



REPORT

Coordination Committee Meeting

Tuesday 24 July 2018
commencing at 10.44am

Caboolture Chambers
2 Hasking Street, Caboolture

ENDORSED GM20180724

CHAIRPERSON'S REPORT

The recommendations contained within this report of the Coordination Committee meeting held 24 July 2018 are recommended to the Council for adoption.

COUNCILLOR ALLAN SUTHERLAND (MAYOR)
CHAIRPERSON
COORDINATION COMMITTEE

12.1 Coordination Committee Meeting - 24 July 2018 - Declarations of Interest for Items 2.1 & 4.5

ITEM 2.1: DA/35749/2018/V2N - MATERIAL CHANGE OF USE - DEVELOPMENT PERMIT FOR LOW IMPACT INDUSTRY (FOOD PRODUCTION) AT 13 TOORBUL STREET, BONGAREE - DIVISION 1

Conflict of Interest - Declaration - Cr Brooke Savige

Pursuant to s175E of the *Local Government Act 2009*, Cr Brooke Savige declared a perceived conflict of interest in Item 2.1 as Shane and Sue Shepard of Shasu Pty Ltd (the applicant) allowed multiple candidates to erect a sign on their property in the 2016 council election, one of which was the Councillor's.

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

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 Cr Savige'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 if the Councillor has a perceived conflict of interest in the matter and what action the Councillor must take.

RESOLUTION

Moved by Cr Adrian Raedel

Seconded by Cr Koliana Winchester

CARRIED 8/2

Cr Peter Flannery and Denise Sims voted against the resolution

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

Cr Brooke Savige remained in the meeting.

ITEM 4.5: ROTHWELL - NATHAN ROAD - SPORTING STAGE 1 (CIVIL WORKS) - Division 5

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 4.5 as the Councillor is the number one ticketholder of the Redcliffe Tiger's AFL Club.

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

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 Cr James Houghton'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 if the Councillor has a perceived conflict of interest in the matter and what action the Councillor must take.

RESOLUTION

Moved by Cr Adrian Raedel

Seconded by Cr Koliana Winchester

CARRIED 9/1

Cr Mick Gillam voted against the resolution

That in accordance with s175E(4) of the *Local Government Act 2009*, Cr James Houghton does not have a perceived conflict of interest in the matter.

Cr James Houghton remained in the meeting.

12.2 Coordination Committee Meeting - 24 July 2018 (Pages 18/1512 To 18/1616)

ITEM 2.1: DA/35749/2018/V2N - MATERIAL CHANGE OF USE - DEVELOPMENT PERMIT FOR LOW IMPACT INDUSTRY (FOOD PRODUCTION) AT 13 TOORBUL STREET, BONGAREE - DIVISION 1

RESOLUTION

Moved by Cr Mick Gillam

Seconded by Cr Mike Charlton (Deputy Mayor)

CARRIED 11/0

That the report and recommendation of Item 2.1 of the Coordination Committee meeting held 24 July 2018, be adopted.

ITEM 4.5: ROTHWELL - NATHAN ROAD - SPORTING STAGE 1 (CIVIL WORKS) - Division 5

RESOLUTION

Moved by Cr Adrian Raedel

Seconded by Cr Brooke Savige

CARRIED 11/0

That the report and recommendation of Item 4.5 of the Coordination Committee meeting held 24 July 2018 be adopted.

BALANCE OF ITEMS - Coordination Committee Meeting 24 July 2018

RESOLUTION

Moved by Cr Adrian Raedel

Seconded by Cr Mike Charlton (Deputy Mayor)

CARRIED 11/0

That the balance of the report and recommendations of the Coordination Committee meeting held 24 July 2018, excluding Items 2.1 and 4.5 which have been considered separately, be adopted.

