



REPORT

Coordination Committee Meeting

Tuesday 28 May 2019
commencing at 10.49am

Caboolture Chambers
2 Hasking Street, Caboolture

ENDORSED GM20190528

CHAIRPERSON'S REPORT

The recommendations contained within this report of the Coordination Committee meeting held 28 May 2019 are recommended to the Council for adoption.

COUNCILLOR ALLAN SUTHERLAND (MAYOR)
CHAIRPERSON
COORDINATION COMMITTEE

Membership = 13
Mayor and all Councillors

Quorum = 7

Adoption Extract from General Meeting – 28 May 2019 (Pages 19/887 to 19/891)

12.1 Coordination Committee Meeting - 28 May 2019 - BALANCE OF ITEMS EXCLUDING 2.1, C.1 AND C.2 (Pages 19/892 to 19/1020)

RESOLUTION

Moved by Cr Mick Gillam

Seconded by Cr Peter Flannery

CARRIED 13/0

That the report and recommendations of the Coordination Committee meeting held 28 May 2019, be adopted excluding Items 2.1, C.1 and C.2 to be considered separately.

12.2 Coordination Committee Meeting - 28 May 2019: ITEM 2.1 CONSIDERED SEPARATELY

ITEM 2.1 - DEVELOPMENT APPLICATION DA/35817/2018/V3RL - RECONFIGURING A LOT - DEVELOPMENT PERMIT FOR SUBDIVISION (2 INTO 50 LOTS AND BALANCE LOT) IN TWO STAGES LOCATED AT 265 CALLAGHAN ROAD AND 305 BURPENGARY ROAD, NARANGBA - DIVISION 2

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 Impact Homes was a contributor of \$3,000 to Moreton Futures Trust who in turn contributed to the Mayor's 2016 election campaign. Impact Homes is not the applicant or the landholder, however has a business relationship with Narangba View Pty Ltd (the applicant). Representatives of Impact Homes have attended pre-lodgement meetings and have been involved throughout the assessment process. Mr Robert Harder is a Director of Narangba View Pty Ltd and a former Director of Impact Homes Pty Ltd.

Cr Allan Sutherland (Mayor) retired from the meeting at 4.24pm taking no part in the debate or resolution regarding same.

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 Impact Homes was a contributor of \$276.48 to Moreton Futures Trust who in turn contributed in-kind to Cr Greer's 2016 election campaign. Impact Homes is not the applicant or the landholder, however has a business relationship with Narangba View Pty Ltd (the applicant). Mr Robert Harder is a Director of Narangba View Pty Ltd and a former Director of Impact Homes Pty Ltd.

Cr Julie Greer retired from the meeting at 4.24pm taking no part in the debate or resolution regarding same.

Conflict of Interest - Declaration - Cr Peter Flannery

Pursuant to s175E of the Local Government Act 2009, Cr Peter Flannery declared a perceived Conflict of Interest in Item 2.1 as during the Councillors' 2016 Election campaign, he received in-kind support in the amount of \$408.55 from Impact Homes Pty Ltd whom were one of nine businesses in total who made a donation to Moreton Futures Trust. Impact Homes is not the applicant or the landholder, however has a business relationship with Narangba View Pty Ltd (the applicant). Mr Robert Harder is a Director of Narangba View Pty Ltd and a former Director of Impact Homes Pty Ltd.

Cr Peter Flannery retired from the meeting at 4.24pm taking no part in the debate or resolution regarding same.

Conflict of Interest - Declaration - Cr James Houghton

Pursuant to s175E of the Local Government Act 2009, Cr James Houghton declared a perceived conflict of interest in Item 2.1 as the Councillor received in kind support during the 2016 electoral campaign from Moreton Futures Trust on 19 March 2016. Impact Homes was one of nine contributors to Moreton Futures Trust and at the time of the 2016 election. Impact Homes is not the applicant or the landholder, however has a business relationship with Narangba View Pty Ltd (the applicant).

Cr James Houghton retired from the meeting at 4.24pm taking no part in the debate or resolution regarding same.

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

RESOLUTION - Item 2.1 of Coordination Committee - 28 May 2019 (Page 19/900)

Moved by Cr Koliana Winchester

Seconded by Cr Matt Constance

CARRIED 9/0

Crs Allan Sutherland (Mayor), Julie Greer, Peter Flannery and James Houghton had declared a conflict of interest and had left the meeting

That the report and recommendations for Item 2.1 of the Coordination Committee meeting held 28 May 2019, be adopted.

ATTENDANCE

Crs Allan Sutherland (Mayor), Julie Greer, Peter Flannery and James Houghton returned to the meeting at 4.25pm after consideration of Item 2.1.

The Mayor resumed the Chair at this time.

12.3 Coordination Committee Meeting - 28 May 2019: ITEM C.1 CONSIDERED SEPARATELY

ITEM C.1 - PROPOSED NEW TELECOMMUNICATIONS LEASE - DIVISION 6

Conflict of Interest - Declaration - Cr Darren Grimwade

Pursuant to s175E of the *Local Government Act 2009*, Cr Darren Grimwade declared a perceived conflict of interest in Item C.1 as Telstra Corporation Limited has provided the Councillor with event tickets and hospitality to numerous events.

Cr Darren Grimwade retired from the meeting at 4.26pm taking no part in the debate or recommendation regarding same.

RESOLUTION - Item C.1 of Coordination Committee - 28 May 2019 (Page 19/1012)

Moved by Cr Mick Gillam

Seconded by Cr James Houghton

CARRIED 12/0

Cr Darren Grimwade had declared a conflict of interest and had left the meeting

That the report and recommendations for Item C.1 of the Coordination Committee meeting held 28 May 2019, be adopted.

ATTENDANCE

Cr Darren Grimwade returned to the meeting at 4.27pm after consideration of Item C.1.

12.4 Coordination Committee Meeting - 28 May 2019: ITEM C.2 CONSIDERED SEPARATELY

ITEM C.2 - AGREEMENT WITH DEVELOPER TO CONSTRUCT WORKS FOR COUNCIL - PARADISE ROAD, BURPENGARY - DIVISION 2

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 C.2 as he owns property located in Paradise Road, Burpengary. The Mayor also declared he had utilised an election billboard owned by Villa World at Mango Hill for a two-week period prior to the 2016 election, which was subsequently removed after the election.

Cr Allan Sutherland (Mayor) retired from the meeting at 4.27pm taking no part in the debate or resolution regarding same.

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 C.2 as she had utilised an election billboard owned by Villa World at Mango Hill for a two-week period prior to the 2016 election, which was subsequently removed after the election. Cr Greer also declared in-kind support received from the Mayor for her 2016 election campaign.

Cr Julie Greer retired from the meeting at 4.27pm taking no part in the debate or resolution regarding same.

Conflict of Interest - Declaration - Cr Mike Charlton (Deputy Mayor)

Pursuant to s175E of the *Local Government Act 2009*, Cr Mike Charlton (Deputy Mayor) declared a perceived conflict of interest in Item C.2 as the Mayor contributed \$2,300 in-kind to Cr Charlton's 2016 election campaign. The Mayor owns property located in Paradise Road, Burpengary.

However, Cr Mike Charlton (Deputy Mayor) has considered his position and is firmly of the opinion that he could participate in the debate and resolution on the matter in the public interest.

Conflict of Interest - Declaration - Cr James Houghton

Pursuant to s175E of the *Local Government Act 2009*, Cr James Houghton declared a perceived conflict of interest in Item C.2 as the Councillor received in-kind support from the Mayor as part of his 2016 election campaign. The Mayor owns property located in Paradise Road, Burpengary.

However, Cr James Houghton has considered his position and is firmly of the opinion that he could participate in the debate and resolution on the matter in the public interest.

Conflict of Interest - Declaration - Cr Koliana Winchester

Pursuant to s175E of the *Local Government Act 2009*, Cr Koliana Winchester declared a perceived conflict of interest in Item C.2 as the Mayor provided in-kind support to Cr Winchester's 2016 election campaign for a billboard. The Mayor owns property located in Paradise Road, Burpengary.

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

Conflict of Interest - Declaration - Cr Peter Flannery

Pursuant to s175E of the *Local Government Act 2009*, Cr Peter Flannery declared a perceived conflict of interest in Item C.2 as the Mayor assisted Cr Flannery in receiving in-kind support for his 2016 election campaign. The Mayor owns property located in Paradise Road, Burpengary.

However, Cr Peter Flannery has considered his position and is firmly of the opinion that he could participate in the debate and resolution on the matter in the public interest.

RESOLUTION - Appoint Chairperson

Moved by Cr Adrian Raedel

Seconded by Cr Matt Constance

CARRIED 7/0

(being other Councillors entitled to vote)

That Cr Mick Gillam be appointed as Chairperson of the General Meeting at this point in time.

Councillors not voluntarily left meeting - other Councillors 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 number of Councillor's personal interests in the matter and the Councillors have not voluntarily left the meeting, and in accordance with s175E(4) the other Councillors must decide whether the Councillors have a real or perceived conflict of interest in the matter and what action the Councillors must take.

RESOLUTION

Moved by Cr Matt Constance

Seconded by Cr Denise Sims

CARRIED 6/1

Cr Adrian Raedel voted against the resolution

That in accordance with s175E(4) of the Local Government Act 2009, it is considered that Cr Mike Charlton (Deputy Mayor), Cr James Houghton, Cr Koliana Winchester and Cr Peter Flannery have 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.

Crs Mike Charlton (Deputy Mayor), James Houghton, Koliana Winchester and Peter Flannery remained in the meeting.

RESOLUTION - Resume Chair

Moved by Cr Adrian Raedel

Seconded by Cr Brooke Savige

CARRIED 11/0

Crs Allan Sutherland (Mayor) and Julie Greer had declared a conflict of interest and had left the meeting

That in the absence of the Mayor, Cr Mike Charlton (Deputy Mayor) resume the Chair at this time.

RESOLUTION - Item C.2 of Coordination Committee - 28 May 2019 (Page 19/1017)

Moved by Cr Mick Gillam

Seconded by Cr Brooke Savige

CARRIED 11/0

Crs Allan Sutherland (Mayor) and Julie Greer had declared a conflict of interest and had left the meeting

That the report and recommendations for Item C.1 of the Coordination Committee Report and Recommendations of 28 May 2019, be adopted.

LIST OF ITEMS

1 GOVERNANCE SESSION (Cr A Sutherland, Mayor)

- ITEM 1.1** 893
VISION SPLENDID OUTBACK FILM FESTIVAL - ATTENDANCE - REGIONAL
COMMITTEE RECOMMENDATION
REPORT DETAIL

2 PLANNING & DEVELOPMENT SESSION (Cr M Gillam)

- ITEM 2.1 - DECLARATION OF INTEREST** 896
Conflict of Interest - Declaration - Cr Peter Flannery
Conflict of Interest - Declaration - Cr Julie Greer
Conflict of Interest - Declaration - Cr Allan Sutherland (Mayor)
Conflict of Interest - Declaration - Cr James Houghton
Clarification - other Councillors that may have conflicts of interest to declare

- ITEM 2.1** 898
DEVELOPMENT APPLICATION DA/35817/2018/V3RL - RECONFIGURING A LOT -
DEVELOPMENT PERMIT FOR SUBDIVISION (2 INTO 50 LOTS AND BALANCE LOT) IN
TWO STAGES LOCATED AT 265 CALLAGHAN ROAD AND 305 BURPENGARY ROAD,
NARANGBA - DIVISION 2
COMMITTEE RECOMMENDATION
REPORT DETAIL

- ITEM 2.2** 941
DEVELOPMENT APPLICATION DA/33013/2016/V3RL - RECONFIGURING A LOT -
DEVELOPMENT PERMIT FOR SUBDIVISION (3 LOTS INTO 67 LOTS) AT 23 AND 25
GORDONS CROSSING ROAD EAST AND 28 REGENT STREET, JOYNER - DIVISION 8
COMMITTEE RECOMMENDATION
REPORT DETAIL

3 CORPORATE SERVICES SESSION (Cr M Constance)

4 ASSET CONSTRUCTION & MAINTENANCE SESSION (Cr A Hain)

- ITEM 4.1** 981
TENDER - 2019/20 ROAD RESURFACING PROGRAM - (MBRC008582) - REGIONAL
COMMITTEE RECOMMENDATION
REPORT DETAIL

- ITEM 4.2** 988
MORAYFIELD - WILLIAM BERRY DRIVE / LEDA BOULEVARD INTERSECTION - NEW
ROUNDBOUT - DIVISION 3
COMMITTEE RECOMMENDATION
REPORT DETAIL

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ITEM 4.3 993
LAWNTON - LEIS PARK - HERITAGE INTERPRETATION NODE CONSTRUCTION -
DIVISION 8

COMMITTEE RECOMMENDATION

REPORT DETAIL

ITEM 4.4 998
2019/20 SCHEDULE OF FEES AND CHARGES - WASTE SERVICES - REGIONAL

COMMITTEE RECOMMENDATION

REPORT DETAIL

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

ITEM 5.1 1001
NEW LEASE - PINE CENTRAL HOLY SPIRIT RUGBY LEAGUE FOOTBALL CLUB INC -
DIVISION 8

COMMITTEE RECOMMENDATION

REPORT DETAIL

ITEM 5.2 1004
NEW LEASE - AFL QUEENSLAND LIMITED - DIVISION 2

COMMITTEE RECOMMENDATION

REPORT DETAIL

6 LIFESTYLE & AMENITY SESSION (Cr D Sims)

ITEM 6.1 1007
DON PERRIN ENVIRONMENTAL BURSARY 2019 - REGIONAL

COMMITTEE RECOMMENDATION

REPORT DETAIL

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

8 REGIONAL INNOVATION (Cr D Grimwade)

9 GENERAL BUSINESS

CLOSED SESSION (Confidential items)

ITEM C.1 - DECLARATION OF INTEREST 1011

Conflict of Interest - Declaration - Cr Darren Grimwade

CLOSED SESSION

OPEN SESSION

ITEM C.1 – CONFIDENTIAL 1012
PROPOSED NEW TELECOMMUNICATIONS LEASE - DIVISION 6

COMMITTEE RECOMMENDATION

CLOSED SESSION (Confidential items)

ITEM C.2 - DECLARATION OF INTEREST 1013

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

Conflict of Interest - Declaration - Cr Julie Greer

Conflict of Interest - Declaration - Cr Mike Charlton (Deputy Mayor)

Conflict of Interest - Declaration - Cr James Houghton

Conflict of Interest - Declaration - Cr Koliانا Winchester

Conflict of Interest - Declaration - Cr Peter Flannery

COMMITTEE RECOMMENDATION - APPOINT CHAIR

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

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

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

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

COMMITTEE RECOMMENDATION - RESUME CHAIR

CLOSED SESSION

OPEN SESSION

ITEM C.2 – CONFIDENTIAL 1017

AGREEMENT WITH DEVELOPER TO CONSTRUCT WORKS FOR COUNCIL - PARADISE ROAD, BURPENGARY - DIVISION 2

COMMITTEE RECOMMENDATION

9 GENERAL BUSINESS

ITEM 9.1 1018

COMMITTEE RECOMMENDATION

ITEM 9.2 1018

ROTARY CLUB OF PINE RIVERS -60TH ANNIVERSARY

COMMITTEE RECOMMENDATION

ITEM 9.3 1019

DAYBORO DAY FESTIVAL AND ANTIQUES & COLLECTABLES FAIR - DIVISION 11

COMMITTEE RECOMMENDATION

ITEM 9.4 1019

BRISBRICKS MORAYFIELD EXPO 2019

COMMITTEE RECOMMENDATION

ITEM 9.5 1019

REGIONAL EVENTS

ITEM 9.5 1020

ORGANISATIONAL REVIEW - PART TWO

COMMITTEE RECOMMENDATION

CLOSURE

ATTENDANCE & APOLOGIES

Attendance:

Committee Members:

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

Officers:

| | |
|--|---------------------|
| Chief Executive Officer | (Mr Daryl Hitzman) |
| Director Community & Environmental Services | (Mr Bill Halpin) |
| Director Planning & Economic Development | (Mr Mike Pickering) |
| Director Engineering, Construction & Maintenance | (Mr Tony Martini) |
| Director Infrastructure Planning | (Mr Andrew Ryan) |
| Manager Development Services | (Kate Isles) |
| Principal Planner | (Blayne Magner) |
| Team Leader Planning | (Marco Alberti) |
| Meeting Support | (Kim Reid) |

Apologies:

Nil

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)

ITEM 1.1

VISION SPLENDID OUTBACK FILM FESTIVAL - ATTENDANCE - REGIONAL

Meeting / Session: 1 GOVERNANCE
Reference: A18585598 : 22 May 2019
Responsible Officer: LK, Executive Support Officer (CEO Executive Services)

Executive Summary

This report seeks consideration of Councillor attendance to the Vision Splendid Outback Film Festival to be held in Winton from 29 June to 6 July 2019.

COMMITTEE RECOMMENDATION

Moved by Cr Adrian Raedel

Seconded by Cr Denise Sims

CARRIED 13/0

1. That Councillor James Houghton be authorised to attend the Vision Splendid Outback Film Festival.
2. That the Chief Executive Officer arrange for officer attendance at this event as appropriate.

ITEM 1.1 VISION SPLENDID OUTBACK FILM FESTIVAL - ATTENDANCE - REGIONAL - A18585598 (Cont.)

OFFICER'S RECOMMENDATION

1. That Councillor James Houghton be authorised to attend the Vision Splendid Outback Film Festival.
2. That the Chief Executive Officer arrange for officer attendance at this event as appropriate.

REPORT DETAIL

1. Background

Advice has been received that the Vision Splendid Outback Film Festival is to be held in Winton from 29 June - 6 July 2019.

2. Explanation of Item

The following resolution appears on Minute Page 17/458 of the General Meeting of Council held 4 April 2017:

Ex. Coordination Committee Meeting held 4 April 2017 (MP. 17/540):

COMMITTEE RECOMMENDATION

1. That Council sponsor the Vision Splendid Outback Film Festival for \$16,500 per year for the next three years and increasing sponsorship by CPI per year.
2. That Council become the 2017 Principal Partner for the Winton Outback Festival through a sponsorship of \$10,000.
3. That Council agree to have Councillor attendance at both of these events.

Moreton Bay Regional Council's Sister City, Winton will be the host of the sixth annual Vision Splendid Outback Film Festival. As part of Moreton Bay Regional Council's ongoing sponsorship of the festival, Council is invited to attend the festival and associated sponsorship events.

3. Strategic Implications

3.1 Legislative/Legal Implications

There are no legislative/legal implications arising as a direct result from this report.

3.2 Corporate Plan / Operational Plan

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

3.3 Policy Implications

Arrangements will be made in accordance with Policy No: 2150-055 Entertainment & Hospitality.

3.4 Risk Management Implications

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

3.5 Delegated Authority Implications

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

3.6 Financial Implications

Appropriate funds have been provided in the budget.

3.7 Economic Benefit

Council's sister city relationship with the Winton Shire Council commenced in 1995 with the former Redcliffe City Council and provides opportunities for the exchange of students annually from Winton

ITEM 1.1 VISION SPLENDID OUTBACK FILM FESTIVAL - ATTENDANCE - REGIONAL - A18585598 (Cont.)

to the Moreton Bay Region, and Redcliffe students to Winton. Additionally, there are various events and activities to support the sister city relationship that provide benefit to the Moreton Bay Region and Winton Shire.

3.8 Environmental Implications

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

3.9 Social Implications

Council's strong relationship with the Winton Shire Council provides a positive community benefit.

3.10 Consultation / Communication

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

ATTENDANCE

Kate Isles and Blayne Magner attended the meeting at 10.51am for discussion on Item 2.1.

2 PLANNING & DEVELOPMENT SESSION

(Cr M Gillam)

ITEM 2.1 - DECLARATION OF INTEREST

Conflict of Interest - Declaration - Cr Peter Flannery

Pursuant to s175E of the Local Government Act 2009, Cr Peter Flannery declared a perceived Conflict of Interest in Item 2.1 as during the Councillors' 2016 Election campaign, he received in-kind support in the amount of \$408.55 from Impact Homes Pty Ltd whom were one of nine businesses in total who made a donation to Moreton Futures Trust. Impact Homes is not the applicant or the landholder, however has a business relationship with Narangba View Pty Ltd (the applicant). Mr Robert Harder is a Director of Narangba View Pty Ltd and a former Director of Impact Homes Pty Ltd.

Cr Peter Flannery retired from the meeting at 10.58am taking no part in the debate or recommendation regarding same.

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 Impact Homes was a contributor of \$276.48 to Moreton Futures Trust who in turn contributed in-kind to Cr Greer's 2016 election campaign. Impact Homes is not the applicant or the landholder, however has a business relationship with Narangba View Pty Ltd (the applicant). Mr Robert Harder is a Director of Narangba View Pty Ltd and a former Director of Impact Homes Pty Ltd.

Cr Julie Greer retired from the meeting at 11.00am taking no part in the debate or recommendation regarding same.

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 Impact Homes was a contributor of \$3,000 to Moreton Futures Trust who in turn contributed to the Mayor's 2016 election campaign. Impact Homes is not the applicant or the landholder, however has a business relationship with Narangba View Pty Ltd (the applicant). Representatives of Impact Homes have attended pre-lodgement meetings and have been involved throughout the assessment process. Mr Robert Harder is a Director of Narangba View Pty Ltd and a former Director of Impact Homes Pty Ltd.

Cr Allan Sutherland (Mayor) retired from the meeting at 11.02am taking no part in the debate or recommendation regarding same.

Conflict of Interest - Declaration - Cr James Houghton

Pursuant to s175E of the Local Government Act 2009, Cr James Houghton declared a perceived conflict of interest in Item 2.1 as the Councillor received in kind support during the 2016 electoral campaign from Moreton Futures Trust on 19 March 2016. Impact Homes was one of nine contributors to Moreton Futures Trust and at the time of the 2016 election. Impact Homes is not the applicant or the landholder, however has a business relationship with Narangba View Pty Ltd (the applicant).

Cr James Houghton retired from the meeting at 11.03am taking no part in the debate or recommendation regarding same.

ITEM 2.1 - DECLARATION OF INTEREST (Cont.)

Clarification - other Councillors that may have conflicts of interest to declare

Pursuant to s175G of the *Local Government Act 2009*, Cr Matt Constance informed the Chairperson that he reasonably believed and/or suspected, that other Councillors may have conflicts of interest in Item 2.1 that has not been declared under s175C(2) or 175E(2), and asked if there were any other Councillors needing to make declarations.

Cr Mike Charlton (Deputy Mayor) clarified that he had received an interest-free loan in 2011 from Moreton Futures Trust that was repaid in full in 2012. Cr Charlton further confirmed that he had received no further benefit from Moreton Futures Trust from that point in time.

Cr Mike Charlton (Deputy Mayor) stated that he has no conflict in this matter.

Cr Koliana Winchester confirmed that she has never received a donation from Moreton Futures Trust. She has received in-kind support from Allan Sutherland (Mayor) (being a billboard in the 2016 election) and this had been detailed in the Councillor's Election disclosures.

Cr Koliana Winchester stated that she has no conflict in this matter.

Cr Matt Constance confirmed that he was satisfied with the explanations provided.

ITEM 2.1

DEVELOPMENT APPLICATION DA/35817/2018/V3RL - RECONFIGURING A LOT - DEVELOPMENT PERMIT FOR SUBDIVISION (2 INTO 50 LOTS AND BALANCE LOT) IN TWO STAGES LOCATED AT 265 CALLAGHAN ROAD AND 305 BURPENGARY ROAD, NARANGBA - DIVISION 2

APPLICANT: NARANGBA VIEW PTY LTD
OWNER: NARANGBA VIEW PTY LTD

Meeting / Session: 2 PLANNING & DEVELOPMENT
Reference: A17205335: 21 May 2019 – Refer Supporting Information A18579265
Responsible Officer: BM, Principal Planner (PED Development Services)

Executive Summary

| APPLICATION DETAILS | |
|-------------------------------------|-----------------------|
| Applicant: | Narangba View Pty Ltd |
| Lodgement Date: | 12 March 2018 |
| Properly Made Date: | 13 March 2018 |
| Confirmation Notice Date: | 23 March 2018 |
| Information Request Date: | 10 April 2018 |
| Info Response Received Date: | 25 June 2018 |
| Decision Due Date: | 28 June 2019 |
| Prelodgement Meeting Held: | Yes (PRE/4228) |

| PROPERTY DETAILS | |
|--------------------------|---|
| Division: | Division 2 |
| Property Address: | 265 Callaghan Road and 305 Burpengary Road, Narangba Qld 4504 |
| RP Description | Lot 1 RP 907550, Lot 1 RP 185250 |
| Land Area: | 4.13ha |
| Property Owner | Narangba View Pty Ltd |

| STATUTORY DETAILS | |
|---------------------------------|--|
| Planning Legislation: | <i>Planning Act 2016</i> |
| Planning Scheme: | Moreton Bay Regional Council Planning Scheme |
| Planning Locality / Zone | Emerging community zone, Transition precinct |
| Level of Assessment: | Code Assessable |

This development application seeks a Reconfiguring a Lot - Development Permit for Subdivision (2 into 50 lots and balance lot) in two (2) stages, situated at 265 Callaghan Road and 305 Burpengary Road, Narangba on land described as Lot 1 RP 907550 and Lot 1 RP 185250.

The development proposal was lodged with the Council and deemed to be "Properly Made" on 13 March 2018. Accordingly, this development application is to be assessed in accordance with the *Planning Act 2016*.

ITEM 2.1 DEVELOPMENT APPLICATION DA/35817/2018/V3RL - RECONFIGURING A LOT - DEVELOPMENT PERMIT FOR SUBDIVISION (2 INTO 50 LOTS AND BALANCE LOT) IN TWO STAGES LOCATED AT 265 CALLAGHAN ROAD AND 305 BURPENGARY ROAD, NARANGBA - DIVISION 2 - A17205335 (Cont.)

Under the Moreton Bay Regional Council (**MBRC**) Planning Scheme which was in effect at the time the development application was properly made, the subject site was and relevantly remains located:

- outside the priority infrastructure area under the Local Government Infrastructure Plan;
- in the Emerging Community Zone (Transition Precinct); and
- in the Narangba East growth area under the Strategic Framework (see Strategic Framework Map 3.6.1 – Settlement Pattern).

In assessing the application, Council officers have had regard to the strategic framework of the MBRC Planning Scheme to the extent relevant. The strategic framework sets out the Council's policy direction for the planning scheme and forms the basis for ensuring appropriate development occurs within the planning scheme area for the life of the planning scheme. In this regard the strategic framework sets out the strategy for the future settlement pattern and location of economic activity of the region, the associated infrastructure required to enable development and service communities, and for the protection and enhancement of the region's environmental values.

As previously stated, the subject site is located within the Narangba East area which has been identified as an emerging community. The strategic framework makes it clear that urban development of these emerging community areas like Narangba East will only proceed following the Council undertaking further investigation and planning of these areas and implementing a coordinated and integrated land use and infrastructure strategy to resolve infrastructure and constraint issues. Indeed, due to the current estimated servicing costs of this area, development of the entire area is not envisaged within the life of the planning scheme

The applicant has acknowledged that in order for the Proposed Development to proceed in the absence of a coordinated and integrated land use and infrastructure strategy over the entire area, it will be necessary for the Council to impose conditions on the Proposed Development to provide for:

- (a) bring forward costs not subject to infrastructure offsets which are in the form of extra payment conditions to address the servicing costs of this area made necessary by the Proposed Development; and
- (b) development infrastructure in the form of non-trunk infrastructure.

An assessment of the development proposal against the Desired Standards of Service (DSS) has been undertaken. The assessment was undertaken to determine what development infrastructure is made necessary by the Proposed Development.

The assessment has informed the basis of the development conditions relating to non-trunk infrastructure, and extra payment conditions which may be imposed on a development approval.

The assessment has identified that the following development infrastructure is made necessary by the Proposed Development. It is recommended that the following development infrastructure be the subject of an extra payment condition for extra trunk infrastructure costs under section 130 of the *Planning Act 2016*:

- (a) Trunk land contribution for road transport infrastructure associated with the future upgrade and widening of Callaghan Road, Narangba
- (b) Trunk land contribution for road transport infrastructure associated with the future upgrade and widening of Burpengary Road, Narangba
- (c) Trunk infrastructure works for the road transport network for Callaghan Road Narangba; and

ITEM 2.1 DEVELOPMENT APPLICATION DA/35817/2018/V3RL - RECONFIGURING A LOT - DEVELOPMENT PERMIT FOR SUBDIVISION (2 INTO 50 LOTS AND BALANCE LOT) IN TWO STAGES LOCATED AT 265 CALLAGHAN ROAD AND 305 BURPENGARY ROAD, NARANGBA - DIVISION 2 - A17205335 (Cont.)

- (d) Trunk infrastructure for the public parks and land for community facilities network for Local Recreation Park.

The payments for extra trunk infrastructure costs are not proposed to be adjusted for the levied charges for the Proposed Development, as the proportion of the levied charges relevant to the Proposed Development will be required for the provision of trunk infrastructure under the LGIP, which will service the demand generated by the Proposed Development.

Despite the strategic framework stating that the development of the entire Narangba East area is not to proceed until a coordinated and integrated land use and infrastructure strategy to resolve infrastructure and constraint issues for the area is implemented, the Council officers are of the view that supporting a recommendation of this Proposed Development will not compromise the strategic framework to the extent relevant for the following reasons:

- (a) infrastructure and constraint issues has been resolved over the subject site and there will be no adverse impacts over the area more broadly;
- (b) the subject site is able to be included in the urban corridor on the basis that the applicant has acknowledged a need to:
- (i) bring forward costs in the form of extra payment conditions to address the estimated additional servicing costs of the area made necessary by the Proposed Development;
 - (ii) provide development infrastructure in the form of non-trunk infrastructure.

The application is therefore recommended to be approved subject to conditions.

COMMITTEE RECOMMENDATION

Moved by Cr Denise Sims

Seconded by Cr Adam Hain

CARRIED 9/0

Crs Allan Sutherland (Mayor), James Houghton, Peter Flannery and Julie Greer had declared a conflict of interest and had left the meeting.

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

ITEM 2.1 DEVELOPMENT APPLICATION DA/35817/2018/V3RL - RECONFIGURING A LOT - DEVELOPMENT PERMIT FOR SUBDIVISION (2 INTO 50 LOTS AND BALANCE LOT) IN TWO STAGES LOCATED AT 265 CALLAGHAN ROAD AND 305 BURPENGARY ROAD, NARANGBA - DIVISION 2 - A17205335 (Cont.)

