Your Ref: 15066

Fraser Coast REGIONAL COUNCIL

PO Box 1943
Hervey Bay Qld 4655

T 1300 79 49 29
F (07) 4197 4455
E enquiry@frasercoast.qld.gov.au
www.frasercoast.qld.gov.au

19 October 2017

Anscape Pty Ltd
C/- Urban Planet Town Planning Consultants
PO Box 232
HERVEY BAY QLD 4655

Dear Sir/Madam

RE: DECISION NOTICE - PRELIMINARY APPROVAL MCU-161045 - MATERIAL CHANGE USE - MULTIPLE DWELLING, SHOP, SHOPPING CENTRE, OFFICE, FOOD AND DRINK OUTLET AND HEALTH CARE SERVICES - LOCATED AT 640-644 ESPLANADE HERVEY BAY QLD 4655,

Thank you for lodgement of the above-mentioned development application. I am pleased to advise your application was approved on 19 October 2017, and your Decision Notice is enclosed.

If you have any questions about the decision, please contact me on the number below, and Council looks forward to working with you on this and any future developments.

Yours faithfully

Paul Rice
PRINCIPAL OFFICER DEVELOPMENT ASSESSMENT

Phone: 4197 4368
Docs Reference: 3437707

Decision Notice

Sustainable Planning Act 2009

APPLICATION DETAILS

Application Number:	MCU-161045
Date of Decision:	19 October 2017
Description of Proposal:	Preliminary Approval (s241) - Material Change Use - Multiple dwelling, Shop, Shopping Centre, Office, Food and Drink Outlet and Health Care Services

APPLICANT DETAILS

Name of Applicant:	Anscape Pty Ltd C/- Urban Planet Town Planning Consultants
Address:	PO Box 232 HERVEY BAY QLD 4655

SITE DETAILS

Site Address and Real Property Description:	640-644 Esplanade HERVEY BAY QLD 4655 Lot 508 U5001

DECISION

Approved subject to conditions

The conditions of this approval are set out in **Attachment 1**. These conditions are clearly identified to indicate whether the assessment manager or concurrence agency imposed them.

DEEMED APPROVAL

Section 331 of the *Sustainable Planning Act 2009 (SPA)* is not applicable to this decision.

1. DETAILS OF APPROVAL

The following approvals are given:

	Sustainable Planning Regulation 2009, schedule 3 reference	**Development Permit**	**Preliminary Approval**
Making a material change of use assessable under the planning scheme, a temporary local planning instrument, a master plan or a preliminary approval to which section 242 applies		☐	☒

2. PRELIMINARY APPROVAL AFFECTING THE PLANNING SCHEME

Not applicable

3. OTHER NECESSARY DEVELOPMENT PERMITS AND/OR COMPLIANCE PERMITS

Listed below are other development permits that are necessary to allow the development to be carried out:

Development Permit	Works Required
Material Change of Use	All Material Change of Use
Building Work	All Building Work
Plumbing and Drainage Work	All Plumbing and Drainage Work
Operational Works	All Operational Works

4. CODES FOR SELF ASSESSABLE DEVELOPMENT

The following codes must be complied with for self-assessable development related to the development approved:

The relevant codes identified in the *Fraser Coast Planning Scheme 2014*

5. DETAILS OF ANY COMPLIANCE ASSESSMENT REQUIRED FOR DOCUMENTS OR WORK IN RELATION TO THE DEVELOPMENT

Not applicable

6. SUBMISSIONS

Not applicable

7. CONFLICT WITH A RELEVANT INSTRUMENT AND REASONS FOR THE DECISION DESPITE THE CONFLICT

The assessment manager does not consider that the assessment manager's decision conflicts with a relevant instrument.

8. REFERRAL AGENCIES

For an application involving	Name of referral agency	Advice agency or concurrence agency	Address
Schedule 7, table 3, item 2 of the *Sustainable Planning Regulation 2009* (current as at 22 July 2016): An aspect of development identified in schedule 9 that— (a) is for a purpose mentioned in schedule 9, column 1; and (b) meets or exceeds the threshold— (i) for development in LGA population 1— mentioned in schedule 9, column 2 for the purpose; or (ii) for development in LGA population 2— mentioned in schedule 9, column 3 for the purpose. However, if the development is for a combination of purposes mentioned in the same item of schedule 9, the threshold is for the combination of purposes and not for each purpose individually.	Department of Infrastructure, Local Government and Planning	Concurrence	Via MyDAS at www.dilgp.qld.gov.au WBBSARA@dilgp.qld.gov.au PO Box 979 BUNDABERG QLD 4670 Level 1, 7 Takalvan Street, BUNDABERG QLD 4670

9. APPROVED PLANS

The approved plans for this development approval are listed in the following table:

Plan number	Plan/Document name	Date
-	Residential Development 640 The Esplanade, Urangan, Hervey Bay	Received 10 August 2016
15015 | 1 - 01	Site location plan	6 May 2016
15015 | 1 - 02	Development summary	6 May 2016
15015 | 2 - 01	Basement 2 floor plan	6 May 2016
15015 | 2 - 02	Basement 1 floor plan	6 May 2016
15015 | 2 - 03	Ground floor plan	6 May 2016
15015 | 2 - 04	First floor plan (Typical floor levels 1-3)	6 May 2016
15015 | 2 - 05	Fourth floor plan (Typical floor levels 4-18)	6 May 2016
15015 | 2 - 06	Nineteenth floor plan	6 May 2016
15015 | 2 - 07	Roof plan	6 May 2016
15015 | 3 - 01	North elevation	6 May 2016
15015 | 3 - 02	South elevation	6 May 2016
15015 | 3 - 03	East elevation	6 May 2016
15015 | 3 - 04	West elevation	6 May 2016
15015 | 4 - 01	Section one	6 May 2016
15015 | 4 - 02	Section two	6 May 2016
15015 | 4 - 03	Section three	6 May 2016
15015 | 5 - 01	Typical apartment plans	6 May 2016
15015 | 6 - 01	Perspective from the Esplanade	6 May 2016
15015 | 6 - 02	Perspective from cnr the Esplanade & Boat Harbour Dr	6 May 2016
15015 | 6 - 03	Perspective from north west	6 May 2016
15015 | 6 - 04	Perspective from the Esplanade	6 May 2016
15015 | 7 - 01	Shadow diagrams	6 May 2016
15015 | 7 - 02	Shadow diagrams	6 May 2016
15015 | 7 - 03	Shadow diagrams	6 May 2016
15015 | 7 - 04	Shadow diagrams	6 May 2016

10. WHEN APPROVAL LAPSES IF DEVELOPMENT NOT STARTED

Pursuant to section 341 of the *Sustainable Planning Act* 2009, this approval will lapse four (4) years from the date that the approval takes effect unless the relevant period is extended pursuant to section 383.

11. REFUSAL DETAILS

Not Applicable

12. APPEAL RIGHTS

Appeal rights are outlined in Attachment 2.

ASSESSMENT MANAGER

Paul Rice Signature: Date: 19-10-17

Attachment 1 – Conditions of Approval

Part 1 – Conditions imposed by the assessment manager

Part 2 – Plans approved by the assessment manager

Part 3 – Conditions imposed by the concurrence agency

Attachment 2 – Appeal Rights

Part 1 – Appeals to the Planning and Environment Court

Part 2 – Appeals to the Building & Development Dispute Resolution Committee

Part 3 – Rights of Appeal Waiver

Attachment 1

Conditions of Approval

Part 1 – FRASER COAST REGIONAL COUNCIL CONDITIONS

GENERAL

1. Any future development of the premises must be assessed against, and carried out generally in accordance with the endorsed plans and documents referred to in this Preliminary 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 development applications for a Development Permit must be supported by the following:
   a. In order to achieve the outcomes in the Multi-unit residential uses code and Business uses code, submit an Acoustic Impact Assessment Report prepared by a suitably qualified person in accordance with the Planning scheme policy for information that Council may require, demonstrating that vehicle movements, loading docks, mechanical plant and equipment can be located, screened and acoustically treated to achieve compliance with the Environmental Protection (Noise) Policy 2008 under the *Environmental Protection Act 1994*;
   b. In order to achieve the outcomes in the Airport and aviation facilities overlay code, submit an Aviation Operations Safety Strategy prepared by a suitably qualified person in accordance with the Planning Scheme Policy for information that Council may require, demonstrating how the development will maintain safe aviation operations in compliance with the performance outcomes of the Planning Scheme and the requirements of any other relevant documents, standards and authority (e.g. CASA, Hervey Bay Airport Operations Manager);
   c. In order to achieve the outcomes in the Landscaping code, submit detailed Landscaping Plans prepared by a suitably qualified person in accordance with Council's Minimum Documentation Standards outlined in Planning Scheme Policy for Development Works - SC6.3, demonstrating how the development will incorporate existing significant native vegetation into landscape treatments, and the provision of a minimum 1.5 metre wide landscape buffer along the western boundary adjacent to ground level car parking;
   d. In order to achieve the outcomes in the Biodiversity areas, waterways and wetlands overlay code, submit an Ecological Assessment Report prepared by a suitably qualified person in accordance with the Planning scheme policy for information that Council may require, demonstrating that:
      i. The minimisation of vegetation clearing, including the redesign or resiting of buildings, has been exhausted;
      ii. The result of any proposed permanent loss of ecosystem and habitat values currently present onsite, and proposed replacement strategy; and
      iii. Any vegetation proposed for removal can be undertaken in a manner that ensures the protection of all branches, trunks and roots of the remaining protected vegetation on site based on best arboricultural practice to ensure the long-term survival of the trees.
   e. In order to achieve the outcomes in the Transport and parking code, Multi-unit residential uses code and Business uses code, provide amended plans of development incorporating the following:
      i. Details secure bicycle parking and associated end of trip support facilities in a safe and convenient location for intended users, consistent with the Fraser Coast Planning Scheme 2014, and in accordance with the Australian Standard: AS2890.3 – Bicycle Parking Facilities;
      ii. Strategy for Waste Management, including storage location and bin type for general and recyclable waste, collection and cleaning arrangements, and methods of controlling odour or visual nuisance that may impact neighbouring sensitive uses;
      iii. Swept paths for HRV vehicle access for refuse collection;
      iv. Details of resident and resident visitor car parking location, numbers and access arrangements (including any proposed private/public access restriction measures);

v. Details of commercial and community use car parking location, numbers and access arrangements (including any proposed private/public access restriction measures, delivery routes between service vehicles and commercial/community uses, ambulance space and patient access route);
vi. Details of any proposed pedestrian access restriction measures separating private residential uses from publically accessible spaces/uses;
vii. Details of provision for parking and access routes for persons with a disability, including wheelchairs and mobility scooters;
viii. Details of communal open spaces/facilities, including hard and soft landscaping treatments, dimensions and embellishments; and
ix. Details of commercial/community uses GFA, proposed hours of operation and anticipated staffing numbers.

f. In order to achieve the outcomes in the Acid Sulfate soils overlay code, submit an Acid Sulfate Soils Assessment And Management Plan, prepared by a suitably qualified person in accordance with the Planning scheme policy for information that Council may require, demonstrating how mitigation measures for management, transportation and stabilisation of excavated material containing acid sulfate soils will be achieved in accordance with the relevant Planning Scheme requirements;
g. In order to achieve the outcomes in the Bushfire hazard overlay code, submit a Site-Specific Bushfire Hazard Assessment And Management Plan prepared by a suitably qualified person, including a water supply design and strategy for fire-fighting purposes in accordance with the Planning scheme policy for information that Council may require, demonstrating how bushfire mitigation measures will be achieved in accordance with the relevant Planning Scheme requirements;
h. In order to achieve the outcomes in the Coastal protection and Flood hazard overlay codes, submit a Flood And Stormwater Management Assessment Report prepared by a suitably qualified person in accordance with the Planning scheme policy for information that Council may require, demonstrating that floor levels and any mitigation measures meet the relevant Planning Scheme requirements;
i. In order to achieve the outcomes in the Works, services and infrastructure code, submit design documentation by a suitably qualified person in accordance with the Planning scheme policy for information that Council may require demonstrating that all necessary infrastructure networks, services and utilities to service the development can be provided in accordance with Council's Local Government Infrastructure Plan, the Planning scheme policy for development works and relevant standards of service providers.

INFRASTRUCTURE

Stormwater Management/ Water Sensitive Urban Design

3. Any future related development applications for a Development Permit must be supported by a full Flood Study Report incorporating hydrological and hydraulic modelling and mitigation measures to address the impacts of the Development upon the local drainage network. The report must include but not be limited to:
   a. Sufficient design details that provides the interim (temporary) and ultimate measures required to deliver the stormwater quality and quantity management outcomes in accordance with the Planning Scheme Policy for Further Information (SC6.4);
   b. Identifying the critical development staging triggers to implement flood management infrastructure that ensures no net worsening of existing flood immunity of upstream and downstream properties.
   c. Sufficient design details, construction details, and plans to demonstrate that any proposed flood and stormwater management strategy can be implemented on the site and all flood and stormwater management infrastructures can be contained within the site;
   d. Design details of any proposed drainage system including diversion systems used to divert high water flows from access way pavements, sealed areas and excess roof water to a drainage system for conveyance off site to the receiving drainage infrastructure. The drainage system is to be designed to ensure the quality of the post development stormwater discharging onto the downstream environment is improved or maintained to that of the pre development conditions;

e. The hydrologic, hydraulic and water quality performance of the proposed development, including upstream and downstream systems affecting or affected by the proposed development under the existing catchment conditions and under fully developed (ultimate) catchment conditions as modified by the proposed development. This is to demonstrate that the proposed mitigation measures will ensure non-worsening of pre-development water quantity (flood levels) and quality conditions;

f. Drawing(s) showing:
   - The pre and post development 20yr, 50yr and 100yr flood extent lines and 100 year ARI lines;
   - Information related to depth, velocity and duration of inundation of overland flows likely to discharge off the site and their effects on the downstream drainage network;
   - Final design details of a suitable drainage systems (including any detention basins, outlet structures, overland flow paths, infiltration devices, SQIDs etc.) with appropriate capacity, alignment, grades, geometry and arrangement, satisfying the design requirements nominated in the stormwater management plan;
   - Full design details of onsite stormwater quality management infrastructure (e.g. rainwater tanks, infiltration devices, bio-filter, swales, etc.); and

g. Drainage easements proposed to be dedicated in favour of Council over all infrastructure necessary for the long term satisfactory performance of the stormwater management strategy wherever such infrastructure is located on private land, and such other easements for access and maintenance as necessary to allow unimpeded access to infrastructure from public land.;

The report is to be prepared by a suitably qualified and Registered Professional Engineer of Queensland (RPEQ).

