



# REPORT

## Coordination Committee Meeting

**Tuesday 30 April 2019**  
commencing at 10.46am

Caboolture Chambers  
2 Hasking Street, Caboolture

**ENDORSED GM20190430**

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### **CHAIRPERSON'S REPORT**

The recommendations contained within this report of the Coordination Committee meeting held 30 April 2019 are recommended to the Council for adoption.

COUNCILLOR ALLAN SUTHERLAND (MAYOR)  
CHAIRPERSON  
COORDINATION COMMITTEE

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**Membership = 13**  
Mayor and all Councillors

**Quorum = 7**

***Adoption Extract from General Meeting – 30 April 2019 (Page 19/650)***

**12.1 Coordination Committee Meeting - 30 April 2019  
(Pages 19/647 - 19/730)**

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**RESOLUTION**

**Moved by Cr Koliana Winchester**

**Seconded by Cr Matt Constance**

**CARRIED 13/0**

**That the report and recommendations of the Coordination Committee meeting held 30 April 2019 be adopted.**

## LIST OF ITEMS

### 1 GOVERNANCE SESSION (Cr A Sutherland, Mayor)

- ITEM 1.1** 653  
ADOPTION OF COUNCIL POLICIES - COUNCIL INSURANCE AND MONIES HELD IN TRUST BY COUNCIL - REGIONAL  
**COMMITTEE RECOMMENDATION**  
REPORT DETAIL

### 2 PLANNING & DEVELOPMENT SESSION (Cr M Gillam)

- ITEM 2.1** 656  
DA/37057/2018/V2L - PRELIMINARY APPROVAL FOR A MATERIAL CHANGE OF USE FOR CARETAKER'S ACCOMMODATION, DUAL OCCUPANCY, DWELLING HOUSE, HEALTH CARE SERVICES, MULTIPLE DWELLING, RETIREMENT FACILITY, RESIDENTIAL CARE FACILITY OVER AREA B AND VARIATION REQUEST TO MODIFY THE MORETON BAY REGIONAL COUNCIL PLANNING SCHEME TO GIVE EFFECT TO AN UPDATED FLOOD HAZARD OVERLAY - DIVISION 9  
**COMMITTEE RECOMMENDATION**  
REPORT DETAIL

### 3 CORPORATE SERVICES SESSION (Cr M Constance)

- ITEM 3.1** 693  
MONTHLY REPORTING PACKAGE - MARCH 2019 - REGIONAL  
**COMMITTEE RECOMMENDATION**  
REPORT DETAIL
- ITEM 3.2** 696  
ASSET SALE - SEWER PUMP STATION - AQUATIC CENTRE DRIVE, BURPENGARY - DIVISION 2  
**COMMITTEE RECOMMENDATION**  
REPORT DETAIL

### 4 ASSET CONSTRUCTION & MAINTENANCE SESSION (Cr A Hain)

- ITEM 4.1** 700  
BEACHMERE - CHRISTEN DRIVE - ROAD REHABILITATION AND DRAINAGE CONSTRUCTION - DIVISION 2  
**COMMITTEE RECOMMENDATION**  
REPORT DETAIL
- ITEM 4.2** 706  
DECEPTION BAY - JOSEPH CRESCENT - BUILDING DEMOLITION STAGE 2 - DIVISION 2  
**COMMITTEE RECOMMENDATION**  
REPORT DETAIL

**ITEM 4.3** 711  
CLONTARF - HORNIBROOK ESPLANADE FORESHORE - PARK CONSTRUCTION 2 -  
DIVISION 6

**COMMITTEE RECOMMENDATION**

REPORT DETAIL

**5 PARKS, RECREATION & SPORT SESSION (Cr K Winchester)**

**ITEM 5.1** 716  
UPPER CABOOLTURE - CABOOLTURE RIVER ROAD - PROPOSED RESERVE NAMING  
- DIVISION 12

**COMMITTEE RECOMMENDATION**

REPORT DETAIL

**ITEM 5.2** 720  
NEW LEASE - MILLEN FARM LTD - DIVISION 11

**COMMITTEE RECOMMENDATION**

REPORT DETAIL

**6 LIFESTYLE & AMENITY SESSION (Cr D Sims)**

**ITEM 6.1** 723  
APPROVED INSPECTION PROGRAM - REGIONAL

**COMMITTEE RECOMMENDATION**

REPORT DETAIL

**7 ECONOMIC DEVELOPMENT, EVENTS & TOURISM SESSION (Cr P Flannery)**

**8 REGIONAL INNOVATION (Cr D Grimwade)**

**9 GENERAL BUSINESS**

**ITEM 9.1** 727  
APPOINTMENT OF EXTERNAL MEMBER - AUDIT COMMITTEE - REGIONAL

**COMMITTEE RECOMMENDATION**

**ITEM 9.2** 727  
ANZAC DAY COMMEMORATIVE SERVICES - REGIONAL

**COMMITTEE RECOMMENDATION**

**ITEM 9.3** 727  
PUBLIC SUBMISSIONS - LOCAL GOVERNMENT CHANGE COMMISSION

**COMMITTEE RECOMMENDATION**

**ITEM 9.4** 728  
REGIONAL EVENTS

**ITEM 9.5** 728  
COMMEMORATION OF THE 75<sup>TH</sup> ANNIVERSARY OF THE SPIT FIRE CRASH

**COMMITTEE RECOMMENDATION**

# Moreton Bay Regional Council

COORDINATION COMMITTEE MEETING  
30 April 2019

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Report

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## **CLOSED SESSION (Confidential items)**

### **OPEN SESSION**

#### **ITEM C.1 – CONFIDENTIAL**

**730**

ACQUISITION OF LAND FOR ROAD PURPOSES - DIVISION 12

#### **COMMITTEE RECOMMENDATION**

### **CLOSURE**

## ATTENDANCE & APOLOGIES

### Attendance:

#### Committee Members:

Cr Allan Sutherland (Mayor) (Chairperson)  
Cr Brooke Savige  
Cr Peter Flannery  
Cr Adam Hain  
Cr Julie Greer  
Cr James Houghton  
Cr Koliana Winchester  
Cr Denise Sims  
Cr Mick Gillam  
Cr Mike Charlton (Deputy Mayor)  
Cr Matthew Constance  
Cr Darren Grimwade  
Cr Adrian Raedel

#### Officers:

Chief Executive Officer	(Mr Daryl Hitzman)
Director Community & Environmental Services	(Mr Bill Halpin)
Director Planning & Economic Development	(Mr Mike Pickering)
Director Engineering, Construction & Maintenance	(Mr Tony Martini)
Director Infrastructure Planning	(Mr Andrew Ryan)
Manager Development Services	(Kate Isles)
Team Leader Planning	(Marco Alberti)
Manager Financial & Project Services	(Keith Pattinson)
Manager Integrated Transport Planning	(Syd Jerram)
Meeting Support	(Kim Reid)

### Apologies:

Nil

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**The Mayor is the Chairperson of the Coordination Committee.**

**Coordination Committee meetings comprise of Sessions chaired by Council's nominated Spokesperson for that portfolio, as follows:**

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Session	Spokesperson
1 Governance	Cr Allan Sutherland (Mayor)
2 Planning & Development	Cr Mick Gillam
3 Corporate Services	Cr Matt Constance
4 Asset Construction & Maintenance	Cr Adam Hain
5 Parks, Recreation & Sport	Cr Koliana Winchester
6 Lifestyle & Amenity	Cr Denise Sims
7 Economic Development, Events & Tourism	Cr Peter Flannery
8 Regional Innovation	Cr Darren Grimwade
9 General Business	Cr Allan Sutherland (Mayor)

### **ATTENDANCE**

Keith Pattinson attended the meeting at 10.48am for discussion on Item 1.1.

**1 GOVERNANCE SESSION**

(Cr A Sutherland, Mayor)

**ITEM 1.1**

**ADOPTION OF COUNCIL POLICIES - COUNCIL INSURANCE AND MONIES HELD IN TRUST BY COUNCIL - REGIONAL**

*Meeting / Session:* 1 GOVERNANCE

*Reference:* A18434670 : 11 April 2019 - **Refer Supporting Information A16421644 & A15864516**

*Responsible Officer:* DD, Acting Manager Executive Services (CEO Executive Services)

**Executive Summary**

Council regularly reviews its Policies for applicability, effectiveness, and consistency with relevant legislation, Council resolutions, and other Council documents.

The purpose of this report is to seek Council's consideration of the following policies, as appearing in the supporting information to this report:

- Policy 2150-060 - Council Insurance
- Policy 2150-050 - Monies Held in Trust by Council

**COMMITTEE RECOMMENDATION**

Moved by Cr Mike Charlton (Deputy Mayor)

Seconded by Cr Adrian Raedel

**CARRIED 13/0**

That the following policies be adopted, as appearing in the supporting information to this report:

- **Policy 2150-060 - Council Insurance**
- **Policy 2150-050 - Monies Held in Trust by Council**

*ITEM 1.1 ADOPTION OF COUNCIL POLICIES - COUNCIL INSURANCE AND MONIES HELD IN TRUST BY COUNCIL - REGIONAL - A18434670 (Cont.)*

## OFFICER'S RECOMMENDATION

That the following policies be adopted, as appearing in the supporting information to this report:

- Policy 2150-060 - Council Insurance
- Policy 2150-050 - Monies Held in Trust by Council

## **REPORT DETAIL**

### **1. Background**

In accordance with the review triggers, Council reviews its Policies for applicability, effectiveness, and consistency with relevant legislation, Council resolutions, and other Council documents.

### **2. Explanation of Item**

An explanation of the objective, policy summary, and any amendments made to the identified policies is outlined below:

#### Policy 2150-060 - Council Insurance

**Objective:** The objective of this policy is to document the types of insurance to be maintained by Council; and to specify the insurance policies to be obtained by suppliers of goods or services wishing to undertake business with the Council, or parties wishing to use Council land or assets.

**Policy Summary:** Council annually instructs its insurance adviser to obtain the necessary quotes and renew its insurance policies to ensure that appropriate risk exposure is managed and the necessary coverage for the following types of insurance is maintained:

1. Public and Products Liability;
2. Professional Indemnity;
3. Councillors and Officers Liability / Employment Practices Liability;
4. Hall Management Committee;
5. Industrial Special Risks;
6. Marine Hull / Pontoon;
7. Motor Vehicle;
8. Fine Arts;
9. Volunteer Workers - Personal Accident; and
10. Travel Insurance.

**Summary of amendments:** Amendments have been effected to provide clearer guidelines including updates to relevant legislation, definitions and administrative amendments.

#### Policy 2150-050 - Monies Held in Trust by Council

**Objective:** The objective of this policy is to ensure Council correctly administers and accounts for monies held in trust.

**Policy Summary:** Council performs only a custodian role for trust monies unless the outside party defaults on the commitment to which the trust money relates. Therefore, the highest degree of probity and care is to be exercised when administering and accounting for trust monies.

**Summary of amendments:** Amendments have been effected to provide clearer guidelines including updates to relevant legislation, definitions and administrative amendments.



*ITEM 1.1 ADOPTION OF COUNCIL POLICIES - COUNCIL INSURANCE AND MONIES HELD IN TRUST BY COUNCIL - REGIONAL - A18434670 (Cont.)*

### **3. Strategic Implications**

#### **3.1 Legislative/Legal Implications**

These policies have been developed in accordance with the *Local Government Act 2009* and the *Local Government Regulation 2012*.

#### **3.2 Corporate Plan / Operational Plan**

Strengthening Communities: Strong local governance - strong leadership and governance.

#### **3.3 Policy Implications**

Council regularly reviews its Policies for applicability, effectiveness, and consistency with relevant legislation, Council resolutions, and other Council documents.

#### **3.4 Risk Management Implications**

There are no risk management implications arising as a direct result of this report.

#### **3.5 Delegated Authority Implications**

There are no delegated authority implications arising as a direct result of this report.

#### **3.6 Financial Implications**

There are no financial benefit implications arising as a direct result of this report.

#### **3.7 Economic Benefit**

There are no economic benefit implications arising as a direct result of this report.

#### **3.8 Environmental Implications**

There are no environmental implications arising as a direct result of this report.

#### **3.9 Social Implications**

There are no social implications arising as a direct result of this report.

#### **3.10 Consultation / Communication**

Councillors, the Executive Management team and the respective Council officers have been consulted in the preparation of this report.

## **ATTENDANCE**

Keith Pattinson left the meeting at 10.48am and Kate Isles and Marco Alberti attended the meeting at this time for discussion on Item 2.1.

**2 PLANNING & DEVELOPMENT SESSION**

(Cr M Gillam)

**ITEM 2.1**

**DA/37057/2018/V2L - PRELIMINARY APPROVAL FOR A MATERIAL CHANGE OF USE FOR CARETAKER'S ACCOMMODATION, DUAL OCCUPANCY, DWELLING HOUSE, HEALTH CARE SERVICES, MULTIPLE DWELLING, RETIREMENT FACILITY, RESIDENTIAL CARE FACILITY OVER AREA B AND VARIATION REQUEST TO MODIFY THE MORETON BAY REGIONAL COUNCIL PLANNING SCHEME TO GIVE EFFECT TO AN UPDATED FLOOD HAZARD OVERLAY - DIVISION 9**

**APPLICANT: Pesdev No 2 Pty Ltd**

**OWNER: Pesdev No 2 Pty Ltd**

Meeting / Session: 2 PLANNING & DEVELOPMENT  
Reference: A18348832 : 21 March 2019 – Refer Supporting Information A18444252, A18432148, A18443326  
Responsible Officer: SG, Senior Planner (PED Development Services)

**Executive Summary**

<b>APPLICATION DETAILS</b>	
<b>Applicant:</b>	Pesdev No 2 Pty Ltd
<b>Lodgement Date:</b>	4 October 2018
<b>Properly Made Date:</b>	9 October 2018
<b>Confirmation Notice Date:</b>	19 October 2018
<b>Information Request Date:</b>	1 November 2018
<b>Info Response Received Date:</b>	14 December 2018 (Changed application)
<b>Public Notification Dates:</b>	11 January - 22 February 2019
<b>No. of Submissions:</b>	Properly Made: 2 Not Properly Made: 0
<b>Decision Due Date:</b>	3 May 2019
<b>Prelodgement Meeting Held:</b>	Yes

<b>PROPERTY DETAILS</b>	
<b>Division:</b>	9
<b>Property Address:</b>	110 Greensill Road, Albany Creek
<b>RP Description</b>	9 RP837131
<b>Land Area:</b>	2.493ha
<b>Property Owner</b>	Pesdev No 2 Pty Ltd

<b>STATUTORY DETAILS</b>	
<b>Planning Legislation:</b>	Planning Act 2016
<b>Planning Scheme:</b>	MBRC Planning Scheme
<b>Planning Locality / Zone</b>	General residential zone - Next generation neighbourhood precinct Limited development zone
<b>Level of Assessment:</b>	Impact Assessable

*ITEM 2.1 DA/37057/2018/V2L - PRELIMINARY APPROVAL FOR A MATERIAL CHANGE OF USE FOR CARETAKER'S ACCOMMODATION, DUAL OCCUPANCY, DWELLING HOUSE, HEALTH CARE SERVICES, MULTIPLE DWELLING, RETIREMENT FACILITY, RESIDENTIAL CARE FACILITY OVER AREA B AND VARIATION REQUEST T - A18348832 (Cont.)*

This application seeks a Preliminary Approval for a Material Change of Use for Caretaker's Accommodation, Dual Occupancy, Dwelling House, Health Care Services, Multiple Dwelling, Retirement Facility, Residential Care Facility over Area B and Variation Request to modify the Moreton Bay Regional Council (MBRC) Planning Scheme to give effect to an updated Flood Hazard Overlay Map at the abovementioned property.

The development application can be divided into two components, the first being to vary the effect of the MBRC Planning Scheme, specifically as a variation to the Flood hazard overlay map over the site, following detailed flood modelling. The second component of the application seeks a Preliminary Approval for a Material Change of Use for specific uses (Caretaker's Accommodation, Dual Occupancy, Dwelling House, Health Care Services, Multiple Dwelling, Retirement Facility and Residential Care Facility) over Area B being the area proposed by the variation to be removed from the Flood hazard overlay map as a medium or high risk. Accordingly, if approved, the level of assessment for future development applications for the uses requested would be code assessable due to the varied flood hazard risk levels that no longer elevated the level of assessment to impact. The tables of assessment in the MBRC Planning Scheme are not proposed to change, only the actual flood hazard overlay map.

It is important to note that the type of Preliminary Approval applied for would not:

- authorise development to occur; or
- avoid the need for a follow up Development Permit for the uses proposed.

The application was publicly advertised with two (2) submissions received. The proposed land uses and variation are consistent with the intent of the MBRC Planning Scheme with the variation also consistent with a technical hydraulic assessment and therefore the proposal is recommended to be approved, subject to conditions.

## **COMMITTEE RECOMMENDATION**

**Moved by Cr Mike Charlton (Deputy Mayor)**

**Seconded by Cr Matt Constance**

**CARRIED 13/0**

**That the Officer's Recommendation be adopted as detailed in the report.**

ITEM 2.1 DA/37057/2018/V2L - PRELIMINARY APPROVAL FOR A MATERIAL CHANGE OF USE FOR CARETAKER'S ACCOMMODATION, DUAL OCCUPANCY, DWELLING HOUSE, HEALTH CARE SERVICES, MULTIPLE DWELLING, RETIREMENT FACILITY, RESIDENTIAL CARE FACILITY OVER AREA B AND VARIATION REQUEST T - A18348832 (Cont.)

**OFFICER'S RECOMMENDATION**

- A. That Council, in accordance with the *Planning Act 2016*, approves the development application for a Preliminary Approval for a Material Change of Use for Caretaker's Accommodation, Dual Occupancy, Dwelling House, Health Care Services, Multiple Dwelling, Retirement Facility, Residential Care Facility over Area B and Variation Request to modify the Moreton Bay Regional Council Planning Scheme to give effect to an updated Flood Hazard Overlay Map at 110 Greensill Road, Albany Creek, described as Lot 9 RP837131, subject to the following Variations, Plans/Documents and Conditions:

VARIATIONS	
<b>A.</b>	<b>Variation of the MBRC Planning Scheme</b>
	The Flood Hazard Overlay Map in Schedule 2.5 Overlay Maps in the MBRC Planning Scheme specific to Lot 9 RP837131 is replaced with the Flood Hazard Overlay Mapping shown on the Approved Plan.
<b>B.</b>	<b>References</b>
	Any references in the MBRC Planning Scheme including to a Code, Table of Assessment or Planning Scheme Policy to the Flood Hazard Overlay Map in respect to the development of Lot 9 RP837131 is to be taken as referring to the mapping shown on the Approved Plan.

VARIATION CONDITIONS	
<b>1.</b>	<b>Lapsing of approval for failing to complete development</b>
	In accordance with section 88(2) of the <i>Planning Act 2016</i> , the development is to be completed within ten (10) years unless written approval has been obtained from Council for an extension of this period under section 86 of the <i>Planning Act 2016</i> (as amended).
<b>2.</b>	This variation is limited to the area identified as Area B on the Approved Plan.
<b>3.</b>	This variation is limited to the following land uses within Area B on the Approved Plan; (i) Caretaker's Accommodation, (ii) Dual Occupancy, (iii) Dwelling House, (iv) Health Care Services, (v) Multiple Dwelling, (vi) Retirement Facility, and (vii) Residential Care Facility

APPROVED PLANS AND DOCUMENTS			
Plan / Document Name	Reference Number	Prepared By	Dated
Flood Hazard Area Overlay Map	12374-OL-01 Rev A	Land Surveying Dynamics	4/12/18

ITEM 2.1 DA/37057/2018/V2L - PRELIMINARY APPROVAL FOR A MATERIAL CHANGE OF USE FOR CARETAKER'S ACCOMMODATION, DUAL OCCUPANCY, DWELLING HOUSE, HEALTH CARE SERVICES, MULTIPLE DWELLING, RETIREMENT FACILITY, RESIDENTIAL CARE FACILITY OVER AREA B AND VARIATION REQUEST T - A18348832 (Cont.)