OFFICER'S RECOMMENDATION

- A. That Council, in accordance with the *Planning Act 2016*, approves the development application for a Reconfiguring a Lot - Development Permit for Subdivision (2 into 50 lots and balance lot) in two (2) stages at 265 Callaghan Road and 305 Burpengary Road, Narangba Qld 4504, described as Lot 1 RP 907550, Lot 1 RP 185250, subject to the following plans/documents and conditions:

| Approved Plans and Documents | | | |
|---|------------------------------|-----------------------------|-----------|
| Plan / Document Name | Reference Number | Prepared By | Dated |
| Site Based Stormwater Management Plan | 265 Callaghan Road - Issue 4 | Morgan Consulting Engineers | 21/5/18 |
| Detailed Detention and Overland Flow Study Report | 2307_V6_19062018 | MRG Water Consulting | June 2018 |

| Plans to be Amended | | | |
|-------------------------------|------------------|---------------|------------|
| Plan / Document Name | Reference Number | Prepared By | Dated |
| Proposed Reconfiguration Plan | UD-9577-004-1 | Jensen Bowers | 30/8/2018 |
| Plan of Development | UD-9577-005-D | Jensen Bowers | 31/08/2018 |

Conditions

| CONDITION | | TIMING |
|---|---|---|
| RECONFIGURING A LOT - ALL STAGES | | |
| DEVELOPMENT PLANNING | | |
| 1. | Approved Plans and/or Documents | |
| | Undertake development generally in accordance with the approved plans and/or documents. These plans and/or documents will form part of the approval, unless otherwise amended by conditions of this approval. | Prior to submitting to the Council any request for approval of a plan of subdivision (i.e. a survey plan) for each stage and to be maintained at all times. |
| 2. | Amended Plan Required | |
| A | Submit an amended Reconfiguration Plan and Plan of Development incorporating the following: (i) Include all road widening along Callaghan Road and Burpengary Road within Stage 1 of the development. | Prior to submitting to the Council any request for approval of a plan of subdivision (i.e. a survey plan). |
| B | Obtain approval from Council for the amended Plan of Development in accordance with (A) above. | Prior to submitting to the Council any request for |

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| | | |
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| | | approval of a plan of subdivision (i.e. a survey plan). |
| C | Implement the requirements and recommendations of the approved plan(s). The approved amended plan(s) will form part of the approval. | <p>Prior to any approval of Building Works.</p> <p>Prior to submitting to the Council any request for approval of a plan of subdivision (i.e. a survey plan).</p> |
| 3. | Payment of Rates | |
| | Pay all outstanding rates and charges applicable to the subject land. | Prior to submitting to the Council any request for approval of a plan of subdivision (i.e. survey plan) for each stage. |
| 4. | Remove /Demolition of Existing Buildings | |
| | Remove / demolish all existing buildings located on site. | Prior to submitting to the Council any request for approval of a plan of subdivision (i.e. survey plan) for each stage. |
| 5. | Entry Statement | |
| | <p>Establishment of any "Entry Statement" as a marketing strategy for the development must accord with the following, unless otherwise approved by Council:</p> <ol style="list-style-type: none"> 1. Located within a privately owned allotment or on the boundary of a privately owned allotment; 2. Limited to one (1) entry statement per development; 3. Constructed of durable, weather resistant materials; 4. Positively contributes to the character of the surrounding area; and 5. Does not contain the logo of any developer or other entity. | Prior to submitting to the Council any request for approval of a plan of subdivision (i.e. survey plan) for each stage. |
| 6. | Dedicated Road Access | |
| | Provide dedicated constructed road access to the development. | Prior to submitting to the Council any request for approval of a plan of subdivision (i.e. survey plan) for each stage and to be maintained at all times. |
| 7. | Street Names | |

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ITEM 2.1 DEVELOPMENT APPLICATION DA/35817/2018/V3RL - RECONFIGURING A LOT - DEVELOPMENT PERMIT FOR SUBDIVISION (2 INTO 50 LOTS AND BALANCE LOT) IN TWO STAGES LOCATED AT 265 CALLAGHAN ROAD AND 305 BURPENGARY ROAD, NARANGBA - DIVISION 2 - A17205335 (Cont.)

| | | |
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| A | Submit requests for the names of new street/s in accordance with Council's Policy 11-2150-038 Allocation of Road Names and Street Address Numbers or as amended; | Prior to submitting to the Council any request for approval of a plan of subdivision (i.e. survey plan) for each stage. |
| B | Obtain approval from Council for the names of new streets in accordance with (A) above; | Prior to submitting to the Council any request for approval of a plan of subdivision (i.e. survey plan) for each stage. |
| C | Erect approved street name boards on all new roads in accordance (A) and (B); and | Prior to submitting to the Council any request for approval of a plan of subdivision (i.e. survey plan) for each stage. |
| D | Mark all street names on the survey plans. | Prior to submitting to the Council any request for approval of a plan of subdivision (i.e. survey plan) for each stage. |
| 8. | Develop in Stages | |
| | Develop the site generally in accordance with the stages identified on the approved plans in consecutive order. Development must comply with each condition of the development approval as it relates to each stage, unless otherwise stated in the condition. | Prior to submitting to the Council any request for approval of a plan of subdivision (i.e. survey plan) for each stage. |
| 9. | Certification for Removal of Noxious Weeds | |
| | Provide certification from an approved person or company licensed under the Agricultural Chemicals Distribution Act (1970-1996) that the area is free from groundsel and other noxious weeds, including all declared weed species as required by Land Protection (Pest and Stock Route Management) Act 2002 and Regulation 2003, and any infestations of undesirable species as listed in Planning Scheme Policy - Integrated design Appendix D - Landscaping | Prior to submitting to the Council any request for approval of a plan of subdivision (i.e. survey plan) for each stage. |
| 10. | Landscaping for Reconfiguring a Lot | |
| A | Carry out landscaping and associated earthworks, site preparation and other necessary works in accordance with approved plans, details and technical specifications of any proposed planting or landscape work (both soft and hard works) where such works will be on land under the control of Council, whether as a park, reserve or road reserve. Landscaping is to accord with Planning scheme policy - Integrated design Appendix D - Landscaping. | Prior to submitting to the Council any request for approval of a plan of subdivision (i.e. survey plan) for each stage. |
| B | Before commencing the works obtain approval for the plans, details and technical specifications of any planting or landscape work from Council. | Prior to work commencing on site. |
| 11. | Street Trees | |

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| | | |
|------------|---|---|
| | Provide street trees within the development in accordance with Planning scheme policy - Integrated design Appendix D - Landscaping. Specifically, the: 1. species choices are set out in section 1.2.2; and 2. pot size is set out in section 1.2.3; and 3. number to be provided is set out in section 1.2.4. | Prior to submitting to the Council any request for approval of a plan of subdivision (i.e. survey plan) for each stage. |
| 12. | Disposal of Cleared Vegetation | |
| | Chip, shred or tub grind cleared native vegetation and spread as mulch or dispose of at an authorised waste facility. Any hollows observed in cleared vegetation must be salvaged and installed as nest boxes in trees within the property. | During site works |
| 13. | Stockpiles of Construction and Landscaping Materials | |
| | Locate any stockpiles of construction and landscaping materials and other site debris clear of drainage lines and clear of any position from which it could be washed onto any footpath, nature strip, roadway or into any drain, wetland or watercourse. | During site works. |
| 14. | Temporary Exclusion Fencing | |
| | Delineate areas where vegetation is proposed to be retained with exclusion fencing to prevent accidental felling. Clearing is to be undertaken in accordance with AS 4970-2009 Protection of Trees on Development Sites. | During site works. |
| 15. | New Telecommunications Infrastructure | |
| A | Provide Fibre-Ready telecommunications infrastructure (pit and pipe) throughout the development in accordance with the Communication Alliance specifications contained within Industry Guideline G645:2011 Fibre Ready Pit and Pipe Specifications for Real Estate Development Projects or in accordance with the NBN Co. specifications contained within New Developments: Deployment of the NBN Co Conduit and Pit Network – Guidelines for Developers NBN-TE-CTO-194 and Creating Pit and Pipe Designs for New Developments (Job Aid for Developers) NBN-TE-CTO-586, as amended and current at the date of installation. | Prior to the development being accepted off maintenance. |
| B | Provide certification from a RPEQ electrical engineer that the works specified in (a) above have been installed and evidence that a telecommunications carrier licensed under the Telecommunications Act 1997 has agreed to take ownership of the infrastructure. OR Provide written confirmation from NBN Co that the works specified in (a) above have been accepted by it. OR Provide a 'Telecommunications Infrastructure Provisioning Confirmation' or a 'Telecommunications Network Infrastructure Notification' letter from a telecommunications carrier licensed under the Telecommunications Act 1997 (e.g. Telstra) confirming that telecommunications carrier has been engaged to install telecommunications infrastructure within the proposed development. | Prior to submitting to the Council any request for approval of a plan of subdivision (i.e. survey plan) for each stage. |

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| | | |
|----------------------------------|---|---|
| | <p>OR</p> <p>Submit to Council:</p> <ol style="list-style-type: none"> 1. Security (calculated as follows: x metres of pit and pipe x \$) and relevant documentation for work which is yet to be completed in accordance with Council Policy 11-2150-027 Approval of Plans of Subdivision Prior to Completion of Subdivision Works; and 2. A certificate of practical completion from NBN Co. that the installation of the works specified in (a) above has occurred; OR 3. A certificate of practical completion from a RPEQ electrical engineer that the installation of the works specified in (a) above has occurred; and documentation demonstrating that the infrastructure has been transferred to a Network Carrier (e.g. Telstra, NBN Co etc.). <p>Note: Council policies are available on Council's website.</p> | |
| 16. Electricity | | |
| A | Provide evidence (e.g. Certificate for Electricity Supply to Subdividers with Agreement Number or Certificate of Supply) demonstrating that an electricity supply network has or will be constructed within all new roads and along the frontage of each proposed lot. | Prior to submitting to the Council any request for approval of a plan of subdivision (i.e. survey plan) for each stage. |
| B | Provide an underground electricity supply connection to each proposed lot. | Prior to submitting to the Council any request for approval of a plan of subdivision (i.e. survey plan) for each stage. |
| C | Submit certification from a licensed surveyor, Registered Professional Engineer of Queensland (RPEQ) or registered building surveyor that: <ol style="list-style-type: none"> 1. any electricity supply connection to an existing building or a private property pole is wholly contained in the lot it serves; and 2. any electricity connections and infrastructure made redundant by the development is removed with the land reinstated. | Prior to submitting to the Council any request for approval of a plan of subdivision (i.e. survey plan) for each stage. |
| 17. Water and/or Sewerage | | |
| | Submit to Council a Certificate of Completion or Provisional Certificate of Completion for the development from the Northern SEQ Distributor–Retailer Authority (Unitywater) confirming: <ol style="list-style-type: none"> 1. a reticulated water supply network connection is available to the land; and 2. a sewerage network connection is available to the land; and 3. all the requirements of Unitywater have been satisfied. | Prior to submitting to the Council any request for approval of a plan of subdivision (i.e. survey plan) for each stage. |

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| CONDITION | TIMING | |
|---|---|------------------|
| RECONFIGURING A LOT - APPLICABLE TO ALL STAGES | | |
| EXTRA PAYMENT CONDITIONS | | |
| 18. | Extra Payment Condition for Trunk infrastructure - road transport network – Callaghan Road | |
| A | <p>Pay for the following for the trunk infrastructure for the road transport network for Callaghan Road:</p> <ol style="list-style-type: none"> 1. the establishment cost. | See paragraph E. |
| B | <p>This extra payment condition is imposed on the basis of the following:</p> <ol style="list-style-type: none"> 1. the development is for premises completely outside the priority infrastructure area; 2. the development would impose extra trunk infrastructure costs on the Council after taking into account the levied charges for the development; and 3. the trunk infrastructure is: <ol style="list-style-type: none"> (a) made necessary by the development of the site; and (b) necessary to service the Narangba East emerging community area in the Moreton Bay Regional Council Planning Scheme, being an area intended for future development for purposes other than rural or rural residential purposes of which the Site is a part. | To be noted. |
| C | <p>Pay to the Council an establishment cost for works and land for Callaghan Road as a part of the road transport network in the amount of \$3,248,198 adjusted according to the '3-yearly PPI average', for the period starting on the day the original and first decision notice is given and ending on the day the amount is paid where the 3-yearly PPI average means the PPI (as defined in the Planning Act 2016) adjusted according to the 3-year moving average quarterly percentage change between financial quarters.</p> <p>This amount for work and land (at the date of this approval) is comprised of the following:</p> <ol style="list-style-type: none"> 1. \$126,026 for land comprising the dedication of 6 metres for road frontage for the length of the land; and 2. \$3,122,172 for work, comprising: <ol style="list-style-type: none"> 1. \$1,849,079 for the base estimate; 2. \$240,381 for the project owner costs; and 3. \$1,032,712 for contingency costs. | To be noted. |
| D | <p>The details of the trunk infrastructure for the road transport network for Callaghan Road, Narangba for which the payment is required is as follows:</p> <ol style="list-style-type: none"> 1. Land and works necessary to construct the full width of Callaghan Road, Narangba from the western boundary of Lot 1 on RP907550 west for a length of 313 metres, to a 2-lane Sub-arterial road standard in accordance with Appendix B, including drainage improvements as required. 2. All necessary upgrades to existing driveways and infrastructure, including culvert crossings as required, along and across Callaghan Road, Narangba to match in with the existing road. 3. Undergrounding of overhead electrical infrastructure for the length of the Callaghan Road where the road is subject to construction under this condition. | To be noted. |

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| | | |
|------------|---|--|
| | 4. Construction of a new 675mm watermain to replace the existing 675mm watermain for the length of the Callaghan Road where the road is being constructed. | |
| E | The amount of the payment becomes payable at the payment time, being by the day the work associated with the development starts. | To be noted. |
| F | The applicant may, instead of making the payment, elect to provide part or all of the trunk infrastructure for the road transport network for Callaghan Road, that if the applicant so elects, must be provided in accordance with the following requirements: <ol style="list-style-type: none"> 1. the road lengths for the upgrade of Callaghan Road, as noted in item D above, the road typology cross-section is to be in accordance with the attached Appendix B – Callaghan Road cross-section, and otherwise in accordance with the MBRC Integrated Design PSP in Appendix A; 2. no direct vehicle access is permitted to this corridor; the works are to include the transition works from the new works to the existing road; 4. all developer land for road widening is to be provided by the applicant and transferred to Council at no cost to Council; 5. all land for drainage easements is to be secured by the applicant and provided to the benefit of Council at no cost to Council; 6. all works are to be constructed in accordance with Council's design standards and relevant planning scheme code current at the time of lodgement of the development application for operational work and the relevant development approval for operational work; 7. land and works must be designed and constructed so as to not be redundant and will suit the ultimate corridor vertical and horizontal alignment as approved by the Council in the development approval for operational work. | Prior to submitting to the Council any request for approval of a plan of subdivision (i.e. survey plan) for the first stage of the development unless agreed to otherwise in writing by the Council. |
| G | This condition has been imposed under section 130 of the <i>Planning Act 2016</i> | To be noted. |
| 19. | Extra Payment Condition for Trunk infrastructure - road transport network – Burpengary Road | |
| A | Pay for the following for the trunk infrastructure for the road transport network for Callaghan Road: <ol style="list-style-type: none"> 1. the establishment cost. | See paragraph E. |
| B | This extra payment condition is imposed on the basis of the following: <ol style="list-style-type: none"> 1. the development is for premises completely outside the priority infrastructure area; 2. the development would impose extra trunk infrastructure costs on the Council after taking into account the levied charges for the development; and 3. the trunk infrastructure is: <ol style="list-style-type: none"> (a) made necessary by the development of the site; and (b) necessary to service the Narangba East emerging community area in the Moreton Bay Regional Council Planning Scheme, being an area intended for future development for purposes other than rural or rural residential purposes of which the Site is a part. | To be noted. |
| C | Pay to the Council an establishment cost for land for Burpengary Road as a part of the road transport network in the amount of \$157,821.30 adjusted according to the '3-yearly PPI average', for the period starting on the day the original and first decision notice is given | To be noted. |

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| | and ending on the day the amount is paid where the 3-yearly PPI average means the PPI (as defined in the Planning Act 2016) adjusted according to the 3-year moving average quarterly percentage change between financial quarters. This amount for land (at the date of this approval) is comprised of the following: 1. \$157,821.30 for land comprising the dedication of 15 metres for road frontage for the length of the land; and | |
| D | The details of the trunk infrastructure for the road transport network for Burpengary Road, Narangba for which the payment is required is as follows: 1. A 15m wide land dedication along the Burpengary Road frontage which is necessary to construct the full width of Burpengary Road, Narangba to an Arterial Road classification in accordance with Council's design standards. | To be noted. |
| E | The amount of the payment becomes payable at the payment time, being by the day the work associated with the development starts. | To be noted. |
| F | The applicant may, instead of making the payment, elect to provide part or all of the trunk infrastructure for the road transport network for Burpengary Road, that if the applicant so elects, must be provided in accordance with the following requirements: 1. the land necessary for the upgrade of Burpengary Road, as noted in item D above, and otherwise in accordance with the MBRC Integrated Design PSP in Appendix A; 2. no direct vehicle access is permitted to this corridor; 3. all developer land for road widening is to be provided by the applicant and transferred to Council at no cost to Council. | Prior to submitting to the Council any request for approval of a plan of subdivision (i.e. survey plan) for the first stage of the development unless agreed to otherwise in writing by the Council. |
| 20. | Unidentified Trunk infrastructure for the public parks and land for community facilities network for Callaghan Road Local Recreation Park | |
| A | Pay for the following for the trunk infrastructure for the public parks and land for community facilities network for Callaghan Road Local Recreation Park: 1. the establishment cost. | See paragraph E. |
| B | This extra payment condition is imposed on the basis of the following: 1. the development is for premises completely outside the priority infrastructure area; 2. the development would impose additional trunk infrastructure costs on the Council after taking into account the levied charges for the development; 3. the trunk infrastructure is: (a) made necessary by the development of the site; and (b) necessary to service the Narangba East Growth Area in the Moreton Bay Regional Council Planning Scheme, being an area intended for future development for non-rural purposes of which the site is a part. | To be noted |
| C | The amount of the payment to be made under this condition is \$748,750 increased in accordance with the increase for the PPI index for the period starting on the day the decision notice is given and ending on the day the amount is paid, adjusted by reference to the 3-yearly PPI index average. This amount is comprised of the following: 1. \$748,750 , for the establishment cost, comprising: | To be noted. |

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| | | |
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| | (a) \$481,750 , for land; and (b) \$267,000 , for work, | |
| D | The details of the trunk infrastructure for the public parks and land for community facilities network for Callaghan Road Local Recreation Park for which the payment is required are as follows: 1. Land and works associated with the construction of a local recreation park in accordance with the requirements stated in Planning Scheme Policy Integrated Design, Appendix B. | To be noted |
| E | The amount of the payment becomes payable at the payment time, being by the day the work associated with the development starts. | To be noted |
| F | The applicant may, instead of making the payment, elect to provide part or all of the trunk infrastructure, which if the applicant so elects, must be provided: 1. before the approval of the plan of subdivision for the first lot; and 2. in accordance with the following requirements: (a) a plan of development showing the proposed location of the Callaghan Road Local Recreation Park is to be submitted for the approval of Council; (b) detailed design for the Callaghan Road Local Recreation Park to meet the relevant requirements stated in Planning Scheme Policy Integrated Design, Appendix B; (c) all land required to be acquired for the Callaghan Road Local Recreation Park is to be identified on a preliminary plan of survey; (d) all land is to be acquired by the applicant and transferred to Council at no cost to Council; (e) all works are to be constructed in accordance with Council's design standards and relevant planning scheme code current at the time of lodgment of the development application for operational work and the relevant development approval for operational work; (f) land and works must be designed and constructed so as to not be redundant and will suit the ultimate corridor vertical and horizontal alignment as approved by the Council in a development approval for operational works. | Prior to submitting to the Council any request for approval of a plan of subdivision (i.e. survey plan) for the first stage of the development unless agreed to otherwise in writing by the Council. |
| G | This condition has been imposed under section 131 of the <i>Planning Act 2016</i> . | To be noted |

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| CONDITION | | TIMING |
|---|--|--|
| RECONFIGURING A LOT - APPLICABLE TO ALL STAGES | | |
| DEVELOPMENT ENGINEERING | | |
| 21. | Replace Existing Council Infrastructure | |
| | Replace existing Council infrastructure (including but not limited to street trees and footpaths) that is damaged as part of works carried out in association with the development to Council's standards. | Prior to submitting to the Council any request for approval of a plan of subdivision (i.e. a survey plan). |
| 22. | Alterations and Relocation of Existing Services | |
| | Ensure any alteration or relocation in connection with or arising from the development to any service, installation, plant, equipment or other item belonging to or under the control of an entity engaged in the provision of public utility services is to be carried out with the development and at no cost to Council unless agreed to in writing by the Council. | Prior to submitting to the Council any request for approval of a plan of subdivision (i.e. a survey plan). |
| 23. | Stormwater | |
| | Carry out the development to ensure that adjoining properties, reserves and roads are protected from ponding or nuisance from stormwater as a result of any works undertaken. | To be maintained at all times. |
| 24. | Stormwater Management | |
| A | Submit and have approved by Council, a development application for operational works for stormwater infrastructure to service the development. Design drawings are to be prepared and certified by a suitably qualified Registered Professional Engineer Queensland (RPEQ) and in accordance with the approved plans and documents of development current at the time of the operational works application. | Prior to commencement of works associated with this condition. |
| B | Construct stormwater infrastructure to service the development at no cost to Council and in accordance with the approved plans and documents of development. This condition has been imposed under section 145 of the <i>Planning Act 2016</i> . | Prior to submitting to the Council any request for approval of a plan of subdivision (i.e. a survey plan). |
| C | Provide registered easements in favour of Council over any drainage paths and drainage infrastructure within all new lot/s in accordance with the approved plans and documents of development. Note: All easements are to be shown on plans submitted as part of operational works applications. | Prior to submitting to the Council any request for approval of a plan of subdivision (i.e. a survey plan). |
| 25. | Pathways | |
| A | Construct, at no cost to Council, a 1.5 metre wide reinforced concrete pathway in accordance with the approved pathway plan. | Prior to submitting to the Council any request for approval of a plan of |

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| | | |
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| | This condition has been imposed under section 145 of the <i>Planning Act 2016</i> . | subdivision (i.e. a survey plan). |
| 26. | Erosion and Sediment Control | |
| A | Implement an Erosion and Sediment Control Plan prepared by an experienced Certified Professional in Erosion and Sediment Control (CPESC) in accordance with the International Erosion Control Association Australasia (IECA) Best Practice and Sediment Control document. | Prior to commencement of works and to be maintained current at all times during construction. |
| 27. | Earth Retaining Structures | |
| A | Design all earth retaining structures within private land in accordance with Australian Standards, Building Code requirements and MBRC Planning scheme current the time of the operational works application and the following: <ol style="list-style-type: none"> 1. The minimum design life (the period assumed in design for which a structure or structural element is required to perform its intended purpose without replacement or major structural repairs) for the earth retaining structure that is specified in Table 3.1 of Australian Standard AS4678; 2. Earth retaining structures within the land and around areas of cut on or near the boundaries of the site must be designed to allow for live and dead loads associated with the land/premise's current occupancy use; 3. Provide temporary safety fencing to all earth retaining structures over 1.0m in height. | Prior to commencement of works associated with this condition. |
| B | Submit and have approved by Council, a development application for operational works for all earth retaining structures. Design drawing are to be prepared and certified by a suitably qualified Registered Professional Engineer Queensland (RPEQ) and in accordance with the approved plans and documents of development and the MBRC Planning Scheme current at the time of the operational works application and they are to clearly show the location and overall configuration (fully dimensioned), design parameters and loads, materials and finishes of all earth retaining structures for the development. | Prior to commencement of works associated with this condition. |
| C | Construct all earth retaining structures within private land in accordance with Australian Standards, Building Code requirements and approved plans and documents of development. | Prior to submitting to the Council any request for approval of a plan of subdivision (i.e. a survey plan). |
| D | Provide written certification from a suitably qualified Registered Professional Engineer Queensland (RPEQ) that the design, construction and materials comply with this condition. | Prior to submitting to the Council any request for approval of a plan of subdivision (i.e. a survey plan). |

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| CONDITION | | TIMING |
|--------------------------------------|---|--|
| RECONFIGURING A LOT - STAGE 1 | | |
| DEVELOPMENT PLANNING | | |
| 28. | Land for Drainage Purposes | |
| | Transfer to Council the area of land identified on the approved layout plan as "Lot 800" (2,056m ²) for the purpose of Drainage. The land is to be Transferred in fee simple on trust at no cost to Council. This condition is imposed under section 145 of the Planning Act 20016 | Prior to submitting to the Council any request for approval of a plan of subdivision (i.e. a survey plan) for stage 1 and to be maintained at all times. |
| 29. | Pedestrian Pathway | |
| | Construct a 2 metre wide reinforced concrete pathway in accordance with Council's standards at the following locations: (a) From the new internal road along the western boundary of proposed Lot 800 to Callaghan Road. This condition has been imposed under section 145 of the Planning Act 2016. | Prior to submitting to the Council any request for approval of a plan of subdivision (i.e. a survey plan) for stage 1 and to be maintained at all times. |
| DEVELOPMENT ENGINEERING | | |
| 30. | New Council Roads | |
| A | Submit and have approved by Council, a development application for operational works for the following: 1. Roads 1 & 2 including associated works as modified Living Residential roads including the following. (a) Minimum 16.5 m wide road reserve. (b) Minimum 8.0 m wide vehicle zone. (c) Minimum 1.5 m pathway widths. (d) A minimum verge width of 4.0 m. (e) The path and reticulated sewerage within a minimum 4.5 m wide verge. 2. Callaghan Road and associated frontage works as a Sub-arterial Road. Design drawings are to be prepared and certified by a suitably qualified Registered Professional Engineer Queensland (RPEQ) and in accordance with the approved plans and documents of development and the MBRC Planning Scheme current at the time of the operational works application. | Prior to commencement of works associated with this condition. |
| B | Construct, at no cost to Council and in accordance with the approved plans and documents of development the following: 1. All new roads and associated works 2. All frontage roads and associated works 3. All external roads and associated works. | Prior to submitting to the Council any request for approval of a plan of subdivision (i.e. a survey plan) for stage 1. |

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| | | |
|------------|--|--|
| | This condition has been imposed under section 145 of the <i>Planning Act 2016</i> . | |
| 31. | Non-Trunk infrastructure - Road Transport Network – Callaghan Road | |
| A | <p>This non-trunk infrastructure condition is imposed on the basis of the following:</p> <ol style="list-style-type: none"> 1. The non-trunk infrastructure is required for: <ol style="list-style-type: none"> (a) connecting the premises to external infrastructure networks; and (b) protecting or maintaining the safety or efficiency of the infrastructure network of which the non-trunk infrastructure is a component. | To be noted. |
| B | <p>Submit and have approved by Council, a development application for operational works for the following:</p> <ol style="list-style-type: none"> 1. Callaghan Road from Old Gympie Road to the eastern boundary of Lot 2 on RP79384 and associated works. The external road works are as follows: <ol style="list-style-type: none"> i. a road carriageway width of 12.0 metres minimum, to consist of the following: <ol style="list-style-type: none"> a) 2 travel lanes, 3.5 metres wide (7.0m wide pavement); b) 2.5 metre wide (full depth pavement) shoulders with a minimum shoulder seal of 1.5 metres; and c) Associated stormwater drainage to be contained within the road reserve. 2. Callaghan Road from the existing western boundary of Lot 2 on RP907550 to the intersection of Burpengary Road and Callaghan Road and associated works as follows: <ol style="list-style-type: none"> i. 2 travel lanes, 3.5 metres wide (7.0m wide pavement); ii. 2.5 metre wide (full depth pavement) shoulders with a minimum shoulder seal of 1.5 metres; and iii. Associated stormwater drainage to be contained within the road reserve. 3. Callaghan Road at the Burpengary Road intersection. The external road works are as follows: <ol style="list-style-type: none"> i. West bound travel lane to have pavement widening to accommodate a separate left and right turning lane at the intersection <p>Design drawings are to be prepared and certified by a suitably qualified Registered Professional Engineer Queensland (RPEQ) and in accordance with the approved plans and documents of development and the MBRC Planning Scheme current at the time of the operational works application.</p> | Prior to submitting to the Council any request for approval of a plan of subdivision (i.e. survey plan) for the first stage of the development unless agreed to otherwise in writing by the Council. |

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| | | |
|----------|---|--|
| C | Construct, at no cost to Council and in accordance with the approved plans and documents of development the following: 1. All external roads and associated works. | Prior to submitting to the Council any request for approval of a plan of subdivision (i.e. a survey plan). |
| D | This condition has been imposed under section 145 of the <i>Planning Act 2016</i> . | To be noted. |

| CONDITION | TIMING |
|--------------------------------------|---|
| RECONFIGURING A LOT - STAGE 2 | |
| DEVELOPMENT PLANNING | |
| 32. | Fencing of Park Boundaries |
| | Provide uniform transparent fencing to the following property boundaries to enable passive surveillance of public areas: <ul style="list-style-type: none"> • The eastern property boundary of Lot 51. Fencing is to have a maximum height of 1.8 metres and a minimum 50% transparency. The details of proposed fencing must be included within landscape plans. |
| | Prior to submitting to the Council any request for approval of a plan of subdivision (i.e. a survey plan) for stage 2 and to be maintained at all times.. |
| DEVELOPMENT ENGINEERING | |
| 33. | New Council Roads |
| A | Submit and have approved by Council, a development application for operational works for the following: 1. Roads 1 & 3 including associated works as modified Living Residential roads including the following: (a) Minimum 16.5 m wide road reserve; (b) Minimum 8.0 m wide vehicle zone; (c) Minimum 1.5 m pathway widths; (d) A minimum verge width of 4.0 m; (e) The path and reticulated sewerage within a minimum 4.5 m wide verge; and (f) The reticulated water service within the eastern verge of Road 3 is to be located on an alignment in accordance with Council's standard drawing RS-100. Design drawings are to be prepared and certified by a suitably qualified Registered Professional Engineer Queensland (RPEQ) and in accordance with the approved plans and documents of development and the MBRC Planning Scheme current at the time of the operational works application. |
| B | Construct, at no cost to Council and in accordance with the approved plans and documents of development the following: 1. All new roads and associated works |
| | Prior to submitting to the Council any request for approval of a plan of |

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| | | |
|------------|---|--|
| | <p>2. All frontage roads and associated works 3. All external roads and associated works.</p> <p>This condition has been imposed under section 145 of the <i>Planning Act 2016</i>.</p> | subdivision (i.e. a survey plan) for stage 2. |
| 34. | Laneways | |
| A | <p>Submit and have approved by Council a development application for operational works for the laneway and associated works to the rear of Laneway Lots 23 to 31.</p> <p>Design drawings are to be prepared and certified by a suitably qualified Registered Professional Engineer Queensland (RPEQ) and in accordance with approved plans and documents of development and the MBRC Planning Scheme current at the time of the operational works application and the following:</p> <ol style="list-style-type: none"> 1. Stormwater drainage system and inverted road cross-section to contain the minor storm ARI (piped) and major storm ARI (overland); 2. Reinforced concrete road pavement with colour and finish resembling a residential driveway in appearance. Concrete to be designed in accordance with rigid road pavement design principles; 3. Industrial standard crossover at each end of the laneway, to cater for the turning movements of Council's waste collection vehicle; 4. A minimum grade separation of 400mm between the Laneway Lots and any park area; 5. Dedicate a minimum 2.0m wide pathway as road reserve along any park frontage of the lots to contain all services and a 1.5m wide concrete path; and 6. No electrical or water services are permitted in the laneway. | Prior to commencement of works associated with this condition. |
| B | <p>Construct, at no cost to Council, the laneway and associated works, to the rear of Laneway Lots 23 to 31 in accordance with the approved plans and documents of development.</p> <p>This condition has been imposed under section 145 of the <i>Planning Act 2016</i>.</p> | Prior to submitting to the Council any request for approval of a plan of subdivision (i.e. a survey plan) for stage 2. |
| 35. | Site Access Prohibited | |
| | <p>Ensure vehicular access directly from Callaghan Road to lots 43 to 51 is prohibited for traffic management and safety reasons.</p> <p>Note: A property condition will be attached to the affected lots to advise land owners of this restriction.</p> | To be maintained at all times. |

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| ADVICES | |
|-----------|--|
| 1. | Aboriginal Cultural Heritage Act 2003 |
| | <p>The <i>Aboriginal Cultural Heritage Act 2003</i> commenced in Queensland on April 16, 2004. Under the Act, indigenous parties are key in assessing cultural heritage significance.</p> <p>The <i>Aboriginal Cultural Heritage Act 2003</i> 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 the activity.</p> <p>Penalty provisions apply for failing to fulfil the Cultural Heritage Duty of Care.</p> <p>Those proposing an activity that involves additional surface disturbance beyond that which has already occurred on the proposed site need to be mindful of the Duty of Care requirement.</p> <p>Details of how to fulfill the Duty of Care are outlined in the Duty of Care Guidelines gazetted with the Act.</p> <p>Council strongly advises that you contact the relevant state agency to obtain a copy of the Duty of Care Guidelines and further information on the responsibilities of developer under the terms of the <i>Aboriginal Cultural Heritage Act 2003</i>.</p> |
| 2. | Adopted Charges |
| | <p>Payment of an Adopted Infrastructure Charge in accordance with Council's Infrastructure Charges Resolution (No. 8) dated 14 December 2018 or as amended apply to this development approval.</p> <p>From 1 July 2014, Moreton Bay Regional Council no longer issues an Infrastructure Charges Notice on behalf of Unitywater for water supply and sewerage networks and therefore a separate Infrastructure Charges Notice may be issued directly to the applicant by Unitywater in respect to this development approval.</p> <p>Payment of Infrastructure Charges is to be in accordance with the Infrastructure Charges Notice issued with this development approval and any Infrastructure Charges Notice issued by Unitywater. From 1 July 2014, all Infrastructure Charges for infrastructure networks controlled by Unitywater (eg. water and/or sewerage) regardless of when the Infrastructure Charges Notice was issued are to be paid directly to Unitywater while Infrastructure Charges for networks controlled by Moreton Bay Regional Council will continue to be paid directly to Moreton Bay Regional Council.</p> |

| PROPERTY NOTES | |
|----------------|---|
| 1. | Additional Development Requirements |
| | <p>The following property note will be attached to Council's database for Lots 43 to 51:</p> <p><i>"Additional development requirements apply to this lot. Any development on this lot must be in accordance with the approved plan and associated conditions.</i></p> <p><i>Further details can be found in the development permit creating the lot or the development approval for the use, and the associated Council report (Delegated or Council Meeting) or approval letter. This information is available through the PD Online facility on Council's website www.moretonbay.qld.gov.au."</i></p> |

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| | |
|-----------|---|
| 2. | Acoustic Advice |
| | <p>The following property note will be attached to Council’s database for Lots 12 - 50:</p> <p><i>“It is required that any residential development on this lot be designed and constructed in accordance with the relevant acoustic design and construction standards, or the specific requirements approved in any acoustic report.</i></p> <p><i>Further details can be found in the development permit creating the lot or the development approval for the use, and the associated Council report (Delegated or Council Meeting) or approval letter. This information is available through the PD Online facility on Council’s website www.moretonbay.qld.gov.au.”</i></p> |

- B. That all external Referral Agencies for the development application be provided with a copy of the Council’s Decision Notice.
- C. That the following information be included in the Decision Notice.

