PLANNING, SURVEYING, GIS & ENVIRONMENTAL CONSULTANTS

23 Stephenson St, Pialba
P.O. Box 540, PIALBA Q 4655
Ph: (07) 4124 7054
Fax: (07) 4124 7129
Email: surveying@cullenc.com.au
Website: www.cullenc.com.au

OUR REF: 115215

YOUR REF:

DIRECTORS & ASSOCIATES:
Rod Cullen:
Town Planner-Cadastral Surveyor
Email: rod@cullenc.com.au
Adrian Couper:
Cadastral Surveyor
Email: adrian@cullenc.com.au
John Broe:
Env. Consultant-Cadastral Surveyor
Email: johnb@cullenc.com.au
Ray Tabulo:
Spatial Scientist
Email: ray@cullenc.com.au
Dean Harvey:
Surveying Associate
Email: dean@cullenc.com.au

Bruce Sprake
PO Box 9
Maryborough Qld 4650

25th March 2011

Dear Bruce

RE: HIBISCUS GARDENS

Enclosed please find copy of your Property Map of Assessable Vegetation (PMAV) covering the 6 lots comprising "Hibiscus Gardens".

The PMAV is the highest order of mapping in the DERM database and because the subject land is mapped as Category X, there is now no restriction to clearing any of the site under the Vegetation Management Laws.

We trust this is a satisfactory outcome and wish you well with the assessment of the Planning Application.

Yours faithfully
Cullen & Couper Pty Ltd

John Broe
Environmental Consultant

Enc: DERM Correspondence & PMAV



MEMBER OF THE SPATIAL SCIENCES INSTITUTE

MEMBER OF CONSULTING SURVEYORS QUEENSLAND





Author : Genevieve Humble-Crofts
Ref number : 2011/001668:804787

24 March 2011

Department of
**Environment and Resource
Management**

*Rec'd
25/3/2011*

Cullen & Couper Pty Ltd
PO Box 540
Hervey Bay
QLD 4655

Dear Manager

Certification of a Property Map of Assessable Vegetation on Lots 28 M37617 & 1 RP120421 & 1,2 RP159617 & 23,24 W374 - Fraser Coast Regional Council

This is to advise you that a Property Map of Assessable Vegetation (PMAV) has been certified—consistent with your agreement—by the Department of Environment and Resource Management (DERM) on 24 March 2011. A copy of the certified map is attached for your records.

This PMAV will replace the Regional Ecosystem (RE) map in determining whether an application is required to clear native vegetation on your property. That is, the PMAV determines if the clearing of native vegetation on your property is an assessable activity. The categories on the PMAV are described as follows:

- Category X - areas where vegetation is not assessable, and can be cleared without approval under Queensland's vegetation management laws, though approvals may be required under other relevant laws.

Areas shown as grey, refer to areas subject to another PMAV, or if no PMAV exists a Regional Ecosystem Remnant Map or Regrowth Map. In most cases grey areas will show assessable vegetation.

Other Commonwealth, State and/or local government legislation and regulations may affect the management of native vegetation on your property. A development permit does not authorise the clearing of any vegetation that would constitute a contravention of these laws.

A copy of the certified PMAV has been sent to you for distribution, as you are the nominated contact on the application form.

27 O'Connell Street
Gympie
Locked Bag 383
Gympie
4570 Qld

Telephone + 61 54805308
Facsimile + 61 54805301


Website www.derm.qld.gov.au

ABN 46 640 294 485

If a registered owner requires additional copies of the certified PMAV, they can be purchased at any Department of Environment and Resource Management Customer Service Centre. Alternatively, maps showing PMAVs can be downloaded from DERM's website free of charge at www.derm.qld.gov.au.

Should you have any further enquiries, please do not hesitate to contact Genevieve Humble-Crofts on telephone 5480 5333 quoting reference number PMAV2011/001668.

Yours sincerely



Genevieve Humble-Crofts

A/Vegetation Management Officer

Additional Information for Property Map of Assessable Vegetation (PMAV)

Vegetation Management Act 1999

Replacing a PMAV

Under Section 20D of the *Vegetation Management Act 1999* (VMA) the chief executive may replace a PMAV with a new PMAV over all or part of the previous area. A PMAV may be replaced if a matter mentioned in section 20B of the VMA occurs in relation to the area (e.g. area becomes a declared area or an exchange area, or is unlawfully cleared) or for another matter if the owner of the land agrees to the replacement.

