



# MINUTES

## GENERAL MEETING

**Wednesday 12 May 2021**

commencing at 9.31am

Caboolture Chambers  
2 Hasking Street, Caboolture

**ENDORSED GM20210526**

**Adoption Extract from General Meeting – 26 May 2021 (21/636)**

**1. CONFIRMATION OF MINUTES FROM PREVIOUS GENERAL MEETING**

**General Meeting - 12 May 2021 (Pages 21/545 - 21/616)**

**RESOLUTION**

**Moved by Cr Matt Constance**

**Seconded by Cr Cath Tonks**

**CARRIED 12/0**

**That the minutes of the General Meeting held 12 May 2021, be confirmed.**

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# Moreton Bay Regional Council

GENERAL MEETING - 529  
12 May 2021

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## 2. ACKNOWLEDGEMENT OF COUNTRY

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Cr Karl Winchester provided the Acknowledgement of Country.

## 3. OPENING PRAYER / REFLECTION

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Cr Karl Winchester provided the opening prayer / reflection for the meeting.

## 4. ATTENDANCE & APOLOGIES

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### **Attendance:**

Cr Peter Flannery (Mayor) (Chairperson)  
Cr Brooke Savige  
Cr Mark Booth  
Cr Adam Hain  
Cr Jodie Shipway  
Cr Sandra Ruck  
Cr Karl Winchester  
Cr Denise Sims (Deputy Mayor)  
Cr Mick Gillam  
Cr Cath Tonks  
Cr Matt Constance  
Cr Darren Grimwade  
Cr Tony Latter

Chief Executive Officer	(Mr Greg Chemello)
Deputy CEO/Director Engineering, Construction & Maintenance	(Mr Tony Martini)
Director Community & Environmental Services	(Mr Bill Halpin)
Director Finance & Corporate Services	(Ms Donna Gregory)
Director Infrastructure Planning	(Mr Andrew Ryan)
Director Planning	(Mr David Corkill)
Chief Economic Development Officer	(Mr Paul Martins)
Manager Strategy & Engagement	(Mr Joshua O'Keefe)
Project Director - The Mill	(Mr Paul Cunningham)
Manager Development Services	(Mr Dan Staley)
Coordinator Planning Assessment - North	(Ms Amy White)
Meeting Support	(Larissa Kerrisk)

### **Apologies:**

Nil

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**5. MEMORIALS OR CONDOLENCES**

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Council observed a moment's silence for residents who have passed away.

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**6. CONFIRMATION OF MINUTES FROM PREVIOUS GENERAL MEETING**

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**General Meeting - 28 April 2021 (Pages 21/385 - 21/544)**

**RESOLUTION**

Moved by Cr Denise Sims (Deputy Mayor)

Seconded by Cr Sandra Ruck

**CARRIED 13/0**

That the minutes of the General Meeting held 28 April 2021, be confirmed.

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**7. PRESENTATION OF PETITIONS**

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*(Addressed to the Council and tabled by Councillors)*

There were no petitions for tabling.

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**8. CORRESPONDENCE**

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Council noted the following response to petition tabled:

**8.1. Response to Petition: Clem Kellar - Request for underground power on Gayundah Esplanade, Woody Point (61918936)**

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At the General Meeting held 31 March 2021, Council received a petition from Clem Kellar regarding underground power on Gayundah Esplanade, Woody Point between 10 Gayundah Esplanade and Ellen Street.

A copy of Council's response to the Chief Petitioner was provided for Council's information.

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**9. NOTICES OF MOTION (Repeal or amendment of resolutions)**

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*(s262 of the Local Government Regulation 2012)*

There were no Notices of Motion.

## **STATEMENT - ATTENDEES AND LIVESTREAMING**

The Mayor advised that the meeting was live streamed and the video recording of the meeting is available on the council's website.

Attendees must be aware that incidental capture of an image or sound of persons in the public gallery, may occur.

By remaining at the meeting attendees consent to being filmed and the possible use of their image and sound being published in the live streaming and recorded video of this meeting.

## **10. COMMUNITY COMMENT**

Cr Peter Flannery (Mayor) opened the Community Comment session, making the required statement regarding the conduct of the Session.

### **10.1. Community Comment: Julia Nuske - Funding to address Planning Scheme issues (61979732)**

Julia Nuske was invited to address Council in respect of funding to address Planning Scheme issues. The following points were made as part of the address:

- Many extremely significant problems in the current 2016 planning scheme need urgent change and amendments.
- Considering the massive problems in the current planning scheme it is vital that MBRC make the necessary funding available in their budget to finance much needed changes in an expedient manner.
- Coastal building heights review is in progress and pleasing to hear this is in progress.
- Parking requirements in the current planning scheme allow high-rise complexes to have only one parking space per two or three bedroom apartments, zero disabled parking spaces and zero visitor parking spaces. This is a recipe for on street parking nightmares.
- It is a great relief to hear MBRC planning staff are currently working on amendments to parking and building height requirements in the planning scheme.
- Areas in Moreton Bay Region are in urgent need of neighbourhood plans.
- It is pleasing to hear MBRC are working on the establishment of Neighbourhood Plans. When is public consultation expected to commence?
- On 25 February 2020, the previous Council requested the Chief Executive Officer bring forward a report to the new Council outlining an approach to address community concerns with development in the region.
- At the MBRC Post-election meeting on 29 April 2020 the Mayor's speech included a ten-point priority plan which incorporated the need to rework MBRC's Planning Scheme by introducing neighbourhood plans.
- It is now over 14 months since the CEO was requested to prepare the report and over 12 months since the Mayor included neighbourhood plans as part of his ten-point priority plan.
- Are sufficient funds being included in MBRC's upcoming budget to fund changes to planning and assessment tools needed to bring necessary changes to our current planning scheme?



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## 11. MAYORAL MINUTE

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The Mayor tabled a Mayoral Minute making the following statement:

### LEADERS' FORUM

*"Councillors, for the first time in Moreton Bay Region's history, elected representatives at every level of government came together at Eatons Hill last Friday, 7 May 2021, and put party politics aside to address the big issues head-on.*

*Moreton Bay Regional Council, the Palaszczuk Government and the Morrison Government all agreed to advance the region's interests as it prepares for unprecedented population growth over the next 20-30 years.*

*The spirit of collaboration in the room was profound, and I would like to put my gratitude to each of you on record for putting the interests of the whole region first throughout the day. As a result of the unprecedented level of cooperation between all levels of government displayed on the day, we will see the \$68.5 million Youngs Crossing Road upgrade being fast-tracked, a \$125 million Knowledge and Innovation Centre being established at The Mill, new road projects to alleviate congestion including on the Bruce Highway being supported, and the Dolphin's NRL bid for Moreton Bay Region being backed.*

*We made a breakthrough on the upgrade of Youngs Crossing Road with the Federal Government boosting its contribution by \$25 million to \$32.75 million in total. The Queensland Government is investing \$350,000 to progress planning for an intersection upgrade at Youngs Crossing Road and Dayboro Road, and the Deputy Premier undertook to secure a \$10 million contribution to the upgrade.*

*We're also a significant step closer to a tripartite agreement to deliver the Moreton Connector, with all elected representatives remaining committed to progressing integrated upgrades to the Bruce Highway and Gateway Motorway, including the Moreton Connector.*

*All leaders together also acknowledged that a \$125 million Knowledge and Innovation Centre was critical to the region's long-term education, jobs, innovation and investment outcomes. It's a project that we have asked all levels of government to back through the South East Queensland City Deal, supporting education pathways for locals and catapulting the region's status as a hub for technology and innovation.*

*And finally, in a show of bipartisan unity and determination, every politician in the Moreton Bay Region signed a letter declaring support for the region to secure the 17<sup>th</sup> NRL licence.*

*This is the kind of political cooperation the community expects all the time but needs now more than ever. The significance of having all leaders in the same room cannot be overstated - I don't think there's a region anywhere else in Australia where you'd see the level of political cooperation we're enjoying here at this time.*

*The Leaders' Forum would not have been possible without the collaboration and hard work of a great many people. My thanks, in particular, go to:*

- *The Hon Peter Dutton MP and the Hon Steven Miles MP for making the Forum possible;*
- *All Forum participants for their contribution to the Forum's success - 9 out of the region's 10 state MPs, the 3 federal MPs, the Queensland senator based in the region and you, fellow Councillors;*
- *Ms Madonna King for guiding us through the discussions;*
- *Mr Don Meij, CEO of Domino's, for an inspiring keynote address at the Leaders' Lunch which encouraged us to dream big for the region;*
- *And last but not least, Council staff, particularly the Strategy and Engagement team, for organising the Forum.*

Mayoral Minute (Cont.)

*Of course, the work does not end here. There's more to be done to bring to fruition the projects discussed on the day, and there are other important projects which were not discussed at the Forum but will require the cooperation of all levels of government. The point I would make, however, is that this historic event has given us a great platform to build on over the months and years ahead.*

*I want this to become a biennial summit, to keep our eyes focussed on tomorrow and the decades ahead so that Moreton Bay Region remains the best place to live in all of South East Queensland."*

**12. CONFLICTS OF INTEREST NOTIFIED TO THE CEO**

*Conflicts of interest notified to the CEO where not specifically related to an item on the agenda*

**12.1. Prescribed Conflict of Interest - Cr Peter Flannery (Mayor)**

Pursuant to s150EQ of the *Local Government Act 2009*, Cr Peter Flannery (Mayor) informed the meeting of a prescribed conflict of interest in matters relating to development application DA/2021/1043 located at Boundary Road, Narangba. Packer Leather Pty Ltd, owned by Lindsay Packer, the applicant, was a political donor in Cr Flannery's 2020 election campaign, totalling \$3000 on 19 February 2020.

**Cr Flannery will not participate in decisions relating to DA/2021/1043 including discussion, debate and voting and will leave future meetings.**

**13. OFFICERS' REPORTS TO COUNCIL (conducted in Sessions)**

*(as referred by the Chief Executive Officer)*

Consideration of officers' reports as referred by the Chief Executive Officer, to be conducted in Sessions.

The appointed Portfolio Councillor will facilitate the conduct of the respective session under the control of the Mayor as the Presiding Officer.

Session	Portfolio Councillor	Deputy Portfolio Councillor
<b>1 Governance &amp; Engagement</b>	Cr P Flannery (Mayor)	Cr D Sims (Deputy Mayor)
<b>2 Infrastructure Planning</b>	Cr A Hain	C T Latter
<b>3 Engineering, Construction &amp; Maintenance</b>	Cr B Savige	Cr C Tonks
<b>4 Planning</b>	Cr D Grimwade	Cr K Winchester / Cr M Booth
<b>5 Community &amp; Environmental Services</b>	Cr M Gillam	Cr S Ruck
<b>6 Finance &amp; Corporate Services</b>	Cr M Constance	Cr J Shipway

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**1 GOVERNANCE & ENGAGEMENT SESSION**

(Cr P Flannery, Mayor)

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**ITEM 1.1**

**AGREEMENT - COLLABORATIVE SCENARIO-PLANNING STUDY FOR ECONOMIC DEVELOPMENT**

*Meeting / Session:* 1 GOVERNANCE & ENGAGEMENT

*Reference:* 61967023 : 4 May 2021 **Refer Confidential Supporting Information 61969313**

*Responsible Officer:* KH, Economic Intelligence Manager (CEO Economic Development)

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**Executive Summary**

In February 2021, Council adopted the Moreton Bay Regional Economic Development Strategy (REDS), providing pathways to foster economic development in the region.

The aspirational goals set out in the REDS of a \$40 billion economy, through business attraction and job creation of 100,000 new jobs, and a target to be one of the top 10 regional innovation hubs in Australia, reflect the REDS being implemented within relatively stable economic conditions.

While wide reaching major economic shocks are not anticipated over the life of the REDS, the recent impacts of COVID-19 have highlighted the importance of alternative scenario-planning for remote but possible future unexpected changes in demographic, economic, technological and climate patterns.

Formal scenario-planning involves the collective identification of alternative possible scenarios, analysis of consequences – both direct effects (on adequacy of public and private investments) and broader implications for urban growth and economic development. As such, it is one way to de-risk some of the uncertainty that can complicate the execution of the REDS.

University of the Sunshine Coast (USC) personnel have extensive experience in leading scenario-planning for government and have a strong interest in partnering with Council to undertake a collaborative scenario-planning project, to assist in empowering our economic development collaborators through a process of scenario building and contingency planning.

The specialised experience and knowledge required to deliver the necessary outcomes cannot be easily or practically duplicated by private consultancies or other universities given the unique position of USC in the region. Additionally, through a partnership agreement, USC will be a co-investor in the cost of the research project, thereby delivering a greater value for money for the ratepayer.

This matter is reported to Council as section 235(b) of the Local Government Regulation 2012 requires Council resolution to purchase goods and services from a single supplier without seeking competitive quotations.

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**RESOLUTION**

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**Moved by Cr Denise Sims (Deputy Mayor)**

**Seconded by Cr Tony Latter**

**CARRIED 13/0**

- 1. That in accordance with section 235(b) of the Local Government Regulation 2012, Council is satisfied that because of the specialised nature of the services to be provided it would be impractical or disadvantageous for the Council to seek quotes for the services.**
- 2. That Council enters into a partnership agreement with University of the Sunshine Coast as described in this report.**
- 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 with University of the Sunshine Coast for the work specified in this report and any required variations of the agreement on Council's behalf.**

*ITEM 1.1 AGREEMENT - COLLABORATIVE SCENARIO-PLANNING STUDY FOR ECONOMIC DEVELOPMENT - (Cont.)*

## **OFFICER'S RECOMMENDATION**

1. That in accordance with section 235(b) of the Local Government Regulation 2012, Council is satisfied that because of the specialised nature of the services to be provided it would be impractical or disadvantageous for the Council to seek quotes for the services.
2. That Council enters into a partnership agreement with University of the Sunshine Coast as described in this report.
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 with University of the Sunshine Coast for the work specified in this report and any required variations of the agreement on Council's behalf.

## **REPORT DETAIL**

### **1. Background**

With the adoption of the REDS by Council in February 2021, the region is embarking on an ambitious transformation of our regional and economic development prosperity over the next twenty years.

While private and public sector actors may agree on the overall ambition, future risks and uncertainty could significantly complicate the execution of the REDS and achievement of the 2041 aspirational overall targets. Collaborative scenario-planning provides a set of tools that can increase engagement and understanding, help envision and mitigate risk and surface additional opportunities for growth and inclusion. Historically, scenario-planning was predominately used by multi-nationals or global organisations, such as the OECD. However, the COVID-19 pandemic has disrupted the perceived environmental stability and raised awareness of how planning environments can be uncertain and unpredictable. As a consequence, private and public sector decision-makers and leaders are now using scenario-planning to provide a way to assert control over uncertain environments by identifying assumptions about the future and considering alternative responses.

It is anticipated that the scenarios contemplated under this project will be underpinned by the megatrends identified by Dr Stefan Hajkovicz from CSIRO, which outline a general assessment of the directions of future development and provide a foundation for future-oriented thinking. Scenario building, in this context will involve focusing on the tensions between the megatrends and the related uncertainties; for example, "what will be the response to the impacts of ageing?".

USC has expressed an interest in collaborating and co-investing with Council in undertaking research relating to collaborative scenario-planning in economic and community areas. USC is well positioned to undertake research to guide the research and work of collaborative scenario-planning for our economic prosperity.

This work will complement the implementation of the REDS with current and future action plans on the development to foster the Bigger, Bolder, Brighter goals.

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

This project is focused on supporting the Moreton Bay region to realise its transformation ambition and managing and mitigating risks of uncertainty through scenario-planning. The regional focus and approach is novel at a local government level for collaborative scenario development.

It will involve five phases as follows:

1. Exploring the scenario dimensions that will inform the scenario-making process.
2. Developing scenario narratives and artefacts that reflect three possible futures.
3. Influencing stakeholder audiences to engage with these alternative scenarios.

ITEM 1.1 AGREEMENT - COLLABORATIVE SCENARIO-PLANNING STUDY FOR ECONOMIC DEVELOPMENT -  
(Cont.)

4. Monitoring and evaluating the unfolding reality against the key indicators of the developed scenarios.
5. Determining the role of narrative scenarios in regional economic transformation.

The scenario-planning process and evaluation would be led by a highly experienced leader in the field, Dr Harry Dugmore, supported by a research team who bring complementary expertise and are embedded in the region, namely Dr MJ de Villiers Scheepers, CI ECR and Dr Anthony Grace.

Through this study, the Economic Development Division would be better positioned to adapt policy, program and services in response to economic shocks, thereby minimising the potential impact on local businesses and residents.

It is proposed that this project be implemented over an 18 month period to 2022.

A partnership arrangement with USC offers better value for money for rate payers, compared to a full fee-for-service procured research projects.

### 3. Strategic Implications

#### 3.1 Legislative / Legal Implications

Under the Local Government Regulation 2012, Council must seek quotes prior to entering into a contract for services with a supplier expected to be worth between \$15,000 and \$200,000 in a financial year, or over the proposed term of the contractual arrangement. This general requirement is subject to several limited exceptions.

Section 235(b) of the Local Government Regulation 2012 provides that Council can enter into a contractual arrangement without firstly seeking quotes if it resolves that, because of the specialised or confidential nature of the services sought, it would be impractical or disadvantageous to invite quotes or tenders.

Council will enter into a formal partnership agreement with USC, which will be reviewed by Legal Services before it is executed.

#### 3.2 Corporate Plan / Operational Plan

Creating Opportunities: Local jobs for residents - an innovative and thriving economy.  
Creating Opportunities: Well-planned growth - a sustainable and well-planned community.

#### 3.3 Policy Implications

Given the work required and the extensive specialist experience and knowledge offered by the supplier it would not be advantageous for Council to go to the market to complete this work.

#### 3.4 Risk Management Implications

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

#### 3.5 Delegated Authority Implications Nil identified

#### 3.6 Financial Implications

Costs associated with this partnership are contained in Confidential supporting information #1. Funds have been allocated in the 2020/21 budget and the draft 2021/22 budget.

#### 3.7 Economic Benefit Implications

Without a vibrant and growing economy, there would be a lack of jobs, income and wealth, which in turn would cause a number of far reaching social and community issues. The work that is undertaken in the REDS strategy provides a framework of actions to ensure a strong and vibrant local economy including the creation of jobs which will lead to economic and community benefits for the region.