Decision Notice information

| | Details to Insert |
|---|--|
| Application Type | Reconfiguring a Lot - Development Permit for Subdivision (2 into 50 lots and balance lot) in two (2) stages) |
| Relevant Period of Approval | Reconfiguring a Lot requiring or not requiring Works – 4 years |
| Section 64(5) Deemed Approval | Not applicable |
| Superseded Planning Scheme | Not applicable |
| Variation approval affecting the Planning Scheme | Not applicable |
| Other Necessary Permits | Operational Works – Development Permit |
| Codes for Accepted Development | Not applicable |
| Referral Agencies | Department of State Development, Manufacturing, Infrastructure and Planning |
| Submissions | Not applicable |

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REPORT DETAIL

1. Background

Under the Moreton Bay Regional Council (**MBRC**) Planning Scheme which was in effect at the time the development application was properly made, the subject site is relevantly located:

- outside the priority infrastructure area under the Local Government Infrastructure Plan;
- in the Emerging Community Zone (Transition Precinct); and
- in the Narangba East growth area under the Strategic Framework (see Strategic Framework Map 3.6.1 – Settlement Pattern).

The strategic framework identifies that the Narangba East growth area is identified for development in the future however, infrastructure and constraint issues are to be resolved before this area is included in the urban corridor. Such that the ability to provide serviced urban land is constrained, with the result that the majority of the growth area is likely to remain largely rural residential until the Narangba East growth area can be developed in an efficient and cohesive manner (see section 3.13.3.4.2(d) of the Strategic Framework).

Under the Strategic Framework development of the identified area of serviced urban land prior to the areas inclusion in the urban corridor will be subject to bring forward costs and will not be subject to any infrastructure offsets (see section 3.13.3.4.2(b) of the Strategic Framework).

The development proposal is an infill development of a developable lot in the small area in the north-western portion of the Narangba East growth area which provides serviced urban land and is a planned and orderly extension of the existing urban development to the east and south. As such, the subject site and development proposal do not represent the intrusion of a greenfield urban development into a rural residential area which does not provide serviced urban land.

The development proposal provides for urban development outside the priority infrastructure area under the Local Government Infrastructure Plan. The development proposal is an infill development of a developable lot in the small area in the north-western portion of the Narangba East growth area which provides serviced urban land. Given that the development proposal provides for urban development outside the priority infrastructure area under the Local Government Infrastructure Plan, it is recommended that extra payment conditions be imposed under s130 of the *Planning Act 2016*, as envisaged by the Land use strategy of the Strategic Framework for the North Lakes-Redcliffe-Moreton Bay Rail Corridor Planning Area for the Narangba East Growth Area and discussed in later sections of this report, for the following reasons:

1. The development is for premises completely outside the priority infrastructure area;
2. The development would impose additional trunk infrastructure costs on the Council after taking into account the levied charges for the development;
3. The trunk infrastructure is:
 - (a) made necessary by the development of the site; and
 - (b) necessary to service the Narangba East Growth Area in the Moreton Bay Regional Council Planning Scheme, being an area intended for future development for non-rural purposes of which the site is a part.

The extra payment conditions are recommended for the following trunk infrastructure items:

1. Trunk land contribution for road transport infrastructure associated with the future upgrade and widening of Callaghan Road, Narangba
2. Trunk land contribution for road transport infrastructure associated with the future upgrade and widening of Burpengary Road, Narangba
3. Trunk infrastructure for the road transport network for Callaghan Road, Narangba;
4. Trunk infrastructure for the public parks and land for community facilities network for Local Recreation Park;

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It is further recommended that the condition allow for the applicant to elect to provide all or part of the required trunk infrastructure in order to comply with the requirements of section s131(1)(e) of the *Planning Act 2016* notwithstanding that the delivery of the trunk infrastructure items would require land acquisitions which the applicant may not be in a position to deliver.

In total, the extra payment conditions amount to some \$4,154,769.30 which reflects the lack of urban infrastructure currently servicing the Narangba East Growth Area as stated in the Land use strategy of the Strategic Framework for the North Lakes-Redcliffe-Moreton Bay Rail Corridor Planning Area for the Narangba East Growth Area.

Given that the development proposal is an infill development of a developable lot in the small area in the north-western portion of the Narangba East growth area which provides serviced urban land and that the development proposal is the subject of bring forward costs with no infrastructure offsets, the development proposal does not conflict with the strategic outcomes of the Strategic Framework stated in section 3.13.3.1 and the land use strategy in sections 3.13.3.4.1 and 3.13.3.4.2.

2. Explanation of Item

2.1 Proposal Details

It is proposed to reconfigure the existing two (2) rural residential lots into 50 urban residential lots (developed lots) in two (2) stages, as follows:

| Stage | Number of Residential Lots | Stage Area |
|--------------|----------------------------|---------------|
| 1 | 22 | 1.40ha |
| 2 | 29 (including balance lot) | 2.73ha |
| Total | 51 | 4.13ha |

The proposed urban residential lots range in land area from 225m² to 561m². The balance Lot (Lot 200) to be created as part of Stage 2, has an area of 10,500m² and is proposed to be further developed as part of a future development application. The development form is an extension of approved development application DA/31898/2016/V3RL (referred to as Amity Estate).

The overall net residential density of the development proposal is 25 lots per hectare (excluding balance area).

The application proposes a mix of five (5) lot types throughout the development proposal as follows:

| Lot Type (frontage width) | Number | Percentage |
|---------------------------|--------|------------|
| Type A (7.5m) | 11 | 22% |
| Type B (>7.5m -10m) | 16 | 31% |
| Type C (>10-12.5m) | 13 | 25% |
| Type D (>12.5-18m) | 9 | 18% |
| Type E (>18-32m) | 1 | 2% |

The variety of residential lot types included within the development proposal feature sizes and frontage widths that are consistent with a diverse medium density neighbourhood, as identified by the Planning Scheme.

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The applicant has provided a Plan of Development for all lots with a frontage width of less than 12.5m, showing mandatory built to boundary wall and driveway locations for the purpose of demonstrating that group construction achieves an integrated streetscape solution.

Access to the development proposal is proposed from the internal road network provided within Stage 1 of the adjoining Amity Estate.

The development proposal does not propose to dedicate any land for park purposes. A Local park (5,057m²) is proposed within the Amity Estate, located within proximity of the subject site, however the local recreational park being provided for within the Amity Estate is not of a sufficient size to cater for the future residents of this development proposal.

The submitted proposal plans indicate that proposed Lot 800 located on the north-eastern portion of the subject site, is to be utilised as a detention basin lot for stormwater management purposes.

2.2 Emerging community zone, Transition precinct

The Emerging community zone covers areas throughout the Moreton Bay Region that are not currently recognised or developed as urban environments but may be suitable for future urban uses over the next 10 to 20 years. As identified within the Strategic Framework of the Moreton Bay Regional Council Planning Scheme, further integrated land use and infrastructure planning will be undertaken in the Narangba East area. This further planning work will determine how the area can be developed efficiently to create a cohesive and sustainable urban community. Presently, this work has not been undertaken by Council.

The purpose of the Emerging community zone, Transition precinct is to:

- (a) identify land that is suitable for urban purposes and conserve land that may be suitable for urban development in the future;
- (b) manage the timely conversion of non-urban land to urban purposes;
- (c) prevent or discourage development that is likely to compromise appropriate longer-term land use; and
- (d) provide mechanisms to promote and implement an appropriate mix of dwelling types, consistent with a Next Generation Neighbourhood across the Transition Precinct once this land is developed and serviced with all local government networks including water and sewer and is suitable for urban development.

Accordingly, for each Emerging Community area, whole of catchment infrastructure solutions are required for the five networks (Water, Sewerage, Transport, Stormwater and Community Infrastructure). The Emerging Community areas are located outside of the Priority Infrastructure Area (PIA). The development of these areas at this time is inconsistent with the planning assumptions used to support the Local Government Infrastructure Plan (LGIP). Limited trunk infrastructure planning has been prepared for these areas and trunk infrastructure is not identified within the LGIP to support urban development of the Emerging Community areas outside the PIA.

2.3 Description of the Site and Surrounds

The site is located in the Emerging community zone - Transition precinct. The site consists of two (2) existing allotments - being Lot 1 RP907550 and Lot 1 RP185250, comprising of a total site area of 4.13ha. Lot 1 RP185250 contains an existing dwelling house and associated outbuildings, while Lot 1 RP907550 contains an existing outbuilding.

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The site has road frontage to both Callaghan Road (approximately 120m, along its northern boundary) and Burpengary Road (approximately 112m along the western boundary).

The parcels have previously been used for rural residential purposes. The land is in a predominately cleared state with scattered mature and exotic vegetation.

The highest point of the site is in the south-east corner at 43m AHD and slopes gently down to the north and west.

The site has an area of 4.13ha. The proposed Reconfiguring a Lot application is subject to Code Assessment within the Emerging community zone, Transition precinct.

| Directions | Planning Scheme Zone | Current Land Use |
|------------|---|---|
| North | Rural Residential | Dwelling House |
| South | Emerging community zone - Transition precinct | Vacant (approved development DA/31898/2016/V3RL) |
| East | Emerging community zone - Transition precinct | Stages 1 and 2 of approved development DA/31898/2016/V3RL |
| West | Emerging community zone - Transition precinct | Dwelling house |

2.4 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: | <p><u>State Planning Policy</u></p> <ul style="list-style-type: none"> • State Planning Policy, Part E <p><u>Regional Plan</u></p> <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"> • Nil |

2.4.1 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

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| 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 |
| Yes | <p>(1) Development is located, designed, constructed and operated to avoid or minimize adverse impacts on environmental values arising from</p> <ul style="list-style-type: none"> (a) altered stormwater quality and hydrology (b) waste water (c) the creation or expansion of non-tidal artificial waterways (d) the release and mobilization of nutrients and sediments. <p>(2) Development achieves the applicable stormwater management design objectives outlined in tables A and B (appendix 2)</p> <p>(3) Development in a water supply buffer area avoids adverse impacts on drinking water supply environmental values.</p> | An assessment of the proposed development has been undertaken against the applicable SPP requirements and the proposal has been determined to comply. |
| Assessment benchmarks - natural hazards, risk and resilience | | |
| Applicable to Development | SPP Requirement | Comment |
| No | None | Not applicable |
| Assessment benchmarks - strategic airports and aviation facilities | | |
| Applicable to Development | SPP Requirement | Comment |
| No | None | Not applicable |

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2.4.2 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.

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

The development application was properly made on 13 March 2018 and is accordingly assessed in accordance with the Planning Scheme.

An assessment against the relevant parts of the planning scheme is set out below.

2.5.1 Strategic Framework

Not applicable to code assessment.

2.5.2 Assessment of Applicable Codes

Code Compliance Summary

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

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

| Assessment Benchmarks | Compliance with Overall Outcomes | Performance Outcomes assessment is required |
|---|--|---|
| Zone/ Local Plan Code | | |
| 9.4.1.3.2 - Reconfiguring a lot code, Emerging community zone code, Transition precinct | <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No | PO1, PO7, PO16, PO25, PO33 and PO35 |

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

2.5.3 Performance Outcome Assessment

| Performance Outcome | Example |
|--|---------|
| 9.4.1.3.2.2 - Reconfiguring a lot code, Emerging community zone, Transition precinct | |

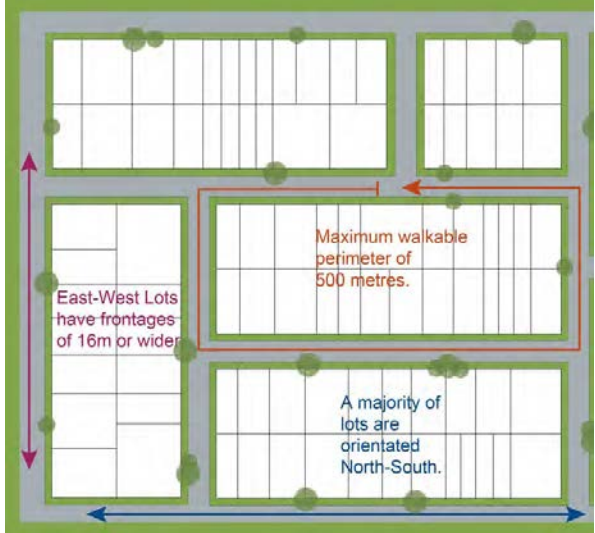
ITEM 2.1 DEVELOPMENT APPLICATION DA/35817/2018/V3RL - RECONFIGURING A LOT - DEVELOPMENT PERMIT FOR SUBDIVISION (2 INTO 50 LOTS AND BALANCE LOT) IN TWO STAGES LOCATED AT 265 CALLAGHAN ROAD AND 305 BURPENGARY ROAD, NARANGBA - DIVISION 2 - A17205335 (Cont.)

| Performance Outcome | Example |
|---|---|
| <p>PO1 Reconfiguring a lot does not result in additional lots</p> | <p>No acceptable outcome provided.</p> |
| <p><i>Performance Outcome Assessment</i></p> | |
| <p>Pursuant to Schedule 1 of the MBRC Planning Scheme a Developed Lot is defined as “A lot that is provided with infrastructure and services (including reticulated water and sewer, stormwater, dedicated roads and electricity) of a standard and capacity required for the proposed development”.</p> <p>Generally, all land within the Transition precinct of the Emerging community zone is considered to be a developable lot. Once the land has been reconfigured and all necessary local government infrastructure networks are provided to each lot, it is then considered to be a developed lot.</p> <p>In this instance, the subject site is identified as a developable lot.</p> <p>The development application does not comply with Performance Outcome PO1 as the development proposal seeks to create additional lots. As the development proposal cannot comply with the Performance Outcome PO1, an assessment against the Purpose and Overall outcomes of the Reconfiguring a lot code, Emerging community zone, Transition precinct is required.</p> | |
| <p>PO7 Lots that facilitate medium to high density residential uses (freehold or community titles) are located in proximity to recreational opportunities, commercial and community facilities and public transport nodes.</p> | <p>E7.1 Lots with frontages of 7.5 metres or less are located within 200 metres of:</p> <ul style="list-style-type: none"> • a park; or • a public transport stop or station; or <p>a higher order centre, district centre, local centre or neighbourhood hub (refer Overlay map - Community activities and neighbourhood hubs).</p> |
| <p><i>Performance Outcome Assessment</i></p> | |
| <p>The development application proposes lots with 7.5m frontage widths (Lot Type A) which are not located within 200m of a public transport stop or station or higher order centre, district centre, local centre or neighbourhood hub.</p> <p>It is noted the development proposal is reliant on a local recreational park to be provided on adjoining land in accordance with a development approval (referred to as the Amity Estate), which is within 400m of the site.</p> <p>Section 4.4.3 - <i>Public parks and land for community facilities network</i> of the Planning Scheme states the standards of service for park infrastructure required to meet the needs of residents. Specifically, Table 4.4.3.2 - <i>Rate of land provision for public parks</i> identifies the expected quantum of land required to meet the community demands for public parks based on a rate of population and are related to the applicable place type.</p> <p>For the Next Generation neighbourhood place type, a local recreational park is to be provided at a provision of 1ha/1000 persons. It is noted that the local recreational park approved as part of the Amity Estate has an area of 0.5057ha.</p> <p>As per the above provision, the local recreational park being provided for within the Amity Estate is not of a sufficient size to cater for the future residents of this development proposal.</p> | |

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| Performance Outcome | Example |
|--|---|
| <p>Given the above assessment, medium to high density residential uses resulting from the development proposal will lack sufficient proximity to recreational opportunities, commercial and community facilities and transport nodes.</p> <p>As the development proposal does not comply with Performance Outcome PO7, an assessment against the Purpose and Overall outcomes of the Reconfiguring a lot code, Emerging community zone, Transition precinct is required.</p> | |
| <p>PO16 Street layouts are designed to connect to surrounding neighbourhoods by providing an interconnected street, pedestrian and cyclist networks that connects nearby centres, neighbourhood hubs, community facilities, public transport nodes and open space to residential areas for access and emergency management purposes. The layout ensures that new development is provided with multiple points of access. The timing of transport works ensures that multiple points of access are provided during early stages of a development.</p> | <p>No acceptable outcome provided.</p> |
| <p><i>Performance Outcome Assessment</i></p> | |
| <p>The development application does not comply with Performance Outcome PO16 as the proposed Reconfiguring a lot does not provide for interconnected street, pedestrian and cyclist networks that connect to the following:</p> <ul style="list-style-type: none"> • nearby centres and neighbourhood hubs; • community facilities; • public transport nodes; • areas of open space. <p>As the development proposal does not comply with Performance Outcome PO16, an assessment against the Purpose and Overall outcomes of the Reconfiguring a lot code, Emerging community zone, Transition precinct is required.</p> | |
| <p>PO25 Streets are oriented to encourage active transport through a climate responsive and comfortable walking environment whilst also facilitating lots that support subtropical design practices, including:</p> <ol style="list-style-type: none"> a. controlled solar access & shade provision b. cross-ventilation. | <p>E25.2 The long axis of a street block is oriented east-west to facilitate a north-south orientation for a majority of lots as per Figure - Street block design below.</p> <p>E25.3 Where lots are oriented east west, they are 16m or wider so as to allow for alternative dwelling design to achieve solar access and cross ventilation as per Figure -Street block design below.</p> |

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| Performance Outcome | Example |
|--|--|
| |  |
| <i>Performance Outcome Assessment</i> | |
| <p>The applicant seeks an alternative solution in relation to the layout design of the development proposal. The residential blocks have a long axis that runs generally north-south, not east-west as prescribed in Example E25.2.</p> <p>The layout of the proposal has been designed taking into account the existing road network on the adjoining property to the east. As such, the residential blocks have a long axis that runs generally north-south.</p> <p>Despite not having a majority of north-south orientated lots, the lots are generally still within 20 degrees of east-west, providing each lot with adequate access to sunlight and supporting subtropical design practices. Accordingly, it is recommended that the alternative solution be accepted in this instance.</p> | |
| <p>PO33 A hierarchy of Park and open space is provided to meet the recreational needs of the community</p> <p>Note - To determine the extent and location of Park and open space required refer to Planning scheme policy - Integrated design.</p> | <p>No acceptable outcome provided</p> |
| <i>Performance Outcome Assessment</i> | |
| <p>The development application does not comply with Performance Outcome PO33 as the proposed development is not provided with a hierarchy of Park and open space to meet the recreational needs of the community.</p> <p>It is noted the development proposal is reliant on a local recreational park to be provided on adjoining land in accordance with a development approval (referred to as the Amity Estate), which is within 400m of the site.</p> | |

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| Performance Outcome | Example |
|---|--|
| | <p>Section 4.4.3 - <i>Public parks and land for community facilities network</i> of the Planning Scheme states the standards of service for park infrastructure required to meet the needs of residents. Specifically, Table 4.4.3.2 - <i>Rate of land provision for public parks</i> identifies the expected quantum of land required to meet the community demands for public parks based on a rate of population and are related to the applicable place type.</p> <p>For the Next Generation neighbourhood place type, a local recreational park is to be provided at a provision of 1ha/1000 persons. It is noted that the local recreational park approved as part of the Amity Estate has an area of 0.5057ha.</p> <p>As per the above provision, the local recreational park being provided for within the Amity Estate is not of a sufficient size to cater for the future residents of this development proposal</p> <p>The subject site is located outside of the PIA and accordingly detailed planning for a hierarchy of park and open space to service the subject site and surrounding area has not been undertaken for the purpose of Council's LGIP. In the absence of a planning instrument addressing land use and infrastructure planning across the growth area, a hierarchy of park and open space to meet the needs of users is not provided for.</p> <p>As the development proposal does not comply with Performance Outcome PO33, an assessment against the Purpose and Overall outcomes of the Reconfiguring a lot code, Emerging community zone, Transition precinct is required.</p> |
| <p>PO35 Park is of a size and design standard to meet the needs of the expected users</p> <p>Note - To determine the size and design standards for Parks refer to Planning scheme policy - Integrated design.</p> | <p>No acceptable outcome provided</p> |
| <p><i>Performance Outcome Assessment</i></p> | |
| <p>The proposed development does not comply with Performance Outcome PO35 as the development proposal does not provide a Park of a size and standard to meet the needs of users.</p> <p>PSP - Integrated design identifies the desired standards of service for a Local Recreation Park. The desired standards of service for a Local Recreation Park include, but are not limited to the following:</p> <ul style="list-style-type: none"> • a minimum area of 0.5ha (100% above 2% AEP); • located adjacent to a collector road or lower; • centrally located in a central, prominent, highly visible and accessible location within the catchment it services; • embellished with small play equipment, picnic areas, pedestrian pathways and drinking taps and the like. <p>The development proposal does not provide a Park of a size and standard to meet the need, nor is it proximate to an existing or future identified Park that would meet the needs of the expected users.</p> <p>As the development proposal does not comply with Performance Outcome PO35, an assessment against the Purpose and Overall outcomes of the Reconfiguring a lot code, Emerging community zone, Transition precinct is required.</p> | |

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2.5.4 Overall Outcome Assessment

The development proposal does not comply with Performance Outcome PO1, PO7, PO16, PO33 and PO35 of the **Reconfiguring a lot code, Emerging community zone, Transition precinct**. Therefore, the proposal is required to be assessed against the applicable Overall Outcomes of the code as follows;

| 9.4.1.3.2. Reconfiguring a lot code, Emerging community zone, Transition precinct | | |
|--|--------------|---|
| Overall Outcomes | Complies Y/N | Comments |
| 2.a. Reconfiguring a lot in the Emerging community zone - Transition precinct, where not creating developed lots, does not further fragment land or prevent future development for urban purposes. | N/A | The proposed development seeks to create developed lots. |
| 2.b. Reconfiguring a lot in the Emerging community zone - Transition precinct, where creating developed lots achieves the following: <ul style="list-style-type: none"> i. for land within the Morayfield South urban area identified on 'Figure 9.4.1.3.2.1 Morayfield South urban area', reconfiguration does not compromise the areas ability to achieve a minimum site density of 45 dwellings per ha and lots of a size and dimension to accommodate medium - high density development; ii. for land in all other areas, a variety of residential lot sizes and a net residential density of between 11-25 lots per hectare; iii. neighbourhoods that are designed to provide well-connected, safe and convenient movement and open space networks through interconnected streets and active transport linkages that provide high levels of accessibility between residences, open space areas and places of activity; | Yes | The proposed development is consistent with the Overall Outcome 2 b. for the following reasons: <ul style="list-style-type: none"> i. The subject site is not located in the identified Morayfield South urban area. ii. The proposed development achieves a net residential density of 25 lots per hectare and provides for a variety of residential lot sizes as required for a Next Generation neighbourhood. iii. The proposed neighbourhood is designed to provide a well-connected, safe and convenient movement network, as the proposed development provides linkages for active transport networks and road infrastructure of a suitable standard to existing networks or activity places. iv. The proposed development achieves the intent and purpose of the Transition precinct outcomes identified in Part 6 (refer assessment below). |

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| 9.4.1.3.2. Reconfiguring a lot code, Emerging community zone, Transition precinct | | |
|---|---------------------|---|
| Overall Outcomes | Complies Y/N | Comments |
| iv. intent and purpose of the Transition precinct outcomes identified in Part 6. | | |
| <p>2.c. The Reconfiguring a lot, Operational works associated with the Reconfiguring a lot, and uses expected to occur as a result of the Reconfiguring a lot:</p> <ul style="list-style-type: none"> i. responds to the risk presented by overland flow and minimises risk to personal safety; ii. is resilient to overland flow impacts by ensuring the siting and design accounts for the potential risks to property associated with overland flow; iii. does not impact on the conveyance of overland flow up to and including the Overland Flow Defined Flood Event; iv. directly, indirectly and cumulatively avoids an increase in the severity of overland flow and potential for damage on the premises or to a surrounding property. | Yes | <p>The development application complies with Overall outcome 2.c. for the following reasons:</p> <ul style="list-style-type: none"> i. The site is impacted by the mapped overland flow overlay however, this is limited to a small section on the eastern boundary generally in the location of a new road and the existing dam which will become the stormwater treatment area. The undeveloped balance lot to west will continue the sheet flow towards the roadside swale drain on Burpengary Road ii. The stormwater quality objectives required of the development will be addressed by providing a bio retention basin with 300m² treatment area in the north-western portion (Lot 800) of the development; and iii. An overland flow report provided by MRG water consulting specifies that detention will be required as part of mitigating the effect of the development on the surrounding stormwater network. This detention will be incorporated as part of the bio retention basin design |
| <p>2.d. Reconfiguring a lot avoids areas subject to constraint, limitation, or environmental values. Where reconfiguring a lot cannot avoid these identified areas, it responds by:</p> <ul style="list-style-type: none"> i. adopting a 'least risk, least impact' approach when designing, siting and locating development to minimise the potential risk to people, property and the environment; | Yes | <p>The development application complies with Overall outcome 2.d. as the proposed development site is not subject to constraint, limitation or environmental values.</p> |

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| 9.4.1.3.2. Reconfiguring a lot code, Emerging community zone, Transition precinct | | |
|---|---------------------|-----------------|
| Overall Outcomes | Complies Y/N | Comments |
| <ul style="list-style-type: none"> ii. ensuring no further instability, erosion or degradation of the land, water or soil resource; iii. maintaining environmental values, including natural, ecological, biological, aquatic, hydrological and amenity values, and enhancing these values through the provision of environmental offsets, landscaping and facilitating safe wildlife movement through the environment; iv. protecting native species and protecting and enhancing native species habitat; v. protecting and preserving the natural, aesthetic, architectural historic and cultural values of significant trees, places, objects and buildings of heritage and cultural significance; vi. establishing effective separation distances, buffers and mitigation measures associated with major infrastructure to minimise adverse effects on sensitive land uses from noise, dust and other nuisance generating activities; vii. ensuring it promotes and does not undermine the ongoing viability, integrity, operation, maintenance and safety of major infrastructure; viii. ensuring effective and efficient disaster management response and recovery capabilities. | | |

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| 9.4.1.2. Purpose of the Reconfiguring a lot code | | |
|---|--------------|--|
| Overall Outcomes | Complies Y/N | Comments |
| <p>2. The purpose of the code will be achieved through the following overall outcomes:</p> <p>a. Reconfiguring a lot creates a diversity of lot sizes, dimensions and arrangements consistent with the intended densities, uses, configurations and character of the applicable zone and precinct while not adversely impacting on lawful uses, values or constraints present.</p> <p>b. Reconfiguring a lot delivers the social, cultural and recreational needs of the community by ensuring:</p> <p>i. a range of lot sizes are delivered to assist in affordable housing opportunities;</p> <p>ii. the lots have convenient, direct and easy pedestrian and bicycle access to commercial and local employment opportunities;</p> <p>iii. Accessible, publicly available open space areas located within walking distance to all residential lots in the General Residential Zone;</p> <p>iv. lots allow future uses to have casual surveillance of public / communal space (such as road and open space areas), have communal meeting / recreational areas conveniently located and accessible using all modes of transport and create a sense of place commensurate with the intents for the applicable zone and precinct;</p> | Yes | <p>The proposed development is consistent with the Overall Outcome 2 for the following reasons:</p> <p>i. The variety of residential lot types included within the development proposal feature sizes and frontage widths that are consistent with a medium density neighbourhood, as identified by the Planning Scheme.</p> <p>ii. The proposed urban residential lots range in land area from 225m² to 561m². The application proposes a mix of five (5) lot types throughout the development proposal consistent with a diverse medium density neighbourhood, as identified by the Planning Scheme</p> <p>iii. In accordance with the Strategic Framework Map 3.13.3 – Settlement Pattern, a future local centre or neighbourhood hub is proposed along Callaghan Road (to the east of the adjoining Amity Estate), within proximity to the subject site. The development proposal will be required to provide an external pedestrian pathway along the frontage of Callaghan Road, which will connect with the pedestrian footpath being provided by the Amity Estate, ultimately providing a pedestrian connection to a future local centre or neighbourhood hub.</p> <p>iv. The site is located within 200m of a local recreational park to be provided on</p> |

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| | | |
|--|--|---|
| | | <p>adjoining land in accordance with a development approval DA/31898/2016/V3RL (referred to as the Amity Estate).</p> <p>v. All proposed lots are orientated to address the internal road network, providing for causal surveillance opportunities through future dwelling house designs.</p> |
|--|--|---|