PMAV replacing regrowth vegetation map

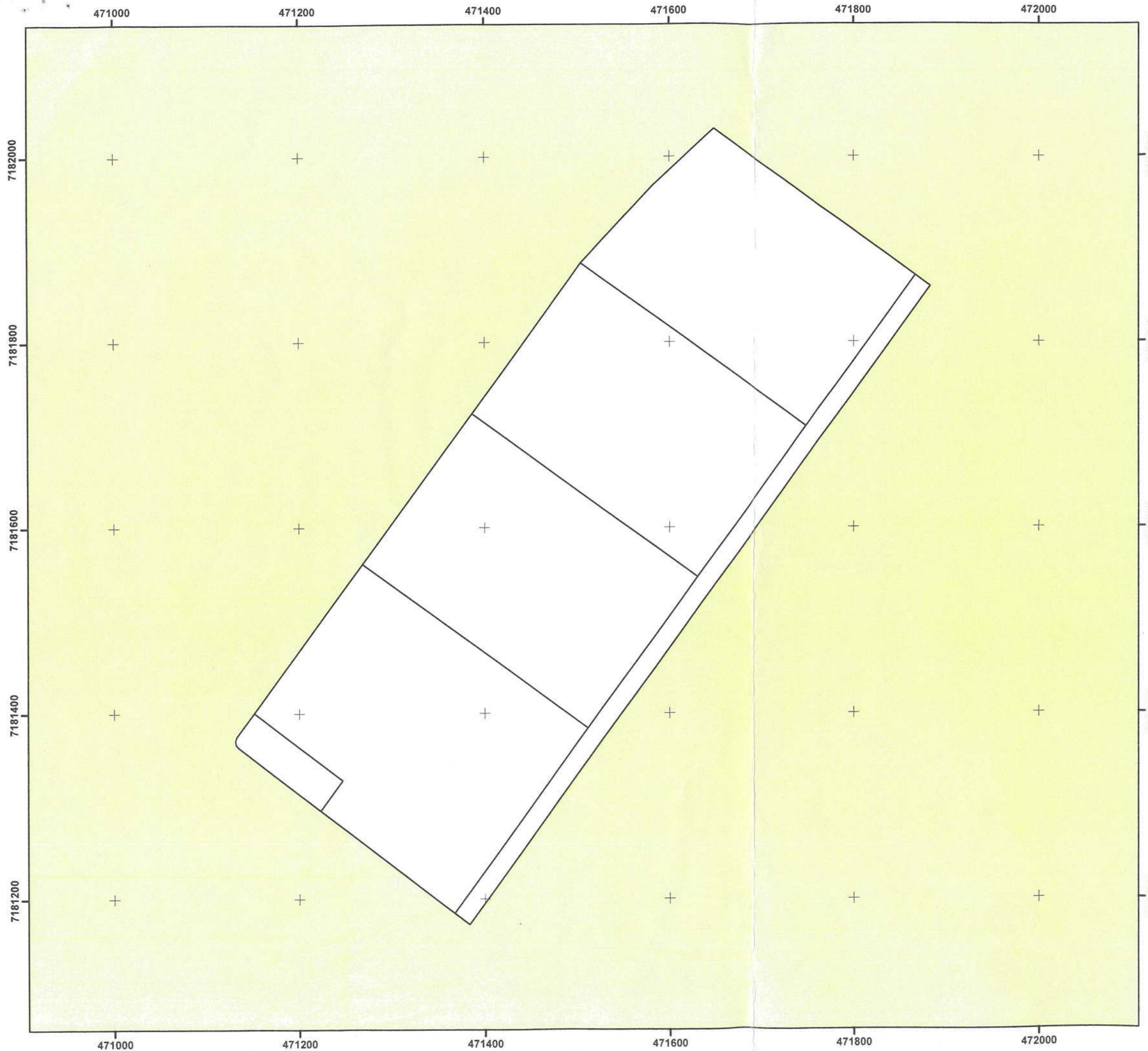
Where the chief executive reasonably believes there is an error in part of a regrowth vegetation map for an area, a PMAV may be made to replace the mapping for the area.

Revoking a PMAV

Under Section 20E of the VMA, the chief executive may revoke a PMAV for an area if:

- a) A declaration for an area ends
- b) An offset for an area ends
- c) An exchange area is no longer an exchange area required under the regrowth vegetation code
- d) An area is shown on a regional ecosystem map or remnant map as remnant vegetation
- e) the Land Act tenure over the area is not converted to another form of tenure
- f) the regrowth vegetation map is amended to correct the error

Also, the chief executive may revoke a property map of assessable vegetation made under section 20C(3) if the owner of the land agrees to the revocation.



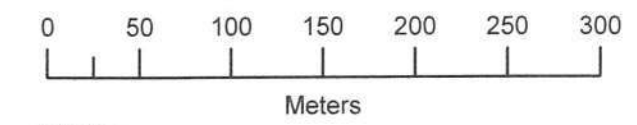
Sheet 1 of 1

Property Map of Assessable Vegetation

PMAV 2011/001668

LOT on PLAN
1RP120421, 1RP159617, 23W374, 24W374, 28M37617, 2RP159617

Queensland Government



LEGEND

- Subject Lot(s)
- Area to which the PMAV does not apply
- Area that is subject to other PMAVs, or if no PMAV exists, a Regional Ecosystem, Remnant or Regrowth Vegetation Map
- Vegetation Category Area**
- Category X area

N
Scale: 1:4000
(original size A3)

Notes:

Property boundary provided by Department of Environment and Resource Management
The property boundaries shown on this plan are approximate only. They are not an accurate representation of the legal boundaries.
Category X area based on Regional Ecosystem Data provided by Department of Environment and Resource Management.

Map Information:
Horizontal Datum: GDA 1994
Projection: Universal Transverse Mercator - Zone 56

This PMAV has been made under Section 20C(3) of the Vegetation Management Act (1999)

Signed for the Chief Executive of the Department of Environment and Resource Management by:

Name: Genevieve Humble-Crofts
Title: Vegetation Management Officer

Signature:

Date: 24/03/2011

Map Prepared by: GHC
Department of Environment and Resource Management
LMB 383, Gympie, Qld, 4570
© The State of Queensland (Environment and Resource Management) 2011
Map Preparation Date: 24/03/2011

ANDREW BURKE

M 0417 606 128

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