*ITEM 1.1 AGREEMENT - COLLABORATIVE SCENARIO-PLANNING STUDY FOR ECONOMIC DEVELOPMENT -  
(Cont.)*

- 3.8 Environmental Implications  Nil identified
- 3.9 Social Implications  Nil identified
- 3.10 Human Rights Implications  Nil identified
- 3.11 Consultation / Communication  
Chief Economic Development Officer  
Economic Intelligence Manager

**ITEM 1.2**

**AUSTRALIAN LOCAL GOVERNMENT ASSOCIATION (ALGA) 27TH NATIONAL GENERAL ASSEMBLY OF LOCAL GOVERNMENT (NGA)**

*Meeting / Session:* 1 GOVERNANCE & ENGAGEMENT  
*Reference:* 61956144 : 27 April 2021  
*Responsible Officer:* KR, Executive Support Officer (CEOs Office)

**Executive Summary**

The purpose of this report is to determine Councillor attendance to the Australian Local Government Association (ALGA) 27<sup>th</sup> National General Assembly of Local Government (NGA) to be held at the National Convention Centre, Canberra from 20-23 June 2021.

**RESOLUTION**

Moved by Cr Mick Gillam

Seconded by Cr Jodie Shipway

CARRIED 13/0

1. That Councillors Tony Latter and Cath Tonks be authorised to attend the Australian Local Government Association (ALGA) 27<sup>th</sup> National General Assembly of Local Government (NGA).
2. That the Chief Executive Officer arrange for officer attendance at this assembly as appropriate.

*ITEM 1.2 AUSTRALIAN LOCAL GOVERNMENT ASSOCIATION (ALGA) 27TH NATIONAL GENERAL ASSEMBLY OF LOCAL GOVERNMENT (NGA) - 61956144 : (Cont.)*

## OFFICER'S RECOMMENDATION

1. That Councillors Tony Latter and Cath Tonks be authorised to attend the Australian Local Government Association (ALGA) 27<sup>th</sup> National General Assembly of Local Government (NGA).
2. That the Chief Executive Officer arrange for officer attendance at this assembly as appropriate.
3. Council's direction is sought on designation of Council's voting delegate.

## **REPORT DETAIL**

### **1. Background**

Advice has been received that the Australian Local Government Association (ALGA) 27<sup>th</sup> National General Assembly of Local Government (NGA) will be held at the National Convention Centre, Canberra from 20-23 June 2021. Councillors Tony Latter and Cath Tonks have expressed an interest in attending.

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

The theme of this year's NGA is 'Working Together for Our Communities' and will discuss various topics including the work local government is doing to drive a locally lead recovery from the COVID-19 epidemic.

The National General Assembly is a unique opportunity to advocate to the Australian Government for financial support, particularly the Financial Assistance Grants provided by the Commonwealth, being essential for councils and their communities.

The program/topics include:

- How working collaboratively helps councils and communities to get results in cost-effective and innovative ways; Share knowledge and lessons learned about approaches and models that build resilience, overcome adversity, and grow local economies;
- Discover initiatives that can be integrated into current council operations and maintained in the longer term; and
- Identify ways to effectively engage your local community and businesses in creative, community-focused activities that build local capacity and capability.

Council has one voting entitlement that can either be designated or shared between Council's attendees.

### **3. Strategic Implications**

- 3.1 Legislative / Legal Implications  Nil identified
- 3.2 Corporate Plan / Operational Plan  
Strengthening Communities: Strong local governance - strong leadership and governance.
- 3.3 Policy Implications  
Arrangements will be made in accordance with Council's Professional Development Policy 2150-089.
- 3.4 Risk Management Implications  Nil identified
- 3.5 Delegated Authority Implications  Nil identified
- 3.6 Financial Implications  
Appropriate funds have been provided in the 2020/21 budget.



*ITEM 1.2 AUSTRALIAN LOCAL GOVERNMENT ASSOCIATION (ALGA) 27TH NATIONAL GENERAL ASSEMBLY OF LOCAL GOVERNMENT (NGA) - 61956144 : (Cont.)*

3.7 Economic Benefit Implications

Topics associated with the assembly will address a range of economic issues relevant to a local government context.

3.8 Environmental Implications

Topics associated with the assembly will address a range of environmental issues relevant to a local government context.

3.9 Social Implications

Topics associated with the assembly will address a range of social implications relevant to a local government context.

3.10 Human Rights Implications

Nil identified

3.11 Consultation / Communication

Consultation was undertaken with Councillors, the Chief Executive Officer and the Executive Leadership Team.

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**2 INFRASTRUCTURE PLANNING SESSION**

**(Cr A Hain)**

**ITEM 2.1**

**DECEPTION BAY - MAINE TERRACE - PROPOSED NAMING OF MAUREEN TURPIN PARK**

*Meeting / Session:* 2 INFRASTRUCTURE PLANNING

*Reference:* 61915349 : 20 April 2021

*Responsible Officer:* BS, Senior Business Systems Officer (IP Parks & Recreation Planning)

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**Executive Summary**

An application has been received requesting that an area of parkland, located at 12 Maine Terrace, Deception Bay, be named in recognition of the late Maureen Turpin. This report provides Council with background information relevant to the application and recommends that Lot 6, SP127966 be named 'Maureen Turpin Park'.

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**RESOLUTION**

**Moved by Cr Sandra Ruck**

**Seconded by Cr Jodie Shipway**

**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 6, SP127966 as 'Maureen Turpin Park', be approved.
2. That public advertising of the proposal to name the park be undertaken via appropriate digital and print media platforms, having a distribution covering the general vicinity of the subject park, and on Council's website, 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 to Council in a subsequent report.

ITEM 2.1 DECEPTION BAY - MAINE TERRACE - PROPOSED NAMING OF MAUREEN TURPIN PARK - 61915349  
(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 6, SP127966 as 'Maureen Turpin Park', be approved.
2. That public advertising of the proposal to name the park be undertaken via appropriate digital and print media platforms, having a distribution covering the general vicinity of the subject park, and on Council's website, 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 to Council in a subsequent report.

**REPORT DETAIL**

**1. Background**

An application has been received by Council requesting that Lot 6, SP127966 (refer Figure 1), located at 12 Maine Terrace, Deception Bay, be named in recognition of Maureen Turpin.



Figure 1: 12 Maine Terrace, Deception Bay proposed to be named 'Maureen Turpin Park'.

**2. Explanation of Item**

The application to name a park under Council control was lodged by MP, Chris Whiting on behalf of Mr Richard Turpin (son of Maureen). The application was made to recognise the contributions made by Maureen to the Deception Bay community.

Information received from the applicant notes the following in respect of Mrs Turpin:

- *Helped establish the first kindergarten in Deception Bay in the early 1960's,*
- *Raised funds for the kindergarten, Deception Bay State School, Local Rural Fire Station and Ambulance,*
- *Helped establish the first chemist in Deception Bay,*
- *Opened the first book exchange prior to the library opening,*
- *Supported local community members by supplying food and clothing.*

*ITEM 2.1 DECEPTION BAY - MAINE TERRACE - PROPOSED NAMING OF MAUREEN TURPIN PARK - 61915349  
(Cont.)*

Under Policy No: 11-2150-039, Naming of Council Owned or Administered Buildings, Structures and other Assets (excluding roads), applicants are required to provide documentation to substantiate the good character of the person or persons being acknowledged. This application has been supported by Division 5 Councillor, Sandra Ruck and State MP, Chris Whiting, with letters of support also received from Rickie Sweet (daughter) and Bernice Klinger (Deception Bay Kindergarten).

The recommendation to name the area after Ms Turpin complies with the Council's policy guideline as outlined below:

- Names of respected community members of considerable service who are, or were resident or working within the region;

Council internal policy requires that any proposal to name an area of parkland be advertised in local newspapers for a period of up to 28 days during which time submissions can be received. This process allows Council to assess any possible objections to the proposed naming. Other suitable digital media outlets will also be utilised where local print newspapers are not in existence.

The signage for this proposed naming would be installed in a suitable location in the park on Bay Avenue.

A history board is proposed to be installed in conjunction with the new signage to explain the connection Ms Turpin had with the land. The proposed wording is as follows:

*"Maureen was an active volunteer within the Deception Bay community who gave freely of her time to many charities and community initiatives."*

### **3. Strategic Implications**

3.1 Legislative / Legal Implications  Nil identified

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  Nil identified

3.5 Delegated Authority Implications  
Subject to no adverse submissions being received, the matter should be referred to the Director Engineering Construction and Maintenance 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 Implications  Nil identified

3.8 Environmental Implications  Nil identified

3.9 Social Implications  
Formal naming will provide improved awareness of, and the ability to recognise distinct locations within the region.

*ITEM 2.1 DECEPTION BAY - MAINE TERRACE - PROPOSED NAMING OF MAUREEN TURPIN PARK - 61915349  
(Cont.)*

3.10 Human Rights Implications  Nil identified

3.11 Consultation / Communication

The proposed naming is supported by the Division 5 Councillor and State MP, Chris Whiting.

### **ATTENDANCE**

Mr Paul Cunningham attended the meeting at 9.59am for discussion on Item 3.1.

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**3 ENGINEERING, CONSTRUCTION & MAINTENANCE SESSION**

**(Cr B Savige)**

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**ITEM 3.1**

**TENDER - PETRIE MILL REDEVELOPMENT - SUPPLY OF BULK FILL**

*Meeting / Session:* 3 ENGINEERING, CONSTRUCTION & MAINTENANCE  
*Reference:* 61774489 : 21 April 2021 - Refer **Confidential Supporting Information**  
**61680388, 61774490**  
*Responsible Officer:* JM, Engineer (ECM Major Projects)

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**Executive Summary**

Tenders were invited for the 'Petrie Mill Redevelopment – Supply of Bulk Fill (MBRC010444)' project for the purpose of supplying material to support revegetation of large areas of land to achieve the Federal Government's Environment Protection and Biodiversity Conservation (EPBC) referral (2016/7839) requirements. The tender closed on 22 December 2020 with three tenders received, all of which were conforming.

It is recommended that Council award the tender for the 'Petrie Mill Redevelopment – Supply of Bulk Fill (MBRC010444)' project to Timms Haulage Pty Ltd for the sum of \$3,515,000 (excluding GST) as this tender was evaluated as representing the best overall value to Council.

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**RESOLUTION**

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Moved by Cr Mick Gillam

Seconded by Cr Adam Hain

**CARRIED 13/0**

1. That the tender for 'Petrie Mill Redevelopment – Supply of Bulk Fill (MBRC010444)' project be awarded to Timms Haulage Pty Ltd for the sum of \$3,515,000 (excluding GST).
2. That the Council enters into an agreement with Timms Haulage Pty Ltd as described in this report.
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 with Timms Haulage Pty Ltd for the 'Petrie Mill Redevelopment – Supply of Bulk Fill (MBRC010444)' project and any required variations of the agreement on Council's behalf.
4. That it be noted this project has been awarded in accordance with Council's Procurement Policy under the Competitive Local Business and Industry (local preference) initiative.

*ITEM 3.1 TENDER - PETRIE MILL REDEVELOPMENT - SUPPLY OF BULK FILL - 61774489 (Cont.)*

**OFFICER'S RECOMMENDATION**

1. That the tender for 'Petrie Mill Redevelopment – Supply of Bulk Fill (MBRC010444)' project be awarded to Timms Haulage Pty Ltd for the sum of \$3,515,000 (excluding GST).
2. That the Council enters into an agreement with Timms Haulage Pty Ltd as described in this report.
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 with Timms Haulage Pty Ltd for the 'Petrie Mill Redevelopment – Supply of Bulk Fill (MBRC010444)' project and any required variations of the agreement on Council's behalf.
4. That it be noted this project has been awarded in accordance with Council's Procurement Policy under the Competitive Local Business and Industry (local preference) initiative.

**REPORT DETAIL**

**1. Background**

This tender is an essential part of the Petrie Mill Redevelopment project as it facilitates the revegetation commitments made under the Federal Government's EPBC Act approval and meets Moreton Bay Regional Council's (MBRC) commitment made in the Priority Development Area (PDA) of providing 110 hectares of Conservation and Koala Habitat area.

The conditions of EPBC 2016/7839 (approval date of 6-9-2017) compensate for the requirement to clear 22 hectares of vegetation as part of the remediation process currently being undertaken by Orora. These conditions set out that MBRC, as the approval holder, must: (a) rehabilitate a minimum of 26 hectares of land with primary offset planting areas; and (b) dedicate a minimum of 74 hectares of land for rehabilitation within supplementary habitat restoration areas.

The conditions include prescriptive timelines which MBRC must follow. These marked timelines include achieving set benchmarks such as (measured) tree growth height and canopy width of the revegetated areas.

The tender involves the supply of approximately 190,000m<sup>3</sup> of suitable bulk fill materials to support koala habitat revegetation. MBRC will supply the fill, which Orora will place. The material will be supplied progressively over a 12-month period. MBRC engaged a soil scientist to develop the soil specification requirements to ensure the material will support the trees species palette proposed and worked closely with MBRC's Major Projects and Environmental Services officers.

**2. Explanation of Item**

Tenders were invited for the 'Petrie Mill Redevelopment – Supply of Bulk Fill (MBRC010444)' project for the supply of 190,000m<sup>3</sup> of suitable bulk fill material to support koala habitat revegetation. The tender closed on the 22 December 2020 with three tenders received, all of which were conforming. The local preference criteria was applied. All tenders and their final evaluation scores are tabled below (ranked from high to lowest).

RANK	TENDERER	EVALUATION SCORE (Pre Local Preference)	EVALUATION SCORE (Post Local Preference)
1	Timms Haulage Pty Ltd	100.00	111.25
2	EPH Contracts (QLD) Pty Ltd	93.15	93.15
3	Boral Resources (QLD) Pty Ltd	78.84	78.84

*ITEM 3.1 TENDER - PETRIE MILL REDEVELOPMENT - SUPPLY OF BULK FILL - 61774489 (Cont.)*

**Timms Haulage Pty Ltd ('TH')** - submitted a detailed tender and demonstrated their methodology and experience on projects of a similar scale and complexity. At the tender clarification meeting held on the 12 March 2021, TH provided further detail on their experience, quality of product and pricing, as well as their understanding of site-specific contamination requirements which fall under *Environmental Protection Act 1994 (Qld)*. The Timms Haulage tender was the lowest priced and was considered by the panel to provide the best overall value to MBRC.

**EPH Contract (QLD) Pty Ltd ('EPH')** - submitted a detailed tender and demonstrated their quality of product and experience on projects of a similar scale and complexity. Multiple source sites were proposed within the submission though provided no additional benefit to offset the higher prices.

**Boral Resources (QLD) Pty Ltd ('BR')** - submitted a detailed tender and demonstrated their quality of product and experience on projects of a similar scale and complexity. Boral Resources tender price was significantly higher than the other submissions. This is reflected in the Evaluation Score. There were no additional benefits provided with the offer to offset the higher prices.

### **3. Strategic Implications**

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

Due to value of work being greater than \$200,000, MBRC 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: Healthy natural environment - a clean and healthy environment.

#### **3.3 Policy Implications**

This contract 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**

The project risk has been assessed and the following issues identified. The manner in which the possible impact of these risks are minimised is detailed below.

##### *Environmental Implications*

The scope of works submission includes management in relation to geotechnical and soil science requirements. The recommended contractor shall work within the limitations of the specifications and environmental regulatory obligations.

##### *Social Implications*

The project will provide significant positive social benefit through the enhancement of nature. More specifically, it will provide material to support sustainable koala food and habitat trees that complement the intended Regional Ecosystems.

##### *Regulatory Implications*

Under the Federal Government EPBC Referral (2016/7839), MBRC as a listed Approval holder must revegetate the land and this material will facilitate the requirements of the Referral conditions.

##### *Performance Outcomes*

The contract specifications require the contractor to provide evidence of achieving specific quality criteria for acceptance prior to importation of materials to site. Supply rates provide for the progressive delivery of filled areas to council, subsequently allowing revegetation of the site to be undertaken (by others).



ITEM 3.1 TENDER - PETRIE MILL REDEVELOPMENT - SUPPLY OF BULK FILL - 61774489 (Cont.)

*Weather*

The tender document requires the tenderers to include their own inclement weather allowances and assume wet weather risk. Suitable stockpile 'buffers' are also allowed for on-site to ensure Orora's program dates are not impacted by any supply issues.

3.5 Delegated Authority Implications

Under delegation Council-163, the CEO has the power to enter into contracts up to and including the amount of one percent (1%) of Council's net rate and utility charges as stated in Council's audited financial statements included in Council's most recently adopted annual report - estimated \$3.2M, providing the expenditure has been provided for in Council's annual budget.

*The cost of this project exceeds the delegated limit and is therefore reported to Council for consideration.*

3.6 Financial Implications

Council has allocated \$25M in 20-21FY towards the Petrie Mill Redevelopment Program. All financial information below is excluding GST.

Tender Price	\$ 3,515,000
Less Payment by Orora 190,000 @ \$16.99 per cubic metre	<u>\$ (3,228,100)</u>
Net Project Cost	\$ 286,900 =====

3.7 Economic Benefit Implications

The Mill development has significant regional economic benefits and the revegetation commitment to the site is a catalyst for key environmental outcomes for the site which in turn provide 'The Mill at Moreton Bay' PDA.

3.8 Environmental Implications

The project will facilitate the re-establishment of open space and regional ecosystems for local fauna and community.

3.9 Social Implications

The overall Petrie Mill Development project will provide significant positive social benefit and will incorporate various open spaces along with other facilities for community use.

3.10 Human Rights Implications

Nil identified

3.11 Consultation / Communication

The works will be managed by Council's Major Projects team in line with communication policies and protocols.

**ATTENDANCE**

Mr Paul Cunningham left the meeting at 10.01am following consideration of Item 3.1.

Mr Dan Staley and Ms Amy White attended the meeting at this time for discussion on Item 4.1.

