



REPORT

Coordination Committee Meeting

Tuesday 7 May 2019

commencing at 10.41am

Strathpine Chambers
220 Gympie Road, Strathpine

ENDORSED GM20190507

CHAIRPERSON'S REPORT

The recommendations contained within this report of the Coordination Committee meeting held 7 May 2019 are recommended to the Council for adoption.

COUNCILLOR ALLAN SUTHERLAND (MAYOR)
CHAIRPERSON
COORDINATION COMMITTEE

Membership = 13
Mayor and all Councillors

Quorum = 7

12.1 Coordination Committee Meeting - 7 May 2019 - ITEM 2.1 CONSIDERED SEPARATELY

ITEM 2.1 - DA/22209/2009/VCHG/2 - REQUEST TO CHANGE (OTHER) - MATERIAL CHANGE OF USE - PRELIMINARY APPROVAL FOR RESIDENTIAL AND COMMERCIAL USES - 49 AND LOT 909 STAPYLTON STREET, NORTH LAKES - DIVISION 4

Conflict of Interest - Declaration - Cr Allan Sutherland (Mayor)

Pursuant to s175E of the *Local Government Act 2009*, Cr Allan Sutherland (Mayor) declared a perceived conflict of interest in Item 2.1 as the Councillor had 2016 election signs on Stockland land in the North Lakes Town Precinct.

However, Cr Allan Sutherland (Mayor) has considered his position and is firmly of the opinion that he could participate in the debate and recommendation on the matter in the public interest.

Cr Mike Charlton (Deputy Mayor) assumed the Chair at this time.

Conflict of Interest - Declaration - Cr Julie Greer

Pursuant to s175E of the *Local Government Act 2009*, Cr Julie Greer declared a perceived conflict of interest in Item 2.1 as the Councillor had 2016 election signs on Stockland land in the North Lakes Town Precinct.

However, Cr Julie Greer has considered her position and is firmly of the opinion that she could participate in the debate and recommendation on the matter in the public interest.

Councillors not voluntarily left meeting - other Councillors who are entitled to vote must decide

Pursuant to s175E(3) of the Local Government Act 2009, the other Councillors who are entitled to vote at the meeting have been informed about a Councillor's personal interests in the matter and the Councillor has not voluntarily left the meeting, and in accordance with s175E(4) the other Councillors must decide whether the Councillor has a real or perceived conflict of interest in the matter and what action the Councillor must take.

RESOLUTION

Moved by Cr Mick Gillam

Seconded by Cr Koliana Winchester

CARRIED 9/0

That in accordance with s175E(4) of the *Local Government Act 2009*, it is considered that Cr Allan Sutherland (Mayor) has a perceived conflict of interest in the matter however, may participate in the meeting including voting on the matter as it is considered that this is in the public interest.

Cr Allan Sutherland (Mayor) remained in the meeting.

RESOLUTION

Moved by Cr Adrian Raedel

Seconded by Cr Matt Constance

CARRIED 9/0

That in accordance with s175E(4) of the *Local Government Act 2009*, it is considered that Cr Julie Greer has a perceived conflict of interest in the matter however, may participate in the meeting including voting on the matter as it is considered that this is in the public interest.

Cr Julie Greer remained in the meeting.

RESOLUTION

Moved by Cr Mick Gillam

Seconded by Cr Koliana Winchester

CARRIED 11/0

That the report and recommendation for Item 2.1 of the Coordination Committee meeting held 7 May 2019, be adopted.

12.2 Coordination Committee Meeting - 7 May 2019 - ITEM 2.2 CONSIDERED SEPARATELY

ITEM 2.1 - DA/37540/2018/V2L - MATERIAL CHANGE OF USE - PRELIMINARY APPROVAL THAT INCLUDES A VARIATION APPROVAL TO VARY SECTOR PLAN 045-1000 TO ALLOW A RETAIL SHOWROOM, SERVICE INDUSTRY & Warehouse AS PERMITTED DEVELOPMENT SUBJECT TO CONDITIONS LOCATED AT 49 STAPYLTON STREET, NORTH LAKES - DIVISION 4

Conflict of Interest - Declaration - Cr Allan Sutherland

Pursuant to s175E of the *Local Government Act 2009*, Cr Allan Sutherland (Mayor) declared a perceived conflict of interest in Item 2.2 as the Councillor had 2016 election signs on Stockland land in the North Lakes Town Precinct.

However, Cr Allan Sutherland (Mayor) has considered his position and is firmly of the opinion that he could participate in the debate and recommendation on the matter in the public interest.

Conflict of Interest - Declaration - Cr Julie Greer

Pursuant to s175E of the *Local Government Act 2009*, Cr Julie Greer declared a perceived conflict of interest in Item 2.2 as the Councillor had 2016 election signs on Stockland land in the North Lakes Town Precinct.

However, Cr Julie Greer has considered her position and is firmly of the opinion that she could participate in the debate and recommendation on the matter in the public interest.

Councillors not voluntarily left meeting - other Councillors who are entitled to vote must decide

Pursuant to s175E(3) of the Local Government Act 2009, the other Councillors who are entitled to vote at the meeting have been informed about a Councillor's personal interests in the matter and the Councillor has not voluntarily left the meeting, and in accordance with s175E(4) the other Councillors must decide whether the Councillor has a real or perceived conflict of interest in the matter and what action the Councillor must take.

RESOLUTION

Moved by Cr Adrian Raedel

Seconded by Cr Mick Gillam

CARRIED 9/0

That in accordance with s175E(4) of the *Local Government Act 2009*, it is considered that Cr Allan Sutherland (Mayor) has a perceived conflict of interest in the matter however, may participate in the meeting including voting on the matter as it is considered that this is in the public interest.

Cr Allan Sutherland (Mayor) remained in the meeting.

RESOLUTION

Moved by Cr Koliana Winchester

Seconded by Cr Darren Grimwade

CARRIED 9/0

That in accordance with s175E(4) of the *Local Government Act 2009*, it is considered that Cr Julie Greer has a perceived conflict of interest in the matter however, may participate in the meeting including voting on the matter as it is considered that this is in the public interest.

Cr Julie Greer remained in the meeting.

RESOLUTION

Moved by Cr Peter Flannery

Seconded by Cr Matt Constance

CARRIED 11/0

That the report and recommendation for Item 2.2 of the Coordination Committee meeting held 7 May 2019, be adopted.

Cr Allan Sutherland (Mayor) resumed the Chair after Items 2.1 and 2.2 were considered separately.

12.3 Coordination Committee Meeting - 7 May 2019 - BALANCE OF ITEMS (Pages 19/737 - 19/784)

RESOLUTION

Moved by Cr Adrian Raedel

Seconded by Cr Julie Greer

CARRIED 11/0

That the report and recommendations of the Coordination Committee meeting held 7 May 2019 be adopted, excluding Item 2.1 and Item 2.2. which have been considered separately.

LIST OF ITEMS

1 GOVERNANCE SESSION (Cr A Sutherland, Mayor)

2 PLANNING & DEVELOPMENT SESSION (Cr M Gillam)

ITEM 2.1 - DECLARATION OF INTEREST 739

Conflict of Interest - Declaration - Cr Allan Sutherland (Mayor)

Conflict of Interest - Declaration - Cr Julie Greer

Councillors not voluntarily left meeting - other Councillors who are entitled to vote must decide

ITEM 2.1 740

DA/22209/2009/VCHG/2 - REQUEST TO CHANGE (OTHER) - MATERIAL CHANGE OF USE - PRELIMINARY APPROVAL FOR RESIDENTIAL AND COMMERCIAL USES - 49 AND LOT 909 STAPYLTON STREET, NORTH LAKES - DIVISION 4

COMMITTEE RECOMMENDATION

REPORT DETAIL

ITEM 2.2 - DECLARATION OF INTEREST 754

Conflict of Interest - Declaration - Cr Allan Sutherland

Conflict of Interest - Declaration - Cr Julie Greer

Councillor not voluntarily left meeting - other Councillors who are entitled to vote must decide

ITEM 2.2 755

DA/37540/2018/V2L - MATERIAL CHANGE OF USE - PRELIMINARY APPROVAL THAT INCLUDES A VARIATION APPROVAL TO VARY SECTOR PLAN 045-1000 TO ALLOW A RETAIL SHOWROOM, SERVICE INDUSTRY & WAREHOUSE AS PERMITTED DEVELOPMENT SUBJECT TO CONDITIONS LOCATED AT 49 STAPYLTON STREET, NORTH LAKES - DIVISION 4

COMMITTEE RECOMMENDATION

REPORT DETAIL

3 CORPORATE SERVICES SESSION (Cr M Constance)

4 ASSET CONSTRUCTION & MAINTENANCE SESSION (Cr A Hain)

ITEM 4.1 772

NARANGBA - BOUNDARY ROAD - DEPOT DEVELOPMENT AND NARANGBA - BOUNDARY ROAD - INTERSECTION UPGRADE AND ROAD REHABILITATION - DETAILED DESIGN - DIVISION 4

COMMITTEE RECOMMENDATION

REPORT DETAIL

ITEM 4.2 780

ARANA HILLS - LESLIE PATRICK PARK - ALL-ABILITIES PLAYGROUND DEVELOPMENT - CIVIL CONSTRUCTION - DIVISION 10

COMMITTEE RECOMMENDATION

REPORT DETAIL

Moreton Bay Regional Council

COORDINATION COMMITTEE MEETING
7 May 2019

PAGE b
Report

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

6 LIFESTYLE & AMENITY SESSION (Cr D Sims)

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

8 REGIONAL INNOVATION (Cr D Grimwade)

9 GENERAL BUSINESS

CLOSURE

ATTENDANCE & APOLOGIES

Attendance:

Committee Members:

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

Officers:

Chief Executive Officer	(Mr Daryl Hitzman)
Director Community & Environmental Services	(Mr Bill Halpin)
Director Engineering, Construction & Maintenance	(Mr Tony Martini)
Director Infrastructure Planning	(Mr Andrew Ryan)
Director Planning & Economic Development	(Mr Mike Pickering)
Manager Development Services	(Ms Kate Isles)
Team Leader Planning - Development Services	(Ms Amy White)
Meeting Support	(Larissa Kerrisk)

Apologies:

Cr Denise Sims

The Mayor is the Chairperson of the Coordination Committee.

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

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

1 GOVERNANCE SESSION

(Cr A Sutherland, Mayor)

No items for consideration.

ATTENDANCE

Ms Kate Isles and Ms Amy White attended the meeting at 10:41 AM for discussion on Items 2.1 and 2.2.

2 PLANNING & DEVELOPMENT SESSION

(Cr M Gillam)

ITEM 2.1 - DECLARATION OF INTEREST

Conflict of Interest - Declaration - Cr Allan Sutherland (Mayor)

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Moved by Cr Matt Constance

Seconded by Cr Adam Hain

CARRIED 10/0

That in accordance with s175E(4) of the *Local Government Act 2009*, it is considered that Cr Allan Sutherland (Mayor) has a perceived conflict of interest in the matter however, may participate in the meeting including voting on the matter as it is considered that this is in the public interest.

Cr Allan Sutherland (Mayor) remained in the meeting.

Moved by Cr Mike Charlton (Deputy Mayor)

Seconded by Cr Adrian Raedel

CARRIED 10/0

That in accordance with s175E(4) of the *Local Government Act 2009*, it is considered that Cr Julie Greer has a perceived conflict of interest in the matter however, may participate in the meeting including voting on the matter as it is considered that this is in the public interest.

Cr Julie Greer remained in the meeting.

ITEM 2.1

DA/22209/2009/VCHG/2 - REQUEST TO CHANGE (OTHER) - MATERIAL CHANGE OF USE - PRELIMINARY APPROVAL FOR RESIDENTIAL AND COMMERCIAL USES - 49 AND LOT 909 STAPYLTON STREET, NORTH LAKES - DIVISION 4

APPLICANT: STOCKLAND NORTH LAKES C/- ENVIRONMENTAL RESOURCES MANAGEMENT AUSTRALIA PTY LTD
OWNER: STOCKLAND NORTH LAKES PTY LTD

Meeting / Session: 2 PLANNING & DEVELOPMENT
Reference: A18383290: 7 May 2019 – **Refer Supporting Information A18387345, A18462848, A18460707**
Responsible Officer: GH, PED (Development Services)

Executive Summary

APPLICATION DETAILS	
Applicant:	Stockland North Lakes C/- Environmental Resource Management
Lodgement Date:	4 December 2019
Properly Made Date:	6 December 2019
Confirmation Notice Date:	17 December 2019
Information Request Date:	7 January 2019
Info Response Received Date:	16 January 2019
Public Notification Dates:	25 January 2019 until 11 March 2019
No. of Submissions:	Nil
Decision Due Date:	7 May 2019
Prelodgement Meeting Held:	No

PROPERTY DETAILS	
Division:	Division 4
Property Address:	49 Stapylton Street and Lot 909 Stapylton Street, North Lakes
RP Description	Lot 904 on SP266245 and Lot 909 on SP253422
Land Area:	1.5094ha
Property Owner	Stockland North Lakes

STATUTORY DETAILS	
Planning Legislation:	<i>Planning Act 2016</i>
Planning Scheme:	MBRC Planning Scheme (Varied by the Fraynes Land South Structure Plan - DA/22209/2009/VCHG/1)
Planning Locality / Zone	Centre zone, District centre precinct (MBRC Planning Scheme)
Level of Assessment:	Impact Assessment

This application seeks a Request to Change (Other) - Material Change of Use - Preliminary Approval for Residential and Commercial uses located at 49 and Lot 909 Stapylton Street, North Lakes. It is proposed to vary the existing approved Structure Plan over the site, known as the Frayne's Land South Structure Plan. The proposed variations apply to the Commercial (Town Centre Frame) precinct of the Fraynes's land South Structure Plan only and are summarised as follows:

- Change the level of assessment for Showroom, Service Industry and Warehouse from Impact Assessable to now be Code Assessable;

ITEM 2.1 DA/22209/2009/VCHG/2 - REQUEST TO CHANGE (OTHER) - MATERIAL CHANGE OF USE - PRELIMINARY APPROVAL FOR RESIDENTIAL AND COMMERCIAL USES - 49 AND LOT 909 STAPYLTON STREET, NORTH LAKES - DIVISION 4 - (Cont.)