MATERIAL CHANGE OF USE - PRELIMINARY APPROVAL		
CONDITION		TIMING
<b>4.</b>	<b>Lapsing of approval for failing to complete development</b>	
	In accordance with section 88(1) of the <i>Planning Act 2016</i> , the development is to be completed within ten (10) years unless written approval has been obtained from Council for an extension of this period under section 86 of the <i>Planning Act 2016</i> (as amended).  Note: The above is not the Currency Period under section 85(1)(a) of the <i>Planning Act 2016</i>	At all times.
<b>5.</b>	<b>Currency Period</b>	
	In accordance with section 85(1)(a)(i) of the <i>Planning Act 2016</i> , the development has a currency period of six (6) years unless written approval has been obtained from Council for an extension of this period under section 86 of the <i>Planning Act 2016</i> (as amended).	At all times.
<b>6.</b>	<b>Uses</b>	
	Ensure any development application seeking a Development Permit for a Material Change of Use under this Preliminary Approval for a Material Change of Use is limited to any or all of the following land uses; (i) Caretaker's Accommodation, (ii) Dual Occupancy, (iii) Dwelling House, (iv) Health Care Services, (v) Multiple Dwelling, (vi) Retirement Facility, or (vii) Residential Care Facility	At all times.

- B. That the Council report for this application be published to the website as Council's statement of reasons in accordance with Section 63 (5) of the *Planning Act 2016*.
- C. That the development approval be recorded as a Notation on the Moreton Bay Regional Council Planning Scheme due to the approval being a variation approval given under section 61 of the *Planning Act 2016*.
- D. That the following information be included in the Decision Notice.

**Decision Notice information**

	Details to Insert
<b>Application Type</b>	Preliminary Approval for a Material Change of Use for Caretaker's Accommodation, Dual Occupancy, Dwelling House, Health Care Services, Multiple Dwelling, Retirement Facility, Residential Care Facility over Area B and Variation Request to modify the Moreton Bay Regional Council Planning Scheme to give effect to an updated Flood Hazard Overlay Map.

ITEM 2.1 DA/37057/2018/V2L - PRELIMINARY APPROVAL FOR A MATERIAL CHANGE OF USE FOR CARETAKER'S ACCOMMODATION, DUAL OCCUPANCY, DWELLING HOUSE, HEALTH CARE SERVICES, MULTIPLE DWELLING, RETIREMENT FACILITY, RESIDENTIAL CARE FACILITY OVER AREA B AND VARIATION REQUEST T - A18348832 (Cont.)

	Details to Insert
<b>Currency Period of Approval</b>	As per the recommendation of the report
<b>Section 64(5) Deemed Approval</b>	Not applicable
<b>Superseded Planning Scheme</b>	Not applicable
<b>Variation approval affecting the Planning Scheme</b>	As per the recommendations of the report.
<b>Other Necessary Permits</b>	Material Change of Use - Development Permit
<b>Codes for Accepted Development</b>	Not applicable
<b>Referral Agencies</b>	There are no Referral Agencies
<b>Submissions</b>	There were two properly made submissions about this application.

## REPORT DETAIL

### 1. Background

On 1 February 2017, Council's delegate agreed to a request for Council to assess and decide a proposed development application for site earthworks to be carried out on the site under the Superseded planning scheme (Superseded *PineRiversPlan*). The applicant had six months to lodge the resulting development application (Reference DA/33251/2016/V9) which it did.

On 30 November 2017, Council's delegate approved Operational Works for Earthworks under the Superseded *PineRiversPlan* at 110 Greensill Road, Albany Creek (Reference DA/34738/2017/V4E).

On 4 October 2018, a map challenge request was lodged with Council seeking to change the Flood hazard overlay map in the MBRC Planning Scheme (MAPCHG/43/2018). The request was made based on updated catchment data, site specific survey and detailed hydraulic modelling completed as a result of the updated ground level changes based on the operational works carried out on site under development approvals granted by Council under the superseded planning scheme. In a letter dated 23 November 2018, Council's delegate confirmed support for the flood hazard overlay map change request, as the site specific hydraulic model outputs supplied with the request (which included previously approved terrain changes) demonstrated that the high and medium flood hazards mapped over the site no longer existed.

It was anticipated that changes to the Flood Hazard Overlay Map would be made as a part of a major or minor planning scheme amendment to the MBRC planning scheme consistent with the approved map challenge. However, delays to that process has prompted the applicant to instead bring about the changes sooner by way of a request for a variation to the planning scheme being the subject of this report.

### 2. Explanation of Item

#### 2.1 Proposal Details

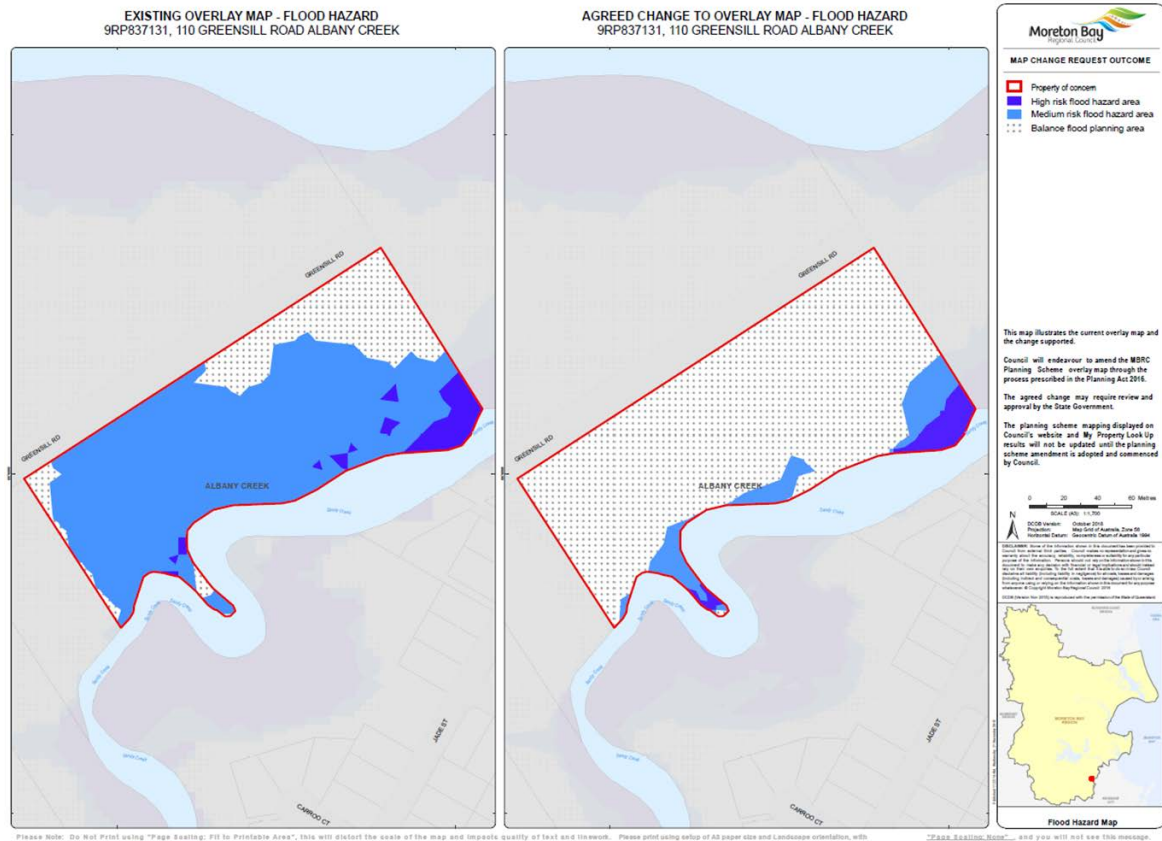
The application seeks a Preliminary Approval for a Material Change of Use for Caretaker's Accommodation, Dual Occupancy, Dwelling House, Health Care Services, Multiple Dwelling, Retirement Facility and Residential Care Facility over Area B and a Variation Request to modify the Moreton Bay Regional Council Planning Scheme to give effect to an updated Flood Hazard Overlay Map.

The change to the MBRC Planning Scheme flood hazard overlay mapping as reviewed in the approved map challenge request, was intended to occur as part of a future amendment to the

**ITEM 2.1 DA/37057/2018/V2L - PRELIMINARY APPROVAL FOR A MATERIAL CHANGE OF USE FOR CARETAKER'S ACCOMMODATION, DUAL OCCUPANCY, DWELLING HOUSE, HEALTH CARE SERVICES, MULTIPLE DWELLING, RETIREMENT FACILITY, RESIDENTIAL CARE FACILITY OVER AREA B AND VARIATION REQUEST T - A18348832 (Cont.)**

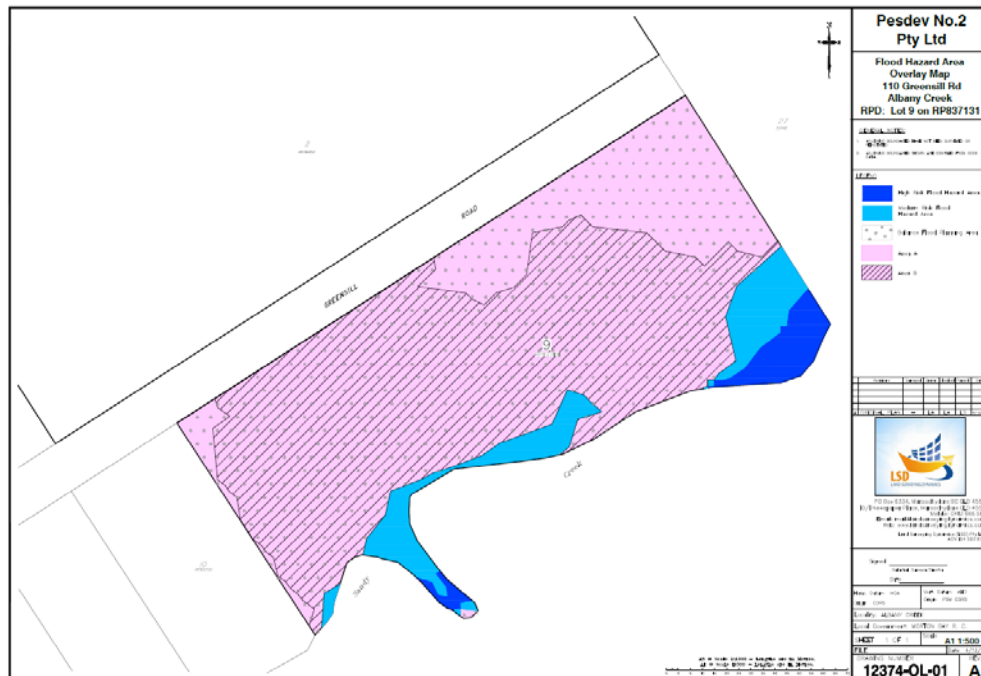
Planning Scheme. However, due to delays with Planning Scheme amendments, this development application was lodged to vary the flood hazard overlay mapping through the development application process rather than waiting for the planning scheme amendment process.

Specifically, the proposed variation to the Flood Hazard Overlay Map is as per below;



The part of the site that was affected by the Medium or High risk flood hazard and is proposed to no longer be affected by those risks represents Area B and is shown below in hatching;

ITEM 2.1 DA/37057/2018/V2L - PRELIMINARY APPROVAL FOR A MATERIAL CHANGE OF USE FOR CARETAKER'S ACCOMMODATION, DUAL OCCUPANCY, DWELLING HOUSE, HEALTH CARE SERVICES, MULTIPLE DWELLING, RETIREMENT FACILITY, RESIDENTIAL CARE FACILITY OVER AREA B AND VARIATION REQUEST T - A18348832 (Cont.)



The proposed Preliminary Approval over Area B is identified on the development plan as land located in the General residential zone - Next generation neighbourhood precinct under the MBRC Planning Scheme. The table of assessment in the MBRC Planning Scheme is not proposed to change, with the variation approval only requesting a modified flood hazard overlay map to take effect, that consequently would lower the level of assessment for some of the proposed uses to be code assessable (eg Dual occupancy, Multiple dwelling, Residential care facility and Retirement facility), instead of currently being impact assessable when in a Medium or High risk flood hazard. Additionally, the reduced flood hazard risk to a portion of the site would allow for vulnerable land uses as defined in the Planning Scheme to be contemplated if they are located outside of the medium and high risk flood hazard overlay. Caretaker's accommodation and Health care services will remain impact assessable as per the level of assessment in the General residential zone - Next generation neighbourhood precinct regardless of any changes to the flood hazard overlay mapping.

2.2 Description of the Site and Surrounds

The subject site is located towards the eastern end of Greensill Road. The site contains an existing Dwelling house and outbuildings in the north-eastern portion of the site. The site is predominately located in the General residential zone - Next generation neighbourhood precinct with a small portion of limited development zone in the south-eastern corner of the site along Sandy Creek.

Directions	Planning Scheme Zone	Current Land Use
North	General residential zone - Next generation neighbourhood precinct and Limited development zone	Dwelling house on large lot Allotment adjoining South Pine River to the north
South	Sandy Creek Recreation and open space zone	Sandy Creek Recreation space along southern side of creek corridor
East	General residential zone - Next generation	Dwelling house on large lot



ITEM 2.1 DA/37057/2018/V2L - PRELIMINARY APPROVAL FOR A MATERIAL CHANGE OF USE FOR CARETAKER'S ACCOMMODATION, DUAL OCCUPANCY, DWELLING HOUSE, HEALTH CARE SERVICES, MULTIPLE DWELLING, RETIREMENT FACILITY, RESIDENTIAL CARE FACILITY OVER AREA B AND VARIATION REQUEST T - A18348832 (Cont.)

Directions	Planning Scheme Zone	Current Land Use
	neighbourhood precinct and Limited development zone	Bordered by South Pine River to the north & Sandy Creek to the south.
West	General residential zone - Next generation neighbourhood precinct	Dwelling house

2.3 Assessment Benchmarks related to the *Planning Regulation 2017*

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

These Assessment Benchmarks are prescribed as being contained in:

- the South East Queensland Regional Plan and Part E of the State Planning Policy; and
- Schedule 10 of the Regulation.

<b>Applicable Assessment Benchmarks:</b>	<p><u>State Planning Policy</u></p> <ul style="list-style-type: none"> <li>• State Planning Policy, Part E</li> </ul> <p><u>Regional Plan</u></p> <ul style="list-style-type: none"> <li>• South East Queensland Regional Plan</li> </ul> <p><u>From Schedule 10 of the Regulation:</u></p> <ul style="list-style-type: none"> <li>• Part 10: Koala Habitat Area – Schedule 11 of the <i>Planning Regulation 2017</i></li> </ul>
<b>SEQ Regional Plan Designation:</b>	<ul style="list-style-type: none"> <li>• Urban Footprint</li> </ul>
<b>Koala Habitat Designation:</b>	<ul style="list-style-type: none"> <li>• Priority Koala Assessable Development Area</li> </ul>

2.3.1 *State Planning Policy*

A new State Planning Policy came into effect on 3 July 2017, and is not currently integrated into the MBRC Planning Scheme. The following assessment benchmarks are to be applied to the assessment of development applications until the State interests have been appropriately integrated into Council's planning scheme. Assessment against the SPP assessment benchmarks is as follows:

Assessment benchmark - livable communities		
Applicable to Development	SPP requirement	Comment
No	None	Not applicable
Assessment benchmark - mining and extractive resources		
Applicable to Development	SPP requirement	Comment
No	None	Not applicable

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<b>Assessment benchmarks - water quality</b>		
Applicable to Development	SPP requirement	Comment
No	None	Not applicable
<b>Assessment benchmarks - natural hazards, risk and resilience</b>		
Applicable to Development	SPP Requirement	Comment
Yes	<p>Erosion prone areas within a coastal management district:</p> <ul style="list-style-type: none"> <li>(1) Development does not occur in an erosion prone area within a coastal management district unless the development cannot feasibly be located elsewhere as is:                             <ul style="list-style-type: none"> <li>(a) coastal dependent development; or</li> <li>(b) temporary, readily relocatable or able to be abandoned development; or</li> <li>(c) essential community infrastructure; or</li> <li>(d) minor redevelopment of an existing permanent building or structure that cannot be relocated or abandoned.</li> </ul> </li> <li>(2) Development permitted in (1) above, mitigates the risks to people and property to an acceptable or tolerable level.</li> </ul> <p>Bushfire, flood, landslide, storm tide inundation, and erosion prone areas outside the coastal management district:</p> <ul style="list-style-type: none"> <li>(3) Development other than that assessed against (1) above, avoids natural hazard areas, or where it is not possible to avoid the natural hazard area, development mitigates the risks to people and property to an acceptable or tolerable level.</li> </ul> <p>All natural hazard areas:</p> <ul style="list-style-type: none"> <li>(4) Development supports and does not hinder disaster management response or recovery capacity and capabilities.</li> <li>(5) Development directly, indirectly and cumulatively avoids an</li> </ul>	<p>An assessment of the proposed development has been undertaken against the applicable SPP requirements and the proposal has been determined to comply. This application is seeking to vary the current flood hazard overlay mapping to reflect the actual risk on site, refer to Section 2.5 of this report for further assessment.</p>

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	<p>increase in the severity of the natural hazard and the potential for damage on the site or to other properties.</p> <p>(6) Risks to public safety and the environment from the location of hazardous materials and the release of these materials as a result of a natural hazard are avoided.</p> <p>(7) The natural processes and the protective function of landforms and the vegetation that can mitigate risks associated with the natural hazard are maintained or enhanced.</p>	
<b>Assessment benchmarks - strategic airports and aviation facilities</b>		
Applicable to Development	SPP Requirement	Comment
No	None	Not applicable

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2.3.2 South East Queensland Regional Plan

The site is located in the Urban Footprint.

The development proposal is for an urban activity in the Urban Footprint, and there are no requirements in the State Planning Regulatory Provisions applicable to the development proposal.

2.3.3 Schedule 10, Part 10 of the Regulation – Koala Habitat Area

Koala Habitat Area - Low value rehabilitation

The site is located in a Priority Koala Assessable Development Area. An assessment as to how the development satisfies the provisions in the Regulation has been undertaken, and the proposal is consistent.

2.4 Assessment Against Local Categorising Instrument - Moreton Bay Regional Council Planning Scheme

An assessment against the relevant parts of the planning scheme is set out below, assessing the Material Change of Use - Preliminary Approval component of the development application.

2.4.1 Assessment of Applicable Codes

Code Compliance Summary

The assessment below identifies how the development proposal achieves the assessment benchmarks and where the development proposal;

- (a) proposes an alternative 'Example' satisfying or not satisfying the corresponding Performance Outcome; and
- (b) proposes an outcome where no 'Example' is stated in the code and the proposed outcome does not satisfy the corresponding Performance Outcome.

Assessment Benchmarks	Compliance with Overall Outcomes	Performance Outcomes assessment is required
<b>Zone/ Local Plan Code</b>		
General Residential Zone Code - Next generation neighbourhood precinct	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
<b>Overlay Codes</b>		
Flood Hazard Overlay Code	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	

Detailed assessment of the Performance Outcomes will be undertaken in any assessment of future development applications for a Material Change of Use - Development Permit, when plans and details of the proposed development are included. No further assessment against the Performance Outcomes of the applicable codes(s) is required.