**4 PLANNING SESSION**

(Cr D Grimwade)

**ITEM 4.1**

**DA/41917/2020/V2L - MATERIAL CHANGE OF USE - DEVELOPMENT PERMIT FOR RELOCATABLE HOME PARK AT 46-54, 70 & ACCESS PREVENTION STRIP - AMY STREET, MORAYFIELD DESCRIBED AS LOT 12 SP224736, LOT 22 SP220446 & LOT 37 SP 150798**

**APPLICANT:** THE TRUSTEE OF THE SERENITAS TRUST C/- RPS AUSTRALIA EAST PTY LTD  
**OWNERS:** WEI PING CHEN, SERENITAS COMMUNITIES HOLDINGS PTY LTD TTE & MORETON BAY REGIONAL COUNCIL

*Meeting / Session:* 4 PLANNING  
*Reference:* 61573924 : 4 February 2021 **Refer Supporting Information 61815642, 61902949 & 61904998**  
*Responsible Officer:* JJVR, Planner (PL, Development Services)

**Executive Summary**

<b>APPLICATION DETAILS</b>	
<b>Applicant:</b>	The Trustee of the Serenitas Trust C/- RPS Australia East Pty Ltd
<b>Lodgement Date:</b>	30 September 2020
<b>Properly Made Date:</b>	21 October 2020
<b>Confirmation Notice Date:</b>	27 October 2020
<b>Information Request Date:</b>	9 November 2020
<b>Info Response Received Date:</b>	1 February 2021
<b>Public Notification Dates:</b>	9 February to 4 March 2021
<b>No. of Submissions:</b>	Properly Made: 2 Not Properly Made: 0
<b>Decision Due Date:</b>	12 May 2021
<b>Prelodgement Meeting Held:</b>	Yes - PRE/5687

<b>PROPERTY DETAILS</b>	
<b>Division:</b>	Division 3
<b>Property Address:</b>	46-54, 70 & Access Prevention Strip, Amy Street, Morayfield
<b>RP Description</b>	Lot 2 SP224736, Lot 22 SP220446 & Lot 37 SP150798
<b>Land Area:</b>	157,446m <sup>2</sup>
<b>Property Owner</b>	Wei Ping Chen, Serenitas Communities Holdings Pty Ltd Tte, Moreton Bay Regional Council

<b>STATUTORY DETAILS</b>	
<b>Planning Legislation:</b>	<i>Planning Act 2016</i>
<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 Policy Neutral

ITEM 4.1 DA/41917/2020/V2L - MATERIAL CHANGE OF USE - DEVELOPMENT PERMIT FOR RELOCATABLE HOME PARK AT 46-54, 70 & ACCESS PREVENTION STRIP - AMY STREET, MORAYFIELD DESCRIBED AS LOT 12 SP224736, LOT 22 SP220446 & LOT 37 SP 150798 - 61573924 (Cont.)

This application seeks a Material Change of Use - Development Permit for Relocatable Home Park primarily situated at 46-54, 70 & Access Prevention Strip Amy Street Morayfield, formally described as Lot 2 SP224736 (Lot 2), Lot 22 SP220446 (Lot 22) and Lot 37 SP150798 (Access Prevention Strip [APS]). The applicant is proposing thirty-two (32) Relocatable Dwelling units (villas) and a community facility building. The northern part of the Lot contains limited clusters of vegetation and no environmental overlays whilst, the southern part of the Lot contains significant native vegetation and includes environmental and flood overlays. Furthermore, this southern part of the Lot contains LGIP Stormwater Network Trunk (Riparian Corridor) with the majority of this (3.62 ha) transferred to Council.

The proposal locates the thirty-two (32) villas to the northern part of the Lot and a community facility located approximately 140.0m south of the Amy Street frontage along the western side boundary. The community facility will be connected to the Dwellings by way of a footpath and it is proposed to have a connection to 70 Amy Street (Lot 22 SP220446) in future. This requires Lot 22 to be part of the application. Notably, no development is proposed in the areas intersected by environmental overlays whilst, development in areas intersected by flood overlays is limited to the pedestrian footpath connecting the community facility and the villas. The applicant proposes to complete the development over four (4) stages:

Stage 1A	Twelve (12) villas
Stage 1B	Six (6) villas
Stage 1C	Fourteen (14) villas
Stage 1D	Community facility

A Relocatable home park is a consistent use in the General Residential Zone - Next Generation Neighbourhood however, this proposal requires Impact assessment as the Lot exceeds the maximum lot size of 3,000m<sup>2</sup>. The proposal will result in a medium density development, approximately twenty-six 26 Dwellings per ha, and will locate six (6) villas along Amy Street. *Notably, the density of the development, is on the lower end of what is defined as a medium density development.* These six (6) villas will be orientated towards Amy Street with direct street access. Additionally, a 2.0m wide internal landscaping buffer is proposed on the Serenity Street frontage.

This layout onto Amy Street is proposed as it will ensure an active street frontage whilst, increasing casual surveillance notably, the current casual surveillance along Amy Street is limited considering the lots on the northern side of the street. In addition, the layout onto Serenity Way supports a buffer that will assist in screening the comparatively higher density development, from the residential lots to the east. The existing residential lots in Serenity Way offer sufficient casual surveillance along this frontage. It is further, noted that the proposal seeks to dedicate land as road reserve to ensure Serenity Way is properly constructed along the development frontage with kerb, channel and footpath. This will provide for an ultimate road reserve width of 16.5m.

Based on the dwelling designs, the proposal includes both single car and double car spaces. However, a condition is recommended that at least 75% of the dwellings include a double car space. This would result in twenty-four (24) dwellings having a double car space and eight (8) dwellings having either a single or double car spaces. In addition, six (6) visitor spaces are proposed on site. This will ensure that at least sixty-two (62) car spaces are provided on site which is significantly more than the thirty-two (32) spaces required by the planning scheme.

The application was publicly advertised with two (2) submissions received. The proposed development is considered to accord with the intent of the MBRC Planning Scheme and is recommended to be approved subject to conditions.

This report is being presented to the Council for decision as the proposal has raised community concerns and in accordance with the delegations the application is to be determined by the Council instead of under Council officer delegation. Therefore, Council is now the authorised entity to decide the development application.

*ITEM 4.1 DA/41917/2020/V2L - MATERIAL CHANGE OF USE - DEVELOPMENT PERMIT FOR RELOCATABLE HOME PARK AT 46-54, 70 & ACCESS PREVENTION STRIP - AMY STREET, MORAYFIELD DESCRIBED AS LOT 12 SP224736, LOT 22 SP220446 & LOT 37 SP 150798 - 61573924 (Cont.)*

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**RESOLUTION**

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**Moved by Cr Adam Hain**

**Seconded by Cr Jodie Shipway**

**CARRIED 13/0**

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

## Moreton Bay Regional Council

*ITEM 4.1 DA/41917/2020/V2L - MATERIAL CHANGE OF USE - DEVELOPMENT PERMIT FOR RELOCATABLE HOME PARK AT 46-54, 70 & ACCESS PREVENTION STRIP - AMY STREET, MORAYFIELD DESCRIBED AS LOT 12 SP224736, LOT 22 SP220446 & LOT 37 SP 150798 - 61573924 (Cont.)*

### OFFICER'S RECOMMENDATION

- A. That Council, in accordance with the *Planning Act 2016*, approves the development application for a Material Change of Use - Development Permit for Relocatable Home Park at 46-54 Amy Street Morayfield, described as Lot 2 SP224736, subject to the following plans/documents and conditions:

<b>Approved Plans and Documents</b>			
<b>Plan / Document Name</b>	<b>Reference Number</b>	<b>Prepared By</b>	<b>Dated</b>
Environmental Response	IR Response DA/41917/2020/V2L- Item 4 & 5	28° South Environmental	16/12/2020
Adria 1 Site Plan	C-ASM (Sheet 1 of 17) Rev F	Ausmar	7/7/2020
Adria 1 Floor Plan	C-ASM (Sheet 2 of 17) Rev F	Ausmar	7/7/2020
Adria 1 Elevations	C-ASM (Sheet 3 of 17) Rev F	Ausmar	7/7/2020
Adria 1 Elevations	C-ASM (Sheet 4 of 17) Rev F	Ausmar	7/7/2020
Adria 1 Roof Plan	C-ASM (Sheet 5 of 17) Rev F	Ausmar	7/7/2020
Adria 2 Site Plan	C-ASM (Sheet 1 of 17) Rev F	Ausmar	7/7/2020
Adria 2 Floor Plan	C-ASM (Sheet 2 of 17) Rev F	Ausmar	7/7/2020
Adria 2 Elevations	C-ASM (Sheet 3 of 17) Rev F	Ausmar	7/7/2020
Adria 2 Elevations	C-ASM (Sheet 4 of 17) Rev F	Ausmar	7/7/2020
Adria 2 Roof Plan	C-ASM (Sheet 5 of 17) Rev F	Ausmar	7/7/2020
Adria Tandem 2 Site Plan	C-ASM (Sheet 1 of 17) Rev A	Ausmar	14/7/2020
Adria Tandem 2 Floor Plan	C-ASM (Sheet 2 of 17) Rev A	Ausmar	14/7/2020
Adria Tandem 2 Elevations	C-ASM (Sheet 3 of 17) Rev A	Ausmar	14/7/2020
Adria Tandem 2 Elevations	C-ASM (Sheet 4 of 17) Rev A	Ausmar	14/7/2020
Adria Tandem 2 Roof Plan	C-ASM (Sheet 5 of 17) Rev A	Ausmar	14/7/2020
Alexandria 2 - HIP Site Plan	C-ASM (Sheet 1 of 17) Rev E	Ausmar	7/7/2020
Alexandria 2 - HIP Floor Plan	C-ASM (Sheet 2 of 17) Rev E	Ausmar	7/7/2020
Alexandria 2 - HIP Elevations	C-ASM (Sheet 3 of 17) Rev E	Ausmar	7/7/2020
Alexandria 2 - HIP Elevations	C-ASM (Sheet 4 of 17) Rev E	Ausmar	7/7/2020
Alexandria 2 - HIP Roof Plan	C-ASM (Sheet 5 of 17) Rev E	Ausmar	7/7/2020

## Moreton Bay Regional Council

GENERAL MEETING - 529  
12 May 2021

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*ITEM 4.1 DA/41917/2020/V2L - MATERIAL CHANGE OF USE - DEVELOPMENT PERMIT FOR RELOCATABLE HOME PARK AT 46-54, 70 & ACCESS PREVENTION STRIP - AMY STREET, MORAYFIELD DESCRIBED AS LOT 12 SP224736, LOT 22 SP220446 & LOT 37 SP 150798 - 61573924 (Cont.)*

<b>Approved Plans and Documents</b>			
<b>Plan / Document Name</b>	<b>Reference Number</b>	<b>Prepared By</b>	<b>Dated</b>
Dunbar 1 Site Plan	C-ASM (Sheet 1 of 17) Rev J	Ausmar	22/7/2020
Dunbar 1 Floor Plan	C-ASM (Sheet 2 of 17) Rev J	Ausmar	22/7/2020
Dunbar 1 Elevations	C-ASM (Sheet 3 of 17) Rev J	Ausmar	22/7/2020
Dunbar 1 Elevations	C-ASM (Sheet 4 of 17) Rev J	Ausmar	22/7/2020
Dunbar 1 Roof Plan	C-ASM (Sheet 5 of 17) Rev J	Ausmar	22/7/2020
Gracemere Site Plan	C-ASM (Sheet 1 of 17) Rev B	Ausmar	10/8/2020
Gracemere Floor Plan	C-ASM (Sheet 2 of 17) Rev B	Ausmar	10/8/2020
Gracemere Elevations	C-ASM (Sheet 4 of 17) Rev B	Ausmar	10/8/2020
Gracemere Elevations	C-ASM (Sheet 5 of 17) Rev B	Ausmar	10/8/2020
Gracemere Roof Plan	C-ASM Rev B	Ausmar	10/8/2020
Headingly 1 Site Plan	C-ASM (Sheet 1 of 17) Rev G	Ausmar	7/7/2020
Headingly 1 Floor Plan	C-ASM (Sheet 2 of 17) Rev G	Ausmar	7/7/2020
Headingly 1 Elevations	C-ASM (Sheet 3 of 17) Rev G	Ausmar	7/7/2020
Headingly 1 Elevations	C-ASM (Sheet 4 of 17) Rev G	Ausmar	7/7/2020
Headingly 1 Roof Plan	C-ASM (Sheet 5 of 17) Rev G	Ausmar	7/7/2020
Headingly 2.5 Site Plan	C-ASM (Sheet 1 of 17) Rev E	Ausmar	7/7/2020
Headingly 2.5 Floor Plan	C-ASM (Sheet 2 of 17) Rev E	Ausmar	7/7/2020
Headingly 2.5 Elevations	C-ASM (Sheet 3 of 17) Rev E	Ausmar	7/7/2020
Headingly 2.5 Elevations	C-ASM (Sheet 4 of 17) Rev E	Ausmar	7/7/2020
Headingly 2.5 Roof Plan	C-ASM (Sheet 5 of 17) Rev E	Ausmar	7/7/2020
Headingly 2 Site Plan	C-ASM (Sheet 1 of 17) Rev G	Ausmar	7/7/2020
Headingly 2 Floor Plan	C-ASM (Sheet 2 of 17) Rev G	Ausmar	7/7/2020
Headingly 2 Elevations	C-ASM (Sheet 3 of 17) Rev G	Ausmar	7/7/2020

## Moreton Bay Regional Council

GENERAL MEETING - 529  
12 May 2021

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*ITEM 4.1 DA/41917/2020/V2L - MATERIAL CHANGE OF USE - DEVELOPMENT PERMIT FOR RELOCATABLE HOME PARK AT 46-54, 70 & ACCESS PREVENTION STRIP - AMY STREET, MORAYFIELD DESCRIBED AS LOT 12 SP224736, LOT 22 SP220446 & LOT 37 SP 150798 - 61573924 (Cont.)*

<b>Approved Plans and Documents</b>			
<b>Plan / Document Name</b>	<b>Reference Number</b>	<b>Prepared By</b>	<b>Dated</b>
Headingly 2 Elevations	C-ASM (Sheet 4 of 17) Rev G	Ausmar	7/7/2020
Headingly 2 Roof Plan	C-ASM (Sheet 5 of 17) Rev G	Ausmar	7/7/2020
Marion 1.5 Site Plan	C-ASM (Sheet 1 of 19) Rev C	Ausmar	7/7/2020
Marion 1.5 Floor Plan	C-ASM (Sheet 2 of 19) Rev C	Ausmar	7/7/2020
Marion 1.5 Elevations	C-ASM (Sheet 3 of 19) Rev C	Ausmar	7/7/2020
Marion 1.5 Elevations	C-ASM (Sheet 4 of 19) Rev C	Ausmar	7/7/2020
Marion 1.5 Roof Plan	C-ASM (Sheet 5 of 19) Rev C	Ausmar	7/7/2020
Marion 1 Site Plan	C-ASM (Sheet 1 of 19) Rev C	Ausmar	7/7/2020
Marion 1 Floor Plan	C-ASM (Sheet 2 of 19) Rev C	Ausmar	7/7/2020
Marion 1 Elevations	C-ASM (Sheet 3 of 19) Rev C	Ausmar	7/7/2020
Marion 1 Elevations	C-ASM (Sheet 4 of 19) Rev C	Ausmar	7/7/2020
Marion 1 Roof Plan	C-ASM (Sheet 5 of 19) Rev C	Ausmar	7/7/2020
Marion 2 Site Plan	C-ASM (Sheet 1 of 19) Rev D	Ausmar	7/7/2020
Marion 2 Floor Plan	C-ASM (Sheet 2 of 19) Rev D	Ausmar	7/7/2020
Marion 2 Elevations	C-ASM (Sheet 3 of 19) Rev D	Ausmar	7/7/2020
Marion 2 Elevations	C-ASM (Sheet 4 of 19) Rev D	Ausmar	7/7/2020
Marion 2 Roof Plan	C-ASM (Sheet 5 of 17) Rev D	Ausmar	7/7/2020
Strathmore 1 Site Plan	C-ASM (Sheet 1 of 17) Rev E	Ausmar	7/7/2020
Strathmore 1 Floor Plan	C-ASM (Sheet 2 of 17) Rev E	Ausmar	7/7/2020
Strathmore 1 Elevations	C-ASM (Sheet 3 of 17) Rev E	Ausmar	7/7/2020
Strathmore 1 Elevations	C-ASM (Sheet 4 of 17) Rev E	Ausmar	7/7/2020
Strathmore 1 Roof Plan	C-ASM (Sheet 5 of 17) Rev E	Ausmar	7/7/2020
Strathmore 2 Site Plan	C-ASM (Sheet 1 of 17) Rev E	Ausmar	7/7/2020

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<b>Approved Plans and Documents</b>			
<b>Plan / Document Name</b>	<b>Reference Number</b>	<b>Prepared By</b>	<b>Dated</b>
Strathmore 2 Floor Plan	C-ASM (Sheet 2 of 17) Rev E	Ausmar	7/7/2020
Strathmore 2 Elevations	C-ASM (Sheet 3 of 17) Rev E	Ausmar	7/7/2020
Strathmore 2 Elevations	C-ASM (Sheet 4 of 17) Rev E	Ausmar	7/7/2020
Strathmore 2 Roof Plan	C-ASM (Sheet 5 of 17) Rev E	Ausmar	7/7/2020
Proposed Community Facility - Part/Site Locality Plan	2020-20 SD01 P2 Page 1	Blueline Architecture	28/09/2020
Proposed Community Facility - Site Plan	2020-20 SD02 P2 Page 2	Blueline Architecture	28/09/2020
Proposed Community Facility - Floor Plan	2020-20 SD03 P2 Page 3	Blueline Architecture	28/09/2020
Proposed Community Facility - Elevations	2020-20 SD04 P2 Page 4	Blueline Architecture	28/09/2020
Proposed Community Facility - Elevations	2020-20 SD04 P2 Page 5	Blueline Architecture	28/09/2020
Proposed Community Facility - Perspective	2020-20 SD06 P2 Page 6	Blueline Architecture	28/09/2020
Typical Materials/Finishes	2020-20 SD07 Page 7	Blueline Architecture	28/09/2020

<b>Plans to be Amended</b>			
<b>Plan / Document Name</b>	<b>Reference Number</b>	<b>Prepared By</b>	<b>Dated</b>
Site Plan	146561 – 06 Rev: C	RPS	31/03/2021
Stormwater Management Report (Revision B)	S20-047	Westera Partners	26/11/2020
Landscape Design Report	[Issue F] PR146809	RPS	01/02/2021
Bushfire Management Plan	Revision 2	Ecological Natural Area Management	28/09/2020

<b>CONDITION</b>		<b>TIMING</b>
<b>MATERIAL CHANGE OF USE - DEVELOPMENT PERMIT</b>		
<b>DEVELOPMENT PLANNING - ALL STAGES</b>		
<b>1.</b>	<b>Approved Plans and/or Documents</b>	
	Undertake development in accordance with the approved plans and/or documents. These plans and/or documents will form part of the approval, unless otherwise amended by conditions of this approval.	Prior to the commencement of use for each respective stage and to be maintained at all times.