- Amend the provisions relating to minimum lots size from 3,500m² to now be minimum of 1,000m².
- Increase the maximum building height from maximum 2 storey (10m) to now be maximum 12m.
- Subsequent minor textual addition to the following parts of the structure plan:
 - Section 2.4 Relationship to the *PineRiversPlan*;
 - Section 5 (iv) - Commercial code; and
 - Section 5(v) - Definitions.

The application was publicly advertised with no submissions received. The proposed development is considered to accord with the intent of the Moreton Bay Regional Council Planning Scheme, and is recommended to be approved, subject to conditions.

COMMITTEE RECOMMENDATION

Moved by Cr James Houghton

Seconded by Cr Brooke Savage

CARRIED 12/0

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

ITEM 2.1 DA/22209/2009/VCHG/2 - REQUEST TO CHANGE (OTHER) - MATERIAL CHANGE OF USE - PRELIMINARY APPROVAL FOR RESIDENTIAL AND COMMERCIAL USES - 49 AND LOT 909 STAPYLTON STREET, NORTH LAKES - DIVISION 4 - (Cont.)

OFFICER'S RECOMMENDATION

- A. That Council, in accordance with the *Planning Act 2016*, approves a Request to Change (Other) - Material Change of Use - Preliminary Approval for Residential and Commercial uses located at 49 and Lot 909 Stapylton Street, North Lakes, described as Lot 904 SP 266245, Lot 909 SP 253422, subject to the following plans/documents and conditions:

Approved Plans and Documents			
Plan / Document Name	Reference Number	Prepared By	Dated
Fraynes Land South Structure Plan (Document)	-	-	-
Fraynes South Precinct Structure Plan (Land Use Plan)	0102111 Fig 1, Issue B	ERM	4/04/2011

Conditions

PRELIMINARY APPROVAL

MATERIAL CHANGE OF USE – STANDARD CONDITIONS

1. Approved Plan

The approved plans for the development are as follows:

Approved Plans and Documents			
Plan / Document Name	Reference Number	Prepared By	Dated
Fraynes Land South Structure Plan (Document)	-	-	-
Fraynes South Precinct Structure Plan (Land Use Plan)	0102111 Fig 1, Issue B	ERM	4/04/2011

2. Development shall generally be in accordance with the above listed plans.
Approval Limitations

This approval does not authorise:

- The erection of buildings and/or structures; or
- Imply approval of any other uses of the land.

3. Contributions and Costs

The Developer shall be responsible for meeting all costs associated with:

- The works required by this approval;
- Any alterations to public utilities and services required by such works; and
- Any private services including septic tanks, sullage trenches and stormwater lines.

All works required shall be completed to the satisfaction of the Director, Strategic Planning and Development prior to the commencement of the use, unless otherwise specified by conditions of this permit or by resolution of the Council.

ITEM 2.1 DA/22209/2009/VCHG/2 - REQUEST TO CHANGE (OTHER) - MATERIAL CHANGE OF USE - PRELIMINARY APPROVAL FOR RESIDENTIAL AND COMMERCIAL USES - 49 AND LOT 909 STAPYLTON STREET, NORTH LAKES - DIVISION 4 - (Cont.)

4. Approval - Compliance

The Developer shall be responsible for ensuring that all persons charged with the administration of the permitted use are at all times aware of the conditions of this approval.

5. Amenity

The use shall not, in the opinion of Council, detrimentally affect the existing or prospective amenity of the locality due to, but not limited to noise, vibration, lighting, traffic generation and/or hours of operation.

6. Alterations and Relocation of Services

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 the telecommunication authority, electricity authorities, the Council, or other person engaged in the provision of public utility services, must be carried out at no cost to Council prior to the Approved Use commencing.

7. Developer Contributions for all Trunk Infrastructure Networks

Infrastructure contributions will be applicable to future development applications subsequent to this preliminary approval, as follows:

The Developer shall pay a contribution for all Trunk Infrastructure networks, calculated in accordance with Moreton Bay Regional Council's Adopted Infrastructure Charges Resolution for that part of Council's local government area covered by the Pine Rivers Plan.

The actual amount of the contribution will be calculated at the time of payment. Payment is required prior to endorsing the survey plan for each stage.

MATERIAL CHANGE OF USE – SPECIAL CONDITIONS

S1. Level of Assessment

- a) The level of assessment and applicable codes for future Material Change of Use carried out on land, forming part of this approval shall be in accordance with Tables 1A and 1B of the 'Frayne's Land South Structure Plan' as amended.
- b) The level of assessment and applicable codes for Reconfiguring a Lot, carried out on land, forming part of this approval shall be in accordance with Table 2 of the 'Frayne's Land South Structure Plan' as amended.
- c) The level of assessment and applicable codes for Operational Works – Advertising Devices shall be in accordance with Operation Works Table contained within the Structure plan. All other Operational Works and Building Works shall be in accordance with the Commercial Zone provisions of Part 25, of Chapter 4, of the PineRiversPlan;
- d) The Overlay Codes of the PineRiversPlan are not applicable to future development applications lodged in accordance with this Preliminary Approval, unless stated otherwise in conditions of development.
- e) The 'North Lakes Town Centre Design Essentials' do not form part of this approval. These are subject to implementation by the developer only.

The copy of the Frayne's Land South Land Use Plan and Structure Plan is attached to this permit for reference.

ITEM 2.1 DA/22209/2009/VCHG/2 - REQUEST TO CHANGE (OTHER) - MATERIAL CHANGE OF USE - PRELIMINARY APPROVAL FOR RESIDENTIAL AND COMMERCIAL USES - 49 AND LOT 909 STAPYLTON STREET, NORTH LAKES - DIVISION 4 - (Cont.)

S2. Development in Accordance with Codes

Where the Frayne's Land South Structure Plan varies from the requirements of the PineRiversPlan, the Frayne's Land South Structure Plan will prevail.

In the case where a relevant code has not been specified for any aspect of the subsequent development as part of this Preliminary Approval under the Frayne's Land South Structure Plan, the relevant provisions of the PineRiversPlan will apply to the development (overlays not applicable, unless where stated within a code).

S3. Density

The Medium-Density Residential Zone as indicated on the approved plan, Frayne's Land South Precinct Structure Plan, prepared by Environmental Resource Managers is to achieve a net density of between 25 and 40 dwelling units per hectare (25-40 du/ha).

S4. Buffering

Buffers to any non-residential land use is to occur in accordance with the Option A or B as identified in 'Buffers to Non-Residential Land Uses' prepared by Environmental Resource Managers (ref: 0102111:south) dated 3 November 2010.

S5. Lots Traversing Boundaries

If an allotment created under this Preliminary Approval is proposed to traverse an adjoining structure plan area, the structure plan to which the larger area of the lot is contained will prevail.

S6. Open Space

The Developer shall transfer open space/parkland as follows:

- If an integrated development between part Lots 200 on SP198678 and part Lot 201 on SP236568 occurs, a minimum 8% of the combined area of these lots; or
- In the event that Lot 200 on SP198678 develops exclusively, a minimum 8% of part Lot 200 on SP198678.

Parkland should typically be centrally or strategically located and bounded by road on three sides.

The Council shall not incur any obligation under the Law of Trusts or otherwise in connection with the transfer of parkland.

S7. Provisions of Services to adjoining land

The Developer shall ensure through future Operational Works applications that appropriate service connections are provided and made accessible to the adjoining allotment to the west (Lot 1 on RP152513).

S8. Road Location and Construction

The Developer shall provide entry roads into the estate generally as indicated on the approved proposal plan. Allotment access is not to be provided to any lot directly onto the Bruce Highway road reserve or Mason Street. The development must provide a internal road which runs the full length of the vegetated corridor. No allotments are to be endorsed with allotment boundaries bordering on the vegetation corridor.

ITEM 2.1 DA/22209/2009/VCHG/2 - REQUEST TO CHANGE (OTHER) - MATERIAL CHANGE OF USE - PRELIMINARY APPROVAL FOR RESIDENTIAL AND COMMERCIAL USES - 49 AND LOT 909 STAPYLTON STREET, NORTH LAKES - DIVISION 4 - (Cont.)

All internal roads are to be designed and constructed in accordance with the requirements of PineRiversPlan and Planning Scheme Policy PSP28. The developer must undertake a traffic assessment to confirm the classification of any roads within the estate which provide connection to adjoining allotments.

With the submission of any development application over the site, the developer must provide a traffic impact assessment of the anticipated traffic volumes along Mason Street. The developer must provide sufficient road reserve width required to accommodate that traffic in accordance with Council's standards. The developer must construct Mason Street to the approved classification, whilst designing the road to provide a sense of place into that precinct. This 'sense of place' can be achieved by means such as a median divided road, additional road reserve width, alternative cross sections design, or other similar design philosophies. Mason Street is to be constructed from the site boundary to Endeavour Boulevard (including any connection works) in accordance with the requirements of Council's planning scheme.

At the time of any operational works application an assessment of any bring forward requirement for necessary trunk infrastructure in Council's trunk infrastructure plans must be undertaken. Where the delivery of necessary trunk infrastructure is to be brought forward additional contributions may be required to cover the additional financing costs for the trunk infrastructure. At the time of this approval the time for completion of the development is unknown and consequently any possible impact on the timing of delivery of necessary trunk infrastructure to support the development can not be determined.

S9. Existing Overhead Infrastructure

Any existing overhead infrastructure along Mason Street is to be relocated to underground with any operational works application, which requires construction of Mason Street.

S10. Stormwater Management and Drainage

The submitted Stormwater Management Plan prepared by KN Group Pty. Ltd. and dated 31 August 2009 is not accepted.

A detailed stormwater management strategy is to be submitted with any submission of a development application over the site. The report shall address the planning assumptions and densities over the site, and endeavour to manage the impacts of that density. All recommendations of the approved report are considered mandatory and incorporated in the development.

All stormwater drainage is to be provided in accordance with Council PineRiversPlan and Planning Scheme Policy PSP28.

UNITYWATER CONDITIONS

UW1. Water & Sewerage

Connect the proposed development to Unitywater's reticulated water supply and sewerage systems prior to the issue of a Development Permit for any structure on the land.

UW2. Master Plan for Water and Sewerage

Provide master plan/s for water supply and sewerage works within the proposed development. The master plan/s shall show the method for providing a sewerage service to upstream properties and interconnecting water service to any adjacent properties requiring a service.

ITEM 2.1 DA/22209/2009/VCHG/2 - REQUEST TO CHANGE (OTHER) - MATERIAL CHANGE OF USE - PRELIMINARY APPROVAL FOR RESIDENTIAL AND COMMERCIAL USES - 49 AND LOT 909 STAPYLTON STREET, NORTH LAKES - DIVISION 4 - (Cont.)

REFERRAL AGENCY CONDITIONS

RA1. Department of State Development, Manufacturing, Infrastructure and Planning

Comply with Department of State Development, Manufacturing, Infrastructure and Planning referral agency response (ref:1812-9052) and dated 11 February 2019, or as amended, at all times.

Provide certification to the satisfaction of the Director of Strategic Planning and Development that demonstrates that the requirements of the Department State Development, Manufacturing, Infrastructure and Planning have been met, prior to commencement of use.

ASSESSMENT MANAGER ADVICES

A1. Notice of Indigenous Cultural Heritage Legislation And Duty Of Care Requirement

The Aboriginal Cultural Heritage Act 2003 commenced in Queensland on April 16, 2004. The Act is administered by the Department of Environment and Resource Management (DERM). Under the new Act, Indigenous parties are key in assessing cultural heritage significance.

The Aboriginal Cultural Heritage Act 2003 establishes a Duty of Care for Indigenous cultural heritage. This applies on all land and water, including freehold land. The Cultural Heritage Duty of Care lies with the person or entity conducting an activity.

Penalty provisions apply for failing to fulfil the Cultural Heritage Duty of Care.

Those proposing an activity that involves additional surface disturbance beyond that which has already occurred at the proposed site need to be mindful of the Duty of Care requirement.