Overall Outcome 2.b.iv of the Reconfiguring a lot code, Emerging community zone, Transition precinct requires that Reconfiguring a lot in the Emerging community zone - Transition precinct, where creating developed lots achieves the intent and purpose of the Transition precinct outcomes identified in Part 6. Accordingly, an assessment against the Emerging community zone code is as follows:

| 6.2.3.2 Purpose – Emerging community zone | | |
|--|--------------|--|
| Overall Outcomes | Complies Y/N | Comments |
| <p>1. The purpose of the Emerging community zone code is to:</p> <ul style="list-style-type: none"> a. identify land that is suitable for urban purposes and conserve land that may be suitable for urban development in the future; b. manage the timely conversion of non-urban land to urban purposes; c. prevent or discourage development that is likely to compromise appropriate longer term land use. | <p>Yes</p> | <p>Under Specific Outcome 3.13.3.4.2(b) the Narangba East growth area is identified for development in the future; however, infrastructure and constraint issues are to be resolved before this area is included in the urban corridor. Development of these areas prior to their inclusion in the urban corridor would be subject to bring forward cost and would not be subject to any infrastructure offsets.</p> <p>The development proposal is an infill development of a developable lot in the small area in the western portion of the Narangba East growth area which provides serviced urban land and is a planned and orderly extension of the existing urban development to the east and south. As such, the subject site and development proposal do not represent the intrusion of a greenfield urban development into a rural residential area which does not provide serviced urban land.</p> <p>Given that the development proposal provides for urban development outside the priority</p> |

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| 6.2.3.2 Purpose – Emerging community zone | | |
|---|--------------|--|
| Overall Outcomes | Complies Y/N | Comments |
| | | infrastructure area under the Local Government Infrastructure Plan, it is recommended that extra payment conditions be imposed under s130 of the <i>Planning Act 2016</i> , as envisaged by the Land use strategy of the Strategic Framework for the North Lakes-Redcliffe-Moreton Bay Rail Corridor Planning Area for the Narangba East Growth Area in satisfaction of the requirement for bring forward costs. |
| <p>2. The Emerging community zone has 2 precincts which have the following purpose;</p> <p>b The Transition precinct is to:</p> <p>i. identify and conserve land that may be suitable for urban development in the future, allowing interim uses that will not compromise the best longer term use of the land;</p> <p>ii. provide mechanisms to promote and implement an appropriate mix of dwelling types, consistent with a next generation neighbourhood across the transition precinct once this land is developed and serviced with all local government networks including water and sewer and is suitable for urban development.</p> <p>Once serviced by all local government networks, including water and sewer the Transition precinct is to provide a mix of dwelling types to support densities that are moderately higher than traditional suburban areas. Housing forms include predominantly detached dwellings on a variety of lot sizes with a greater range of attached dwellings and low to medium rise apartment buildings. These areas will</p> | Yes | <p>Whilst the subject site is located outside of the priority infrastructure area under the Local Government Infrastructure Plan, the subject site is located within a small area in the western portion of the Narangba East growth area which provides serviced urban land and is a planned and orderly extension of the existing urban development to the east and south. As such, the subject site and development proposal are provided with access to adequate urban services from existing networks including roads, telecommunications, reticulated electricity, water and sewerage. Accordingly, the subject site and development proposal do not represent the intrusion of a greenfield urban development into a rural residential area which does not provide serviced urban land.</p> <p>The proposed urban residential lots range in land area from 225m² to 561m². The application proposes a mix of five (5) lot types throughout the development proposal consistent with a diverse medium density neighbourhood, as identified by the Planning Scheme.</p> |

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| 6.2.3.2 Purpose – Emerging community zone | | |
|--|--------------|--|
| Overall Outcomes | Complies Y/N | Comments |
| have convenient access to centres, community facilities and higher frequency public transport. | | |
| 3. The Emerging Community zone seeks to implement the policy direction set in Part 3, Strategic Framework. | Yes | <p>Under the Strategic Framework, the rural residential area at Narangba East is identified as a potential future urban growth front (see section 3.13.3.4(15) of the Strategic Framework and Strategic Framework Map 3.6.1 – Settlement Pattern). However, the Strategic Framework relevantly identifies that the Narangba East growth area is identified for development in the future however, infrastructure and constraint issues are to be resolved before this area is included in the urban corridor. Development of these areas prior to their inclusion in the urban corridor would be subject to bring forward cost and would not be subject to any infrastructure offsets (see section 3.13.3.4.2(b) of the Strategic Framework).</p> <p>The development proposal is an infill development of a developable lot in the small area in the western portion of the Narangba East growth area which provides serviced urban land and is a planned and orderly extension of the existing urban development to the east. As such the subject site and development proposal do not represent the intrusion of a greenfield urban development into a rural residential area which does not provide serviced urban land.</p> <p>The development proposal provides for urban development outside the priority infrastructure area under the Local Government Infrastructure Plan, it is recommended that extra payment conditions be imposed under s130 of the <i>Planning Act 2016</i>, as envisaged by the Land use strategy of the Strategic Framework for the North Lakes-Redcliffe-Moreton Bay Rail Corridor Planning</p> |

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| 6.2.3.2 Purpose – Emerging community zone | | |
|---|--------------|---|
| Overall Outcomes | Complies Y/N | Comments |
| | | <p>Area for the Narangba East Growth Area, in satisfaction of the requirement for bring forward costs.</p> <p>The adopted charge contribution has been determined on the following:</p> <ul style="list-style-type: none"> • A land contribution for road transport infrastructure associated with the future upgrade and widening of Callaghan Road. Consistent with the Strategic Framework this infrastructure contribution is not subject to any infrastructure offsets. • A land contribution for road transport infrastructure associated with the future upgrade and widening of Burpengary Road. Consistent with the Strategic Framework this infrastructure contribution is not subject to any infrastructure offsets. • The construction of Callaghan Road for the western boundary of Lot 1 on RP907550 west for a length of 313 metres, associated with the future upgrade of Callaghan Road. • A financial contribution towards the park infrastructure network. <p>Given that the development proposal is an infill development of a developable lot in the small area in the north-western portion of the Narangba East growth area which provides serviced urban land and that the development proposal is the subject of extra payment conditions which satisfies the requirements for bring forward costs with no infrastructure offsets, it is considered that the development</p> |

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| 6.2.3.2 Purpose – Emerging community zone | | |
|---|--------------|---|
| Overall Outcomes | Complies Y/N | Comments |
| | | proposal does not conflict with the strategic outcomes of the Strategic Framework stated in section 3.13.3.1 and the land use strategy in sections 3.13.2.4.1 and 3.13.2.4.2. |

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

2.6 Trunk Infrastructure

In accordance with section 4 of the Moreton Bay Regional Council Planning Scheme, the subject site is not located in the identified Priority Infrastructure Area. Infrastructure charges applying to the land, where applicable, are to be applied in accordance the Council's Charges Resolution No. 8 commencing on 14 August 2017 (CR).

2.6.1 *Levied Charge*

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

2.6.2 *Levied Charge Credit*

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

(a) Payment of previous charges or contributions

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

(b) Lawful use of land

An assessment of existing and previous lawful uses of the land has determined that a credit amount of \$17,215.35 exists for each allotment and has been calculated based on proportional split stated in Table 4 of the CR.

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

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

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

The credit available under this option is \$17,215.35 per each allotment based on the proportional split stated in Table 3 of the CR.

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2.6.3 Levied Charge Offset or Refund

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

2.6.4 Local Government Infrastructure Plan

The subject site is located outside the Priority Infrastructure Area (PIA) which is identified in the Local Government Infrastructure Plan. The PIA is an area that Council has designated for the coordination, prioritisation and sequencing of infrastructure for 10-15 years of growth. Its aim is to identify the areas where infrastructure can be provided most efficiently to support development.

Urban development is not prohibited outside the PIA; however, it is Council's responsibility to determine whether development outside the PIA will burden the community over the medium and long term.

Where a development forms part of a future growth front, such as the Narangba East Growth Area, the assessment of the infrastructure should consider the development of the entire future growth front. Council uses this information to inform the necessary coordination, prioritisation and sequencing of infrastructure to ensure efficient and cost-effective provision.

2.6.5 Extra Trunk Infrastructure Costs

Due to the infrastructure burden associated with the proposed development, it is recommended that extra payment conditions be imposed under s130 of the *Planning Act 2016*, as envisaged by the Land use strategy of the Strategic Framework for the North Lakes-Redcliffe-Moreton Bay Rail Corridor Planning Area for the Narangba East Growth Area and discussed earlier in this report, for the following reasons:

1. The development is for premises completely outside the priority infrastructure area;
2. The development would impose additional trunk infrastructure costs on the Council after taking into account the levied charges for the development;
3. The trunk infrastructure is:
 - (a) made necessary by the development of the site; and
 - (b) necessary to service the Narangba East Growth Area in the Moreton Bay Regional Council Planning Scheme, being an area intended for future development for non-rural purposes of which the site is a part.

The extra payment conditions are recommended for the following trunk infrastructure items:

1. Trunk land contribution for road transport infrastructure associated with the future upgrade and widening of Callaghan Road, Narangba;
2. Trunk land contribution for road transport infrastructure associated with the future upgrade and widening of Burpengary Road, Narangba;
3. Trunk infrastructure for the road transport network for Callaghan Road, Narangba; and
4. Trunk infrastructure for the public parks and land for community facilities network for Local Recreation Park;

It is further recommended that the condition allow for the applicant to elect to provide all or part of the required trunk infrastructure in order to comply with the requirements of section s130 of the *Planning Act 2016*, notwithstanding that the delivery of the trunk infrastructure items would require land acquisitions which the applicant may not be in a position to deliver.

In total, the extra payment conditions amount to some \$4,154,769.30, which reflects the lack of urban infrastructure currently servicing the Narangba East Growth Area as stated in the Land

ITEM 2.1 DEVELOPMENT APPLICATION DA/35817/2018/V3RL - RECONFIGURING A LOT - DEVELOPMENT PERMIT FOR SUBDIVISION (2 INTO 50 LOTS AND BALANCE LOT) IN TWO STAGES LOCATED AT 265 CALLAGHAN ROAD AND 305 BURPENGARY ROAD, NARANGBA - DIVISION 2 - A17205335 (Cont.)

use strategy of the Strategic Framework for the North Lakes-Redcliffe-Moreton Bay Rail Corridor Planning Area for the Narangba East Growth Area.

2.7 Recording of particular approvals on the MBRC Planning Scheme

Not Applicable in this instance.

2.8 Referrals

2.8.1 Council Referrals

2.8.1.1 Development Engineering

Traffic, Access & Parking

- The development has frontage onto Callaghan Road to the north and Burpengary Road to the west. Callaghan Road is identified as a sub-arterial road and Burpengary Road as an arterial road under Council's planning scheme mapping. It is recommended that Callaghan Road be constructed to the sub-arterial classification generally in accordance with the existing approved development to the east. However, as the balance lot fronting Burpengary Road will be subject to a future development approval it is recommended that the Burpengary Road frontage construction be deferred until that time.
- The internal Living Residential roads have been proposed with a 16.5m width in place of Council's preferred 17m width as identified under the Living Residential road typology. The applicant has provided justification for this by providing services plans to confirm that a reduced road width is acceptable. This road width will be consistent with the connecting adjoining development (DA/31898/2018/VCHG/2) and will continue the 1.5m wide pathway network.

Stormwater / Flooding

- Reports addressing flooding and overland flow have been prepared, submitted, assessed, and found acceptable for the development proposal.

Services

- A portion of Road 3 is proposed on the western boundary with the balance of the verge (2m) provided by the future adjoining development. To manage services within the reduced verge, the applicant has proposed a non-standard water main alignment on the submitted Concept Services Plan. Although this plan will not be included within the approved plan suite, it is recommended that the development be conditioned to maintain standard service alignments for the OPW stage. Note: the standard water main alignment extends 0.3m within the development.

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2.8.1.2 Environmental Health

Noise

A Noise Impact Assessment prepared by ATP Consulting Engineers dated May 2018, report number ATP180412-R-NIA-01_RoL identifies that dwellings on certain allotments would be affected by rail noise and some lots closest to Callaghan Road would be affected by road noise. In many cases it is only the upper floor of a dwelling that may be affected. The report recommends specific acoustic treatments for building construction to ameliorate the impacts. All lots are outside the transport noise corridor so potential noise impacts will not be addressed by MP 4.4 of the Queensland Development Code. As a consequence, the recommendations of this report include an advice to ensure potential purchasers of affected lots are notified of this issue.

2.8.2 Referral Agencies

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

The application was referred to the Department of State Development, Manufacturing, Infrastructure and Planning

- (a) Matters relating to state transport corridors and future state transport corridors. Council was advised on 8 May 2018 that DSDMIP has no objection to the development application subject to a number of conditions being attached to Council's Decision Notice.

2.8.2.2 Advice Agencies

There were no Advice Agencies involved in assessing this application.

2.8.2.3 Third Party Agencies

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

2.9 Public Consultation

2.9.1 Public Notification Requirements under the Development Assessment Rules

The development application is Code Assessable and accordingly there are no public notification requirements associated with the proposal.

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.

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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

There are no environmental implications arising from approving this development application

3.9 Social Implications

There are no social implications arising from approving this development application.

3.10 Consultation / Communication

Refer to clause 2.7.

ATTENDANCE

Crs Allan Sutherland (Mayor), James Houghton, Peter Flannery and Julie Greer returned to the meeting at 11.10am after Item 2.1.

ATTENDANCE

Blayne Magner left the meeting at 11.11am after discussion of Item 2.1 and Marco Albert attended the meeting at that time for discussion on Item 2.2.

ITEM 2.2

DEVELOPMENT APPLICATION DA/33013/2016/V3RL - RECONFIGURING A LOT - DEVELOPMENT PERMIT FOR SUBDIVISION (3 LOTS INTO 67 LOTS) AT 23 AND 25 GORDONS CROSSING ROAD EAST AND 28 REGENT STREET, JOYNER - DIVISION 8

APPLICANT: POINTCORP JOYNER PTY LTD
OWNER: POINTCORP JOYNER PTY LTD

Meeting / Session: 2 PLANNING & DEVELOPMENT
Reference: A17775661: 21 May 2019 – Refer Supporting Information A18583772, A18583769, A18583770, A18585905
Responsible Officer: WM, Principal Planner (PED Development Services)

Executive Summary

| APPLICATION DETAILS | |
|-------------------------------------|--------------------------|
| Applicant: | Pointcorp Joyner Pty Ltd |
| Lodgement Date: | 16 November 2016 |
| Properly Made Date: | 16 November 2016 |
| Confirmation Notice Date: | NA |
| Information Request Date: | 5 May 2017 |
| Info Response Received Date: | 27 November 2017 |
| Decision Due Date: | 31 May 2019 |
| Prelodgement Meeting Held: | Yes (PRE/3628) |

| PROPERTY DETAILS | |
|--------------------------|---|
| Division: | Division 8 |
| Property Address: | 23 and 25 Gordons Crossing Road East and 28 Regent Street, Joyner |
| RP Description | Lot 19 RP 87305, Lot 2 RP 124798, Lot 1 RP 124798 |
| Land Area: | 3.058 ha |
| Property Owner | Pointcorp Joyner Pty Ltd |

| STATUTORY DETAILS | |
|---------------------------------|--|
| Planning Legislation: | <i>Sustainable Planning Act 2009</i> |
| Planning Scheme: | MBRC Planning Scheme |
| Planning Locality / Zone | Emerging community zone, Transition precinct |
| Level of Assessment: | Code |

This application seeks a Development Permit for a Reconfiguring a Lot for Subdivision (3 Lots into 67 Lots) at 23 and 25 Gordons Crossing Road East and 28 Regent Street, Joyner.

The development proposal was lodged with the Council and deemed to be “Properly Made” on 16 November 2016. Accordingly, this development application is to be assessed in accordance with the *Sustainable Planning Act 2009*.

Under the version of the Moreton Bay Regional Council (**MBRC**) Planning Scheme in effect at the time the development application was properly made, the subject site is relevantly located:

- outside the Priority Infrastructure Area under the Local Government Infrastructure Plan;
- in the Emerging Community Zone (Transition Precinct); and

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- in the Joyner growth area under the Strategic Framework (see Strategic Framework Map 3.6.1 – Settlement Pattern).

In assessing the application, Council officers have had regard to the strategic framework of the MBRC Planning Scheme to the extent relevant. The strategic framework sets out the Council's policy direction for the planning scheme and forms the basis for ensuring appropriate development occurs within the planning scheme area for the life of the planning scheme. In this regard the strategic framework sets out the strategy for the future settlement pattern and location of economic activity of the region, the associated infrastructure required to enable development and service communities, and for the protection and enhancement of the region's environmental values.

As previously stated, the subject site is located within the Joyner area which has been identified as an emerging community. The strategic framework makes it clear that urban development of these emerging community areas like Joyner will only proceed following the Council undertaking further investigation and planning of these areas and implementing a coordinated and integrated land use and infrastructure strategy to resolve infrastructure and constraint issues. Indeed, due to the current estimated servicing costs of this area, development of the entire area is not envisaged within the life of the planning scheme

The applicant has acknowledged that in order for the Proposed Development to proceed in the absence of a coordinated and integrated land use and infrastructure strategy over the entire area, it will be necessary for the Council to impose conditions on the Proposed Development to provide for:

- (a) bring forward costs not subject to infrastructure offsets which are in the form of additional payment conditions to address the servicing costs of this area made necessary by the Proposed Development; and
- (b) development infrastructure in the form of non-trunk infrastructure.

An assessment of the development proposal against the Desired Standards of Service (DSS) has been undertaken. The assessment was undertaken to determine what development infrastructure is made necessary by the Proposed Development.

The assessment has informed the basis of the development conditions relating to non-trunk infrastructure, and additional payment conditions which may be imposed on a development approval.

The assessment has identified that the following development infrastructure is made necessary by the Proposed Development. It is recommended that the following development infrastructure be the subject of an additional payment condition for additional trunk infrastructure costs under section 650 of the *Sustainable Planning Act 2009*:

Trunk infrastructure for public parks.

The payments for additional trunk infrastructure costs are not proposed to be adjusted for the levied charges for the Proposed Development, as the proportion of the levied charges relevant to the Proposed Development will be required for the provision of trunk infrastructure under the LGIP, which will service the demand generated by the Proposed Development.

Despite the strategic framework stating that the development of the entire Joyner area is not to proceed until a coordinated and integrated land use and infrastructure strategy to resolve infrastructure and constraint issues for the area is implemented, the Council officers are of the view that supporting a recommendation of this Proposed Development will not compromise the strategic framework to the extent relevant for the following reasons:

ITEM 2.2 DEVELOPMENT APPLICATION DA/33013/2016/V3RL - RECONFIGURING A LOT - DEVELOPMENT PERMIT FOR SUBDIVISION (3 LOTS INTO 67 LOTS) AT 23 AND 25 GORDONS CROSSING ROAD EAST AND 28 REGENT STREET, JOYNER - DIVISION 8 - A17775661 (Cont.)

- (c) infrastructure and constraint issues have been resolved over the subject site and there will be no adverse impacts over the area more broadly;
- (d) the subject site is able to be included in the urban corridor on the basis that the applicant has acknowledged a need to:
 - (i) bring forward costs in the form of additional payment conditions to address the estimated additional servicing costs of the area made necessary by the Proposed Development;
 - (ii) provide development infrastructure in the form of non-trunk infrastructure.

The application is therefore recommended to be approved subject to conditions.

COMMITTEE RECOMMENDATION

Moved by Cr Koliانا Winchester

Seconded by Cr Adam Hain

CARRIED 13/0

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

ITEM 2.2 DEVELOPMENT APPLICATION DA/33013/2016/V3RL - RECONFIGURING A LOT - DEVELOPMENT PERMIT FOR SUBDIVISION (3 LOTS INTO 67 LOTS) AT 23 AND 25 GORDONS CROSSING ROAD EAST AND 28 REGENT STREET, JOYNER - DIVISION 8 - A17775661 (Cont.)

OFFICER'S RECOMMENDATION

- A. That Council, in accordance with the *Sustainable Planning Act 2009*, approves the development application for a Reconfiguring a Lot - Development Permit for Subdivision (3 Lots into 67 Lots) at 23 and 25 Gordons Crossing Road East and 28 Regent Street, Joyner described as Lot 19 RP 87305 and Lots 1 and 2 RP 124798 subject to the following plans/documents and conditions:

| Plans to be Amended | | | |
|------------------------------|------------------|-------------|-------------|
| Plan / Document Name | Reference Number | Prepared By | Dated |
| Proposed Concept Layout | 132604-05D | RPS | 10 May 2019 |
| Stormwater Management Report | 11546 | RMA | 10 May 2019 |
| Plan of Development | 132607-07A | RPS | 15 May 2019 |

Conditions

| CONDITION | | TIMING |
|---|---|---|
| RECONFIGURING A LOT - ALL STAGES | | |
| DEVELOPMENT PLANNING | | |
| 1. | Approved Plans and/or Documents | |
| | Undertake development generally in accordance with the approved plans and/or documents. These plans and/or documents will form part of the approval, unless otherwise amended by conditions of this approval. | Prior to submitting to the Council any request for approval of a plan of subdivision (i.e. a survey plan) for each stage and to be maintained at all times. |
| 2. | Amended Plan Required | |
| A | Submit an amended Plan of Development and Concept Layout incorporating the following: (i) Clearly identifying the extension of the internal new road fronting proposed Lots 14 and 15 to the eastern boundary of the site adjoining Lot 20 RP87305. (ii) Providing a 2m x 2m truncation in the north eastern corner of proposed Lot 27 to provide a transition. (iii) Any amendments necessary to the lot layout to satisfy any road dedication requirements of an approved Gordons Crossing Road and Regent Street intersection. (iv) Changes as required to the 'Driveway Locations' for lots to ensure they are not located within the prohibited driveway locations of AS2890.1 in relation to current and future intersections. (v) Bin pad locations for lots 2-5 and 21-23 having consideration for verge grades. (vi) Detailed functional layouts of the internal and external roads demonstrating that the on street parking layout satisfies Planning Scheme Policy - Integrated Design - Appendix A. | Prior to submitting to the Council any application for Operational Works. |

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| CONDITION | | TIMING |
|-----------|---|---|
| | (vii) Any amendments necessary to the lot layout to satisfy any stormwater quality and quantity requirements of the approved Stormwater Management Report. | |
| B | Obtain approval from Council for the amended Plan of Development and Concept Layout in accordance with (A) above. | |
| 3. | Develop in Stages | |
| | Develop the site generally in accordance with the stages identified on the approved plans in consecutive order. Development must comply with each condition of the development approval as it relates to each stage, unless otherwise stated in the condition. | Prior to submitting to the Council any request for approval of a plan of subdivision (i.e. survey plan). |
| 4. | Payment of Rates | |
| | Pay all outstanding rates and charges applicable to the subject land. | Prior to submitting to the Council any request for approval of a plan of subdivision (i.e. survey plan) for each stage. |
| 5. | Remove /Demolition of Existing Buildings | |
| | Remove / demolish all existing buildings located on site. | Prior to submitting to the Council any request for approval of a plan of subdivision (i.e. survey plan) for each stage. |
| 6. | Entry Statement | |
| | Establishment of any "Entry Statement" as a marketing strategy for the development must accord with the following, unless otherwise approved by Council: (i) Located within a privately owned allotment or on the boundary of a privately owned allotment; (ii) Limited to one (1) entry statement per development; (iii) Constructed of durable, weather resistant materials; (iv) Positively contributes to the character of the surrounding area; and (v) Does not contain the logo of any developer or other entity. | Prior to submitting to the Council any request for approval of a plan of subdivision (i.e. survey plan) for each stage. |
| 7. | Street Names | |
| A | Submit requests for the names of new street/s in accordance with Council's Policy 11-2150-038 Allocation of Road Names and Street Address Numbers or as amended; | Prior to submitting to the Council any request for approval of a plan of subdivision (i.e. survey plan) for each stage. |
| B | Obtain approval from Council for the names of new streets in accordance with (A) above; | |
| C | Erect approved street name boards on all new roads in accordance (A) and (B); and | |
| D | Mark all street names on the survey plans. | |
| 8. | Landscaping for Reconfiguring a Lot | |

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| CONDITION | | TIMING |
|------------|---|---|
| A | Carry out landscaping and associated earthworks, site preparation and other necessary works in accordance with approved plans, details and technical specifications of any proposed planting or landscape work (both soft and hard works) where such works will be on land under the control of Council, whether as a park, reserve or road reserve. Landscaping is to accord with Planning scheme policy - Integrated design Appendix D - Landscaping. | Prior to submitting to the Council any request for approval of a plan of subdivision (i.e. survey plan) for each stage. |
| B | Before commencing the works obtain approval for the plans, details and technical specifications of any planting or landscape work from Council. | Prior to work commencing on site. |
| 9. | Street Trees | |
| | Provide street trees within the development and along the road frontages of the site in accordance with Planning scheme policy - Integrated Design Appendix D - Landscaping. Specifically, the: (i) species choices are set out in section 1.2.2; and (ii) pot size is set out in section 1.2.3; and (iii) number to be provided is set out in section 1.2.4. | Prior to submitting to the Council any request for approval of a plan of subdivision (i.e. survey plan) for each stage. |
| 10. | New Telecommunications Infrastructure | |
| A | Provide Fibre-Ready telecommunications infrastructure (pit and pipe) throughout the development in accordance with the Communication Alliance specifications contained within Industry Guideline G645:2011 Fibre Ready Pit and Pipe Specifications for Real Estate Development Projects or in accordance with the NBN Co. specifications contained within New Developments: Deployment of the NBN Co Conduit and Pit Network – Guidelines for Developers NBN-TE-CTO-194 and Creating Pit and Pipe Designs for New Developments (Job Aid for Developers) NBN-TE-CTO-586, as amended and current at the date of installation. | Prior to the development being accepted off maintenance. |
| B | Provide certification from a RPEQ electrical engineer that the works specified in (A) above have been installed and evidence that a telecommunications carrier licensed under the Telecommunications Act 1997 has agreed to take ownership of the infrastructure. OR Provide written confirmation from NBN Co that the works specified in (A) above have been accepted by it. OR Provide a 'Telecommunications Infrastructure Provisioning Confirmation' or a 'Telecommunications Network Infrastructure Notification' letter from a telecommunications carrier licensed under the Telecommunications Act 1997 (e.g. Telstra) confirming that telecommunications carrier has been engaged to install telecommunications infrastructure within the proposed development. Note: Council policies are available on Council's website. | |
| 11. | Electricity | |

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| CONDITION | | TIMING |
|------------------|---|---|
| A | Provide evidence (e.g. Certificate for Electricity Supply to Subdividers with Agreement Number or Certificate of Supply) demonstrating that an underground electricity supply network has or will be constructed within all new roads and along the frontage of each proposed lot. | Prior to submitting to the Council any request for approval of a plan of subdivision (i.e. survey plan) for each stage. |
| B | Provide an underground electricity supply connection to each proposed lot. | |
| C | Remove all existing above ground electricity lines located along the frontages of the subject site so that they are replaced with underground electrical lines as required by (A) and (B) above. | |
| D | Submit certification from a licensed surveyor, Registered Professional Engineer of Queensland (RPEQ) or registered building surveyor that any electricity connections and infrastructure made redundant by the development is removed with the land reinstated. | |
| 12. | Water and/or Sewerage | |
| | Submit to Council a Certificate of Completion or Provisional Certificate of Completion for the development from the Northern SEQ Distributor–Retailer Authority (Unitywater) confirming: (i) a reticulated water supply network connection is available to the land; and (ii) a sewerage network connection is available to the land; and (iii) all the requirements of Unitywater have been satisfied. | Prior to submitting to the Council any request for approval of a plan of subdivision (i.e. survey plan) for each stage. |
| 13. | No Net Loss of Fauna Habitat | |
| | Development does not result in the net loss of fauna habitat. Where development does result in the loss of a Habitat Tree, development will provide replacement fauna nesting boxes at the following rate: (i) Collect all hollows and; or (ii) Where hollows have not yet formed in trees greater than 80cm in diameter at 1.3m height, three (3) nest boxes are required for every habitat tree removed. | Prior to submitting to the Council any request for approval of a plan of subdivision (i.e. survey plan) for each stage. |
| 14. | Management of Wildlife | |
| | (i) Carry out approved vegetation clearing under the supervision of a Fauna Spotter Catcher holding a valid Rehabilitation Permit from the relevant State Government Agency. (ii) Provide an activity report, to be completed by the supervising Fauna Spotter Catcher, including: (a) The number and species of any animals observed during clearing; (b) The actions taken to deal with observed animals; (c) The number of any animals that were required to be relocated; (d) The release site for any relocated animals; (e) The number (if any) of animals injured during clearing; (f) The treatment provided; (g) The outcome of any treatment; and (h) The location of the treatment. | (i) Prior to and during site works. (ii) Within fourteen (14) days of completion of clearing. |

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| CONDITION | | TIMING |
|------------|---|---|
| 15. | Disposal of Vegetation Clearing | |
| | Chip, shred or tub grind cleared native vegetation and spread as mulch or dispose of at an authorised waste facility. Any hollows observed in cleared vegetation must be salvaged and installed as nest boxes in trees within the property. | Prior to and during site works and to be maintained. |
| 16. | Stockpiles of Construction and Landscaping Materials | |
| | Locate any stockpiles of construction and landscaping materials and other site debris clear of drainage lines and clear of any position from which it could be washed onto any footpath, nature strip, roadway or into any drain, wetland or watercourse. | During site works. |
| 17. | Temporary Exclusion Fencing | |
| | Delineate areas where vegetation is proposed to be retained with exclusion fencing to prevent accidental felling. Clearing is to be undertaken in accordance with AS 4970-2009 Protection of Trees on Development Sites. | During site works. |
| 18. | Environmental Offset | |
| | Submit a notice of election for the proposed offset as required by Section 18 of the <i>Environmental Offsets Act 2014</i> . For Land-based offsets: (i) Submit for approval an Offset Delivery Plan in accordance with section 2.3.1.3 of the Queensland Environmental Offsets Policy. (ii) Undertake clearing and offset delivery in accordance with the approved Agreed Delivery Arrangement; and (iii) Provide certification of the completion of the offset and a copy of the covenant agreement or other protection measure to Council once established. and/or For Financial Settlement Offsets: (iv) Submit a calculation of the financial offset obligation in accordance with the Financial Settlement Offset Calculation Methodology contained in the Queensland Environmental Offsets Policy or Council's Planning Scheme Policy - Environmental areas and corridors. (v) Submit to Council payment of a Financial Settlement Offset in accordance with section 2.3.2 of the Queensland Environmental Offsets Policy. | Prior to commencement of site works. (i) Prior to commencement of site works. (ii) Prior to and during site works. (iii) Upon completion of the offset works. (iv) Prior to commencement of site works. (v) Prior to commencement of vegetation clearing site works. |
| 19. | Additional Payment Condition for Trunk infrastructure - Works (Local Recreation Park) | |
| A | Pay to the Council a works establishment cost for upgrades to the embellishments of Chandler Reserve as a Local Recreation Park in the amount of \$84,100.00 plus GST, adjusted according to the '3-yearly PPI average', for the period starting on the day the original and first decision notice is given and ending on the day the value of the works for the construction of the playground equipment is | Prior to submitting to the Council any request for approval of a plan of subdivision (i.e. survey plan) for the first stage of the development unless agreed |