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2.4.2 Overall Outcome Assessment

Due to the nature of the development application including a Preliminary Approval for specific land uses, including: Caretaker's Accommodation, Dual Occupancy, Dwelling House, Health Care Services, Multiple Dwelling, Retirement Facility and Residential Care Facility, the proposal has been assessed against the applicable Overall Outcomes of the zone code as follows;

Section 6.2.6.3 General residential zone code - Next generation neighbourhood precinct		
Overall Outcomes	Complies Y/N	Comments
a. The Next generation neighbourhood precinct supports site densities between 15 and 75 dwellings per hectare.	N/A	Assessment to be undertaken as part of detailed assessment for any future Development Permit applications.
b. Neighbourhoods will have a mix of residential uses, tenure and densities on a variety of lot sizes providing housing choice and affordability for different lifestyle choices and life stages to meet diverse community needs.	Y	Subject to specific development application details, however the mix of potential residential uses will allow the area to provide for different lifestyle choices and life stages.
c. Neighbourhoods are designed to provide well-connected, safe and convenient movement and open space networks through interconnected streets and active transport linkages that provide high levels of accessibility between residences, open space areas and places of activity	Y	The location of the subject site allows this to be addressed in future applications.
d. Medium to high density uses (e.g. Multiple dwelling, Relocatable home park, Residential care facility, Retirement facility, Rooming accommodation, Short-term accommodation) are located in proximity to a range of services and public transport stops(s) or station(s).	Y	The Preliminary Approval includes a Residential care facility and Retirement facility as two proposed uses. The site is located in close proximity to the Albany Creek District Centre where a range of services and public transport options are available.
e. The design, siting and construction of residential uses are to: <ul style="list-style-type: none"> <li>i. contribute to an attractive streetscape with priority given to pedestrians;</li> <li>ii. encourage passive surveillance of public spaces;</li> <li>iii. results in privacy and residential amenity consistent with the low to medium density residential character intended for the area;</li> <li>iv. provide a diverse and attractive built form;</li> <li>v. orientate to integrate with the street and surrounding neighbourhood;</li> </ul>	N/A	Design of proposals will be part of future development applications seeking Development Permits.

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Section 6.2.6.3 General residential zone code - Next generation neighbourhood precinct		
Overall Outcomes	Complies Y/N	Comments
<ul style="list-style-type: none"> <li>vi. incorporate sub-tropical urban design principles that respond to local climatic conditions;</li> <li>vii. incorporate sustainable practices including maximising energy efficiency and water conservation;</li> <li>viii. incorporate natural features and respond to site topography;</li> <li>ix. cater for appropriate car parking and manoeuvring areas on-site;</li> <li>x. be of a scale and density consistent with the low to medium density residential character intended for the area;</li> <li>xi. provide urban services such as reticulated water, sewerage, sealed roads, parks and other identified infrastructure;</li> <li>xii. ensure domestic outbuildings are subordinate in appearance and function to the dwelling.</li> </ul>		
<p>f. Non-residential uses in the next generation neighbourhood precinct take the form of community activities, corner stores, neighbourhood hubs or local centres.</p>	Y	The only two non-residential uses applied for as part of the Preliminary Approval are a Caretaker's accommodation and Health care services. Health care services falls under a community activity. The proposal for caretaker's accommodation is a dwelling provided for a caretaker of a non-residential use on the same premises, so may be contemplated in association with the Health care services that involves no overnight accommodation if an on-site person was required for security. In the context of the other proposed land uses a Caretakers Residence is consistent with the other uses proposed. This proposal would be subject to detailed assessment of what land uses are ultimately proposed on site through future development applications.
<p>g. Community activities:</p> <ul style="list-style-type: none"> <li>i. establish in a location that may be serviced by public transport;</li> <li>ii. do not negatively impact adjoining residents or the streetscape;</li> <li>iii. do not undermine the viability of existing or future centres.</li> </ul>	Y	Health care services is a community activity that was listed as a potential land use. Whilst the sites location is not currently serviced by public transport there is an opportunity for this in the future as the area experiences in-fill growth. A detailed assessment of any proposals will occur to ensure development does not negatively impact adjoining residents or the streetscape. Subsequent development applications will need to demonstrate that the proposed Health care service use does not undermine the viability of

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Section 6.2.6.3 General residential zone code - Next generation neighbourhood precinct		
Overall Outcomes	Complies Y/N	Comments
		operations in the established Albany Creek District centre. If the proposed use is intended to be small scale and operate in combination with residents living in a Retirement facility or Residential care facility style uses, then the impact would be negligible.
<p>h. Corner stores may establish as a standalone use (not part of a neighbourhood hub)where:</p> <ul style="list-style-type: none"> <li>i. the store is of a scale that remains subordinate to all centres and neighbourhood hubs within the region;</li> <li>ii. clear separation from existing neighbourhood hubs and centres within the network are maintained to reduce catchment overlap. The corner store should not be within 1600m of another corner store, neighbourhood hub or centre measured from the centre of the corner store, neighbourhood hub or centre;</li> <li>iii. they are appropriately designed and located to include active frontages.</li> </ul>	N/A	No shops or corner stores proposed.
<p>i. Retail and commercial activities (forming part of a neighbourhood hub):</p> <ul style="list-style-type: none"> <li>i. cluster with other non-residential uses (excluding corner stores) forming a neighbourhood hub;</li> <li>ii. are centred around a 'Main Street' central core fostering opportunities for social and economic exchange;</li> <li>iii. are of a small scale, appropriate for a neighbourhood hub;</li> <li>iv. do not negatively impact adjoining residents or the streetscape;</li> <li>v. are subordinate in function and scale to all centres within the region..</li> </ul> <p>Note - Retail and commercial uses that will result in a new or existing neighbourhood hub expanding to a scale and function consistent with a</p>	N/A	No retail uses are proposed.

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Section 6.2.6.3 General residential zone code - Next generation neighbourhood precinct		
Overall Outcomes	Complies Y/N	Comments
Local centre are to be assessed as if establishing a new Local centre. Refer to the Centre zone code for relevant assessment benchmarks		
<p>j. The design, siting and construction of non-residential uses:</p> <ul style="list-style-type: none"> <li>i. maintains a human scale, through appropriate building heights and form;</li> <li>ii. provides attractive, active frontages that maximise pedestrian activity along road frontages, movement corridors and public spaces;</li> <li>iii. provides for active and passive surveillance of road frontages, movement corridors and public spaces;</li> <li>iv. promotes active transport options and ensures an oversupply of car parking is not provided;</li> <li>v. does not result in large internalised shopping centres<sup>(76)</sup> (e.g. large blank external walls with tenancies only accessible from within the building) surrounded by expansive areas of surface car parking.</li> </ul>	N/A	Design of proposals part of future development applications.
<p>k. Neighbourhood hub expansion (into adjoining lots) or the establishment of a new neighbourhood hub only occurs where:</p> <ul style="list-style-type: none"> <li>i. it is of a scale that remains subordinate to all centres within the region;</li> <li>ii. the expansion (into adjoining lots) will strengthen the existing neighbourhood hub as an important neighbourhood activity node;</li> <li>iii. clear separation from existing neighbourhood hubs and centres within the network are maintained to reduce catchment overlap. New neighbourhood hubs are to service a currently unserved catchment. The centre of a neighbourhood hub should not</li> </ul>	N/A	Not applicable to this application.



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Section 6.2.6.3 General residential zone code - Next generation neighbourhood precinct		
Overall Outcomes	Complies Y/N	Comments
<p>be located within 1600m of another neighbourhood hub or centre measured from the centre of each hub or centre;</p> <p>iv. for a new neighbourhood hub, it is located on sub-arterial or collector road;</p> <p>v. they are appropriately designed and located to include active frontages around a 'main street' core and are staged where relevant to retain key (highly accessible) sites for long term development.</p>		
<p>I. General works associated with the development achieves the following:</p> <p>i. new development is provided with a high standard of services to meet and support the current and future needs of users of the site, including roads, street lighting services, telecommunications and reticulated electricity (underground wherever possible), water and sewerage (where available);</p> <p>ii. the development manages stormwater to:</p> <p>A. ensure the discharge of stormwater does not adversely affect the quality, environmental values or ecosystem functions of downstream receiving waters;</p> <p>B. prevent stormwater contamination and the release of pollutants;</p> <p>C. maintain or improve the structure and condition of drainage lines and riparian areas;</p> <p>D. avoid off-site adverse impacts from stormwater.</p> <p>iii. the development does not result in unacceptable impacts on the capacity and safety of the external road network;</p> <p>iv. the development ensures the safety, efficiency and useability of access ways and parking areas;</p> <p>v. site works including earthworks are managed to be safe and have minimal impacts on adjoining or</p>	N/A	Assessed as part of detailed development application.

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Section 6.2.6.3 General residential zone code - Next generation neighbourhood precinct		
Overall Outcomes	Complies Y/N	Comments
adjacent premises, the streetscape or the environment.		
m. Activities associated with the use do not cause a nuisance by way of aerosols, fumes, light, noise, odour, particles or smoke.	N/A	Assessed as part of detailed development application.
n. Noise generating uses are designed, sited and constructed to minimise the transmission of noise to appropriate levels and do not cause environmental harm or nuisance.	N/A	Assessed as part of detailed development application.
o. Noise sensitive uses are designed, sited and constructed so as not to be subject to unacceptable levels of noise.	N/A	Assessed as part of detailed development application.
p. Development in a Water supply buffer is undertaken in a manner which contributes to the maintenance and enhancement where possible of water quality to protect the drinking water and aquatic ecosystem environmental values in those catchments.	N/A	The site is not located within a water supply buffer area.
q. Development avoids areas subject to constraint, limitation, or environmental value. Where development cannot avoid these identified areas, it responds by:	N/A	Assessed as part of detailed development application. Refer to Section 2.5 for assessment on the proposed changes to the flood hazard overlay.
i. adopting a 'least risk, least impact' approach when designing, siting and locating development in any area subject to a constraint, limitation or environmental value to minimise the potential risk to people, property and the environment;		
ii. ensuring no further instability, erosion or degradation of the land, water or soil resource;		
iii. when located within a Water buffer area, complying with the Water Quality Vision and Objectives contained in the Seqwater Development Guidelines: Development		

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Section 6.2.6.3 General residential zone code - Next generation neighbourhood precinct		
Overall Outcomes	Complies Y/N	Comments
<p>Guidelines for Water Quality Management in Drinking Water Catchments 2012.</p> <p>iv. maintaining, restoring and rehabilitating environmental values, including natural, ecological, biological, aquatic, hydrological and amenity values, and enhancing these values through the provision of planting and landscaping, and facilitating safe wildlife movement and connectivity through:</p> <p>A. the provision of replacement, restoration, rehabilitation planting and landscaping;</p> <p>B. the location, design and management of development to avoid or minimise adverse impacts on ecological systems and processes;</p> <p>C. the requiring of environmental offsets in accordance with the Environmental Offsets Act 2014.</p> <p>v. protecting native species and protecting and enhancing species habitat;</p> <p>vi. protecting and preserving the natural, aesthetic, architectural historic and cultural values of significant trees, places, objects and buildings of heritage and cultural significance;</p> <p>vii. establishing effective separation distances, buffers and mitigation measures associated with identified infrastructure to minimise adverse effects on sensitive land uses from odour, noise, dust and other nuisance generating activities;</p> <p>iii. establishing, maintaining and protecting appropriate buffers to waterways, wetlands, native vegetation and significant fauna habitat;</p> <p>ix. ensuring it promotes and does not undermine the ongoing viability, integrity, operation, maintenance and safety of identified infrastructure;</p>		

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Section 6.2.6.3 General residential zone code - Next generation neighbourhood precinct		
Overall Outcomes	Complies Y/N	Comments
x. ensuring effective and efficient disaster management response and recovery capabilities; xi. where located in an overland flow path: A. development siting, built form, layout and access responds to the risk presented by the overland flow and minimises risk to personal safety; B. development is resilient to the impacts of overland flow by ensuring the siting and design accounts for the potential risks to property associated with the overland flow; C. development does not impact on the conveyance of the overland flow for any event up to and including the 1% AEP for the fully developed upstream catchment; D. development directly, indirectly and cumulatively avoid an increase in the severity of overland flow and potential for damage on the premises or other premises, public lands, watercourses, roads or infrastructure.		
r. Development in the Next generation neighbourhood precinct includes 1 or more of the following: <ul style="list-style-type: none"> <li>• Child care centre</li> <li>• Clubs</li> <li>• Community care centre</li> <li>• Community residence</li> <li>• Community use</li> <li>• Dual occupancy</li> <li>• Dwelling house</li> <li>• Dwelling unit</li> <li>• Educational establishment</li> <li>• Emergency services</li> <li>• Health care services</li> <li>• Home based business</li> <li>• Multiple dwelling</li> <li>• Place of worship</li> <li>• Relocatable home park</li> <li>• Residential care facility</li> </ul>	Y	Dwelling house, Dual occupancy, Health care service, Multiple Dwelling, Residential care facility and Retirement facility are all listed as uses included in the Next generation neighbourhood precinct.

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Section 6.2.6.3 General residential zone code - Next generation neighbourhood precinct		
Overall Outcomes	Complies Y/N	Comments
<ul style="list-style-type: none"> <li>• Retirement facility</li> <li>• Rooming accommodation - if within 800m walking distance of a higher order or district centre</li> <li>• Sales office</li> <li>• Shop - if for a corner store</li> <li>• Short-term accommodation - if within 800m walking distance of a higher order or district centre</li> <li>• Where in a neighbourhood hub:                             <ul style="list-style-type: none"> <li>- Food and drink outlet</li> <li>- Health care services</li> <li>- Hardware and trade supplies</li> <li>- Office</li> <li>- Service Industry</li> <li>- Shop</li> <li>- Veterinary services</li> </ul> </li> </ul>		
<p>s. Development in the Next generation neighbourhood precinct does not include any of the following:</p> <ul style="list-style-type: none"> <li>• Adult store</li> <li>• Agricultural supplies store</li> <li>• Air services</li> <li>• Animal husbandry</li> <li>• Animal keeping</li> <li>• Aquaculture</li> <li>• Bar</li> <li>• Brothel</li> <li>• Cemetery</li> <li>• Crematorium</li> <li>• Cropping</li> <li>• Detention facility</li> <li>• Extractive industry</li> <li>• Hardware and trade supplies - if 250m<sup>2</sup> GFA or more</li> <li>• High impact industry</li> <li>• Hotel</li> <li>• Intensive animal industry</li> <li>• Intensive horticulture</li> <li>• Low impact industry</li> <li>• Marine industry</li> <li>• Medium impact industry</li> <li>• Motor sport facility</li> <li>• Nature-based tourism</li> <li>• Nightclub entertainment facility</li> </ul>	Y	None of the uses listed as not included in the zone precinct are proposed.

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Section 6.2.6.3 General residential zone code - Next generation neighbourhood precinct		
Overall Outcomes	Complies Y/N	Comments
<ul style="list-style-type: none"> <li>• Non-resident workforce accommodation</li> <li>• Outdoor sales</li> <li>• Permanent plantation</li> <li>• Port services</li> <li>• Renewable energy facility</li> <li>• Research and technology industry</li> <li>• Rural industry</li> <li>• Rural workers' accommodation</li> <li>• Service Station - if standalone use</li> <li>• Showroom</li> <li>• Special industry</li> <li>• Theatre</li> <li>• Tourist attraction</li> <li>• Transport depot</li> <li>• Warehouse</li> <li>• Wholesale nursery</li> <li>• Winery</li> </ul>		
t. Development not listed in the tables above may be considered on its merits and where it reflects and supports the outcomes of the zone.	Y	Caretaker's accommodation would be subject to an impact assessable development application and would need to be assessed on its merits.

Based on the assessment above, the proposal is consistent with all of the Overall Outcomes of the code and is therefore taken to be consistent with the purposes of the code.

Due to the nature of the development application being for a Preliminary Approval and being subject to impact assessment, in accordance with section 1.7.2 of the MBRC Planning Scheme, an assessment against the Strategic Framework is set out in section 2.4.3 of this report.

2.4.3 Strategic Framework

In accordance with section 1.7.2 of the planning scheme, the development proposal requires assessment against the Strategic Outcomes within the Strategic Framework. The applicable Strategic Outcomes under the Themes for the planning scheme are discussed as follows:

Strategic Outcome	Complies	Assessment
<b>Theme - MBRC Place Model</b>		
<b>Element - Next generation neighbourhood place type</b>		
<b>3.14.9.1 Specific Outcomes - Sustainability and resilience</b>	Y	Specific Outcomes 1, 2 & 3 to be addressed in subsequent detailed development application.

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Strategic Outcome	Complies	Assessment
<ol style="list-style-type: none"> <li>1. Buildings on small to medium sized lots and in medium density developments are interspersed with private open space and trees and respond to local climate conditions by allowing flow of breezes, natural ventilation and light;</li> <li>2. Residential developments are designed to allow footpaths suitable for extensive native vegetation and appropriate shade trees;</li> <li>3. Dwellings are to be designed and sited so as to minimise energy requirements and provide a high standard of residential amenity; and</li> <li>4. Development is designed to avoid exposure to flood and storm tide inundation events and coastal erosion.</li> </ol>		<p>Any development proposal will also need to be designed to avoid exposure to flood events, however it is noted through this request the flood hazard risk over the site is proposed to be lowered as the technical assessment of the flood hazard overlay map has identified that the medium and high risk currently mapped on the site is not reflective of the actual risk on site.</p>
<p><b>3.14.9.2 Specific Outcomes - Natural environment and landscape</b></p> <ol style="list-style-type: none"> <li>1. Open space network incorporates natural and semi-natural parklands that form part of environmental corridors within the green infrastructure network;</li> <li>2. The green infrastructure network is incorporated into the design of new development and rehabilitated in accordance with green infrastructure network detailed maps. Where native vegetation is to be cleared in order to achieve high quality urban design outcomes and offsets are required these are to be located within environmental offset areas as identified in Planning scheme policy - Environmental areas and corridors, 11.3 Offset receiving site location hierarchy;</li> <li>3. Open space and natural environmental areas within these areas are complemented by the private 'greening' of yard space on private property and street trees. Residents experience a high level of on-site residential amenity; and</li> </ol>	<p><b>Y</b></p>	<p>Specific Outcomes are to be addressed in subsequent detailed development application. It is noted that Sandy Creek adjoining the southern boundary of the site is identified as an ecological connection in the Green Infrastructure Network (GIN). Any new development will need to address the GIN and values and constraints of the site, incorporating rehabilitation of land into the development.</p>

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Strategic Outcome	Complies	Assessment
4. Development is designed to incorporate natural features and respond to topography.		
<b>3.14.9.3 Specific Outcomes - Strong communities</b>	N/A	Only applicable in subsequent development applications.
<b>3.14.9.4 Specific Outcomes - Settlement pattern and urban form</b>	N/A	Only applicable in subsequent development applications.
<b>3.14.9.5 Specific Outcomes - Employment location</b> 1. Next generation neighbourhoods have appropriate local employment opportunities in the form of home based businesses and opportunities within a local centre or neighbourhood hub.	Y	The site is in close proximity to the existing Albany Creek District Centre.
<b>3.14.9.6 Specific Outcomes - Integrated transport</b>	Y	The site is located within a reasonable walking distance to the Albany Creek centre (approximately 1km), with infrastructure such as pedestrian footpaths to be addressed in subsequent development applications.
<b>3.14.9.7 Specific Outcomes - Infrastructure</b>	Y	Availability of infrastructure services to the site to be addressed in subsequent development applications.
<b>3.14.9.8 Specific Outcomes - Water management</b>	N/A	Only applicable in subsequent development applications.
<b>Element - Coast and riverlands place type</b>		
<b>3.14.14.1 Specific Outcomes - Sustainability and resilience</b> 1. Land within this place type is exposed to coastal hazards and is not suitable for urban development; and 2. The area will be managed to allow the natural fluctuation of foreshore and associated ecosystems.	N/A	The site is not located in area affected by coastal hazards.
<b>3.14.14.2 Specific Outcomes - Natural environment and landscape</b> 1. The integrity, condition and function of biodiversity and ecological processes within these areas are protected in perpetuity from the adverse impacts of development and land use activities; 2. The visual character of regionally significant scenic amenity areas including major landscape features, and the visual relief and separation between urban areas provided by the network of waterways and coastal areas, is retained. Vegetated buffers and open space along foreshores are maintained and restored;	Y	The significance of biodiversity and ecological processes along the waterway (Sandy Creek) will need to be assessed and appropriately addressed as part of subsequent development applications ensuring the natural areas are enhanced and protected from development.