Details of how to fulfil the Duty of Care are outlined in the Duty of Care Guidelines gazetted with the Act.

Council strongly advises that you contact DERM's Cultural Heritage Coordination Unit to obtain a copy of the Duty of Care Guidelines and further information on the responsibilities of developers under the terms of the Aboriginal Cultural Heritage Act 2003.

A2. Connection to Natural Gas Reticulation

As part of Council's commitment to reducing greenhouse gas emissions Council is encouraging the expansion of the natural gas reticulation network. In particular the use of natural gas hot water systems will result in significantly less greenhouse gas emissions than equivalent electric storage hot water systems.

It is recommended that you contact the local natural gas authority to arrange an assessment of the suitability of your proposed development for connection to the existing gas reticulation network.

A3. Development Contributions Advice

To ensure accurate calculation and checking of infrastructure charges it is recommended that the developer obtain an "Infrastructure Charges Advice" from Council's Development Services Department immediately prior to paying infrastructure charges.

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*.

ITEM 2.1 DA/22209/2009/VCHG/2 - REQUEST TO CHANGE (OTHER) - MATERIAL CHANGE OF USE - PRELIMINARY APPROVAL FOR RESIDENTIAL AND COMMERCIAL USES - 49 AND LOT 909 STAPYLTON STREET, NORTH LAKES - DIVISION 4 - (Cont.)

- C. That the development approval be recorded as a Notation on the Moreton Bay Regional Council Planning Scheme due to the approval:
- Being a variation approval given under section 61 of the *Planning Act 2016*.
- D. That all external Referral Agencies for the development application be provided with a copy of the Council's Decision Notice.
- E. That the following information be included in the Decision Notice.

Decision Notice information

	Details to Insert
Application Type	Request to Change (Other) - Material Change of Use - Preliminary Approval for Residential and Commercial uses
Relevant Period of Approval	Material Change of Use – 6 years
Section 64(5) Deemed Approval	Not applicable
Superseded Planning Scheme	Not applicable
Variation approval affecting the Planning Scheme	Applicable. Development resulting from this approval will be in accordance with the Table of Assessment and Assessment benchmarks of the Frayne's Land South Structure Plan.
Other Necessary Permits	Not applicable
Codes for Accepted Development	Not applicable
Referral Agencies	Department of State Development, Manufacturing, Infrastructure and Planning
Submissions	There were no properly made submissions about this application.

REPORT DETAIL

1. Background

On 29 March 2011, Council approved a Preliminary Approval for a Material Change of Use to Vary the Effect of the Local Planning Instrument to allow Residential and Commercial Uses. This approval is known as the Frayne's Land South Structure Plan. (Council reference: DA/22209/2009/DA)

On 5 June 2012, Council's Delegate approved a Change to Development Approval relating to a Material Change of Use - Preliminary Approval to Override Council's Planning Scheme to Allow Residential and Commercial uses. The nature of the changes related to the removal of Planning Scheme Policy Infrastructure Charges conditions and replaced with reference to Adopted Charges. (council reference: DA/22209/2009/VCHG/1).

On 19 December 2013, Council's delegate approved a Reconfiguration of a Lot – Development Permit for Subdivision (1 Lot into 1 Lot plus Balance Lot). (Council reference: DA/28260/2013/V3C)

ITEM 2.1 DA/22209/2009/VCHG/2 - REQUEST TO CHANGE (OTHER) - MATERIAL CHANGE OF USE - PRELIMINARY APPROVAL FOR RESIDENTIAL AND COMMERCIAL USES - 49 AND LOT 909 STAPYLTON STREET, NORTH LAKES - DIVISION 4 - (Cont.)

On 29 October 2015, Council delegate approved a Request to Change the Development approval relating to a Reconfiguration of a Lot – Development Permit for Subdivision (1 Lot into 1 Lot plus Balance Lot). (Council reference: DA/28260/2013/VCHG/1).

On 6 October 2015, Material Change of Use – Development Permit for Coordinated Signage Plan for a Motel (Council reference: DA/30288/2015/V2L).

On 14 January 2016, Council's delegate approved a Material Change of Use – Development Permit for Motel. (Council reference DA/30109/2015/V2L).

On 16 February 2018, Council's delegate approved a Reconfiguring a Lot - Development Permit for Subdivision (1 into 3 Lots) (Council reference: DA/35321/2017/V3C).

On 6 November 2018, Council's delegate approved a Material Change of Use - Development Permit for Retail Showroom, Shop and Warehouse (Council reference: DA/36644/2018/V2L).

On 5 December 2018, an application for Request to Change (Other) - Material Change of Use - Preliminary Approval for Residential and Commercial Uses was received by Council. This application seeks to align the Frayne's land South Structure Plan with the variations proposed as part of this application to the Town Centre Frame Sector Plan. This application is being assessed currently with the subject application. (Council reference: DA/22209/2009/VCHG/2).

2. Explanation of Item

2.1 Description of the Site and Surrounds

Directions	Planning Scheme Zone	Current Land Use
North	General residential zone, Next generation neighbourhood precinct	Dwelling houses
South	N/A	Bruce Highway
East	MHIDCP - Precinct Plan 045 & Sector Plan 045-1000	Service Station, Vehicle Hire
West	Centre zone, District centre precinct	Dwelling house (approved residential subdivision)

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.

Applicable Assessment Benchmarks:	<u>State Planning Policy</u> <ul style="list-style-type: none"> • State Planning Policy, Part E <u>Regional Plan</u> <ul style="list-style-type: none"> • South East Queensland Regional Plan
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ITEM 2.1 DA/22209/2009/VCHG/2 - REQUEST TO CHANGE (OTHER) - MATERIAL CHANGE OF USE - PRELIMINARY APPROVAL FOR RESIDENTIAL AND COMMERCIAL USES - 49 AND LOT 909 STAPYLTON STREET, NORTH LAKES - DIVISION 4 - (Cont.)

SEQ Regional Plan Designation:	<ul style="list-style-type: none"> Urban Footprint
Koala Habitat Designation:	<ul style="list-style-type: none"> Priority Koala Assessable Development Area

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:

Assessment benchmark - livable communities		
Applicable to Development	SPP requirement	Comment
No	None	Not applicable
Assessment benchmark - mining and extractive resources		
Applicable to Development	SPP requirement	Comment
No	None	Not applicable
Assessment benchmarks - water quality		
Applicable to Development	SPP requirement	Comment
No	None	Not applicable
Assessment benchmarks - natural hazards, risk and resilience		
Applicable to Development	SPP Requirement	Comment
Yes	<p>Bushfire, flood, landslide, storm tide inundation, and erosion prone areas outside the coastal management district:</p> <p>(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.</p> <p>All natural hazard areas:</p> <p>(2) Development supports and does not hinder disaster management response or recovery capacity and capabilities.</p>	<p>The subject site has been identified as being within the Flood Hazard Area – Local Government Flood Mapping Area.</p> <p>An assessment of the proposed development has been undertaken against the applicable SPP requirements and the proposal has been determined to comply</p> <p>Council's Flood Mapping indicates that the subject is</p>

ITEM 2.1 DA/22209/2009/VCHG/2 - REQUEST TO CHANGE (OTHER) - MATERIAL CHANGE OF USE - PRELIMINARY APPROVAL FOR RESIDENTIAL AND COMMERCIAL USES - 49 AND LOT 909 STAPYLTON STREET, NORTH LAKES - DIVISION 4 - (Cont.)

	<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>	not affected by flooding therefore the provisions do not need to be considered further
Assessment benchmarks - strategic airports and aviation facilities		
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 Area

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

2.3 Assessment Against Local Categorising Instrument

2.3.1 Proposed Variations

It is proposed to vary the existing approved Structure Plan over the site, known as the Frayne's Land South Structure Plan. The proposed variations apply to the Commercial (Town Centre Frame) precinct of the Frayne's Land South Structure Plan only and are summarised as follows:

- Change the level of assessment for Showroom, Service Industry and Warehouse from Impact Assessable to now be Code Assessable;
- Amend the provisions relating to minimum lots size from 3,500m² to now be minimum of 1,000m².
- Increase the maximum building height from maximum 2 storey (10m) to now be maximum 12m.
- Subsequent minor textual addition to the following parts of the structure plan:
 - Section 2.4 Relationship to the *PineRiversPlan*;
 - Section 5 (iv) - Commercial code; and
 - Section 5(v) - Definitions - Inclusion of land use definitions of Retail Showroom, Service Industry and Warehouse that are not currently provided for.

ITEM 2.1 DA/22209/2009/VCHG/2 - REQUEST TO CHANGE (OTHER) - MATERIAL CHANGE OF USE - PRELIMINARY APPROVAL FOR RESIDENTIAL AND COMMERCIAL USES - 49 AND LOT 909 STAPYLTON STREET, NORTH LAKES - DIVISION 4 - (Cont.)

2.3.2 Assessment of Proposed Variations against the Moreton Bay Regional Council Planning Scheme

The subject site is partially located within the Centre zone, District centre precinct of the Moreton Bay Regional Council Planning Scheme and partially within the Mango Hill Infrastructure Development Control Plan Area (Town Centre Frame "Q" Sector One).

The proposed variations sought to the existing Frayne's Land South Structure Plan are intended to generally align with the provisions of the current MBRC Planning Scheme, as it relates to the Centre zone, District centre precinct, as well as ensure a consistent planning frameworks for the part of the site contained within the Mango Hill Infrastructure Development Control Plan Area (Town Centre Frame Precinct).

Within the District centre precinct of the MBRC Planning Scheme, Showrooms and Service Industry are listed as Code Assessable development, the minimum lot size under the Reconfiguring a Lot Code is minimum 1000m² and minimum frontage of 20m and the maximum building height is shown as 12m on Overlay map - Building height. These aspects are consistent with the current provisions of the MBRC Planning Scheme. A Warehouse, however, is an Impact Assessable (Policy Neutral) within the Centre zone, District centre precinct of the MBRC Planning Scheme. The proposed variations seek to make a Warehouse Code Assessable as opposed to Impact Assessable. In the context of the site, a Warehouse is a low intensity land use that can could be co-located retail and commercial uses within the District centre precinct and would be required to demonstrate compliance with built form, design and siting requirements as contained within the Structure Plan Code. Furthermore, it is noted that the subject site (contained with the MHIDCP portion of the site) contains an existing approval for a Warehouse, demonstrating that a Warehouse is capable of being an appropriate use of the land (refer Council Reference: DA/36644/2018/V2).

The proposed variation also seeks to include the land use definitions of Retail Showroom, Service Industry and Warehouse into the Frayne's Land South Structure Plan as they are currently no included. It is noted the land uses definitions are taken from the MHIDCP as opposed to the MBRC Planning Scheme, to ensure consistency with the existing land use definition set and with the balance of the site contained within the MHIDCP area.

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. 6 commencing on 3 July 2017 (CR).

2.4.1 Levied Charge

A Levied Charge is not applicable to the development proposal as it does not authorize development to occur. Subsequent development made under this Preliminary Approval will be subject to infrastructure charges in accordance with the policy applicable at the time of development.

2.5 Recording of particular approvals on the MBRC Planning Scheme

In accordance with section 89 of the *Planning Act 2016*, the approval is required to be noted on Schedule 4 of the MBRC Planning Scheme as the development approval would:

- Be a variation approval given under section 61 of the *Planning Act 2016*.

ITEM 2.1 DA/22209/2009/VCHG/2 - REQUEST TO CHANGE (OTHER) - MATERIAL CHANGE OF USE - PRELIMINARY APPROVAL FOR RESIDENTIAL AND COMMERCIAL USES - 49 AND LOT 909 STAPYLTON STREET, NORTH LAKES - DIVISION 4 - (Cont.)

2.6 Referrals

2.6.1 *Council Referrals*

Not applicable in this instance.

2.6.2 *Referral Agencies*

2.6.2.1 Concurrence Agencies - Department of State Development, Manufacturing, Infrastructure and Planning

The application was referred to the Department of State Development, Manufacturing, Infrastructure and Planning (DSDMIP) for the following:

- (a) Matters relating to State Transport Infrastructure and State Transport Corridors. Council was advised on 11 February 2019 that DSDMIP (Reference: 1812-9052 SRA) has no objection to the development application subject to a number of conditions being attached to Council's Decision Notice.

2.6.2.2 Advice Agencies

There were no Advice Agencies involved in assessing this application.

2.6.2.1 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 23 January 2019;
- (b) The development application was advertised in the North Lakes Times on 24 January 2019.
- (c) A notice in the prescribed form was posted on the relevant land on 24 January 2019 and maintained for a period of thirty (30) business days until 11 March 2019.

2.7.2 *Submissions Received*

There were no submissions received about this development application.

2.7.3 *Notice of Compliance*

The Notice of Compliance was received by Council on 12 March 2019. 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.

2.8 Other Matters

None identified.

ITEM 2.1 DA/22209/2009/VCHG/2 - REQUEST TO CHANGE (OTHER) - MATERIAL CHANGE OF USE - PRELIMINARY APPROVAL FOR RESIDENTIAL AND COMMERCIAL USES - 49 AND LOT 909 STAPYLTON STREET, NORTH LAKES - DIVISION 4 - (Cont.)