LIST OF ITEMS

1 GOVERNANCE SESSION (Cr A Sutherland, Mayor)

2 PLANNING & DEVELOPMENT SESSION (Cr M Gillam)

ITEM 2.1 - DECLARATION OF INTEREST 1514

Conflict of Interest - Declaration - Cr Brooke Savige

ITEM 2.1 1514

DA/35749/2018/V2N - MATERIAL CHANGE OF USE - DEVELOPMENT PERMIT FOR LOW IMPACT INDUSTRY (FOOD PRODUCTION) AT 13 TOORBUL STREET, BONGAREE - DIVISION 1

COMMITTEE RECOMMENDATION

REPORT DETAIL

ITEM 2.2 1538

DA/35332/2017/V23C - MATERIAL CHANGE OF USE - DEVELOPMENT PERMIT FOR A HEALTH CARE SERVICE AND RECONFIGURING A LOT - DEVELOPMENT PERMIT (ACCESS EASEMENT) - 190 FREEMAN ROAD AND 109 ESPLANADE TOORBUL - DIVISION 1

COMMITTEE RECOMMENDATION

REPORT DETAIL

3 CORPORATE SERVICES SESSION (Cr M Constance)

4 ASSET CONSTRUCTION & MAINTENANCE SESSION (Cr A Hain)

ITEM 4.1 1578

BURPENGARY - DAVID STREET - DRAINAGE INVESTIGATION AREA 16 (DIA) - DRAINAGE CHANNEL UPGRADE - DIVISION 2

COMMITTEE RECOMMENDATION

REPORT DETAIL

ITEM 4.2 1583

TENDER - DAKABIN WASTE MANAGEMENT FACILITY - CONSTRUCTION OF SHED AND BIN BAY ROOFS - MBRC007405 - REGIONAL

COMMITTEE RECOMMENDATION

REPORT DETAIL

ITEM 4.3 1587

ROAD CONDITION ASSESSMENT - OPTION TO EXTEND CONTRACT - REGIONAL

COMMITTEE RECOMMENDATION

REPORT DETAIL

ITEM 4.4 1590

CABOOLTURE - MEWETT STREET - ROAD REHABILITATION - DIVISION 3

COMMITTEE RECOMMENDATION

REPORT DETAIL

ITEM 4.5 - DECLARATION OF INTEREST 1594

Conflict of Interest - Declaration - Cr James Houghton

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ITEM 4.5	1594
ROTHWELL - NATHAN ROAD - SPORTING STAGE 1 (CIVIL WORKS) - DIVISION 5	
COMMITTEE RECOMMENDATION	
REPORT DETAIL	

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

ITEM 5.1	1600
REQUEST TO EXTEND OPERATING HOURS - REDCLIFFE CITY CLAY TARGET CLUB - DIVISION 6	
COMMITTEE RECOMMENDATION	
REPORT DETAIL	

ITEM 5.2	1603
OUTCOME OF EXPRESSIONS OF INTEREST - FORMER PETRIE STATE EMERGENCY SERVICES CLUBHOUSE BUILDING AND STORAGE SHEDS - DIVISION 7	
COMMITTEE RECOMMENDATION	
REPORT DETAIL	

6 LIFESTYLE & AMENITY SESSION (Cr D Sims)

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

8 REGIONAL INNOVATION (Cr A Sutherland in the absence of Cr Grimwade)

ITEM 8.1	1609
JET A1 FUEL SUPPLY TENDER - REDCLIFFE AERODROME - DIVISION 5	
COMMITTEE RECOMMENDATION	
REPORT DETAIL	

9 GENERAL BUSINESS

ITEM 9.1	1612
REGIONAL EVENTS	
COMMITTEE RECOMMENDATION	
COMMITTEE RECOMMENDATION	

ITEM 9.2	1613
E-PETITIONS - REGIONAL	
COMMITTEE RECOMMENDATION	

CLOSED SESSION (Confidential items)