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| CONDITION | | TIMING |
|------------|---|--|
| | All works are to be constructed in accordance with Council's design standards and relevant planning scheme code current at the time of lodgement of the development application for operational work and the relevant development approval for operational work and in accordance with item (i) above. | |
| D | This condition has been imposed under section 650 of the <i>Sustainable Planning Act 2009</i> . | To be noted. |
| 20. | Non-Trunk infrastructure - Road Transport Network - Gordons Crossing Road | |
| A | Note that this non-trunk infrastructure condition is imposed on the basis of the following: (i) The non-trunk infrastructure is required for connecting the premises to external infrastructure networks; and (ii) protecting or maintaining the safety or efficiency of the infrastructure network of which the non-trunk infrastructure is a component. | To be noted. |
| B | Design and have approved by Council an external roadworks upgrade to Gordons Crossing Road from the eastern boundary of the subject site to the intersection with Youngs Crossing Road including associated works. The external road works are to ensure the delivery along this section of Gordons Crossing Road of a minimum road carriageway width of 12.0 metres to consist of the following unless agreed to otherwise by the Council in writing: (i) 2 travel lanes, having a minimum width of 3.5 metres (minimum 7.0m wide pavement); and (ii) 2.5 metre wide (full depth pavement) shoulders with a minimum shoulder seal of 1.5 metres; and (iii) Associated stormwater drainage to be contained within the road reserve. Design drawings are to be prepared and certified by a suitably qualified Registered Professional Engineer Queensland (RPEQ) and in accordance with the approved plans and documents of development and the MBRC Planning Scheme current at the time of the operational works application. | Prior to submitting to the Council any request for approval of a plan of subdivision (i.e. a survey plan). |
| C | Construct, at no cost to Council and in accordance with the approved plans and documents of development the works specified in clause (B) above. | |
| D | This condition has been imposed under section 665 of the <i>Sustainable Planning Act 2009</i> . | To be noted. |
| 21. | Replace Existing Council Infrastructure | |
| | Replace existing Council infrastructure (including but not limited to street trees and footpaths) that is damaged as part of works carried out in association with the development to Council's standards. | Prior to submitting to the Council any request for approval of a plan of subdivision (i.e. a survey plan). |
| 22. | Alterations and Relocation of Existing Services | |

ITEM 2.2 DEVELOPMENT APPLICATION DA/33013/2016/V3RL - RECONFIGURING A LOT - DEVELOPMENT PERMIT FOR SUBDIVISION (3 LOTS INTO 67 LOTS) AT 23 AND 25 GORDONS CROSSING ROAD EAST AND 28 REGENT STREET, JOYNER - DIVISION 8 - A17775661 (Cont.)

| CONDITION | | TIMING |
|------------|---|--|
| | Ensure any alteration or relocation in connection with or arising from the development to any service, installation, plant, equipment or other item belonging to or under the control of an entity engaged in the provision of public utility services is to be carried out with the development and at no cost to Council unless agreed to in writing by the Council. | Prior to submitting to the Council any request for approval of a plan of subdivision (i.e. a survey plan). |
| 23. | Stormwater Management & Drainage Infrastructure - Implementation, Design and Construction | |
| A | Submit and have approved by Council, an amended Stormwater Management Plan (SMP) prepared and certified by a suitably qualified Registered Professional Engineer Queensland (RPEQ). The SMP is to demonstrate that stormwater can be managed on/from the subject land in accordance with the MBRC Planning Scheme. The following specific amendments are to be included: (i) Demonstrate stormwater quality treatment for the entire site satisfying the requirements of the State Planning Policy and MBRC Planning Scheme. (ii) Demonstrate capacity within the downstream stormwater drainage to cater for the development and fully developed upstream catchment. | Prior to lodging an application for operational works. |
| B | Submit and have approved by Council, a development application for operational works for stormwater infrastructure to service the development. Design drawings are to be prepared and certified by a suitably qualified Registered Professional Engineer Queensland (RPEQ) and in accordance with the approved plans and documents of development current at the time of the operational works application. | Prior to commencement of works associated with this condition. |
| C | Construct stormwater infrastructure to service the development at no cost to Council and in accordance with the approved plans, SMP and documents of development. This condition has been imposed under section 665 of the <i>Sustainable Planning Act 2009</i> . | Prior to submitting to the Council any request for approval of a plan of subdivision (i.e. a survey plan). |
| D | (i) Transfer land to Council that contains stormwater infrastructure; Or (ii) Provide registered easements for drainage infrastructure in favour of the Council in accordance with the approved plans and documents of development. The easement documents must acknowledge the maintenance, repair and replacement responsibilities on the owner of this development site unless agreed to otherwise by the Council in writing. | |
| E | Where the proposed stormwater infrastructure (stormwater basin) is kept in private ownership encumbered by an easement in favour of the Council, the applicant is to maintain the stormwater solution on the site until it is confirmed in writing by the Council that it is no longer required and until then and when the stormwater solution is removed, | At all times |

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| CONDITION | | TIMING |
|------------------|--|---|
| | do not submit to the Council any survey plan proposing the creation of any lots affected by the stormwater solution. | |
| 24. | Council Roads | |
| A | <p>Submit and have approved by Council, a development application for operational works for the following:</p> <p>(i) All new roads and associated works. The following classifications are to be applied:</p> <p style="margin-left: 20px;">(a) 16.5m wide new road - Access Residential -</p> <p style="margin-left: 20px;">(b) 14.5m wide new road - Modified Access Residential (14.5m Road Reserve)</p> <p>(ii) All frontage roads, external roads and associated works. The frontage works are as follows:</p> <p style="margin-left: 20px;">(a) Gordons Crossing Road East - District Collector</p> <p style="margin-left: 20px;">(b) Regent Street - District Collector</p> <p>Construct concrete kerb and channel including road pavement widening to the development frontage of Regents Street to suit an ultimate 26.8m wide centrally located district collector road and Gordons Crossing Road East as an ultimate 30m wide centrally located Collector road.</p> <p>Design drawings are to be prepared and certified by a suitably qualified Registered Professional Engineer Queensland (RPEQ) and in accordance with the approved plans and documents of development and the MBRC Planning Scheme current at the time of the operational works application.</p> <p>This condition has been imposed under section 665 of the <i>Sustainable Planning Act 2009</i>.</p> | <p>Prior to commencement of works associated with this condition for the respective stage the road is located within.</p> |
| B | <p>Dedicate land along the frontage of the site to Regent Street as road having a minimum width of 3.4 metres unless required otherwise by other conditions of this development approval.</p> <p>This condition has been imposed under section 665 of the <i>Sustainable Planning Act 2009</i>.</p> | <p>Prior to submitting to the Council any request for approval of a plan of subdivision (i.e. a survey plan).</p> <p>The exception to this is roads internal to the site servicing only lots in stage 2 of the development are to be delivered with any survey plan proposing lots in Stages 2 or 3 of the development.</p> |
| C | <p>Construct, at no cost to Council and in accordance with the approved plans and documents of development the following:</p> <p>(i) All new roads and associated works</p> <p>(ii) All frontage roads and associated works</p> <p>(iii) All external roads and associated works.</p> <p>This condition has been imposed under section 665 of the <i>Sustainable Planning Act 2009</i>.</p> | |
| 25. | New Intersection | |

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| CONDITION | | TIMING |
|--------------------------------------|--|--|
| A | <p>Submit and have approved by Council, a development application for operational works for the intersection of the new access road and Regent Street.</p> <p>Design drawings are to be prepared and certified by a suitably qualified Registered Professional Engineer Queensland (RPEQ) and in accordance with the MBRC Planning Scheme current at the time of the operational works application.</p> | Prior to commencement of works associated with this condition. |
| B | <p>Construct the intersection of the new access road and Regent Street at no cost to Council and in accordance with the approved plans and documents of development.</p> <p>This condition has been imposed under section 665 of the <i>Sustainable Planning Act 2009</i>.</p> | Prior to submitting to the Council any request for approval of a plan of subdivision (i.e. a survey plan) |
| 26. Intersection Upgrade | | |
| A | <p>Upgrade the existing intersection of Gordons Crossing Road and Regent Street with a BAR and BAL turn treatment suitable for the through passage of an AV.</p> <p>This condition has been imposed under section 665 of the <i>Sustainable Planning Act 2009</i>.</p> | Prior to submitting to the Council any request for approval of a plan of subdivision (i.e. a survey plan) |
| B | <p>Submit and have approved by Council, a development application for operational works for the intersection.</p> <p>Design drawings are to be prepared and certified by a suitably qualified Registered Professional Engineer Queensland (RPEQ) and in accordance with the MBRC Planning Scheme current at the time of the operational works application.</p> | Prior to commencement of works associated with this condition. |
| C | <p>Dedicate any additional land from the development to accommodate the intersection works and to achieve safe sight lines.</p> | With any request for approval of a plan of subdivision (i.e. a survey plan) |
| D | <p>Construct the intersection at no cost to Council and in accordance with the approved plans and documents of development.</p> <p>This condition has been imposed under section 665 of the <i>Sustainable Planning Act 2009</i>.</p> | Prior to submitting to the Council any request for approval of a plan of subdivision (i.e. a survey plan) |
| 27. Pathways | | |
| | <p>Construct, at no cost to Council;</p> <p>(i) a 2.0m metre wide reinforced concrete pathway along the full development frontage of Regent Street and Gordons Crossing Road East; and</p> <p>(ii) 2.0 m wide reinforced concrete pathway from the common driveway of Lots 20-23 and the new pathway within Regent Street.</p> <p>This condition has been imposed under section 665 of the <i>Sustainable Planning Act 2009</i>.</p> | Prior to submitting to the Council any request for approval of a plan of subdivision (i.e. a survey plan). |
| 28. Common Driveway - Stage 1 | | |

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| CONDITION | | TIMING |
|------------|---|---|
| A | <p>Submit and have approved by Council, a development application for operational works for the service access driveway proposed to service Lots 2-5 with the following requirements:</p> <ul style="list-style-type: none"> (i) Rigid concrete pavement, minimum 5.5m wide; (ii) Car parking bays; (iii) Cater for the access requirements of a B85 design vehicle with a driveway crossover in accordance with MBRC Standard Drawing RS-049 and RS-050. <p>Design drawings are to be prepared and certified by a suitably qualified Registered Professional Engineer Queensland (RPEQ) and in accordance with the approved plans and documents of development and the MBRC Planning Scheme current at the time of the operational works application.</p> <p>This condition has been imposed under section 665 of the <i>Sustainable Planning Act 2009</i>.</p> | Prior to commencement of works associated with this condition. |
| B | <p>Construct, at no cost to Council and in accordance with the approved plans and documents of development all new roads and associated works.</p> <p>This condition has been imposed under section 665 of the <i>Sustainable Planning Act 2009</i>.</p> | Prior to submitting to the Council any request for approval of a plan of subdivision (i.e. a survey plan) for Stage 1 of the development. |
| 29. | Erosion and Sediment Control | |
| | <p>Implement an Erosion and Sediment Control Plan prepared by an experienced Certified Professional in Erosion and Sediment Control (CPESC) in accordance with the International Erosion Control Association Australasia (IECA) Best Practice and Sediment Control document.</p> | Prior to commencement of works and to be maintained current at all times during construction. |
| 30. | Earth Retaining Structures | |
| A | <p>Design all earth retaining structures within private land in accordance with Australian Standards, Building Code requirements and MBRC Planning scheme current the time of the operational works application and the following:</p> <ul style="list-style-type: none"> (i) The minimum design life (the period assumed in design for which a structure or structural element is required to perform its intended purpose without replacement or major structural repairs) for the earth retaining structure that is specified in Table 3.1 of Australian Standard AS4678; (ii) Earth retaining structures within the land and around areas of cut on or near the boundaries of the site must be designed to allow for live and dead loads associated with the land/premise's current occupancy use; (iii) Provide temporary safety fencing to all earth retaining structures over 1.0m in height. | Prior to commencement of works associated with this condition. |
| B | <p>Submit and have approved by Council, a development application for operational works for all earth retaining structures.</p> <p>Design drawing are to be prepared and certified by a suitably qualified Registered Professional Engineer Queensland (RPEQ) and</p> | Prior to commencement of works associated with this condition. |

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| CONDITION | | TIMING |
|------------|--|--|
| | in accordance with the approved plans and documents of development and the MBRC Planning Scheme current at the time of the operational works application and they are to clearly show the location and overall configuration (fully dimensioned), design parameters and loads, materials and finishes of all earth retaining structures for the development. | |
| C | Construct all earth retaining structures within private land in accordance with Australian Standards, Building Code requirements and approved plans and documents of development. | Prior to submitting to the Council any request for approval of a plan of subdivision (i.e. a survey plan). |
| D | Provide written certification from a suitably qualified Registered Professional Engineer Queensland (RPEQ) that the design, construction and materials comply with this condition. | |
| E | Provide certification from a suitably qualified Registered Professional Engineer Queensland (RPEQ) that all works have been designed and constructed in accordance with this permit condition. | |
| 31. | Existing Driveway Crossover | |
| | Remove completely all redundant driveway crossovers fronting the development site on Regents Street and Gordons Crossing Road. Reinstate all disturbed areas (including kerb and channel) to Council's standards current at the time of development. | Prior to submitting to the Council any request for approval of a plan of subdivision (i.e. a survey plan). |
| 32. | Lot Accesses - north western corner lots | |
| | Ensure any proposed vehicular access to corner lots from the corner of Regent Street and Gordons Crossing Road meet the requirements of AS2890.1 for sight distances and safety. | Prior to commencement of works associated with this condition. |

| CONDITION | | TIMING |
|--------------------------------------|---|--|
| RECONFIGURING A LOT - STAGE 2 | | |
| DEVELOPMENT PLANNING | | |
| 33. | Stage 3 Area | |
| | <p>Submit to the Council with any survey plan proposing to create lots within Stage 2 of the proposed development a covenant prepared under section 97A of the <i>Land Titles Act 1994</i> over the area of Stage 3 of the development ensuring the area of proposed lot 30 is not able to be separately sold or disposed of from the area of lots 62 - 67.</p> <p>OR</p> <p>Ensure the area of proposed Lots 30 and 62-67 are created in a single lot having 2 parts (either side of the new road) or kept as a single lot via vinculum.</p> <p><i>Note:</i> <i>This condition has been applied to ensure the area of proposed lots 62-67 are combined with proposed lot 30 as the area of proposed lots 62-67 on their own are unable to accommodate a Dwelling</i></p> | Prior to submitting to the Council any request for approval of a plan of subdivision (i.e. survey plan). |

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| | | |
|------------|---|---|
| | <i>House until the stormwater basin and associated easements are removed. This condition ensures that a lot created as Stage 3 has part of the lot capable of being developed for the period until and ultimate solution is developed.</i> | |
| 34. | Common Driveway - Stage 2 | |
| A | <p>Submit and have approved by Council, a development application for operational works for the service access driveway proposed to service Lots 20-23 with the following requirements:</p> <ul style="list-style-type: none"> (i) Rigid concrete pavement, minimum 5.5m wide; (ii) Car parking bays; (iii) Cater for the access requirements of a B85 design vehicle with a driveway crossover in accordance with MBRC Standard Drawing RS-049 and RS-050. <p>Design drawings are to be prepared and certified by a suitably qualified Registered Professional Engineer Queensland (RPEQ) and in accordance with the approved plans and documents of development and the MBRC Planning Scheme current at the time of the operational works application.</p> <p>This condition has been imposed under section 665 of the <i>Sustainable Planning Act 2009</i>.</p> | Prior to commencement of works associated with this condition. |
| B | <p>Construct, at no cost to Council and in accordance with the approved plans and documents of development all new roads and associated works.</p> <p>This condition has been imposed under section 665 of the <i>Sustainable Planning Act 2009</i>.</p> | Prior to submitting to the Council any request for approval of a plan of subdivision (i.e. a survey plan) for Stage 2 of the development. |

| | |
|----------------|--|
| ADVICES | |
| 1 | Aboriginal Cultural Heritage Act 2003 |
| | <p>The <i>Aboriginal Cultural Heritage Act 2003</i> commenced in Queensland on April 16, 2004. Under the Act, indigenous parties are key in assessing cultural heritage significance.</p> <p>The <i>Aboriginal Cultural Heritage Act 2003</i> 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 the activity.</p> <p>Penalty provisions apply for failing to fulfil the Cultural Heritage Duty of Care.</p> <p>Those proposing an activity that involves additional surface disturbance beyond that which has already occurred on the proposed site need to be mindful of the Duty of Care requirement.</p> <p>Details of how to fulfill the Duty of Care are outlined in the Duty of Care Guidelines gazetted with the Act.</p> <p>Council strongly advises that you contact the relevant state agency to obtain a copy of the Duty of Care Guidelines and further information on the responsibilities of developer under the terms of the <i>Aboriginal Cultural Heritage Act 2003</i>.</p> |

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| ADVICES | |
|----------|--|
| 2 | Adopted Charges |
| | <p>Payment of an Adopted Infrastructure Charge in accordance with Council’s Infrastructure Charges Resolution (No. 8) dated 14 December 2018 or as amended apply to this development approval.</p> <p>From 1 July 2014, Moreton Bay Regional Council no longer issues an Infrastructure Charges Notice on behalf of Unitywater for water supply and sewerage networks and therefore a separate Infrastructure Charges Notice may be issued directly to the applicant by Unitywater in respect to this development approval.</p> <p>Payment of Infrastructure Charges is to be in accordance with the Infrastructure Charges Notice issued with this development approval and any Infrastructure Charges Notice issued by Unitywater. From 1 July 2014, all Infrastructure Charges for infrastructure networks controlled by Unitywater (eg. water and/or sewerage) regardless of when the Infrastructure Charges Notice was issued are to be paid directly to Unitywater while Infrastructure Charges for networks controlled by Moreton Bay Regional Council will continue to be paid directly to Moreton Bay Regional Council.</p> |

B. That the following information be included in the Decision Notice.

Decision Notice information

| | Details to Insert |
|---|--|
| Application Type | Reconfiguring a Lot Development Permit for (3 Lots into 67 Lots) |
| Currency Period for Approval | Reconfiguring a Lot requiring or not requiring Works – 4 years |
| Section 64(5) Deemed Approval | Not applicable |
| Superseded Planning Scheme | Not applicable |
| Variation approval affecting the Planning Scheme | Not applicable |
| Other Necessary Permits | Operational Works – Development Permit |
| Codes for Accepted Development | Not applicable |
| Referral Agencies | There are no Referral Agencies |
| Submissions | Not applicable |

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REPORT DETAIL

1. Background

This development application seeks a development permit for Reconfiguring a Lot (3 Lots into 67 Lots) located at 23 and 25 Gordons Crossing Road East and 28 Regent Street, Joyner described as Lot 19 RP 87305, Lot 2 RP 124798 and Lot 1 RP 124798.

The development proposal was lodged with Council and determined to be 'Properly Made' on 16 November 2016. Accordingly, this development application is to be assessed in accordance with the *Sustainable Planning Act 2009*.

The subject sites are included within the Urban Footprint under the *South East Queensland Regional Plan 2017*.

Under the Moreton Bay Regional Council Planning Scheme (MBRC Planning Scheme) in effect at the time the development application was properly made, the subject site is relevantly located:

- (a) outside the priority infrastructure area under the Local Government Infrastructure Plan;
- (b) in the Emerging Community Zone (Transition Precinct); and
- (c) in the Joyner growth area under the Strategic Framework (see Strategic Framework Map 3.6.1 – Settlement Pattern).

Based on the location of the lots and their existing connections and/or capacity for immediate and proximate connections to the applicable infrastructure networks, the proposal is to create developed lots as defined in Schedule 1 of the Moreton Bay Planning Scheme.

The strategic framework identifies the Joyner growth area for development in the future however, infrastructure and constraint issues are to be resolved before this area is included in the urban corridor. Under the Strategic Framework, development of the identified area of serviced urban land prior to the areas inclusion in the urban corridor will be subject to bring forward costs and will not be subject to any infrastructure offsets (see section 3.13.4.4.1(b) of the Strategic Framework).

The development proposal is for urban development outside the priority infrastructure area under the Local Government Infrastructure Plan. The development proposal is an infill development of 3 developable lots in a small area in the north-western portion of the Joyner growth area which will provide serviced urban land. Given that the development proposal provides for urban development outside the priority infrastructure area under the Local Government Infrastructure Plan, it is recommended that any approval given be subject to additional payment conditions imposed under section 650 of the *Sustainable Planning Act 2009*, for the following reasons:

- (a) The development is for premises completely outside the priority infrastructure area; and
- (b) The trunk infrastructure is:
 - (i) made necessary by the development of the site; and
 - (ii) necessary to service the Joyner growth area in the MBRC Planning Scheme, being an area intended for future development for non-rural purposes of which the site is a part.

Given that the development proposal is an infill development of 3 developable lots to create developed lots in the small area in the north-western portion of the Joyner growth area and that the development proposal if approved can be made the subject of bring forward costs (as additional payment conditions) with no infrastructure offsets; the development proposal does not conflict with the strategic outcomes of the Strategic Framework and is therefore recommended for approval.

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2. Explanation of Item

2.1 Proposal Details

It is proposed to reconfigure the existing three (3) lots into 67 residential lots (developed lots) in three (3) stages, as follows:

| Stage | Number of Residential Lots |
|--------------|----------------------------|
| 1 | 19 (plus balance lot) |
| 2 | 41 (plus balance lot) |
| 3 | 7 |
| Total | 67 |

Proposed Lots 30 and 62-67 (which form part of Stage 3) are to be retained as a single lot for drainage with a requirement that the stage is not to be developed until such time in the future that the stormwater basin on the lots is no longer required by the development.

The subdivision will gain access via a new road connecting to Regent Street. Proposed Lots 1 - 13 will be accessed directly from Gordons Crossing Road East and proposed Lots 24-29 and proposed Lot 67 will be accessed directly from Regent Street. The proposal aims to create residential lots ranging in size from 200m² to 760m². The overall net residential density of the development proposal is 21.87 lots per hectare.

The application proposes a mix of four (4) lot types throughout the development proposal as follows:

| Lot Type (frontage width) | Number | Percentage |
|---------------------------|--------|------------|
| Type B (>7.5m -10m) | 37 | 55% |
| Type C (>10-12.5m) | 20 | 30% |
| Type D (>12.5-18m) | 8 | 12% |
| Type E (>18-32m) | 2 | 3% |

The applicant has provided a Plan of Development for all lots with a frontage width of less than 12.5m, showing mandatory built to boundary wall and driveway locations for the purpose of demonstrating that group construction achieves an integrated streetscape solution.

2.2 Emerging community zone, Transition precinct

The Emerging community zone covers areas throughout the Moreton Bay Region that are not currently recognised or developed as urban environments but may be suitable for future urban uses over the next 10 to 20 years. As identified within the Strategic Framework of the Moreton Bay Regional Council Planning Scheme, further integrated land use and infrastructure planning will be undertaken in the Joyner area. This further planning work will determine how the area can be developed efficiently to create a cohesive and sustainable urban community. Presently, this work has not been undertaken by Council.

The purpose of the Emerging community zone, Transition precinct is to:

- (a) identify land that is suitable for urban purposes and conserve land that may be suitable for urban development in the future;
- (b) manage the timely conversion of non-urban land to urban purposes;
- (c) prevent or discourage development that is likely to compromise appropriate longer term land use; and
- (d) provide mechanisms to promote and implement an appropriate mix of dwelling types, consistent with a Next Generation Neighbourhood across the Transition Precinct once this land is

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developed and serviced with all local government networks including water and sewer and is suitable for urban development.

Accordingly, for each Emerging Community area, whole of catchment infrastructure solutions are required for the five networks (Water, Sewerage, Transport, Stormwater and Community Infrastructure). The Emerging Community areas are located outside of the Priority Infrastructure Area (PIA). The development of these areas at this time is inconsistent with the planning assumptions used to support the Local Government Infrastructure Plan (LGIP). Limited trunk infrastructure planning has been prepared for these areas and trunk infrastructure is not identified within the LGIP to support urban development of the Emerging Community areas outside the PIA.

It is therefore necessary that any development in this area in advance of the Infrastructure Planning having been completed, is able to demonstrate and the Council is satisfied, will not compromise the future planning and contributes to it.

2.3 Description of the Site and Surrounds

2.3.1 *Site Characteristics*

In the broader context the subject site is located in the suburb of Joyner and is situated west of Young's Crossing Road, approximately 1km south east of Lake Samsonvale. This area of Joyner to the west of Young's Crossing Road and on the eastern side of one mile creek, between Gordons Crossing Road East and Samsonvale Road is currently comprised of large to medium sized rural residential type allotments approximately 1ha in size, whereas land to the north of Gordon Crossing Road, south of Samsonvale Road and east of Young's Crossing Road consists of more traditional suburban allotments ranging in size from approximately 450m² to 700m².

The three (3) allotments within the subject site are generally consistent with the size and physical characteristics of the surrounding lot layout in the Joyner Emerging Community Zone and generally contain one dwelling house on each lot, as well as ancillary structures and features that are consistent with the rural residential setting. The subject lots each have a lot size of approximately 1 hectare and are mostly devoid of vegetation.

2.3.2 *Topography*

The subject site contains a ridgeline that generally runs diagonally through the top of the site from south west to north east with two natural catchments present on the site, with the north western corner of the site falling towards the intersection of Gordons Crossing Road East and Regent Street.

The highest point of the subject site is situated near the north eastern corner with a level of approximately 30.5m AHD, while the lowest part of the site is situated in the south west corner at a height of approximately 25.75m AHD. The steepest slopes on site occur in the north-west corner with an average gradient of approximately 8.3%.

| Directions | Planning Scheme Zone | Current Land Use |
|------------|--|--|
| North | General Residential Zone - Suburban Neighbourhood Precinct | Dwelling Houses and associated domestic outbuildings |
| South | Emerging Community Zone - Transition Precinct | Dwelling Houses and associated domestic outbuildings |
| East | Emerging Community Zone - Transition Precinct | Dwelling Houses and associated domestic outbuildings |
| West | Emerging Community Zone - Transition Precinct | Dwelling Houses and associated domestic outbuildings |

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2.4 State Planning Instrument Assessment

2.4.1 *State Planning Regulatory Provisions (SPRPs)*

An assessment against each of the State Planning Regulatory Provisions is set out as follows:

| Name | Designation | Applicable Requirements |
|--|--|--|
| State Planning Regulatory Provision (Adopted Charges) | None | Not Applicable to Development Assessment however the SPRP has informed the Council's Infrastructure Charges Resolution, and this is discussed in section 5 of this report. |
| State Planning Regulatory Provisions (Adult Stores) | None | The development proposal is not for an Adult Store and therefore the State Planning Regulatory Provisions do not apply. |
| South East Queensland Koala Conservation State Planning Regulatory Provisions | Priority Koala Assessable Development Area | The site is located in a Priority Koala Assessable Development Area. An assessment as to how the development satisfies the provisions in the State Planning Regulatory Provisions has been undertaken, and the proposal is consistent. |
| Southeast Queensland Regional Plan 2009-2031 (SEQRP) State Planning Regulatory Provisions - May 2014 Version | 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. |

2.4.2 *State Planning Policy (April 2016 Version was in effect when the application was properly made)*

On 16 November 2015, notification was given to Council that all State Interests had been integrated into the Moreton Bay Regional Council Planning Scheme with the exception of the State Interest - natural hazards, risk and resilience (coastal hazards - erosion prone areas). Accordingly, the interim development assessment requirements set out within the State Planning Policy (SPP) for coastal hazards - erosion prone areas is to be applied by Council in the assessment of development applications until this State Interest has been appropriately integrated into Council's planning scheme. Assessment against the SPP for this one State Interest is as follows;

| State interest - Natural Hazards | | |
|--|-----------------|----------------|
| Applicable to Development | SPP Requirement | Comment |
| <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | None. | Not applicable |

2.5 Assessment Against Moreton Bay Regional Council Planning Scheme (version in effect when the application was properly made)

Given the location of the land in the Emerging Community zone it is necessary to define the land. Schedule 1 of the MBRC Planning Scheme defines a Developed Lot as;

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“A lot that is provided with infrastructure and services (including reticulated water and sewer, stormwater, dedicated roads and electricity) of a standard and capacity required for the proposed development”

In contrast, a Developable Lot is defined as;

“A lot which is not a developed lot”.

The subject site is a Developable Lot and the proposal is to create Developed lots.

2.5.1 Strategic Framework

Not applicable.