3. Strategic Implications

3.1 Legislative/Legal Implications

The applicant has appeal rights in accordance with the *Planning Act 2016*.

3.2 Corporate Plan / Operational Plan

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

3.3 Policy Implications

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

3.4 Risk Management Implications

Development occurs efficiently and effectively in the region in a manner that reduces potential risk implications to Council and the community

3.5 Delegated Authority Implications

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

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) Permit conditions require infrastructure contributions to Council.

3.7 Economic Benefit

Appropriate development supports the growing Moreton Bay region.

3.8 Environmental Implications

New development contributes to sustainable management and protection of the natural environment in the region through compliance with the planning schemes policies and provisions.

3.9 Social Implications

Appropriately designed and located development contributes to diverse, vibrant and safe communities and facilities.

3.10 Consultation / Communication

Refer to clause 2.8.

ITEM 2.2 - DECLARATION OF INTEREST

Conflict of Interest - Declaration - Cr Allan Sutherland

Pursuant to s175E of the *Local Government Act 2009*, Cr Allan Sutherland (Mayor) declared a perceived conflict of interest in Item 2.2 as the Councillor had 2016 election signs on Stockland land in the North Lakes Town Precinct.

However, Cr Allan Sutherland (Mayor) has considered his position and is firmly of the opinion that he could participate in the debate and recommendation on the matter in the public interest.

Conflict of Interest - Declaration - Cr Julie Greer

Pursuant to s175E of the *Local Government Act 2009*, Cr Julie Greer declared a perceived conflict of interest in Item 2.2 as the Councillor had 2016 election signs on Stockland land in the North Lakes Town Precinct.

However, Cr Julie Greer has considered her position and is firmly of the opinion that she could participate in the debate and recommendation on the matter in the public interest.

Councillor not voluntarily left meeting - other Councillors who are entitled to vote must decide

Pursuant to s175E(3) of the Local Government Act 2009, the other Councillors who are entitled to vote at the meeting have been informed about a Councillor's personal interests in the matter and the Councillor has not voluntarily left the meeting, and in accordance with s175E(4) the other Councillors must decide whether the Councillor has a real or perceived conflict of interest in the matter and what action the Councillor must take.

Moved by Cr Koliana Winchester

Seconded by Cr Matt Constance

CARRIED 10/0

That in accordance with s175E(4) of the *Local Government Act 2009*, it is considered that Cr Allan Sutherland (Mayor) has a perceived conflict of interest in the matter however, may participate in the meeting including voting on the matter as it is considered that this is in the public interest.

Cr Allan Sutherland (Mayor) remained in the meeting.

Moved by Cr Adam Hain

Seconded by Cr James Houghton

CARRIED 10/0

That in accordance with s175E(4) of the *Local Government Act 2009*, it is considered that Cr Julie Greer has a perceived conflict of interest in the matter however, may participate in the meeting including voting on the matter as it is considered that this is in the public interest.

Cr Julie Greer remained in the meeting.

ITEM 2.2

DA/37540/2018/V2L - MATERIAL CHANGE OF USE - PRELIMINARY APPROVAL THAT INCLUDES A VARIATION APPROVAL TO VARY SECTOR PLAN 045-1000 TO ALLOW A RETAIL SHOWROOM, SERVICE INDUSTRY & WAREHOUSE AS PERMITTED DEVELOPMENT SUBJECT TO CONDITIONS LOCATED AT 49 STAPYLTON STREET, NORTH LAKES - DIVISION 4

APPLICANT: STOCKLAND NORTH LAKES C/- ENVIRONMENTAL RESOURCES MANAGEMENT PTY LTD

OWNER: STOCKLAND NORTH LAKES

Meeting / Session: 2 PLANNING & DEVELOPMENT
Reference: A18455080 : 7 May 2019 – Refer Supporting Information A18455081, A18462786, A18459008, A18458108
Responsible Officer: GH, PED_DS (Development Planning)

Executive Summary

APPLICATION DETAILS	
Applicant:	Stockland North Lakes C/- Environmental Resources Management Pty Ltd.
Lodgement Date:	4 December 2019
Properly Made Date:	6 December 2019
Confirmation Notice Date:	17 December 2019
Information Request Date:	7 January 2019
Info Response Received Date:	16 January 2019
Public Notification Dates:	25 January 2019 until 11 March 2019
No. of Submissions:	Properly Made: one (1) Not Properly Made: Nil
Decision Due Date:	7 May 2019
Prelodgement Meeting Held:	No

PROPERTY DETAILS	
Division:	Division 4
Property Address:	49 Stapylton Street, North Lakes
RP Description	Lot 904 SP266245
Land Area:	1.2620 ha (application area approx. 6,590m ²)
Property Owner	Stockland North Lakes

STATUTORY DETAILS	
Planning Legislation:	Planning Act 2016
Planning Scheme:	Mango Hill Infrastructure Development Control Plan No.14
Planning Locality / Zone	Precinct Plan 045 Sector Plan 045-1000 - Town Centre Frame
Level of Assessment:	Impact Assessment

ITEM 2.2 DA/37540/2018/V2L - MATERIAL CHANGE OF USE - PRELIMINARY APPROVAL THAT INCLUDES A VARIATION APPROVAL TO VARY SECTOR PLAN 045-1000 TO ALLOW A RETAIL SHOWROOM, SERVICE INDUSTRY & WAREHOUSE AS PERMITTED DEVELOPMENT SUBJECT TO CONDITIONS LOCATED AT 49 STAPYLTON STREET, NORTH LAKES - DIVISION 4 - A18455080 (Cont.)

This application seeks a Material Change of Use - Preliminary Approval that includes a Variation Approval to Vary Sector Plan 045-1000 to allow Retail Showroom, Service Industry and Warehouse as Permitted Development Subject to Conditions, located at 49 Stapylton Street, North Lakes and described as Lot 904 on SP266245.

The application seeks to vary the existing Sector Plan 045-1000 (Town Centre Frame "Q" Sector One), within the Mango Hill Infrastructure Development Control Plan No.14 (DCP) to allow the following:

- Amend the Tables of Assessment to allow Retail Showroom, Service Industry and Warehouse to be Code Assessable development (currently Impact Assessable);
- Amend Reconfiguring a Lot provisions to allow minimum lot size to be 1,000m² and minimum frontage of 20m (currently minimum 3,000m² and minimum frontage 20m);
- Amend maximum building height to be 12m or 3 storeys (currently maximum 3 storeys).

The application was publicly advertised with one (1) submission received. The proposed development is considered to accord with the intent of the Mango Hill Infrastructure Development Control Plan No.14, Precinct Plan 045 and Sector Plan 045-1000 - Town Centre Frame, and is recommended to be approved, subject to conditions.

COMMITTEE RECOMMENDATION

Moved by Cr Mike Charlton (Deputy Mayor)

Seconded by Cr Peter Flannery

CARRIED 12/0

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

Council noted that:

Council has previously approved three (3) applications to vary the Mango Hill Infrastructure Development Control Plan (see Council minutes of the 19 June 2012). The applications sought a S242 SPA - Preliminary Approval for Material Change of Use to vary the affect of a local planning instrument over three (3) adjacent but separate land parcels situated at Lots 64, 957 and 958 North Lakes Drive, North Lakes, described as Lot 64, Lot 957 and Lot 958 on SP 248892, Parish of Redcliffe. The applications sought to vary the planning scheme to facilitate Bulky Goods and Retail Showroom uses as Permitted Development (Code Assessable). Two submissions were received for each of the three applications including one from Westfield.

Council has also approved a Major Planning Scheme Amendment to the MHIDCP on 8 November 2011. The amendment was publicly notified in October 2011 and received two submissions only one properly made which was from Stockland. The purpose and general effect of the amendment was to facilitate orderly and timely development of a Major Regional Activity Centre for the purpose of the SEQ Regional Plan and a Major Employment Centre for the purposes of the MHIDCP, by increasing the permitted floor area of the shopping centre in the town centre core of North Lakes, from <60,000m² GLA (one only) to <60,000m² GLA where not structurally integrated with the development of a bulky goods or retail showroom in the Bulky Goods Retail and Related Uses Development Area; or <80,000m² GLA where so integrated with a retail showroom, as code assessable development.

In addition, there have been numerous (over thirty) minor amendments to Sector Plans ie. changes to access location.

ITEM 2.2 DA/37540/2018/V2L - MATERIAL CHANGE OF USE - PRELIMINARY APPROVAL THAT INCLUDES A VARIATION APPROVAL TO VARY SECTOR PLAN 045-1000 TO ALLOW A RETAIL SHOWROOM, SERVICE INDUSTRY & WAREHOUSE AS PERMITTED DEVELOPMENT SUBJECT TO CONDITIONS LOCATED AT 49 STAPYLTON STREET, NORTH LAKES - DIVISION 4 - A18455080 (Cont.)

OFFICER'S RECOMMENDATION

- A. That Council, in accordance with the *Planning Act 2016*, approves the development application Material Change of Use - Preliminary Approval that includes a Variation Approval to vary Sector Plan 045-1000 to allow Retail Showroom, Service Industry and Warehouse as Permitted Development Subject to Conditions, located at 49 Stapylton Street, North Lakes and described as Lot 904 on SP266245, subject to the following plans/documents and conditions:

Approved Plans and Documents			
Plan / Document Name	Reference Number	Prepared By	Dated
Town Centre Frame "Q" Precinct North lakes development	"Sector Plan 045-1000 Town Centre Frame "Q" - Sector One - Variation Request (April 2019)	ERM Pty Ltd on behalf of Stockland North Lakes Pty Ltd	April 2019

Conditions

CONDITION		TIMING
DEVELOPMENT PLANNING		
1.	Relevant Period	
	The relevant period for this approval is 5 years, unless written approval has been obtained from Council for an extension of this period.	To be maintained at all times.
2.	DPU Defined Terms	
	Interpret all land use and administrative definitions in accordance with the Mango Hill Infrastructure Development Control Plan No. 14 or as amended.	To be maintained at all times.
3.	Level of Assessment & Assessment Benchmarks	
A	The level of assessment and assessment benchmarks shall be in accordance with the <i>Sector Plan 045-1000 Town Centre Frame "Q" - Sector One - Variation Request (April 2019)</i> , or as amended.	To be maintained at all times.
B	For any purpose included within <i>Sector Plan 045-1000 Town Centre Frame "Q" - Sector One - Variation Request (April 2019)</i> , the provisions of the Mango Hill Infrastructure Development Control Plan will prevail.	To be maintained at all times.

ITEM 2.2 DA/37540/2018/V2L - MATERIAL CHANGE OF USE - PRELIMINARY APPROVAL THAT INCLUDES A VARIATION APPROVAL TO VARY SECTOR PLAN 045-1000 TO ALLOW A RETAIL SHOWROOM, SERVICE INDUSTRY & WAREHOUSE AS PERMITTED DEVELOPMENT SUBJECT TO CONDITIONS LOCATED AT 49 STAPYLTON STREET, NORTH LAKES - DIVISION 4 - A18455080 (Cont.)

ADVICES	
1.	Aboriginal Cultural Heritage Act 2003
	<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 cultural heritage duty of care - Department of Aboriginal and Torres Strait Islander Partnerships (Queensland Government) for further information regarding the responsibilities of the developer.</p>
2.	Referral Agency Response
	<p>A copy of Referral Agency Response from the Department of State Development, Manufacturing, Infrastructure and Planning (Ref: 1812-8957 SRA), dated 6 February 2019, is attached to this Decision Notice.</p>

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

Decision Notice information

	Details to Insert
Application Type	Material Change of Use - Preliminary Approval that includes a Variation Approval to vary Sector Plan 045-1000 to allow Retail Showroom, Service Industry and Warehouse as Permitted Development Subject to Conditions
Relevant Period of Approval	Material Change of Use – 5 years
Section 64(5) Deemed Approval	Not applicable

ITEM 2.2 DA/37540/2018/V2L - MATERIAL CHANGE OF USE - PRELIMINARY APPROVAL THAT INCLUDES A VARIATION APPROVAL TO VARY SECTOR PLAN 045-1000 TO ALLOW A RETAIL SHOWROOM, SERVICE INDUSTRY & WAREHOUSE AS PERMITTED DEVELOPMENT SUBJECT TO CONDITIONS LOCATED AT 49 STAPYLTON STREET, NORTH LAKES - DIVISION 4 - A18455080 (Cont.)

	Details to Insert
Superseded Planning Scheme	Not applicable
Variation approval affecting the Planning Scheme	Applicable. Development resulting from this approval will be subject to the Table of Assessment and Assessment Benchmarks in accordance with Sector Plan 045-1000.
Other Necessary Permits	Not applicable
Codes for Accepted Development	Not applicable
Referral Agencies	Department of State Development, Manufacturing, Infrastructure and Planning
Submissions	There was one (1) properly made submissions about this application.

REPORT DETAIL

1. Background

On 19 September 2012, Sector Plan 045-1000 - Town Centre Frame "Q" Precinct, Sector One was approved by Council.