Roads

4. Any future related development applications for a Development Permit must be supported by a Traffic Impact Assessment (TIA) prepared in accordance with Planning Scheme Policy (SC6.4.8) that addresses the development impacts upon the following Council owned intersections and road corridors. The TIA must include but not be limited to the following;
   - Assessment of the impacts of the site access for all movements with Boat Harbour Drive and the necessary mitigations to address the impacts;
   - Assessment of the development impacts upon the Boat Harbour Drive and Esplanade intersection;
   - Details of all relevant road corridor resumptions, intersection and road carriageway mitigations resulting from the implementation of the proposed development;
   - Sufficient design details that provide the interim (temporary) and ultimate traffic mitigation measures required to deliver the transport infrastructure upgrade identified in the assessment in accordance with the staged release of the overall development.

The TIA is to be prepared by a suitably qualified and Registered Professional Engineer of Queensland. (RPEQ).

Pedestrian and Cyclist Access

5. Any future related development applications for a Development Permit must be supported by a Pedestrian And Cycle Management Plan that includes the following;
   a. Cycle and footpath routes that align with the traffic impact and road hierarchy strategy for the site;
   b. Cycle and footpath routes that align with the public transport strategy for the site;
   c. Cycle and footpath routes that promote interconnectivity with existing adjoining development;
   d. Cycle and footpath routes that provide links to proposed private and public open space areas within and external to the site;
   e. An infrastructure implementation strategy that identifies critical infrastructure to be provided at each respective stage of the development.
   f. Essential connectivity links to external walk and cycle networks and the staged triggers to implement the external links.

The plan is to be prepared by a suitably qualified and Registered Professional Engineer of Queensland. (RPEQ)

Public Transport

6. Any future related development applications for a Development Permit must be supported by a Public Transport Strategy for the entire development. The public transport strategy must include but not be limited to the following:
    a. Development staging and interim public transport requirements;
    b. Ultimate public transport requirements for the entire development; and
    c. Bus route and public transport facilities/infrastructure to service the entire development;

The strategy is to be prepared by a suitably qualified and Registered Professional Engineer of Queensland. (RPEQ)

Water Supply

7. Any future related development applications for a Development Permit must be supported by a Water Supply Assessment showing how the overall development will be serviced with a reticulated water supply system and fire flow requirements including any interim measures and the future staging requirements. Any proposal for reticulated water supply must be in accordance with Council's water supply strategy, Water and Sewerage Code of Australia (WSAA) and Fraser Coast Regional Council's Planning Scheme Policy for Development Works (SC6.3). The reticulation assessment must include;
    - Extension of a DN150mm water main from the existing DN200 water main across the Esplanade to service the development; and
    - Provision of water supply infrastructure to meet fire flow requirements to service the development.

The assessment is to be prepared by a suitably qualified and Registered Professional Engineer of Queensland (RPEQ).

Sewer Reticulation

8. Any future related development applications for a Development Permit must be supported by, a Sewerage Reticulation Assessment showing how the overall development will be serviced with a reticulated sewerage system, including any interim measures and the future staging requirements. The assessment must address any information as is required to demonstrate that the development can be serviced in accordance with Councils' Sewerage Strategy, Water and Sewerage Code of Australia (WSAA) and Planning Scheme Policy for Development Works (SC6.3). The reticulation assessment must include;
    - The manhole on the corner of the Esplanade and Boat Harbour Drive (MH10950) as the legal connection point for the development; and
    - Extension of a DN150mm main from MH10950 across the Esplanade to a new manhole within the site to service the development.

The assessment is to be prepared by a suitably qualified and Registered Professional Engineer of Queensland (RPEQ).

Street Lighting

9. Any future related development applications for a Development Permit must be supported by a Street Lighting Plan prepared by a suitably qualified person in accordance with the Planning scheme policy for information that Council may require.

Easements

10. Any future related development applications for a Development Permit must be supported by an Internal Easements Plan prepared by a suitably qualified person in accordance with the Planning scheme policy for information that Council may require, demonstrating the following:
    - Easements for underground drainage infrastructure and overland flow purposes that discharges Council stormwater onto and through the land up to and including the 1 in 100 year ARI event; and
    - Easements for Council owned Sewer Infrastructure that drains sewage through the site.

SITE WORKS / OPERATIONAL WORKS

Earthworks

11. Any future related development applications for a Development Permit must be supported by a Bulk Earthworks Plan of the development prepared by a suitably qualified person in accordance with the Planning scheme policy for information that Council may require, showing the finished surface levels for the entire development. The earthworks plan must demonstrate the following:
    a. Drainage discharge arrangements in accordance with the Planning Scheme Policy for Development Works;
    b. Flood immunity provisions in accordance with the Planning Scheme;
    c. Site fill extents;
    d. Total earthworks balance including the volume of cut to fill within the site; and
    e. The import and export of material balance and the likely source of the material being imported to the site and the likely destination of the material being exported from the site.

Advertising Devices

12. Any future related development application for a Development Permit must be accompanied by an Operational Works application for all signs and advertising devices associated with the development that do not comply with the accepted requirements of the Fraser Coast Planning Scheme 2014.

Advice Notes

1. Infrastructure Charges are not applicable to this approval. Infrastructure charges will be applicable to any subsequent approvals for Material Change of Use, Reconfiguration of Lots or Building Work.

2. *Operational Works Applications related to the Preliminary Approval will not be approved until such time as a subsequent Material Change of Use application relating to the Operational Works has been approved.*

3. The developer must enter into an agreement with a licensed telecommunication provider to ensure that a telecommunication connection will be available to each lot in the development under standard tariff conditions and without further capital contributions. Provide evidence of such an agreement to Council prior to commencement of the use.

4. The developer must enter into an agreement with an approved electricity provider, prior to the commencement of the use, to ensure that electricity will be available to the development under standard tariff conditions and without further capital contributions. Provide evidence of such an agreement to Council prior to the commencement of the use.

5. This Preliminary Approval does not authorise any activity that may harm Aboriginal cultural heritage. Under the Aboriginal Cultural Heritage Act 2003 you have a duty of care in relation to such heritage. Section 23(1) provides that 'A person who carries out an activity must take all reasonable and practicable measures to ensure the activity does not harm Aboriginal cultural heritage.' Council does not warrant that the approved development avoids affecting Aboriginal cultural heritage. It may therefore be prudent for you to carry out searches, consultation, or a cultural heritage assessment to ascertain the presence or otherwise of Aboriginal cultural heritage. Further information on cultural heritage can be obtained from the Department of Environment and Resource Management.

Part 2 – FRASER COAST REGIONAL COUNCIL APPROVED PLANS

See attached approved plans.

RESIDENTIAL DEVELOPMENT

640 THE ESPLANADE
URANGAN, HERVEY BAY

FRASER COAST REGIONAL COUNCIL
These are the plans referred to in
Decision Notice No.
MCU 16 1045 19 OCT 2017
.....
For Assessment Mgr.

++ bloc
design

FRASER COAST REGIONAL COUNCIL
These are the plans referred to in
Decision Notice No.
MCU-161045 19 OCT 2017

For Assessment Mgr.

1-01

SITE LOCATION PLAN

date 06/05/2016 | scale 1:500@A3 | project no. 15015 | drawing no.

This design is the property of the architect and may not be used, copied, or reproduced wholly or in part, without the express permission of the architect. Infringement in any way may result in legal action.

bloc design
PO Box 467
Hervey Bay QLD 4655
61 7 4128 4466
studio@blocdesign.com.au
www.blocdesign.com.au

1-02

GFA Area Schedule

1	Ground Floor	Tower A		Foyer and Facilities	1395 sqm
2	First Floor	Tower A	12	Retirement Apartments	1398 sqm
3	Second Floor	Tower A	12	Retirement Apartments	1352 sqm
4	Third Floor	Tower A	12	Retirement Apartments	1352 sqm
5	Fourth Floor	Tower A	10	Retirement Apartments	1806 sqm
6	Fifth Floor	Tower A	10	Retirement Apartments	1806 sqm
7	Sixth Floor	Tower A	10	Retirement Apartments	1806 sqm
8	Seventh Floor	Tower A	10	Retirement Apartments	1806 sqm
9	Eighth Floor	Tower A	10	Retirement Apartments	1806 sqm
10	Nineth Floor	Tower A	10	Retirement Apartments	1806 sqm
11	Tenth Floor	Tower A	10	Retirement Apartments	1806 sqm
12	Eleventh Floor	Tower A	10	Retirement Apartments	1806 sqm
13	Twelfth Floor	Tower A	10	Retirement Apartments	1806 sqm
14	Thirteenth Floor	Tower A	10	Retirement Apartments	1806 sqm
15	Fourteenth Floor	Tower A	10	Retirement Apartments	1806 sqm
16	Fiftennth Floor	Tower A	10	Retirement Apartments	1806 sqm
17	Sixteenth Floor	Tower A	10	Retirement Apartments	1806 sqm
18	Seventeenth Floor	Tower A	10	Retirement Apartments	1806 sqm
19	Eighteenth Floor	Tower A	10	Retirement Apartments	1806 sqm
20	Nineteenth Floor	Tower A	10	Retirement Apartments	1806 sqm

196 Subtotal for Tower A

1	Ground Floor	Tower B		Foyer and Facilities	540 sqm
2	First Floor	Tower B	12	Retirement Apartments	1398 sqm
3	Second Floor	Tower B	12	Retirement Apartments	1352 sqm
4	Third Floor	Tower B	12	Retirement Apartments	1352 sqm
5	Fourth Floor	Tower B	10	Retirement Apartments	1806 sqm
6	Fifth Floor	Tower B	10	Retirement Apartments	1806 sqm
7	Sixth Floor	Tower B	10	Retirement Apartments	1806 sqm
8	Seventh Floor	Tower B	10	Retirement Apartments	1806 sqm
9	Eighth Floor	Tower B	10	Retirement Apartments	1806 sqm
10	Nineth Floor	Tower B	10	Retirement Apartments	1806 sqm
11	Tenth Floor	Tower B	10	Retirement Apartments	1806 sqm
12	Eleventh Floor	Tower B	10	Retirement Apartments	1806 sqm
13	Twelfth Floor	Tower B	10	Retirement Apartments	1806 sqm
14	Thirteenth Floor	Tower B	10	Retirement Apartments	1806 sqm
15	Fourteenth Floor	Tower B	10	Retirement Apartments	1806 sqm
16	Fiftennth Floor	Tower B	10	Retirement Apartments	1806 sqm
17	Sixteenth Floor	Tower B	10	Retirement Apartments	1806 sqm
18	Seventeenth Floor	Tower B	10	Retirement Apartments	1806 sqm
19	Eighteenth Floor	Tower B	10	Retirement Apartments	1806 sqm
20	Nineteenth Floor	Tower B	8	Retirement Apartments/ Restaurant/ Pool deck	1806 sqm

194 Subtotal for Tower B

390 Total Dwellings

1	Ground Floor	Retail Area	75	Car Spaces Shops and Amenities	1280 sqm (Retail Only)
-1	Basement 1	Carparking	235	Car Spaces	6772 sqm
-2	Basement 2	Carparking	536	Car Spaces	13140 sqm

846 Total Car Spaces

FRASER COAST REGIONAL COUNCIL
These are the plans referred to in Decision Notice No.
MCU-161045 19 OCT 2017
.....
For Assessment Mgr.