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CONDITION		TIMING
<b>MATERIAL CHANGE OF USE - DEVELOPMENT PERMIT</b>		
<b>DEVELOPMENT PLANNING - ALL STAGES</b>		
<b>2.</b>	<b>Amended Site Plan Required</b>	
A	<p>Submit an amended Site Plan incorporating the following:</p> <ol style="list-style-type: none"> <li>1. Indicate the Community facility building to be developed as part of Stage 1D.</li> <li>2. Include a building envelope to be located within the Community facility location, ensuring that buildings and access (public and vehicle) are setback as far as possible from environmental areas and corridors to allow for rehabilitation of degraded areas of mapped environmental areas and corridors as per the approved Landscape Concept Plans.</li> </ol> <p>The Building Envelope is to be separated from the closest edge to the adjacent mapped medium bushfire intensity area (taking into consideration proposed revegetation areas) by a distance (APZ width) that achieves a radiant heat flux level of 10 kW /m2 or less at all development footprint (as per the recommendation provided within the SPP Technical Reference Guide - Bushfire Resilient Communities, 2019); and</p> <p><i>Note: the above provision will need to be supported by a Bushfire Hazard assessment, prepared by a suitably qualified person</i></p> <ol style="list-style-type: none"> <li>3. Provide supporting Refuse Service HRV Swept Path Assessment plans that reflect the proposed site access arrangement and demonstrate achievement of the following:               <ol style="list-style-type: none"> <li>i. Provide a driveway opening with sufficient width to allow HRV access with vehicle body clearances;</li> <li>ii. Any driver-initiated card reading device operating the gates located clear of the service vehicle turn path including vehicle body clearances; and</li> <li>iii. A minimum 12.5 m entry queuing length provided within the development clear of the gate.</li> </ol> </li> </ol>	<p>Prior to approval of any Building Works or Operational Works application.</p>
B	<p>Obtain approval from Council for the amended Site Plan in accordance with (A) above.</p>	<p>Prior to approval of any Operational Works or Building Works application.</p>

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CONDITION		TIMING
<b>MATERIAL CHANGE OF USE - DEVELOPMENT PERMIT</b>		
<b>DEVELOPMENT PLANNING - ALL STAGES</b>		
C	Implement the requirements and recommendations of the approved plan(s). The approved amended plan(s) will form part of the approval.	Prior to commencement of use.
<b>3.</b>	<b>Develop in Stages</b>	
	Develop the site generally in accordance with the stages identified on the approved plans in consecutive order. Development must comply with each condition of the development approval as it relates to each stage, unless otherwise stated in the condition.	Prior to the commencement of use for each respective stage.
<b>4.</b>	<b>On-Site Car Spaces</b>	
A	Provide on-site car parking in accordance with the following: <ol style="list-style-type: none"> <li>1. Twenty-four dwellings are to have at least (2) car spaces per dwelling;</li> <li>2. Eight dwellings at least one car space per dwelling.</li> <li>3. Six (6) visitor spaces of which two (2) are to be in Stage 1A and four (4) in Stage 1B;</li> </ol> Note: At the completion of Stage 1C a minimum of sixty-two (62) car spaces must be located on site which includes the six (6) visitor spaces.	Prior to the commencement of use for each respective stage as specified in the condition and to be maintained.
B	Provide for the manoeuvring of vehicles on site, generally in accordance with the approved plan. Car spaces, access lanes and driveways shown on the approved plan must not be used for any other purpose.	Prior to the commencement of use for each respective stage and to be maintained at all times.
<b>5.</b>	<b>Bicycle Parking Facilities</b>	
	Install secure bicycle parking facilities for a minimum of one (1) bicycle per Relocatable Dwelling.  Bicycle parking is to be provided in accordance with Austroads (2008), Guide to Traffic management - Part 11: Parking.	Prior to the commencement of use for each respective stage and to be maintained at all times.
<b>6.</b>	<b>Bicycle Storage Facilities</b>	
	Provide for each unit a bicycle storage space of no less than 1.43m <sup>3</sup> (based on dimensions of 1200mm (height) x 700mm (width) x 1700mm (length)). The spaces are to be protected from the weather and located either within the buildings or in a dedicated secure structure for residents of the development.	Prior to the commencement of use for each respective stage and to be maintained at all times.
<b>7.</b>	<b>Electrical Transformer</b>	
	Ensure that where electrical transformers are located in the front setback (only where an internal road is not proposed) it is screened so that the transformer is not visible from any road frontage and achieves the following: <ol style="list-style-type: none"> <li>1. A combination of screening device and landscaping;</li> </ol>	Prior to the commencement of use for each respective stage and to be maintained at all times.

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CONDITION		TIMING
<b>MATERIAL CHANGE OF USE - DEVELOPMENT PERMIT</b>		
<b>DEVELOPMENT PLANNING - ALL STAGES</b>		
	<p>2. The screening device is constructed of durable, weather resistant materials; and</p> <p>3. Is integrated with the design of the development and positively contributes to the streetscape.</p> <p>Where an internal road is proposed the transformer is to be located at the end of the roadway internal to the site with provision made for maintenance access through the site.</p> <p>Note: The use of barbed wire or metal prongs is not permitted</p>	
<b>8.</b>	<b>Clothes Drying Facilities</b>	
	Provide external clothes drying facilities that are screened from adjoining properties and the street, or provide an electric clothes dryer within each dwelling.	Prior to the commencement of use for each respective stage and to be maintained at all times.
<b>9.</b>	<b>Privacy Screening</b>	
A	<p>Provide privacy screening or alternate treatments where:</p> <p>1. Habitable room windows or balconies of above ground floor dwellings directly face another habitable room or balconies on the same site or an adjoining site that are within 9m; and/or</p> <p>2. Habitable room windows or balconies that overlook private recreation areas of other dwellings on the same site or an adjoining site.</p>	Prior to the commencement of use for each respective stage and to be maintained at all times.
B	<p>Treatments may consist of one or more of the following:</p> <p>1. Sill heights at a minimum of 1.5 metres above floor level; or</p> <p>2. Fixed, tinted or opaque glazing in at least any part of the fixed window or balcony balustrading between the floor level of the dwelling or balcony and 1.5m for windows and 1.2m for balconies; or</p> <p>3. Sliding external screens (e.g. louvered panels), of durable weather resistant materials and with a maximum of 50% transparency.</p>	Prior to the commencement of use for each respective stage and to be maintained at all times.
<b>10.</b>	<b>Materials and Finishes to Driveway and External Car Parking Spaces</b>	
	<p>Construct the driveway and visitor parking spaces of materials and finishes to soften the visual impact of these areas. In order to achieve the above, one or a combination of the following is to be used:</p> <p>1. coloured aggregate;</p> <p>2. coloured asphalt;</p> <p>3. brick pavers;</p> <p>4. approved porous surfacing; and/or</p> <p>5. banding patterns in the surface design.</p>	Prior to the commencement of use for each respective stage and to be maintained at all times.

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CONDITION		TIMING
<b>MATERIAL CHANGE OF USE - DEVELOPMENT PERMIT</b>		
<b>DEVELOPMENT PLANNING - ALL STAGES</b>		
	Notes: 1. Council may approve other materials and finishes that are compatible with the objectives of this requirement. 2. Driveways and parking areas must not be surfaced with the same material, unless different colours, textures or borders are used to differentiate between them. 3. The use of a plain concrete finish for the driveways and parking areas is not acceptable.	
<b>11.</b>	<b>Street Numbering and Building Names</b>	
	Install dwelling and street numbering and lockable mail boxes conveniently located at the road frontage of the site. Ensure street numbers and any building names are prominently displayed at the road frontage of the site, to enable identification by emergency services.	Prior to the commencement of use for each respective stage and to be maintained at all times.
<b>12.</b>	<b>Mail Boxes</b>	
	(a) Where units have frontage to Amy Street, install individual lockable mail boxes at the road frontage for each Relocatable Dwelling unit.  (b) For units which do not have frontage to Amy Street, install lockable mail boxes conveniently located at the road frontage of the site.	Prior to the commencement of use for each respective stage and to be maintained at all times.
<b>13.</b>	<b>Relocatable Dwelling Numbering</b>	
	Install Relocatable Dwelling numbering prominently located at the entrance to each individual Relocatable Dwelling. Where Relocatable Dwellings have frontage to Amy Street, Relocatable Dwelling numbering should also be viewable from the street.	Prior to the commencement of use for each respective stage and to be maintained at all times.
<b>14.</b>	<b>Identification Display Board</b>	
	Install at each vehicular entry to the site a display board meeting the following criteria: 1. Constructed from permanent and durable material; 2. located in a visually prominent position; 3. lighting to allow for 24 hour viewing; and 4. contains an accurate site plan showing: o The overall layout of the development to scale; o The internal access ways, visitor car parks and residential dwellings; o Any physical constraints that would restrict emergency vehicles; o The names of the access ways (if applicable);	Prior to commencement of use and to be maintained at all times.

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CONDITION		TIMING
<b>MATERIAL CHANGE OF USE - DEVELOPMENT PERMIT</b>		
<b>DEVELOPMENT PLANNING - ALL STAGES</b>		
	<ul style="list-style-type: none"> <li>○ The numbers of each unit if an internal numbering system has been used in the development;</li> <li>○ The location of the manager's dwelling,</li> <li>○ The location and name of facilities;</li> <li>○ The location of fire hydrants and any water storage;</li> <li>○ The position of the site identification diagram in relation to its surroundings with the words "You Are (x) Here" highlighted and related to that position.</li> </ul> <p>Note: Assistance with the content of the diagram may be obtained from the Department of Emergency Services.</p>	
<b>15.</b>	<b>Internal Fire System</b>	
A	External fire hydrant facilities are provided on site to the standard prescribed under the relevant parts of Australian Standard AS2419.1 (2005) - Fire Hydrant Installations.	Prior to the commencement of use for each respective stage and to be maintained at all times.
B	A continuous path of travel having the following characteristics is provided between the vehicle access point to the site and each external fire hydrant and hydrant booster point on the land: <ol style="list-style-type: none"> <li>1. An unobstructed width of no less than 3.5m;</li> <li>2. An unobstructed height of no less than 4.8m;</li> <li>3. Constructed to be readily traversed by a 17 tonne HRV fire brigade pumping appliance;</li> <li>4. An area for a fire brigade pumping appliance to stand within 20m of each fire hydrant and 8m of each hydrant booster point.</li> </ol>	Prior to the commencement of use for each respective stage and to be maintained at all times.
C	On-site fire hydrant facilities are maintained in effective operating order in a manner prescribed in Australian Standard AS1851 (2013) - Routine service of fire protection systems and equipment.	Prior to the commencement of use for each respective stage and to be maintained at all times.
D	For development that contains on-site fire hydrants external to buildings: <ol style="list-style-type: none"> <li>1. Those external hydrants can be seen from the vehicular entry point to the site; or</li> <li>2. A sign identifying the following is provided at the vehicular entry to the site:                             <ul style="list-style-type: none"> <li>○ The overall layout of the development (to scale);</li> <li>○ Internal road names (where used);</li> <li>○ All communal facilities (where provided);</li> <li>○ The reception area and on-site manager's office (where provided);</li> <li>○ External hydrants and hydrant booster points;</li> <li>○ Physical constrains within the internal roadway system which would restrict access by fire fighting appliances to external hydrants and hydrant booster points; and</li> <li>○ Maintained in effective operating order in a manner prescribed in Australian Standard AS1851 (2013) -</li> </ul> </li> </ol>	Prior to the commencement of use for each respective stage and to be maintained at all times.

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CONDITION		TIMING
<b>MATERIAL CHANGE OF USE - DEVELOPMENT PERMIT</b>		
<b>DEVELOPMENT PLANNING - ALL STAGES</b>		
	Routine service of fire protection systems and equipment.	
E	<p>For development that contains on-site fire hydrants external to the building, those hydrants are identified by way of marker posts and raised reflective pavement markers in the manner prescribed in the technical note Fire hydrant indication system produced by the Queensland Department of Transport and Main Roads.</p> <p>Note: This condition (including items A-E) does not apply to buildings that are required by the Building Code of Australia to have a fire hydrant system complying with Australian Standard AS 2419.1 (2005) – Fire Hydrant Installations or other fire fighting facilities which provide equivalent protection.</p>	Prior to the commencement of use for each respective stage and to be maintained at all times.
<b>16.</b>	<b>Pedestrian Lighting</b>	
A	Install lighting in any pedestrian areas that require illumination in accordance with AS 1158.3.1 Pedestrian Area (Category P) Lighting – Performance and installation design requirements or as amended.	Prior to the commencement of use for each respective stage and to be maintained at all times.
B	Provide certification from a suitably qualified person that lighting for pedestrian areas satisfies the intent of AS 1158.3.1 Pedestrian Area (Category P) Lighting – Performance and installation design requirements or as amended.	Prior to the commencement of use for each respective stage and to be maintained at all times.
<b>17.</b>	<b>Waste Management Program Required</b>	
	Manage waste in accordance with SC 6.20 Planning Scheme Policy - Waste.	Prior to the commencement of use for each respective stage and to be maintained at all times.
<b>18.</b>	<b>Amended Landscaping Plans Required</b>	
A	<p>Provide amended landscape plans including the following requirements:</p> <ul style="list-style-type: none"> <li>i. The layout is to accord with the approved site plan;</li> <li>ii. Semi-transparent fencing between the southern boundary of proposed Relocatable Dwellings 27 to 32 (inclusive), the Community facility and the Open Space (Public) to enable passive surveillance of public areas. Fencing is to have a minimum height of 1.2 metres and a maximum height of 1.8 metres and a minimum 50% transparency. In addition, include bollards delineating the private open space from the public open space;</li> <li>iii. Minimum of 1.5m landscaping strip within the site along Amy Street where not conflicting with a driveway crossover or pedestrian access;</li> </ul>	Prior to the commencement of use for each respective stage and to be maintained at all times.

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CONDITION		TIMING
<b>MATERIAL CHANGE OF USE - DEVELOPMENT PERMIT</b>		
<b>DEVELOPMENT PLANNING - ALL STAGES</b>		
	<ul style="list-style-type: none"> <li>iv. Minimum of 2.0m landscaping strip within the site along Serenity Way.</li> <li>v. Details of proposed fencing to Serenity Way adjacent to dwellings 6-32. The fence is to be recessed behind the 2.0m landscape buffer. Fencing should be a maximum of 1.8m high and be constructed of capped and stained timber paling.</li> <li>vi. Details of any proposed fencing to Amy Street adjacent to dwellings 1-6. Fencing is to be high quality, a maximum of 1.8m in height and at least 85% transparent.</li> </ul>	
B	Obtain approval from Council for the amended Landscape Plans in accordance with (A) above.	Prior to approval of any Operational Works or Building Works application.
C	Provide certification, from a suitably qualified person, that landscaping has been implemented in accordance with (A) above.	Prior to the commencement of use for each respective stage and to be maintained at all times.
D	Maintain the landscaping.	Prior to the commencement of use for each respective stage and to be maintained at all times.
<b>19.</b>	<b>Vehicle Encroachment</b>	
	Protect all landscaped areas and pedestrian paths adjoining any car parking areas from vehicular encroachment by wheel stops, kerbing or similar barrier approved by the Council.	Prior to the commencement of use for each respective stage and to be maintained at all times.
<b>20.</b>	<b>On Site Services</b>	
	Ensure garbage bin areas, rainwater tanks, hot water tanks, gas bottles and air conditioners are: <ul style="list-style-type: none"> <li>1. Located in the rear setback; or</li> <li>2. located in the side setbacks and include screening (e.g. fencing or landscaping) from view of any road frontage; or</li> <li>3. entirely underground where located in the front setback.</li> </ul> Note: Rainwater tanks are not permitted within easements.	Prior to the commencement of use for each respective stage and to be maintained at all times.
<b>21.</b>	<b>Street Trees</b>	
	Provide street trees within Amy Street and Serenity Way adjacent to the site frontages in accordance with Planning scheme policy - Integrated design Appendix D - Landscaping.	Prior to the commencement of use for each respective stage and to be maintained at all times.
<b>22.</b>	<b>Water and/or Sewerage</b>	
	Submit to Council a Certificate of Completion or Provisional Certificate of Completion (for each stage where there are stages) for	Prior to the commencement of use for each respective

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CONDITION		TIMING
<b>MATERIAL CHANGE OF USE - DEVELOPMENT PERMIT</b>		
<b>DEVELOPMENT PLANNING - ALL STAGES</b>		
	the development from the Northern SEQ Distributor–Retailer Authority (Unitywater) confirming: <ol style="list-style-type: none"> <li>1. a reticulated water supply network connection is available to the land; and</li> <li>2. a sewerage network connection is available to the land; and</li> <li>3. all the requirements of Unitywater have been satisfied.</li> </ol>	stage and to be maintained at all times.
<b>23.</b>	<b>Fibre Ready Telecommunications – Multi</b>	
A	Provide Fibre-Ready telecommunications infrastructure (Internal and External conduit paths) in accordance with NBN Co Guideline MDU Building Design Guide as amended, that: <ol style="list-style-type: none"> <li>1. Includes a suitable building entrance facility (lead-in) from the property boundary to the building entrance; and</li> <li>2. Has suitable space and access for the installation, maintenance and repair of all elements up to and including the Network Termination Device (NTD) and Power Supply Unit (PSU) or the likely location of a NTD and PSU for each &lt;dwelling unit / tenancy&gt;; and</li> <li>3. A conduit with draw string, from either the telecommunication room or riser/closet location to each NTD or the likely location of each NTD.</li> </ol>	Prior to the commencement of use for each respective stage and to be maintained at all times.
B	Provide certification to Council from the Installer or an RPEQ engineer (electrical engineer) that the works and infrastructure required in (A) above has been done.  Note: The location or the likely location of the NTD is determined by the owner in consultation with the electrician/electrical engineer. NBN Co have guidelines available to help determine the best location. A template for certification is available from Council for the purpose of this condition.	Prior to the commencement of use for each respective stage and to be maintained at all times.
<b>24.</b>	<b>Telecommunications Internal Wiring</b>	
A	Install internal wiring (Category 6 or better) within each dwelling from the expected location of any future Network Termination Device (NTD) for High Speed Broadband (based on the recommended locational criteria in the NBN Co Guideline (MDU Building Design Guide OR New Developments or NBN Co. Preparation and Installation Guide for SDUs and MDUs) to the same connection points in the dwelling that would have been or have been installed for telephone and television connections; including but not limited to bedrooms, family/living rooms, and study/office.	Prior to the commencement of use for each respective stage and to be maintained at all times.
B	Provide certification from the installer or an RPEQ engineer (electrical engineering) that the wiring required in (A) above has been done.  Note: A template for certification is available from Council for the purpose of this condition. Installers are recommended to be a registered cabler.	Prior to the commencement of use for each respective stage and to be maintained at all times.