On 29 March 2011, Council approved a Preliminary Approval for a Material Change of Use to Vary the Effect of the Local Planning Instrument to allow Residential and Commercial Uses. This approval is known as the Frayne's Land South Structure Plan. (Council reference: DA/22209/2009/DA)

On 5 June 2012, Council's Delegate approved a Change to Development Approval relating to a Material Change of Use - Preliminary Approval to Override Council's Planning Scheme to Allow Residential and Commercial uses. The nature of the changes related to the removal of Planning Scheme Policy Infrastructure Charges conditions and replaced with reference to Adopted Charges. (council reference: DA/22209/2009/VCHG/1).

On 19 December 2013, Council's delegate approved a Reconfiguration of a Lot – Development Permit for Subdivision (1 Lot into 1 Lot plus Balance Lot). (Council reference: DA/28260/2013/V3C)

On 29 October 2015, Council delegate approved a Request to Change the Development approval relating to a Reconfiguration of a Lot – Development Permit for Subdivision (1 Lot into 1 Lot plus Balance Lot). (Council reference: DA/28260/2013/VCHG/1).

On 6 October 2015, Material Change of Use – Development Permit for Coordinated Signage Plan for a Motel (Council reference: DA/30288/2015/V2L).

On 14 January 2016, Council's delegate approved a Material Change of Use – Development Permit for Motel. (Council reference DA/30109/2015/V2L).

On 16 February 2018, Council's delegate approved a Reconfiguring a Lot - Development Permit for Subdivision (1 into 3 Lots) (Council reference: DA/35321/2017/V3C).

ITEM 2.2 DA/37540/2018/V2L - MATERIAL CHANGE OF USE - PRELIMINARY APPROVAL THAT INCLUDES A VARIATION APPROVAL TO VARY SECTOR PLAN 045-1000 TO ALLOW A RETAIL SHOWROOM, SERVICE INDUSTRY & WAREHOUSE AS PERMITTED DEVELOPMENT SUBJECT TO CONDITIONS LOCATED AT 49 STAPYLTON STREET, NORTH LAKES - DIVISION 4 - A18455080 (Cont.)

On 6 November 2018, Council's delegate approved a Material Change of Use - Development Permit for Retail Showroom, Shop and Warehouse (Council reference: DA/36644/2018/V2L).

On 5 December 2018, an application for Request to Change (Other) - Material Change of Use - Preliminary Approval for Residential and Commercial Uses was received by Council. This application seeks to align the Frayne's land South Structure Plan with the variations proposed as part of this application to the Town Centre Frame Sector Plan. This application is being assessed currently with the subject application. (Council reference: DA/22209/2009/VCHG/2).

2. Explanation of Item

2.1 Proposal Description

The application seeks to vary the existing Sector Plan 045-1000 (Town Centre Frame "Q" Sector One), within the Mango Hill Infrastructure Development Control Plan No.14 (DCP) to allow the following:

- Section 3.2 Development Concept - Amend existing wording to make reference to service industry and warehouse as follows:

Retail showrooms, service industry and warehouse uses, ~~while impact assessable~~, may be considered where it can be demonstrated not to have a negative impact on the Town Centre Core.

- Section 3.4.3 Building Design - Insert additional wording to (iii) as follows:

Not exceed three (3) storeys or 12 metres in height.

- Section 5.0 Subdivision Requirements - Amend minimum lots size provisions as follows:

Any future subdivision of the site must ensure a minimum lot size of ~~3,000m²~~ 1,000m² and a minimum frontage width of 40m.

- Appendix A - Amend the Tables of Assessment in the following ways:
 - Service Industry (with no external air, noise or odour emissions from the site and can be suitable located with other non-industrial uses) to be made Code Assessable instead of Impact Assessable.
 - Retail Showroom to be made Code Assessable instead of Impact Assessable; and
 - Warehouse to be made Code Assessable instead of Impact Assessable.

- Document Title - Amend all document title references throughout the document as follows:

*Sector Plan No. 045-1000 – Town Centre Frame "Q" Sector One ~~Approved 19 September 2012~~
Variation Request (April 2019)*

All other aspects of the Sector Plan 045-1000 (Town Centre Frame "Q" Sector One), within the Mango Hill Infrastructure Development Control Plan No.14 (DCP) will remain unchanged. A track changes version of the proposed amendments to Sector Plan 045-1000 - Town Centre Frame "Q: Sector One is included within the attachments to this report.

The site is currently contained within both the Mango Hill Infrastructure Development Control Plan Area (DCP) area and within the MBRC Planning Scheme area. The part of the site included within the MBRC Planning Scheme is included within the Centre zone, District centre precinct however is also subject to a Preliminary Approval to vary the effect of Council's Planning Scheme, known as the Frayne's Land

ITEM 2.2 DA/37540/2018/V2L - MATERIAL CHANGE OF USE - PRELIMINARY APPROVAL THAT INCLUDES A VARIATION APPROVAL TO VARY SECTOR PLAN 045-1000 TO ALLOW A RETAIL SHOWROOM, SERVICE INDUSTRY & WAREHOUSE AS PERMITTED DEVELOPMENT SUBJECT TO CONDITIONS LOCATED AT 49 STAPYLTON STREET, NORTH LAKES - DIVISION 4 - A18455080 (Cont.)

South Structure Plan. The proposed variations are intended to ensure a consistent planning framework for the site and adjoining land, proposed to generally align with the provisions of the current MBRC Planning Scheme, as it relates to the Centre zone, District centre precinct. Within the District centre precinct, Showrooms and Service Industry are listed as Code Assessable development, the minimum lot size under the Reconfiguring a Lot Code is minimum 1000m² and minimum frontage of 20m and the maximum building height is shown as 12m on Overlay map - Building height, consistent with the variations sought.

It is noted that a Warehouse is an Impact Assessable (Policy Neutral) within the Centre zone, District centre precinct of the MBRC Planning Scheme. The proposed variations seek to make a Warehouse Code Assessable as opposed to Impact Assessable under the MCRC Planning Scheme and under the Town Centre Frame Sector Plan. In the context of the site, a Warehouse is a low intensity land use that can could be co-located retail and commercial uses within the Town Centre Frame sector and would be able to comply with the design and siting criteria contained within the sector plan. Furthermore, it is noted that the subject site contains an existing approval for a Warehouse that is yet to be acted upon (refer Council Reference: DA/36644/2018/V2L - approved 6 November 2018).

With respect to the proposed altered level of assessment for Retail Showrooms, the existing provisions of Sector Plan 045-1000 contemplates that Retail Showroom may occur within the precinct by stating "*Retail showrooms, while impact assessable, may be considered where it can be demonstrated not have a negative impact on the Town Centre Core*". As part of the application, the applicant has provided an Economic Impact Assessment in support of the proposed amendment to the level of Assessment for Retail Showroom from Impact Assessment to Code Assessment. The Economic Impact Assessment identifies that the site could accommodate a maximum of 1,800-2,000m² of Retail Showroom floor space. The report concludes there is capacity in the market for additional retail showroom uses in the catchment, there is strong forecast growth for additional floor space and that the proposed floor space would have an immaterial trading impact of existing Showroom uses within the North Lakes Town Centre.

2.2 Description of the Site and Surrounds

Directions	Planning Scheme Zone	Current Land Use
North	General residential zone, Next generation neighbourhood precinct	Dwelling houses
South	N/A	Bruce Highway
East	MHIDCP - Precinct Plan 045 & Sector Plan 045-1000	Service Station, Vehicle Hire
West	Centre zone, District centre precinct	Vacant land

2.3 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.

ITEM 2.2 DA/37540/2018/V2L - MATERIAL CHANGE OF USE - PRELIMINARY APPROVAL THAT INCLUDES A VARIATION APPROVAL TO VARY SECTOR PLAN 045-1000 TO ALLOW A RETAIL SHOWROOM, SERVICE INDUSTRY & WAREHOUSE AS PERMITTED DEVELOPMENT SUBJECT TO CONDITIONS LOCATED AT 49 STAPYLTON STREET, NORTH LAKES - DIVISION 4 - A18455080 (Cont.)

Applicable Assessment Benchmarks:	<u>State Planning Policy</u> <ul style="list-style-type: none"> State Planning Policy, Part E <u>Regional Plan</u> <ul style="list-style-type: none"> South East Queensland Regional Plan
SEQ Regional Plan Designation:	<ul style="list-style-type: none"> Urban Footprint
Koala Habitat Designation:	<ul style="list-style-type: none"> Priority Koala Assessable Development Area

2.3.1 State Planning Policy

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

Assessment benchmark - livable communities		
Applicable to Development	SPP requirement	Comment
No	None	Not applicable
Assessment benchmark - mining and extractive resources		
Applicable to Development	SPP requirement	Comment
No	None	Not applicable
Assessment benchmarks - water quality		
Applicable to Development	SPP requirement	Comment
No	None	Not applicable
Assessment benchmarks - natural hazards, risk and resilience		
Applicable to Development	SPP Requirement	Comment
Yes	Bushfire, flood, landslide, storm tide inundation, and erosion prone areas outside the coastal management district: (6) Development other than that assessed against (1) above, avoids natural hazard areas, or where it is not possible to avoid the natural hazard area,	The subject site has been identified as being within the Flood Hazard Area – Local Government Flood Mapping Area. An assessment of the proposed development has

ITEM 2.2 DA/37540/2018/V2L - MATERIAL CHANGE OF USE - PRELIMINARY APPROVAL THAT INCLUDES A VARIATION APPROVAL TO VARY SECTOR PLAN 045-1000 TO ALLOW A RETAIL SHOWROOM, SERVICE INDUSTRY & WAREHOUSE AS PERMITTED DEVELOPMENT SUBJECT TO CONDITIONS LOCATED AT 49 STAPYLTON STREET, NORTH LAKES - DIVISION 4 - A18455080 (Cont.)

	<p>development mitigates the risks to people and property to an acceptable or tolerable level.</p> <p>All natural hazard areas:</p> <p>(7) Development supports and does not hinder disaster management response or recovery capacity and capabilities.</p> <p>(8) 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>(9) 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>(10) 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>been undertaken against the applicable SPP requirements and the proposal has been determined to comply</p> <p>Council's Flood Mapping indicates that the subject is not affected by flooding therefore the provisions do not need to be considered further</p>
Assessment benchmarks - strategic airports and aviation facilities		
Applicable to Development	SPP Requirement	Comment
No	None	Not applicable

2.3.2 South East Queensland Regional Plan

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

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

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

2.4 Local Planning Instruments Assessment - Mango Hill Infrastructure Development Control Plan No.14 (MHIDCP) and Mango Hill Infrastructure Agreement 1999 (MHIA)

2.4.1 Mango Hill Infrastructure Development Control Plan No.14 (MHIDCP)

The proposed development has been assessed against the broader development and planning intent and DEOs of the MHIDCP. The proposed development is considered to be consistent with the overarching development strategy of the MHIDCP to develop a master planned

ITEM 2.2 DA/37540/2018/V2L - MATERIAL CHANGE OF USE - PRELIMINARY APPROVAL THAT INCLUDES A VARIATION APPROVAL TO VARY SECTOR PLAN 045-1000 TO ALLOW A RETAIL SHOWROOM, SERVICE INDUSTRY & WAREHOUSE AS PERMITTED DEVELOPMENT SUBJECT TO CONDITIONS LOCATED AT 49 STAPYLTON STREET, NORTH LAKES - DIVISION 4 - A18455080 (Cont.)

community encompassing a wide range of physical, social and economic needs of the community and attracting employment generating activities.

The proposal is also consistent with the intent of the MHIDCP for the Town Centre Frame to provide support facilities and services to the town centre core, and to provide a transition between the town centre core and the MIBA and urban residential areas. The town centre frame will accommodate higher levels of activity than the surrounding land use elements but a slightly lower level of activity than the town centre core. This differentiation will be reflected in the spatial arrangement, type and intensity of land uses and the physical form of development. The proposed development is also considered to be generally consistent or otherwise compatible with the specific DEOs for the Town Centre Frame as outlined below.

MHIDCP – DEOs	Comment
5.0 Town Centre Frame	Consistent with the overarching development strategy for a major employment centre
(a) Reinforce the role of town centre by providing a range of complementary employment opportunities, facilities and services typically not provided in the core.	Complies.
(b) Provide for mixed use development and employment as part of a Major Employment Centre in locations highly accessible to the town centre core and regional transport network.	Complies.
(c) To reinforce and complement the role and function of the town centre core as a key component of the Major Activity Centre in the northern growth corridor.	Complies.
(d) To provide opportunities for a wide range of high order employment ... which may not be appropriate to a town centre core location having regard to their particular character.	Complies.
(e) To provide small scale incidental retail facilities generally intended to service the town centre workforce and residents as part of a mixed use development.	Complies.
(f) To maintain a high standard of flexibility in planning for future development for a range of activities which are expected to change.	Complies.
(g) To retain opportunities for specialty retailing and business services, which do not require a town centre core location, without compromising the role and function of the town centre core.	Complies.
(h) To ensure retail development such as stand alone shopping centres, department stores, discount department stores supermarkets and other major retail facilities which would compromise or diminish the role or function of the major shopping centre in the town centre core are not established in the town centre frame.	Complies.