DEVELOPMENT SUMMARY

date	scale	project no.	drawing no.
06/05/2016	1:500@A3	15015	

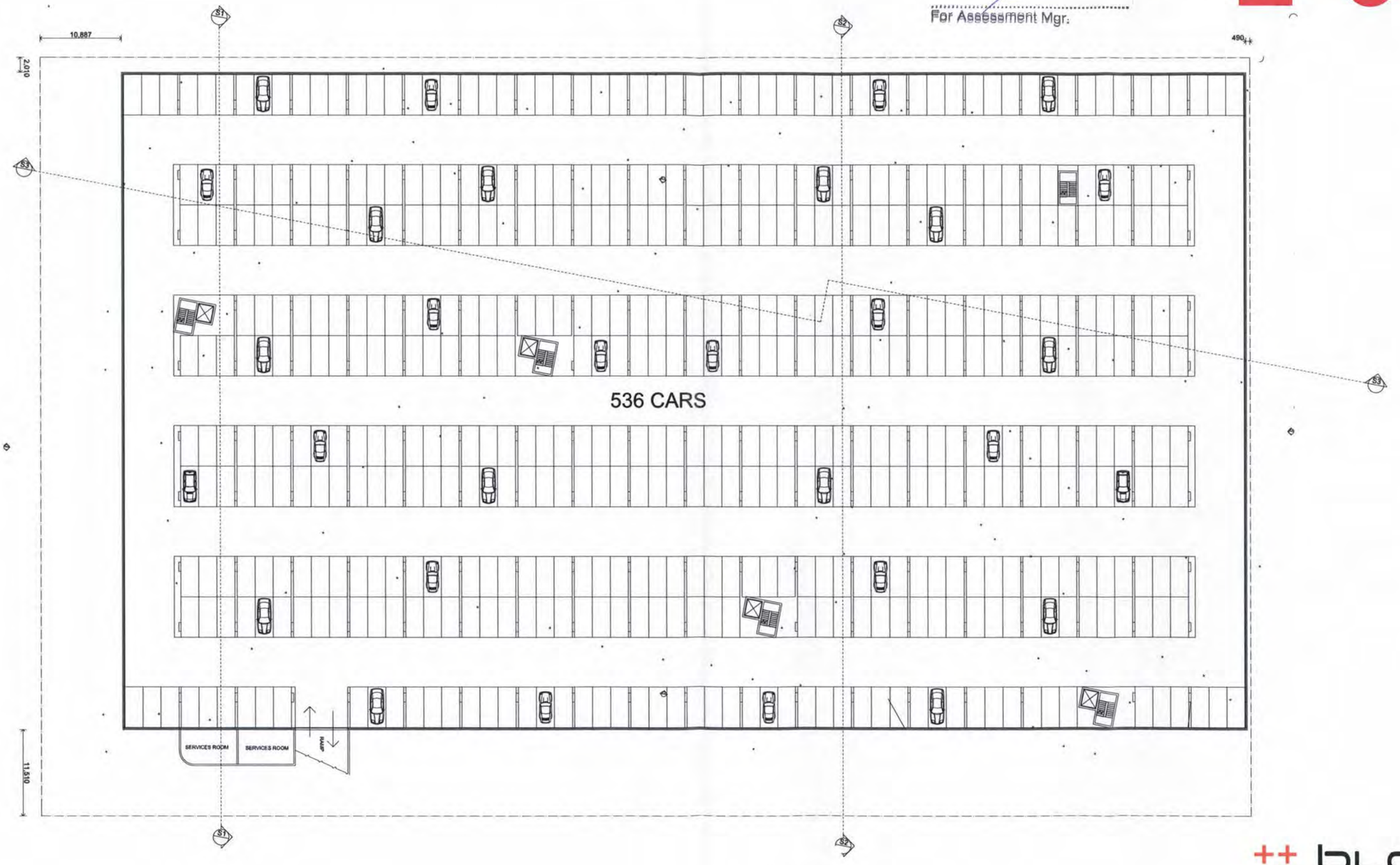
This design is the property of the architect and may not be used, copied, or reproduced wholly or in part, without the express permission of the architect. Infringement in any way may result in legal action.

bloc design
PO Box 467
Hervey Bay QLD 4655
61 7 4128 4466
studio@blocdesign.com.au
www.blocdesign.com.au

FRASER COAST REGIONAL COUNCIL
These are the plans referred to in
Decision Notice No.
MCU-161045 19-OCT 2017

.....
For Assessment Mgr.

2-01



BASEMENT 2 FLOOR PLAN

date	scale	project no.	drawing no.
06/05/2016	1:500@A3	15015	

This design is the property of the architect and may not be used, copied, or reproduced wholly or in part, without the express permission of the architect. Infringement in any way may result in legal action.

bloc design
PO Box 467
Hervey Bay QLD 4655
61 7 4128 4466
studio@blocdesign.com.au
www.blocdesign.com.au

FRASER COAST REGIONAL COUNCIL
These are the plans referred to in Decision Notice No.
MCU161045 19.OCT 2017
For Assessment Mgr.

2-02

BASEMENT 1 FLOOR PLAN

date	scale	project no.	drawing no.
06/05/2016	1:500@A3	15015	

This design is the property of the architect and may not be used, copied, or reproduced wholly or in part, without the express permission of the architect. Infringement in any way may result in legal action.

bloc design
PO Box 467
Hervey Bay QLD 4655
61 7 4128 4466
studio@blocdesign.com.au
www.blocdesign.com.au

FRASER COAST REGIONAL COUNCIL
These are the plans referred to in
Decision Notice No.
MCU 16 1 0 4 5 19 OCT 2017
.....
For Assessment Mgr.

2-03

GROUND FLOOR PLAN

BOAT HARBOUR DR

date	scale	project no.	drawing no.
06/05/2016	1:500@A3	15015	

This design is the property of the architect and may not be used, copied, or reproduced wholly or in part, without the express permission of the architect. Infringement in any way may result in legal action

bloc design
PO Box 467
Hervey Bay QLD 4655
61 7 4128 4466
studio@blocdesign.com.au
www.blocdesign.com.au

FRASER COAST REGIONAL COUNCIL
These are the plans referred to in Decision Notice No.
MCU161045 19 OCT 2017
For Assessment Mgr.

2-04

FIRST FLOOR PLAN (TYPICAL FLOOR LEVELS 1-3)

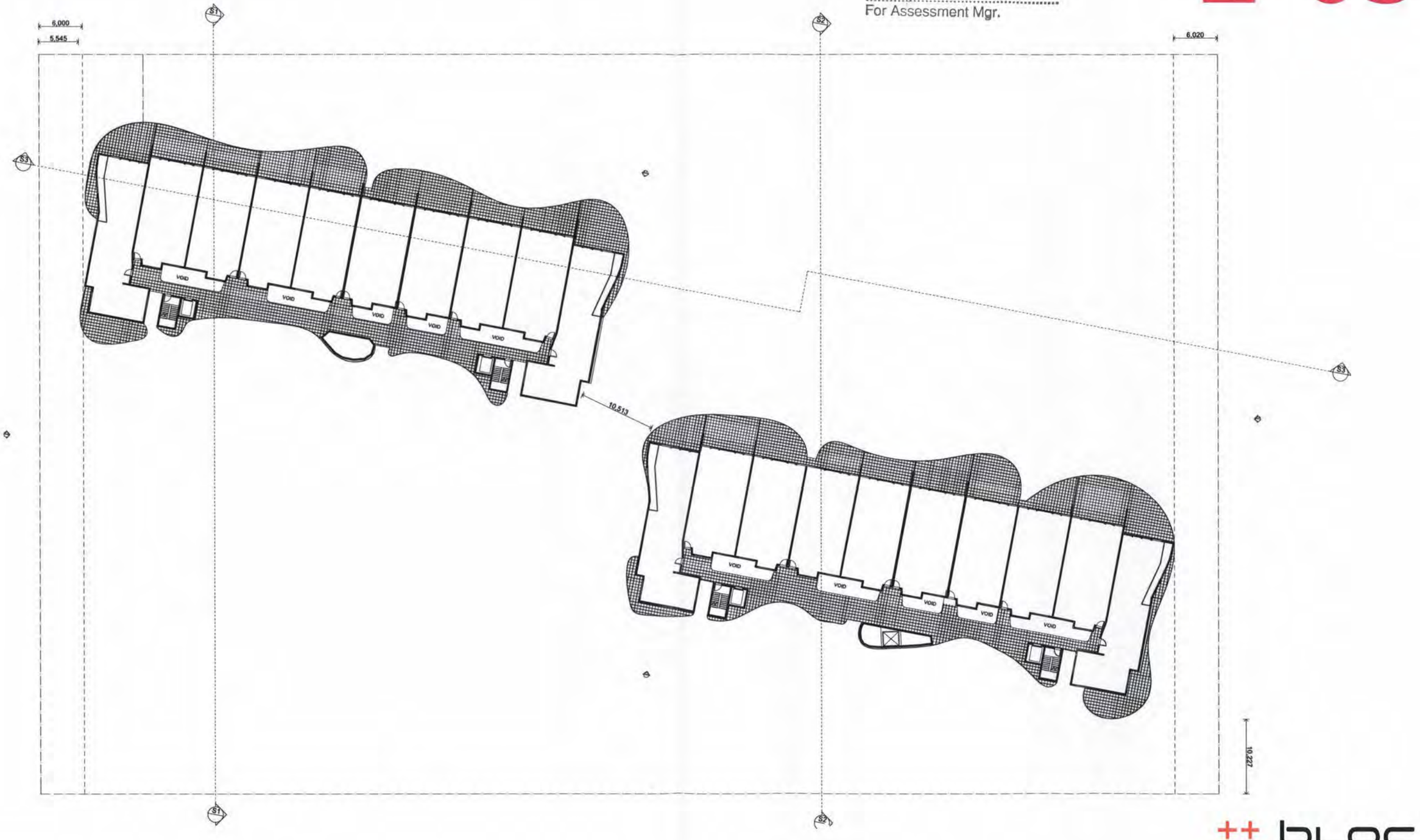
date	scale	project no.	drawing no.
06/05/2016	1:500@A3	15015	

This design is the property of the architect and may not be used, copied, or reproduced wholly or in part, without the express permission of the architect. Infringement in any way may result in legal action.

bloc design
PO Box 467
Hervey Bay QLD 4655
61 7 4128 4466
studio@blocdesign.com.au
www.blocdesign.com.au

FRASER COAST REGIONAL COUNCIL
These are the plans referred to in
Decision Notice No.
MCU 161045 19 OCT 2017
For Assessment Mgr.

2-05



FOURTH FLOOR PLAN (TYPICAL FLOOR LEVELS 4-18)

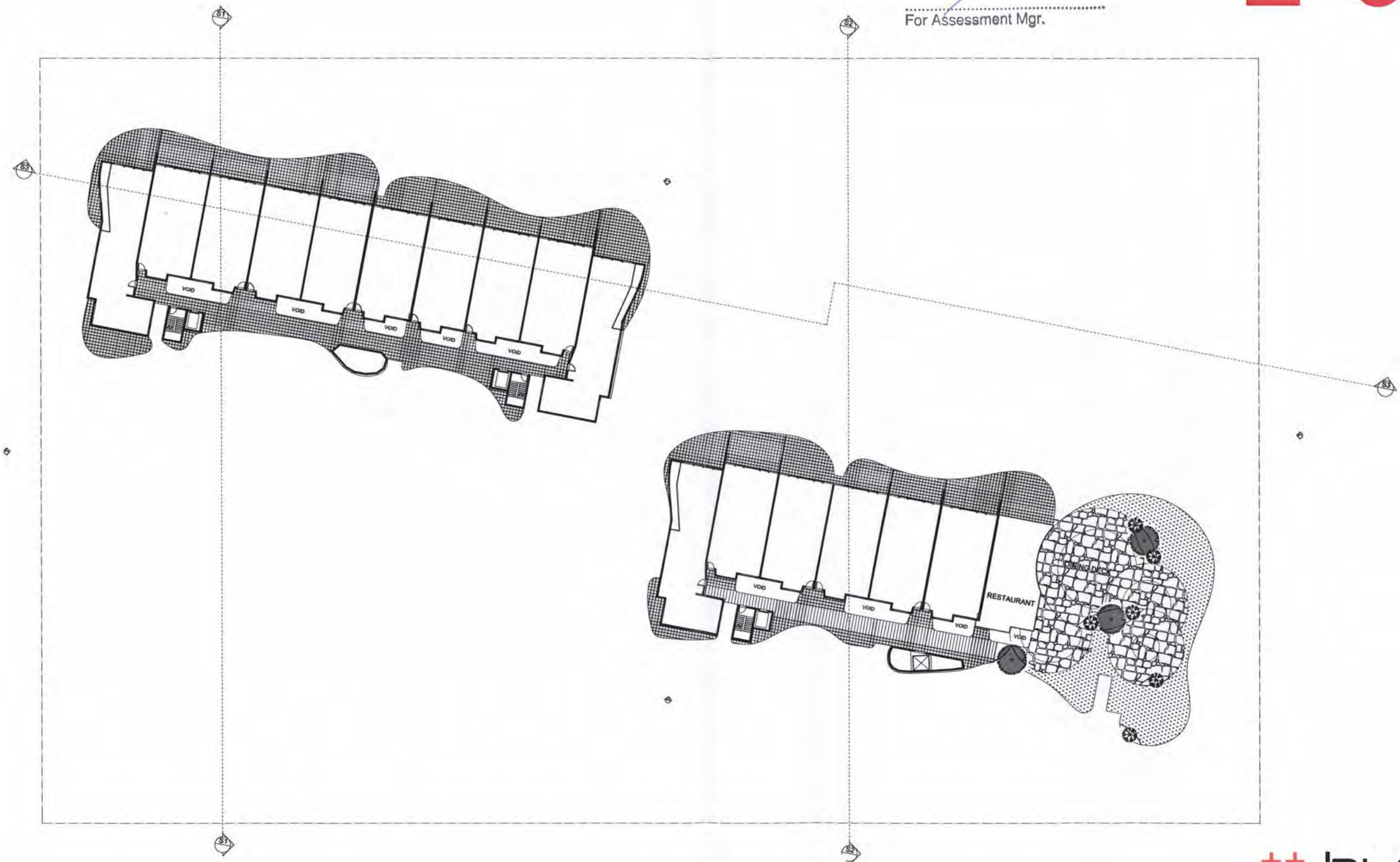
date	scale	project no.	drawing no.
06/05/2016	1:500@A3	15015	

This design is the property of the architect and may not be used, copied, or reproduced wholly or in part, without the express permission of the architect. Infringement in any way may result in legal action.

bloc design
PO Box 467
Hervey Bay QLD 4655
61 7 4128 4466
studio@blocdesign.com.au
www.blocdesign.com.au

FRASER COAST REGIONAL COUNCIL
These are the plans referred to in
Decision Notice No.
MCU-161045 19 OCT 2017
.....
For Assessment Mgr.