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CONDITION		TIMING
<b>MATERIAL CHANGE OF USE - DEVELOPMENT PERMIT</b>		
<b>DEVELOPMENT PLANNING - ALL STAGES</b>		
<b>25.</b>	<b>Electricity</b>	
	<ol style="list-style-type: none"> <li>1. Provide underground electricity to each Dwelling unit;</li> <li>2. Underground existing above ground electricity adjacent to the frontages of the site; and</li> <li>3. Provide evidence (e.g. Certificate for Electricity Supply to Subdividers with Agreement Number or Certificate of Supply) demonstrating that an underground electricity supply network has been provided.</li> </ol>	Prior to the commencement of use for each respective stage and to be maintained at all times.
<b>26.</b>	<b>Reticulated Gas</b>	
	Provide, if available within 200 metres of the subject site, evidence demonstrating that: <ol style="list-style-type: none"> <li>1. A reticulated gas connection is unavailable to the site; or</li> <li>2. a reticulated gas connection has been provided to each Relocatable dwelling.</li> </ol>	Prior to the commencement of use for each respective stage and to be maintained at all times.
<b>27.</b>	<b>Trunk Infrastructure – Land (Lot 2 SP224736 – 46 Amy Street)</b>	
A	Transfer to Council trunk infrastructure land shown as “Open Space (Public)” on the plans to be approved having a minimum area of 3.622ha, to Council in Fee simple on Trust, at no cost to the Council, for the purposes of Trunk Stormwater Corridor.  This condition has been imposed under Section 128 of the <i>Planning Act 2016</i> .	Prior to the commencement of use of Stage 1B.
B	At the time of transferring the land to Council , provide certification from a suitably qualified person that the land is free from declared weed species and any waste/debris and is in accordance with the approved Ecological Restoration Plan.	Prior to the commencement of use of Stage 1B
<b>28.</b>	<b>Trunk Infrastructure – Land (Lot 22 SP 220446 - 70 Amy Street)</b>	
A	Transfer land mapped as below the 1% AEP (1 in 100 year flood) to Council in Fee Simple on Trust for Stormwater purposes having a minimum area of 41,278.50m <sup>2</sup> .  This condition has been imposed under Section 128 of the <i>Planning Act 2016</i> .	Prior to the commencement of use of Stage 1B.
B	At the time of transferring the land to Council, provide certification from a suitably qualified person that the land is free from declared weed species and any waste/debris and is in accordance with the approved Ecological Restoration Plan.	Prior to the commencement of use of Stage 1B.
<b>29.</b>	<b>Road Dedication - Walkers Road (Lot 22 SP 220446 - 70 Amy Street)</b>	
A	Dedicate land for the purposes of road reserve having a minimum area of 1,200.00m <sup>2</sup> .	Prior to the commencement of use of Stage 1A.

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	CONDITION	TIMING
<b>MATERIAL CHANGE OF USE - DEVELOPMENT PERMIT</b>		
<b>DEVELOPMENT PLANNING - ALL STAGES</b>		
	This condition has been imposed under Section 128 of the <i>Planning Act 2016</i> .	
<b>30.</b>	<b>Vegetation Management Plan</b>	
A	<p>Submit to and obtain approval from Council for a Vegetation Management Plan prepared in accordance with Council's Planning Scheme Policy - Environmental Areas and Corridors, section 6.8 and by a suitably qualified person.</p> <p>The plan must be prepared in accordance with AS4970-2009 - Protection of Trees on Development Sites and include scaled plans and supporting documentation that provides for, but is not limited to, the following:</p> <ul style="list-style-type: none"> <li>- Identification of all vegetation and tree protection zones within and adjacent to the development site that may be impacted by the development and justification for treatment intent (remove-<del>x</del> retain -<input checked="" type="checkbox"/> prune -p)</li> </ul>	Prior to any site works occurring.
B	Carry out works in accordance with the approved Vegetation Management Plan.	At all times.
<b>31.</b>	<b>Extent of Vegetation Clearing</b>	
A	<p>Undertake vegetation clearing only within the development footprint of approved buildings and structures and their associated parking and access areas as identified on the approved plan(s) of development. No additional clearing of native vegetation is permitted beyond the development footprint.</p> <p><i>Note: the location and construction of the proposed pedestrian pathway which will link the development areas in the north to the Community facility, is to avoid native vegetation clearing.</i></p>	At all times.
B	Clearing of native vegetation must not occur within koala habitat areas or impact on the tree protection zone of vegetation within adjoining premises.	At all times.
<b>32.</b>	<b>Disposal of Cleared Vegetation</b>	
	Chip, shred or tub grind cleared native vegetation and spread as mulch outside of any areas identified to be maintained as low fuel loads in an approved Bushfire Management Plan or dispose of at an authorised waste facility.	At all times.

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CONDITION		TIMING
<b>MATERIAL CHANGE OF USE - DEVELOPMENT PERMIT</b>		
<b>DEVELOPMENT PLANNING - ALL STAGES</b>		
	Any hollows observed in cleared vegetation must be salvaged and installed as nest boxes in trees within the property or other location agreed with Council.	
<b>33.</b>	<b>Temporary Exclusion Fencing</b>	
	Delineate areas where vegetation is proposed to be retained with exclusion fencing to prevent accidental damage. Delineation and fencing is to be undertaken in accordance with Australian Standard 4970-2009 Protection of Trees on Development Sites.	While site works are occurring.
<b>34.</b>	<b>Ecological Restoration Plan Required</b>	
	Submit to Council for approval an Ecological Restoration Plan for the proposed balance Lot and Riparian Corridors as identified in the Approved Revised Conceptual Rehabilitation Plan (Attachment 4 of Environmental matter Information Response, prepared by 28 South Environmental, dated 16 <sup>th</sup> December 2020). The plan must be prepared by a suitably qualified person and in accordance with Planning Scheme Policy - Environmental Areas and Corridors.	Prior to approval of any Operational Works or Building Works application.
	Implement the requirements of the approved plan.	Prior to the commencement of use of Stage 1B.
<b>35.</b>	<b>Management of Wildlife - Standard</b>	
A	Carry out approved vegetation clearing under the supervision of a Fauna Spotter Catcher holding a valid Rehabilitation Permit from the relevant State Government Agency.	During vegetation clearing.
B	The fauna spotter, who must hold a current licence and rehabilitation permit to undertake following operations, does the following: <ol style="list-style-type: none"> <li>1 undertakes a wildlife load reduction measures through the pre-clearing trapping and relocation of wildlife 1-3 days prior to the approved clearing being conducted;</li> <li>2 at sites that support potential koala habitat (fodder/habitat trees) conducts a site inspection the night before and the morning that the clearing will commence to identify fauna species and fauna habitat, using binoculars or a spotting scope when observing trees larger than 4.0 metres tall;</li> <li>3 clearly marks (flag) vegetation found to contain fauna or fauna habitat (such as tree hollows, arboreal termite mounds, stick nests or possum drays with flagging tape), and visually and verbally communicate this information to the tree feller to ensure flagged trees are not felled until authorised by the fauna manager; and</li> </ol>	As indicated before and during vegetation clearing.

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CONDITION		TIMING
<b>MATERIAL CHANGE OF USE - DEVELOPMENT PERMIT</b>		
<b>DEVELOPMENT PLANNING - ALL STAGES</b>		
	4 works in conjunction with a professional tree feller in the removal of any vegetation identified for removal.	
C	Vegetation and rubble piles are not left to serve as a refuge for displaced or roaming wildlife through the implementation of the following measures: 1 immediately (within 12 hours) remove or destroy such materials; or old (>12 hours) piles of felled vegetation are treated as potential wildlife habitat and inspected by a fauna spotter catcher prior to removal or destruction.	As indicated.
D	The type of equipment used is matched to the specific clearing task to minimise the risk of death or injury to fauna. The use of bulldozers must be limited to low or regrowth vegetation that has been thoroughly inspected by a fauna spotter and is found to contain no fauna or potential habitat. Bulldozers are not to be used on any tree that may contain fauna or potential fauna habitat.	During vegetation clearing.
E	Preserve valuable habitat features such as large fallen logs, log piles, rock piles or outcrops wherever practicable through the translocation and re-establishment in coordination with the wildlife spotter. The replacement of natural tree hollows occurs through the replacement with artificial hollows at a rate of a species dependent, per ha rate to be determined based upon the size of the retention area. Replacements should be erected prior to the commencement of clearing works and placed within suitable habitat. If additional tree hollows are discovered and removed during clearing works replacements should be erected within 24 hours of hollow loss.	As indicated.
<b>36.</b>	<b>No Net Loss of Fauna Habitat</b>	
	Development must not result in the net loss of fauna habitat. Where development results in the loss of a Habitat Tree (trees greater than 80cm in diameter at 1.3m above ground height), development must provide replacement fauna nesting boxes at the following rate: - One (1) nest box for every hollow removed, with a minimum of three (3) nest boxes for each habitat tree removed; or - Where hollows have not yet formed, three (3) nest boxes for every habitat tree removed.	Prior to commencement of use.
<b>37.</b>	<b>Nest Box Management Plan</b>	
A	Where development does result in the loss of a Habitat Tree, submit and obtain approval from Council for a nest box management plan with details of the proposed construction, installation methods and GPS location for each nest box for Council's records. The plan must	Prior to any vegetation clearing.

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CONDITION	TIMING
<b>MATERIAL CHANGE OF USE - DEVELOPMENT PERMIT</b>	
<b>DEVELOPMENT PLANNING - ALL STAGES</b>	
<p>be prepared in accordance with Council's Planning scheme policy - Environmental areas and corridors and by a suitably qualified person and include details of proposed maintenance and protocols for replacing fallen or broken nest boxes. Include any additional information that may be relevant such as:</p> <ul style="list-style-type: none"> <li>- Exact number of habitat trees and number of hollows to be impacted,</li> <li>- Assessment of replacement hollows required as per 'No Net Loss of Fauna Habitat' condition requirements,</li> <li>- Assessment of target species,</li> <li>- Requirements for the target species,</li> <li>- Nest box types - design and sizes,</li> <li>- Installation technique,</li> <li>- Proposed location of installed nest box including GPS location and owner's consent,</li> <li>- Installation timeframes which provide for installation prior to the commencement of clearing wherever possible, otherwise within 7 days of clearing; and</li> <li>- Monitoring and maintenance regime details, including protocols for replacing fallen or broken next boxes.</li> </ul> <p>Nest boxes must be maintained for a minimum of 12 months post installation.</p>	
<p>B If nest box installation is proposed within a Council park, provide written confirmation from Council's Coordinator Parks and Recreation Planning that Council agrees to the installation of the nest boxes within Council park.</p> <p><i>Note: The agreement may require the payment of a maintenance bond refundable after the satisfactory completion of the 12 months maintenance period.</i></p>	<p>Prior to any vegetation clearing.</p>
<p>C Provide a copy of written permission to enter from Council's Operations Technical Services team.</p>	<p>Prior to any vegetation clearing.</p>
<p><b>38. Amended Bushfire Management Plan Required - Community Facility</b></p>	
<p>A Submit an amended Bushfire Management Plan to determine the location of a building envelope for the proposed Community facility. The amended Bushfire Management Plan is to be prepared by a suitably qualified person in accordance with applicable legislation and have regard to approved revegetation and conservation areas. Management measures are to be identified on the Bushfire Management Plan to reduce the level of fire hazard for a vulnerable use. These methods must include but are not limited to firebreaks and fuel reduction zones as per the recommendations under section 9.4 of the technical reference guide for the SPP - <i>Bushfire Resilient Communities</i> (2019),</p>	<p>Prior to approval of any Building Works or Operational Works application.</p>

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CONDITION		TIMING
<b>MATERIAL CHANGE OF USE - DEVELOPMENT PERMIT</b>		
<b>DEVELOPMENT PLANNING - ALL STAGES</b>		
B	Obtain approval from Council for the amended Bushfire Management Plan in accordance with (A) above.	Prior to approval of any Building Works or Operational Works application.
C	Implement the requirements and recommendations of the approved Bushfire Management Plan.	At all times.
<b>DEVELOPMENT ENGINEERING</b>		
<b>39.</b>	<b>Amended Plan - Stormwater Management</b>	
	<p>Submit and have approved by Council, an amended Stormwater Management Plan (SMP) prepared and certified by a suitably qualified Registered Professional Engineer Queensland (RPEQ). The SMP is to demonstrate that stormwater can be managed on/from the subject land in accordance with the MBRC Planning Scheme. The following specific amendments are to be included:</p> <ul style="list-style-type: none"> <li>a) Provide a MUSIC catchment plan;</li> <li>b) Include the entire area of the proposed community facility in the MUSIC model and attach the latest development layout plan in the SMP. (The community facility has an area of 2,730m<sup>2</sup> as indicated on the Site Plan; however, only an area of 500m<sup>2</sup> was adopted in the model);</li> <li>c) Confirm the number of SPEL Stormsacks for the residential site and amend the SMP (report, drawings, model) accordingly. Table 4 of the report indicates 7 SPEL Stormsacks while the drawings and the MUSIC model indicates 10; and</li> <li>d) Indicate clearly the type SPEL filter cartridges (EMC 45) on the stormwater layout plan.</li> </ul>	Prior to obtaining Building Works approval.
<b>40.</b>	<b>Replace Existing Council Infrastructure</b>	
	Replace existing Council infrastructure (including but not limited to street trees and footpaths) that is damaged as part of works carried out in association with the development to Council's standards.	Prior to commencement of use for each stage.
<b>41.</b>	<b>Alterations and Relocation of Existing Services</b>	
	Ensure any alteration or relocation in connection with or arising from the development to any service, installation, plant, equipment or other item belonging to or under the control of an entity engaged in the provision of public utility services is to be carried out with the development and at no cost to Council unless agreed to in writing by the Council.	Prior to commencement of use for each stage.

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<b>CONDITION</b>		<b>TIMING</b>
<b>MATERIAL CHANGE OF USE - DEVELOPMENT PERMIT</b>		
<b>DEVELOPMENT PLANNING - ALL STAGES</b>		
<b>42.</b>	<b>Stormwater</b>	
	Carry out the development to ensure that adjoining properties, reserves and roads are protected from ponding or nuisance from stormwater as a result of any works undertaken.	To be maintained at all times for each stage.
<b>43.</b>	<b>Stormwater Management</b>	
A	Implement and maintain the works identified in the approved Stormwater Management Plan.	Prior to commencement of use for each stage and then to be maintained at all times.
B	Submit certification from a suitably qualified Registered Professional Engineer Queensland (RPEQ) that the works have been built in accordance with the approved Stormwater Management Plan.	Prior to commencement of use for each stage.
<b>44.</b>	<b>Council Road – Amy Street</b>	
A	<p>Submit and have approved by Council, a development application for operational works for the following:</p> <p>1. All frontage roads and associated works. The frontage works are as follows:</p> <ul style="list-style-type: none"> <li>• Amy Street – Modified Living Residential                             <ol style="list-style-type: none"> <li>1. Kerb and channel (development side);</li> <li>2. Road widening - minimum 5.0m wide pavement from the road centreline to the new kerb. This is to contain a 3.0m wide travel lane and a 2.0m wide parking lane; and</li> <li>3. 5.0m wide verge containing a 2.5m wide concrete pathway, 1.5m wide front verge and 1.0m rear verge.</li> </ol> </li> </ul> <p>Design drawings are to be prepared and certified by a suitably qualified Registered Professional Engineer Queensland (RPEQ) and in accordance with the approved plans and documents of development and the MBRC Planning Scheme current at the time of the operational works application.</p>	Prior to commencement of works associated with this condition for Stage 1A.
B	<p>Construct, at no cost to Council and in accordance with the approved plans and documents the approved frontage works to Amy Street.</p> <p>This condition has been imposed under section 145 of the <i>Planning Act 2016</i>.</p>	Prior to commencement of use of Stage 1A.
<b>45.</b>	<b>Pathway – Amy Street</b>	
A	<p>Construct, at no cost to Council, a 2.5 metre wide reinforced concrete pathway along the full development frontage on Amy Street.</p> <p>This condition has been imposed under section 145 of the <i>Planning Act 2016</i>.</p>	Prior to commencement of use of Stage 1A.