2.5.2 Assessment of Applicable Codes

Code Compliance Summary

The assessment below identifies how the development proposal complies (subject to the application of any recommended conditions of approval) with the applicable codes and where the development proposal;

- (c) proposes an alternative outcome to an Acceptable Outcome, satisfying or not satisfying the corresponding Performance Outcome; and
- (d) proposes an outcome where no Acceptable Outcome is stated in the code and the proposed Outcome does not satisfy the corresponding Performance Outcome.

| Applicable Codes | Compliance with Overall Outcomes | Performance Outcomes assessment is required against |
|---|--|---|
| Zone/ Local Plan Code | | |
| Reconfiguring a lot code, Emerging community zone code, Transition precinct | <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No | PO1, PO5, PO6, PO25, PO27, PO29, PO33 and PO35 |

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

2.5.3 Performance Outcome Assessment

| Performance Outcome | Acceptable Outcome |
|--|---------------------------------|
| 9.4.1.3.2.2 - Reconfiguring a lot code, Emerging community zone, Transition precinct | |
| Where on a developable lot or creating developable lots | |
| PO1 Reconfiguring a lot does not result in additional lots | No acceptable outcome provided. |
| <i>Performance Outcome Assessment</i> | |
| Pursuant to Schedule 1 of the MBRC Planning Scheme a Developed Lot is defined as <i>“A lot that is provided with infrastructure and services (including reticulated water and sewer, stormwater, dedicated roads and electricity) of a standard and capacity required for the proposed development”.</i> | |

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| Performance Outcome | Acceptable Outcome | | | | | | | | | | | | | | | |
|---|---|---------------------------|--------|------------|---------------------|----|-----|--------------------|----|-----|--------------------|---|-----|------------------|---|----|
| <p>Generally, all land within the Transition precinct of the Emerging community zone is considered to be a developable lot. Once the land has been reconfigured and all necessary local government infrastructure networks necessary to service the lots at the Desired Standard of Service are provided to each lot, it is then considered to be a developed lot.</p> <p>In this instance, the subject site is identified as currently being 'Developable lots'.</p> <p>The development application does not comply with Performance Outcome PO1 as the development proposal seeks to create additional developed lots. As the development proposal cannot comply with the Performance Outcome PO1, an assessment against the Purpose and Overall outcomes of the Reconfiguring a lot code, Emerging community zone, Transition precinct is required.</p> | | | | | | | | | | | | | | | | |
| <p>PO5 Reconfiguring a lot provides for a variety of housing options, by way of a mix of lot sizes and dimensions consistent with the density and character of the precinct, whilst facilitating delivery of diversity within the streetscape.</p> | <p>AO5.2 For reconfiguring a lot which creates in excess of 5 new lots, a mix of lot types in accordance with 'Table 9.4.1.3.2.3: Lot Types' are to be incorporated into the development as follows:</p> <ul style="list-style-type: none"> • 5 - 10 lots - 2 lot types • 11 - 20 lots - 3 lot types • 21 - 50 lots - 4 lot types (must include lot type A) • >50 lots - 5 lot types (must include lot type A) <p>AO5.3 For reconfiguring a lot which creates in excess of 20 new lots, the following minimum percentages of lot types in accordance with 'Table 9.4.1.3.2.3: Lot Types' apply:</p> <ul style="list-style-type: none"> • Lot Type A - 10% of new lots and Lot Type F - 5% of new lots; or • Lot Type A - 15% of new lots and Lot Type F - 2% of new lots; or • Lot Type A - 15% of new lots and Lot Type B - 15% of new lots. | | | | | | | | | | | | | | | |
| <p><i>Performance Outcome Assessment</i></p> | | | | | | | | | | | | | | | | |
| <p>The Acceptable Outcome nominates that any development that creates greater than 50 lots includes five (5) lot types and is to include Lot Type A lots.</p> <p>The applicant seeks an alternate solution to the Acceptable Outcome to create more than 50 lots without providing any Lot Type A lots. The applicant has proposed the following lot types:</p> <table border="1" data-bbox="518 1792 1220 1960"> <thead> <tr> <th>Lot Type (frontage width)</th> <th>Number</th> <th>Percentage</th> </tr> </thead> <tbody> <tr> <td>Type B (>7.5m -10m)</td> <td>37</td> <td>55%</td> </tr> <tr> <td>Type C (>10-12.5m)</td> <td>20</td> <td>30%</td> </tr> <tr> <td>Type D (>12.5-18m)</td> <td>8</td> <td>12%</td> </tr> <tr> <td>Type E (>18-32m)</td> <td>2</td> <td>3%</td> </tr> </tbody> </table> <p>Whilst not providing any Lot Type A lots, 12 of the Lot type B lots have a frontage width of eight (8) metres (18%) with the remaining 25 Lot Type B lots proposed to have a ten (10)</p> | | Lot Type (frontage width) | Number | Percentage | Type B (>7.5m -10m) | 37 | 55% | Type C (>10-12.5m) | 20 | 30% | Type D (>12.5-18m) | 8 | 12% | Type E (>18-32m) | 2 | 3% |
| Lot Type (frontage width) | Number | Percentage | | | | | | | | | | | | | | |
| Type B (>7.5m -10m) | 37 | 55% | | | | | | | | | | | | | | |
| Type C (>10-12.5m) | 20 | 30% | | | | | | | | | | | | | | |
| Type D (>12.5-18m) | 8 | 12% | | | | | | | | | | | | | | |
| Type E (>18-32m) | 2 | 3% | | | | | | | | | | | | | | |

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| Performance Outcome | Acceptable Outcome |
|---|---|
| <p>metre frontage (37%). The eight (8.0) metre frontage lots only exceed the frontage of a Lot Type A lot by 0.5 metres and are will function and provide a streetscape character similar to a Lot Type A lot. The applicant has proposed the 8.0 metre frontage lots instead of the 7.5m frontage lots as it has building designs suited to the 8.0m frontage that it is seeking to deliver. It is noted that the proposed Plan of Development identifies that the lots with an eight (8) metre frontage are to be built to boundary on both sides and include paired driveway locations consistent with the requirements for a Lot Type A lots. In essence, 18% of the lots created will operate as Lot Type A lots, albeit with an additional 0.5 metres of frontage.</p> <p>The proposed lot layout ensures that a variety of lot sizes are available to provide a diverse streetscape. The proposed development complies with Performance Outcome PO5.</p> | |
| <p>PO6 A range of different lots are distributed throughout the development with no one lot type concentrated within a single location, to create diversity within the streetscape and minimise conflicts between vehicle access and on street parking.</p> | <p>AO6.1 Where not accessed via a laneway, a maximum of 4 adjoining lots of the same type in accordance with 'Table 9.4.1.3.2.3: Lot Types' are proposed where fronting the same street.</p> |
| <p><i>Performance Outcome Assessment</i></p> | |
| <p>The applicant seeks an alternate solution to allow up to seven adjoining Lot Type B lots to front the same road.</p> <p>The lots with an eight (8.0) metre frontage and ten (10) metre frontage are categorised as Lot Type B, although the Plan of Development identifies that the lots with an eight (8) metre frontage are to be build to boundary on both sides and include paired driveway locations consistent with the requirements for a Lot Type A lots. A maximum of four (4) adjoining lots with either frontage width (eight (8) metres or ten (10) metres) are proposed.</p> <p>The proposed development results in a range of lots dispersed throughout the development to ensue diversity in the streetscape. The proposed layout complies with the Performance Outcome.</p> | |
| <p>PO25 Streets are oriented to encourage active transport through a climate responsive and comfortable walking environment whilst also facilitating lots that support subtropical design practices, including:</p> <ul style="list-style-type: none"> c. controlled solar access & shade provision d. cross-ventilation. | <p>AO25.1 Where not unduly constrained by topography or other physical barrier, streets are primarily oriented within 20 or 30 degrees of North-South or East-West in accordance with Figure - Preferred street orientation below.</p> |

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| Performance Outcome | Acceptable Outcome |
|---|---|
| | <p>Figure - Preferred street orientation</p> <p>AO25.2 The long axis of a street block is oriented east-west to facilitate a north-south orientation for a majority of lots as per Figure - Street block design below.</p> <p>AO25.3 Where lots are oriented east west, they are 16m or wider so as to allow for alternative dwelling design to achieve solar access and cross ventilation as per Figure -Street block design below.</p> |
| <p><i>Performance Outcome Assessment</i></p> | |
| <p>The applicant seeks an alternative solution in relation to the layout design of the development proposal. The street block in the northern part of the site complies with the Acceptable Outcome whereas the street block in the south-eastern part of the site (Lots 38-61) does not.</p> | |

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| Performance Outcome | Acceptable Outcome |
|---|---------------------------------------|
| <p>Having regard to the Performance Outcome, the proposal has a number of internal roads that by their location on the edges of the development and orientations facilitate breezes being a significant concern / issue in South East Queensland. Council officers are satisfied that Dwelling Houses on these lots can be designed to achieve the outcome sought and that the proposal on balance complies with the Performance Outcome.</p> | |
| <p>PO27 The road network has sufficient reserve and pavement widths to cater for the current and intended function of the road in accordance with the road type in accordance with Planning scheme policy - Integrated design.</p> | <p>No acceptable outcome provided</p> |
| <p><i>Performance Outcome Assessment</i></p> | |
| <p>Gordons Crossing Road East and Regent Street have both been identified as District Collector Roads that in the Council's Planning Scheme Policy for Integrated Design - Appendix A, nominates as having a total road reserve width of 26.8 metres. While Gordons Crossing Road East has already a sufficient road reserve width, widening of Regent Street is required as it is currently only 20.0 metres wide. The proposal plans nominate the provision of a 3.4 metre wide dedication along Regent Street with the balance to be taken from the opposite side whenever development of that land occurs. In addition, if the development application were approved, it is recommended conditions of approval be applied requiring pavement widening to a District Collector function to meet the roads intended function.</p> <p>The proposal will therefore, subject to the application of the recommended conditions comply with the Performance Outcome.</p> | |
| <p>PO29 Upgrade works (whether trunk or non-trunk) are provided where necessary to:</p> <ol style="list-style-type: none"> a. ensure the type or volume of traffic generated by the development does not have a negative impact on the external road network; b. ensure the orderly and efficient continuation of the active transport network; c. ensure the site frontage is constructed to a suitable urban standard generally in accordance with Planning scheme policy - Integrated design. | <p>No acceptable outcome provided</p> |
| <p><i>Performance Outcome Assessment</i></p> | |
| <p>Refer to the Performance Outcome Assessment for Performance Outcome PO27 that applies the same to Performance Outcome PO29.</p> | |

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| Performance Outcome | Acceptable Outcome |
|---|--------------------------------|
| <p>PO33 A hierarchy of Park and open space is provided to meet the recreational needs of the community</p> <p>Note - To determine the extent and location of Park and open space required refer to Planning scheme policy - Integrated design.</p> | No acceptable outcome provided |
| <i>Performance Outcome Assessment</i> | |
| <p>An assessment of the proposal having regard to existing park infrastructure has been carried out and it has been identified that the development is able to be serviced by an existing Local Recreation Park identified as Chandler Reserve located 330m to the north west of the subject site, that has latent area capacity to service the subject development. As a part of the assessment it was however identified that the existing embellishments in the Local Recreation Park were not meeting the current Desired Standards of Service. It was identified however that by applying 'Additional Payment Conditions' to any approval given, would however bring those embellishments up to current standards and therefore allow the proposal to comply with the Performance Outcome.</p> <p>The proposal will therefore, subject to the application of the recommended conditions comply with the Performance Outcome.</p> | |
| <p>PO35 Park is of a size and design standard to meet the needs of the expected users</p> <p>Note - To determine the size and design standards for Parks refer to Planning scheme policy - Integrated design.</p> | No acceptable outcome provided |
| <i>Performance Outcome Assessment</i> | |
| Refer to the Performance Outcome Assessment for Performance Outcome PO33 that applies the same to Performance Outcome PO35. | |

2.5.4 Overall Outcome Assessment

The development proposal does not comply with Performance Outcome PO1 of the **Reconfiguring a lot code, Emerging community zone, Transition precinct**. Therefore, the proposal is required to be assessed against the applicable Overall Outcomes of the code as follows;

| 9.4.1.3.2. Reconfiguring a lot code, Emerging community zone, Transition precinct | | |
|---|--------------|--|
| Overall Outcomes | Complies Y/N | Comments |
| 2.a. Reconfiguring a lot in the Emerging community zone - Transition precinct, where not creating developed lots, does not further fragment land or | N/A | The proposed development seeks to create developed lots. |

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| 9.4.1.3.2. Reconfiguring a lot code, Emerging community zone, Transition precinct | | |
|---|--------------|---|
| Overall Outcomes | Complies Y/N | Comments |
| prevent future development for urban purposes. | | |
| <p>2.b. Reconfiguring a lot in the Emerging community zone - Transition precinct, where creating developed lots achieves the following:</p> <ul style="list-style-type: none"> v. for land within the Morayfield South urban area identified on 'Figure 9.4.1.3.2.1 Morayfield South urban area', reconfiguration does not compromise the areas ability to achieve a minimum site density of 45 dwellings per ha and lots of a size and dimension to accommodate medium - high density development; vi. for land in all other areas, a variety of residential lot sizes and a net residential density of between 11-25 lots per hectare; vii. neighbourhoods that are designed to provide well-connected, safe and convenient movement and open space networks through interconnected streets and active transport linkages that provide high levels of accessibility between residences, open space areas and places of activity; viii. intent and purpose of the Transition precinct outcomes identified in Part 6. | Yes | <p>The proposed development is consistent with the Overall Outcome 2 b. for the following reasons:</p> <ul style="list-style-type: none"> i. The subject site is not located in the identified Morayfield South urban area. ii. The proposed development achieves a net residential density of 21.87 lots per hectare and provides for a variety of residential lot sizes as required for a Next Generation neighbourhood. iii. The proposed neighbourhood is designed to provide a well-connected, safe and convenient movement network, as the proposed development provides linkages for active transport networks and road infrastructure of a suitable standard to existing networks or activity places. iv. The proposed development achieves the intent and purpose of the Transition precinct outcomes identified in Part 6 (refer assessment below). |
| <p>2.c. The Reconfiguring a lot, Operational works associated with the Reconfiguring a lot, and uses expected to occur as a result of the Reconfiguring a lot:</p> <ul style="list-style-type: none"> v. responds to the risk presented by overland flow and minimises risk to personal safety; vi. is resilient to overland flow impacts by ensuring the siting and design accounts for the potential risks to property associated with overland flow; vii. does not impact on the conveyance of overland flow up to and including the Overland Flow Defined Flood Event; | Yes | <p>The development application complies with Overall outcome 2.c. for the following reasons:</p> <ul style="list-style-type: none"> i. The site is not impacted by the mapped overland flow overlay. ii. Detention will be required as part of mitigating the effect of the development on the surrounding land and stormwater network. A recommendation of this report is to require a revised Stormwater Management Plan (SMP) to demonstrate that stormwater quality for the southern catchment is included in the proposed detention basin. |

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| 9.4.1.3.2. Reconfiguring a lot code, Emerging community zone, Transition precinct | | |
|---|---------------------|---|
| Overall Outcomes | Complies Y/N | Comments |
| viii. directly, indirectly and cumulatively avoids an increase in the severity of overland flow and potential for damage on the premises or to a surrounding property. | | |
| <p>2.d. Reconfiguring a lot avoids areas subject to constraint, limitation, or environmental values. Where reconfiguring a lot cannot avoid these identified areas, it responds by:</p> <ul style="list-style-type: none"> i. adopting a 'least risk, least impact' approach when designing, siting and locating development to minimise the potential risk to people, property and the environment; ii. ensuring no further instability, erosion or degradation of the land, water or soil resource; iv. maintaining environmental values, including natural, ecological, biological, aquatic, hydrological and amenity values, and enhancing these values through the provision of environmental offsets, landscaping and facilitating safe wildlife movement through the environment; iv. protecting native species and protecting and enhancing native species habitat; v. protecting and preserving the natural, aesthetic, architectural historic and cultural values of significant trees, places, objects and buildings of heritage and cultural significance; vi. establishing effective separation distances, buffers and mitigation measures associated with major infrastructure to minimise adverse effects on sensitive land uses from noise, dust and other nuisance generating activities; vii. ensuring it promotes and does not undermine the ongoing viability, integrity, operation, maintenance and safety of major infrastructure; | Yes | <p>A small portion of the site along the eastern boundary is mapped as High Value Area MSES however in accordance with the assessment below in section 2.8.1.2 the values of the vegetation in that location can be reclassified.</p> <p>There are no other constraints applying to the land and therefore the proposal complies with this Overall Outcome.</p> |

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| 9.4.1.3.2. Reconfiguring a lot code, Emerging community zone, Transition precinct | | |
|--|--------------|----------|
| Overall Outcomes | Complies Y/N | Comments |
| viii. ensuring effective and efficient disaster management response and recovery capabilities. | | |

| 9.4.1.2. Purpose of the Reconfiguring a lot code | | |
|---|--------------|--|
| Overall Outcomes | Complies Y/N | Comments |
| <p>2. The purpose of the code will be achieved through the following overall outcomes:</p> <p>a. Reconfiguring a lot creates a diversity of lot sizes, dimensions and arrangements consistent with the intended densities, uses, configurations and character of the applicable zone and precinct while not adversely impacting on lawful uses, values or constraints present.</p> <p>b. Reconfiguring a lot delivers the social, cultural and recreational needs of the community by ensuring:</p> <p>i. a range of lot sizes are delivered to assist in affordable housing opportunities;</p> <p>ii. the lots have convenient, direct and easy pedestrian and bicycle access to commercial and local employment opportunities;</p> <p>iii. Accessible, publicly available open space areas located within walking distance to all residential lots in the General Residential Zone;</p> <p>iv. lots allow future uses to have casual surveillance of public / communal space (such as road and open space areas), have communal meeting / recreational areas conveniently located and accessible using all modes of transport and create a sense of place commensurate with the intents for the applicable zone and precinct;</p> | Yes | <p>The proposed development is consistent with Overall Outcome 2 for the following reasons:</p> <p>i. The variety of residential lot types included within the development proposal feature sizes and frontage widths that are consistent with a medium density neighbourhood, as identified by the Planning Scheme.</p> <p>ii. The proposed urban residential lots range in land area from 200m² to 760m². The application proposes a mix of four (4) lot types with different frontages and lot sizes throughout the development proposal consistent with a diverse medium density neighbourhood, as identified by the Planning Scheme.</p> <p>iii. The site is located within 1200 metres (as the crow flies) to the Warner District Shopping Centre and 950 metres (as the crow flies) to the Genesis Christian College (years P-12).</p> <p>v. The development proposal will be required to provide an external pedestrian pathway along the frontages of the site, plus there is an existing footpath on the northern side of Gordons Crossing Road connecting the site to Youngs Crossing Road.</p> <p>v. The site is located within 400m of Chandler Reserve being a Local Recreation Park, that subject to the application of recommended conditions of</p> |

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| | | |
|--|--|--|
| | | <p>approval meet the expected Desired Standards of Service.</p> <p>vi. All proposed lots are orientated to address the internal road network or Gordons Crossing Road East and Regent Street, providing for causal surveillance opportunities through future dwelling house designs.</p> |
|--|--|--|

Overall Outcome 2.b.iv of the Reconfiguring a lot code, Emerging community zone, Transition precinct requires that Reconfiguring a lot in the Emerging community zone - Transition precinct, where creating developed lots achieves the intent and purpose of the Transition precinct outcomes identified in Part 6. Accordingly, an assessment against the Emerging community zone code is as follows:

| 6.2.3.2 Purpose – Emerging community zone | | |
|--|--------------|---|
| Overall Outcomes | Complies Y/N | Comments |
| <p>2. The purpose of the Emerging community zone code is to:</p> <ul style="list-style-type: none"> a. identify land that is suitable for urban purposes and conserve land that may be suitable for urban development in the future; b. manage the timely conversion of non-urban land to urban purposes; c. prevent or discourage development that is likely to compromise appropriate longer term land use. | <p>Yes</p> | <p>Under Specific Outcome 3.13.4.4.6(d) the Joyner growth area is identified for development in the future; however, infrastructure and constraint issues are to be resolved before this area is included in the urban corridor. Development of these areas prior to their inclusion in the urban corridor would be subject to bring forward cost and would not be subject to any infrastructure offsets.</p> <p>The development proposal is an infill development of a developable lot in the small area in the north-western portion of the Joyner growth area which provides serviced urban land and is a planned and orderly extension of the existing urban development to the north. As such, the subject site and development proposal do not represent the intrusion of a greenfield urban development into a rural residential area which does not provide serviced urban land.</p> <p>Given that the development proposal provides for urban development outside the priority infrastructure area under the Local Government Infrastructure Plan, it is recommended that additional payment conditions be imposed under s650 of the <i>Sustainable Planning Act 2009</i>, as envisaged by</p> |

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| 6.2.3.2 Purpose – Emerging community zone | | |
|--|--------------|---|
| Overall Outcomes | Complies Y/N | Comments |
| | | the Land use strategy of the Strategic Framework for the Strathpine Planning Area for the Joyner Growth Area in satisfaction of the requirement for bring forward costs. |
| <p>2. The Emerging community zone has 2 precincts which have the following purpose;</p> <p>b The Transition precinct is to:</p> <p>i. identify and conserve land that may be suitable for urban development in the future, allowing interim uses that will not compromise the best longer term use of the land;</p> <p>ii. provide mechanisms to promote and implement an appropriate mix of dwelling types, consistent with a next generation neighbourhood across the transition precinct once this land is developed and serviced with all local government networks including water and sewer and is suitable for urban development.</p> <p>Once serviced by all local government networks, including water and sewer the Transition precinct is to provide a mix of dwelling types to support densities that are moderately higher than traditional suburban areas. Housing forms include predominantly detached dwellings on a variety of lot sizes with a greater range of attached dwellings and low to medium rise apartment buildings. These areas will have convenient access to centres, community facilities and higher frequency public transport.</p> | Yes | <p>Whilst the subject site is located outside of the priority infrastructure area under the Local Government Infrastructure Plan, the subject site is located within a small area in the north-western portion of the Joyner growth area which provides serviced urban land and is a planned and orderly extension of the existing urban development to the north. As such, the subject site and development proposal are provided with access to adequate urban services from existing networks including roads, telecommunications, reticulated electricity, water and sewerage. Accordingly, the subject site and development proposal do not represent the intrusion of a greenfield urban development into a rural residential area which does not provide serviced urban land.</p> <p>The proposed urban residential lots range in land area from 200m² to 760m². The application proposes a mix of 4 lot types throughout the development proposal consistent with a diverse medium density neighbourhood, as identified by the Planning Scheme.</p> |
| 3. The Emerging Community zone seeks to implement the policy direction set in Part 3, Strategic Framework. | Yes | Under the Strategic Framework, the rural residential area at Joyner is identified as a potential future urban growth front (see section |

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| 6.2.3.2 Purpose – Emerging community zone | | |
|---|--------------|---|
| Overall Outcomes | Complies Y/N | Comments |
| | | <p>3.13.4.4.6(b) of the Strategic Framework and Strategic Framework Map 3.6.1 – Settlement Pattern). However, the Strategic Framework relevantly identifies that the Joyner growth area is identified for development in the future however, infrastructure and constraint issues are to be resolved before this area is included in the urban corridor. Development of these areas prior to their inclusion in the urban corridor would be subject to bring forward cost and would not be subject to any infrastructure offsets (see section 3.13.4.4.6(b) of the Strategic Framework).</p> <p>The development proposal is an infill development of a developable lot in the small area in the north-western portion of the Joyner growth area which provides serviced urban land and is a planned and orderly extension of the existing urban development to the north. As such the subject site and development proposal do not represent the intrusion of a greenfield urban development into a rural residential area which does not provide serviced urban land.</p> <p>The development proposal provides for urban development outside the priority infrastructure area under the Local Government Infrastructure Plan, and it is therefore recommended that additional payment conditions be imposed under s650 of the <i>Sustainable Planning Act 2009</i>, as envisaged by the Land use strategy of the Strategic Framework for the Strathpine Planning Area for the Joyner Growth Area, in satisfaction of the requirement for bring forward costs.</p> <p>The additional payment contribution has been determined as set out in section 2.6.4 of this report as a contribution towards the park</p> |

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| 6.2.3.2 Purpose – Emerging community zone | | |
|---|--------------|---|
| Overall Outcomes | Complies Y/N | Comments |
| | | <p>infrastructure network. In addition, as Non Trunk Infrastructure under section 665 of the <i>Sustainable Planning Act 2009</i>, the applicant will be required to construct frontage works at a District Collector Road standard for a distance of approximately 350 metres.</p> <p>Given that the development proposal is an infill development of a developable lot in the small area in the north-western portion of the Joyner growth area which provides serviced urban land and that the development proposal is the subject of additional payment conditions which satisfies the requirements for bring forward costs with no infrastructure offsets, it is considered that the development proposal does not conflict with the strategic outcomes of the Strategic Framework stated in section 3.13.4.1 and the land use strategy in sections 3.13.4.4 .1.</p> |

2.6 Trunk Infrastructure

In accordance with section 4 of the Moreton Bay Regional Council Planning Scheme, the subject site is not located in the identified Priority Infrastructure Area. Infrastructure charges applying to the land, where applicable, are to be applied in accordance the Council’s Charges Resolution No. 8 commencing on 14 August 2018 (CR).

2.6.1 *Levied Charge*

In accordance with section 10 of the CR, a Levied Charge is applicable to the development proposal and has been calculated as shown in the Infrastructure Charges Notice attached to this report taking into consideration any applicable credits in this instance only being for the 3 existing lots.

2.6.2 *Levied Charge Credit*

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

- (a) Payment of previous charges or contributions

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

ITEM 2.2 DEVELOPMENT APPLICATION DA/33013/2016/V3RL - RECONFIGURING A LOT - DEVELOPMENT PERMIT FOR SUBDIVISION (3 LOTS INTO 67 LOTS) AT 23 AND 25 GORDONS CROSSING ROAD EAST AND 28 REGENT STREET, JOYNER - DIVISION 8 - A17775661 (Cont.)

(b) Lawful use of land

An assessment of existing and previous lawful uses of the land has determined that a credit amount of \$86,076.75 exists and has been calculated based on a single dwelling existing on each of the three existing lots.

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

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

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

The credit available under this option is \$86,076.25 based on the proportional split stated in Table 3 of the CR.

2.6.3 Levied Charge Offset or Refund

As the site is located outside of the PIA, it is not affected by a Trunk Infrastructure requirement available to receive an offset and therefore there is no offset or refund applicable to the development proposal.

2.6.4 Additional Trunk Infrastructure Costs

Due to the infrastructure burden associated with the proposed development, it is recommended that an additional payment condition be imposed under s650 of the *Sustainable Planning Act 2009*, as envisaged by the Land use strategy of the Strategic Framework and discussed earlier in this report, as the development for the following reasons:

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

The additional payment condition is recommended for the trunk infrastructure for the public parks and land for community facilities network.

It is further recommended that the condition allow for the applicant to elect to provide all or part of the required trunk infrastructure in order to comply with the requirements of section s650 of the *Sustainable Planning Act 2009*.

In total, the additional payment conditions amount to some \$84,100.00 plus GST.

2.7 Recording of particular approvals on the MBRC Planning Scheme

Not Applicable in this instance.

2.8 Referrals

2.8.1 Council Referrals

2.8.1.1 Development Engineering

External Road Impacts

ITEM 2.2 DEVELOPMENT APPLICATION DA/33013/2016/V3RL - RECONFIGURING A LOT - DEVELOPMENT PERMIT FOR SUBDIVISION (3 LOTS INTO 67 LOTS) AT 23 AND 25 GORDONS CROSSING ROAD EAST AND 28 REGENT STREET, JOYNER - DIVISION 8 - A17775661 (Cont.)

The development site is bounded by two major Council controlled roads being the District Collector - Gordons Crossing Road to the north and Regents Street to the west. Regents Street has been identified as requiring additional road reserve in order to meet an ultimate road profile. The subdivision proposal plan illustrates the extent of Regent Street road dedication that is required for upgrade works. The agreed extents of these road dedications were established as a part of information request.

In addition to the road dedication, actual construction and widening will be required to Regents Street and Gordons Crossing Road East. In its current form the external intersection of Regents Street and Gordons Crossing Road East will need to be upgraded as a Standard Intersection as per Austroad Intersection. A Standard realignment of this intersection is vital for safety reasons as an ultimate development of this catchment will have an increased traffic volumes.

To ensure that connectivity to the surrounding network is achieved, Development Engineering recommends that the intersection be upgraded by this development, frontage works and upgrade of the external road, Gordons Crossing Road, where there is insufficient pavement width, east of the frontage to the intersection with Youngs Crossing Road.

Traffic and Site Access

Existing development to the north of Gordons Crossing Road East provides gives direct lot access to Gordons Crossing Road East. Direct lot access can be supported provided the applicant upgrades the road to suit the road typology of the current scheme.

Regents Street on the development side will require widening to suit a District Collector road at 26.8m wide. The current width is only 20m, therefore a 3.4m dedication will be required on development frontage side of Regents Street. To achieve the required 26.8m wide reserve a further 3.4m can be acquired when the western development occurs.

Stormwater

Stormwater management plan submitted relies upon a regional solution for quality and a temporary detention basin in the south west (stage 3). However the temporary facility may not integrate with any future master plan that Council may implement. The proposed water quality treatment does not achieve the SPP requirements.

Development Engineering recommends the applicant be required to submit an amended stormwater management plan for both quality and quantity for the development. It is expected that to provide sufficient stormwater quality treatment, amendment to the layout may be required or require an additional lot to be included into Stage 3 of the development being an interim Stormwater basin.

ITEM 2.2 DEVELOPMENT APPLICATION DA/33013/2016/V3RL - RECONFIGURING A LOT - DEVELOPMENT PERMIT FOR SUBDIVISION (3 LOTS INTO 67 LOTS) AT 23 AND 25 GORDONS CROSSING ROAD EAST AND 28 REGENT STREET, JOYNER - DIVISION 8 - A17775661 (Cont.)

2.8.1.2 Environmental Planning

Bushfire Hazard Overlay

The site is partially mapped within the Bushfire hazard overlay as being within the potential impact buffer area. The area within the overlay is mostly in an existing cleared state. The site is not within a medium, high or very high potential bushfire hazard area. An area to the west of Regent Street is mapped as a medium hazard area, resulting in the site being within the 100 metre potential impact buffer.

Regent Street and the proposed road layout maintains a buffer between new dwellings and potential hazardous vegetation of over 20 metres. The proposed development will be connected to reticulated water and obtain access to Regent Street for safe evacuation to the existing road network. Overall the proposed development adequately meets the requirements of the performance outcomes without necessitating a Bushfire Management Plan in this instance.

Environmental Areas Overlay

The site is located in the Environmental areas overlay as containing Matters of State Environmental Significance (MSES). The majority of the site is mapped as Value Offset Area MSES Koala Offsets. A small portion of the site along the eastern boundary is mapped as High Value Area MSES. The site is assessed on the basis of it being Value Offset Area MSES Koala Offsets. The applicant has submitted a site assessment of the koala mapping (see below Koala Habitat Regulations) that Council has accepted. On this basis, the development must demonstrate compliance with the Environmental areas assessment criteria of the Reconfiguring a lot code - Emerging community zone - Transition precinct (PO64).

Performance Outcome PO64 b. requires the development to ensure the quality and integrity of biodiversity and ecological values are not adversely impacted upon but are maintained and protected. Due to the scattered nature of the vegetation on the site, it has not been included for retention within the habitat corridor as part of the broader environmental planning process for the Joyner area that Council's Environment Department has initiated. However, the required vegetation clearing will be offset under the *Environmental Offsets Act 2014* resulting in a net increase as required by the koala regulations. Performance Outcome PO64 c. requires the development to incorporate native vegetation and habitat trees into the overall subdivision design, development layout, on-street amenity and landscaping where practicable. The proposed development complies with the performance outcome PO64. Recommended conditions of approval have been provided to ensure compliance is maintained during site works.

Koala Habitat Regulations

The site is located within the Priority Koala Assessable Development Area and is mapped predominantly as Medium Value Rehabilitation area and small areas of High Value Bushland along the eastern boundary. The proposed development must demonstrate compliance with Schedule 11 of the *Planning Regulation 2017* - Development within a Koala Habitat Area. The applicant has requested that the area of Bushland Habitat be reassigned the value of Rehabilitation Area consistent with the balance of the site. Due to the scattered nature of the vegetation on the site, it has not been included for retention within the habitat corridor as part of the broader environmental planning process for the Joyner area initiated by the Council. Council's Environmental Services Department has reviewed this request and has provided consent.

ITEM 2.2 DEVELOPMENT APPLICATION DA/33013/2016/V3RL - RECONFIGURING A LOT - DEVELOPMENT PERMIT FOR SUBDIVISION (3 LOTS INTO 67 LOTS) AT 23 AND 25 GORDONS CROSSING ROAD EAST AND 28 REGENT STREET, JOYNER - DIVISION 8 - A17775661 (Cont.)

The proposed development will require the removal of 77 non-juvenile koala habitat trees from the site. The removal of these trees will be offset under the *Environmental Offsets Act 2014* resulting in a net increase as required by the koala regulations. Conditions of approval have been recommended requiring the applicant to deliver an environmental offset. Further conditions of approval have been recommended to ensure compliance with the koala regulations are maintained during site work. Upon compliance with these recommended conditions of approval, the development will have met the statutory requirements for development within a koala habitat area.

2.8.2 Referral Agencies

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

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

2.8.2.2 Advice Agencies

There were no Advice Agencies involved in assessing this application.

2.8.2.3 Third Party Agencies

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

2.9 Public Consultation

2.9.1 *Public Notification Requirements under the Development Assessment Rules*

The development application is Code Assessable and accordingly there are no public notification requirements associated with the proposal.

2.9.2 *Submissions Received*

There were no submissions received about this development application.

2.10 Other Matters

Nil

3. **Strategic Implications**

3.1 Legislative/Legal Implications

The applicant has appeal rights in accordance with the *Sustainable Planning Act 2009*.

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.

ITEM 2.2 DEVELOPMENT APPLICATION DA/33013/2016/V3RL - RECONFIGURING A LOT - DEVELOPMENT PERMIT FOR SUBDIVISION (3 LOTS INTO 67 LOTS) AT 23 AND 25 GORDONS CROSSING ROAD EAST AND 28 REGENT STREET, JOYNER - DIVISION 8 - A17775661 (Cont.)