2-06



NINETEENTH FLOOR PLAN

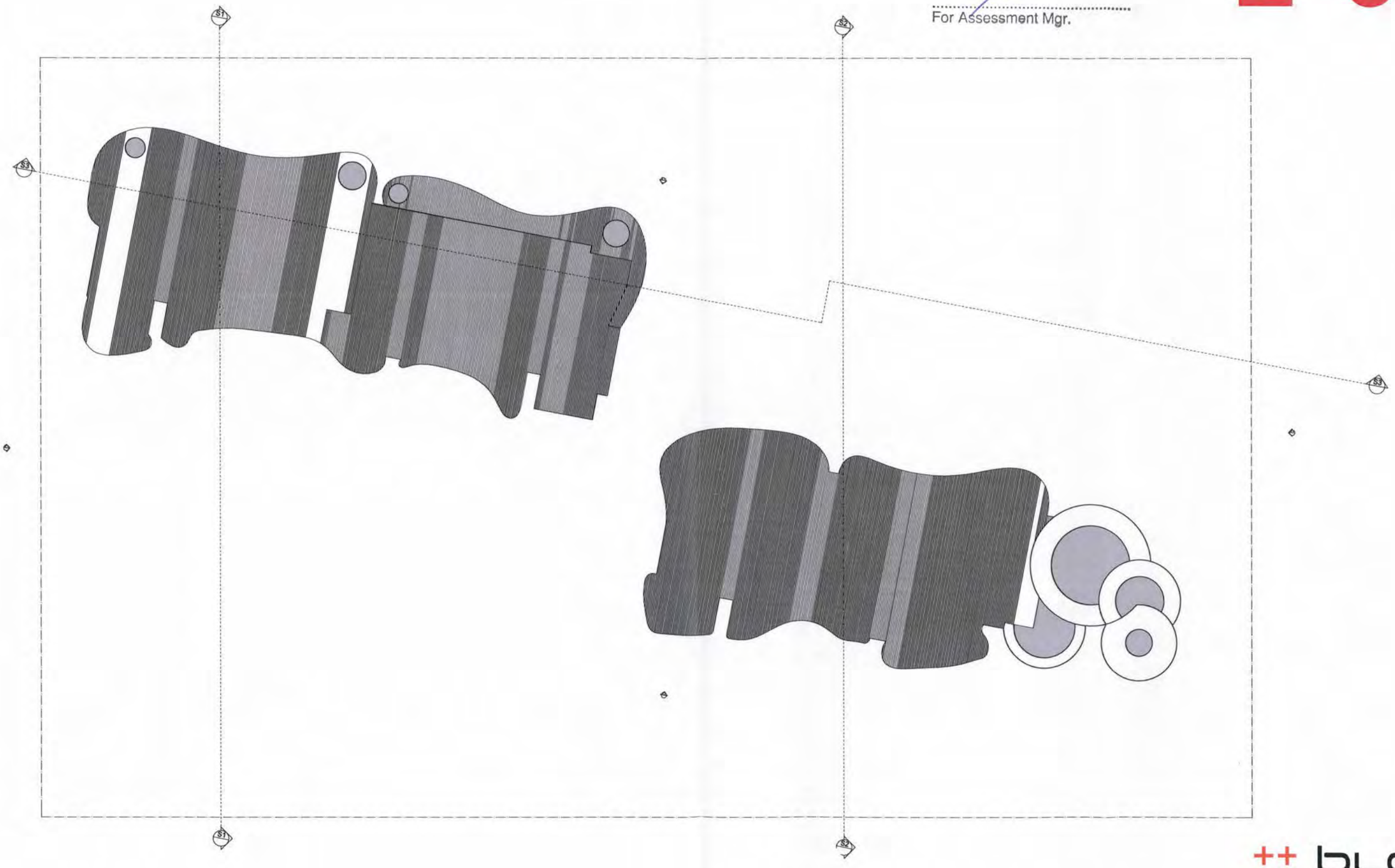
date	scale	project no.	drawing no.
06/05/2016	1:500@A3	15015	

This design is the property of the architect and may not be used, copied, or reproduced wholly or in part, without the express permission of the architect. Infringement in any way may result in legal action.

bloc design
PO Box 467
Hervey Bay QLD 4655
61 7 4128 4466
studio@blocdesign.com.au
www.blocdesign.com.au

FRASER COAST REGIONAL COUNCIL
These are the plans referred to in
Decision Notice No.
MCU- 161045 19 OCT 2017
.....
For Assessment Mgr.

2-07



ROOF PLAN

date	scale	project no.	drawing no.
06/05/2016	1:500@A3	15015	

This design is the property of the architect and may not be used, copied, or reproduced wholly or in part, without the express permission of the architect. Infringement in any way may result in legal action.

bloc design
PO Box 467
Hervey Bay QLD 4655
61 7 4128 4466
studio@blocdesign.com.au
www.blocdesign.com.au

FRASER COAST REGIONAL COUNCIL
These are the plans referred to in
Decision Notice No.
MCU-161045 19 OCT 2017

.....
For Assessment Mgr.

3-01

NORTH ELEVATION

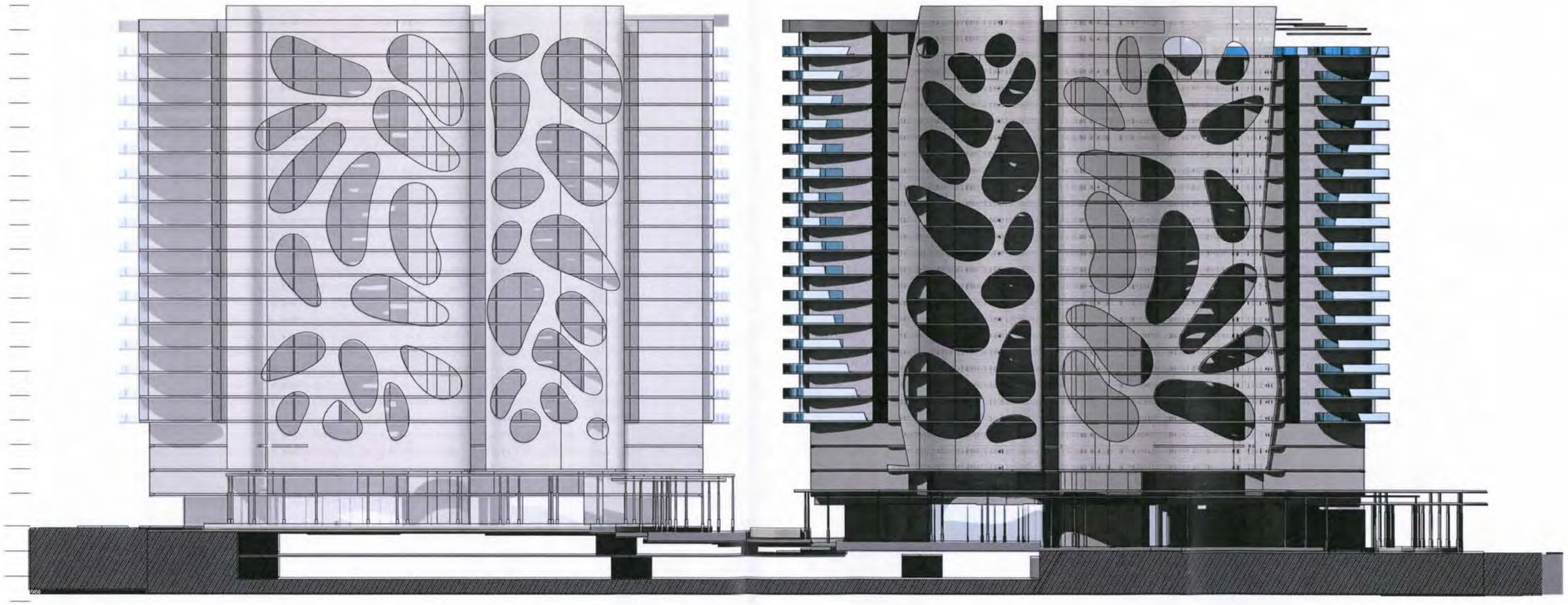
date	scale	project no.	drawing no.
06/05/2016	1:500@A3	15015	

This design is the property of the architect and may not be used, copied, or reproduced wholly or in part, without the express permission of the architect. Infringement in any way may result in legal action.

bloc design
PO Box 467
Hervey Bay QLD 4655
61 7 4128 4466
studio@blocdesign.com.au
www.blocdesign.com.au

FRASER COAST REGIONAL COUNCIL
These are the plans referred to in Decision Notice No.
MCU-161045 19 OCT 2017
.....
For Assessment Mgr.

3-02



SOUTH ELEVATION

date	scale	project no.	drawing no.
06/05/2016	1:500@A3	15015	

This design is the property of the architect and may not be used, copied, or reproduced wholly or in part, without the express permission of the architect. Infringement in any way may result in legal action.

bloc design
PO Box 467
Hervey Bay QLD 4655
61 7 4128 4466
studio@blocdesign.com.au
www.blocdesign.com.au

FRASER COAST REGIONAL COUNCIL
These are the plans referred to in
Decision Notice No.
MCU - 161045 19 OCT 2017
.....
For Assessment Mgr.

3-03

EAST ELEVATION

date 06/05/2016 | scale 1:500@A3 | project no. 15015 | drawing no.

This design is the property of the architect and may not be used, copied, or reproduced wholly or in part, without the express permission of the architect. Infringement in any way may result in legal action.

bloc design
PO Box 467
Hervey Bay QLD 4655
61 7 4128 4466
studio@blocdesign.com.au
www.blocdesign.com.au

FRASER COAST REGIONAL COUNCIL
These are the plans referred to in
Decision Notice No.
MCU-161045 19 OCT 2017

.....
For Assessment Mgr.

3-04

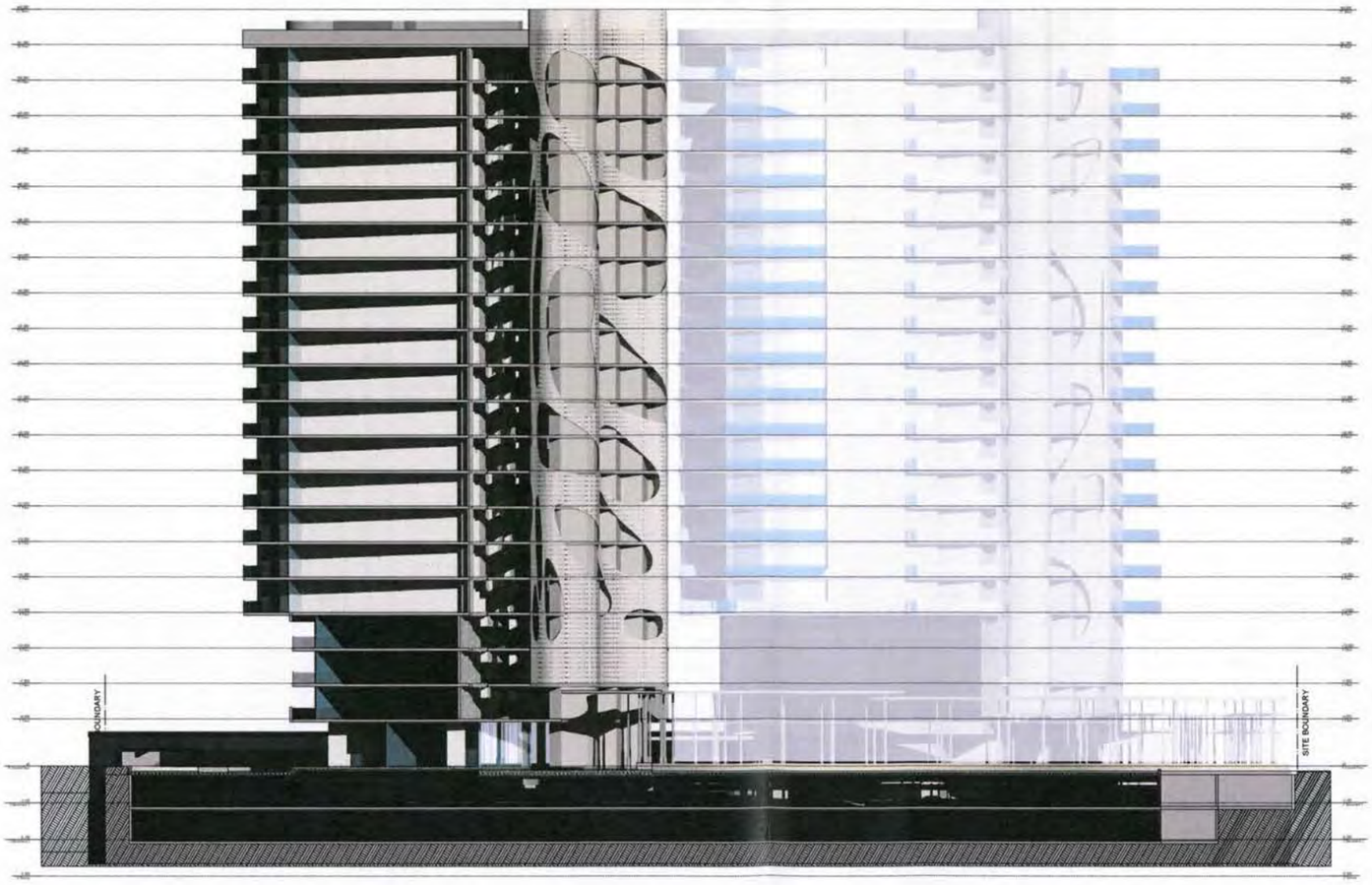
WEST ELEVATION

date	scale	project no.	drawing no.
06/05/2016	1:500@A3	15015	

This design is the property of the architect and may not be used, copied, or reproduced wholly or in part, without the express permission of the architect. Infringement in any way may result in legal action.

bloc design
PO Box 467
Hervey Bay QLD 4655
61 7 4128 4466
studio@blocdesign.com.au
www.blocdesign.com.au

FRASER COAST REGIONAL COUNCIL
These are the plans referred to in
Decision Notice No.
MCU - 161045 19 OCT 2017
.....
For Assessment Mgr.