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Strategic Outcome	Complies	Assessment
<ul style="list-style-type: none"> <li>3. Existing natural areas, including the habitat of a range of threatened species, are enhanced and protected from the impacts of development;</li> <li>4. The Coast and riverlands place type forms part of the green infrastructure network that traverses across public and private land to link to the Mountains, forests and waterways place type;</li> <li>5. The nature, scale and intensity of coastal activities are appropriate to the low key, low intensity, recreational, educational and environmental character and function of this area;</li> <li>6. Activities in the Coast and riverlands place type are located, designed and managed to mitigate disturbance of acid sulfate soils and the mobilisation and release of nutrients of concern from nutrient hazard areas; and</li> <li>7. Sustainably managed land extensive or intensive rural uses are an integral component of the natural environment and landscape within this place type.</li> </ul>		
<p><b>3.14.14.3 Specific Outcomes - Strong communities</b></p>	<p><b>N/A</b></p>	<p>Only applicable in subsequent development applications.</p>
<p><b>3.14.14.4 Specific Outcomes - Settlement pattern</b></p> <ul style="list-style-type: none"> <li>1. The existing pattern of development within the place type is not intensified and in some locations building and rebuilding will not be possible;</li> <li>2. Dispersed dwellings and farm buildings are predominant within this place type, mostly on large rural allotments. Some small house lots also occur in this place type;</li> <li>3. Coastal activities are of a scale and nature that maintain the low key, dispersed water based and waterfront recreational and open space uses;</li> </ul>	<p><b>Y</b></p>	<p>The extent of the site within the Coast and Riverlands Place Type is identified as being more reflective of the mapped flood hazard risk over the land as opposed to the actual risk currently on the land. The significance of environmental values along the Sandy Creek corridor is to be retained and addressed through subsequent development applications, however it is anticipated that development may occur closer to Greensill Road on the site provided developments can demonstrate compliance with the specific zone code and flood hazard overlay code.</p>

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Strategic Outcome	Complies	Assessment
<p>4. Development and coastal activities are limited to uses that are allied to and compatible with the long term protection of the areas environmental values and are not sensitive to hazard events; and</p> <p>5. Land extensive or intensive rural uses are managed to maintain sustainable production from the land and to avoid degrading the significant conservation or scenic values or the integrity of the coast and waterways.</p>		
<p><b>3.14.14.5 Specific Outcomes - Employment location</b></p> <p>1. Employment opportunities in this place type include low key, low impact recreational and tourism activities that serve the needs of residents and visitors to the region; and</p> <p>2. Opportunities for innovative co location of sustainable rural enterprises in peri – urban areas will be considered where meeting ecological, economic and social objectives, whilst maintaining a character consistent with the attributes of the area.</p>	Y	<p>Whilst the variation request only relates to the flood hazard overlay map the extent of the site within the Coast and Riverlands Place Type is identified as being more reflective of the mapped flood hazard risk over the land as opposed to the actual risk currently on the land. The significance of environmental values along the Sandy Creek corridor is to be retained and addressed through subsequent development applications, however it is anticipated that development may occur closer to Greensill Road on the site provided developments can demonstrate compliance with the specific zone code and flood hazard overlay code.</p>
<p><b>3.14.14.6 Specific Outcomes - Natural resources</b></p> <p>1. Development sustainably manages and does not adversely impact on the natural resources of the area including wetlands and waterways of Moreton Bay Marine Park, declared fish habitat areas, sand dune deposits, Agricultural land classification (ALC) Class A and Class B land and plantation forests; and</p> <p>2. The high levels of ecosystem services provided in this area are protected from development impacts.</p>	Y	<p>Any future development applications will need to demonstrate that the environmental values of the site, particularly along Sandy Creek are protected from development impacts.</p>
<p><b>3.14.14.7 Specific Outcomes - Integrated transport</b></p> <p>1. An adequate level of service for road access is maintained for visitors to the area to</p>	Y	<p>Any future development applications will need to address relevant standards for road requirements however the site has an adequate level of service.</p>

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Strategic Outcome	Complies	Assessment
<p>provide safe access in areas susceptible to flooding and for use in emergencies; and</p> <p>2. Where appropriate, sealed roads to have adequate width to include line-marked shoulders to accommodate cyclists with particular attention to uphill sections.</p>		
<p><b>3.14.14.8 Specific Outcomes - Infrastructure</b></p> <p>1. Limited infrastructure services are provided, and new infrastructure likely to be severely damaged in hazard events is avoided unless otherwise warranted; and</p> <p>2. Infrastructure, including public utilities and major telecommunication facilities, are designed and located to mitigate detrimental impacts on the visual quality and environmental values, character and amenity of the place type.</p>	Y	Any future development applications will need to address this requirement, however it is noted that a technical assessment of the flood hazard overlay has been undertaken and the actual risk is lower than what is currently mapped, and infrastructure services can be provided in areas free of hazard.
<p><b>3.14.14.9 Specific Outcomes - Water Management</b></p> <p>1. Waterways, wetlands and coastal areas are enhanced and protected from degradation or loss of biodiversity values;</p> <p>2. Development retains the natural hydrological characteristics of waterways, wetlands and coastal areas including groundwater, and mitigates disturbance of acid sulfate soils and the mobilisation and release of nutrients of concern from nutrient hazard areas;</p> <p>3. The risk of downstream or upstream shoreline, bed or bank erosion through altered hydrology, development or unnatural disturbance is not increased; and</p> <p>4. Nutrient enrichment is avoided.</p>	Y	Any future development applications will need to address water management.

The proposed Material Change of Use for a Preliminary Approval for land uses consisting of: Caretaker's Accommodation, Dual Occupancy, Dwelling House, Health Care Services, Multiple Dwelling, Retirement Facility and Residential Care Facility over Area B are not in conflict with the Strategic Framework of the MBRC Planning Scheme. All development applications lodged seeking a development permit will need to be designed and located to address the values and constraints of

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the site and surrounds (inclusive of flood and environmental), the amenity of the area, infrastructure requirements for the area and all development requirements listed in the relevant codes for assessment.

## 2.5 Variation Request

This application includes a variation request defined in the *Planning Act 2016* to mean the *part of a development application for a preliminary approval for premises that seeks to vary the effect of any local planning instrument in effect for the premises.*

Section 61(2) of the *Planning Act 2016* specifies that when assessing the variation request, the assessment manager must consider:

- (a) the result of the assessment of that part of the development application that is not the variation request; and
- (b) the consistency of the variations sought with the rest of the local planning instrument that is sought to be varied; and
- (c) the effect the variations would have on submission rights for later development applications, particularly considering the amount and detail of information included in, attached to, or given with the application and available to submitters; and
- (d) any other matter prescribed by regulation

An assessment of the variation request to modify the Moreton Bay Regional Council Planning Scheme to give effect to an amended Flood Hazard Overlay Map has been undertaken and is discussed below.

### 2.5.1 *Result of Assessment of the other aspects of the Development Application*

In this Development Application, the other aspects as discussed earlier in this report is a Preliminary Approval for a Material Change of Use for Caretaker's Accommodation, Dual Occupancy, Dwelling House, Health Care Services, Multiple Dwelling, Retirement Facility and Residential Care Facility Over Area B as shown on the proposal plans. That assessment has determined the proposed land uses are appropriate, subject to detailed assessment as part of a development application for a development permit addressing the relevant criteria in the MBRC Planning Scheme.

### 2.5.2 *Consistency with the rest of the MBRC Planning Scheme*

The proposed variation is not to change any codes or assessment tables in the planning scheme or other policy outcomes but to only amend the Flood Hazard Overlay Map to reflect updated hydraulic modelling carried out by the applicant. Part of the site is already located outside of the medium and high risk flood hazard area, in the balance flood planning area, shown as Area A on the plan submitted by the applicant shown in Figure 1.

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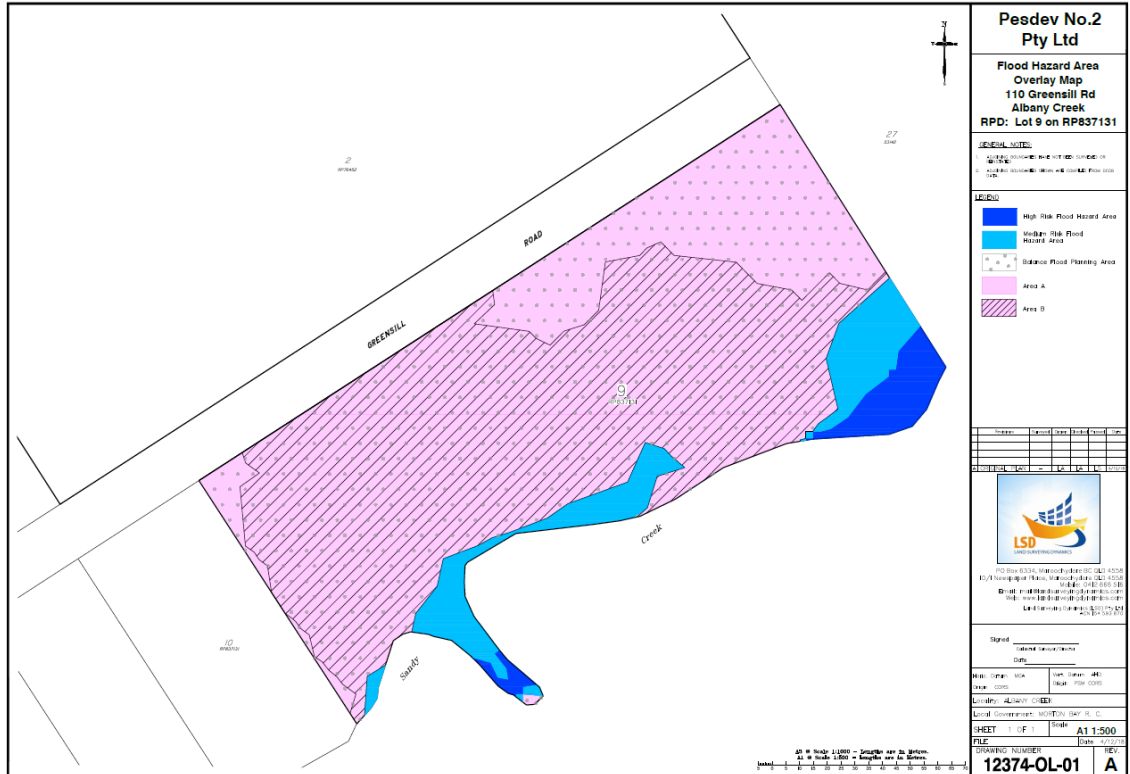


Figure 1: Proposed Flood hazard overlay map

The current flood hazard overlay map shows a large portion of the site being identified with the medium and high risk flood hazard overlay (shown in Figure 2 below) of the MBRC Planning Scheme.

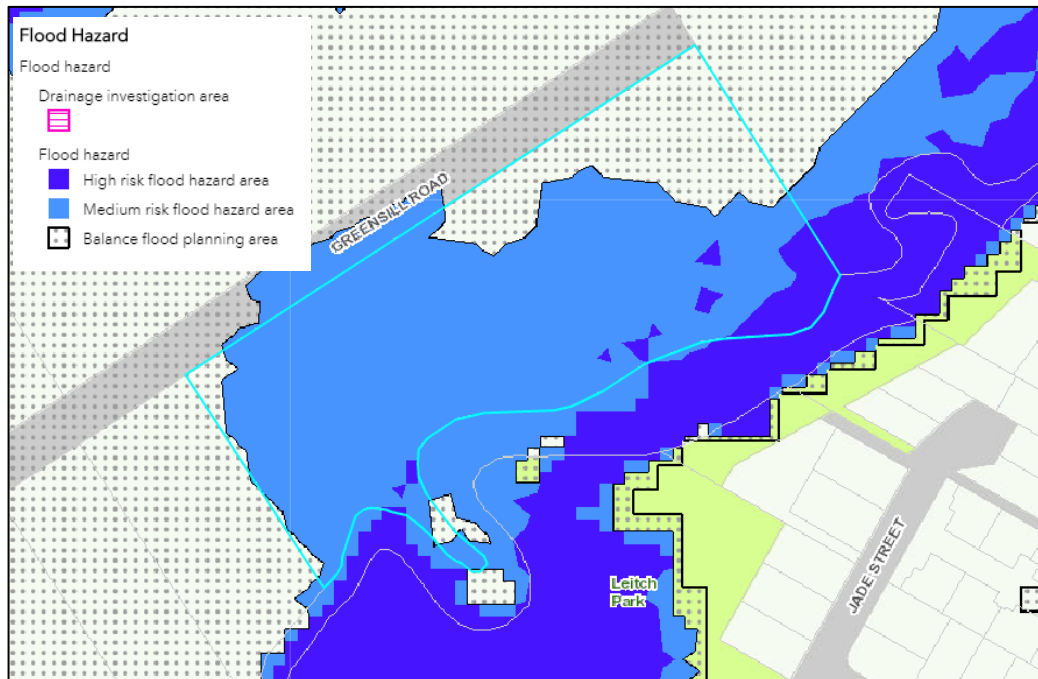


Figure 2: MBRC Planning Scheme - Flood hazard overlay (existing)

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In late 2017, an assessment of the flood hazard on site was undertaken by Council officers. Previous correspondence submitted by the applicant claimed the extent of flooding estimated by Councils RFD model was overestimated at 110 Greensill Rd due to poor representation of ground levels (LiDAR) within the Creek through the site. The claim was supported by hydraulic modelling prepared by the applicant.

Following this claim, Council officers undertook a validation site survey of the creek at this location. The results from both site surveys matched well and internal hydraulic modelling was undertaken with site surveyed levels to assess the impact on flood hazard risk at the site. Figure 3 shows an updated existing case 1% AEP flood depths at 110 Greensill Road with the inclusion of site survey data.

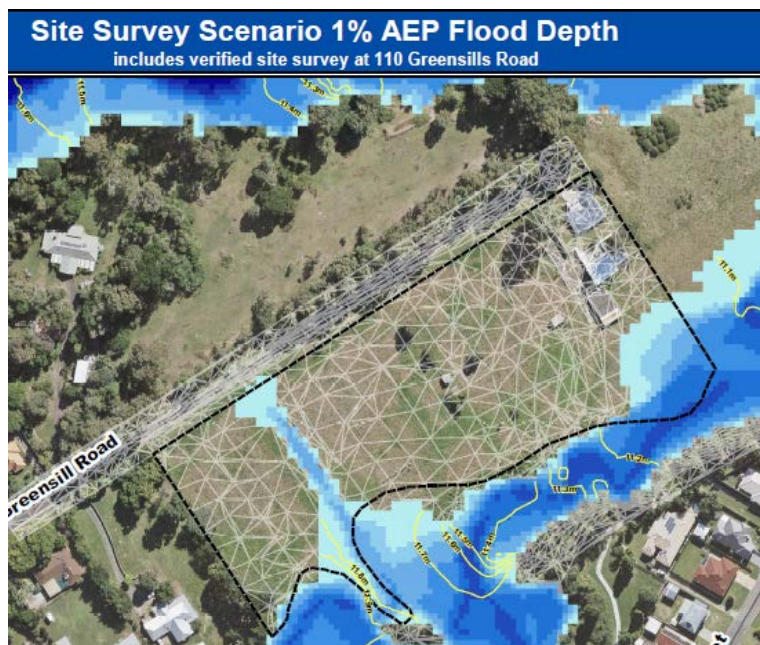


Figure 3: Site Survey Scenario 1% AEP Flood Depth

The applicant has since then lawfully carried out earthworks on the site in accordance with a Development Permit for Operational Works given under the superseded *PineRiversPlan*. These works have mitigated the flood risk on the subject property and therefore as part of any Council led future updated modelling the site's flood risk would change and the majority of the site would be included in the Balance area of the overlay. Figure 4 below shows the 'in principle' flood hazard overlay map agreed to as part of the most recent Map Challenge request approved for the site.

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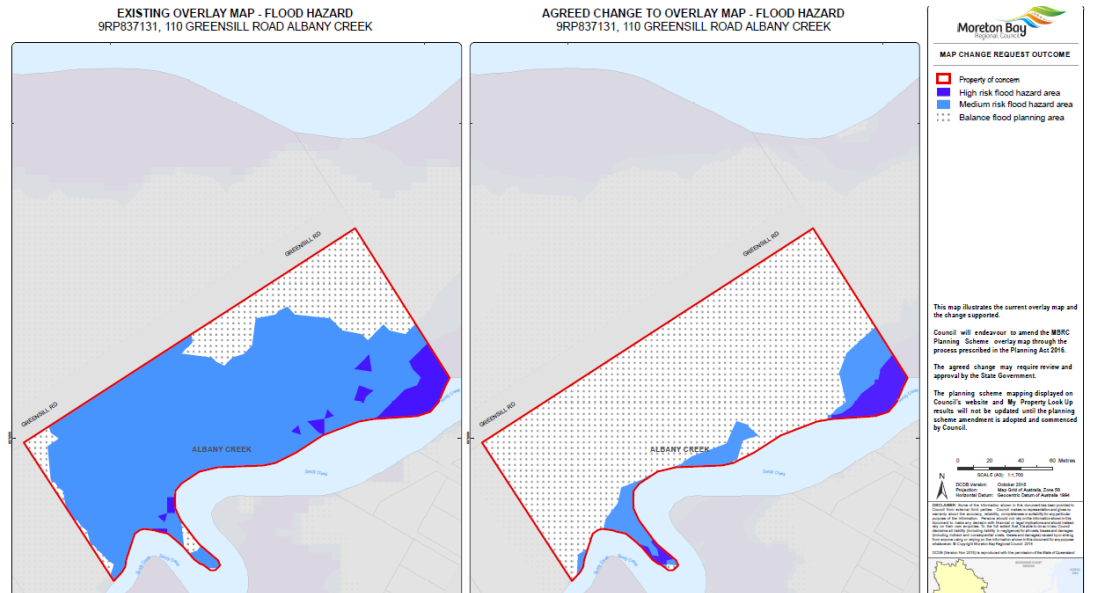


Figure 4: Map Change Request - Flood hazard overlay map

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The variation is therefore seeking to give effect to the updated flood hazard overlay map as supported in principle by Council, due to sufficient technical information being provided to demonstrate that the actual flood hazard risk present on the site is lower than how it is currently mapped. Any future development applications over the land would still require assessment against the flood hazard overlay code relevant to the level of hazard on the particular area of the site development is proposed.

### *2.5.3 Effect of the variations on submission rights*

The effect of the variation is that it removes the Flood Hazard Overlay as a potential trigger to make any future application for the proposed land uses Impact Assessable. The consequence is that the land uses will have the same level of assessment and opportunity for public input as exists on any other land located in the General Residential Zone - Next Generation Neighbourhood Precinct. Had the Variation Request not been made and approved, submitters of future applications could have reasonably relied on the existing Flood Hazard Overlay Map and expressed concerns about the placement of vulnerable land uses in a Medium or High Flood Risk area. This application includes sufficient information to demonstrate that there is limited flood risk applying to the parts of the site identified as Area B. While the proposal will remove a trigger to make what would otherwise be code assessable applications, impact assessable - that trigger has been demonstrated on Area B as no longer applicable and any concerns regarding flooding have been considered in this application.