ITEM C.1 – CONFIDENTIAL	1615
PROPERTY ACQUISITIONS - AKERS ROAD, LAWNTON - DIVISION 8	
COMMITTEE RECOMMENDATION	

ITEM C.2 – CONFIDENTIAL	1616
RENEWAL OF LEASE TO AEROPOWER PTY LTD - DIVISION 5	
COMMITTEE RECOMMENDATION	

CLOSURE

ATTENDANCE & APOLOGIES

Attendance:

Committee Members:

Cr Allan Sutherland (Mayor) (Chairperson)
Cr Brooke Savage
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 Adrian Raedel

Officers:

Chief Executive Officer	(Mr Daryl Hitzman)
Director Community & Environmental Services	(Mr Bill Halpin)
Director Planning & Economic Development	(Mr Stewart Pentland)
Director Engineering, Construction & Maintenance	(Mr Tony Martini)
Team Leader Planning	(Ms Tina Maltby-Wells)
Planner Development Services	(Mr Clancy Sloan)
Principal Planner Development Services	(Mr Rohan Coldham)
Manager Property and Commercial Services	(Mr Michael Hagan)
Meeting Support	(Ms Larissa Kerrisk)

Apologies:

Cr Matthew Constance
Cr Darren Grimwade

The Mayor is the Chairperson of the Coordination Committee.

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

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

1 GOVERNANCE SESSION

(Cr A Sutherland, Mayor)

No items for consideration.

ATTENDANCE

Ms Tina Maltby-Wells attended the meeting at 10.45am for discussion on Items 2.1 and 2.2.

Mr Clancy Sloan attended the meeting at 10.45am for discussion on Item 2.1.

2 PLANNING & DEVELOPMENT SESSION**(Cr M Gillam)****ITEM 2.1 - DECLARATION OF INTEREST****Conflict of Interest - Declaration - Cr Brooke Savage**

Pursuant to s175E of the *Local Government Act 2009*, Cr Brooke Savage declared a perceived conflict of interest in Item 2.1 as Shane and Sue Shepard of Shasu Pty Ltd (the applicant) allowed multiple candidates to erect a sign on their property in the 2016 council election, one of which was the Councillor's.

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

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 Cr Savage'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 if the Councillor has a perceived conflict of interest in the matter and what action the Councillor must take.

Moved by Cr Allan Sutherland (Mayor)

Seconded by Cr Mike Charlton (Deputy Mayor)

CARRIED 8/2

Cr Peter Flannery and Denise Sims voted against Committee's Recommendation

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

Cr Brooke Savage remained in the meeting.

ITEM 2.1

DA/35749/2018/V2N - MATERIAL CHANGE OF USE - DEVELOPMENT PERMIT FOR LOW IMPACT INDUSTRY (FOOD PRODUCTION) AT 13 TOORBUL STREET, BONGAREE - DIVISION 1

APPLICANT: Shasu Pty Ltd C/- ARC Surveys Pty Ltd

OWNER: Shasu Pty Ltd Tte

Meeting / Session: 2 PLANNING & DEVELOPMENT

Reference: A17194154: 6 July 2018 – Refer Supporting Information A17202310, A17202139

Responsible Officer: CS, Planner (PED Development Services)

Executive Summary

APPLICATION DETAILS	
Applicant:	Shasu Pty Ltd C/- ARC Surveys Pty Ltd
Lodgement Date:	26 February 2018
Properly Made Date:	19 March 2018
Confirmation Notice Date:	23 March 2018
Information Request Date:	4 April 2018

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ITEM 2.1 DA/35749/2018/V2N - MATERIAL CHANGE OF USE - DEVELOPMENT PERMIT FOR LOW IMPACT INDUSTRY (FOOD PRODUCTION) AT 13 TOORBUL STREET, BONGAREE - DIVISION 1 - A17194154 (Cont.)