3.5 Delegated Authority Implications

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

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

There are no environmental implications arising from approving this development application

3.9 Social Implications

There are no social implications arising from approving this development application.

3.10 Consultation / Communication

Refer to clause 2.7.

ATTENDANCE

Kate Isles and Marco Alberti left the meeting at 11.14am after Item 2.2.

3 CORPORATE SERVICES SESSION

(Cr M Constance)

No items for consideration

4 ASSET CONSTRUCTION & MAINTENANCE SESSION**(Cr A Hain)****ITEM 4.1****TENDER - 2019/20 ROAD RESURFACING PROGRAM - (MBRC008582) - REGIONAL**

Meeting / Session: 4 ASSET CONSTRUCTION & MAINTENANCE

Reference: A18505455 : 7 May 2019 - **Refer Supporting Information A18517516 and Confidential Supporting Information A18454968, A18457075, A18466504**

Responsible Officer: ML, Technical Officer - Road Resurfacing (ECM Asset Maintenance)

Executive Summary

Tenders were called for the 'Road Resurfacing Program - Regional - (MBRC008582)' through open tender using LG Tenderbox. The tender contained three separable portions which are based on type and location of works across the region. Tenders closed on 9 April 2019, with submissions received from nine companies for one or more of the separable portions.

It is recommended that the tender for the Road Resurfacing Program - Regional - be awarded as follows, as these offers represent the best overall outcomes and value to Council.

Separable Portion 1 - that the tender for road resurfacing in Divisions 1 to 6 as per the 2019/20 approved Road Resurfacing Program be awarded to Suncoast Asphalt Pty Ltd for the total sum of \$3,453,779.60 (excluding GST).

Separable Portion 2 - that the tender for road resurfacing in Divisions 7 to 12 as per the 2019/20 approved Road Resurfacing Program be awarded to Fulton Hogan Industries Pty Ltd for the total sum of \$5,578,359.43 (excluding GST).

Separable Portion 3 - that the tender for road resurfacing (spray seal) for non-kerb and channel roads in Divisions 2, 7, 10, 11 and 12 as per the 2019/20 approved Road Resurfacing Program be awarded to Austek Spray Seal Pty Ltd for the total sum of \$1,712,271.46 (excluding GST).

COMMITTEE RECOMMENDATION

Moved by Cr Matt Constance

Seconded by Cr Denise Sims

CARRIED 13/0

1. That the tender for *Road Resurfacing Program (MBRC008582) - Separable Portion 1 (Divisions 1 to 6)* be awarded to Suncoast Asphalt Pty Ltd for the amount of \$3,453,779.60 (excluding GST).
 - a) That the Council enters into an agreement with Suncoast Asphalt 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 Suncoast Asphalt Pty Ltd for *Road Resurfacing Program (MBRC008582) - Separable Portion 1 (Divisions 1 to 6)* and any required variations of the agreement on Council's behalf.

ITEM 4.1 TENDER - 2019/20 ROAD RESURFACING PROGRAM - (MBRC008582) - REGIONAL - A18505455
(Cont.)

2. That the tender for *Road Resurfacing Program (MBRC008582) - Separable Portion 2 (Divisions 7 to 12)* be awarded to Fulton Hogan Industries Pty Ltd for the amount of \$5,578,359.43 (excluding GST).
 - a) That the Council enters into an agreement with Fulton Hogan Industries 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 Fulton Hogan Industries Pty Ltd for *Road Resurfacing Program (MBRC008582) - Separable Portion 2 (Divisions 7 to 12)* and any required variations of the agreement on Council's behalf.

3. That the tender for *Road Resurfacing Program (MBRC008582) - Separable Portion 3 - for non-kerb and channel roads (Divisions 2, 7, 10, 11 and 12)* be awarded to Austek Spray Seal Pty Ltd for the amount of \$1,712,271.46 (excluding GST).
 - a) That the Council enters into an agreement with Austek Spray Seal 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 Austek Spray Seal Pty Ltd for *Road Resurfacing Program (MBRC008582) - Separable Portion 3 (Divisions 2, 7, 10, 11 and 12)* and any required variations of the agreement on Council's behalf.

ITEM 4.1 TENDER - 2019/20 ROAD RESURFACING PROGRAM - (MBRC008582) - REGIONAL - A18505455
(Cont.)

OFFICER'S RECOMMENDATION

1. That the tender for *Road Resurfacing Program (MBRC008582) - Separable Portion 1 (Divisions 1 to 6)* be awarded to Suncoast Asphalt Pty Ltd for the amount of \$3,453,779.60 (excluding GST).
 - a) That the Council enters into an agreement with Suncoast Asphalt 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 Suncoast Asphalt Pty Ltd for *Road Resurfacing Program (MBRC008582) - Separable Portion 1 (Divisions 1 to 6)* and any required variations of the agreement on Council's behalf.
2. That the tender for *Road Resurfacing Program (MBRC008582) - Separable Portion 2 (Divisions 7 to 12)* be awarded to Fulton Hogan Industries Pty Ltd for the amount of \$5,578,359.43 (excluding GST).
 - a) That the Council enters into an agreement with Fulton Hogan Industries 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 Fulton Hogan Industries Pty Ltd for *Road Resurfacing Program (MBRC008582) - Separable Portion 2 (Divisions 7 to 12)* and any required variations of the agreement on Council's behalf.
3. That the tender for *Road Resurfacing Program (MBRC008582) - Separable Portion 3 - for non-kerb and channel roads (Divisions 2, 7, 10, 11 and 12)* be awarded to Austek Spray Seal Pty Ltd for the amount of \$1,712,271.46 (excluding GST).
 - a) That the Council enters into an agreement with Austek Spray Seal 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 Austek Spray Seal Pty Ltd for *Road Resurfacing Program (MBRC008582) - Separable Portion 3 (Divisions 2, 7, 10, 11 and 12)* and any required variations of the agreement on Council's behalf.

REPORT DETAIL

1. Background

The 'Road Resurfacing Program - Regional - (MBRC008582)' tender involves the resurfacing of roads across Divisions 1 to 12, in keeping with the adopted 2019/20 Capital projects budget. The program scope also includes some minor civil works including, but not limited to, line marking, gully pit and kerb and channel replacement where required.

The 2019/20 Road Resurfacing Program has been divided into three separable portions. Separable portions 1 and 2 consist of kerb and channel roads requiring asphalt overlays with minimal preparation and repair. Separable portion 3 includes the spray sealing of non-kerb and channel roads which are predominantly in Divisions 11 and 12.

2. Explanation of Item

Tenders were called for the 'Road Resurfacing Program – Regional - (MBRC008582)'. Tenders closed on 9 April 2019, with submissions received from nine companies for one or more of the separable portions. The tender is a schedule of rates contract and offers were assessed by a selection panel in accordance with Council's Procurement Policy and the selection criteria set out in the tender documentation.

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

*ITEM 4.1 TENDER - 2019/20 ROAD RESURFACING PROGRAM - (MBRC008582) - REGIONAL - A18505455
(Cont.)*

Separable Portion 1 - Road Resurfacing - Kerb and Channel Roads - Divisions 1 to 6

| RANK | TENDERER | EVALUATION SCORE |
|-------------|---|-------------------------|
| 1 | Fulton Hogan Industries Pty Ltd | 96.79 |
| 2 | Allen's Asphalt Pty Ltd | 90.96 |
| 3 | Colas QLD Pty Ltd | 88.53 |
| 4 | Suncoast Asphalt Pty Ltd | 88.00 |
| 5 | Downer EDI Works Pty Ltd | 85.53 |
| 6 | Stanley Macadam Pty Ltd T/A Stanley Road Construction | 80.20 |
| 7 | Zafa Contracting Pty Ltd | 70.96 |

Suncoast Asphalt Pty Ltd (Suncoast) provided a quality submission, clearly setting out its ability to deliver the program, and demonstrated the required level of knowledge, experience and resources required to undertake these works. The submission from Suncoast was the lowest priced offer received for separable portion 1; however, ranked fourth in the overall evaluation score due to limited previous work history of similar sized projects. The evaluation panel are confident that Suncoast have the capability and capacity to deliver the required works as outlined in the tender specification and that this offer represents best overall value to Council for separable portion 1.

Fulton Hogan Industries Pty Ltd submitted a quality offer, clearly demonstrating the required level of knowledge, experience and resources required to undertake the programmed works. The offer from Fulton Hogan Industries Pty Ltd received the highest evaluation score; however, was the third lowest priced offer received for separable portion 1.

Separable Portion 2 - Road Resurfacing - Kerb and Channel Roads - Divisions 7 to 12

| RANK | TENDERER | EVALUATION SCORE |
|-------------|---|-------------------------|
| 1 | Fulton Hogan Industries Pty Ltd | 98.62 |
| 2 | Allen's Asphalt Pty Ltd | 90.49 |
| 3 | Suncoast Asphalt Pty Ltd | 89.20 |
| 4 | Colas QLD Pty Ltd | 87.24 |
| 5 | Downer EDI Works Pty Ltd | 87.03 |
| 6 | Stanley Macadam Pty Ltd T/A Stanley Road Construction | 81.44 |
| 7 | Zafa Contracting Pty Ltd | 67.70 |

Fulton Hogan Industries Pty Ltd (Fulton Hogan) provided a quality submission, clearly setting out its ability to deliver the program, and demonstrated the required level of knowledge, experience and resources required to undertake these works. Fulton Hogan have previously undertaken numerous road resurfacing projects to an acceptable standard for Council.

The scope of works for separable portion 2 contains a number of high profile roads (Dohles Rocks Road, Collins Road, Leitchs Road, Dawson Parade and Bunya Road). A number of these projects require specialised asphalt applications which Fulton Hogan are experienced in delivering.

ITEM 4.1 TENDER - 2019/20 ROAD RESURFACING PROGRAM - (MBRC008582) - REGIONAL - A18505455
(Cont.)

The offer from Fulton Hogan received the highest overall evaluation score for separable portion 2; however, was the second lowest priced offer received behind Suncoast Asphalt Pty Ltd. The evaluation panel determined significant delivery risk associated with awarding multiple portions to one supplier and therefore recommend separable portion 2 be awarded to Fulton Hogan as this represents best overall value to Council.

Suncoast Asphalt Pty Ltd provided a quality submission, clearly setting out its ability to deliver the program, and demonstrated the required level of knowledge, experience and resources required to undertake these works. Suncoast's submission was the lowest priced offer received for separable portion 2; however, ranked third in the overall evaluation score due to limited previous work history with Council.

Separable Portion 3 - Road Resurfacing - Non-Kerb and Channel Roads - Divisions 2, 7, 10, 11 and 12

| RANK | TENDERER | EVALUATION SCORE |
|------|---|------------------|
| 1 | Austek Spray Sealing Pty Ltd | 95.08 |
| 2 | Fulton Hogan Industries Pty Ltd | 90.34 |
| 3 | Colas QLD Pty Ltd | 88.66 |
| 4 | Downer EDI Works Pty Ltd | 88.06 |
| 5 | Allen's Asphalt Pty Ltd | 86.68 |
| 6 | Australian Road Services Pty Ltd | 75.98 |
| 7 | Zafa Contracting Pty Ltd | 65.56 |
| 8 | Stanley Macadam Pty Ltd T/A Stanley Road Construction | 64.96 |

Austek Spray Seal Pty Ltd (Austek) provided a quality submission, clearly setting out its ability to deliver the programmed work in separable portion 3. Austek demonstrated the required level of knowledge, experience and resources required to undertake these works. Austek have recently undertaken sealing works for Council's internal construction section, with the works delivered to a high standard. The offer from Austek was the lowest priced offer and received the highest evaluation score.

Fulton Hogan Industries Pty Ltd provided a quality submission, clearly setting out its ability to deliver the program, and demonstrated the required level of knowledge, experience and resources required to undertake these works. Fulton Hogan received the second highest evaluation score; however, their offer was the fourth lowest priced.

The offers received from **Allen's Asphalt Pty Ltd, Downer EDI Works Pty Ltd, Colas Qld Pty Ltd and Stanley Macadam Pty Ltd T/A Stanley Road Construction** were all comprehensive tender submissions that clearly outlined their ability to deliver the required works; however, the offers were not deemed value for money and not recommended for any of the three portions tendered.

The offers received from **Zafa Contracting Pty Ltd and Australian Road Services Pty Ltd** were not deemed as comprehensive as their competitors. Although their submissions did outline their experience and ability to deliver the works, the offers were not deemed value for money and not recommended for any of the three portions tendered.

3. Strategic Implications

3.1 Legislative/Legal Implications

Due to the value of the work being greater than \$200,000, a competitive tender process was undertaken using the LG Tender system, in accordance with the Local Government Act 2009.

ITEM 4.1 TENDER - 2019/20 ROAD RESURFACING PROGRAM - (MBRC008582) - REGIONAL - A18505455
(Cont.)

3.2 Corporate Plan / Operational Plan

This project is consistent with the Corporate Plan outcome - Valuing Lifestyle: Diverse transport options - an integrated regional transport network.

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 third-party review of financial status has been undertaken on the three successful tenderers, with:

- Suncoast Asphalt Pty Ltd receiving a rating of *conditionally acceptable* (cross company guarantee required with parent company, Hanson Holdings Australia)
- Fulton Hogan Industries Pty Ltd receiving a rating of *acceptable* and
- Austek Spray Seal Pty Ltd receiving a rating of *satisfactory*

The above confirms that the three recommended tenderers have the capability and financial capacity to undertake these tendered works.

Potential impacts on local traffic and bus routes have been identified as a major risk for these projects. The mitigation strategies to minimise these risks are detailed below:

Impact on local traffic – The contractors will develop and present approved site-specific traffic management plans and approved traffic guidance schemes for each of the locations to be completed under the contract. Traffic speeds will be reduced within the extent of the works to ensure safe passage for road users and construction activities.

Impact on bus services – The contractors' traffic management methods will permit buses to maintain their normal routes. In addition to notifying affected residents, the contractors will notify relevant bus companies of the resurfacing works and the effect the works may have on services. Some projects may be undertaken at night to avoid peak traffic times and minimise disruption during school pick up times and business operating hours.

The timing of line marking, following resurfacing works, has been an issue in previous resurfacing programs in relation to design delays and line marking subcontractor availability. The mitigation strategies to minimise these risks include:

- Line marking design delays - To accelerate the design process for the line marking works, Council's internal design teams have been provided, in the 2018/19 year, all projects on the 2019/20 resurfacing program to mitigate design delays.
- Line marking contractor availability - In addition to Council's current panel of line marking contractors, a schedule of rates for line marking was also requested from the road resurfacing contractors. These rates can be used on an as required basis if Council's panel of subcontractors are not available in the required timeframes.

3.5 Delegated Authority Implications

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

3.6 Financial Implications

Council has allocated \$24,458,000 in the 2019/20 Capital Projects program for road resurfacing works across the region. All financials below are excluding GST.

ITEM 4.1 TENDER - 2019/20 ROAD RESURFACING PROGRAM - (MBRC008582) - REGIONAL - A18505455
(Cont.)

| | |
|------------------------------|-----------------|
| Total of recommended tenders | \$10,744,410.49 |
| Contingency (5%) | \$ 537,220.52 |
| QLeave | \$ 51,036.00 |
| | ----- |
| Total cost | \$11,332,667.01 |
| | ===== |

Works will commence in July 2019 and be completed by the end of April 2020.

In addition to the above works, more than 45 projects will be undertaken internally by Council's construction crews, totalling \$8,358,560.00, and includes the balance of non-kerb and channel road projects which require further investigation, testing and design. These internal works will be predominantly within Divisions 11 and 12.

3.7 Economic Benefit

The road resurfacing works will address pavement surface quality, extend the life of the pavements and reduce recurrent maintenance costs on the scheduled roads.

3.8 Environmental Implications

The tender assessment included a review of the preferred contractors' environmental policies and procedures regarding environmental protection. The contractors have suitable environmental policies and procedures in place to undertake the works.

3.9 Social Implications

The works will improve vehicle safety and the roads' structural integrity and rideability.

3.10 Consultation / Communication

Consultation with residents will be undertaken utilising Councillor's Project Notice. Direct communication with Translink and all emergency services, advising of the timing of the upcoming road works, will be undertaken once the contract has been awarded and a finalised program of works has been provided by the successful contractors.

Pre-emptive Variable Message Signage will be utilised and displayed prior to and throughout several larger select projects, to notify road users. Contractors are to provide written advice to all affected residents two days prior to projects being undertaken.

**ITEM 4.2
MORAYFIELD - WILLIAM BERRY DRIVE / LEDA BOULEVARD INTERSECTION -
NEW ROUNDABOUT - DIVISION 3**

Meeting / Session: 4 ASSET CONSTRUCTION & MAINTENANCE
Reference: A18346912 : 14 May 2019 - Refer **Confidential** Supporting Information
A18289931
Responsible Officer: BB, Manager (ECM Project Management)

Executive Summary

Tenders were invited for the 'Morayfield - William Berry Drive / Leda Boulevard Intersection - New Roundabout (MBRC008412)' project. The request for tenders closed on 19 February 2019 with four conforming tenders and one non-conforming tender received.

It is recommended that Council award the contract to Civlec Pty Ltd (T/A GRC Civil) for the sum of \$238,649.00 (excluding GST) as this tender was evaluated as representing the best overall value to Council.

COMMITTEE RECOMMENDATION

Moved by Cr Peter Flannery

Seconded by Cr Adrian Raedel

CARRIED 13/0

That the tender for 'Morayfield - William Berry Drive / Leda Boulevard Intersection - New Roundabout (MBRC008412)' be awarded to Civlec Pty Ltd (T/A GRC Civil) for the sum of \$238,649.00 (excluding GST).

- a) That the Council enters into an agreement with Civlec Pty Ltd (T/A GRC Civil) 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 Civlec Pty Ltd (T/A GRC Civil) for 'Morayfield - William Berry Drive / Leda Boulevard Intersection - New Roundabout (MBRC008412)' and any required variations of the agreement on Council's behalf.

ITEM 4.2 MORAYFIELD - WILLIAM BERRY DRIVE / LEDA BOULEVARD INTERSECTION - NEW ROUNDABOUT - DIVISION 3 - A18346912 (Cont.)

OFFICER'S RECOMMENDATION

That the tender for *'Morayfield - William Berry Drive / Leda Boulevard Intersection - New Roundabout (MBRC008412)'* be awarded to Civlec Pty Ltd (T/A GRC Civil) for the sum of \$238,649.00 (excluding GST).

- a) That the Council enters into an agreement with Civlec Pty Ltd (T/A GRC Civil) 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 Civlec Pty Ltd (T/A GRC Civil) for *'Morayfield - William Berry Drive / Leda Boulevard Intersection - New Roundabout (MBRC008412)'* and any required variations of the agreement on Council's behalf.

REPORT DETAIL

1. Background

The project is located at the William Berry Drive / Leda Boulevard intersection, Morayfield. The project scope includes installation of a single lane roundabout, construction of kerbing, raised splitter islands, minor road widening, resurfacing and chevron markings. The intersection has a high crash record and is being 100% funded by the Transport Infrastructure Development Scheme - Black Spot Program. The objective of the project is to improve safety for all road users. The works will be conducted at night to minimise disruption to traffic during the day.

The works are expected to commence in early June 2019 and take four weeks to complete, which includes an allowance for wet weather.

ITEM 4.2 MORAYFIELD - WILLIAM BERRY DRIVE / LEDA BOULEVARD INTERSECTION - NEW ROUNDABOUT - DIVISION 3 - A18346912 (Cont.)



Figure 1: Locality plan

2. Explanation of Item

Tenders for the 'Morayfield - William Berry Drive / Leda Boulevard Intersection - New Roundabout (MBRC008412)' project closed on 19 February 2019, with a total of five tenders received, four of which were conforming. 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 tenders and their evaluation scores are tabled below (ranked from highest to lowest):

| RANK | TENDERER | EVALUATION SCORE |
|------|-----------------------------------|------------------|
| 1 | Civlec Pty Ltd (T/A GRC Civil) | 100.00 |
| 2 | Auzcon Pty Ltd | 89.74 |
| 3 | Faherty Civil Contractors Pty Ltd | 81.80 |
| 4 | Allroads Pty Ltd | 80.96 |
| 5 | All Civil QLD | Non-conforming |

ITEM 4.2 MORAYFIELD - WILLIAM BERRY DRIVE / LEDA BOULEVARD INTERSECTION - NEW ROUNDABOUT - DIVISION 3 - A18346912 (Cont.)

Civlec Pty Ltd (T/A GRC Civil) submitted a comprehensive tender and demonstrated their experience on projects of a similar scale and complexity. Civlec Pty Ltd T/A GRC Civil have completed previous projects for Council including Scarborough Road Rehabilitation project (\$1.4M) and Burpengary Plaza Roundabout (\$2.99M). At the tender clarification meeting held on 14 March 2019, Civlec Pty Ltd detailed their construction methodology; confirmed an overall construction duration of four weeks (including an allowance for wet weather) and demonstrated a strong understanding of all the project requirements.

Auzcon Pty Ltd submitted a comprehensive tender and demonstrated their construction methodology and experience on projects of a similar scale and complexity; however, there were no additional benefits for the higher price.

Faherty Civil Contractors Pty Ltd submitted a comprehensive tender and demonstrated their construction methodology and experience on projects of a similar scale and complexity; however, there were no additional benefits for the higher price.

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

3. Strategic Implications

3.1 Legislative/Legal Implications

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

3.2 Corporate Plan / Operational Plan

Valuing Lifestyle: Diverse transport options - an integrated regional transport network.

3.3 Policy Implications

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

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

3.4 Risk Management Implications

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

Financial Risks:

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

Construction Risks:

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

3.5 Delegated Authority Implications

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

ITEM 4.2 MORAYFIELD - WILLIAM BERRY DRIVE / LEDA BOULEVARD INTERSECTION - NEW ROUNDABOUT - DIVISION 3 - A18346912 (Cont.)

3.6 Financial Implications

Council has allocated a total of \$259,000 in the 2018-19 FY Capital Works Program, project number 106779. All financials below are excluding GST.

| | |
|-------------------------|---------------|
| Tender | \$ 238,649.00 |
| Energex pole relocation | \$ 11,256.00 |
| Design | \$ 27,061.00 |
| Contingency (10%) | \$ 23,864.90 |
| QLeave (0.475%) | \$ 1,133.58 |
| | ----- |
| Total project cost | \$ 301,964.48 |
| | ===== |

Estimated ongoing operational/maintenance costs \$1,840.00 per F/Y

The budget amount for this Black Spot project is insufficient; however, an additional \$65,000 was sought from the Department of Transport and Main Roads and was approved on 2 May 2019. This increases Council's total allocation to \$324,000 for this project which is sufficient to complete the required works.

3.7 Economic Benefit

The project will improve the safety of this intersection within the local road transport network.

3.8 Environmental Implications

The contractor is required to submit an Environmental Management Plan and comply with relevant State Government Environmental Policies. The contractor will be required to manage sediment and erosion controls during construction and these measures will be audited and monitored by Project Management staff.

3.9 Social Implications

Road crashes can result in significant trauma for those directly involved and the broader community. This project will address road safety concerns in the local area.

3.10 Consultation / Communication

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

**ITEM 4.3
LAWNTON - LEIS PARK - HERITAGE INTERPRETATION NODE CONSTRUCTION -
DIVISION 8**

Meeting / Session: 4 ASSET CONSTRUCTION & MAINTENANCE
Reference: A18545700 : 13 May 2019 - Refer **Confidential** Supporting Information
A18519050
Responsible Officer: BB, Manager (ECM Project Management)

Executive Summary

Tenders were invited for the 'Lawnton - Leis Park - Heritage Interpretation Node Construction - (MBRC008552)' project. The tender closed on 2 May 2019 with a total of two conforming tenders received.

It is recommended that Council award the contract to The Landscape Construction Company Pty Ltd for the sum of \$282,521.20 (excluding GST) as this tender was evaluated as representing the best overall value to Council.

COMMITTEE RECOMMENDATION

Moved by Cr Mick Gillam

Seconded by Cr Matt Constance

CARRIED 12/0

Cr Mike Charlton (Deputy Mayor) had briefly retired from the meeting and was not present when the vote was taken.

1. That the tender for 'Lawnton - Leis Park - Heritage Interpretation Node Construction - (MBRC008552)' be awarded to The Landscape Construction Company Pty Ltd for the amount of \$282,521.20 (excluding GST).
 - a) That the Council enters into an agreement with The Landscape Construction Company 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 The Landscape Construction Company Pty Ltd for 'Lawnton - Leis Park - Heritage Interpretation Node Construction - (MBRC008552)' and any required variations of the agreement on Council's behalf.
2. That to enable Council to enter into arrangements for the project with The Landscape Construction Company Pty Ltd, Council commits to providing the funding allocation for the project in line with the draft 2019/20 Capital Projects Budget.

ITEM 4.3 LAWNTON - LEIS PARK - HERITAGE INTERPRETATION NODE CONSTRUCTION - DIVISION 8 - A18545700 (Cont.)

OFFICER'S RECOMMENDATION

1. That the tender for 'Lawnton - Leis Park - Heritage Interpretation Node Construction - (MBRC008552)' be awarded to The Landscape Construction Company Pty Ltd for the amount of \$282,521.20 (excluding GST).
 - a) That the Council enters into an agreement with The Landscape Construction Company 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 The Landscape Construction Company Pty Ltd for 'Lawnton - Leis Park - Heritage Interpretation Node Construction - (MBRC008552)' and any required variations of the agreement on Council's behalf.
2. That to enable Council to enter into arrangements for the project with The Landscape Construction Company 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 is located at Leis Park, Leis Parade, Lawnton. The project scope includes landscaping and interpretive signage including reuse of the former bridge infrastructure to create an interpretive facility explaining the history of river crossings over the Pine River. The objective of the project is to further reinstate park amenity values as well as providing more interpretive signage and features using recovered railway infrastructure. The former rail bridge is considered of high cultural value and was more than 100 years old when the new 4 track replacement bridge was constructed.

Construction will be of approximately six (6) weeks' duration, including an allowance for wet weather. Works are scheduled to commence in July / August 2019 with completion by October 2019.

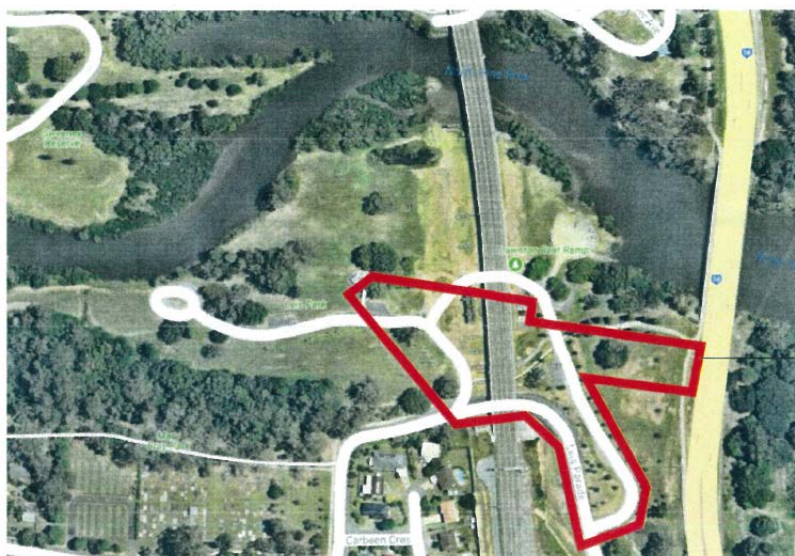


Figure 1: Location of works - Leis Park, Lawnton

ITEM 4.3 LAWNTON - LEIS PARK - HERITAGE INTERPRETATION NODE CONSTRUCTION - DIVISION 8 - A18545700 (Cont.)



Figure 2: Salvaged bridge elements stockpiled in Leis Park



Figure 3: Work already completed under the 2018/19 project - Lawnton - Leis Park - Playground and Picnic Facility Upgrade

2. Explanation of Item

Tenders were invited via public tender for ‘Lawnton - Leis Park - Heritage Interpretation Node Construction - (MBRC008552)’ project. The tender closed on 2 May 2019 with a total of two 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 | The Landscape Construction Company Pty Ltd | 100.00 |
| 2 | Allencon Pty Ltd | 65.98 |

ITEM 4.3 LAWNTON - LEIS PARK - HERITAGE INTERPRETATION NODE CONSTRUCTION - DIVISION 8 - A18545700 (Cont.)

The **Landscape Construction Company Pty Ltd (TLCC)** submitted a comprehensive tender and demonstrated their experience on projects of a similar scale and complexity. TLCC have undertaken a number of projects for Council, including most recently the Lawnton - Leis Park - Playground and Picnic Facility Upgrade with a value of \$490k, which was a precursor to this project. TLCC have demonstrated their understanding and methodology to complete this project. The construction duration is 6 weeks which includes an allowance for wet weather.

Allencon Pty Ltd submitted a comprehensive tender and demonstrated their capability to complete the works; however, there were no additional benefits for the higher price.

3. Strategic Implications

3.1 Legislative/Legal Implications

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

3.2 Corporate Plan / Operational Plan

This project is consistent with the Corporate Plan outcome - Valuing Lifestyle: Quality recreation and cultural opportunities - active recreation opportunities.

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

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.

ITEM 4.3 LAWNTON - LEIS PARK - HERITAGE INTERPRETATION NODE CONSTRUCTION - DIVISION 8 - A18545700 (Cont.)

3.6 Financial Implications

Council has allocated a total of \$370,000 (excluding GST) in the draft 2019-20 FY Capital Projects Program for this project (102272).

| | |
|-----------------------------------|--------------|
| Tender price (construction) works | \$282,521.20 |
| Contingency (10%) | \$ 28,252.12 |
| QLeave | \$ 1,342.00 |
| | ----- |
| Total Project Cost | \$312,115.32 |
| | ===== |

Estimated ongoing operational/maintenance costs \$ 6,850.00 per F/Y

The budget amount for this project is sufficient.

3.7 Economic Benefit

The project will ensure the facilities are consistent with Council's desired standards for a District destination park, reduce maintenance costs and extend the life of the park infrastructure.

3.8 Environmental Implications

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

3.9 Social Implications

The park has been significantly impacted by construction works associated with the Redcliffe Peninsula Rail Line project. Once complete, the project will raise the profile of the park to be consistent with Council's desired standards of service for a District destination park.

3.10 Consultation / Communication

A detailed communications plan has been prepared. Project notices and project signs will notify nearby residents and park users of the coming works and will be implemented four weeks prior to the contractor mobilising to site. Monthly updates will be provided to the Divisional Councillor. The Divisional Councillor has been consulted and is supportive of the project and the consultation plan.

ITEM 4.4
2019/20 SCHEDULE OF FEES AND CHARGES - WASTE SERVICES - REGIONAL

Meeting / Session: 4 ASSET CONSTRUCTION AND MAINTENANCE
Reference: A18521374: 07 May 2019 - **Refer Supporting Information A18522763**
Responsible Officer: AH, Manager Waste Services (ECM Directorate)

Executive Summary

This report seeks Council's approval of the proposed 2019/20 Waste Services Schedule of Fees and Charges.

COMMITTEE RECOMMENDATION

Moved by Cr Koliana Winchester

Seconded by Cr Adrian Raedel

CARRIED 13/0

That the 2019/20 Waste Services Schedule of Fees and Charges be adopted as per the attached schedule.

ITEM 4.4 2019/20 SCHEDULE OF FEES AND CHARGES - WASTE SERVICES - REGIONAL - A18521374: (Cont.)