SECTION ONE

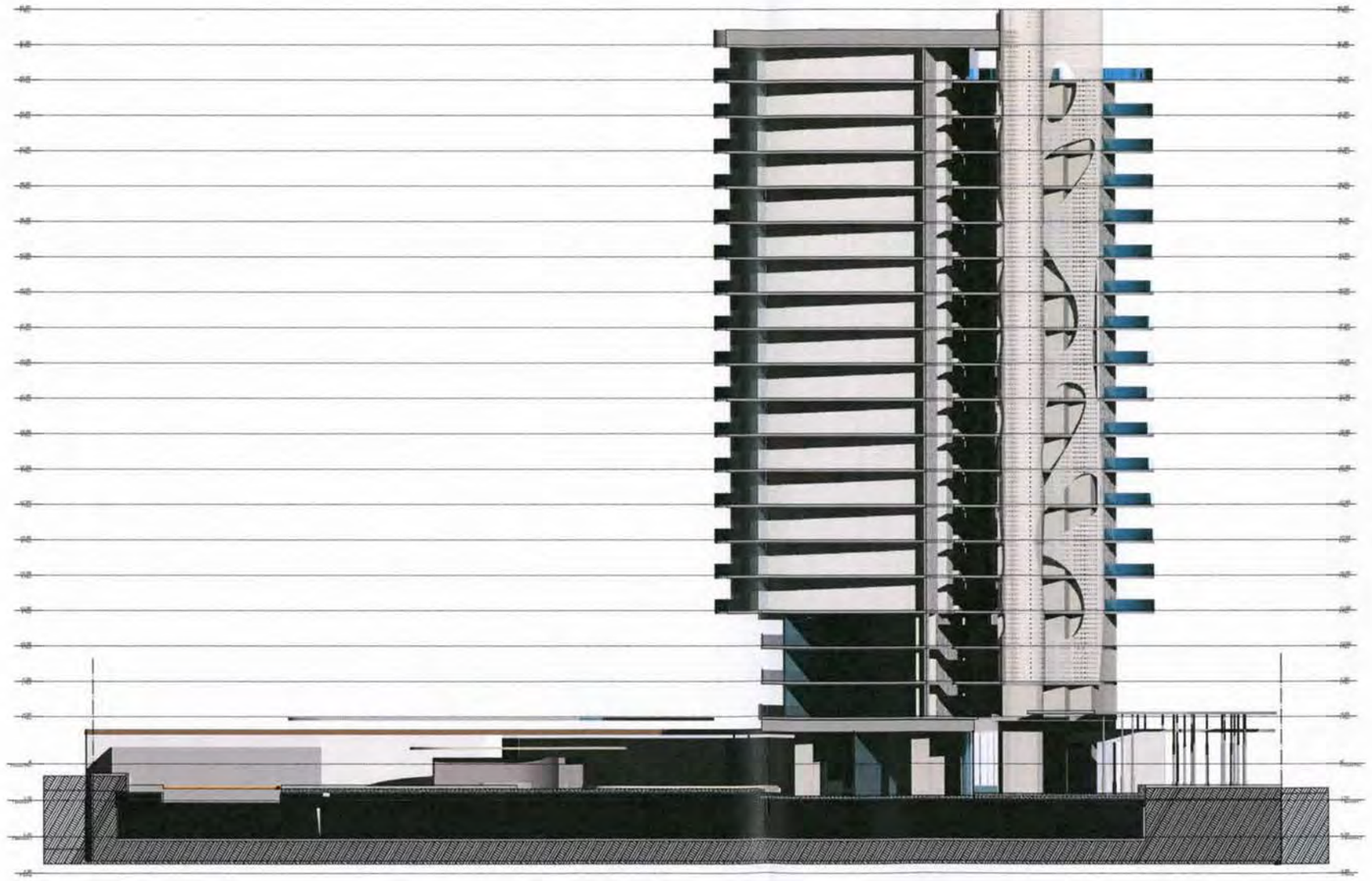
date	scale	project no.	drawing no.
06/05/2016	1:500@A3	15015	

This design is the property of the architect and may not be used, copied, or reproduced wholly or in part, without the express permission of the architect. Infringement in any way may result in legal action.

bloc design
PO Box 467
Hervey Bay QLD 4655
61 7 4128 4466
studio@blocdesign.com.au
www.blocdesign.com.au

FRASER COAST REGIONAL COUNCIL
These are the plans referred to in
Decision Notice No.
MCU-161045 19 OCT 2017
.....
For Assessment Mgr.

4-02



SECTION TWO

date 06/05/2016 | scale 1:500@A3 | project no. 15015 | drawing no.

This design is the property of the architect and may not be used, copied, or reproduced wholly or in part, without the express permission of the architect. Infringement in any way may result in legal action.

bloc design
PO Box 467
Hervey Bay QLD 4655
61 7 4128 4466
studio@blocdesign.com.au
www.blocdesign.com.au

FRASER COAST REGIONAL COUNCIL
These are the plans referred to in
Decision Notice No.
MCU-161045 19.OCT 2017

.....
For Assessment Mgr.

4-03

SECTION THREE

date	scale	project no.	drawing no.
06/05/2016	1:500@A3	15015	

This design is the property of the architect and may not be used, copied, or reproduced wholly or in part, without the express permission of the architect. Infringement in any way may result in legal action.

bloc design
PO Box 467
Hervey Bay QLD 4655
61 7 4128 4466
studio@blocdesign.com.au
www.blocdesign.com.au

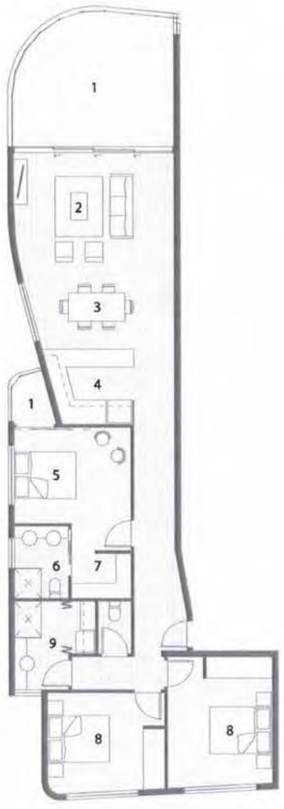
FRASER COAST REGIONAL COUNCIL
These are the plans referred to in
Decision Notice No.
MCU - 161045 19-OCT 2017
.....
For Assessment Mgr.

5-01

LEGEND

1 Balcony
2 Lounge
3 Dining
4 Kitchen
5 Master Bedroom
6 Ensuite
7 Robe
8 Bedroom
9 Bathroom

INTERNAL 120m²
EXTERNAL 26m²



TYPICAL APARTMENT TYPE "A"
LEVELS 4-19

LEGEND

1 Balcony
2 Lounge
3 Dining
4 Kitchen
5 Pantry
6 Master Bedroom
7 Ensuite
8 Robe
9 Bedroom
10 Bathroom
11 Laundry

INTERNAL 102m²
EXTERNAL 30m²

TYPICAL APARTMENT TYPE "B"
LEVELS 4-19

LEGEND

1 Bedroom
2 Robe
3 Bathroom
4 Lounge
5 Dining
6 Kitchen
7 Pantry
8 Laundry
9 Balcony

INTERNAL 67 m²
EXTERNAL 16 m²

TYPICAL APARTMENT TYPE "C"
LEVELS 1-3

TYPICAL APARTMENT PLANS

0m 2m 4m 8m 16m
1:200@A3

date 06/05/2016 scale 1:500@A3 project no. 15015 drawing no.

This design is the property of the architect and may not be used, copied, or reproduced wholly or in part, without the express permission of the architect. Infringement in any way may result in legal action.

bloc design
PO Box 467
Hervey Bay QLD 4655
61 7 4128 4466
studio@blocdesign.com.au
www.blocdesign.com.au

FRASER COAST REGIONAL COUNCIL
These are the plans referred to in
Decision Notice No.
MCU-161045 19 OCT 2017
.....
For Assessment Mgr.

6-01

PERSPECTIVE FROM THE ESPLANADE

date	scale	project no.	drawing no.
06/05/2016	1:500@A3	15015	

This design is the property of the architect and may not be used, copied, or reproduced wholly or in part, without the express permission of the architect. Infringement in any way may result in legal action.

bloc design
PO Box 467
Hervey Bay QLD 4655
61 7 4128 4466
studio@blocdesign.com.au
www.blocdesign.com.au

6-02

FRASER COAST REGIONAL COUNCIL
These are the plans referred to in Decision Notice No.
MCU - 161045 19 OCT 2017
.....
For Assessment Mgr.

PERSPECTIVE CNR THE ESPLANADE & BOATHARBOUR DR

date	scale	project no.	drawing no.
06/05/2016	1:500@A3	15015	

This design is the property of the architect and may not be used, copied, or reproduced wholly or in part, without the express permission of the architect. Infringement in any way may result in legal action.

bloc design
PO Box 467
Hervey Bay QLD 4655
61 7 4128 4466
studio@blocdesign.com.au
www.blocdesign.com.au

6-03

FRASER COAST REGIONAL COUNCIL
These are the plans referred to in Decision Notice No.
MCU - 161045 19 OCT 2017
.....
For Assessment Mgr.

PERSPECTIVE FROM NORTH WEST

date	scale	project no.	drawing no.
06/05/2016	1:500@A3	15015	

This design is the property of the architect and may not be used, copied, or reproduced wholly or in part, without the express permission of the architect. Infringement in any way may result in legal action.

bloc design
PO Box 467
Hervey Bay QLD 4655
61 7 4128 4466
studio@blocdesign.com.au
www.blocdesign.com.au

6-04

FRASER COAST REGIONAL COUNCIL
These are the plans referred to in Decision Notice No.
MCU 16 1045 19 OCT 2017
.....
For Assessment Mgr.

PERSPECTIVE FROM THE ESPLANADE

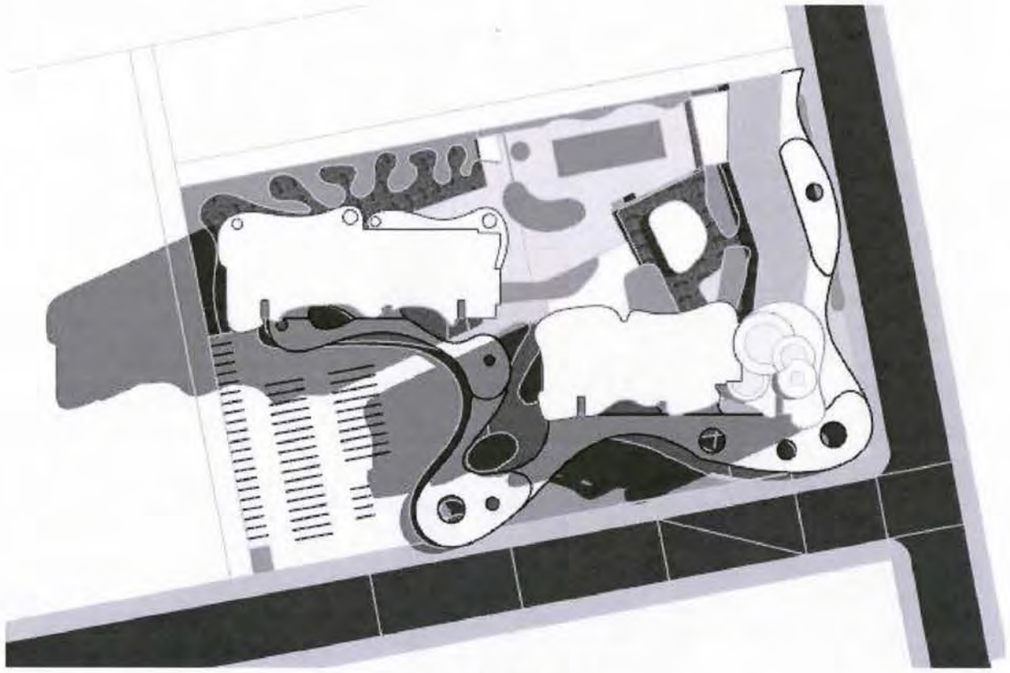
date	scale	project no.	drawing no.
06/05/2016	1:500@A3	15015	

This design is the property of the architect and may not be used, copied, or reproduced wholly or in part, without the express permission of the architect. Infringement in any way may result in legal action.

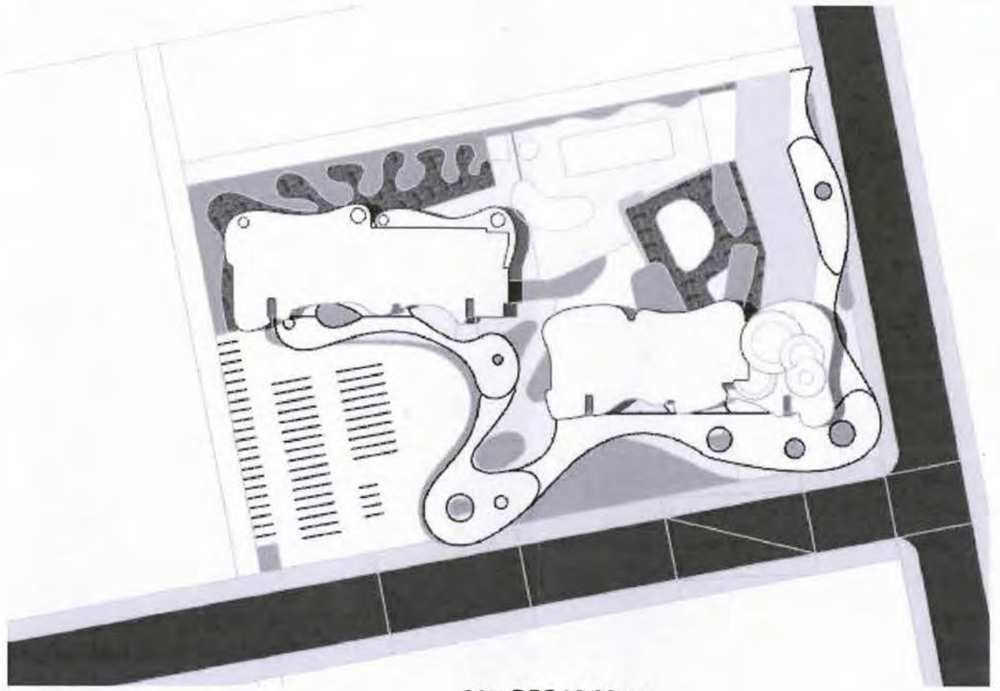
bloc design
PO Box 467
Hervey Bay QLD 4655
61 7 4128 4466
studio@blocdesign.com.au
www.blocdesign.com.au