Info Response Received Date:	1 May 2018
Public Notification Dates:	14 May 2018 - 4 June 2018
No. of Submissions:	Properly Made: One (1) Not Properly Made: Zero (0)
Decision Due Date:	30 July 2018
Prelodgement Meeting Held:	No

PROPERTY DETAILS

Division:	Division 1
Property Address:	13 Toorbul Street, Bongaree
RP Description	Lot 13 RP838157
Land Area:	672m ²
Property Owner	Shasu Pty Ltd Tte

STATUTORY DETAILS

Planning Legislation:	<i>Planning Act 2016</i>
Planning Scheme:	MBRC Planning Scheme
Planning Locality / Zone	Centre zone, Local Centre precinct
Level of Assessment:	Impact Appropriate

This application proposed a Material Change of Use - Development Permit for Low Impact Industry (Food Production) situated at the abovementioned property. It is proposed to utilise an existing outbuilding (approximately 45.7m²) located at the rear of the existing bakery for making sandwiches, rolls, etc which will be taken off site for sale via three food van/ trucks.

The application was publicly advertised with one (1) submission received. The proposed development is considered to accord with the intent of the MBRC Planning Scheme, and is recommended to be approved subject to conditions.

COMMITTEE RECOMMENDATION

Moved by Cr Koliana Winchester

Seconded by Cr Peter Flannery

CARRIED 11/0

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

ITEM 2.1 DA/35749/2018/V2N - MATERIAL CHANGE OF USE - DEVELOPMENT PERMIT FOR LOW IMPACT INDUSTRY (FOOD PRODUCTION) AT 13 TOORBUL STREET, BONGAREE - DIVISION 1 - A17194154 (Cont.)

OFFICER'S RECOMMENDATION

A. That Council, in accordance with the *Planning Act 2016*, approves the development application for a Material Change of Use - Development Permit for Low Impact Industry (Food Production) at 13 Toorbul Street, Bongaree, described as Lot 13 RP 838157, subject to the following plans/documents and conditions:

B.

Approved Plans and Documents			
Plan / Document Name	Reference Number	Prepared By	Dated
Site Plan	1-SP	-	1 May 2018
Floor Plan and Elevations	WSS172109-5	-	14 February 2018
Elevations	WSS172109-10	-	14 February 2018

Conditions

CONDITION		TIMING
MATERIAL CHANGE OF USE - DEVELOPMENT PERMIT		
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 commencement of use and to be maintained at all times.
2	On-Site Car Spaces	
A	Provide at least eight (8) vehicle spaces on site. Note: the eight spaces are sufficient to satisfy the parking requirements for the existing bakery, hairdresser, the two dwellings and the new food production use.	Prior to commencement of use and to be maintained at all times.
B	Provide for the manoeuvring of vehicles on site, generally in accordance with the approved plan. Car spaces, access lanes, the identified unloading area and driveways shown on the approved plan must not be used for any other purpose besides parking and loading areas.	Prior to commencement of use and to be maintained at all times.
3	Premises Hours of Operation	
	Limit the hours of operation to between 6:00am to 3:00pm Monday to Friday. Note: these hours pertain to the food production use only.	At all times.
4	Screen Fencing	

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	Maintain the 1.8 metre screen fencing along the side boundaries.	To be maintained at all times.
5	Delivery Vehicles from the site (Food Vans/ trucks)	
A	A maximum of three (3) delivery vehicles are permitted on site at any time.	At all times
B	Loading of goods from the site into delivery vehicles (food vans/ trucks) is to occur only in the covered car parking areas.	To be maintained at all times.
C	Vehicles used for delivery from the site must be no larger than a B99 Vehicle (5.04 metres long). Note this condition does not apply to service vehicles delivering to the site.	