### *2.5.4 Any other matter prescribed by regulation*

There are no other matters prescribed by regulation relevant to this application.

Having carried out the assessment of the Variation Request, it has been demonstrated that;

- (i) It is aligned with the proposed uses contained in the Material Change of Use - Preliminary Approval component of the development application; and
- (ii) It is consistent with the rest of the MBRC Planning Scheme; and
- (iii) The effect of the variation on submitters rights is acceptable as submitters with concerns about flooding had the opportunity to make a submission about this development application and there is no need to preserve submission rights due to outdated flood mapping on the site; and
- (iv) There is no other matter prescribed in a regulation.

Accordingly, the Variation Requests has demonstrated it warrants favourable consideration.

## 2.6 Trunk Infrastructure

In accordance with section 4 of the Moreton Bay Regional Council Planning Scheme, the subject site is not located in the identified Priority Infrastructure Area. Infrastructure charges applying to the land, where applicable, are to be applied in accordance the Council's Charges Resolution.

### *2.6.1 Levied Charge*

In accordance with section 10 of the CR, a Levied Charge is not applicable to the development proposal as it for a Material Change of Use - Preliminary Approval and a Variation Approval and does not authorise development to occur. For any development activity that would usually incur adopted charges to occur on the site, a subsequent development application needs to be lodged with Council for assessment and a Development Permit issued. At the time of issuing any Development Permits in the future an Infrastructure Charges Notice will be issued levying charges.



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#### 2.6.2 Levied Charge Offset or Refund

The site is not affected by a Trunk Infrastructure requirement and therefore there is no offset or refund applicable to the development proposal.

#### 2.6.3 Additional Trunk Infrastructure Costs

In accordance with section 130 of the *Planning Act 2016*, an additional payment condition may be imposed if the proposed development;

- (a) generates infrastructure demand of more than what is required to service the type or scale of future development assumed in the LGIP; or
- (b) requires new trunk infrastructure earlier than when identified in the LGIP; or
- (c) is for premises located completely or partly outside the Priority Infrastructure Area; and

The development will impose additional trunk infrastructure costs on Council after taking into account the levied charge and any trunk infrastructure provided, or to be provided by the development.

In this instance, having assessed the proposed development as a preliminary approval and variation request, it does not warrant the imposition of an additional payment condition.

#### 2.7 Recording of particular approvals on the MBRC Planning Scheme

In accordance with section 89 of the *Planning Act 2016*, the approval is required to be noted on Schedule 4 of the MBRC Planning Scheme as the development approval would be a variation approval given under section 61 of the *Planning Act 2016*.

#### 2.8 Referrals

##### 2.8.1 Council Referrals

##### **2.8.1.1 Strategic Planning & Engineering Construction and Maintenance - assessment of Map Change Request**

The submitted model files were reviewed and compared to Councils existing RFD model and approved OPW filling application (DA/34738/2017/V4E). The submitted model results and report indicate the claimed / predicted change (reduction) in flood hazard is correct.

The applicant has submitted results files which can be used to update the hazard overlay layer in accordance with the approved filling.

Correspondence sent to the applicant on 23 November 2018 as part of Map Change Request MAPCHG/43/2018 states:

*Council has considered your request to change the Flood hazard overlay map and the supporting material supplied in support of that request. In assessing your request, a review has been undertaken of existing development approvals over land within this general vicinity as well as the methodology and datasets used to create the planning scheme overlay maps.*

*It is acknowledged that the planning scheme overlay maps for flood can become out of date due to catchment changes from approved works within the region. From the site specific hydraulic model outputs supplied with your request, (which include approved*

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*terrain changes), it is evident that the existing planning scheme mapping of high and medium flood hazard over Lot 9 RP 837131, is not up to date.*

*Your request for a mapping change is supported by Council and a change to the MBRC Planning Scheme flood overlay mapping will be made as part of a rolling program of administrative and minor amendments. Please note that no change can be made to the overlay map until this process, (which may include obtaining approval for the change from the State Government) has been finalised. However, no firm commitment on when the change will come into effect can be given at this time.*

*In the interim, the approved changes within the floodplain will be acknowledged through the inclusion of notes in Flood Check Property Reports and Flood Check Development Reports for Lot 9 RP 837131.*

*The attached map depicts the supported change. Note the 'before' map does not reflect changes to incorporate 2014 LiDAR data supported by Council previously in the proposed Major Amendment 1 to the MBRC Planning Scheme. The 'before' map depicts the current Overlay map in the Planning Scheme which is based on 2009 data.*

*Notwithstanding Council's agreement to support your requested change, that agreement is based on information currently at hand and is subject to future review in line with periodic advancements in scientific knowledge and technology.*

*Note that the reduction in the extent of medium flood hazard over the site will expose an area of overland flow from the stormwater drainage system under Greensill Road. As part of the planning scheme amendment process, corresponding changes will be made to the overland flow overlay mapping. The overland flow path will reflect the realignment of the surface drain approved under development permit DA/34738/2017/V4E.*

## 2.8.2 Referral Agencies

### **2.8.2.1 Concurrence Agencies - Department of Infrastructure, Local Government and Planning**

There were no Concurrence Agencies involved in assessing this development application.

### **2.8.2.2 Advice Agencies**

There were no Advice Agencies involved in assessing this application.

### **2.8.2.3 Third Party Agencies**

There were no Third Party Agencies involved in assessing this application.

## 2.9 Public Consultation

### 2.9.1 *Public Notification Requirements under the Development Assessment Rules*

- (a) Public Notification was served on all adjoining landowners on 9 January 2019.
- (b) The development application was advertised in the North-West News on 10 January 2019.

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- (c) A notice in the prescribed form was posted on the relevant land on 10 January 2019 and maintained for a period of 30 business days until 25 February 2019.

2.9.2 Submissions Received

Council received the following types of submissions in respect to this development application.

Type		Number of Signatures	Number of Submissions
Properly Made	Letter, Email, Fax		2
	Petition		
Not Properly Made	Letter, Email, Fax		
	Petition		
<b>Total</b>			<b>2</b>

The matters raised within the submission(s) are outlined below:

Assessment of Submissions
<p><b>Issue - Land uses and zoning</b> <i>Concerns were raised about the inclusion of non-residential uses such as Health care services being an unacceptable change of land use on this site.</i></p> <p>The property is located within the General residential zone - Next generation neighbourhood precinct under the MBRC Planning Scheme. No changes to the zoning are proposed as part of this development application. The applicable zone code in the MBRC Planning Scheme lists under Overall Outcome 'r' Health care services as a type of Development included in the Next generation neighbourhood precinct. There are a number of non-residential land uses listed as uses suitable for inclusion in the Next generation neighbourhood precinct.</p> <p>The Flood Hazard overlay code outlines that vulnerable land uses (flood and coastal) are not developed in the Medium or High risk flood hazard area. Vulnerable land uses in the flood hazard overlay includes land uses applied for such as Caretaker's accommodation, Health Care Service, Retirement facility. The development application is seeking to change the flood hazard overlay mapping to remove a large portion of medium and high risk flood on the site due to catchment changes from approved developments within the region and improved flood modelling that demonstrates the mapped risk level is no longer correct at the site. A Map Change request was approved by Council officers in a letter dated 23 November 2018. The update in flood hazard overlay mapping to reduce the amount of land in medium and high risk flood hazard on the site and include more land in the balance flood planning area will allow for uses consistent with the overall outcomes of the applicable zone, being the Next generation neighbourhood precinct. Therefore, non-residential land uses such as Health Care Service are listed as an appropriate land use subject to detailed assessment as part of any future development applications for a development permit.</p> <p>This is not sufficient grounds for refusal of the application.</p>
<p><b>Issue - Retirement facility &amp; commercial non-residential uses</b> <i>Concern was raised about the inclusion of commercial non-residential facilities within the concept of a retirement facility, such as Food and Drink outlet. The construction of commercial facilities at 110 Greensill Road, away from the current Neighbourhood Hub business area, will result in additional non-residential traffic, significantly impacting residents and pedestrians.</i></p>

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**Assessment of Submissions**

The MBRC Planning Scheme definition for Retirement facility is:

*A residential use of premises for an integrated community and specifically built and designed for older people. The use includes independent living units and may include serviced units where residents require some support with health care and daily living needs.*

*The use may also include a manager's residence and office, food and drink outlet, amenity buildings, communal facilities and accommodation for staff.*

The inclusion of additional ancillary uses such as a food and drink outlet is to allow for the provision of an on-site restaurant or a café where residents and their visitors can gather to socialise and to eat. If an independent food and drink outlet was proposed that was not primarily to cater for on-site residents' needs, then a development application identifying it as a separate land use to a Retirement facility would be required for assessment. It is noted that this development application did not list Food and drink outlet as a separate land use and any future development applications for such a use would trigger Impact assessment in the General residential zone - Next generation neighbourhood precinct.

This is not sufficient grounds for refusal of the application.

**Issue - Building height**

*Concerns were raised that the material change of use will enable construction up to 12 metres in height which would impact on privacy and wellbeing of adjoining neighbours.*

The property is located in an existing Overlay map - Building Height as a maximum building height of 12 metres and so are the adjoining properties. As the current MBRC Planning Scheme already allows for development up to 12m in height (subject to the appropriate approvals) this Material change of use application is not changing any proposed building heights.

This is not sufficient grounds for refusal of the application.

**Issue - Environmental**

*Concern was raised about the impact higher density development would have on vulnerable species in the riparian corridor and downstream of the property.*

Any subsequent development applications lodged under a preliminary approval would need to address and be able to comply with all of the relevant stormwater, riparian corridor and flood hazard criteria in the MBRC Planning Scheme. The integrity of the biodiversity and ecological values will need to be maintained and appropriate measures undertaken to ensure this occurs in any future development applications.

This is not sufficient grounds for refusal of the application.

**Issue - Reverse amenity impact**

*Concerns were raised that approving a material change of use would impact the previous zoning and current use of adjoining land as rural, as it has been a livestock grazing block for 50 years. Concern relates to noise and smell associated with livestock that complaints could be made by new residents or staff. It was requested that MBRC guarantee that the neighbours to the development site would suffer no reverse amenity impact as a result of a material change of use, changes to flood overlay maps and future development and construction.*

Greensill Road has been identified within the General residential zone - Next generation neighbourhood precinct under the MBRC Planning Scheme that came into effect on 1 February 2016. This application seeks to change the flood hazard overlay mapping to align with up to date flood hazard risk assessments that is at a lower risk level than what the overlay mapping currently identifies.

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<b>Assessment of Submissions</b>
<p>The identified land uses in this application would require a subsequent application for a development permit and further site specific assessment, however the proposed residential and non-residential uses are consistent land uses with what is anticipated in the Next generation neighbourhood precinct.</p> <p>This is not sufficient grounds for refusal of the application.</p>
<p><b>Issue - Stormwater</b></p> <p><i>Concerns were raised that changing the flood hazard overlay to allow a development application for approval to construct a retirement facility and aged care facility would result in stormwater runoff impacts with changes to topography and introduction of high density development. Concern was also raised about erosion impacts previously approved development on Leitch's Road South has caused at Sandy Creek and further impacts new development would have.</i></p> <p>Any subsequent development applications lodged under a preliminary approval would need to address and be able to comply with all of the relevant stormwater, riparian corridor and flood hazard criteria in the MBRC Planning Scheme.</p> <p>This is not sufficient grounds for refusal of the application.</p>
<p><b>Issue - Currency period</b></p> <p><i>Concern was raised about the request for a currency period of 10 years and associated impacts development and construction would have on surrounding residents with prolonged disruption to roads, pathways, phone lines etc.</i></p> <p>This development application is a variation request and preliminary approval and no construction can occur as a direct result of this application without a subsequent development application being lodged for a development permit. A Material Change of Use - development permit has a currency period of 6 years to allow time for construction and commencement of use.</p> <p>This application has requested a currency period of 10 years which would allow for development applications to be lodged under any preliminary approval granted. As this request seeks a variation approval to give effect to an updated flood hazard overlay mapping to reflect an up to date risk level, that would otherwise be addressed in minor and major amendments to the MBRC Planning Scheme, the request for a 10 year currency period is considered excessive. Under section 88(2) a variation approval usually provides a 5 year relevant period unless otherwise stated. As this application also includes a Material Change of Use - Preliminary Approval which has a relevant period of six (6) years, it is recommended that the variation approval be granted a currency period of six (6) years also, for consistency and simplicity in dealing with any subsequent applications under this approval.</p> <p>However, currency period is the period that uses must start within. In contrast, it is appropriate that the period the use has to be completed within is also specified as provided for under the Planning Act. In this instance, the applicant's request of 10 years is recommended so that the whole of the development needs to be completed during this time, providing time to gain Development Permits for Material Change of Use, Operational Works, Building Works and to then physically construct all of the buildings.</p> <p>This is not sufficient grounds for refusal of the application.</p>

### 2.9.3 Notice of Compliance

The Notice of Compliance was received by Council on 26 February 2019. The Notice of Compliance identifies that the public notification requirements for the development application

ITEM 2.1 DA/37057/2018/V2L - PRELIMINARY APPROVAL FOR A MATERIAL CHANGE OF USE FOR CARETAKER'S ACCOMMODATION, DUAL OCCUPANCY, DWELLING HOUSE, HEALTH CARE SERVICES, MULTIPLE DWELLING, RETIREMENT FACILITY, RESIDENTIAL CARE FACILITY OVER AREA B AND VARIATION REQUEST T - A18348832 (Cont.)

were correctly undertaken in accordance with the requirements of Part 4, of the Development Assessment Rules.

## 2.10 Other Matters

None identified.

## 3. **Strategic Implications**

### 3.1 Legislative/Legal Implications

The applicant and submitters have appeal rights in accordance with the *Planning Act 2016*.

### 3.2 Corporate Plan / Operational Plan

Creating Opportunities: Well-planned growth - a sustainable and well-planned community.

### 3.3 Policy Implications

The proposal is consistent with the existing Moreton Bay Region planning provisions and relevant policies.

### 3.4 Risk Management Implications

Development occurs efficiently and effectively in the region in a manner that reduces the potential risk implications to Council and the community. This proposal does not authorise development to occur.

### 3.5 Delegated Authority Implications

There are no delegated authority implications arising as a direct result of this report.

### 3.6 Financial Implications

In the event that an appeal is made to the Planning & Environment court against Council's decision, the Council will incur additional costs in defending its position.

### 3.7 Economic Benefit

This proposal does not authorise development to occur and subsequent development applications would need to be lodged for assessment. There are no economic benefits arising from this development application.

### 3.8 Environmental Implications

This proposal does not authorise development to occur and subsequent development applications would need to be lodged for assessment. There are no environmental implications arising from this development application.

### 3.9 Social Implications

This proposal does not authorise development to occur and subsequent development applications would need to be lodged for assessment. There are no social implications arising from this development application.

### 3.10 Consultation / Communication

Refer to clause 2.9.

## **ATTENDANCE**

Kate Isles and Marco Alberti left the meeting at 10.59am after Item 2.1 and Keith Pattinson attended at that time for discussion on Item 3.1.

**3 CORPORATE SERVICES SESSION**

**(Cr M Constance)**

**ITEM 3.1  
MONTHLY REPORTING PACKAGE - MARCH 2019 - REGIONAL**

*Meeting / Session:* 3 CORPORATE SERVICES  
*Reference:* A18410844 : 5 April 2019 - **Refer Supporting Information A18410820**  
*Responsible Officer:* AD, Management Accountant (CEO Accounting Services)

**Executive Summary**

The purpose of this report is to present the Financial Reporting Package for the year to date period ending 31 March 2019.

**COMMITTEE RECOMMENDATION**

**Moved by Cr Denise Sims**

**Seconded by Cr Mick Gillam**

**CARRIED 13/0**

**That the Financial Reporting Package for the year to date period ending 31 March 2019 be received.**

ITEM 3.1 MONTHLY REPORTING PACKAGE - MARCH 2019 - REGIONAL - A18410844 (Cont.)

## OFFICER'S RECOMMENDATION

That the Financial Reporting Package for the year to date period ending 31 March 2019 be received.

### **REPORT DETAIL**

#### **1. Background**

The Financial Reporting Package for the month ending 31 March 2019 is contained within the supporting information to this report.

This package contains a number of financial statements with relevant commentary to provide a breakdown of key financial data and includes.

- ✓ Financial Statements
  - Statement of Comprehensive Income shows all income and expenditure as at the end of the March period.
  - The Statement of Financial Position highlights Council's position at the end of March and itemises assets, liabilities and community equity.
  - Statement of Cash Flows which represents the cash inflows and outflows during the month.
  - Statement of sources and applications of capital funding.
- ✓ Treasury Report
  - The Treasury Report highlights key areas of performance relating to Council's investments and borrowings.

#### **2. Explanation of Item**

The financial results for the month of March are complete. A commentary is provided on significant matters that occurred during the month.

#### **3. Strategic Implications**

##### 3.1 Legislative/Legal Implications

Part 9, section 204 of the Local Government Regulation 2012, (regulation) states the following:

- (1) The local government must prepare a financial report.
- (2) The chief executive officer must present the financial report—
  - (a) if the local government meets less frequently than monthly—at each meeting of the local government; or
  - (b) otherwise—at a meeting of the local government once a month.
- (3) The financial report must state the progress that has been made in relation to the local government's budget for the period of the financial year up to a day as near as practicable to the end of the month before the meeting is held.

##### 3.2 Corporate Plan / Operational Plan

Strengthening Communities: Strong local governance - strong leadership and governance.

##### 3.3 Policy Implications

Compliance to the Council's Investment Policy is confirmed for the month of March.

##### 3.4 Risk Management Implications

The Council is subject to numerous risks associated with revenue and expenses that can impact upon Council's financial performance and position. Risks are documented and evaluated as part of the operational plan preparation in conjunction with the annual budget cycle and are monitored throughout the year.



*ITEM 3.1 MONTHLY REPORTING PACKAGE - MARCH 2019 - REGIONAL - A18410844 (Cont.)*

3.5 Delegated Authority Implications

There are no delegated authority implications arising as a direct result of this report.

3.6 Financial Implications

As at the end of March 2019, Council's operating result is \$58.91 million and the capital expenditure incurred amounted to \$110.17 million (excluding the University Project).

3.7 Economic Benefit

There are no economic benefit implications arising as a direct result of this report.

3.8 Environmental Implications

There are no environmental implications arising as a direct result of this report.

3.9 Social Implications

There are no social implications arising as a direct result of this report.

3.10 Consultation / Communication

Chief Executive Officer, Manager Financial and Project Services and Accounting Services Manager.

## **ATTENDANCE**

Keith Pattinson left the meeting at 11.01am after Item 3.1.

**ITEM 3.2**

**ASSET SALE - SEWER PUMP STATION - AQUATIC CENTRE DRIVE,  
BURPENGARY - DIVISION 2**

*Meeting / Session:* 3 CORPORATE SERVICES  
*Reference:* A18465949 : 23 April 2019  
*Responsible Officer:* AM, Director Engineering Construction and Maintenance (ECM Directorate)

**Executive Summary**

This report seeks Council's approval to sell the Council-owned sewer pump station (SPS), located off Aquatic Centre Drive, Burpengary to Unitywater.

**COMMITTEE RECOMMENDATION**

Moved by Cr Peter Flannery

Seconded by Cr Koliana Winchester

CARRIED 13/0

1. That the exception contained in section 236(1)(b)(i) of the Local Government Regulation 2012 applies to the Council on the disposal of the valuable non-current asset referred to in this report.
2. That Council sells to Unitywater the sewer pump station (Asset No A00524470) located off Aquatic Centre Drive, Burpengary for the sum of \$51,000.00.
3. That the Chief Executive Officer be authorised to take all action necessary including, but not limited to, negotiating, making, amending, signing and discharging the agreement to sell the valuable non-current asset and any required variations of the agreement to sell the valuable non-current asset on the Council's behalf, as described in this report.