SHADOW DIAGRAMS

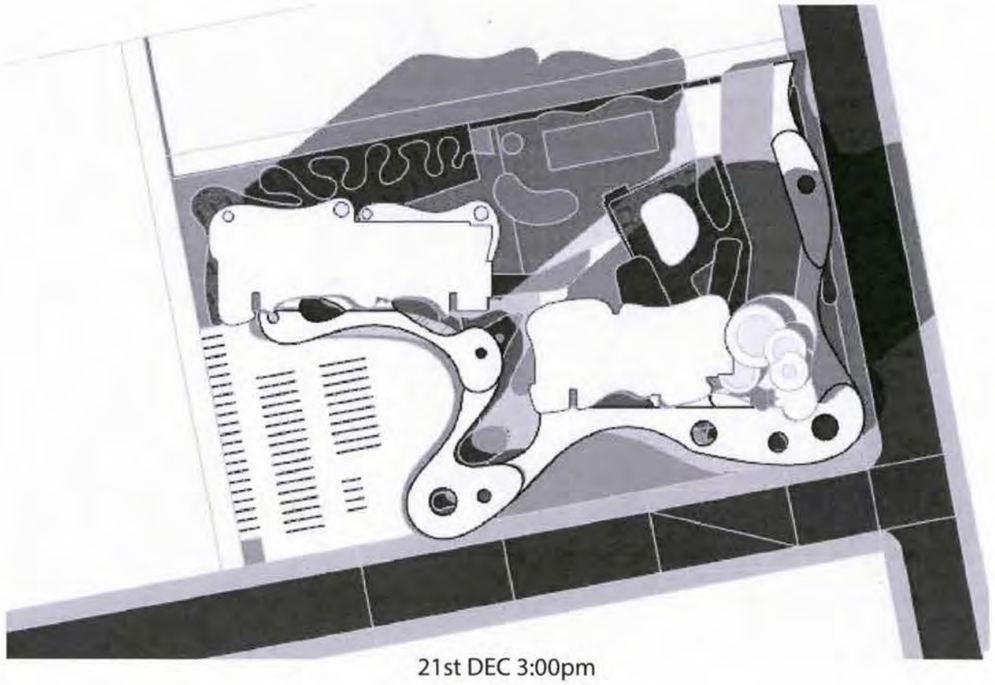
7-01



21st DEC 9:00am



21st DEC 12:00pm



21st DEC 3:00pm

FRASER COAST REGIONAL COUNCIL
These are the plans referred to in Decision Notice No.
MCU 16 1045 19 OCT 2017

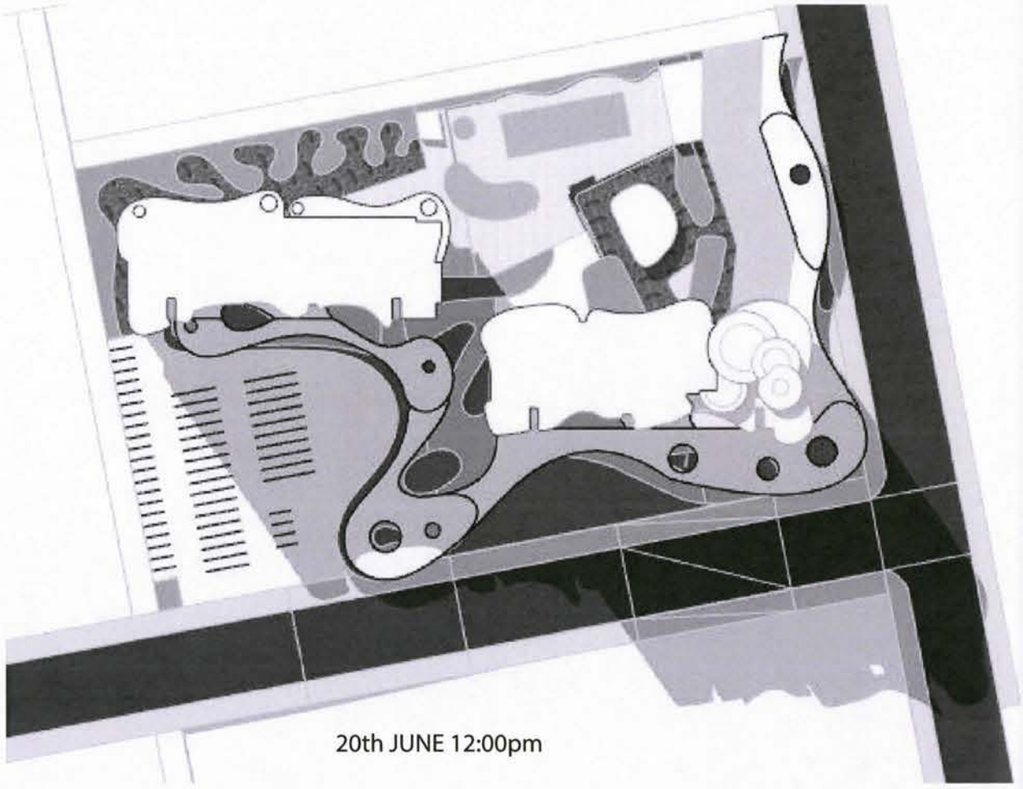
.....
For Assessment Mgr.

date	scale	project no.	drawing no.
06/05/2016	NOT TO SCALE	15015	

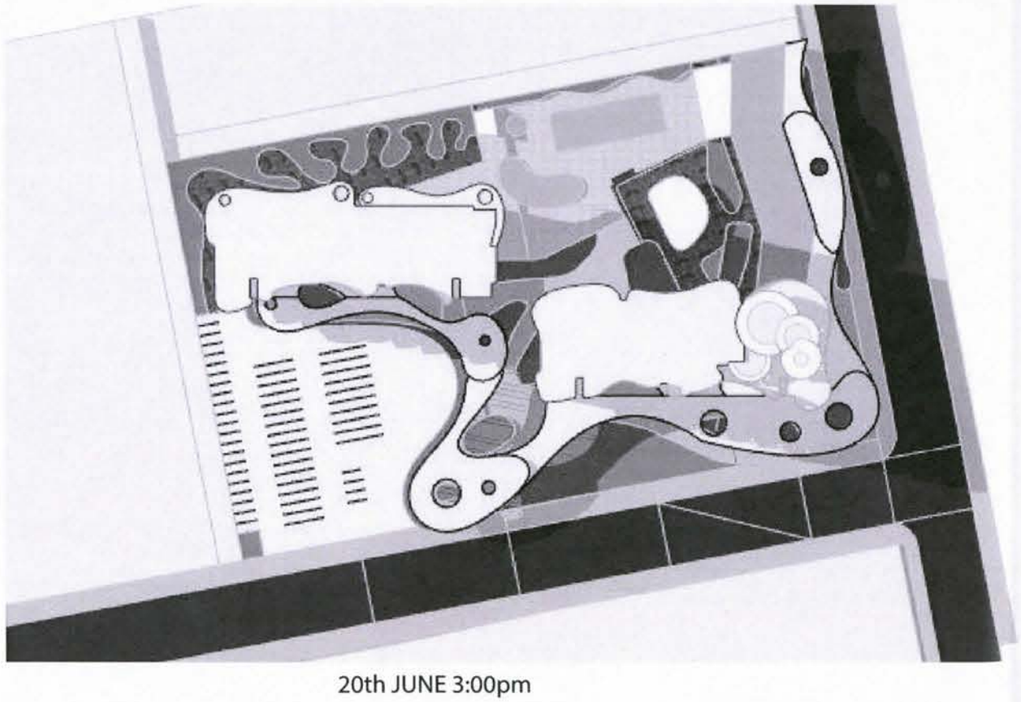
This design is the property of the architect and may not be used, copied, or reproduced wholly or in part, without the express permission of the architect. Infringement in any way may result in legal action.

bloc design
PO Box 467
Hervey Bay QLD 4655
61 7 4128 4466
studio@blocdesign.com.au
www.blocdesign.com.au

SHADOW DIAGRAMS



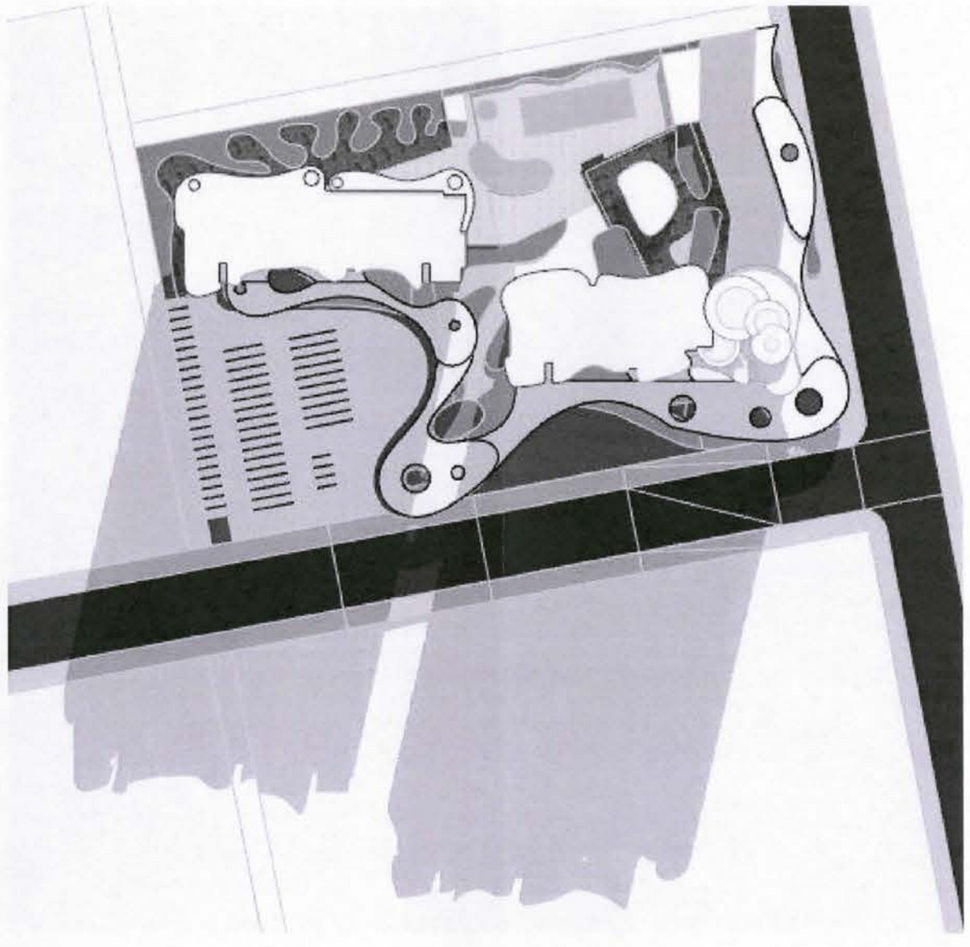
20th JUNE 12:00pm



20th JUNE 3:00pm

7-02

FRASER COAST REGIONAL COUNCIL
These are the plans referred to in Decision Notice No.
MCU 16 1045 19 OCT 2017
.....
For Assessment Mgr.



20th JUNE 9:00am

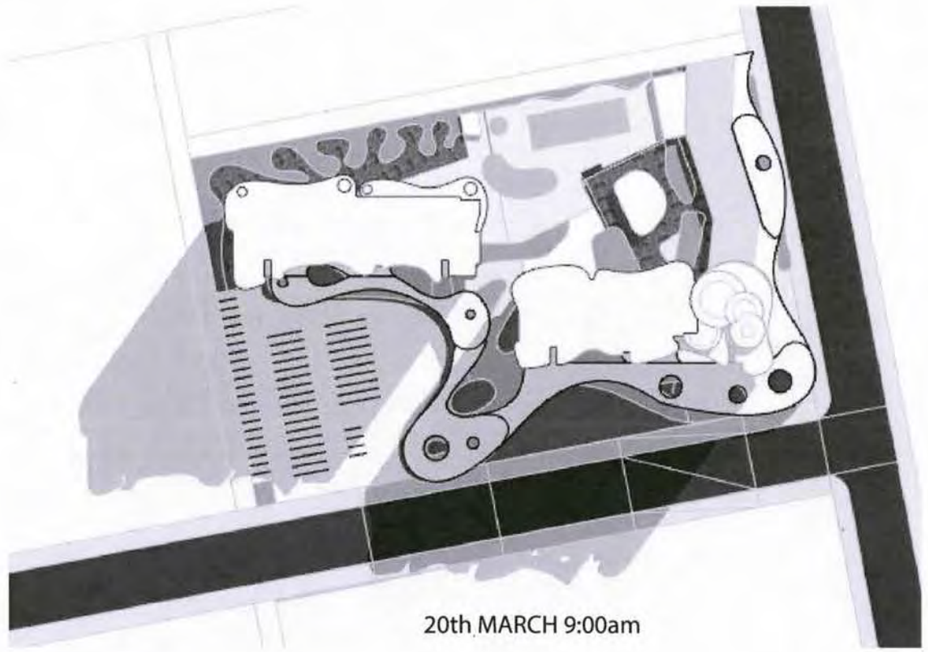
date	scale	project no.	drawing no.
06/05/2016	NOT TO SCALE	15015	

This design is the property of the architect and may not be used, copied, or reproduced wholly or in part, without the express permission of the architect. Infringement in any way may result in legal action.

bloc design
PO Box 467
Hervey Bay QLD 4655
61 7 4128 4466
studio@blocdesign.com.au
www.blocdesign.com.au

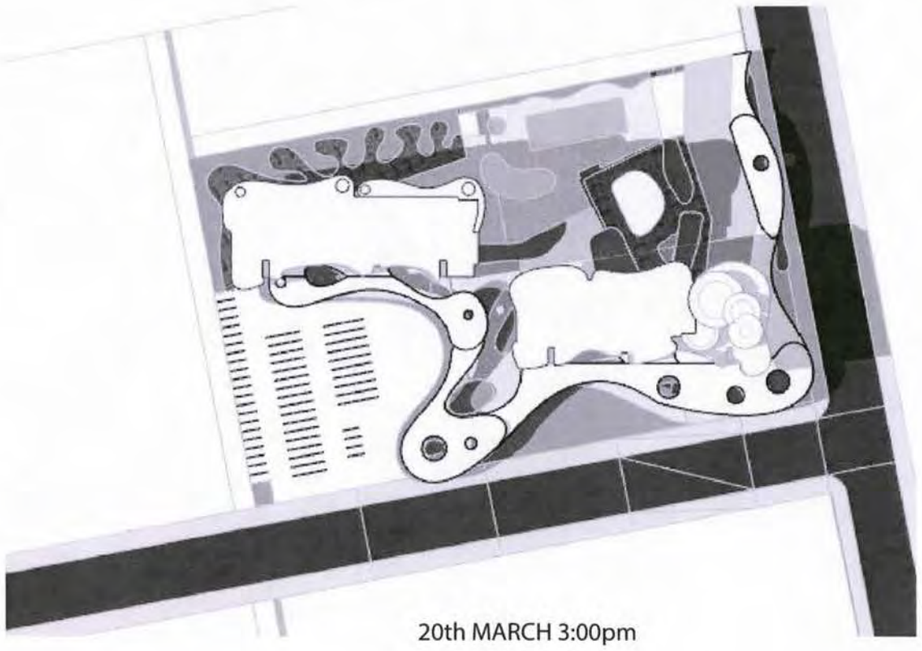
SHADOW DIAGRAMS

FRASER COAST REGIONAL COUNCIL
These are the plans referred to in
Decision Notice No.
MCU 161045 19 OCT 2017
.....
For Assessment Mgr.