CONDITION		TIMING
MATERIAL CHANGE OF USE - DEVELOPMENT PERMIT		
ENVIRONMENTAL HEALTH		
6	Waste Management	
	Manage waste in accordance with SC 6.20 Planning Scheme Policy - Waste.	Prior to commencement of use and to be maintained at all times.
7	External Lighting	
	Install external lighting in accordance with AS4282-1997 - (Control of the Obtrusive Effects of Outdoor Lighting) or as amended.	Prior to commencement of use and to be maintained at all times.
8	Mechanical Exhaust Ventilation System	
	A mechanical exhaust ventilation system is not permitted to be installed on the building, housing the Low Impact Industry (Food Production) use. Note: This condition relates to all ventilation systems including those for cooking equipment and/or washing and sanitising equipment relating to the Low Impact Industry (Food Production) use. The existing mechanical exhaust ventilation system on site, operates in association with the existing bakery and is not subject to conditions imposed under this permit.	Prior to commencement of use and to be maintained at all times.

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CONDITION		TIMING
MATERIAL CHANGE OF USE - DEVELOPMENT PERMIT		
DEVELOPMENT ENGINEERING		
9	Replace Existing Council Infrastructure	
	Replace existing Council infrastructure (including but not limited to street trees and footpaths) that is damaged as part of construction works, to a standard which is consistent with Council's standards.	Prior to commencement of use.
10	Alterations and Relocation of Existing Services	
	Any alteration or relocation in connection with or arising from the development to any service, installation, plant, equipment or other item belonging to or under the control of the telecommunications authority, electricity authorities, the Council or other person engaged in the provision of public utility services is to be carried with the development and at no cost to Council.	Prior to commencement of use.

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. 7) dated 11 December 2017 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>

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	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.
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- C. That the Council report for this application be published to the website as Council's statement of reasons in accordance with Section 63 (5) of the *Planning Act 2016*.
- D. That the following information be included in the Decision Notice.

Decision Notice information

	Details to Insert
Application Type	Material Change of Use - Development Permit for Low impact industry (Food Production)
Relevant Period of Approval	Material Change of Use – 6 years
Section 64(5) Deemed Approval	Not applicable
Superseded Planning Scheme	Not applicable
Variation approval affecting the Planning Scheme	Not applicable
Other Necessary Permits	Building Works – Development Permit (for change of building classification)
Codes for Accepted Development	Not applicable
Referral Agencies	There are no Referral Agencies
Submissions	There was one (1) properly made submissions about this application.

REPORT DETAIL

1. Background

On 19 January 2018, an application was received for a Food Business Licence (HE/11050/2018/FBLC1) for the existing shed at the site. The applicant was advised by Council Officers that the proposed use will require a Material Change of Use, Development Permit Application. The applicant has requested that Council do not continue to process the application for the Food Business Licence until Material Change of Use of the site has been decided.

2. Explanation of Item

2.1 Proposed Development

The applicant proposes to utilise the existing shed (45.7m²) for a *Food Production* use. The shed is located at the rear of an existing bakery and café use. The use will primarily involve making sandwiches and rolls, etc. to be transported via food vans for sale off site. No significant cooking and

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baking is proposed in the converted outbuilding with the required bread etc made in the existing bakery that the proposed use is co-located with. The applicant advises that the only cooking equipment located in the proposed Food Production shed is a small electric fryer and stove, that does not require a mechanical exhaust ventilation system to operate from the site.

Three (3) food vans the size of a normal B99 car (5.4m long) will be used to transport the food prepared at the site to other locations for sale. The food vans will be loaded in the covered parking spaces, and stored on the site overnight. The applicant has advised that each of the vans will complete one (1) round trip per day, resulting in six (6) vehicle movements in total for the three (3) delivery vans. Other service delivery vehicles delivering goods to the site will unload adjacent to the proposed food production shed in the identified unloading area. The proposed development will utilise the existing crossover to Toorbul Lane.

The proposed Food Production use will be operated between the hours of 6am to 3pm Monday to Friday. However, the applicant has advised that the typical operating hours will be between 6am – 9am Monday to Friday.

2.2 Description of the Site and Surrounds

The site is 672m² and contains an existing multi-use building that currently contains a bakery, hairdresser, and two (2) dwelling units. The rear of the site contains an existing outbuilding and eight (8) car parking spaces.