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CONDITION		TIMING
<b>MATERIAL CHANGE OF USE - DEVELOPMENT PERMIT</b>		
<b>DEVELOPMENT PLANNING - ALL STAGES</b>		
<b>46.</b>	<b>Construction Management Plan</b>	
A	<p>Submit and have approved by Council, a Construction Management Plan (CMP) prepared by the Principal Contractor. The CMP is to outline, in sufficient detail, the processes that will be employed to minimise impacts on the surrounding community during construction. These processes are to cover the following:</p> <ol style="list-style-type: none"> <li>1. Material delivery and storage locations;</li> <li>2. Waste locations and collection details;</li> <li>3. Construction office accommodation;</li> <li>4. Contractor / tradesman vehicle parking arrangements;</li> <li>5. Works that may make audible noise outside of 6:30am to 6:30pm any business day or Saturday.</li> </ol> <p>The CMP may include a site layout drawing identifying these areas.</p> <p>The CMP needs to reflect any staging requirements.</p> <p>Notes:</p> <ol style="list-style-type: none"> <li>1. Council will generally only approve early starts for large concrete pours during summer (e.g. monolithic concrete pours for basements and suspended floor slabs);</li> <li>2. Dewatering directly into Council's stormwater system (pipes or overland flow) without appropriate water quality treatment/improvement is not acceptable;</li> <li>3. Traffic control measures may need to be put in place for the duration of the construction works to control contractor / tradesman vehicle parking arrangements, this should be documented within the CMP;</li> <li>4. Materials unloading and loading must occur on-site unless prior written approval is given by Council;</li> <li>5. All construction office accommodation and associated temporary buildings is to be contained within the site or on a nearby site.</li> </ol>	<p>Not less than two (2) weeks prior to commencement of works for each stage. To be maintained current at all times.</p>
B	<p>Implement the approved Construction Management Plan (CMP) and keep a copy of the approved CMP on site at all times during construction.</p>	<p>At all times during construction of the development for each stage.</p>
<b>47.</b>	<b>Erosion and Sediment Control</b>	
	<p>Implement an Erosion and Sediment Control Plan prepared by an experienced Certified Professional in Erosion and Sediment Control (CPESC) in accordance with the International Erosion Control Association Australasia (IECA) Best Practice and Sediment Control document.</p>	<p>Prior to commencement of works for each stage and to be maintained current at all times during construction.</p>



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CONDITION		TIMING
<b>MATERIAL CHANGE OF USE - DEVELOPMENT PERMIT</b>		
<b>DEVELOPMENT PLANNING - ALL STAGES</b>		
<b>48.</b>	<b>Earth Retaining Structures</b>	
A	Design all earth retaining structures within private land in accordance with Australian Standards, Building Code requirements and MBRC Planning scheme current at the time of the building works application and the following: <ol style="list-style-type: none"> <li>1. The minimum design life (the period assumed in design for which a structure or structural element is required to perform its intended purpose without replacement or major structural repairs) for the earth retaining structure that is specified in Table 3.1 of Australian Standard AS4678;</li> <li>2. Earth retaining structures within the land and around areas of cut on or near the boundaries of the site must be designed to allow for live and dead loads associated with the land/premise's current occupancy use.</li> </ol>	Prior to commencement of works associated with this condition for each stage.
B	Construct all earth retaining structures within private land in accordance with Australian Standards, Building Code requirements and approved plans and documents of development.	Prior to commencement of use for each stage.
C	Provide written certification from a suitably qualified Registered Professional Engineer Queensland (RPEQ) that the design, construction and materials comply with this condition.	Prior to commencement of use for each stage.
<b>49.</b>	<b>Driveway Crossover</b>	
A	Construct a driveway crossover to proposed development in accordance with the approved plans and documents of development and MBRC Standard Drawing RS-051.	Prior to commencement of use for the first stage.
B	Provide certification from a suitably qualified Registered Professional Engineer Queensland (RPEQ) that all works have been designed and constructed in accordance with this permit condition.	Prior to commencement of use for the first stage.
<b>50.</b>	<b>Access, Internal Roadways, Parking and Servicing Areas</b>	
A	Design and construct sealed (concrete or bitumen) accesses, internal roadways, parking and servicing areas (and associated works), in accordance with the approved plans and documents of development, the Department of Transport and Main Roads Manual of Uniform Traffic Control Devices (MUTCD), Australian Standards and the MBRC Planning Scheme current at the time of the building works application.  Temporary turning space must be provisioned for the design vehicle at the end of the roadway for Stages 1B/1C.	Prior to commencement of use for each stage and to be maintained at all times.
B	Provide certification from a suitably qualified Registered Professional Engineer Queensland (RPEQ) that all works have been designed and constructed in accordance with this permit condition.	Prior to commencement of use for each stage.

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CONDITION		TIMING
<b>MATERIAL CHANGE OF USE - DEVELOPMENT PERMIT</b>		
<b>DEVELOPMENT PLANNING - ALL STAGES</b>		
<b>51.</b>	<b>Minimum Flood Planning Level</b>	
	Design and construct the habitable floor level to at least the Council adopted Flood Planning Level (FPL). The FPL for this site at the time of approval is 9.95m AHD.	Prior to commencement of use for each stage.
<b>52.</b>	<b>Extinguish Access Restriction Strip</b>	
	Dedicate as road reserve the existing Access Restriction Strip (Lot 37 on SP150798) that extends along the Amy Street frontage free of any costs and compensation to Council.	Prior to commencement of use of Stage 1A.
<b>53.</b>	<b>Building Below the Flood Planning Level (Elevated Boardwalk)</b>	
	Construct building works (elevated boardwalk/pedestrian crossing) below the Council adopted Flood Planning Level (FPL) from materials with a high water resistance and ensure that essential electrical services are located above the FPL. The FPL for this site at the time of approval is 9.95m AHD.  Notes: 1. The Queensland Government Fact Sheet 'Rebuilding after a flood' provides information about water resilient products and building techniques. Available at <a href="http://www.hpw.qld.gov.au">www.hpw.qld.gov.au</a> . 2. An essential electrical service includes services defined as utilities in Mandatory Part 3.5 – Construction of buildings in flood hazard areas of the Queensland Development Code	Prior to commencement of use for Stage 1B.
<b>54.</b>	<b>Structural Engineering Design Report</b>	
A	Prepare a Structural Engineering Design Report for the elevated boardwalk. This report is to be prepared by a suitably qualified Registered Professional Engineer Queensland (RPEQ) and in accordance with the MBRC Planning Scheme.	Prior to building works approval for Stage 1B.
B	Provide RPEQ certification to the Building Certifier that the works have been designed in accordance with the recommendations of Structural Engineering Design Report.	Prior to building works approval for Stage 1B.
C	Construct the works in accordance with the RPEQ certified design and the recommendations of the Structural Engineering Design Report.	Prior to commencement of use for Stage 1B.
<b>55.</b>	<b>Council Road – Serenity Way</b>	
A	Submit and have approved by Council, a development application for operational works for the following:  1. All frontage roads and associated works. The frontage works are as follows:  1. Serenity Way – Modified Access Residential a) Kerb and channel (development side);	Prior to commencement of works associated with this condition for Stage 1C.

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CONDITION		TIMING
<b>MATERIAL CHANGE OF USE - DEVELOPMENT PERMIT</b>		
<b>DEVELOPMENT PLANNING - ALL STAGES</b>		
	<p>b) Road widening - minimum 4.0m wide pavement from the road centreline to the new kerb; and</p> <p>c) 5.0m wide verge containing a 2.5m wide concrete pathway, 1.5m wide front verge and 1.0m rear verge.</p> <p>Design drawings are to be prepared and certified by a suitably qualified Registered Professional Engineer Queensland (RPEQ) and in accordance with the approved plans and documents of development and the MBRC Planning Scheme current at the time of the operational works application.</p>	
B	<p>Construct, at no cost to Council and in accordance with the approved plans and documents Serenity Way frontage works.</p> <p>This condition has been imposed under section 145 of the <i>Planning Act 2016</i>.</p>	Prior to commencement of use for Stage 1C.
<b>56.</b>	<b>Pathway – Serenity Way</b>	
A	<p>Construct, at no cost to Council, a 2.5 metre wide reinforced concrete pathway along the full development frontage on Serenity Way.</p> <p>This condition has been imposed under section 145 of the <i>Planning Act 2016</i>.</p>	Prior to commencement of use for Stage 1C.
<b>57.</b>	<b>Driveway Crossover – Lot 6</b>	
A	<p>Construct a driveway crossover to proposed Lot 6 in accordance with the approved plans and documents of development and MBRC Standard Drawing RS-049 and RS-050, particularly outside the 6.0m setback from the kerb tangent of Amy Street/Serenity Way intersection.</p> <p>OR</p> <p>Construct a shared driveway crossover to proposed Lots 5 and 6 in accordance with the approved plans and documents of development and MBRC Standard Drawing RS-049 and RS-050, particularly outside the 6.0m setback from the kerb tangent of Amy Street/Serenity Way intersection.</p>	Prior to commencement of use for Stage 1C.
B	<p>Provide certification from a suitably qualified Registered Professional Engineer Queensland (RPEQ) that all works have been designed and constructed in accordance with this permit condition.</p>	Prior to commencement of use for Stage 1C.

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<b>ADVICES</b>	
<b>1.</b>	<b>Aboriginal Cultural Heritage Act 2003</b>
	<p>The <i>Aboriginal Cultural Heritage Act 2003</i> commenced in Queensland on April 16, 2004. The Act provides blanket protection of Aboriginal cultural heritage sites and places, including significant areas and objects, as well as archaeological remains. The Act also recognises that Aboriginal cultural heritage parties are key stakeholders in the assessment and management of Aboriginal cultural heritage.</p> <p>Under the Act, if a proposed activity involves disturbance of the ground surface, cultural heritage Duty of Care must be considered. This involves consideration of whether an activity is <i>likely</i> to harm Aboriginal cultural heritage. This may require involvement from the relevant Aboriginal cultural heritage party.</p> <p>Cultural heritage Duty of Care compliance ultimately lies with the person or entity conducting the activity, and penalty provisions apply for failing to fulfil this Duty of Care.</p> <p>Council strongly advises that before undertaking the land use activity, you refer to the <a href="#">cultural heritage duty of care - Department of Aboriginal and Torres Strait Islander Partnerships (Queensland Government)</a> for further information regarding the responsibilities of the developer.</p>
<b>2.</b>	<b>Adopted Charges</b>
	<p>Payment of an Adopted Infrastructure Charge in accordance with Council's Infrastructure Charges Resolution (No. 8) dated 14 August 2018 or as amended apply to this development approval.</p> <p>From 1 July 2014, Moreton Bay Regional Council no longer issues an Infrastructure Charges Notice on behalf of Unitywater for water supply and sewerage networks and therefore a separate Infrastructure Charges Notice may be issued directly to the applicant by Unitywater in respect to this development approval.</p> <p>Payment of Infrastructure Charges is to be in accordance with the Infrastructure Charges Notice issued with this development approval and any Infrastructure Charges Notice issued by Unitywater. From 1 July 2014, all Infrastructure Charges for infrastructure networks controlled by Unitywater (eg. water and/or sewerage) regardless of when the Infrastructure Charges Notice was issued are to be paid directly to Unitywater while Infrastructure Charges for networks controlled by Moreton Bay Regional Council will continue to be paid directly to Moreton Bay Regional Council.</p>
<b>3.</b>	<b>Environmental Protection Act</b>
	It remains the duty of care of the person undertaking an activity not to cause Environmental Harm as defined under the <i>Environmental Protection Act 1994</i> .
<b>4.</b>	<b>Nature Conservation (Koala) Conservation Plan</b>
	<p>The premise is located in Koala District <b>A</b>.</p> <p><i>The Nature Conservation (Koala) Conservation Plan 2017</i> requires that the clearing of koala habitat trees in District A must be carried out as outlined in Part 3 of the plan including:</p> <ol style="list-style-type: none"> <li>1 Compliance with the sequential clearing conditions outlined in Section 10 of the plan;</li> <li>2 If in a Koala Habitat Area - Koala spotter needed for clearing, in a koala habitat area, koala habitat trees having a trunk of a diameter of more than 10cm at 1.3m above the ground.</li> </ol>

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<b>5.</b>	<b>Nature Conservation (Wildlife Management) Regulation</b>
	In Queensland, the Nature Conservation (Wildlife Management) Regulation 2006 legislates that it is an offence to tamper with an animal breeding place that is being used by a protected animal to incubate or rear the animal's offspring. For any proposed activity that will impact on breeding places of protected animals that are classified as extinct, in the wild, endangered, vulnerable, near threatened (EVNT), special least concern, colonial breeder or least concern, a <a href="#">Species Management Plan</a> (or Damage Mitigation Permit if the person removing or tampering holds a DMP for the relevant species) for that species will be required. Animal breeding places include obvious structures such as bird nests and tree hollows, as well as more cryptic places such as amphibian or reptile habitat where breeding takes place.
<b>6.</b>	<b>Waterway barrier</b>
	The proposed pedestrian pathway which will link the development areas in the north to the Community facility must comply with the relevant provisions under the Fisheries Act for Waterway Barrier Works at the operational works stage.

- 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 following information be included in the Decision Notice.

**Decision Notice information**

	<b>Details to Insert</b>
<b>Application Type</b>	Material Change of Use Development Permit for Relocatable Home Park (32 Units)
<b>Relevant Period of Approval</b>	Material Change of Use – 6 years
<b>Section 64(5) Deemed Approval</b>	Not applicable
<b>Superseded Planning Scheme</b>	Not applicable
<b>Variation approval affecting the Planning Scheme</b>	Not applicable
<b>Other Necessary Permits</b>	<ul style="list-style-type: none"> <li>• Operational Works – Development Permit</li> <li>• Building Works – Development Permit</li> </ul>
<b>Codes for Accepted Development</b>	Not applicable
<b>Referral Agencies</b>	There are no Referral Agencies
<b>Submissions</b>	There were two (2) properly made submissions about this application.

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## REPORT DETAIL

### 1. Background

*70 Amy Street, Morayfield (Lot 22 SP220446)*

On 12 December 2016, Council's Delegate approved a Reconfiguring a Lot - Development Permit for Subdivision (1 into 6 Lots) (Negotiated Decision - DA/32403/2016/V3RM). This approved a 1 into 6. subdivision locating five (5) proposed general residential lots adjacent to Everglades Drive, on the western boundary of the Lot. Further, it contained a park and a balance lot (Lot 800).

On 26 May 2017, Council's Delegate approved Material Change of Use - Development Permit for Relocatable Home Park (134 Relocatable Dwellings and a Manager's Residence) (Negotiated Decision - DA/32510/2016/V2L). This approved a Relocatable Home Park on Lot 800. A further four (4) minor changes have been approved for this development approval. It should be noted, the applicant is currently seeking a Change Other over this Lot which, includes increasing the number of Relocatable Dwellings from one-hundred-and-thirty-four (134) to one-hundred-and-forty-three (143). The additional nine (9) Dwellings are to be located over the five (5) remaining lots approved as part of DA/32403/2016/V3RM.

*46-54 Amy Street, Morayfield (Lot 2 SP224736)*

On 16 July 2018, Council's Delegate provided pre-lodgement advice on a proposed Reconfiguring a Lot – Development Permit for Subdivision (1 into 37 lots) (PRE/4617). The proposal required changes to enable Council support.

On 17 October 2018, Council's Delegate provided pre-lodgement advice on a proposed Reconfiguring a Lot – Development Permit for Subdivision (1 into 24 lots) (PRE/4790). The proposal required changes to enable Council support.

On 26 August 2020, Council's Delegate provided pre-lodgement advice on a proposed Material Change of Use for Relocatable Home Park (43 dwelling units). The current application is generally consistent with the proposal in the pre-lodgement.

### 2. Explanation of Item

The proposal is for Relocatable home park within the General Residential Zone - Next Generation Neighbourhood. This includes thirty-two (32) single storey villas to be located within the northern part of Lot 2 (the Lot) and, a community facility to be located towards the middle of the western side boundary. The southern part of the Lot is subject to flooding and is to be transferred to Council as Trunk land for stormwater corridor.

A Material Change of Use for a Relocatable Home Park is assessable development - Code Assessment where:

- it meets the example that achieves aspects of the performance outcome for building heights; and
- on a lot of 3,000m<sup>2</sup> or less.

The proposed development is on a lot of more than 3,000m<sup>2</sup> and as a consequence, is Impact assessable.

With regards to the above, the proposed development achieves the aspects of the performance outcomes for density and building height and is consistent with the character of a low-rise Multiple Dwelling development. Additionally, the proposed community facility will be centrally located and not visible from the street frontage.

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2.1 Description of the Site and Surrounds

The site is located within the General Residential Zone – Next Generation Neighbourhood to the north and the Limited Development Zone to the south. The northern part of the site is mostly disturbed and obtains access from Amy Street whilst, the southern part of the site is flood prone and contains significant native vegetation. Notably, the development is located on the northern part of the site, within the General Residential Zone.

The site is located directly south of an existing one-hundred-and-fifty (150) beds Residential Care Facility at 49 Amy Street and south-east of an approved one-hundred-and-fifty-four (154) Multiple Dwelling development at 102 Caboolture River Road (obtaining access of Amy Street). The land to the east consists of single residential dwellings within the General Residential Zone – Next Generation Neighbourhood, located along Serenity Way.

In addition to the above, the proposed and existing development obtains access to a higher order road, Caboolture River Road, either through Amy Street or Ben Street.

2.2 Assessment Benchmarks related to the Planning Regulation 2017

The *Planning Regulation 2017* (the Regulation) prescribes Assessment Benchmarks that the application must be carried out 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>

2.2.1 *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:

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<b>Assessment benchmark - livable communities</b>		
Applicable to Development	SPP requirement	Comment
No	None	Not applicable
<b>Assessment benchmark - mining and extractive resources</b>		
Applicable to Development	SPP requirement	Comment
No	None	Not applicable
<b>Assessment benchmarks - water quality</b>		
Applicable to Development	SPP requirement	Comment
Yes	<ol style="list-style-type: none"> <li>1) Development is located, designed, constructed and operated to avoid or minimize adverse impacts on environmental values arising from: a) altered stormwater quality and hydrology; b) wastewater; c) the creation or expansion of non-tidal artificial waterways; and d) the release and mobilization of nutrients and sediments.</li> <li>2) Development achieves the applicable stormwater management design objectives outlined in tables A and B (appendix 2).</li> <li>3) Development in a water supply buffer area avoids adverse impacts on drinking water supply environmental values.</li> </ol>	The proposal includes a use for an urban propose involving a land area of greater than 2,500m <sup>2</sup> and with an impervious area greater than 25% of the net developable area. Notably, this has been assessed under the MBRC Planning Scheme and it will be a recommendation of this report requiring an updated Stormwater Management Plan that will accord with the relevant performance outcome and above SPP requirement.
<b>Assessment benchmarks - natural hazards, risk and resilience</b>		
Applicable to Development	SPP Requirement	Comment
Yes	Bushfire, flood, landslide, storm tide inundation, and erosion prone areas outside the coastal management district: <ol style="list-style-type: none"> <li>(1) 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> </ol>	SPP Mapping indicates a Flood Hazard Area – Local Government Flood Mapping Area over the site. Notably, the site is mapped by the Flood Hazard Overlay under the MBRC Planning Scheme. It should be noted, the development is located outside of the Medium and High-Risk Flood Hazard Overlay. Consequently, the proposal has been assessed



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	<p>All natural hazard areas:</p> <p>(2) Development supports and does not hinder disaster management response or recovery capacity and capabilities.</p> <p>(3) Development directly, indirectly and cumulatively avoids an increase in the severity of the natural hazard and the potential for damage on the site or to other properties.</p> <p>(4) 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>(5) 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>	<p>and is in accordance with the MBRC Planning Scheme Flood Hazard Overlay Code. It is noted that floor levels of the proposed dwellings will be constructed above the Flood Planning Level.</p>
<b>Assessment benchmarks - strategic airports and aviation facilities</b>		
Applicable to Development	SPP Requirement	Comment
No	None	Not applicable

### 2.2.2 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.

### 2.2.3 Schedule 10, Part 10 of the Regulation – Koala Habitat in SEQ Region

The development is assessable development on premises located within a koala Priority area and, will not interfere with koala habitat. As a consequence, the regulation requires the Assessment manager to assess the proposal against the assessment benchmarks stated in schedule 11, part 2.