20th MARCH 9:00am

20th MARCH 12:00pm



20th MARCH 3:00pm

date	scale	project no.	drawing no.
06/05/2016	NOT TO SCALE	15015	

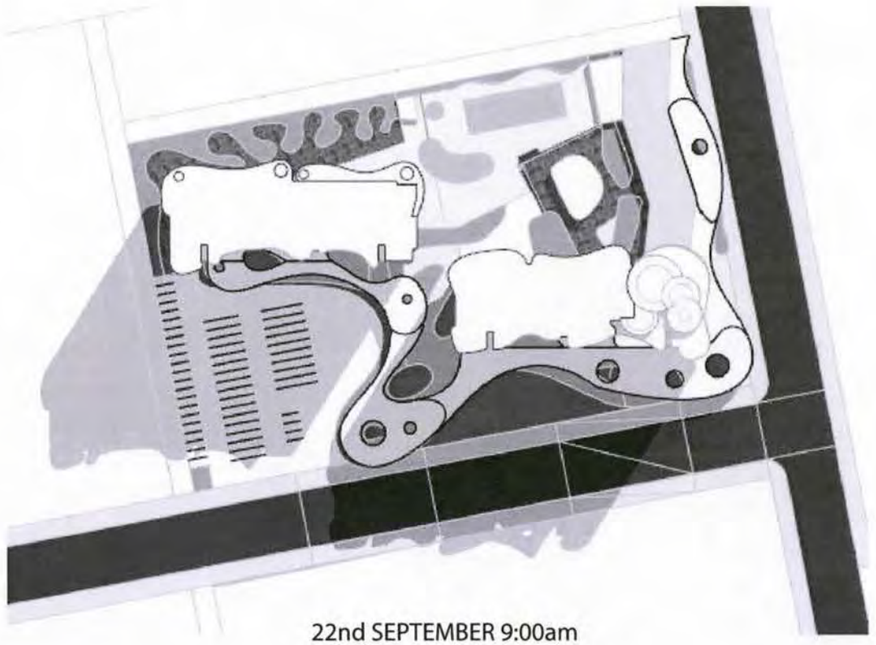
This design is the property of the architect and may not be used, copied, or reproduced wholly or in part, without the express permission of the architect. Infringement in any way may result in legal action.

bloc design
PO Box 467
Hervey Bay QLD 4655
61 7 4128 4466
studio@blocdesign.com.au
www.blocdesign.com.au

SHADOW DIAGRAMS

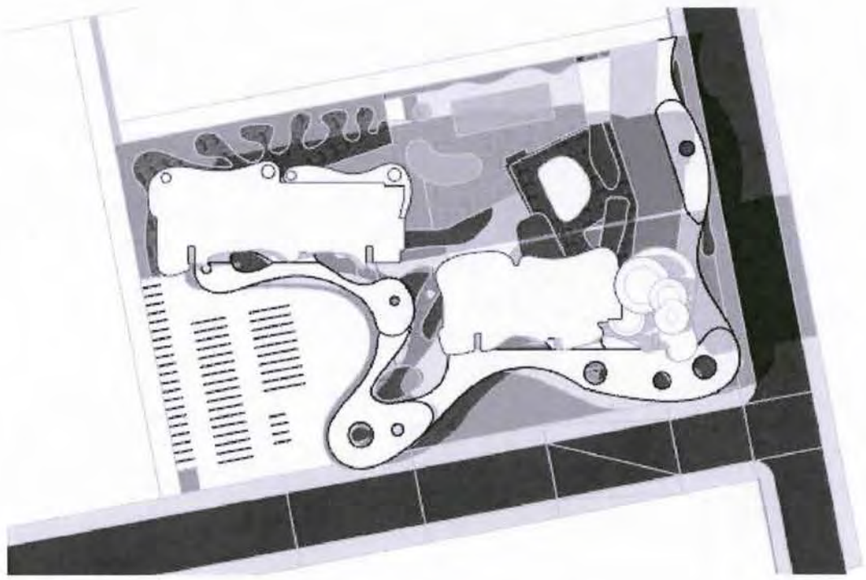
FRASER COAST REGIONAL COUNCIL
These are the plans referred to in
Decision Notice No.
MCU- 161045 19 OCT 2017
.....
For Assessment Mgr.

7-04



22nd SEPTEMBER 9:00am

22nd SEPTEMBER 12:00pm



22nd SEPTEMBER 3:00pm

date	scale	project no.	drawing no.
06/05/2016	NOT TO SCALE	15015	

This design is the property of the architect and may not be used, copied, or reproduced wholly or in part, without the express permission of the architect. Infringement in any way may result in legal action.

bloc design
PO Box 467
Hervey Bay QLD 4655
61 7 4128 4466
studio@blocdesign.com.au
www.blocdesign.com.au

Part 3 – CONCURRENCE AGENCY CONDITIONS

See attached concurrence agency responses for applicable conditions.

Queensland Government

Department of Infrastructure, Local Government and Planning

Our reference: SDA-0916-033242
Your reference: MCU-161045

16 August 2017

Chief Executive Officer
Fraser Coast Regional Council
PO Box 1943
HERVEY BAY QLD 4655
enquiry@frasercoast.qld.gov.au

Attention: Mr Paul Rice

Dear Mr Rice

Concurrence agency response—preliminary approval only (with conditions)
640-644 Esplanade, Hervey Bay QLD (Lot 508 on U5001)
(Given under section 285 of the *Sustainable Planning Act 2009*)

The referral agency material for the development application described below was received by the Department of Infrastructure, Local Government and Planning under section 272 of the *Sustainable Planning Act 2009* on 2 September 2017.

Applicant details

Applicant name:	Anscape Pty Ltd
Applicant contact details:	C/- Urban Planet Town Planning Consultants PO Box 232 Hervey Bay QLD 4655 ward@urbanplanet.com.au

Site details

Street address:	640-644 Esplanade, Hervey Bay QLD 4655
Lot on plan:	Lot 508 on U5001
Local government area:	Fraser Coast Regional Council

Application details

Proposed development:	Preliminary Approval for Material Change Use – Multiple Dwelling, Shop, Shopping Centre, Office, Food and Drink Outlet and Health Care Services

Wide Bay – Burnett Region
PO Box 979 Bundaberg
Queensland 4670 Australia
Telephone (07) 4331 5614
Website www.dilgp.qld.gov.au

Aspects of development and type of approval being sought

Nature of Development	Approval Type	Brief Proposal of Description	Level of Assessment
Material Change of Use	Preliminary Approval under s241 of SPA	Multiple Dwelling and Business Activities (Shop, Shopping Centre, Office, Food and Drink Outlet, Health Care Services) up to 20 storeys in height.	Code Assessment

Referral triggers

The development application was referred to the department under the following provisions of the *Sustainable Planning Regulation 2009*:

Referral trigger — Schedule 7, Table 3, Item 2—Development impacting on state-transport infrastructure

Preliminary approval only

Under section 287(1)(c) of the *Sustainable Planning Act 2009*, any development approval given by the assessment manager for the application must be a preliminary approval only.

Conditions

Under section 287(1)(a) of the *Sustainable Planning Act 2009*, the department requires that the conditions set out in Attachment 1 must be attached to any development approval:

Reasons for decision to impose conditions

Under section 289(1) of the *Sustainable Planning Act 2009*, the department must set out the reasons for the decision to impose conditions. These reasons are set out in Attachment 2.

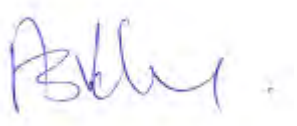
Further advice

Under section 287(6) of the *Sustainable Planning Act 2009*, the department offers advice about the application to the assessment manager—see Attachment 3.

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

For further information, please contact Danica Clark, Senior Planning Officer, SARA Wide Bay Burnett on 4331 5614, or email WBBSARA@dilgp.qld.gov.au who will be pleased to assist.

Yours sincerely



Andrew Foley
Manager (Planning)

cc: Anscape Pty Ltd
C/- Urban Planet, ward@urbanplanet.com.au

enc: Attachment 1—Conditions to be imposed
Attachment 2—Reasons for decision to impose conditions
Attachment 3—Further advice
Attachment 4—Approved plans and specifications

Our reference: SDA-0916-033242
Your reference: MCU-161045

Attachment 1—Conditions to be imposed

No.	Conditions	Condition timing
Preliminary Approval for Material Change of Use – Multiple Dwelling, Shop, Shopping Centre, Office, Food and Drink Outlet and Health Care Services		
Schedule 7, Table 3, Item 2—Development impacting on State-transport infrastructure— Pursuant to section 255D of the *Sustainable Planning Act 2009*, the chief executive administering the Act nominates the Director-General of the Department of Transport and Main Roads to be the assessing authority for the development to which this development approval relates for the administration and enforcement of any matter relating to the following conditions:		
1.	The development must be carried out generally in accordance with the following plans: • *'Ground Floor Plan*' prepared by Bloc Design dated 06/05/2016 Reference Project Number 15015 • *'Development Summary'* prepared by Bloc Design, dated 06/05/2016 Reference Project Number 15015	Prior to the commencement of use and to be maintained at all times.
2.	The development must be generally in accordance with the Intersection Assessment Report prepared by Mike Brock Consulting dated 03/07/2017, reference mbc16026 and revision 0, in particular: • Section 3 – It is assumed that the proposed material change of use will commence prior to the expiry of 2018.	By 31 December 2018.
3.	(a) The applicant must upgrade the existing bus stop at Boat Harbour Drive near Charlton Street, Urangan (Hastus ID: 840089, TransLink Number: 705796) to an Intermediate stop standard. (b) The bus stop must be in accordance with the *Disability Standards for Accessible Public Transport 2002* made under subsection 31(1) of the *Disability Discrimination Act 1992* and include the following components in accordance with the Department of Transport and Main Roads TransLink Public Transport Infrastructure Manual 2015: (i) all mandatory components for an Intermediate stop detailed in section 5.7 – 'Bus stop components' (pages 30-41) of Chapter 5 – 'Bus stop infrastructure'; (ii) Reinstate the existing J Pole sign. Where the existing J Pole sign cannot be reinstated a new J Pole must be provided in accordance with Figure	(a) and (b) Prior to the commencement of use.

No.	Conditions	Condition timing
	5.11 – 'Bus stop identification markers' (page 50) and Table 5.9 – 'Stop signage/stop marker' (page 35) of Chapter 5 – 'Bus stop infrastructure', and Sign Type IS-10b 'Bus Stop – J Pole Sign (TransLink)' (section 4.26.2, page 64) of the Signage Manual – Bus Network Infrastructure, TransLink Division, Department of Transport and Main Roads, September 2014; (iii) A shelter in accordance with Fraser Coast Regional Council's requirements and Table 5.9 – Bus stop furniture (page 38) of Chapter 5 – 'Bus stop infrastructure' (iv) An on-road bus stop for a single unit rigid bus of 12.5m in length in accordance with Section 5.6.3.1 – 'Bus stop infrastructure'; and (v) A boarding point in accordance with 'Intermediate stop – site layout – without Indented Bus Bay', DRG 5-0021 of Appendix 5-B – Layout and technical drawings'. (c) Written notice must be provided to the TransLink Division within the Department of Transport and Main Roads prior to upgrading the existing Bus stop. (d) RPEQ certification with supporting documentation must be provided to the District Director (Wide Bay/Burnett) within the Department of Transport and Main Roads, confirming that the development has been designed and constructed in accordance with parts (a) and (b) of this condition.	(c) Prior to obtaining development permit for operational work or building work, whichever occurs first. (d) Prior to the commencement of use.

Our reference: SDA-0916-033242
Your reference: MCU-161045

Attachment 2—Reasons for decision to impose conditions

The reasons for this decision are:

- To ensure the development is carried out generally in accordance with the plans of development submitted with the application.
- To provide, as far as practicable, public passenger transport infrastructure to support public passenger services.