ITEM 3.2 ASSET SALE - SEWER PUMP STATION - AQUATIC CENTRE DRIVE, BURPENGARY - DIVISION 2 - A18465949 (Cont.)

**OFFICER'S RECOMMENDATION**

1. That the exception contained in section 236(1)(b)(i) of the Local Government Regulation 2012 applies to the Council on the disposal of the valuable non-current asset referred to in this report.
2. That Council sells to Unitywater the sewer pump station (Asset No A00524470) located off Aquatic Centre Drive, Burpengary for the sum of \$51,000.00.
3. That the Chief Executive Officer be authorised to take all action necessary including, but not limited to, negotiating, making, amending, signing and discharging the agreement to sell the valuable non-current asset and any required variations of the agreement to sell the valuable non-current asset on the Council's behalf, as described in this report.

**REPORT DETAIL**

**1. Background**

Unitywater has sought Council's approval to purchase an existing SPS to avoid duplication of infrastructure in the local area to service local development.



Figure 1: Locality plan - sewer pump station

ITEM 3.2 ASSET SALE - SEWER PUMP STATION - AQUATIC CENTRE DRIVE, BURPENGARY - DIVISION 2 - A18465949 (Cont.)

## 2. Explanation of Item

Unitywater has been working with Council to determine whether the existing SPS can be utilised to satisfy local development requirements without the need to construct a new SPS.

Following Unitywater's investigations and due diligence, Unitywater is now seeking to purchase the SPS from Council. Unitywater has accepted Council's value of the asset (written-down value of \$51,000) and is seeking Council approval to purchase the SPS asset from Council.

The land footprint upon which the SPS is located is owned by the State Government with Council as the Trustee. Compensation for land would be payable to the State and not Council. The SPS land footprint is approximately 52m<sup>2</sup> (subject to survey). Any compensation for the land associated with the SPS is a matter between the State Government and Unitywater, including the provision of any easements for access. Unitywater has advised that they intend to access the SPS from Aquatic Centre Drive.

From a Council officer perspective, there are no barriers to the sale of the SPS to Unitywater, with Unitywater being responsible for the operation, maintenance and replacement of the asset, upon sale and transfer of the asset.

## 3. Strategic Implications

### 3.1 Legislative/Legal Implications

The Council must comply with the *Local Government Act 2009* and Local Government Regulation 2012 when it disposes of valuable non-current assets. Resolving to rely on the exception provided under section 236(1)(b)(i) of the Regulation will allow the Council to complete the disposal to Unitywater by means other than tender or auction.

### 3.2 Corporate Plan / Operational Plan

Creating Opportunities: Well-planned growth - a sustainable and well-planned community.

### 3.3 Policy Implications

No policy implications arising as a direct result of this report.

### 3.4 Risk Management Implications

No risk management implications arising as a direct result of this report.

### 3.5 Delegated Authority Implications

As per Officer's Recommendation 3 of this report, it is proposed that the Chief Executive Officer be authorised to take all action necessary to facilitate the valuable non-current asset sale.

### 3.6 Financial Implications

Council's current written-down value of the SPS is \$51,000. Unitywater has agreed to reimburse Council this amount.

The land upon which the SPS is situated, whilst being controlled by Council, is owned by the Queensland State Government. Unitywater will need to facilitate transfer of the land into its control as part of the asset sale.

There will be a reduction in overall recurrent maintenance costs to Council as a consequence of this asset sale to Unitywater.

### 3.7 Economic Benefit

Apart from the financial implications above, there are no economic implications arising as a direct result of this report.

*ITEM 3.2 ASSET SALE - SEWER PUMP STATION - AQUATIC CENTRE DRIVE, BURPENGARY - DIVISION 2 - A18465949 (Cont.)*

3.8 Environmental Implications

No environmental implications arising as a direct result of this report.

3.9 Social Implications

No social implications arising as a direct result of this report.

3.10 Consultation / Communication

Consultation has been undertaken with Unitywater and the following Council departments - Development Services, Property Services and Asset Maintenance.

**4 ASSET CONSTRUCTION & MAINTENANCE SESSION**

**(Cr A Hain)**

**ITEM 4.1**

**BEACHMERE - CHRISTEN DRIVE - ROAD REHABILITATION AND DRAINAGE  
CONSTRUCTION - DIVISION 2**

*Meeting / Session:* 4 ASSET CONSTRUCTION & MAINTENANCE  
*Reference:* A18403646 : 17 January 2019 - Refer **Confidential Supporting Information  
A18269304**  
*Responsible Officer:* BB, Manager Project Management (ECM Project Management)

**Executive Summary**

Tenders were invited for the 'Beachmere - Christen Drive - Road Rehabilitation and Drainage Construction' project. The tender closed on 19 February 2019, with 11 conforming tenders received.

It is recommended that Council award the contract to Gateway Projects Pty Ltd for the sum of \$546,483.27 (excluding GST) as this tender was evaluated as representing the best overall value to Council.

**COMMITTEE RECOMMENDATION**

Moved by Cr Peter Flannery

Seconded by Cr Adrian Raedel

**CARRIED 13/0**

That the tender for 'Beachmere - Christen Drive - Road Rehabilitation and Drainage Construction (MBRC008242)' project be awarded to Gateway Projects Pty Ltd for the sum of \$546,483.27 (excluding GST).

- a) That the Council enters into an agreement with Gateway Projects Pty Ltd as described in this report.
- b) That the Chief Executive Officer be authorised to take all action necessary, including but not limited to, negotiating, making, amending, signing and discharging the agreement with Gateway Projects Pty Ltd for 'Beachmere - Christen Drive - Road Rehabilitation and Drainage Construction (MBRC008242)' project and any required variations of the agreement on Council's behalf.

*ITEM 4.1 BEACHMERE - CHRISTEN DRIVE - ROAD REHABILITATION AND DRAINAGE CONSTRUCTION -  
DIVISION 2 - A18403646 (Cont.)*

## OFFICER'S RECOMMENDATION

That the tender for '*Beachmere - Christen Drive - Road Rehabilitation and Drainage Construction (MBRC008242)*' project be awarded to Gateway Projects Pty Ltd for the sum of \$546,483.27 (excluding GST).

- a) That the Council enters into an agreement with Gateway Projects Pty Ltd as described in this report.
- b) That the Chief Executive Officer be authorised to take all action necessary, including but not limited to, negotiating, making, amending, signing and discharging the agreement with Gateway Projects Pty Ltd for '*Beachmere - Christen Drive - Road Rehabilitation and Drainage Construction (MBRC008242)*' project and any required variations of the agreement on Council's behalf.

## **REPORT DETAIL**

### **1. Background**

This project is located at Christen Drive, Beachmere, between Campbell Parade and the entrance to 119 Christen Drive (Figure 1 below). The scope of work includes construction of a stormwater open drainage channel consisting of a concrete invert, rehabilitation of approximately 490 metres of road pavement, the renewal of 12 metres of 600mm diameter pipe under Campbell Parade (adjacent to Christen Drive) and the replacement of the 450mm diameter pipe in front of 95 Christen Drive.

The objective of the project is to improve and control stormwater drainage, reduce the period of time local roads are inundated and to bring the road pavement to a desirable level of service as it is beyond its useful life. The replacement of the 450mm and 600mm diameter stormwater pipes identified under the stormwater renewal program have been included as part of these works. The area of work is shown in Figure 2 below.

The project requires the removal of some native vegetation which includes She Oaks, Broad Leaved Paperbarks, Tuckeroos, Swamp Boxes and Gum Trees. In accordance with Council's protocol, offset planting will be undertaken along Christen Drive and at Brooks Road Park, Beachmere as part of the project, as shown in Figure 3. Replanting will consist of 24 x 25L street trees planted along Christen Drive and 120 tubestock (trees and shrubs) will be planted to augment an existing planting in Brooks Road Park. This will include a mixture of native tree species including Brush Boxes, Queensland Blue Gums, Grey Ironbarks and Moreton Bay Ashes.

Construction duration for the works is 60 days with an allowance for wet weather. Works are scheduled to commence in mid May 2019 with completion by end of July 2019.

ITEM 4.1 BEACHMERE - CHRISTEN DRIVE - ROAD REHABILITATION AND DRAINAGE CONSTRUCTION - DIVISION 2 - A18403646 (Cont.)



Figure 1 - Locality plan



Figure 2 - Area of road and drainage works



ITEM 4.1 BEACHMERE - CHRISTEN DRIVE - ROAD REHABILITATION AND DRAINAGE CONSTRUCTION - DIVISION 2 - A18403646 (Cont.)

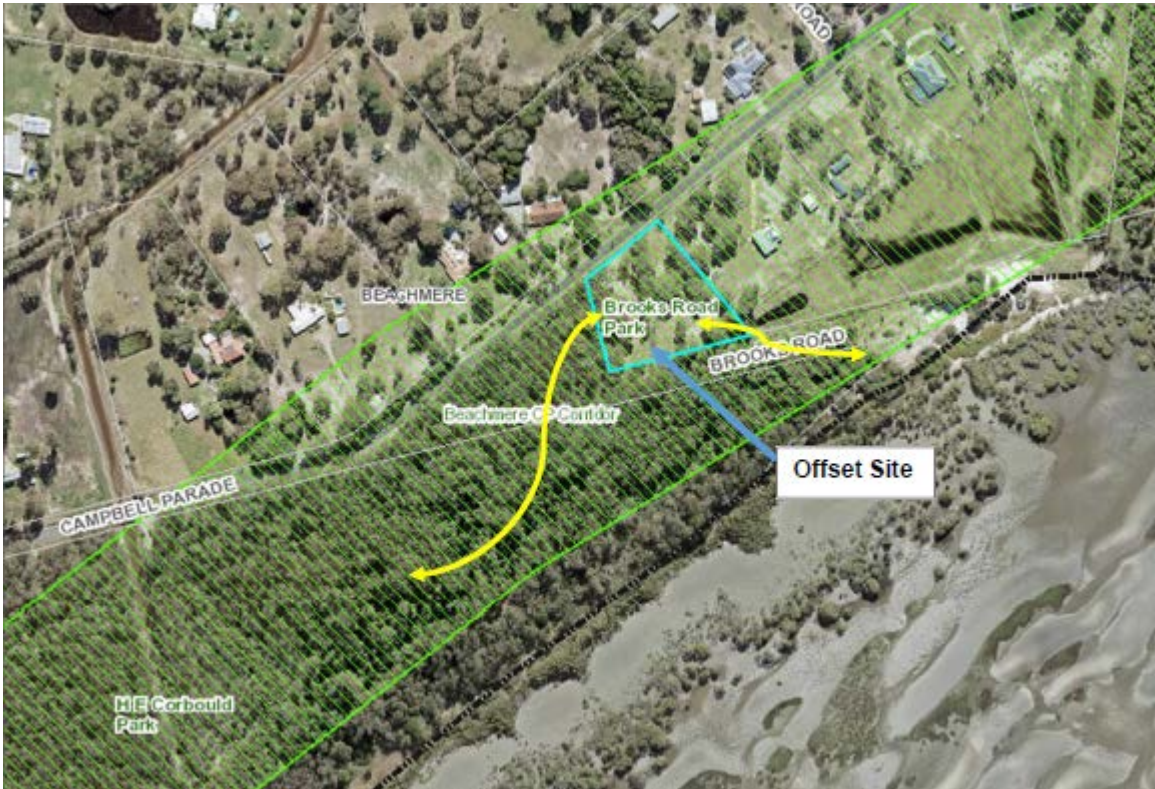


Figure 3 - Offset planting site

2. Explanation of Item

Tenders for the 'Beachmere - Christen Drive - Road Rehabilitation and Drainage Construction (MBRC008242)' project closed on 19 February 2019 with 11 conforming tenders received. The tenders were assessed by the assessment panel in accordance with Council's Purchasing Policy and the selection criteria as set out in the tender documents.

All tenderers and their evaluation scores are tabled below (ranked from highest to lowest):

RANK	TENDERER	EVALUATION SCORE
1	Gateway Projects Pty Ltd	97.14
2	O'Leary Infrastructure Pty Ltd	96.44
3	Brown Contractors	91.81
4	Ryan Civil Contracting Pty Ltd	90.42
5	Aramira Civil Engineering Pty Ltd	89.12
6	AllenCon Pty Ltd	88.87
7	Auzcon Pty Ltd	79.04
8	Civlec Pty Ltd T/A GRC Civil	78.55

*ITEM 4.1 BEACHMERE - CHRISTEN DRIVE - ROAD REHABILITATION AND DRAINAGE CONSTRUCTION - DIVISION 2 - A18403646 (Cont.)*

RANK	TENDERER	EVALUATION SCORE
9	Stanley Macadam Pty Ltd T/A Stanley Road Construction	77.93
10	Pentacon Pty Ltd	76.36
11	GCE Contractors PTY LTD	69.65

**Gateway Projects Pty Ltd** submitted a comprehensive tender and demonstrated their methodology and experience on projects of a similar scale and complexity. Gateway Projects Pty Ltd has undertaken the construction of similar projects for various clients, including MacDonald's Subdivision Flinders Parade, North Lakes road pavement and stormwater construction with a project value of \$410,000; Calamvale Community College drainage improvements with a project value of \$240,000 and Redcliffe Hospital car park construction involving pavement and stormwater drainage construction with a project value of \$350,000. At a tender clarification meeting held on 18 March 2019, Gateway Projects Pty Ltd demonstrated their understanding and methodology to complete this project.

**O'Leary Infrastructure Pty Ltd** submitted a comprehensive tender and demonstrated their installation methodology and experience on projects of a similar scale and complexity. At a tender clarification meeting on 18 March 2019, O'Leary Infrastructure Pty Ltd demonstrated their understanding and methodology to complete this project; however, there were no additional benefits for the higher price.

**Brown Contractors** submitted a comprehensive tender and demonstrated their installation methodology and experience on projects of a similar scale and complexity; however, there were no additional benefits for the higher price.

**3. Strategic Implications**

3.1 Legislative/Legal Implications

Due to value of work being greater than \$200,000, Council called a public tender for the work through the LG Tender system in accordance with the *Local Government Act 2009*.

3.2 Corporate Plan / Operational Plan

This project is consistent with the Corporate Plan outcome - Creating Opportunities: Well-planned growth - a sustainable and well-planned community.

3.3 Policy Implications

This project has been procured in accordance with the provisions of the following documents:

- Council's Procurement Policy 2150-006
- *Local Government Act 2009*
- Local Government Regulation 2012 Chapter 6.

3.4 Risk Management Implications

A detailed risk management plan has been prepared. The project risk has been assessed and the following issues identified. The manner in which the identified risks are to be managed is detailed below.

Financial Risks:

A third-party review of financial status has been carried out and the successful tenderer was rated 'sound'.

ITEM 4.1 BEACHMERE - CHRISTEN DRIVE - ROAD REHABILITATION AND DRAINAGE CONSTRUCTION -  
DIVISION 2 - A18403646 (Cont.)

Construction Risks:

- a. The contractor will provide a program of works, site specific traffic management, environmental management and safety plans and will be required to fence off the areas where construction is being undertaken to meet relevant workplace health and safety requirements as part of the contract, including safe work method statements.
- b. The contractor has demonstrated their understanding of constructability challenges and their technical capability to complete the works in this environment.

3.5 Delegated Authority Implications

No delegated authority implications arising as a direct result of this report.

3.6 Financial Implications

Council has allocated a total of \$741,000 in the 2018-19 FY Capital Works Program, project number 101749. All financials below are excluding GST.

Acid sulfate soils report	\$ 5,910.00
Tender	\$ 546,483.27
Telstra services relocation	\$ 50,263.43
Fence relocation	\$ 5,145.64
Contingency (10%)	\$ 60,780.24
QLeave (0.475%)	\$ 2,887.10
	-----

Total project cost	\$ 671.469.68
	=====

Estimated ongoing operational/maintenance costs \$17,500 per F/Y

The budget amount for this project is sufficient.

3.7 Economic Benefit

The project will reduce the frequency of road inundation resulting in less flood damage, address surface issues and extend the life of the road pavement.

3.8 Environmental Implications

An Environmental Management Plan will be provided to Council by the successful tenderer, detailing the management of environmental matters affecting the project during construction.

3.9 Social Implications

The completed works will improve and control stormwater drainage, reduce the period of time local roads are inundated and bring the road pavement to a desirable level of service.

3.10 Consultation / Communication

A detailed communication plan has been prepared. Communication strategies include project notices, project signs, and weekly updates to the Divisional Councillor which will be implemented once the tender is awarded. Residents directly abutting the project site will be contacted by Council to advise on the proposed works and associated timing, providing a minimum of two days' notice for works directly adjacent to their properties. The Divisional Councillor has been consulted and is supportive of the project.

**ITEM 4.2**

**DECEPTION BAY - JOSEPH CRESCENT - BUILDING DEMOLITION STAGE 2 - DIVISION 2**

*Meeting / Session:* 4 ASSET CONSTRUCTION & MAINTENANCE  
*Reference:* A18460924 : 16 April 2019 - Refer **Confidential** Supporting Information  
**A18372175**  
*Responsible Officer:* BB, Manager Project Management (ECM Project Management)

**Executive Summary**

Tenders were invited for the 'Deception Bay - Joseph Crescent - Building Demolition 2 (MBRC005990)' project. The tender closed on 27 March 2019, with three conforming tenders received.

It is recommended that Council award the contract to G&H Plant Hire Pty Ltd for the sum of \$285,345.00 (excluding GST) as this tender was evaluated as representing the best overall value to Council.

**COMMITTEE RECOMMENDATION**

Moved by Cr Peter Flannery

Seconded by Cr James Houghton

CARRIED 13/0

1. That the tender for 'Deception Bay - Joseph Crescent - Building Demolition 2 (MBRC005990)' project be awarded to G&H Plant Hire Pty Ltd for the amount of \$285,345.00 (excluding GST).
  - a) That the Council enters into an agreement with G&H Plant Hire Pty Ltd as described in this report.
  - b) That the Chief Executive Officer be authorised to take all action necessary, including but not limited to, negotiating, making, amending, signing and discharging the agreement with G&H Plant Hire Pty Ltd for 'Deception Bay - Joseph Crescent - Building Demolition 2 (MBRC005990)' project and any required variations of the agreement on Council's behalf.
2. That to allow the project to continue, Council commits \$161,469.00 from the end of financial year review process towards the project (Deception Bay - Joseph Crescent - Building Demolition 2 (MBRC005990)) in addition to the \$300,000.00 allocated from the 2018-19 Operational Projects Program.

ITEM 4.2 DECEPTION BAY - JOSEPH CRESCENT - BUILDING DEMOLITION STAGE 2 - DIVISION 2 - A18460924  
(Cont.)

### OFFICER'S RECOMMENDATION

1. That the tender for '*Deception Bay - Joseph Crescent - Building Demolition 2 (MBRC005990)*' project be awarded to G&H Plant Hire Pty Ltd for the amount of \$285,345.00 (excluding GST).
  - a) That the Council enters into an agreement with G&H Plant Hire Pty Ltd as described in this report.
  - b) That the Chief Executive Officer be authorised to take all action necessary, including but not limited to, negotiating, making, amending, signing and discharging the agreement with G&H Plant Hire Pty Ltd for '*Deception Bay - Joseph Crescent - Building Demolition 2 (MBRC005990)*' project and any required variations of the agreement on Council's behalf.
2. That to allow the project to continue, Council commits \$161,469.00 from the end of financial year review process towards the project (*Deception Bay - Joseph Crescent - Building Demolition 2 (MBRC005990)*) in addition to the \$300,000.00 allocated from the 2018-19 Operational Projects Program.