An assessment has been made against these benchmarks and the proposal is considered to comply, subject to a recommended condition ensuring the proposed pedestrian connection between the development and the community facility building being constructed without impacting on protected koala vegetation.

## 2.3 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.

### 2.3.1 Strategic Framework

The proposal is generally consistent with the Strategic Framework.

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2.3.2 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>Zone/ Local Plan Code</b>		
Limited Development Zone Code	<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	
<b>Development Codes</b>		
Residential Uses Code	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	PO8 PO15

The assessment of the development proposal against the Performance Outcomes of the applicable code(s) is discussed below in section 2.3.3.

2.3.3 Performance Outcome Assessment

Performance Outcome	Example
<b>Residential Uses Code</b>	
<b>PO8</b> Driveways, pedestrian entries and internal access ways are located and designed to: <ul style="list-style-type: none"> <li>a. provide lawful access;</li> <li>b. not detract from the creation of active street frontages and positively contribute to the intended streetscape character;</li> <li>c. not negatively impact adjoining uses;</li> </ul>	<b>E8.1</b> Dual occupancies <sup>(21)</sup> provide: <ul style="list-style-type: none"> <li>a. For individual driveways, a maximum crossover width of 4m or For a shared driveway a maximum crossover width of 5m;</li> </ul>

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Performance Outcome	Example
<p>d. provide a safe pedestrian environment;</p> <p>e. not result in excessive crossovers and hardstand areas;</p> <p>f. provide safe access onto an appropriate order road;</p> <p>g. not interfere with infrastructure owned by Council or a utility provider;</p> <p>h. allow adequate space for on-street parking;</p> <p>i. allow adequate space for street planting and street trees;</p> <p>j. allow for garbage collection and street infrastructure.</p> <p>Note - Refer to Planning scheme policy - Integrated design for details and examples.</p>	<p>b. a maximum of one crossover per street frontage; or where more than 1 crossover per street frontage, they are to be at least 12m apart to allow for on-street parking and street trees.</p> <p>Note - Refer to Planning scheme policy - Residential design for details and examples.</p> <p>Note - Laneway development provides access from the lane only in accordance with laneway development provisions AO27-AO29.</p> <hr/> <p><b>E8.2</b></p> <p>For a shared driveway development provides a maximum crossover width of 5.5m;</p> <p>OR</p> <p>For individual driveways:</p> <p>a. a maximum of 1, 3m wide crossover for every 7.5m of primary road frontage;</p> <p>b. where more than two driveway crossovers are provided per street frontage, crossovers are paired up and separated by a minimum distance of 6m to facilitate on-street parking and street trees.</p> <p>Note - Refer to Planning scheme policy - Residential design for details and examples.</p> <p>Note - Development on a laneway provides access from the lane only in accordance with laneway development provisions.</p> <hr/> <p><b>E8.3</b></p> <p>Where dwellings have access via a shared driveway the driveway is set back a minimum of 3m from a side boundary.</p> <p>OR</p> <p>Where the development includes at least one ground floor dwelling, the shared driveway may be located 1m from the side boundary.</p>

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Performance Outcome	Example
	<p>Note - Refer to Planning scheme policy - Integrated design for details and examples.</p> <p><b>E8.4</b></p> <p>Development provides vehicular crossovers that comply with Planning scheme policy - Integrated design.</p> <p><b>E8.5</b></p> <p>Driveways do not include a reversing bay, manoeuvring area or visitor parking spaces (other than tandem spaces) in the front setback.</p>
<i>Performance Outcome Assessment</i>	
<p>The applicant is proposing an entry and exit access of 3.5m in width respectively, with a 2.0m separation. This does not meet Example E8.2.</p> <p>Notably, this will be the only two crossovers for the development on a road frontage of approximately 110.0m and, will not result in excessive crossovers and hardstand areas.</p> <p>It is recommended that the alternative proposal be accepted as complying with the Performance Outcome.</p>	
<p><b>PO15</b></p> <p>Walls are sited and designed to minimise negative impacts on internal and external amenity and create visual interest by incorporating articulation and architectural treatments.</p>	<p><b>E15</b></p> <p>The maximum length of any wall is 15m. Walls or parts of walls that include a change in direction of 1m or more are measured separately.</p>
<i>Performance Outcome Assessment</i>	
<p>The Headingly 1 house design contains a wall of approximately 15.9m (with no change in direction of 1.0m or more). The non-compliance is considered minor furthermore, it will be orientated internally to the site and will not impact existing residences.</p> <p>It is recommended to accept the alternative solution as satisfying the Performance Outcome.</p>	

2.4 Trunk Infrastructure

In accordance with section 4 of the Moreton Bay Regional Council Planning Scheme, the subject site is 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 No. 8 commencing in August 2018 (CR).

2.4.1 Levied Charge

In accordance with section 10 of the CR, a Levied Charge is applicable to the development proposal and has been calculated as shown in the Infrastructure Charges Notice attached to this report taking into consideration any applicable credits or offsets.\*

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*\*Note: The applicant seeks flexibility in 2- or 3-bedroom housing options being built by future residents. An Infrastructure Charges Notice can be provided which indicates the highest rate (3 bedroom or more dwelling) for all thirty-two (32) Dwellings. The total number of 2- and 3-bedroom dwellings per stage can be finalized by an Infrastructure Charges Payment Plan if the yield of unit type differs from the Infrastructure Charges Notice.*

**2.4.2 Levied Charge Credit**

In accordance with section 14 of the CR, a credit exists for the development based on the credit being the greater of the following amounts:

(a) Payment of previous charges or contributions

There is no record of a previous charge or contribution having been made in relation to the land in accordance with section 14 of the CR. Accordingly, the credit available under this option is \$0.00

(b) Lawful use of land

An assessment of existing and previous lawful uses of the land has determined that a credit amount of \$18,136.02 exists and has been calculated based on the existing residential use of the land and the proportional split stated in Table 3 of the CR.

(c) Other development able to occur without a development permit

There is no other development able to be lawfully carried out without a development permit (including a development permit for Building Works). Accordingly, the credit available under this option is \$0.00

(d) The adopted charge for a residential lot (applied equally to non-residential development)

The credit available under this option is \$18,136.02 based on the proportional split stated in Table 3 of the CR. This adopted charge rate is the prescribed amount in Schedule 16 of the Planning Regulation 2017 as at 11 August 2017. This rate will be automatically indexed in accordance with section 112 of the Act.

**2.4.3 Levied Charge Offset or Refund**

This site is affected by Trunk Infrastructure in accordance with the Plans for Trunk Infrastructure in the Local Government Infrastructure Plan in the Moreton Bay Regional Council Planning Scheme. The trunk infrastructure identified on this site is as follows:

<b>Trunk Infrastructure Network</b>	<b>Network Identifier</b>
Stormwater Infrastructure - Riparian Corridor	CAB_SSC_RC

It is recommended to include a condition in the development approval requiring the trunk infrastructure item to be delivered by the development.

Trunk Infrastructure Land Dedication

*Riparian Corridor*

The proposal plan includes an area of 3.622 ha (shown as Open Space [Public] as per figure a) to be dedicated to Council as open space. Lot 2 forms part of the Stormwater network established along Sheepstation Creek and tributaries, as per Council's LGIP, and contains 'constrained' land' as defined in the CR.

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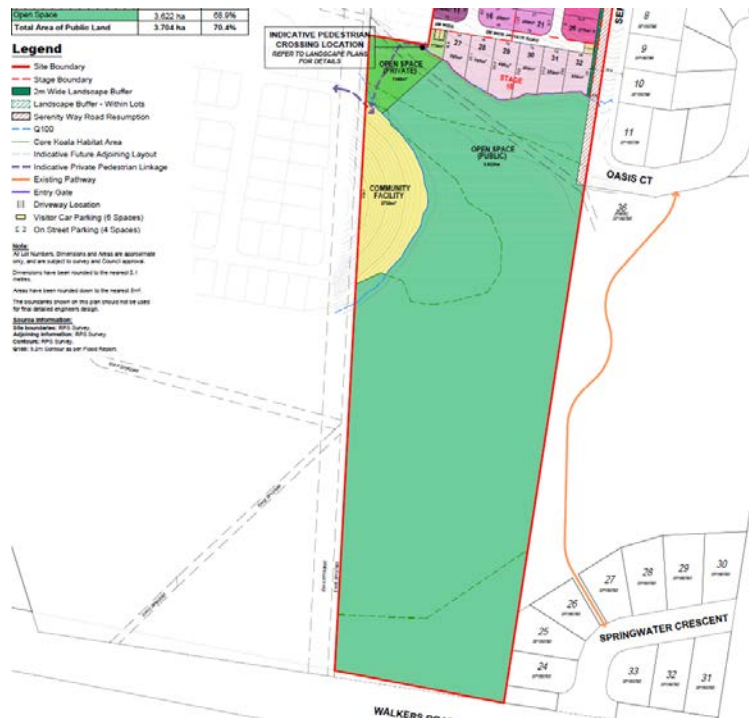


Figure a

Council officers have determined that the appropriate break up of constrained and unconstrained land is as follows:

Constraints	Area
Constrained Land	36,220m <sup>2</sup>
<b>Total</b>	<b>36,220m<sup>2</sup></b>

The Charges Resolution Implementation Policy provides the rates to which offsets are to be calculated. For this location, unconstrained land is provided at the following rates:

Constrained land valuations

Category	Land more than 10,001m <sup>2</sup> and up to 50,000m <sup>2</sup> in area.	\$/m <sup>2</sup> (10,001m <sup>2</sup> and up to 50,000m <sup>2</sup> in area)	Area	Offset
Base land value	\$41,050.00	-	10,001m <sup>2</sup>	\$41,050.00
Plus for each m <sup>2</sup> over	-	\$2.05	26,219m <sup>2</sup>	\$53,748.95
<b>Total</b>			<b>36,220m<sup>2</sup></b>	<b>\$94,798.95</b>

The total recommended value of trunk infrastructure (land dedication) offset is **\$94,798.95**.

2.4.4 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

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- (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, it does not warrant the imposition of an additional payment condition.

2.5 Recording of particular approvals on the MBRC Planning Scheme  
Not Applicable in this instance.

2.6 Referrals

2.6.1 *Council Referrals*

**2.6.1.1 Development Engineering**

**Traffic, Access & Parking**

The site has frontage to Amy Street, Serenity Way and Walkers Road. An access restriction strip (Lot 37 on SP150798) is present along the Amy Street frontage. It is recommended that the development be conditioned to extinguish this access restriction strip.

The primary site access will be provided from Amy Street via a new driveway crossover and internal private access road. The proposed development access as shown on the Site Plan was not supported with Refuse Service HRV Swept Path Assessment plans that match the proposed Site Plan and an HRV entry swept path that does not encroach in the landscape areas. The current Site Plan may require amendment once the swept path assessment is updated. Therefore, it is recommended that the development be conditioned to provided amended Refuse Service HRV Swept Path Assessment plans and Site Plan.

The access driveway crossover for proposed Dwelling 6 will be from Amy Street and may be located within the 6.0m setback from the kerb tangent of Amy Street/Serenity Way intersection. AS2890.1 prohibits a vehicle crossing within 6.0m from the tangent point of the kerb returns. It is recommended that the development be conditioned to provide a driveway crossover for proposed Lot 6 in accordance with AS2890.1. Alternatively, a shared driveway crossover for proposed Lots 5 and 6 may be provided if a dedicated compliant driveway crossover for Lot 6 is not possible.

Both Amy Street and Serenity Way are not constructed to current standards along the development's full frontage and neighbouring frontage on 56 Amy Street. Amy Street has a 20.0m road reserve, which should satisfy a Living Residential road typology. It is noted that this typology is consistent with the approved development on 70 Amy Street. However, a modified Living Residential typology is recommended to improve the current function and safety on Amy Street. Frontage upgrade that includes a 3.0m wide traffic lane and a 1.0m widening to allow for informal on-street parking should be provided on Amy Street frontage and is recommended as a condition.

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Serenity Way is classified as a Living Residential road in accordance with Planning Scheme Policy - Integrated Design - Appendix A. The Serenity Way frontage has been proposed as an Access Residential typology consistent with the prelodgement meeting advice. This typology should be accepted in this instance since the eastern section of Serenity Way is already constructed. Also, a pedestrian pathway that is wider than what is specified for a Living Residential typology will be required. Serenity Way has an approximately 11.7m road reserve which is below the 16.5m preferred reserve width for an Access Residential typology. Road dedication to achieve the 16.5m reserve width has been proposed as shown on the Site Plan and is supported.

The mapped Secondary Active Transport route through 70 Amy Street is proposed to be diverted along the development's Amy Street and Serenity Way frontages. In accordance with Section 8 of Planning Scheme Policy - Integrated Design - Appendix A, this will require an upgrade to a 2.5m wide pathway instead of the standard widths for Living and Access Residential road typologies. The 2.5m wide pathway can be achieved by relaxing the front verge to 1.5m and the rear verge to 1.0m for both road frontages. It is noted that the rear verge of Serenity Way will be bounded by a 2.0m wide landscape buffer within the development. Also, there is an existing pedestrian pathway network to the west and east of the site i.e. on 70 Amy Street frontage and on Oasis Court, which links Oasis Court to Springwater Crescent. The new pedestrian pathway should be connected to this existing pathway network. As such, it is recommended that the development be conditioned to provide road upgrade works on Amy Street and Serenity Way.

Access is not proposed with the balance land area fronting Walkers Road. Walkers Road currently has a reserve width of 35m along the site frontage. This aligns with Council's road typology for Walkers Road, which is Sub-arterial with a preferred reserve width of 30m. Therefore, road resumption is not required on Walkers Road frontage.

Ben Street will be utilised by the development and other adjoining developments to access Caboolture River Road. Ben Street has been upgraded recently by the development west of Amy Street (102 Caboolture River Road). The roadworks includes kerb and channel on the western side, 2 travel lanes approximately 6m wide and table drain on the eastern side. The development cannot reasonably be required to provide additional upgrade works for Ben Street. Further, it is noted that the ultimate configuration and intersection upgrades for Caboolture River Road are not yet determined and are being considered more broadly by Council.

The development is supported with a Traffic Impact Assessment Report prepared by Lambert & Rehbein. The report provides traffic information and analysis that demonstrates that the development does not impact on the local road network. It is noted that the development does not trigger intersection upgrade on Caboolture River Road/Ben Street and Caboolture River Road/Amy Street.

### **Stormwater**

A Stormwater Management Report prepared by Wester Partners was provided in support of the proposed development. The report has generally demonstrated that the proposed development achieves the stormwater quantity and quality objectives of the planning scheme, subject to some minor amendments as recommended by condition.

Therefore, the recommendations of this report include the submission of an amended stormwater management plan.



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**Flood hazard**

The Defined Flood Event (DFE) level for the site is 9.2m AHD and the Flood Planning Level (FPL) is 9.95m AHD. The proposed finished levels of the are indicated to be above 10.0m. A pedestrian path connection to community facility and adjoining Relocatable home park on 70 Amy Street is proposed as shown on the plan. Part of the elevated boardwalk may be constructed below the FPL. Conditions are recommended specifying the minimum required habitable floor level and requiring any non-habitable areas below the Flood Planning Level to be constructed of resilient materials.

The site is mapped within the Medium and High Risk flood hazard areas and Balance flood planning area of the Flood hazard overlay. The proposed units are clear of the Medium and High Risk flood hazard areas. The elevated boardwalk is proposed within the Medium flood hazard area. Earthworks are not proposed with the balance land area fronting Walkers Road.

Table 8.2.2.4 of the of the Flood hazard overlay code does not permit filling in the Medium flood hazard area except for the creation of stormwater infrastructure such as detention basins, bioretention and levees. It is expected that pier and pole construction will be utilised for the elevated boardwalk to allow unobstructed flow through the creek during a major flood event and inundation.

The Flood Hazard overlay code requires developments to be resilient to a flood hazard event by ensuring design and built form account for the potential risks of the flood hazard event. New buildings within the medium risk area require a structural engineering design capable of withstanding the nature of the hazard(s) to which the building will be subject, to be supported by a report (or multiple reports) prepared by a Registered Professional Engineer Queensland that identifies the flood hazard and the structural approach to be utilised. The report is to be prepared in accordance with the Planning Scheme Policy - Flood Hazard, Coastal hazard and Overland flow. It is recommended that the development be conditioned to require a Structural Engineering Design Report for the elevated boardwalk to be provided to the private building certifier.

**2.6.1.2 Environmental Health**

**Noise**

Given the location and nature of the proposal there are no anticipated adverse noise impacts to sensitive uses.

**Waste Management**

Waste management arrangements for this development are adequate and a waste management program is not required. This development will use wheelie bins for each dwelling serviced on the internal road. As a consequence, the recommendations of this report include a condition that the development be undertaken in accordance with SC 6.20 Planning scheme policy - Waste. Further, conditions are recommended ensuring on-site Heavy Rigid Vehicle manouevring can be accommodated on site.

**2.6.1.3 Environmental Planning**

The majority of the proposed development is located within the north of the site away from areas of ecological significance. The proposed community facility is located in the west of the site and revised state mapping indicates that the community facility is located in an area clear of environmental significance. The only part of the development that will be located within a High Value Environmental Area is the proposed pedestrian pathway connecting the residential area with the community facility. The proposed pedestrian pathway is designed to avoid native vegetation clearing and will be a raised boardwalk to avoid impacts to overland flow.

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However, the BMP has not included an in-depth assessment of the proposed community facility. Nor has the BMP included consideration of the proposed revegetation provisions to the east of the community facility area.

Therefore, to ensure the bushfire clearing requirements for the community facilities area does not impact on revegetation areas, it will be conditioned for the site plans to be amended to include a building envelope to be located within the community facility. The Building Envelope is to be separated from the closest edge to the adjacent mapped medium bushfire intensity area (taking into consideration proposed revegetation areas) by a distance (APZ width) that achieves a radiant heat flux level of 10 kW /m2 or less at all development footprint (as per the recommendation provided within the SPP Technical Reference Guide - Bushfire Resilient Communities, 2019). This requirement will need to be supported by an amended Bushfire Hazard assessment, prepared by a suitably qualified person.