Our reference: SDA-0916-033242
Your reference: MCU-161045

Attachment 3—Further advice

Further development permits, compliance permits or compliance certificates	
1.	The department advises that if the development does not commence by the end of 2018, and as part of the subsequent application for a development permit for material change of use, the applicant must submit a revised Traffic Impact Assessment prepared in accordance with the Department of Transport and Main Roads' Guide to Traffic Impact Assessments 2017 (GTIA) to assess road impacts on the State-controlled road network. The revised assessment must: (i) be based on the revised opening year; and (ii) clearly identify what mitigation measures are needed to ameliorate the development's impact on the state-controlled road network; and (iii) Demonstrate that required mitigation measures can be implemented without impacting on land that does not form part of the development. Impact mitigation measures identified as a result of the revised assessment must be able to be implemented at no cost to the Department of Transport and Main Roads.
General advice	
2.	**Public Passenger Transport – Bus Stop Requirements** The detailed design of the upgraded bus stop must be submitted to the TransLink Division of the Department of Transport and Main Roads for endorsement prior to construction or any works commencing on the development. For further information about this matter, please contact the TransLink Division within the Department of Transport and Main roads' on (07) 3851 8700 or via email to bus_stops@translink.com.au and quote Reference Number TMR16-018138. The Department of Transport and Main Roads' TransLink *Public Transport Infrastructure Manual 2015* and *Bus Network Infrastructure Signage Manual* are available at: http://www.tmr.qld.gov.au/business-industry/Technical-standards-publications/Public-transport-infrastructure-manuals.aspx
3.	The existing bus stop, 'Boat Harbour Drive near Charlton St, Urangan' (Hastus ID: 840089, TransLink Number: 705796) will be impacted on by the development. The bus stop must be able to function and pedestrian access to this facility must be maintained during the construction of the development and the upgrading of the bus stop. Accordingly, if any temporary bus stop and pedestrian access arrangements are required, the applicant must reach agreement on suitable arrangements with the Department of Transport and Main Roads' TransLink Division and Fraser Coast Regional Council prior to any construction or works commencing on the development. For further information about this matter, please contact the TransLink Division within the Department of Transport and Main roads' on (07) 3851 8700 or via email to bus_stops@translink.com.au
4.	To facilitate safe and convenient access to public passenger transport, the full extent of the Boat Harbour Drive frontage of the site should incorporate a paved pedestrian footpath. The internal development design should also be modified to include safe, direct and convenient pedestrian linkages between this footpath and the entries to the proposed buildings.

Our reference: SDA-0916-033242
Your reference: MCU-161045

Attachment 4—Approved plans and specifications

PLANS AND DOCUMENTS
referred to in the
DEVELOPMENT APPROVAL

Approval no: SDA-0916-033242

Date: 16 August 2017

Queensland Government

2-03

GROUND FLOOR PLAN

BOAT HARBOUR DR

date	scale	project no.	drawing no.
06/05/2016	1:500@A3	15015	

This design is the property of the architect and may not be used, copied, or reproduced wholly or in part, without the express permission of the architect. Infringement in any way may result in legal action.

bloc design
PO Box 467
Hervey Bay QLD 4655
61 7 4128 4466
studio@blocdesign.com.au
www.blocdesign.com.au

DEVELOPMENT SUMMARY

GFA Area Schedule

1	Ground Floor	Tower A		Foyer and Facilities	1395 sqm
2	First Floor	Tower A	12	Retirement Apartments	1398 sqm
3	Second Floor	Tower A	12	Retirement Apartments	1352 sqm
4	Third Floor	Tower A	12	Retirement Apartments	1352 sqm
5	Fourth Floor	Tower A	10	Retirement Apartments	1806 sqm
6	Fifth Floor	Tower A	10	Retirement Apartments	1806 sqm
7	Sixth Floor	Tower A	10	Retirement Apartments	1806 sqm
8	Seventh Floor	Tower A	10	Retirement Apartments	1806 sqm
9	Eighth Floor	Tower A	10	Retirement Apartments	1806 sqm
10	Nineth Floor	Tower A	10	Retirement Apartments	1806 sqm
11	Tenth Floor	Tower A	10	Retirement Apartments	1806 sqm
12	Eleventh Floor	Tower A	10	Retirement Apartments	1806 sqm
13	Twelfth Floor	Tower A	10	Retirement Apartments	1806 sqm
14	Thirteenth Floor	Tower A	10	Retirement Apartments	1806 sqm
15	Fourteenth Floor	Tower A	10	Retirement Apartments	1806 sqm
16	Fiftennth Floor	Tower A	10	Retirement Apartments	1806 sqm
17	Sixteenth Floor	Tower A	10	Retirement Apartments	1806 sqm
18	Seventeenth Floor	Tower A	10	Retirement Apartments	1806 sqm
19	Eighteenth Floor	Tower A	10	Retirement Apartments	1806 sqm
20	Nineteenth Floor	Tower A	10	Retirement Apartments	1806 sqm

196 Subtotal for Tower A

1	Ground Floor	Tower B		Foyer and Facilities	540 sqm
2	First Floor	Tower B	12	Retirement Apartments	1398 sqm
3	Second Floor	Tower B	12	Retirement Apartments	1352 sqm
4	Third Floor	Tower B	12	Retirement Apartments	1352 sqm
5	Fourth Floor	Tower B	10	Retirement Apartments	1806 sqm
6	Fifth Floor	Tower B	10	Retirement Apartments	1806 sqm
7	Sixth Floor	Tower B	10	Retirement Apartments	1806 sqm
8	Seventh Floor	Tower B	10	Retirement Apartments	1806 sqm
9	Eighth Floor	Tower B	10	Retirement Apartments	1806 sqm
10	Nineth Floor	Tower B	10	Retirement Apartments	1806 sqm
11	Tenth Floor	Tower B	10	Retirement Apartments	1806 sqm
12	Eleventh Floor	Tower B	10	Retirement Apartments	1806 sqm
13	Twelfth Floor	Tower B	10	Retirement Apartments	1806 sqm
14	Thirteenth Floor	Tower B	10	Retirement Apartments	1806 sqm
15	Fourteenth Floor	Tower B	10	Retirement Apartments	1806 sqm
16	Fiftennth Floor	Tower B	10	Retirement Apartments	1806 sqm
17	Sixteenth Floor	Tower B	10	Retirement Apartments	1806 sqm
18	Seventeenth Floor	Tower B	10	Retirement Apartments	1806 sqm
19	Eighteenth Floor	Tower B	10	Retirement Apartments	1806 sqm
20	Nineteenth Floor	Tower B	8	Retirement Apartments/ Restaurant/ Pool deck	1806 sqm

194 Subtotal for Tower B

390 Total Dwellings

1	Ground Floor	Retail Area	75	Car Spaces Shops and Amenities	1280 sqm (Retail Only)
-1	Basement 1	Carparking	235	Car Spaces	6772 sqm
-2	Basement 2	Carparking	536	Car Spaces	13140 sqm

846 Total Car Spaces

PLANS AND DOCUMENTS referred to in the DEVELOPMENT APPROVAL

Queensland Government

Approval no: SDA-0916-033242

Date: 16 August 2017

date	scale	project no.	drawing no.
06/05/2016	1:500@A3	15015	

This design is the property of the architect and may not be used, copied, or reproduced wholly or in part, without the express permission of the architect. Infringement in any way may result in legal action.

bloc design
PO Box 467
Hervey Bay QLD 4655
61 7 4128 4466
studio@blocdesign.com.au
www.blocdesign.com.au

Attachment 2

Appeal Rights

Part 1 – APPEALS TO THE PLANNING AND ENVIRONMENT COURT

461 Appeals by applicants

(1) An applicant for a development application may appeal to the court against any of the following—

(a) the refusal, or the refusal in part, of the development application;
(b) any condition of a development approval, another matter stated in a development approval and the identification or inclusion of a code under section 242;
(c) the decision to give a preliminary approval when a development permit was applied for;
(d) the length of a period mentioned in section 341;
(e) a deemed refusal of the development application.

(2) An appeal under subsection (1)(a), (b), (c) or (d) must be started within 20 business days (the ***applicant's appeal period***) after—

(a) if a decision notice or negotiated decision notice is given—the day the decision notice or negotiated decision notice is given to the applicant; or
(b) otherwise—the day a decision notice was required to be given to the applicant.

(3) An appeal under subsection (1)(e) may be started at any time after the last day a decision on the matter should have been made.

462 Appeals by submitters—general

(1) A submitter for a development application may appeal to the court only against—

(a) the part of the approval relating to the assessment manager's decision about any part of the application requiring impact assessment under section 314; or
(b) the part of the approval relating to the assessment manager's decision under section 327.

(2) To the extent an appeal may be made under subsection (1), the appeal may be against 1 or more of the following—

(a) the giving of a development approval;
(b) any provision of the approval including—
(i) a condition of, or lack of condition for, the approval; or
(ii) the length of a period mentioned in section 341 for the approval.

(3) However, a submitter may not appeal if the submitter—

(a) withdraws the submission before the application is decided; or
(b) has given the assessment manager a notice under section 339(1)(b)(ii).

(4) The appeal must be started within 20 business days (the ***submitter's appeal period***) after the decision notice or negotiated decision notice is given to the submitter.

463 Additional and extended appeal rights for submitters for particular development applications

(1) This section applies to a development application to which chapter 9, part 7 applies.

(2) A submitter of a properly made submission for the application may appeal to the court about a referral agency's response made by a prescribed concurrence agency for the application.

(3) However, the submitter may only appeal against a referral agency's response to the extent it relates to—

(a) if the prescribed concurrence agency is the chief executive (environment)—development for an aquacultural ERA; or
(b) if the prescribed concurrence agency is the chief executive (fisheries)—development that is—
(i) a material change of use of premises for aquaculture; or
(ii) operational work that is the removal, damage or destruction of a marine plant.

(4) Despite section 462(1), the submitter may appeal against the following matters for the application even if the matters relate to code assessment—

(a) a decision about a matter mentioned in section 462(2) if it is a decision of the chief executive (fisheries);
(b) a referral agency's response mentioned in subsection (2).

464 Appeals by advice agency submitters

(1) Subsection (2) applies if an advice agency, in its response for an application, told the assessment manager to treat the response as a properly made submission.

(2) The advice agency may, within the limits of its jurisdiction, appeal to the court about—

(a) any part of the approval relating to the assessment manager's decision about any part of the application requiring impact assessment under section 314; or
(b) any part of the approval relating to the assessment manager's decision under section 327.

(3) The appeal must be started within 20 business days after the day the decision notice or negotiated decision notice is given to the advice agency as a submitter.

(4) However, if the advice agency has given the assessment manager a notice under section 339(1)(b)(ii), the advice agency may not appeal the decision.

Attachment 2

Appeal Rights

Part 2 – APPEALS TO THE BUILDING AND DEVELOPMENT DISPUTE RESOLUTION COMMITTEE

S 519 Appeal by applicant—particular development application for material change of use of premises

(1) This section applies to a development application if the application is only for a material change of use of premises that involves the use of a prescribed building.

(2) However, this section does not apply to the development application if any part of the application required impact assessment and any properly made submissions were received by the assessment manager for the application.

(3) The applicant for the development application may appeal to a building and development committee against any of the following—

(a) the refusal, or the refusal in part, of the application;
(b) any condition of the development approval and another matter, other than the identification or inclusion of a code under section 242, stated in the development approval;
(c) the decision to give a preliminary approval when a development permit was applied for;
(d) the length of a period mentioned in section 341;
(e) a deemed refusal of the application.

(4) An appeal under subsection (3)(a), (b), (c) or (d) must be started within 20 business days (the ***applicant's appeal period***) after—

(a) if a decision notice or negotiated decision notice is given—the day the decision notice or negotiated decision notice is given to the applicant; or
(b) otherwise—the day a decision notice was required to be given to the applicant.

(5) An appeal under subsection (3)(e) may be started at any time after the last day a decision on the matter should have been made.

522 Appeal by applicant—condition of particular development approval

(1) This section applies to a development application if—

(a) the application is only for a material change of use that involves the use of a building classified under the BCA as a class 2 building; and
(b) the proposed development is for premises of not more than 3 storeys; and
(c) the proposed development is for not more than 60 sole-occupancy units.

(2) However, this section does not apply to the development application if any part of the application required impact assessment and any properly made submissions were received by the assessment manager for the application.

(3) The applicant for the development application may appeal to a building and development committee against a condition of the development approval.

(4) The appeal must be started within 20 business days (the ***applicant's appeal period***) after—

(a) if a decision notice or negotiated decision notice is given—the day the decision notice or negotiated decision notice is given to the applicant; or
(b) otherwise—the day a decision notice was required to be given to the applicant.

(5) In this section—

sole-occupancy unit, in relation to a class 2 building, means a room or other part of the building used as a dwelling by a person to the exclusion of any other person.

storey means a space within a building between 2 floor levels, or a floor level and a ceiling or roof, other than—

(a) a space containing only—
  (i) a lift shaft, stairway or meter room; or
  (ii) a bathroom, shower room, laundry, water closet or other sanitary compartment; or
  (iii) accommodation for not more than 3 motor vehicles; or
  (iv) a combination of any things mentioned in subparagraph (i), (ii) or (iii); or
(b) a mezzanine.

Note:

Attached is a Rights of Appeal Waiver form. Please complete and return this form if you are satisfied with the approval and agree to the conditions contained therein and you wish to waiver the 20 day appeal period available under the *Sustainable Planning Act 2009.*

Attachment 2

Appeal Rights

Part 3 – RIGHTS OF APPEAL WAIVER

Attention: Fraser Coast Regional Council
Development and Planning Department

Mail to: PO Box 1943, HERVEY BAY QLD 4655
Deliver to: 77 Tavistock Street, HERVEY BAY or 431-433 Kent Street, MARYBOROUGH
Email to: development@frasercoast.qld.gov.au
Fax to: (07) 4197 4455

APPLICATION DETAILS

Application Number:	MCU-161045
Date of Decision:	19 October 2017
Description of Proposal:	Material Change Use - Multiple dwelling, Shop, Shopping Centre, Office, Food and Drink Outlet and Health Care Services

APPLICANT DETAILS

Name of Applicant:	Anscape Pty Ltd C/- Urban Planet Town Planning Consultants
Address:	PO Box 232 HERVEY BAY QLD 4655

SITE DETAILS

Site Address and Real Property Description:	640-644 Esplanade HERVEY BAY QLD 4655 Lot 508 U5001

This advice is to confirm that I/We have received the above approval and agree to the conditions contained therein. I/We hereby waiver My/Our appeal rights available under the *Sustainable Planning Act 2009.*

…….
Signature

……
Date

…….
Name

…….
Signature

……
Date

…….
Name

I/We have informed the relevant Building Certifier.