### **REPORT DETAIL**

#### **1. Background**

The project is located at the DPI Fisheries site, Joseph Crescent, Deception Bay. The project scope of the second stage of the demolition and clean-up of the site involves the removal of elements recommended by the environmental consultant including footings, services, hardstand materials, storage tanks and surface treatment to stabilise the ground until implementation of the master plan for a community use facility can commence.

Demolition is being undertaken in two stages. The aging buildings on site contained asbestos and termite damage that posed a safety risk to the community. Their immediate removal was prioritised as stage 1 of works. An environmental consultant was then engaged to inform the requirements of the second stage of demolition and site rehabilitation.

Demolition of the majority of building structures was completed in January 2019 with the exception of the shed used by Queensland Police Services and small blockwork building. Both of these buildings will be retained.

The second stage demolition will be of 9 weeks' duration including an allowance for wet weather. Works are scheduled to commence in May 2019 with completion in June 2019

ITEM 4.2 DECEPTION BAY - JOSEPH CRESCENT - BUILDING DEMOLITION STAGE 2 - DIVISION 2 - A18460924  
(Cont.)



Figure 1: Site location - Deception Bay DPI fisheries

**2. Explanation of Item**

Tenders for the 'Deception Bay - Joseph Crescent - Building Demolition (MBRC005990)' project closed on 27 March 2019 with a total of three conforming tenders received. The tenders were assessed by the assessment panel in accordance with Council's Purchasing Policy and the selection criteria as set out in the tender documents.

All tenderers and their evaluation scores are tabled below (ranked from highest to lowest):

RANK	TENDERER	EVALUATION SCORE
1	G&H Plant Hire Pty Ltd	97.14
2	Auzcon Pty Ltd	86.47
3	Civlec Pty Ltd	73.77

**G&H Plant Hire Pty Ltd (G&H)** submitted a comprehensive tender and demonstrated their experience on projects of a similar scale and complexity. G&H have undertaken a number of projects for Moreton Bay Regional Council, such as the Redcliffe - Trilby Street/Henzell Street - Roundabout Installation (project value \$372k - in progress) and recently have completed the Elimbah - Mifawny Road and Leray Road - Stormwater Renewal (project value of \$554k). At a tender clarification meeting on 8 April 2019, G&H demonstrated their understanding and methodology to complete this project, including a detailed understanding of the site and experience in demolition projects. The construction duration is 9 weeks which includes site mobilisation and an allowance for wet weather.

**Auzcon Pty Ltd (Auzcon)** submitted a detailed tender and demonstrated their methodology and experience on a range of civil projects. Auzcon's tendered construction program was 8 weeks' duration including wet weather allowance. There were no additional benefits for the higher price.

*ITEM 4.2 DECEPTION BAY - JOSEPH CRESCENT - BUILDING DEMOLITION STAGE 2 - DIVISION 2 - A18460924 (Cont.)*

**Civlec Pty Ltd (Civlec)** submitted a comprehensive tender and demonstrated their methodology and experience on projects of a similar scale and complexity. Civlec's tendered construction program was 8 weeks' duration with an allowance for wet weather. There were no additional benefits for the higher price.

**3. Strategic Implications**

**3.1 Legislative/Legal Implications**

Council called a select tender for the work through Council's Prequalified Civil Construction Panel (MBRC005990) in accordance with the *Local Government Act 2009*.

**3.2 Corporate Plan / Operational Plan**

This project is consistent with the Corporate Plan outcome - Valuing Lifestyle: Quality recreation and cultural opportunities - places to discover, learn, play and imagine.

**3.3 Policy Implications**

This project has been procured in accordance with the provisions of the following documents:

- Council's Procurement Policy 2150-006
- *Local Government Act 2009*
- Local Government Regulation 2012 Chapter 6.

**3.4 Risk Management Implications**

A detailed risk management plan has been prepared. The project risk has been assessed and the following issues identified. The manner in which the identified risks are to be managed is detailed below.

Financial Risks:

- a. The tenderers were sourced from the MBRC Prequalified Civil Construction Panel (MBRC005990).

Construction Risks:

- a. The recommended contractor will provide a detailed program of works, a staging plan, site specific traffic management, environmental management and safety plans. Work areas will be isolated to protect site personnel, the public, and to meet workplace health and safety requirements. This information will be assessed for appropriateness by Council's Project Manager.
- b. The contractor has demonstrated their understanding of constructability challenges and their technical capability to complete the works at this location.

**3.5 Delegated Authority Implications**

No delegated authority implications arising as a direct result of this report.

**3.6 Financial Implications**

Council has allocated a total of \$300,000 (excluding GST) in the 2018-19 Operational Projects Program for this project, budget number 106549.

Stage 1 Demolition (buildings)	\$ 112,755.00
Environmental Consultancy	\$ 33,479.00
Tender Price (Demolition 2)	\$ 285,345.00
Contingency (10%)	\$ 28,535.00
Qleave (0.475%)	\$ 1,355.00
	-----
Total Project Cost	\$ 461,469.00
	=====
 Estimated ongoing operational/maintenance costs	 \$6,000 per F/Y

*ITEM 4.2 DECEPTION BAY - JOSEPH CRESCENT - BUILDING DEMOLITION STAGE 2 - DIVISION 2 - A18460924  
(Cont.)*

The budget amount for this project is insufficient. An additional \$161,469 will be required to enter into this arrangement, with the funds being sought at the end of financial year review.

3.7 Economic Benefit

The expected outcome of the project is to reduce the maintenance cost of aging buildings and the cost associated with maintaining site security.

3.8 Environmental Implications

An Environmental Management Plan will be provided to Council by the successful tenderer, detailing the management of environmental matters affecting the project during construction.

3.9 Social Implications

This project will have positive social implications by removing degraded structures and preparing the site for future redevelopment as a community use facility which will provide additional quality recreation and cultural opportunities to the community.

3.10 Consultation / Communication

A detailed communication plan has been prepared for this project. Communication strategies include project notices, project signs and updates to the Divisional Councillor which will be implemented once the tender is awarded. The Divisional Councillor has been consulted and is supportive of the project.



**ITEM 4.3**

**CLONTARF - HORNIBROOK ESPLANADE FORESHORE - PARK CONSTRUCTION  
2 - DIVISION 6**

*Meeting / Session:* 4 ASSET CONSTRUCTION & MAINTENANCE  
*Reference:* A18175103 : 11 April 2019 - Refer **Confidential** Supporting Information  
**A18175104**  
*Responsible Officer:* DB, Senior Project Manager (ECM Project Management & Construction)

**Executive Summary**

Tenders were invited for the 'Clontarf - Hornibrook Esplanade Foreshore - Park Construction 2 (MBRC008390)' project. The tender closed on 6 March 2019, with ten conforming tenders and one non-conforming tender received.

It is recommended that Council award the main contract to Disc Landscapes for the sum of \$564,729.14 (excluding GST) as this tender was evaluated as representing the best overall value to Council.

**COMMITTEE RECOMMENDATION**

Moved by Cr James Houghton

Seconded by Cr Koliانا Winchester

CARRIED 13/0

That the tender for 'Clontarf - Hornibrook Esplanade Foreshore - Park Construction 2 (MBRC008390)' project be awarded to Disc Landscapes for the amount of \$564,729.14 (excluding GST).

- a) That the Council enters into an agreement with Disc Landscapes as described in this report.
- b) That the Chief Executive Officer be authorised to take all action necessary, including but not limited to, negotiating, making, amending, signing and discharging the agreement with Disc Landscapes for 'Clontarf - Hornibrook Esplanade Foreshore - Park Construction 2 (MBRC008390)' project and any required variations of the agreement on Council's behalf.

ITEM 4.3 CLONTARF - HORNIBROOK ESPLANADE FORESHORE - PARK CONSTRUCTION 2 - DIVISION 6 - A18175103 (Cont.)

**OFFICER'S RECOMMENDATION**

That the tender for 'Clontarf - Hornibrook Esplanade Foreshore - Park Construction 2 (MBRC008390)' project be awarded to Disc Landscapes for the amount of \$564,729.14 (excluding GST).

- a) That the Council enters into an agreement with Disc Landscapes as described in this report.
- b) That the Chief Executive Officer be authorised to take all action necessary, including but not limited to, negotiating, making, amending, signing and discharging the agreement with Disc Landscapes for 'Clontarf - Hornibrook Esplanade Foreshore - Park Construction 2 (MBRC008390)' project and any required variations of the agreement on Council's behalf.

**REPORT DETAIL**

**1. Background**

The project is located on Hornibrook Esplanade, east of the Victoria Avenue intersection in Clontarf. The project scope involves the construction of a children's adventure play space, picnic facilities and path upgrades along the foreshore. The project will complete the recreation precinct adjacent the Parkour facility.

Works will be of 8 weeks' duration including an allowance for wet weather and are scheduled to commence in June 2019 with completion by September 2019.



Figure 1: General location plan

ITEM 4.3 CLONTARF - HORNIBROOK ESPLANADE FORESHORE - PARK CONSTRUCTION 2 - DIVISION 6 - A18175103 (Cont.)

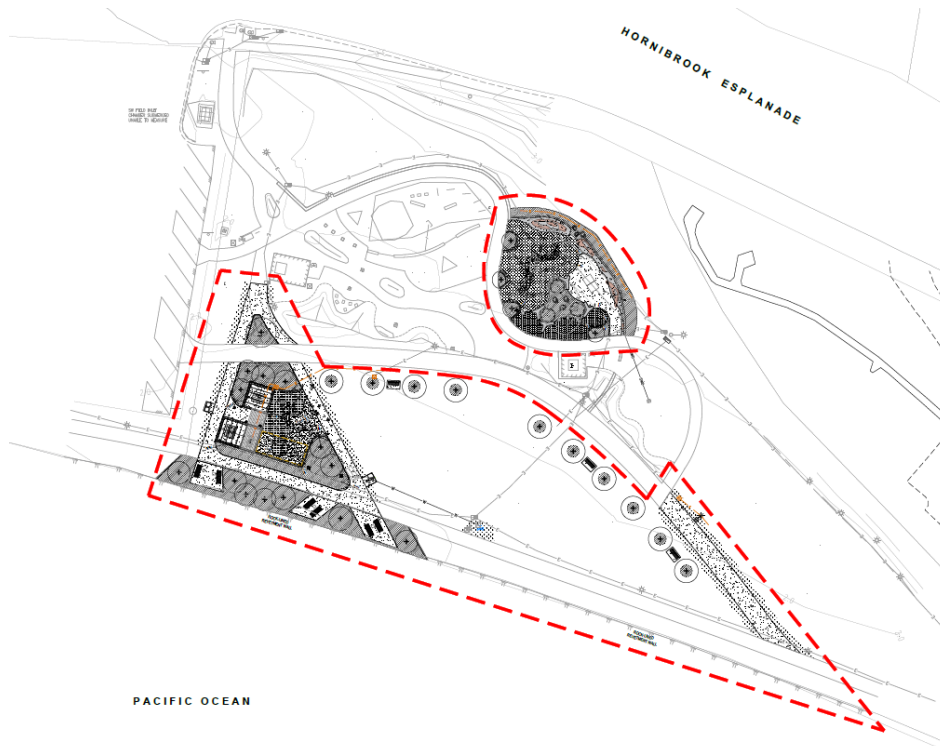


Figure 2: Works location plan

2. Explanation of Item

Tenders for the 'Clontarf - Hornibrook Esplanade Foreshore - Park Construction 2 (MBRC008390)' project closed on 6 March 2019 with a total of ten conforming tenders and one non-conforming tender received. The tenders were assessed by the assessment panel in accordance with Council's Purchasing Policy and the selection criteria as set out in the tender documents.

All tenderers and their evaluation scores are tabled below (ranked from highest to lowest):

RANK	TENDERER	EVALUATION SCORE
1	Disc Landscapes	96.00
2	The Landscape Construction Company Pty Ltd Alternative 1 (Option 2)	94.74
3	Trelville Pty Ltd t/as Aspect Contractors	94.65
4	The Landscape Construction Company Pty Ltd Alternative 1 (Option 3)	94.51
5	Interface Landscapes Pty Ltd Alternative 1 (Option B)	91.94
6	The Landscape Construction Company Pty Ltd Conforming (Option 1)	91.93
7	Integral Civil Pty Ltd	91.30
8	Interface Landscapes Pty Ltd (Option A)	90.81
9	Landscape Solutions (QLD) Pty Ltd	89.42

*ITEM 4.3 CLONTARF - HORNIBROOK ESPLANADE FORESHORE - PARK CONSTRUCTION 2 - DIVISION 6 - A18175103 (Cont.)*

RANK	TENDERER	EVALUATION SCORE
10	LEAF Building Group Pty Ltd	82.44
11	Skyspan Umbrellas	Non-conforming

**Disc Landscapes** submitted a detailed tender and demonstrated their experience on projects of a similar scale and complexity. Disc Landscapes have undertaken projects for Southern Cross College and Pacific Harbour, with a project value of \$1M and \$500,000 respectively. At a tender clarification meeting on 4 April 2019, Disc Landscapes demonstrated their understanding and methodology to complete this project, including an understanding of the site constraints. The construction duration is 8 weeks which includes site mobilisation and an allowance for wet weather.

**The Landscape Construction Company Pty Ltd Alternative 1 (Option 2)** submitted a detailed tender and demonstrated their methodology and experience on a range of building projects. Their tendered construction program was 10 weeks' duration including wet weather allowance. At a tender clarification meeting on 4 April 2019, The Landscape Construction Company Pty Ltd demonstrated their understanding and methodology to complete this project; however, there were no additional benefits for the higher price.

**Trelville Pty Ltd t/as Aspect Contractors** submitted a detailed tender and demonstrated their methodology and experience on a range of building projects; however, there were no additional benefits for the higher price.

The non-conforming tenderer did not provide the mandatory tender documentation.

**3. Strategic Implications**

**3.1 Legislative/Legal Implications**

Due to value of work being greater than \$200,000, Council called a public tender for the work through the LG Tender system in accordance with the *Local Government Act 2009*.

**3.2 Corporate Plan / Operational Plan**

This project is consistent with the Corporate Plan outcome - Valuing Lifestyle: Quality recreation and cultural opportunities - places to discover, learn, play and imagine.

**3.3 Policy Implications**

This project has been procured in accordance with the provisions of the following documents:

- Council's Procurement Policy 2150-006
- *Local Government Act 2009*
- Local Government Regulation 2012 Chapter 6.

**3.4 Risk Management Implications**

A detailed risk management plan has been prepared. The project risk has been assessed and the following issues identified. The manner in which the identified risks are to be managed is detailed below.

**Financial Risks:**

- a. A third-party review of financial status has been carried out and the successful tenderer was rated '*sound*'.

**Construction Risks:**

- a. The recommended contractor will provide a detailed program of works, a staging plan, site specific traffic management, environmental management and safety plans. Work areas will be isolated to protect site personnel, the public, and to meet workplace health and safety

ITEM 4.3 CLONTARF - HORNIBROOK ESPLANADE FORESHORE - PARK CONSTRUCTION 2 - DIVISION 6 - A18175103 (Cont.)

requirements. This information will be assessed for appropriateness and audited by Council's Project Manager.

- b. The contractor has demonstrated their understanding of constructability challenges and their technical capability to complete the works at this location.

3.5 Delegated Authority Implications

No delegated authority implications arising as a direct result of this report.

3.6 Financial Implications

Council has allocated a total of \$925,000 for this project with \$25,000 in the 2018-19 (design) Capital Projects Program and \$900,000 in the draft 2019-20 Capital Projects Program, budget 101728. All financials below are excluding GST.

Design (2018-19)	\$ 11,000.00
Tender price	\$ 564,729.14
Contingency (10%)	\$ 56,472.00
QLeave (0.475%)	\$ 2,682.00
	-----
Total Project Cost	\$ 634,883.14
	=====
Estimated ongoing operational/maintenance costs	\$ 14,700 per F/Y

The budget amount for this project is sufficient.

3.7 Economic Benefit

The completion of the project will provide additional facilities, enhancing the capacity of the park.

3.8 Environmental Implications

This project includes improvements to existing landscaping.

3.9 Social Implications

This project will have positive social implications by providing new park facilities.

3.10 Consultation / Communication

A detailed communication plan has been prepared for this project. Communication strategies include project notices, project signs, online website updates and updates to the Divisional Councillor which will be implemented once the tender is awarded. The Divisional Councillor has been consulted and is supportive of the project.

**5 PARKS, RECREATION & SPORT SESSION**

(Cr K Winchester)

**ITEM 5.1**

**UPPER CABOOLTURE - CABOOLTURE RIVER ROAD - PROPOSED RESERVE NAMING - DIVISION 12**

*Meeting / Session:* 5 PARKS, RECREATION & SPORT  
*Reference:* A18392459 : 2 April 2019  
*Responsible Officer:* BS, Technical Officer (ECM Directorate)

**Executive Summary**

An application has been received from a local resident, proposing that the reserve located at 342 Caboolture River Road be named "Kowari Hideaway" in acknowledgement of a small, vulnerable Australian native marsupial species. This report provides Council with background information relevant to the application and recommends that Council support the adoption of "Kowari Reserve".

**COMMITTEE RECOMMENDATION**

Moved by Cr Adrian Raedel

Seconded by Cr Denise Sims

**CARRIED 13/0**

1. That having regard to the information provided within this report and subject to the outcome of public advertising, the naming of Lot 168 SL8905 as "Kowari Reserve" be approved.
2. That the proposal to name the subject land be advertised in local newspapers with public submissions open for a period of 28 days.
3. That should adverse submissions be received as a result of public advertising; the matter be referred back to Council in a subsequent report.

ITEM 5.1 UPPER CABOOLTURE - CABOOLTURE RIVER ROAD - PROPOSED RESERVE NAMING - DIVISION 12  
- A18392459 (Cont.)

## OFFICER'S RECOMMENDATION

1. That having regard to the information provided within this report and subject to the outcome of public advertising, the naming of Lot 168 SL8905 as "Kowari Reserve" be approved.
2. That the proposal to name the subject land be advertised in local newspapers with public submissions open for a period of 28 days.
3. That should adverse submissions be received as a result of public advertising; the matter be referred back to Council in a subsequent report.

## **REPORT DETAIL**

### **1. Background**

A request has been received for the naming of an undeveloped area of reserve, with an overall area of 5434 m<sup>2</sup> located at 342 Caboolture River Road, Upper Caboolture, as *Kowari Hideaway*. The applicant was formally a Joey Scout Leader and Scout Leader at the Morayfield Scout Den which is located nearby and "Kowari" was the applicant's Scout Leader name.



Figure 1: Locality plan - 342 Caboolture River Road, Upper Caboolture

ITEM 5.1 UPPER CABOOLTURE - CABOOLTURE RIVER ROAD - PROPOSED RESERVE NAMING - DIVISION 12  
- A18392459 (Cont.)

**2. Explanation of Item**

The Kowari (*Dasyuroides byrnei*), also known as the brush-tailed marsupial rat, is a small carnivorous marsupial, native to the dry grasslands and deserts of central Australia. The species is listed as 'vulnerable' and is ranked as a high priority for conservation.



**Figure 2: Distribution of the Kowari**

The application to name the area of land *Kowari Hideaway* is not supported in full. This land is entirely covered by vegetation and in keeping with previous park naming protocols, it is recommended that the designation of 'Reserve' be applied rather than 'Hideaway'.

Under Policy No: 11-2150-039, Naming of Council Owned or Administered Buildings, Structures and other Assets (excluding roads), applications of this nature are not required to be reported to Council or undergo advertising; however due to the unusual nature of the proposal, Council's direction is sought.