#### 2.6.2 Referral Agencies

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

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

##### **2.6.2.2 Advice Agencies**

There were no Advice Agencies involved in assessing this application.

##### **2.6.2.3 Third Party Agencies**

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

#### 2.7 Public Consultation

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

- (a) Public Notification was served on all adjoining landowners on 10 February 2021.
- (b) The development application was advertised in the City North News (Online) on 8 February 2021.
- (c) A notice in the prescribed form was posted on the relevant land on 8 February 2021 and maintained for a period of 19 business days until 5 March 2021.

##### *2.7.2 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>			2

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The matters raised within the submissions are outlined below:

<b>Assessment of Submissions</b>		
<b><u>Issue - Inadequate Public Notification onsite signage provided</u></b>		
<b><u>Discussion</u></b>		
<p>Both submissions raised the location of the signs on Amy Street and Serenity Way as a concern stating it was placed at such a location, that a limited number of residents would have seen it. One submission stated that the sign on Amy Street was obscured by parked cars and greenery also, that Council's website notes that a mailbox drop should have occurred to advise residents of the development (and that this has not occurred). The other submission also noted three weeks is not a sufficient time for notification.</p> <p>With regards to the above, the Development Assessment Rules requires that a public notice must be placed on, or within a reasonable distance of, the road frontage/s for the premises, ensuring that it is clearly visible from the road.</p> <p>The applicant has provided a location map and photographs indicating that the notices were placed in accordance with the requirements (See figure x). In addition, the Development Assessment Rules do not require a mail drop and the applicant has provided a Notice of Compliance with Public Notification.</p> <p>This is not a reason for refusal of the application.</p>		
<b><u>Issue - Parking</u></b>		
<b><u>Discussion</u></b>		
<p>Both submissions raised concerns regarding the impact of the development on on-street parking and this is a valid concern having regard to existing car parking demand and future development anticipated to occur in the immediate area.</p> <p>It is stated that parking is limited on Amy Street and that vehicles being parked close to the western side of the Serenity Way intersection, obscures sight lines to the west for drivers turning right into Amy Street. The submitters are concerned that the development will remove available on street parking whilst increasing parking demand. It is stated that this will result in vehicles having to park to the east of the Serenity Way intersection also, that it will increase parking in Serenity Way itself. It is stated that this will obstruct sight lines to both directions additionally, it will obstruct traffic flow in Serenity Way. Notably, Serenity Way currently has an insufficient pavement width to accord with Planning Scheme Policy relating to road typology.</p> <p>It is acknowledged that the development will both limit and increase the demand of on-street parking.</p> <p>With regards to increasing the demand, it should be noted that the proposal is considered low to medium density and the density is consistent with what is anticipated under the planning scheme. Additionally, the proposal includes on site car parking spaces at approximately 188% the required rate under the Planning Scheme (see Table below).</p>		
	PS Requirement	Proposal
Dwelling Density per Ha	15 - 75 dwellings (low to medium density)	26 dwellings (medium density)

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On-site Parking	32 parking spaces (1 per dwelling)	62 parking spaces
<p>With regards to limiting on-street parking spaces, a Reconfiguration of a Lot would be Code Assessable and lots as narrow as 7.5m wide, could have access to Amy Street and Serenity Way under the code.</p>		
<p>In contrast, the current proposal only includes up to eight (8) crossovers onto Amy Street and no access onto Serenity Way. Additionally, it will be a recommendation of this report to include conditions requiring the applicant to:</p> <ul style="list-style-type: none"> <li>- provide four (4) demarcated on street parking spaces on Amy Street; and</li> <li>- upgrade the Serenity Road Frontage which will include widening the pavement to 8.0m.</li> </ul>		
<p>This is not a reason for refusal of the application.</p>		
<p><b><u>Issue - Traffic</u></b></p>		
<p><b><u>Discussion</u></b></p>		
<p>The submissions raised concerns that the additional traffic from the thirty-two (32) dwellings will increase the waiting time to enter Amy Street, Caboolture River Road and Morayfield Road. Specific concerns were raised with regards to turning right into Caboolture River Road and the time taken to clear the intersection at the Caboolture River Road and Morayfield Road.</p>		
<p>The application was supported with a Traffic Impact Assessment Report that provides traffic information and analysis for the development. The report confirms that the Caboolture River Road/Ben Street intersection will theoretically operate well below the practical capacity (degree of saturation &lt;0.80) for an unsignalised intersection for both AM and PM peak periods in the opening year 2022- and 10-year post development, 2032. In addition, the development generated traffic will have a minor impact during both peak hours, resulting in minimal increases in degree of saturation, average delay and queue lengths on all approaches of the intersection. As such, mitigation measures e.g. signalisation of the intersection, are not identified and will not be required. Further, it is noted that Council Officers are looking more broadly at the long-term configuration of Caboolture River Road and associated intersections. Until the ultimate design undertaken, it would be unreasonable to condition signalisation of this intersection when it may end up being redundant works in the future. The traffic report has noted that Council's Local Government Infrastructure Plan (LGIP) currently includes a future infrastructure upgrade for Caboolture River Road. The report considers that the LGIP may rationalise movements at Caboolture River Road/Amy Street intersection. In particular, the future upgrade may result to Caboolture River Road/Amy Street T-intersection operating as a Left in/Left out intersection considering the limited intersection separation distance between Caboolture River Road/Amy Street and Caboolture River Road/Lorebury Street intersections. This scenario was used in the ultimate design traffic scenario for 2032. It is noted that the future road upgrade is the subject of an ongoing planning by Council and details are yet to be finalised. Any modification on existing intersection arrangements is yet to be confirmed.</p>		
<p>This is not sufficient reason for refusal of the application.</p>		
<p><b><u>Issue - Stormwater Run Off</u></b></p>		
<p><b><u>Discussion</u></b></p>		
<p>Concerns were raised that the development will increase stormwater run-off into Sheep Station Creek and that in the past, the creek has breached Oasis Court.</p>		

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The site is currently mapped as containing a large flood path from Sheep Station Creek, that trends in a general north-west - west-east direction throughout the immediate area and across nearby properties. The proposed development is supported with a Stormwater Management Report that provides stormwater calculations and analysis. Stormwater detention for the development is proposed to be provided through a combined underground treatment/detention tank to maintain the waterway stability objective of the State Planning Policy. The report demonstrates that the proposed development will not significantly increase the stormwater discharge to Sheep Station Creek nor increase the current flood extent.

This is not a reason for refusal of the application.

**Issue - Wildlife**

**Discussion**

Concerns were raised about the removal of trees along the Serenity Way boundary also, how the development will impact on wildlife including Koala's, Kangaroos and various native birds.

The southern part of the Lot contains significant vegetation and is intersected by environmental overlay whilst, the northern part of the Lot contains limited clusters of vegetation with no environmental overlay. Notably, the development proposes to remove trees on the northern part of the Lot, outside of any environmental overlay. It will be a recommendation of this report requiring that:

- the vegetation will not result in a net loss of habitat, and,
- vegetation should be cleared in accordance with Australian Standards, this requires that wildlife be protected whilst vegetation is cleared.

In addition to the above, the applicant is required to transfer the trunk infrastructure land which contains most of the southern part of the Lot, to Council. This land includes the significant vegetation with environmental overlays. This creates an opportunity for Council to consolidate this land with Walkers Road Reserve to the east subsequently, expanding the habitat for the wildlife under Council management. This should result in an acceptable outcome under the Planning Scheme.

It is acknowledged that the proposal will result in the removal of trees adjacent to Serenity Way. However, these trees are not listed as significant or protected under any environmental overlay. However, this is necessary to properly construct Serenity Way with extended pavement, kerb, channel and footpath. Further a condition is recommended requiring a 2.0m wide landscaped buffer to be planted in front of the proposed fence to the development.

This is not a reason for refusal of the application.

An additional concern was raised regarding how property value might be negatively impacted, due to the development. As this is not a planning matter, it was not included in the table above.

**2.7.3 Notice of Compliance**

The Notice of Compliance was received by Council on 5 March 2021. The Notice of Compliance identifies that the public notification requirements for the development application were correctly undertaken in accordance with the requirements of Part 4, of the Development Assessment Rules.

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2.8 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  Nil identified

3.5 Delegated Authority Implications  Nil identified

3.6 Financial Implications

- a) 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.
- b) An infrastructure charges notice will be issued if the development is approved.

3.7 Economic Benefit Implications  Nil identified

3.8 Environmental Implications  Nil identified

This report includes a condition recommending the transfer of 3.62 hectares of open space (trunk drainage corridor) to Council. This land contains significant vegetation and forms part of Sheep Station Creek tributary.

3.9 Social Implications  Nil identified

3.10 Human Rights Implications  Nil identified

3.11 Consultation / Communication

Refer to clause 2.7.

**ATTENDANCE**

Mr Dan Staley and Ms Amy White left the meeting at 10.11am following consideration of Item 4.1.

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**5 COMMUNITY & ENVIRONMENTAL SERVICES SESSION**

**(Cr M Gillam)**

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**ITEM 5.1**

**INFLATABLE WATER PARK - PELICAN PARK, CLONTARF - MANAGEMENT AGREEMENT EXTENSION**

*Meeting / Session:* 5 COMMUNITY & ENVIRONMENTAL SERVICES  
*Reference:* 61939801 : 28 April 2021 Refer **Confidential Supporting Information 61939125**  
*Responsible Officer:* TD, Public Health and Permits Manager (CES Customer Response)

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**Executive Summary**

QSplash Pty Ltd (AquaSplash) currently hold a Water Park Management Agreement (WPMA) from Council to operate an inflatable water park at Pelican Park, Clontarf, which is due to expire on 30 June 2021.

AquaSplash have sought an extension past the current WPMA expiry date in consideration of the premature closure of the water park in 2020 and subsequent reduction in participant numbers due to COVID-19 and associated Queensland Government Health Directives.

At the commencement of the agreement the operator outlaid significant expense on infrastructure to establish the inflatable water park. Due to the impacts of COVID-19 the costing model used to establish the infrastructure across the duration of the agreement has been impacted.

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**RESOLUTION - CLOSED SESSION**

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**Moved by Cr Denise Sims (Deputy Mayor)**

**Seconded by Cr Matt Constance**

**CARRIED 13/0**

**That Council move into closed session pursuant to the provisions of s254J (3) of the Local Government Regulation 2012 clause (g), to discuss negotiations relating to a commercial matter involving the local government for which a public discussion would be likely to prejudice interest of the local government.**

The closed session commenced at 10.11am (livestreaming paused).

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**RESOLUTION - OPEN SESSION**

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**Moved by Cr Cath Tonks**

**Seconded by Cr Jodie Shipway**

**CARRIED 13/0**

**That Council resume in open session and that the following motion be considered.**

The open session (livestreaming) resumed at 10.19am.

*ITEM 5.1 INFLATABLE WATER PARK - PELICAN PARK, CLONTARF - MANAGEMENT AGREEMENT EXTENSION  
- 61939801 (Cont.)*

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**RESOLUTION**

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**Moved by Cr Karl Winchester**

**Seconded by Cr Tony Latter**

**CARRIED 13/0**

1. That Council decides to prepare a Tender Consideration Plan as tabled for the granting of a one-year extension of the Water Park Management Agreement with Q Splash Pty Ltd.
2. That Council adopts the Tender Consideration Plan as tabled for the granting of a one-year extension of the Water Park Management Agreement with Q Splash Pty Ltd.
3. That the Chief Executive Officer be authorised to negotiate, make, amend, sign and discharge a contract in accordance with the Tender Consideration Plan as tabled, on Council's behalf.



*ITEM 5.1 INFLATABLE WATER PARK - PELICAN PARK, CLONTARF - MANAGEMENT AGREEMENT EXTENSION - 61939801 (Cont.)*

## OFFICER'S RECOMMENDATION

1. That Council adopts the Tender Consideration Plan as tabled for the granting of a one-year extension of the Water Park Management Agreement with Q Splash Pty Ltd.
2. That the Chief Executive Officer be authorised to negotiate, make, amend, sign and discharge a contract in accordance with the Tender Consideration Plan as tabled, on Council's behalf.

## **REPORT DETAIL**

### **1. Background**

On 3 October 2017 Council adopted its Redcliffe Foreshore Masterplan Activation Strategy which identified a site for a "Large" (on water) activity in the waters off Pelican Park, Clontarf.

On 2 November 2017, Council officers made application to the State for a Marine Park Permit for a *Pelican Park inflatable aqua park*. A decision notice and permit were issued for one-year, ceasing on 30 June 2019. Upon further application, Council was granted a renewal of the Marine Park Permit expiring 30 June 2025.

In September 2018, Council entered into a three-year WPMA, including a one-year trial period, with AquaSplash to manage and operate a water park at Pelican Park, Clontarf. The expiry date for this agreement is 30 June 2021.

The water park currently operates from 1 September to 30 April each year and is presently subject to COVID-19 Queensland Health directives.

A Council briefing was conducted on 10 March 2021 for the purpose of sharing information and providing advice/views to Council on the matter. In line with Council's decision-making framework, an extract from the minutes of the briefing, providing the outcomes is provided below:

- Report to be brought to Council for consideration to extend the current agreement Council has in place with Aqua Splash for a further 12 months;
- Noted the current Marine Park permit for the site will need to be re-applied for after 2025.

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

COVID-19 has impacted the operation of the inflatable water park, including an early end to the 2019/20 season. The continuing impacts of COVID-19 raise concerns in regard to the viability of the water park to potential operators, including limitations on numbers of participants as health directives change as well as the general down-turn in the event, tourism and recreation sector.

Officers consider that three options are available to Council with regard to the operation of a water park at Pelican Park, Clontarf, namely:

1. On expiry of the current agreement on 30 June 2021 cease the operation of a water park at this location.
2. Instigate a new tender process for the provision of an inflatable water park in the Moreton Bay Region.
3. Council could prepare and adopt a Tender Consideration Plan (TCP) under which it can extend the current agreement with AquaSplash for a further 12 months - *refer Confidential Supporting Information #1*.

*ITEM 5.1 INFLATABLE WATER PARK - PELICAN PARK, CLONTARF - MANAGEMENT AGREEMENT EXTENSION - 61939801 (Cont.)*

Cease the operation of the water park option

Officers are of the view that the continued operation of the water park is an important attraction and economic contributor to the region and a one-year extension will enable the activity to re-establish post COVID-19 and allow time for the general event, tourism and recreation sector to recover.

New Tender Process

With current restrictions and uncertainty surrounding the ongoing impacts of COVID19, officers are of the view that the operation of the water park may not be an attractive or viable opportunity for prospective tenderers.

Tender Consideration Plan

A one-year extension to the current agreement will provide time for the recovery of this sector and promote a more competitive process should Council wish to continue with the operation of a water park via a competitive tender process post 30 June 2022.

### **3. Strategic Implications**

3.1 Legislative / Legal Implications

The Tender Consideration Plan has been prepared in accordance with section 230 of the Local Government Regulation 2012 (Qld).

This section allows Council to depart from the ordinary request for tender process based upon market considerations or considerations relevant to the supply relationship. The exemption can only be invoked by Council resolution.

3.2 Corporate Plan / Operational Plan

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

3.3 Policy Implications

The endorsement of the contract is in accordance with Council's Procurement Policy 2150-006.

3.4 Risk Management Implications

Officers expect that water park operators in Queensland will be adversely affected by the impact of COVID-19 into the foreseeable future. Whilst this presents a risk of those operators being unable to operate in the region, supporting AquaSplash's continued operation of the water park under the terms is expected to minimise that risk.

3.5 Delegated Authority Implications

Pursuant to recommendation 3, officers recommend that Council's Chief Executive Officer be delegated authority to execute a contract in accordance with the Tender Consideration Plan.

3.6 Financial Implications  Nil identified

3.7 Economic Benefit Implications

The inflatable water park has supported the local economy both directly and via flow on effects, i.e. supply chain and increased consumption.

3.8 Environmental Implications  Nil identified

3.9 Social Implications  Nil identified

ITEM 5.1 INFLATABLE WATER PARK - PELICAN PARK, CLONTARF - MANAGEMENT AGREEMENT EXTENSION  
- 61939801 (Cont.)

3.10 Human Rights Implications

Under the *Human Rights Act 2019 (Qld)*, Council must not make a decision which is incompatible with a person's human rights. Council must also give proper consideration to any human rights relevant to its decision. Officers consider that there are no human rights implications relevant to Council's decision.

3.11 Consultation / Communication

Legal Services  
Economic Development

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**6 FINANCE & CORPORATE SERVICES SESSION**

**(Cr M Constance)**

No items for consideration.

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**14. NOTIFIED GENERAL BUSINESS ITEMS OR RESPONSE TO QUESTIONS TAKEN ON NOTICE**

**ITEM 12.1  
AUSTRALIAN LOCAL GOVERNMENT ASSOCIATION (ALGA) 27TH NATIONAL  
GENERAL ASSEMBLY OF LOCAL GOVERNMENT (NGA)**

At Item 1.2 of the General Meeting, Council's direction was sought (Officer's Recommendation 3), as follows:

*Council's direction is sought on designation of Council's voting delegate.*

Consideration of this recommendation was inadvertently missed when the matter was discussed earlier in the meeting, and was raised for direction.

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**RESOLUTION**

Moved by Cr Mick Gillam

Seconded by Cr Jodie Shipway

**CARRIED 13/0**

**That Cr Cath Tonks be the voting delegate at the Australian Local Government Association (ALGA) 27<sup>th</sup> National General Assembly of Local Government (NGA).**

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**13a. CONFIDENTIAL OFFICERS' REPORTS TO COUNCIL**

No items for consideration.

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**13b. CONFIDENTIAL GENERAL BUSINESS**

No items for consideration.

**15. CLOSURE**

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There being no further business the Chairperson closed the meeting at 10.19am.

**CHIEF EXECUTIVE OFFICER'S CERTIFICATE**

I certify that minute pages numbered 21/545 to 21/616 constitute the minutes of the General Meeting of the Moreton Bay Regional Council held 12 May 2021.

\_\_\_\_\_  
Greg Chemello  
Chief Executive Officer

**CONFIRMATION CERTIFICATE**

The foregoing minutes were confirmed by resolution of Council at its meeting held Wednesday 26 May 2021.

\_\_\_\_\_  
Greg Chemello  
Chief Executive Officer

\_\_\_\_\_  
Councillor Peter Flannery  
Mayor