The site is surrounded by the following:

Directions	Planning Scheme Zone	Current Land Use
North-East	Centre Zone - Local Centre Precinct	Commercial buildings fronting Toorbul Street (Post Office, cafes, etc.)
North-West	Centre Zone - Local Centre Precinct	Toorbul Lane, Detached dwelling houses
South-East	General Residential Zone - Next Generation Neighbourhood Precinct	Multiple Dwelling (12 units)
South-West	Recreation and Open Space	Toorbul Street, Brennan Park

2.3 Assessment Benchmarks related to the Planning Regulation 2017

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

These Assessment Benchmarks are prescribed as being contained in:

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

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

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2.3.1 State Planning Policy

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

Assessment benchmark - livable communities		
Applicable to Development	SPP requirement	Comment
No	None	Not applicable
Assessment benchmark - mining and extractive resources		
Applicable to Development	SPP requirement	Comment
No	None	Not applicable
Assessment benchmarks - water quality		
Applicable to Development	SPP requirement	Comment
No	None	Not applicable
Assessment benchmarks - natural hazards, risk and resilience		
Applicable to Development	SPP Requirement	Comment
Yes	<p>Bushfire, flood, landslide, storm tide inundation, and erosion prone areas outside the coastal management district:</p> <p>(1) Development other than that assessed against (1) above, avoids natural hazard areas, or where it is not possible to avoid the natural hazard area, development mitigates the risks to people and property to an acceptable or tolerable level.</p> <p>All natural hazard areas:</p> <p>(2) Development supports and does not hinder disaster management response or recovery capacity and capabilities.</p> <p>(3) Development directly, indirectly and cumulatively avoids an increase in the severity of the natural hazard and the potential for damage on the site or to other properties.</p> <p>(4) Risks to public safety and the environment from the location of hazardous materials and the</p>	An assessment of the proposed development has been undertaken against the applicable SPP requirements and the proposal has been determined to comply.

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	release of these materials as a result of a natural hazard are avoided. (5) The natural processes and the protective function of landforms and the vegetation that can mitigate risks associated with the natural hazard are maintained or enhanced.	
Assessment benchmarks - strategic airports and aviation facilities		
Applicable to Development	SPP Requirement	Comment
No	None	Not applicable

2.3.2 South East Queensland Regional Plan

The site is located in the Urban Footprint.

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

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

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

2.4.1 Strategic Framework

An assessment against the Strategic Framework is not required by the development proposal.

2.4.2 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		
Centre Zone Code - Local Centre precinct	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	PO4 PO18 PO24
Overlay Codes		
Flood Hazard Overlay Code	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	

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Coastal Overlay Code	Hazard	<input checked="" type="checkbox"/> Yes	
		<input type="checkbox"/> No	

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

2.4.3 Performance Outcome Assessment

Performance Outcome	Example
Centre Zone Code - Local Centre precinct	
PO4 The development has sufficient area and dimensions to accommodate required buildings and structures, vehicular access, manoeuvring and parking and landscaping.	No example provided.
<i>Performance Outcome Assessment</i>	
<p>The proposed layout does not accommodate the required manoeuvring area. The applicant proposes that the driveway that runs north-west of the proposed Food Production area be used for a temporary unloading area for deliveries to the site. There is not sufficient space for a MRV to turn around in the site, meaning that a delivery truck would not be able to enter and leave the site in forward gear.</p> <p>While any deliveries to the site are being unloaded, the driveway for the other uses at the site would be blocked. It is noted that the unloading area on the driveway is only proposed to be used for deliveries to the site, not from the site, and are expected to be relatively short. Further Toorbul Lane at the rear of the site is a low volume low speed traffic environment.</p> <p>As the proposal does not comply with this Performance Outcome, an assessment against the Overall Outcomes is required and is discussed in the following section of this report.</p>	
PO18 Loading and servicing areas: <ul style="list-style-type: none"> a. are not visible from any street frontage; b. are integrated into the design of the building; c. include screening and buffers to reduce negative impacts on adjoining sensitive land uses; d. are consolidated and shared with adjoining sites where possible. 	No example provided.
<i>Performance Outcome Assessment</i>	
<p>The proposed loading areas for the food delivery vans leaving the site will occur within the covered car parks that adjoin the shed. This will provide adequate screening for the loading of the food delivery vans for deliveries from the site.</p> <p>The unloading area for deliveries to the site will be adjacent to the proposed Food Production area in the driveway of the site in the area identified on the site plan as an unloading area. This is consistent with the current arrangement for the existing bakery at the site. However, the loading area is visible from Toorbul Lane. Although Toorbul Lane is a service lane, it still services dwellings located along the laneway.</p> <p>As the proposal does not comply with this Performance Outcome, an assessment against the Overall Outcomes is required and discussed in the following section of this report.</p>	