OFFICER'S RECOMMENDATION

That the 2019/20 Waste Services Schedule of Fees and Charges be adopted as per the attached schedule.

REPORT DETAIL

1. Background

A review of the proposed 2019/20 Waste Services Schedule of Fees and Charges was undertaken at the Council workshop of 2 May 2019. The fees and charges, as reviewed at the workshop, are attached as supporting information.

2. Explanation of Item

It is prudent for Council to adopt its 2019/20 Schedule of Fees and Charges (Waste Services) as early as possible prior to the commencement of the new financial year to enable communication to relevant stakeholders and to allow time for relevant corporate systems to be updated prior to the commencement of the new financial year. The 2019/20 financial year coincides with the introduction of the state government's Waste Levy, which is effective from 1 July 2019.

3. Strategic Implications

3.1 Legislative/Legal Implications

All Other Fees identified in the attached schedule have been prepared in accordance with the *Local Government Act 2009* and relevant waste levy legislation coming into force from 1 July 2019, including *Waste Reduction and Recycling (Waste Levy) Amendment Act 2019*, *Waste Reduction and Recycling Act 2011* and *Waste Reduction and Recycling Regulation 2011*.

3.2 Corporate Plan / Operational Plan

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

3.3 Policy Implications

No policy implications arising as a direct result of this report. Landfill waste disposal arrangements for Moreton Bay residents and eligible organisations and community groups are detailed in Council's waste disposal policy.

3.4 Risk Management Implications

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

3.5 Delegated Authority Implications

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

3.6 Financial Implications

The introduction of the waste levy by the state government has been incorporated into Council's Waste Services fees and charges for all non-recyclable waste from commercial sources. The Waste Levy has not been applied to Municipal Solid Waste (MSW) fees and charges for which Council receives an annual payment from the state government to off-set the Waste Levy cost incurred for the disposal of the waste generated by households and eligible Council waste (such as public litter bins).

3.7 Economic Benefit

No economic benefits arising as a direct result of this report.

3.8 Environmental Implications

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

ITEM 4.4 2019/20 SCHEDULE OF FEES AND CHARGES - WASTE SERVICES - REGIONAL - A18521374: (Cont.)

3.9 Social Implications

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

3.10 Consultation / Communication

Consultation has been undertaken with Council, Director Engineering Construction and Maintenance, Accounting Services Manager, Financial Operations Manager, Manager Financial & Project Services.

5 PARKS, RECREATION & SPORT SESSION

(Cr K Winchester)

ITEM 5.1

NEW LEASE - PINE CENTRAL HOLY SPIRIT RUGBY LEAGUE FOOTBALL CLUB INC - DIVISION 8

Meeting / Session: 5 PARKS, RECREATION & SPORT
Reference: A18523353 : 8 May 2019 - **Refer Supporting Information A18527078**
Responsible Officer: CM, Acting Supervisor Community Leasing (CES Community Services, Sport & Recreation)

Executive Summary

This report seeks Council's approval for the provision of a lease to Pine Central Holy Spirit Rugby League Football Club Inc. at Les Hughes Sporting Complex, 119 Francis Road, Bray Park (refer Supporting Information #1). The proposed lease would enable the club to construct a new storage shed.

COMMITTEE RECOMMENDATION

Moved by Cr Mick Gillam

Seconded by Cr James Houghton

CARRIED 13/0

1. That the exception contained in section 236(1)(b)(ii) of the Local Government Regulation 2012 applies to the Council regarding the disposal of the land referred to in this report.
2. That, subject to recommendation 3, Pine Central Holy Spirit Rugby League Football Club Inc. be granted a lease over an area at 119 Francis Road, Bray Park (refer Supporting Information #1) for a period aligning with the expiry of its existing lease at this location (31 March 2022).
3. That the terms and conditions of this lease be in accordance with Council's Community Leasing Policy, with annual rental commencing at \$1.00 per annum.
4. That the Chief Executive Officer be authorised to take all action necessary including, but not limited to, negotiating, making, amending, signing and discharging the lease and any required variations of the lease on the Council's behalf, as described in this report.

ITEM 5.1 NEW LEASE - PINE CENTRAL HOLY SPIRIT RUGBY LEAGUE FOOTBALL CLUB INC - DIVISION 8 - A18523353 (Cont.)

OFFICER'S RECOMMENDATION

1. That the exception contained in section 236(1)(b)(ii) of the Local Government Regulation 2012 applies to the Council regarding the disposal of the land referred to in this report.
2. That, subject to recommendation 3, Pine Central Holy Spirit Rugby League Football Club Inc. be granted a lease over an area at 119 Francis Road, Bray Park (refer Supporting Information #1) for a period aligning with the expiry of its existing lease at this location (31 March 2022).
3. That the terms and conditions of this lease be in accordance with Council's Community Leasing Policy, with annual rental commencing at \$1.00 per annum.
4. That the Chief Executive Officer be authorised to take all action necessary including, but not limited to, negotiating, making, amending, signing and discharging the lease and any required variations of the lease on the Council's behalf, as described in this report.

REPORT DETAIL

1. Background

Since 1 April 2017, the Pine Central Holy Spirit Rugby League Football Club Inc. has held a lease with Council over a clubhouse, commentators' box and two equipment storage sheds at 119 Francis Road, Bray Park (refer Supporting Information #1). Due to its dilapidated condition, the club has sought Council approval to demolish one of the existing sheds (refer Supporting Information #1) and to replace it with a new and larger shed in an alternate location. The club envisages that the proposed new shed would assist in meeting both its existing and future storage needs.

Community group tenants of Council facilities must submit an Improvement Works Application (IWA) to obtain Council approval for any improvements to the facility or site where they hold a lease, licence or permit. Council may approve, approve with conditions or refuse applications at its sole discretion.

2. Explanation of Item

The Pine Central Holy Spirit Rugby League Football Club Inc. has lodged an IWA to Council for the construction of a new shed, which is proposed to be located outside of its existing lease area (refer Supporting Information #1). This application has been assessed by Council's key stakeholder departments, with no objections received.

To enable Pine Central Holy Spirit Rugby League Football Club Inc. to proceed with its proposed project, Council would need to provide the group with a new lease over the area where the new shed is to be constructed (refer Supporting Information #1).

Accordingly, this report recommends that Council approves the provision of a lease, under the terms and conditions of Council's Community Leasing Policy, over the area identified in Supporting Information #1. Further, it is recommended that the term of this lease be aligned with the term of the group's existing lease at this location (31 March 2022).

3. Strategic Implications

3.1 Legislative/Legal Implications

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

3.2 Corporate Plan / Operational Plan

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

ITEM 5.1 NEW LEASE - PINE CENTRAL HOLY SPIRIT RUGBY LEAGUE FOOTBALL CLUB INC - DIVISION 8 - A18523353 (Cont.)

3.3 Policy Implications

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

3.4 Risk Management Implications

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

3.5 Delegated Authority Implications

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

3.6 Financial Implications

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

3.7 Economic Benefit

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

3.8 Environmental Implications

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

3.9 Social Implications

The issuing of a lease to Pine Central Holy Spirit Rugby League Football Club Inc. will provide the club with facilities to support its operations.

3.10 Consultation / Communication

Councillor Gillam (Division 8)
Relevant Council departments
Pine Central Holy Spirit Rugby League Football Club Inc.

ITEM 5.2
NEW LEASE - AFL QUEENSLAND LIMITED - DIVISION 2

Meeting / Session: 5 PARKS, RECREATION & SPORT
Reference: A18521729 : 7 May 2019 - **Refer Supporting Information A18522417**
Responsible Officer: CM, Acting Supervisor Community Leasing (CES Community Services, Sport & Recreation)

Executive Summary

This report seeks Council's approval for the provision of a trustee lease to AFL Queensland Limited at Moreton Bay Central Sports Complex, 1305A Bruce Highway, Burpengary (refer Supporting Information #1). The proposed lease will take effect following sufficient funding being secured to complete the construction of a barbeque shelter and prior to the commencement of construction works.

COMMITTEE RECOMMENDATION

Moved by Cr Peter Flannery

Seconded by Cr Adam Hain

CARRIED 13/0

1. That the exception contained in section 236(1)(b)(ii) of the Local Government Regulation 2012 applies to the Council regarding the disposal of the land referred to in this report.
2. That, subject to recommendations 3 and 4, AFL Queensland Limited be granted a trustee lease over an area at 1305A Bruce Highway, Burpengary (refer Supporting Information #1) for a period aligning with the expiry of its existing lease at this location (18 February 2024).
3. That the terms and conditions of this lease be in accordance with Council's Community Leasing Policy, with annual rental commencing at \$1.00 per annum.
4. That the grant of this lease is subject to AFL Queensland Limited securing sufficient funding to undertake the project referred to in this report and that the grant of this lease is prior to the commencement of construction works.
5. That the Chief Executive Officer be authorised to take all action necessary including, but not limited to, negotiating, making, amending, signing and discharging the lease and any required variations of the lease on the Council's behalf, as described in this report.

ITEM 5.2 NEW LEASE - AFL QUEENSLAND LIMITED - DIVISION 2 - A18521729 (Cont.)

OFFICER'S RECOMMENDATION

1. That the exception contained in section 236(1)(b)(ii) of the Local Government Regulation 2012 applies to the Council regarding the disposal of the land referred to in this report.
2. That, subject to recommendations 3 and 4, AFL Queensland Limited be granted a trustee lease over an area at 1305A Bruce Highway, Burpengary (refer Supporting Information #1) for a period aligning with the expiry of its existing lease at this location (18 February 2024).
3. That the terms and conditions of this lease be in accordance with Council's Community Leasing Policy, with annual rental commencing at \$1.00 per annum.
4. That the grant of this lease is subject to AFL Queensland Limited securing sufficient funding to undertake the project referred to in this report and that the grant of this lease is prior to the commencement of construction works.
5. That the Chief Executive Officer be authorised to take all action necessary including, but not limited to, negotiating, making, amending, signing and discharging the lease and any required variations of the lease on the Council's behalf, as described in this report.

REPORT DETAIL

1. Background

Since 1 March 2014, AFL Queensland Limited has held a trustee lease with Council over a clubhouse building located at 1305A Bruce Highway, Burpengary (refer Supporting Information #1). The resident club, the Moreton Bay Lions Australian Football Sporting Club Inc, has identified a need for the construction of a barbeque shelter separate to the clubhouse, to support club functions and sporting events.

Community group tenants of Council facilities must submit an Improvement Works Application (IWA) to obtain Council approval for any improvements to the facility or site where they hold a lease, licence or permit. Council may approve, approve with conditions or refuse applications at its sole discretion.

2. Explanation of Item

AFL Queensland Limited has lodged an IWA to Council for the construction of a barbeque shelter, which is proposed to be located outside of its existing lease area (refer Supporting Information #1). This application has been assessed by Council's key stakeholder departments, with no objections received.

To enable AFL Queensland Limited to proceed with its proposed project, Council would need to provide the group with an additional lease over the area where the new barbeque shelter is to be constructed (refer Supporting Information #1).

This report recommends that Council approves the provision of a new lease, under the terms and conditions of Council's Community Leasing Policy, over the area identified in Supporting Information #1. Further, it is recommended that the term of this lease be aligned with the term of the group's existing lease at this location (28 February 2024).

3. Strategic Implications

3.1 Legislative/Legal Implications

The proposed trustee lease will be registered with the Department of Natural Resources, Mines and Energy in accordance with the *Land Act 1994*.

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

ITEM 5.2 NEW LEASE - AFL QUEENSLAND LIMITED - DIVISION 2 - A18521729 (Cont.)

3.2 Corporate Plan / Operational Plan

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

3.3 Policy Implications

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

3.4 Risk Management Implications

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

3.5 Delegated Authority Implications

As per Officer's Recommendation 5 of this report, it is proposed that the Chief Executive Officer be authorised to take all action necessary to execute the new lease.

3.6 Financial Implications

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

3.7 Economic Benefit

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

3.8 Environmental Implications

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

3.9 Social Implications

The issuing of the additional lease to AFL Queensland Limited will provide the club with additional facilities to support its operations.

3.10 Consultation / Communication

Councillor Flannery (Division 2)
Relevant Council departments
AFL Queensland Limited
Moreton Bay Lions Australian Football Sporting Club Inc

6 LIFESTYLE & AMENITY SESSION

(Cr D Sims)

ITEM 6.1

DON PERRIN ENVIRONMENTAL BURSARY 2019 - REGIONAL

Meeting / Session: 6 LIFESTYLE & AMENITY
Reference: A18398656 : 13 May 2019
Responsible Officer: RM, Manager (CES Environmental Services)

Executive Summary

Moreton Bay Regional Council offers the *Don Perrin Environmental Bursary* (the Bursary) annually. The recipient of the Bursary receives \$2,000 to assist with expenses associated with their environmental-based university degree.

Applications for the 2019 Bursary closed on 15 March 2019. Submissions were reviewed and it is considered the submission received from Mr Brodie Crouch, a resident of Mt Mee, best meets the eligibility and selection criteria for the 2019 Bursary.

COMMITTEE RECOMMENDATION

Moved by Cr Adrian Raedel

Seconded by Cr Koliana Winchester

CARRIED 13/0

That Mr Brodie Crouch be awarded the Don Perrin Environmental Bursary for 2019.

ITEM 6.1 DON PERRIN ENVIRONMENTAL BURSARY 2019 - REGIONAL - A18398656 (Cont.)

OFFICER'S RECOMMENDATION

That Mr Brodie Crouch be awarded the Don Perrin Environmental Bursary for 2019.

REPORT DETAIL

1. Background

Council offers the Bursary annually to assist a student who is undertaking an environmental-based university degree.

A person is eligible to apply if they:

1. Are a resident of the Moreton Bay Region;
2. Have graduated from Year 12 within the last two years; and
3. Have accepted an offer to study an environmental-based university degree commencing in 2019.

Examples of environmental-based university degrees include a Bachelor of Science, Bachelor of Environmental Science, Bachelor of Wildlife Science and Bachelor of Environmental Law.

2. Explanation of Item

Applications for the *Don Perrin Environmental Bursary* opened closed on 15 March 2019. The Bursary was promoted to:

1. All high schools within the region and 6 high schools outside the region.
2. All South-East Queensland Universities.
3. Residents via Council's events page, Councillor newsletters and social media posts.

The Manager, Environmental Services together with the Coordinator Environment and Conservation and Coordinator Environmental Planning and Policy recommend the submission by Mr Brodie Crouch and have confirmed that the application meets the eligibility and selection criteria for the Bursary.

Mr Brodie Crouch presented a strong application for the 2019 Bursary. Mr Crouch is a resident of Mt Mee, attended Pine Rivers State High School and is currently studying a Bachelor of Advanced Science at the University of Queensland.

Mr Crouch's environmental and social studies include participation in Boeing's *Future Environmental Leaders Program* to improve waste management practices across his school and active participation in several fundraising events to support local and international causes, such as drought relief and a campaign for a school in Myanmar.

Mr Crouch's aspiration is to pursue a career path that will address how to sustainably feed a growing population with a healthy and nourishing diet, whilst protecting the planet's environmental assets.

3. Strategic Implications

3.1 Legislative/Legal Implications

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

3.2 Corporate Plan / Operational Plan

Valuing Lifestyle: Healthy natural environment - a clean and healthy environment.

3.3 Policy Implications

The presentation of the Bursary is aligned with Council's Sustainability Policy 12-2150-044 which aims to improve performance in biodiversity protection and environmental enhancement in the wider community.

ITEM 6.1 DON PERRIN ENVIRONMENTAL BURSARY 2019 - REGIONAL - A18398656 (Cont.)

3.4 Risk Management Implications

If the bursar voluntarily leaves their elected environmental field of study during the first year of study, they may be required to repay the full amount of the Bursary.

3.5 Delegated Authority Implications

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

3.6 Financial Implications

Funds for the Bursary for 2019 are included in the Environmental Services budget allocation (20162.000).

3.7 Economic Benefit

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

3.8 Environmental Implications

It is expected that the bursar will apply the skills acquired during their study to the Moreton Bay Region by participating in environmental activities or events, such as National Tree Day.

3.9 Social Implications

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

3.10 Consultation / Communication

Lifestyle and Environment Committee Chair
Relevant Divisional Councillors
Director Community and Environmental Services

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

This session was held over until later in the meeting.

CLOSED SESSION (Confidential items)

ITEM C.1 - DECLARATION OF INTEREST

Conflict of Interest - Declaration - Cr Darren Grimwade

Pursuant to s175E of the *Local Government Act 2009*, Cr Darren Grimwade declared a perceived conflict of interest in Item C.1 as Telstra Corporation Limited has provided the Councillor with event tickets and hospitality to numerous events.

Cr Darren Grimwade retired from the meeting at 11.28am taking no part in the debate or recommendation regarding same.

CLOSED SESSION

COMMITTEE RECOMMENDATION

Moved by Cr Adrian Raedel

Seconded by Cr Mick Gillam

CARRIED 12/0

Cr Darren Grimwade had declared a conflict of interest and had left the meeting

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

Members of the press and public gallery left the Chambers.
The closed session commenced at 11.29am.

OPEN SESSION

COMMITTEE RECOMMENDATION

Moved by Cr Adrian Raedel

Seconded by Cr Mick Gillam

CARRIED 12/0

Cr Darren Grimwade had declared a conflict of interest and had left the meeting

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

The open session resumed at 11.30am.

ITEM C.1 – CONFIDENTIAL

PROPOSED NEW TELECOMMUNICATIONS LEASE - DIVISION 6

Meeting / Session: 7 Economic Development, Events & Tourism (Cr P Flannery)
Reference: A18576816 : 20 May 2019 - Refer **Confidential Supporting Information**
A18577770
Responsible Officer: C.P., Land and Leasing Coordinator (CES Property & Commercial Services)

Basis of Confidentiality

Pursuant to s275(1) of the Local Government Regulation 2012, clause (e), as the matter involves contracts proposed to be made by the Council.

Executive Summary

This report seeks Council's approval for the provision of a lease to Telstra Corporation Limited, for use as a telecommunications facility, on the terms outlined in this report.

COMMITTEE RECOMMENDATION

Moved by Cr Mick Gillam

Seconded by Cr Matt Constance

CARRIED 12/0

Cr Darren Grimwade had declared a conflict of interest and had left the meeting

1. That the exception contained in section 236(1)(c)(vi) of the *Local Government Regulation 2012* applies to the Council regarding the disposal of the property referred to in this report.
2. That Telstra Corporation Limited be granted a lease over part of Lot 31 on CP R34394 on the terms outlined in this report.
3. That the Chief Executive Officer be authorised to take all action necessary including, but not limited to, negotiating, making, amending, signing and discharging the lease and any required variations of the lease on the Council's behalf, as described in this report.

ATTENDANCE

Cr Darren Grimwade returned to the meeting at 11.31am after consideration of Item C.1.

CLOSED SESSION (Confidential items)

ITEM C.2 - DECLARATION OF INTEREST

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 C.2 as he owns property located in Paradise Road, Burpengary. The Mayor also declared he had utilised an election billboard owned by Villa World at Mango Hill for a two-week period prior to the 2016 election, which was subsequently removed after the election.

Cr Allan Sutherland (Mayor) retired from the meeting at 11.32am taking no part in the debate or recommendation regarding same.

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 C.2 as she had utilised an election billboard owned by Villa World at Mango Hill for a two-week period prior to the 2016 election, which was subsequently removed after the election. Cr Greer also declared in-kind support received from the Mayor for her 2016 election campaign.

Cr Julie Greer retired from the meeting at 11.35am taking no part in the debate or recommendation regarding same.

Conflict of Interest - Declaration - Cr Mike Charlton (Deputy Mayor)

Pursuant to s175E of the *Local Government Act 2009*, Cr Mike Charlton (Deputy Mayor) declared a perceived conflict of interest in Item C.2 as the Mayor contributed \$2,300 in-kind to Cr Charlton's 2016 election campaign. The Mayor owns property located in Paradise Road, Burpengary.

However, Cr Mike Charlton (Deputy 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 James Houghton

Pursuant to s175E of the *Local Government Act 2009*, Cr James Houghton declared a perceived conflict of interest in Item C.2 as the Councillor received in-kind support from the Mayor as part of his 2016 election campaign. The Mayor owns property located in Paradise Road, Burpengary.

However, Cr James Houghton 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 Koliana Winchester

Pursuant to s175E of the *Local Government Act 2009*, Cr Koliana Winchester declared a perceived conflict of interest in Item C.2 as the Mayor provided in-kind support to Cr Winchester's 2016 election campaign for a billboard. The Mayor owns property located in Paradise Road, Burpengary.

However, Cr Koliana Winchester 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.

ITEM C.2 - DECLARATION OF INTEREST (Cont.)

Conflict of Interest - Declaration - Cr Peter Flannery

Pursuant to s175E of the *Local Government Act 2009*, Cr Peter Flannery declared a perceived conflict of interest in Item C.2 as the Mayor assisted Cr Flannery in receiving in-kind support for his 2016 election campaign. The Mayor owns property located in Paradise Road, Burpengary.

However, Cr Peter Flannery 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.

COMMITTEE RECOMMENDATION - APPOINT CHAIR

Moved by Cr Adrian Raedel

Seconded by Cr Matt Constance

CARRIED 7/0

(being other Councillors entitled to vote)

That pursuant to s267(3) of the Local Government Regulation 2012, Cr Mick Gillam be appointed as Chairperson at this time.

Councillor not voluntarily left meeting - other Councillors 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 Adam Hain

Seconded by Cr Darren Grimwade

CARRIED 6/1

Cr Adrian Raedel voted against Committee's Recommendation

That in accordance with s175E(4) of the *Local Government Act 2009*, it is considered that Cr Mike Charlton (Deputy 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.

Councillor not voluntarily left meeting - other Councillors 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 Matt Constance

Seconded by Cr Adam Hain

CARRIED 6/1

Cr Adrian Raedel voted against Committee's Recommendation

That in accordance with s175E(4) of the *Local Government Act 2009*, it is considered that Cr James Houghton 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.

ITEM C.2 - DECLARATION OF INTEREST (Cont.)

Councillor not voluntarily left meeting - other Councillors 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 Denise Sims

Seconded by Cr Darren Grimwade

CARRIED 6/1

Cr Adrian Raedel voted against Committee's Recommendation

That in accordance with s175E(4) of the Local Government Act 2009, it is considered that Cr Peter Flannery 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.

Councillor not voluntarily left meeting - other Councillors 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 Brooke Savige

Seconded by Cr Adam Hain

CARRIED 6/1

Cr Adrian Raedel voted against Committee's Recommendation

That in accordance with s175E(4) of the Local Government Act 2009, it is considered that Cr Koliana Winchester 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.

Crs Mike Charlton (Deputy Mayor), James Houghton, Peter Flannery and Koliana Winchester remained in the meeting.

COMMITTEE RECOMMENDATION - RESUME CHAIR

Moved by Cr Adrian Raedel

Seconded by Cr Matt Constance

CARRIED 11/0

Crs Allan Sutherland (Mayor) and Julie Greer had declared a conflict of interest and had left the meeting

That in the absence of the Mayor, Cr Mike Charlton (Deputy Mayor) resume the Chair.

CLOSED SESSION

COMMITTEE RECOMMENDATION

Moved by Cr Mick Gillam

Seconded by Cr James Houghton

CARRIED 11/0

Crs Allan Sutherland (Mayor) and Julie Greer had declared a conflict of interest and had left the meeting.

That Committee move into closed session pursuant to the provisions of s275 (1) of the Local Government Regulation 2012 to discuss Item C.2.

Members of the press and public gallery left the Chambers.
The closed session commenced at 12.01pm.

OPEN SESSION

COMMITTEE RECOMMENDATION

Moved by Cr Adrian Raedel

Seconded by Cr Adam Hain

CARRIED 11/0

Crs Allan Sutherland (Mayor) and Julie Greer had declared a conflict of interest and had left the meeting.

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

The open session resumed at 12.04pm.

ITEM C.2 – CONFIDENTIAL

**AGREEMENT WITH DEVELOPER TO CONSTRUCT WORKS FOR COUNCIL -
PARADISE ROAD, BURPENGARY - DIVISION 2**

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

Reference: A18258087 : 26 February 2019 - Refer **Confidential** Supporting Information
A18258491

Responsible Officer: TT, Senior Technical officer (INF Integrated Transport Planning & Design)

Basis of Confidentiality

Pursuant to s275 (1) of the Local Government Regulation 2012, clause (e), as the matter involves contracts proposed to be made by the Council.

Executive Summary

Council has completed detailed design and is currently out to tender for the upgrade of Paradise Road, including the construction of a second entrance to the Moreton Bay Sports Complex off Paradise Road, Burpengary in 2019 (Project #101827).

An Operational Works Permit (#DA/36087/2018/V4D/1) has recently been issued to Villa World Properties Pty Ltd (**Villa World**) for redevelopment of three properties at the eastern end of Paradise Road, which conditions construction of the Paradise Road frontage of these properties with a 9.0m wide pavement and an 8.0m wide seal.

It is proposed to enter into an arrangement with Villa World to upgrade its construction in Paradise Road to a suitable standard (9.4m wide pavement/seal; upgraded pavement design and surfacing thickness) which provides on-road parking for their frontage properties whilst ensuring suitable design life and access into the Moreton Bay Central Sports Complex (MBCSC) for the expected additional traffic. This upgrade to Villa World's approved construction will be at council's cost and constructed by Villa World for Council as an integrated part of their development works.

COMMITTEE RECOMMENDATION

Moved by Cr Mick Gillam

Seconded by Cr James Houghton

CARRIED 11/0

Crs Allan Sutherland (Mayor) and Julie Greer had declared a conflict of interest and had left the meeting.

1. That Council prepares a Quote Consideration Plan for the medium-sized contractual arrangement with Villa World for the construction of improvements to Paradise Road, Burpengary.
2. That the Quote Consideration Plan for the medium-sized contractual arrangement with Villa World for the construction of improvements to Paradise Road, Burpengary be adopted, as tabled.
3. That the Council enters into an agreement with Villa World for the construction of improvements to Paradise Road, Burpengary, as described in this report.
4. That the Chief Executive Officer be authorised to take all action necessary, including but not limited to, negotiating, making, amending, signing and discharging the agreement with Villa World for the construction of improvements to Paradise Road, Burpengary and any required variations of the agreement on Council's behalf.

ADJOURNMENT

The Mayor (Chairperson) adjourned the meeting at 12.06pm, until a later time in the day.

The meeting resumed at 3.35pm.

9 GENERAL BUSINESS

ITEM 9.1

WORKSHOP - DIRECTORS OF COMPANIES AND MATTERS BEFORE COUNCIL (PF)

COMMITTEE RECOMMENDATION

Moved by Cr Peter Flannery

Seconded by Cr Adrian Raedel

CARRIED 13/0

That Council hold a workshop on how to better inform Councillors and staff of the Directors of Companies with development applications and other matters that come to a formal Council meeting.

ITEM 9.2

ROTARY CLUB OF PINE RIVERS -60TH ANNIVERSARY (DS, MC)

Cr Denise Sims represented the Mayor on Saturday, 25 May 2019 at the Rotary Pine Rivers 60th Anniversary function. Cr Sims noted this was a well-attended and well-organised event. Cr Mike Charlton (Deputy Mayor) also made mention of the event noting the fantastic work the Club has achieved in the local region.

COMMITTEE RECOMMENDATION

Moved by Cr Denise Sims

Seconded by Cr Mike Charlton (Deputy Mayor)

CARRIED 13/0

That a Mayoral letter of congratulations be sent to Rotary Club of Pine Rivers for achieving their 60th Anniversary and in particular, noting the work that Rotary International do with eliminating wild cases of Polio from the continent of Africa.

ITEM 9.3

DAYBORO DAY FESTIVAL AND ANTIQUES & COLLECTABLES FAIR - DIVISION 11 (DG)

Cr Darren Grimwade made mention of his attendance at the Dayboro Day Festival held at the Dayboro Showgrounds on Sunday, 26 May 2019. Cr Grimwade had represented the Mayor and had the honour of officially opening the event. Cr Grimwade commented on the massive crowd in attendance with the event being very well organised and run.

COMMITTEE RECOMMENDATION

Moved by Cr Darren Grimwade

Seconded by Cr Julie Greer

CARRIED 13/0

That a Mayoral letter of congratulations be sent to the Dayboro Day Festival and Antiques & Collectables Fair Committee for the successful running of the event.

ITEM 9.4

BRISBRICKS MORAYFIELD EXPO 2019 (AR)

Cr Adrian Raedel noted his attendance at the BrisBricks Morayfield Expo 2019 event held at the Morayfield Sports and Events Centre over the weekend. Cr Raedel noted this was a sold-out event with close to 6000 people in attendance over the two-day period. Cr Raedel made mention that Cade, part of the winning duo from Channel 9's Lego Master's series, was also present at the event.

COMMITTEE RECOMMENDATION

Moved by Cr Adrian Raedel

Seconded by Cr Adam Hain

CARRIED 13/0

That a Mayoral letter of congratulations be sent to the organisers of the BrisBricks Morayfield Expo 2019 for the very successful running of the event.

ITEM 9.5

REGIONAL EVENTS

Cr Matt Constance made mention of the **Hills Carnivale** which was held on Saturday, 25 May 2019 at George Willmore Park, Ferny Hills. Cr Constance reported that the weather was fantastic and there was between 5-6000 people in attendance with the event comprising of free workshops, markets and multicultural food stalls finishing off with fireworks at the end of the night.

Cr Mike Charlton (Deputy Mayor) together with Cr Matt Constance, made mention of the **30th Albany Fair** held at the All Saints Parish and Primary School in Albany Creek on Saturday, 26 May 2019. Cr Charlton (Deputy Mayor) noted there was a great turn-out with something for all members of the family to participate in.

Item 9.5 - Regional Events (Cont.)

Cr Brooke Savige conveyed her thanks to Council staff and Directors for organising a **Community Drop-In Session** providing information to residents regarding the Ningi site recently purchased by Council.

Cr Brooke Savige made mention of the **Movie in the Park** event held in Bongaree on Saturday evening, 25 May 2019. Cr Savige noted this was a fantastic night with between 400-500 people in attendance to watch, The Greatest Showman. Cr Savige extended her thanks to Council staff for the well-run event.

Cr Brooke Savige noted her attendance at the **Neighbourhood Watch Group** to discuss mosquito management in the region. Cr Savige conveyed her thanks to the Director of Community and Environmental Service and staff who were involved in attending the meeting.

Cr Julie Greer spoke of her attendance at the **Meet University of Sunshine Coast Moreton Bay - Information Session** which was held at the North Lakes Sports Club on 23 May 2019. This session is one of many being conducted throughout the region. Cr Greer noted the event was well attended and the feedback received indicated the session was very interesting.

Cr Mick Gillam mentioned his attendance on Sunday morning, 26 May 2019 at the **Rotary Club of Pine Rivers Daybreak Annual Fun Run**. Cr Gillam noted this was a very successful event with over 720 runners involved in the event.

Cr Adam Hain reported that the keys to the Hasking Street site had been handed over to the **Caboolture Community Action Group**. The group is very excited about their forthcoming renovations.

**ITEM 9.6
ORGANISATIONAL REVIEW - PART TWO
(AS)**

COMMITTEE RECOMMENDATION

Moved by Cr Allan Sutherland (Mayor)
Seconded by Cr Adrian Raedel

CARRIED 13/0

That Council agrees to the draft terms of reference and proposal to undertake part two of the organisational review received from Grassroots Connections Australia Pty Ltd.

CLOSURE

There being no further business the Chairperson closed the meeting at 3.50pm.