ITEM 2.2 DA/37540/2018/V2L - MATERIAL CHANGE OF USE - PRELIMINARY APPROVAL THAT INCLUDES A VARIATION APPROVAL TO VARY SECTOR PLAN 045-1000 TO ALLOW A RETAIL SHOWROOM, SERVICE INDUSTRY & WAREHOUSE AS PERMITTED DEVELOPMENT SUBJECT TO CONDITIONS LOCATED AT 49 STAPYLTON STREET, NORTH LAKES - DIVISION 4 - A18455080 (Cont.)

2.4.2 Assessment of Precinct and Sector Plan

In accordance with the plan making process prescribed by the MHIDCP, Precinct Plans provide planning statements, principles and guidelines to achieve DEO's for a precinct area. Sector Plans allocate land use rights, provide indicative subdivision layout and staging and provide the code for development in a sector plan area. The proposal has been assessed against the relevant Precinct and Sector Plans as outlined below and is considered to generally comply and be consistent with the intent of these planning documents.

The primary function of the town centre frame is to reinforce the role of the town centre core and provide a range of complementary employment opportunities, facilities and services, not typically found in the core. To this end, a range of retail/commercial uses is identified as permitted development (code assessable) in the MHIDCP (and the approved Sector Plans). The planning intent of the MHIDCP, *Section 5 – Town Centre Frame* makes provision for specialty retailing and/or other major retail facilities where such use is demonstrated not to compromise or diminish the role or function of the major shopping centre in the town centre core.

Precinct Plan 045 - Applicable DEO's	Compliance	Comments
2.2 Desired Environmental Outcomes	<input checked="" type="checkbox"/>	Development generally complies with all relevant requirements.
3.0 Development, Planning & Design Principles	<input checked="" type="checkbox"/>	
4.0 Landscape Concept	<input checked="" type="checkbox"/>	
5.0 Environmental Management	<input checked="" type="checkbox"/>	
6.0 Generic Land Uses	<input checked="" type="checkbox"/>	
7.0 Infrastructure	<input checked="" type="checkbox"/>	
Precinct Plan Map		
Sector Plan 045-1000 - Applicable Codes	Compliance	Comments
2.0 Land Use Rights	<input checked="" type="checkbox"/>	Development generally complies with all relevant requirements.
3.0 Development Requirements & Guidelines	<input checked="" type="checkbox"/>	
4.0 Environmental Management	<input checked="" type="checkbox"/>	
5.0 Subdivision Requirements	N/A	
6.0 Infrastructure	<input checked="" type="checkbox"/>	
7.0 Detailed Infrastructure Program	<input checked="" type="checkbox"/>	
Sector Plan Map	<input checked="" type="checkbox"/>	

2.4.3 Assessment of Variations Sought

The application seeks to vary the existing Sector Plan 045-1000 (Town Centre Frame "Q" Sector One), within the Mango Hill Infrastructure Development Control Plan No.14 (DCP) to allow the following:

- Section 3.2 Development Concept - Amend existing wording to make reference to service industry and warehouse as follows:

Retail showrooms, service industry and warehouse uses, ~~while impact assessable~~, may be considered where it can be demonstrated not to have a negative impact on the Town Centre Core.

- Section 3.4.3 Building Design - Insert additional wording to (iii) as follows:

Not exceed three (3) storeys or 12 metres in height.

- Section 5.0 Subdivision Requirements - Amend minimum lots size provisions as follows:

ITEM 2.2 DA/37540/2018/V2L - MATERIAL CHANGE OF USE - PRELIMINARY APPROVAL THAT INCLUDES A VARIATION APPROVAL TO VARY SECTOR PLAN 045-1000 TO ALLOW A RETAIL SHOWROOM, SERVICE INDUSTRY & WAREHOUSE AS PERMITTED DEVELOPMENT SUBJECT TO CONDITIONS LOCATED AT 49 STAPYLTON STREET, NORTH LAKES - DIVISION 4 - A18455080 (Cont.)

Any future subdivision of the site must ensure a minimum lot size of ~~3,000m²~~ 1,000m² and a minimum frontage width of 40m.

- Appendix A - Amend the Tables of Assessment in the following ways:
 - Service Industry (with no external air, noise or odour emissions from the site and can be suitable located with other non-industrial uses) to be made Code Assessable instead of Impact Assessable.
 - Retail Showroom to be made Code Assessable instead of Impact Assessable; and
 - Warehouse to be made Code Assessable instead of Impact Assessable.
- Document Title - Amend all document title references throughout the document as follows:

Sector Plan No. 045-1000 – Town Centre Frame “Q” Sector One ~~Approved 19 September 2012~~ Variation Request (December 2018)

All other aspects of the Sector Plan 045-1000 (Town Centre Frame “Q” Sector One), within the Mango Hill Infrastructure Development Control Plan No.14 (DCP) will remain unchanged.

The site is currently contained within both the Mango Hill Infrastructure Development Control Plan Area (DCP) area and within the MBRC Planning Scheme area. The part of the site included within the MBRC Planning Scheme is included within the Centre zone, District centre precinct however is also subject to a Preliminary Approval to vary the effect of Council's Planning Scheme, known as the Frayne's Land South Structure Plan. The proposed variations are intended to ensure a consistent planning framework for the site and adjoining land, proposed to generally align with the provisions of the current MBRC Planning Scheme, as it relates to the Centre zone, District centre precinct. Within the District centre precinct, Showrooms and Service Industry are listed as Code Assessable development, the minimum lot size under the Reconfiguring a Lot Code is minimum 1000m² and minimum frontage of 20m and the maximum building height is shown as 12m on Overlay map - Building height, consistent with the variations sought.

It is noted that a Warehouse is an Impact Assessable (Policy Neutral) within the Centre zone, District centre precinct of the MBRC Planning Scheme. The proposed variations seek to make a Warehouse Code Assessable as opposed to Impact Assessable under the MCRC Planning Scheme and under the Town Centre Frame Sector Plan. In the context of the site, a Warehouse is a low intensity land use that can could be co-located retail and commercial uses within the Town Centre Frame sector and would be able to comply with the design and siting criteria contained within the sector plan. Furthermore, it is noted that the subject site contains an existing approval for a Warehouse that is yet to be acted upon (refer Council Reference: DA/36644/2018/V2L - approved 6 November 2018).

With respect to the proposed altered level of assessment for Retail Showrooms, the existing provisions of Sector Plan 045-1000 contemplates that Retail Showroom may occur within the precinct by stating “Retail showrooms, while impact assessable, may be considered where it can be demonstrated not have a negative impact on the Town Centre Core”. As part of the application, the applicant has provided an Economic Impact Assessment in support of the proposed amendment to the level of Assessment for Retail Showroom from Impact Assessment to Code Assessment. The Economic Impact Assessment identifies that the site could accommodate a maximum of 1,800-2,000m² of Retail Showroom floor space. The report concludes there is capacity in the market for additional retail showroom uses in the catchment, there is strong forecast growth for additional floor space and that the proposed floor space would have an immaterial trading impact of existing Showroom uses within the North Lakes Town Centre.

ITEM 2.2 DA/37540/2018/V2L - MATERIAL CHANGE OF USE - PRELIMINARY APPROVAL THAT INCLUDES A VARIATION APPROVAL TO VARY SECTOR PLAN 045-1000 TO ALLOW A RETAIL SHOWROOM, SERVICE INDUSTRY & WAREHOUSE AS PERMITTED DEVELOPMENT SUBJECT TO CONDITIONS LOCATED AT 49 STAPYLTON STREET, NORTH LAKES - DIVISION 4 - A18455080 (Cont.)

2.5 Trunk Infrastructure

2.5.1 *Levied Charge*

Water supply and sewerage capacity (ET and EP) have been allocated to the subject lot in accordance with the provisions of the MHIA 1999 and the general rates for commercial uses identified therein. The method for calculation of charges or credits for infrastructure is set out in the MHIA 1999.

All payment for infrastructure charges have been made at the time of endorsement of the Survey Plan.

2.6 Recording of particular approvals on the MBRC Planning Scheme

In accordance with section 89 of the *Planning Act 2016*, the approval is required to be noted on Schedule 4 of the MBRC Planning Scheme as the development approval would;

- Be a variation approval given under section 61 of the *Planning Act 2016*.

2.7 Referrals

2.7.1 *Council Referrals*

N/A

2.7.2 *Referral Agencies*

2.7.2.1 Concurrence Agencies - Department of State Development, Manufacturing, Infrastructure and Planning

The application was referred to the Department of State Development, Manufacturing, Infrastructure and Planning (DSDMIP) for the following:

- (b) Matters relating to State Transport Infrastructure and State Transport Corridors. Council was advised on 6 February 2019 that DSDMIP (Reference: 1812-8957 SRA) has no objection to the development application subject to a number of conditions being attached to Council's Decision Notice.

2.7.2.2 Advice Agencies

There were no Advice Agencies involved in assessing this application.

2.7.2.3 Third Party Agencies

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

2.8 Public Consultation

2.8.1 *Public Notification Requirements under the Development Assessment Rules*

- (d) Public Notification was served on all adjoining landowners on 23 January 2019.
- (e) The development application was advertised in the North Lakes Times on 24 January 2019.

ITEM 2.2 DA/37540/2018/V2L - MATERIAL CHANGE OF USE - PRELIMINARY APPROVAL THAT INCLUDES A VARIATION APPROVAL TO VARY SECTOR PLAN 045-1000 TO ALLOW A RETAIL SHOWROOM, SERVICE INDUSTRY & WAREHOUSE AS PERMITTED DEVELOPMENT SUBJECT TO CONDITIONS LOCATED AT 49 STAPYLTON STREET, NORTH LAKES - DIVISION 4 - A18455080 (Cont.)

- (f) A notice in the prescribed form was posted on the relevant land on 25 January 2019 and maintained for a period of Thirty (30) business days until 11 March 2019.

2.8.2 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		1
	Petition		-
Not Properly Made	Letter, Email, Fax		-
	Petition		-
Total			1

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

Assessment of Submissions
<p>Issue - Economic Need</p> <ul style="list-style-type: none"> • Appropriately designed and located development contributes to diverse, vibrant and safe communities and facilities • The proposed development will prejudice the intent and commercial viability of the Bulky Goods Centre planned for the Town Centre Core in accordance with Section 3.3.1 of the DCP; • The proposed development will compromise the intended function of the Town Centre Frame and the accommodation of incidental retail facilities and services that support the Town Centre Core and adjacent MIBA and residential area; • The material supporting the development application fails to adequately address the contrasting objectives in the Development Control Plan and Sector Plan regarding the • intended hierarchy, role and function of the Town Centre Core and Town Centre Frame; and • The economic needs assessment supporting the development application does not provide an accurate assessment of economic impact of the development application and fails to demonstrate that there is an overwhelming need for the proposed development and no impact to the Town Centre Core.
<p>Discussion</p> <p>The existing provisions of Sector Plan 045-1000 contemplates that Retail Showrooms may occur within the precinct by stating “Retail showrooms, while impact assessable, may be considered where it can be demonstrated not have a negative impact on the Town Centre Core”. As part of the application, the applicant has provided an Economic Impact Assessment in support of the proposed amendment to the level of Assessment for Retail Showroom from Impact Assessment to Code Assessment. The Economic Impact Assessment identifies that the site could accommodate a maximum of 1,800-2,000m² of Retail Showroom floor space. The report concludes there is capacity in the market for additional retail showroom uses in the catchment, there is strong forecast growth for additional floor space and that the proposed floor space would have an immaterial trading impact of existing Showroom uses within the North Lakes Town Centre.</p> <p>It is noted that since the time of the preparation of the DCP, Town Centre Core has expanded from the intended 60,000m² floor space contemplated within the DCP, to currently be approximately 80,000m². This reiterates that development that diverges from the DCP is not necessarily detrimental. In fact, this demonstrates the continued operation</p>

ITEM 2.2 DA/37540/2018/V2L - MATERIAL CHANGE OF USE - PRELIMINARY APPROVAL THAT INCLUDES A VARIATION APPROVAL TO VARY SECTOR PLAN 045-1000 TO ALLOW A RETAIL SHOWROOM, SERVICE INDUSTRY & WAREHOUSE AS PERMITTED DEVELOPMENT SUBJECT TO CONDITIONS LOCATED AT 49 STAPYLTON STREET, NORTH LAKES - DIVISION 4 - A18455080 (Cont.)

Assessment of Submissions

of the Town Centre Core that has not been compromised by retail showroom development occurring in the Town Centre Frame. Likewise, the Town Centre Frame has also matured over time, by and provides additional support to the Town Centre Core, as demonstrated by filling a gap in the market by providing areas for retail showroom and service industry uses to establish, given the large footprint these uses typically occupy.

In addition, Economic Impact Assessment outline a number of economic and community benefits, including :

- *The addition of further retail showroom facilities will provide the community with additional choice of products and service;*
- *Expansion of the retail offer in the town centre improves convenience and reduces the need to travel to other locations to access goods and service;*
- *The introduction of further retail facilities creates positive competition, with other existing retailers improving their quality and service and reducing prices in response;*
- *The development will create increased employment opportunities, both during construction of the showrooms and through their ongoing operation; and*
- *Occupation of a currently vacant site will deliver the added benefit of consolidating the precinct as the primary large format retail destination, and as the key retail destination more broadly in the area.*

This is not sufficient grounds for refusal of the application.