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Performance Outcome	Example
PO24 Noise generating uses do not adversely affect existing or potential noise sensitive uses.	No example provided
Performance Outcome Assessment	
<p>The building that is proposed to be used for the Food Production has no openings facing the side of the neighbouring Multiple Dwelling building. The delivery vans that will be transporting the food off-site for sale will be loaded in the covered car parking area, which provides screening from the adjoining residential use.</p> <p>It is recommended that conditions are included relating to the permitted loading location of the food vans, and prohibiting exhaust ventilation systems on the proposed Food Production building. The recommended conditions will assist to limit the potential noise impacts on the adjoining noise sensitive use and as well as controlling the scale of the activity occurring within the building.</p> <p>Appropriately conditioned, the proposed development can comply with the Performance Outcome.</p>	

2.4.4 Overall Outcome Assessment

The development proposal does not comply with Performance Outcomes PO4 and PO18 of the Centre Zone Code - Local Centre precinct. Therefore, the proposal is required to be assessed against the applicable Overall Outcomes of the code as follows;

Section 6.2.1.6.1 Purpose - Centre Zone - Local Centre Precinct		
Overall Outcomes	Complies Y/N	Comments
a. Development is of a size, scale and range of services commensurate with the role and function of this precinct within the centres network.	Y	The proposed Food Production use co-locates with an existing bakery. The proposed use is of a size and scale acceptable to the precinct, and utilises the existing building footprint at the site. The proposal complies with Overall Outcome A.
b. Development contributes to a mix and the co-location of compatible uses, in a compact urban form.	Y	The proposed development is co-located with an existing bakery, hair dresser, and dwelling units. The proposal complies with Overall Outcome B.
c. Development is of a sufficient intensity and land use mix to support public transport, active transport, improve land efficiency and support centre facilities.	Y	The proposed development utilises the existing infrastructure that supports the bakery at the site. The proposal complies with Overall Outcome C.
d. Medium density housing, in the form of low-rise multiple dwellings(49) incorporating mixed uses where possible, is incorporated within local centres.	NA	The proposed development does not involve any additional residential components. Overall Outcome D is not applicable.