An information board is proposed to be installed in conjunction with the new park name sign to explain the naming. The proposed wording is as follows:

*"This reserve is named after the Kowari, a small carnivorous marsupial, native to Central Australia"*

**3. Strategic Implications**

**3.1 Legislative/Legal Implications**

No legislative/legal implications arising as a direct result of this report.

**3.2 Corporate Plan / Operational Plan**

Valuing Lifestyle: Quality recreation and cultural opportunities - places to discover, learn, play and imagine.

**3.3 Policy Implications**

The submitted application complies with and has all the supporting documentation required under MBRC Policy No: 11-2150-039, Naming of Council Owned or Administered Buildings, Structures and other Assets (excluding roads).

**3.4 Risk Management Implications**

No risk management implications arising as a direct result of this report.



*ITEM 5.1 UPPER CABOOLTURE - CABOOLTURE RIVER ROAD - PROPOSED RESERVE NAMING - DIVISION 12  
- A18392459 (Cont.)*

3.5 Delegated Authority Implications

Subject to no adverse submissions being received, the matter should be referred to the Director Infrastructure Planning for implementation.

3.6 Financial Implications

The estimated cost of fabricating and installing a new sign in accordance with the draft Park and Open Space Signage Guidelines is approximately \$2,000.

3.7 Economic Benefit

No economic benefit implications arising as a direct result of this report.

3.8 Environmental Implications

No environmental implications arising as a direct result of this report.

3.9 Social Implications

Other than acknowledging a vulnerable marsupial species, no social implications have been identified.

3.10 Consultation / Communication

The Divisional Councillor is seeking to gauge the level of community support for the proposal. The proposed naming will be advertised in local newspapers for a period of 28 days during which time public submissions can be made and will be received. If adverse comments are received, then the matter will be reported back to Council for final consideration and direction. Where no adverse comments are received, the matter will be delegated to the Director Infrastructure Planning for implementation.

**ITEM 5.2**  
**NEW LEASE - MILLEN FARM LTD - DIVISION 11**

*Meeting / Session:* 5 PARKS, RECREATION & SPORT  
*Reference:* A18327007 : 15 March 2019 - **Refer Supporting Information A18328131**  
*Responsible Officer:* CM, Supervisor Community Leasing (CES Community Services, Sport & Recreation)

**Executive Summary**

The report seeks Council's approval for the provision of a lease to Millen Farm Ltd at Samford Parklands (former CSIRO site), 2204 Mt Samson Road, Samford Valley (refer Supporting Information #1). The proposed lease would take effect from 1 June 2019, following the expiry of the existing lease at this location.

**COMMITTEE RECOMMENDATION**

Moved by Cr Darren Grimwade

Seconded by Cr Matt Constance

**CARRIED 13/0**

1. That the exception contained in section 236(1)(b)(ii) of the Local Government Regulation 2012 applies to the Council regarding the disposal of the land referred to in this report.
2. That, subject to recommendation 3, Millen Farm Ltd be granted a lease over an area at 2204 Mt Samson Road, Samford Valley (refer Supporting Information #1) for a period of five years.
3. That the terms and conditions of this lease be in accordance with Council's Community Leasing Policy, with annual rental commencing at \$1.00 per annum.
4. That the Chief Executive Officer be authorised to take all action necessary including, but not limited to, negotiating, making, amending, signing and discharging the lease and any required variations of the lease on the Council's behalf, as described in this report.

ITEM 5.2 NEW LEASE - MILLEN FARM LTD - DIVISION 11 - A18327007 (Cont.)

## OFFICER'S RECOMMENDATION

1. That the exception contained in section 236(1)(b)(ii) of the Local Government Regulation 2012 applies to the Council regarding the disposal of the land referred to in this report.
2. That, subject to recommendation 3, Millen Farm Ltd be granted a lease over an area at 2204 Mt Samson Road, Samford Valley (refer Supporting Information #1) for a period of five years.
3. That the terms and conditions of this lease be in accordance with Council's Community Leasing Policy, with annual rental commencing at \$1.00 per annum.
4. That the Chief Executive Officer be authorised to take all action necessary including, but not limited to, negotiating, making, amending, signing and discharging the lease and any required variations of the lease on the Council's behalf, as described in this report.

## **REPORT DETAIL**

### **1. Background**

Since 2015, Millen Farm Ltd has occupied a building (No. 54) and land at Samford Parklands (former CSIRO site) for the Millen Farm project, which aims to:

- establish a financially and ecologically sustainable urban farming system;
- develop opportunities for hands-on, formal and informal learning in urban organic farming; and
- provide learning activities that enhance the capacity to make choices between a range of organic agricultural systems (permaculture, biodynamics, organics, biological) rather than a 'one system is best' approach.

Millen Farm Ltd has historically occupied this area (refer Supporting Information #2) under the auspices of an alternate head lessee, however, as an incorporated entity in its own right, proposes to assume direct tenure responsibilities following the expiry of the current lease at this location (31 May 2019).

### **2. Explanation of Item**

Following the expiry of the current community lease arrangements at the Millen Farm site (refer Supporting Information #2) on 31 May 2019, it is proposed that Council enter into a new lease over a revised area (refer Supporting Information #1) with Millen Farm Ltd. The revised lease area will incorporate the building (No. 54) and farm land utilised by the group for the Millen Farm project, however, will exclude some areas included in the current lease. The areas to be excluded in the new lease are proposed to be subject to future embellishment for site car parking.

Provision of a new lease to Millen Farm Ltd will enable the group to continue its urban farming initiative for the benefit of the Moreton Bay community. Accordingly, this report recommends that Council approve the provision of a lease, under the terms and conditions of Council's Community Leasing Policy, over the area identified in Supporting Information #1 for a period of five years.

### **3. Strategic Implications**

#### 3.1 Legislative/Legal Implications

The Council must comply with the *Local Government Act 2009* and Local Government Regulation 2012 when it disposes of valuable non-current assets. Resolving to rely on the exception provided under section 236(1)(b)(ii) of the Regulation will allow the Council to complete the disposal to a community organisation by means other than tender or auction.

#### 3.2 Corporate Plan / Operational Plan

Valuing Lifestyle: Quality recreation and cultural opportunities - active recreation opportunities.

*ITEM 5.2 NEW LEASE - MILLEN FARM LTD - DIVISION 11 - A18327007 (Cont.)*

3.3 Policy Implications

The terms and conditions of the proposed lease agreement will be in accordance with Council's Community Leasing Policy (2150-079).

3.4 Risk Management Implications

There are no risk management implications arising as a direct result of this report.

3.5 Delegated Authority Implications

As per Officer's Recommendation 4 of this report, it is proposed that the Chief Executive Officer be authorised to take all action necessary to execute the new lease.

3.6 Financial Implications

There are no financial implications arising as a direct result of this report.

3.7 Economic Benefit

There are no economic benefit implications arising as a direct result of this report.

3.8 Environmental Implications

There are no environmental implications arising as a direct result of this report.

3.9 Social Implications

The issuing of a lease to Millen Farm Ltd will provide the organisation with land and facilities to support its operations.

3.10 Consultation / Communication

Councillor Grimwade (Division 11)  
Millen Farm Ltd  
Samford Commons Ltd

**6 LIFESTYLE & AMENITY SESSION**

(Cr D Sims)

**ITEM 6.1  
APPROVED INSPECTION PROGRAM - REGIONAL**

*Meeting / Session:* 6 LIFESTYLE & AMENITY  
*Reference:* A18334761 : 18 March 2019  
*Responsible Officer:* DG, Public Health and Local Laws Manager (CES Regulatory Services)

**Executive Summary**

Authorised Officers may carry out approved inspection programs to ensure compliance with laws under which Council performs its responsibilities, including *MBRC Local Law No. 2 (Animal Management) 2011* and the *Animal Management (Cats and Dogs) Act 2008 (Local Government Acts)*.

This report recommends that Council approve systematic inspection programs which permit authorised persons to enter and inspect all properties in Council's local government area to ensure compliance with the Local Government Acts. These inspections are scheduled to occur between 13 May 2019 and 31 December 2020.

Approved inspection programs can generally only be carried out over a period of 3 months or less. Given that it will take officers longer than 3 months to complete these inspections, this report recommends that Council approve several sequential inspection programs so that officers have, in effect, up until 31 December 2020 to carry out the inspections.

**COMMITTEE RECOMMENDATION**

Moved by Cr Mick Gillam

Seconded by Cr Koliana Winchester

CARRIED 13/0

That pursuant to section 134 of the *Local Government Act 2009*, Council resolves to approve the following systematic inspection programs to permit authorised persons to enter and inspect all properties in Council's local government area to ensure that the Local Government Acts are being complied with:

#	Systematic Inspection Program	Commencing	Ending
1	MBRC Systematic Inspection Program One	13 May 2019	30 June 2019
2	MBRC Systematic Inspection Program Two	1 July 2019	30 September 2019
3	MBRC Systematic Inspection Program Three	1 October 2019	31 December 2019
4	MBRC Systematic Inspection Program Four	1 January 2020	31 March 2020
5	MBRC Systematic Inspection Program Five	1 April 2020	30 June 2020
6	MBRC Systematic Inspection Program Six	1 July 2020	30 September 2020
7	MBRC Systematic Inspection Program Seven	1 October 2020	31 December 2020

*ITEM 6.1 APPROVED INSPECTION PROGRAM - REGIONAL - A18334761 (Cont.)*

**OFFICER'S RECOMMENDATION**

That pursuant to section 134 of the *Local Government Act 2009*, Council resolves to approve the following systematic inspection programs to permit authorised persons to enter and inspect all properties in Council's local government area to ensure that the Local Government Acts are being complied with:

#	Systematic Inspection Program	Commencing	Ending
1	MBRC Systematic Inspection Program One	13 May 2019	30 June 2019
2	MBRC Systematic Inspection Program Two	1 July 2019	30 September 2019
3	MBRC Systematic Inspection Program Three	1 October 2019	31 December 2019
4	MBRC Systematic Inspection Program Four	1 January 2020	31 March 2020
5	MBRC Systematic Inspection Program Five	1 April 2020	30 June 2020
6	MBRC Systematic Inspection Program Six	1 July 2020	30 September 2020
7	MBRC Systematic Inspection Program Seven	1 October 2020	31 December 2020

**REPORT DETAIL**

**1. Background**

Council has responsibilities under various legislation including its Local Laws and State legislation (e.g. *Animal Management (Cats and Dogs) Act 2008*, *Environmental Protection Act 1994*, *Biosecurity Act 2015*, *Building Act 1975 etc.*).

Approved inspection programs may relate to all places in the local government area. Each inspection program cannot, generally, exceed three months in duration and Council must advertise each program at least fourteen (14) days prior to the commencement of the program in a locally circulating newspaper and on its website.

Council must also give (or make a reasonable attempt to give) the occupier of a property written notice of Council's intention to enter the property, the reason for entering the property and an estimation of when the property may be entered. This notice must be given a reasonable time before the relevant entry and may be given via a letterbox drop, for example.

Authorised officers will display identification and will, in all instances, seek to gain the consent of residents prior to entering dwelling yards unless doing so would prevent the Council officer from carrying out the relevant, legislative function or where a risk to community safety is identified.

**2. Explanation of Item**

Systematic, approved inspection programs are to be conducted across the region to ensure compliance with the Local Government Acts with a specific emphasis on animal management, regulated dog compliance, swimming pool safety and bio-security.

Although the process for achieving compliance is focussed on the provision of education and guidance, in certain instances it may be necessary to issue remedial notices, infringement notices or take other action to achieve expected community outcomes.

Under an approved inspection program, an authorised person has the authority to enter the dwelling yard of a private property (without force) at any reasonable time of the day or night to ensure compliance with this legislation. Despite this broad power of entry, the systematic inspection programs referenced in this report will typically result in inspections between 8am and 6pm, Monday to Friday, although attendance after

ITEM 6.1 APPROVED INSPECTION PROGRAM - REGIONAL - A18334761 (Cont.)

hours may be necessary, particularly in relation to the audit of regulated dog permit conditions or pool safety compliance.

### 3. Strategic Implications

#### 3.1 Legislative/Legal Implications

The *Local Government Act 2009* permits the conduct of approved inspection programs to provide authorised persons with the power to lawfully enter private dwelling yards to conduct inspections.

#### 3.2 Corporate Plan / Operational Plan

Strengthening Communities: Safe neighbourhoods - a safe and resilient community.

#### 3.3 Policy Implications

There are no policy implications arising as a direct result of this report.

#### 3.4 Risk Management Implications

The community and operational risks associated with undertaking the approved inspection programs are appropriately managed.

#### 3.5 Delegated Authority Implications

Regulatory Services' officers are provided with the required delegations or authorisations to perform their work lawfully, however are prevented from carrying out approved inspection programs until such time as Council passes the resolution as recommended in this report.

#### 3.6 Financial Implications

The costs associated with the application of approved inspection programs are provided for within the Council's Regulatory Services' operational budget.

#### 3.7 Economic Benefit

There are no economic benefits arising as a direct result of this report.

#### 3.8 Environmental Implications

There are no environmental implications arising as a direct result of this report.

#### 3.9 Social Implications

Approved inspection programs have proven to establish broader understanding of animal management standards and support improved animal management practices and compliance throughout the region.

#### 3.10 Consultation / Communication

In accordance with the relevant legislation, community notices advertising the commencement dates for each approved inspection program will be issued throughout the region in local newspapers, Council's website and/or other relevant media at least 14 days prior to their commencement.

**7 ECONOMIC DEVELOPMENT, EVENTS & TOURISM SESSION (Cr P Flannery)**

No items for consideration.

**8 REGIONAL INNOVATION (Cr D Grimwade)**

No items for consideration.



## 9 GENERAL BUSINESS

### ITEM 9.1 APPOINTMENT OF EXTERNAL MEMBER - AUDIT COMMITTEE - REGIONAL (AR)

#### COMMITTEE RECOMMENDATION

Moved by Cr Adrian Raedel

Seconded by Cr Mike Charlton (Deputy Mayor)

CARRIED 13/0

That Council notes the appointment of Mr Stephen Coates as an external member to Council's Audit Committee.

### ITEM 9.2 ANZAC DAY COMMEMORATIVE SERVICES - REGIONAL (AH)

Cr Adam Hain made mention of the numerous ANZAC Day Commemorative Services held throughout the region on Thursday, 25 April 2019 and suggested that a letter of thanks be forwarded to all RSL Sub-Branches and volunteer groups who assisted in the running of these events. Other Councillors concurred with this suggestion.

Cr Koliana Winchester reported that she had attended the **Redcliffe ANZAC Day Dawn Service** on behalf of the Mayor (Cr Allan Sutherland), noting that there was over 20,000 people in attendance with the Dawn Service proving to be more popular than the mid-morning service.

Cr Denise Sims noted that she had also represented the Mayor (Cr Allan Sutherland) at the **ANZAC Day Dawn Service** and Main Service at the Pine Rivers District RSL Sub-Branch.

#### COMMITTEE RECOMMENDATION

Moved by Cr Adam Hain

Seconded by Cr Denise Sims

CARRIED 13/0

That a letter of thanks jointly signed by the Mayor and the respective Divisional Councillor, be forwarded to the RSL Sub-Branches and volunteer groups who assisted in the running of ANZAC Day Commemorative Services throughout the region.

### ITEM 9.3 PUBLIC SUBMISSIONS - LOCAL GOVERNMENT CHANGE COMMISSION (MG)

#### COMMITTEE RECOMMENDATION

Moved by Cr Mick Gillam

Seconded by Cr Julie Greer

CARRIED 13/0

That Council note the advertisement in the Courier Mail on Saturday, 27 April 2019 regarding public submissions to the Local Government Change Commission on boundary reviews of Moreton Bay Regional Council divisions prior to the 2020 election.

**ITEM 9.4  
REGIONAL EVENTS**

Cr Koliana Winchester reported that she had attended the 5-year anniversary of **Headspace** in Redcliffe on Tuesday, 16 April 2019.

Cr Koliana Winchester also noted her attendance at the **Redcliffe Festival of Sails** held on Good Friday, 19 April 2019, advising that although the weather was not favourable this did not deter the many people from staying and enjoying the day.

Cr Koliana Winchester also made mention of **Mary Wensley**, a resident of Redcliffe who celebrated her 100<sup>th</sup> birthday on Saturday, 28 April 2019.

Cr Julie Greer noted her attendance at the **North Lakes Teddy Bears' Picnic** held on Friday, 12 April 2019. The event was well supported with over 1500 people in attendance. Cr Greer conveyed her thanks to Council's events team for their efforts in organising the event.

Cr Julie Greer also mentioned that she had the pleasure of delivering the welcome speech at the **Quota Conference** hosted by the North Lakes Quota Club. Guests came from all over Queensland to attend and commented on how impressed they were with the North Lakes area and facilities.

**ITEM 9.5  
COMMEMORATION OF THE 75<sup>TH</sup> ANNIVERSARY OF THE SPIT FIRE CRASH  
(DS)**

Cr Denise Sims noted her attendance at the Service commemorating the 75<sup>th</sup> Anniversary of the Spit Fire Crash which occurred near the intersection of Youngs Crossing Road and Dayboro Road, Petrie on 19 April 1944, where British pilots Flight Sgt Chandler and Squadron Leader Wright were killed.

The service was very moving with Sgt Chandler's family members travelling from Cornwall, England to attend. Family members were hosted over 3 days concluding with a visit to the Lutwyche Cemetery where the two pilots are buried.

**COMMITTEE RECOMMENDATION**

**Moved by Cr Denise Sims**

**Seconded by Cr Koliana Winchester**

**CARRIED 13/0**

**That a letter of thanks be sent from the Mayor to AFC & RAAF Association Queensland Division Pine Rivers and Sandgate branches, President Phil Symonds, for this well organised event.**

**CLOSED SESSION (Confidential items)**

*(Resolution the meeting be closed under s275 of the Local Government Regulation 2012)*

**CLOSED SESSION**

**COMMITTEE RECOMMENDATION**

Moved by Cr Adrian Raedel

Seconded by Cr James Houghton

**CARRIED 13/0**

**That Committee move into closed session pursuant to the provisions of s275 (1) of the Local Government Regulation 2012 to discuss Item C.1.**

Members of the press and public gallery left the Chambers.  
The closed session commenced at 11.31am.

**ATTENDANCE**

Syd Jerram attended the meeting at 11.31am for discussion on Item C.1.

**OPEN SESSION**

**COMMITTEE RECOMMENDATION**

Moved by Cr Adrian Raedel

Seconded by Cr Mick Gillam

**CARRIED 13/0**

**That Committee resume in open session and that the following recommendations be made.**

The open session resumed at 11.33am.

**ITEM C.1 – CONFIDENTIAL**

**ACQUISITION OF LAND FOR ROAD PURPOSES - DIVISION 12**

**Meeting / Session:** *4 Asset Construction & Maintenance (Cr A Hain)*

**Reference:** *A18138528 : 29 January 2019*

**Responsible Officer:** *SJ, Manager Integrated Transport Planning (ECM Integrated Transport Planning & Design)*

**Basis of Confidentiality**

Pursuant to s275 (1) of the Local Government Regulation 2012, clause (h), as the matter involves other business for which a public discussion would be likely to prejudice the interests of the Council or someone else or enable a person to gain a financial advantage.

**Executive Summary**

This report seeks Council approval to acquire land for road purposes in order to facilitate the design and provision of a future road upgrade.

**COMMITTEE RECOMMENDATION**

Moved by Cr Adrian Raedel

Seconded by Cr James Houghton

**CARRIED 13/0**

1. That the land described in this confidential report be acquired in accordance with Council Policy No. 12-2150-057 Resumptions and Acquisitions of Land.
2. That the Chief Executive Officer be authorised to do all things necessary to give effect to recommendation 1.

**CLOSURE**

There being no further business the Chairperson closed the meeting at 11.34am.