2.8.3 Notice of Compliance

The Notice of Compliance was received by Council on 12 March 2019. 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.

2.9 Other Matters

None identified.

3. Strategic Implications

3.1 Legislative/Legal Implications

The applicant and submitter has appeal rights in accordance with the *Planning Act 2016*.

3.2 Corporate Plan / Operational Plan

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

3.3 Policy Implications

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

3.4 Risk Management Implications

Development occurs efficiently and effectively in the region in a manner that reduces potential risk implications to Council and the community

3.5 Delegated Authority Implications

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

ITEM 2.2 DA/37540/2018/V2L - MATERIAL CHANGE OF USE - PRELIMINARY APPROVAL THAT INCLUDES A VARIATION APPROVAL TO VARY SECTOR PLAN 045-1000 TO ALLOW A RETAIL SHOWROOM, SERVICE INDUSTRY & WAREHOUSE AS PERMITTED DEVELOPMENT SUBJECT TO CONDITIONS LOCATED AT 49 STAPYLTON STREET, NORTH LAKES - DIVISION 4 - A18455080 (Cont.)

3.6 Financial Implications

- c) 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.
- d) Permit conditions require infrastructure contributions to Council.

3.7 Economic Benefit

Appropriate development supports the growing Moreton Bay region.

3.8 Environmental Implications

New development contributes to sustainable management and protection of the natural environment in the region through compliance with the planning schemes policies and provisions.

3.9 Social Implications

Appropriately designed and located development contributes to diverse, vibrant and safe communities and facilities.

3.10 Consultation / Communication

Refer to clause 2.8.

ATTENDANCE

Ms Kate Isles and Ms Amy White left the meeting at 10:53 AM after consideration of Items 2.1 and 2.2.

3 CORPORATE SERVICES SESSION

(Cr M Constance)

No items for consideration.

4 ASSET CONSTRUCTION & MAINTENANCE SESSION

(Cr A Hain)

ITEM 4.1

NARANGBA - BOUNDARY ROAD - DEPOT DEVELOPMENT AND NARANGBA - BOUNDARY ROAD - INTERSECTION UPGRADE AND ROAD REHABILITATION - DETAILED DESIGN - DIVISION 4

Meeting / Session: 4 ASSET CONSTRUCTION & MAINTENANCE
Reference: A16845170 : 17 February 2019 - Refer **Confidential** Supporting Information A18166294
Responsible Officer: BB, Manager Project Management (ECM Project Management)

Executive Summary

Tenders were invited for the 'Narangba - Boundary Road - Depot Development and Narangba - Boundary Road - Intersection Upgrade and Road Rehabilitation - Detailed Design (VP104383)' project. The tender closed on 5 February 2019, with five conforming tenders received.

It is recommended that Council award the main tender component being for the detailed design of the depot to Bornhorst & Ward Pty Ltd for the total sum of \$867,171.00 (excluding GST) as this tender submission was evaluated as representing the best overall value to Council.

It is recommended that Council award separable portion 1 of the tender being for the detailed design of the Boundary Road Intersection Upgrade and Road Rehabilitation to Bornhorst & Ward Pty Ltd for the total sum of \$111,424.00 (excluding GST) as this tender submission was evaluated as representing the best overall value to Council.

COMMITTEE RECOMMENDATION

Moved by Cr Matt Constance

Seconded by Cr Julie Greer

CARRIED 12/0

1. That the tender for 'Narangba - Boundary Road - Depot Development - Detailed Design (VP104383 - main tender component)' be awarded to Bornhorst & Ward Pty Ltd for the total sum of \$867,171.00 (excluding GST).
 - a) That the Council enters into an agreement with Bornhorst & Ward Pty Ltd as described in this report.
 - b) That the Chief Executive Officer be authorised to take all action necessary, including but not limited to, negotiating, making, amending, signing and discharging the agreement with Bornhorst & Ward Pty Ltd for the 'Narangba - Boundary Road - Depot Development - Detailed Design (VP104383 - main tender component)' and any required variations of the agreement on Council's behalf.
2. That the tender for 'Narangba - Boundary Road - Intersection Upgrade and Road Rehabilitation - Detailed Design (VP104383 - separable portion 1 component)' be awarded to Bornhorst & Ward Pty Ltd for the total sum of \$111,424.00 (excluding GST).
 - a) That the Council enters into an agreement with Bornhorst & Ward Pty Ltd as described in this report.
 - b) That the Chief Executive Officer be authorised to take all action necessary, including but not limited to, negotiating, making, amending, signing and discharging the agreement with Bornhorst & Ward Pty Ltd for the 'Narangba - Boundary Road - Intersection Upgrade and Road Rehabilitation - Detailed Design (VP104383 - separable portion 1 component)' and any required variations of the agreement on Council's behalf.

Moreton Bay Regional Council

COORDINATION COMMITTEE MEETING
7 May 2019

PAGE 19/773
Report

ITEM 4.1 NARANGBA - BOUNDARY ROAD - DEPOT DEVELOPMENT AND NARANGBA - BOUNDARY ROAD - INTERSECTION UPGRADE AND ROAD REHABILITATION - DETAILED DESIGN - DIVISION 4 - A16845170 (Cont.)

3. **That to enable Council to enter into arrangements for these projects with Bornhorst & Ward Pty Ltd, Council commits to providing the funding allocation for the project in line with the draft 2019/20 Capital Projects Budget.**

ITEM 4.1 NARANGBA - BOUNDARY ROAD - DEPOT DEVELOPMENT AND NARANGBA - BOUNDARY ROAD - INTERSECTION UPGRADE AND ROAD REHABILITATION - DETAILED DESIGN - DIVISION 4 - A16845170 (Cont.)

OFFICER'S RECOMMENDATION

1. That the tender for '*Narangba - Boundary Road - Depot Development - Detailed Design (VP104383 - main tender component)*' be awarded to Bornhorst & Ward Pty Ltd for the total sum of \$867,171.00 (excluding GST).
 - a) That the Council enters into an agreement with Bornhorst & Ward Pty Ltd as described in this report.
 - b) That the Chief Executive Officer be authorised to take all action necessary, including but not limited to, negotiating, making, amending, signing and discharging the agreement with Bornhorst & Ward Pty Ltd for the '*Narangba - Boundary Road - Depot Development - Detailed Design (VP104383 - main tender component)*' and any required variations of the agreement on Council's behalf.
2. That the tender for '*Narangba - Boundary Road - Intersection Upgrade and Road Rehabilitation - Detailed Design (VP104383 - separable portion 1 component)*' be awarded to Bornhorst & Ward Pty Ltd for the total sum of \$111,424.00 (excluding GST).
 - a) That the Council enters into an agreement with Bornhorst & Ward Pty Ltd as described in this report.
 - b) That the Chief Executive Officer be authorised to take all action necessary, including but not limited to, negotiating, making, amending, signing and discharging the agreement with Bornhorst & Ward Pty Ltd for the '*Narangba - Boundary Road - Intersection Upgrade and Road Rehabilitation - Detailed Design (VP104383 - separable portion 1 component)*' and any required variations of the agreement on Council's behalf.
3. That to enable Council to enter into arrangements for these projects with Bornhorst & Ward Pty Ltd, Council commits to providing the funding allocation for the project in line with the draft 2019/20 Capital Projects Budget.

REPORT DETAIL

1. Background

The project involves the detailed design of a new Council depot on land described as 179 Boundary Road (Lot 595 SL4475) and 135 Boundary Road (Lot 572 CP849525), Narangba, and the detailed design of a signalised intersection to Boundary Road, Narangba (associated with the new depot), as well as associated road rehabilitation of a section of Boundary Road adjacent to the new depot (refer to figures 1 and 3 below.)

Main tender component

The project scope involves the detailed design and documentation for the proposed new depot, including office accommodation, fleet workshop, store, storage sheds, car parking and laydown areas and staff amenities (refer figure 2 below for the initial depot concept plan layout).

Separable portion 1 tender component

The project scope involves the detailed design of a signalised intersection, and upgrade and rehabilitation works to Boundary Road, Narangba.

The project scope involves the detailed design of the signalised intersection and pavement upgrade fronting the new depot. The design will accommodate the future widening of Boundary Road to a 4-lane cross section as well as the design of the pavement rehabilitation of the existing pavement within the limit of works.

The detailed design (for both components) is to commence in May 2019 and be completed by February 2020.

ITEM 4.1 NARANGBA - BOUNDARY ROAD - DEPOT DEVELOPMENT AND NARANGBA - BOUNDARY ROAD - INTERSECTION UPGRADE AND ROAD REHABILITATION - DETAILED DESIGN - DIVISION 4 - A16845170 (Cont.)

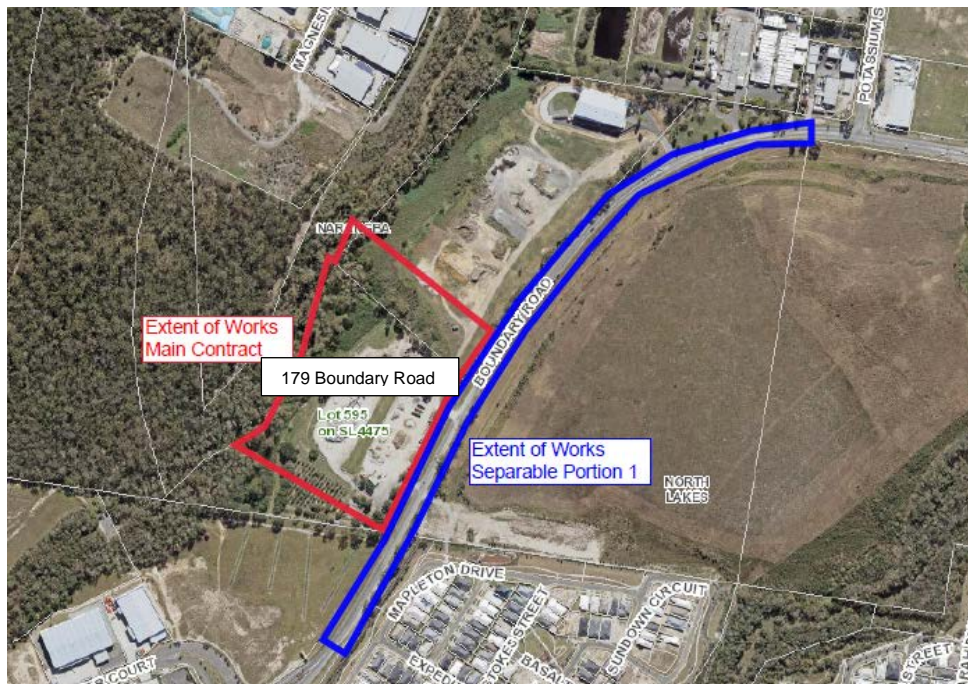


Figure 1: Location plan - Boundary Road - depot development

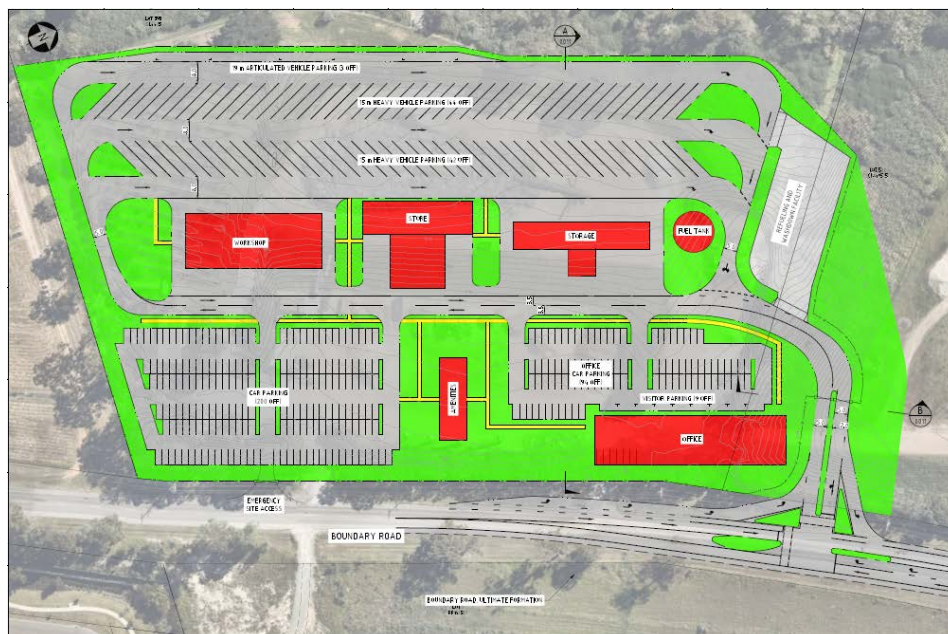


Figure 2: Concept layout - depot development - main contract

[illegible]

Rank	Tenderer	Evaluation Score
1	Bornhorst & Ward Pty Ltd	94.67
2	Opus International Consultants (Australia) Pty Ltd	91.09
3	Kellogg Brown & Root Pty Ltd	88.21
4	GHD Pty Ltd	86.14
5	SMEC Australia Pty Ltd	71.06

ITEM 4.1 NARANGBA - BOUNDARY ROAD - DEPOT DEVELOPMENT AND NARANGBA - BOUNDARY ROAD - INTERSECTION UPGRADE AND ROAD REHABILITATION - DETAILED DESIGN - DIVISION 4 - A16845170 (Cont.)

Bornhorst & Ward Pty Ltd (B&W) submitted a comprehensive and well-presented tender for both tender components. A tender clarification meeting was held on 13 February 2019 at which B&W demonstrated their relevant experience, design methodology, understanding of the project and capability in delivering the project. B&W have recently completed the design for a maintenance facility, aircraft apron and associated infrastructure at the RAAF Base Amberley (\$90,000,000 - construction cost and \$815,000 - civil and structural design) and the Shoalwater Bay training area vehicle wash point (\$6,000,000 - construction cost and \$90,000 - civil and structural design).

Opus International Consultants (Australia) Pty Ltd submitted a comprehensive and well-presented tender, demonstrating relevant similar experience; however, there were no additional benefits for the higher price.

Kellogg Brown & Root Pty Ltd submitted a comprehensive and well-presented tender, demonstrating relevant similar experience; however, there were no additional benefits for the higher price.

3. Strategic Implications

3.1 Legislative/Legal Implications

Due to the value of works to be undertaken, Council requested quotations from suitably qualified consultants selected from the prequalified Local Buy Supplier Panel BUS262-0317 in accordance with the *Local Government Act 2009*.

3.2 Corporate Plan / Operational Plan

This project is consistent with the Corporate Plan outcome - Strengthening Communities: Strong local governance - a council connected with its community.

3.3 Policy Implications

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

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

3.4 Risk Management Implications

A detailed risk management plan has been prepared. The project risk has been assessed and the following issues identified. The way in which the possible impact of these risks is minimised is detailed below.

a. *Landfill Closure Plan*

179 Boundary Road, Narangba (refer Figure 1) is a former landfill and is in the closure plan phase. The site is currently subject to an Environmental Authority (EPPR00749313) and DERM Development Permit (SPDE01499311). A Site Closure Plan has been prepared and submitted to the Department of Environment and Science (DES) for approval. This closure plan provides guidance for compliance with closure conditions contained in the Environmental Authority. These will be addressed during the design phase.

b. *Native Title and Cultural Heritage*

Council's Community Services section has reviewed the site and advised the site is located within an area of potential cultural heritage sensitivity. Due to the previous disturbance on the site, this is not considered to be an issue.

Council's Legal Services have confirmed any native title rights and interests which may have existed on the land have been totally extinguished.

ITEM 4.1 NARANGBA - BOUNDARY ROAD - DEPOT DEVELOPMENT AND NARANGBA - BOUNDARY ROAD - INTERSECTION UPGRADE AND ROAD REHABILITATION - DETAILED DESIGN - DIVISION 4 - A16845170 (Cont.)

c. *Planning Approval*

This project will not require a Planning Approval based upon advice received from Development Services. The Stockland's proposed residential and industrial development, on the opposite side of Boundary Road, was part approved and part refused by Council on 12 March 2019. The decision is currently under appeal at the Planning and Environment Court. As such, there is no certainty as to the development outcome on this site.

d. *Licence Agreement*

There was a Licence Agreement to operate a recycling facility over the proposed depot site Lot 595 on SL4475 to another party. The licence agreement expired in April 2019.

e. *Financial*

Tenders were invited from consultants selected from the Local Buy Supplier Panel with prequalified supplier arrangements in place.

3.5 Delegated Authority Implications

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

3.6 Financial Implications

Narangba - Boundary Road - Depot Development Project 101219

Council has allocated a total of \$ 20,715,000 in the Capital Projects Program for the 'Narangba - Boundary Road - Depot Development' project, with \$215,000 for planning (2017-18), \$500,000 for design (2018-19), \$8,000,000 for design and construction (draft 2019-20 budget) and \$12,000,000 for construction (draft 2020-21 budget). All financials are excluding GST.

Narangba - Boundary Road - Intersection Upgrade and Road Rehabilitation Project 107519

Council has allocated a total of \$4,755,000 in the Capital Projects Program for the 'Narangba - Boundary Road - Intersection Upgrade and Road Rehabilitation' project, with \$255,000 for design in (draft 2019-20 budget) and \$4,500,000 (draft 2020-21 budget). All financials are excluding GST

Planning (2017-18)	\$ 200,454.00
<i>Depot Development Project</i>	
Tender Price (detailed design - main tender)	\$ 867,171.00
Contingency (10%)	\$ 86,717.00
<i>Intersection Upgrade and Road Rehabilitation Project</i>	
Tender Price (detailed design - separable portion 1 tender)	\$ 111,424.00
Contingency (10%)	\$ 11,142.00

<i>Total Planning and Detailed Design Cost</i>	
(main and separable portion 1 tender components)	\$1,276,908.00
	=====

The current budget allocation for this project is sufficient.

3.7 Economic Benefit

Council's Asset Management and Delivery previously prepared a report - MBRC Depot Strategy which outlined the objectives and economic benefits of a new centralised works depot located at Narangba.

3.8 Environmental Implications

Council's Manager Waste Services has been consulted throughout the preparation of the detailed design brief. A detailed geotechnical investigation together with landfill gas monitoring has been completed as part of an early works program to assess existing site conditions. A new landfill capping design will be completed as part of the detailed design process to meet the requirements of the approved closure plan. Gas monitoring bores installed as part of the geotechnical investigation will

ITEM 4.1 NARANGBA - BOUNDARY ROAD - DEPOT DEVELOPMENT AND NARANGBA - BOUNDARY ROAD - INTERSECTION UPGRADE AND ROAD REHABILITATION - DETAILED DESIGN - DIVISION 4 - A16845170 (Cont.)

provide sufficient information on whether a landfill gas collection system will be required as part of the development.

All environmental implications will be assessed and actioned in accordance with the site closure plan approved by DES.

3.9 Social Implications

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

3.10 Consultation / Communication

A detailed communication plan has been prepared for implementation of the project. The Manager Asset Maintenance has been in consultation with Council officers in the preparation of the detailed design brief and conceptual layout for the proposed new depot. Extensive consultation will be undertaken with key stakeholders throughout the detailed design development. The divisional Councillor has been consulted and is supportive of the project.

ITEM 4.2

**ARANA HILLS - LESLIE PATRICK PARK - ALL-ABILITIES PLAYGROUND
DEVELOPMENT - CIVIL CONSTRUCTION - DIVISION 10**

Meeting / Session: 4 ASSET CONSTRUCTION & MAINTENANCE
Reference: A18496372 : 30 April 2019 - Refer **Confidential** Supporting Information
A18419977
Responsible Officer: BB, Manager Project Management (ECM Project Management)

Executive Summary

Tenders were invited for the 'Arana Hills - Leslie Patrick Park - All-Abilities Playground Development - Civil Construction (MBRC005990)' project. The tender closed on 9 April 2019 with a total of four conforming tenders received.

It is recommended that Council award the contract to Auzcon Pty Ltd for the sum of \$211,680.00 (excluding GST) as this tender was evaluated as representing the best overall value to Council.

COMMITTEE RECOMMENDATION

Moved by Cr Matt Constance

Seconded by Cr Adrian Raedel

CARRIED 12/0

That the tender for 'Arana Hills - Leslie Patrick Park - All-Abilities Playground Development - Civil Construction (MBRC005990)' project be awarded to Auzcon Pty Ltd for the sum of \$211,680.00 (excluding GST).

- a) That the Council enters into an agreement with Auzcon Pty Ltd as described in this report.
- b) That the Chief Executive Officer be authorised to take all action necessary, including but not limited to, negotiating, making, amending, signing and discharging the agreement with Auzcon Pty Ltd for the 'Arana Hills - Leslie Patrick Park - All-Abilities Playground Development - Civil Construction (MBRC005990)' project and any required variations of the agreement on Council's behalf.

ITEM 4.2 ARANA HILLS - LESLIE PATRICK PARK - ALL-ABILITIES PLAYGROUND DEVELOPMENT - CIVIL CONSTRUCTION - DIVISION 10 - A18496372 (Cont.)

OFFICER'S RECOMMENDATION

That the tender for 'Arana Hills - Leslie Patrick Park - All-Abilities Playground Development - Civil Construction (MBRC005990)' project be awarded to Auzcon Pty Ltd for the sum of \$211,680.00 (excluding GST).

- a) That the Council enters into an agreement with Auzcon Pty Ltd as described in this report.
- b) That the Chief Executive Officer be authorised to take all action necessary, including but not limited to, negotiating, making, amending, signing and discharging the agreement with Auzcon Pty Ltd for the 'Arana Hills - Leslie Patrick Park - All-Abilities Playground Development - Civil Construction (MBRC005990)' project and any required variations of the agreement on Council's behalf.

REPORT DETAIL

1. Background

The project is located within Leslie Patrick Park, Olearia Street West, Arana Hills. The project scope includes the construction of an earthworks platform in preparation for an all-abilities playground and amenities facility.

The project construction is programmed to commence in May 2019 and conclude June 2019.



Figure 1: Location of works

ITEM 4.2 ARANA HILLS - LESLIE PATRICK PARK - ALL-ABILITIES PLAYGROUND DEVELOPMENT - CIVIL CONSTRUCTION - DIVISION 10 - A18496372 (Cont.)

2. Explanation of Item

Tenders were invited from Council's Prequalified Civil Construction (MBRC005990) for the 'Arana Hills - Leslie Patrick Park - All-Abilities Playground Development - Civil Construction (MBRC005990)' project. The tender closed on 9 April 2019 with a total of four conforming tenders received. The tenders were assessed by the assessment panel in accordance with Council's Purchasing Policy and the selection criteria as set out in the tender documents.

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

RANK	TENDERER	EVALUATION SCORE
1	Auzcon Pty Ltd	100.00
2	GRC Civil	96.91
3	G and H Plant Hire	95.16
4	THD Civil Pty Ltd	69.60

Auzcon Pty Ltd (Auzcon) submitted a comprehensive tender. Auzcon confirmed their capability and methodology to complete the project and were previously engaged to undertake bulk earthworks at Nathan Road, Rothwell - value \$6,326,713 (excluding GST).

GRC Civil submitted a comprehensive tender. GRC's submission confirmed their capability to complete the project; however, there were no additional benefits for the higher price.

G and H Plant Hire submitted a comprehensive tender. Their submission confirmed their capability to complete the project; however, there were no additional benefits for the higher price.

3. Strategic Implications

3.1 Legislative/Legal Implications

Council sought quotations via the Council Prequalified Civil Construction Panel (MBRC005990) for the work through Vendor Panel in accordance with the Local Government Act 2009.

3.2 Corporate Plan / Operational Plan

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

3.3 Policy Implications

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

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

3.4 Risk Management Implications

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

Financial Risks:

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

ITEM 4.2 ARANA HILLS - LESLIE PATRICK PARK - ALL-ABILITIES PLAYGROUND DEVELOPMENT - CIVIL
CONSTRUCTION - DIVISION 10 - A18496372 (Cont.)

Construction Risks:

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

3.5 Delegated Authority Implications

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

3.6 Financial Implications

Council has allocated a total of \$476,120 (excluding GST) in the 2018-19 and draft 2019-20 Capital Projects Program, budget 105477. All financials below exclude GST

Tender Price (Construction)	\$ 211,680.00
Contingency (10%)	\$ 21,168.00
QLeave	\$ 1,005.48

Total Project Cost	\$ 233,853.48
	=====
Estimated ongoing operational/maintenance costs (for playground and amenities block)	\$19,000 per F/Y

The budget amount for this project is sufficient.

3.7 Economic Benefit

The development will attract visitors from within and external to the Moreton Bay Region. It is anticipated that some of these visitors will utilise the services and businesses within the Arana Hills CBD in conjunction with their visit to Leslie Patrick Park.

3.8 Environmental Implications

The project will contribute to improved local environment through the installation of new trees and landscaping. A tree management plan will be implemented as part of the construction works to monitor and protect existing trees on site.

3.9 Social Implications

The project aims to promote a healthy and inclusive community, with a playground that encourages active living for both adults and children, whilst also promoting social inclusion opportunities for visitors who have intellectual, physical and sensory impairments.

3.10 Consultation / Communication

A detailed communication plan has been prepared and involves project notices and signage. Signage (corflute) will be placed four weeks prior to advising of the works. Community consultation has occurred with the community groups during the concept phase by Parks and Recreational Planning.

The Divisional Councillor has been consulted and is supportive of the project and will be provided with weekly progress updates.

5 PARKS, RECREATION & SPORT SESSION

(Cr K Winchester)

No items for consideration.

6 LIFESTYLE & AMENITY SESSION

(Cr D Sims)

No items for consideration.

7 ECONOMIC DEVELOPMENT, EVENTS & TOURISM SESSION

(Cr P Flannery)

No items for consideration.

8 REGIONAL INNOVATION

(Cr D Grimwade)

No items for consideration.

9 GENERAL BUSINESS

No items for consideration.

CLOSURE

There being no further business the Chairperson closed the meeting at 10:58 AM.