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e. Adverse impacts on the amenity of surrounding residential uses are minimised by mitigating noise, odour and air quality impacts on residents to a level consistent with the location within or adjoining a local centre.	Y	<p>The proposed development does not involve the use of any noisy machinery, or result in the release of any adverse odours or emissions.</p> <p>The existing shed that is proposed to be used for the Food Production has no openings facing the side of the neighbouring Multiple Dwelling building. The delivery vans that will be taking the food off site for sale will be loaded in the covered car parking area, which provides screening from the adjoining residential use.</p> <p>The recommended conditions ensure that no adverse impacts on the amenity of the surrounding area are generated by the proposed Food Production. The proposal complies with Overall Outcome E.</p>
f. The safety and efficiency of pedestrian movement is prioritised in the design of car parking areas and the size, frequency and location of vehicle crossovers.	Y	<p>The proposed development will utilise the existing vehicle crossover and parking areas that are located at the rear of the site, away from public pedestrian access to the existing shops. The proposal complies with Overall Outcome F.</p>
g. The amount of on-site car parking encourages the use of public and active transport, increases land use efficiency and does not negatively impact the streetscape.	Y	<p>The car parking provided on the site complies with the minimum and maximum car parking rates for non-residential uses in a Local Centre, and are located at the rear of the site. The proposal complies with Overall Outcome G.</p>
h. Facilities, infrastructure and public realm improvements are provided to support active transport usage and contribute to improved pedestrian connectivity and walkability between key destinations.	NA	<p>The proposal does not include any change to the built form or layout of the site. No external works are proposed for street frontages. Overall Outcome H is not applicable.</p>
i. Pedestrian connections are provided to integrate the development with the street, public spaces and the surrounding area.	Y	<p>The site includes existing pedestrian connections from the existing shop fronts to Toorbul Street. No public/pedestrian access is proposed to the Food Production area at the rear of the site. The proposal complies with Overall Outcome I.</p>
j. Development encourages social activity through the provision of high quality civic and plaza spaces.	Y	<p>The existing bakery at the site includes an activated street frontage area with an outdoor</p>

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		dining area located on the road reserve of Toorbul Street. The proposed Food Production Area is located at the rear of the site, and will not impact publicly available areas of the site. The proposal complies with Overall Outcome J.
<p>k. The design, siting and construction of buildings within a local centre:</p> <ul style="list-style-type: none"> i. contributes to a high quality centre consistent with the desired character of the centre and surrounding area; ii. maintains a human scale, through appropriate building heights and form; iii. is centred around a main street; iv. provides attractive, active frontages that maximise pedestrian activity along road frontages and public spaces; v. provides for active and passive surveillance of the public spaces, road frontages and movement corridors; vi. does not result in internalised shopping centres(76) with large external blank walls and tenancies only accessible from within the building; vii. locates tenancies at the street with car parking at the rear; viii. ensures expansive areas of surface car parking do not dominate road frontages or public spaces; ix. ensures parking, manoeuvring and servicing areas are designed, located and aesthetically treated to not be visually dominant features from the streetscape and public spaces; x. includes buffers or other treatments measures to respond to the interface with residential zoned land. 	Y	The proposed development utilises an existing building on the site, and does not include any additional buildings. The existing buildings at the site address and provide an interactive frontage to Toorbul Street, and allows passive surveillance over the public areas surrounding the site. The car parking areas are located at the rear of the site, and are not a visually dominant aspect of the site. The car parking and loading areas are buffered from adjoining residential areas by the existing shed that is proposed to be used for the Food Production Area. The proposal complies with Overall Outcome K.
<p>l. Out-of-centre development, including centre expansion (into adjoining zones and precincts) or the establishment of a new centre only occurs where:</p> <ul style="list-style-type: none"> i. it maintains the scale and function of a local centre consistent with Table 6.2.1.1 including provision of one full line supermarket plus local specialty shops and lower order commercial uses; ii. expansion strengthens the existing centre as an important local activity node, or for a new centre, strengthens the centres network within the region; 	NA	The proposal will utilise the existing building footprint and will not result in any new centre or expansion to the existing centre. Overall Outcome L is not applicable.

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<ul style="list-style-type: none"> iii. clear separation from existing higher order, district and local centres within the network are maintained to reduce catchment overlap and to establish 15 minute walkable neighbourhoods (generally, local centres should be separated from other centres by 2400m and neighbourhood hubs by 1600m, measured from the centre of each centre or neighbourhood hub); iv. for expansion, it is located on a highly accessible site, adjoining the existing centre not resulting in the fragmentation of the centre; v. for a new centre, it is located on a sub-arterial or collector road; vi. designed to include active frontages around a main street core; vii. expansion does not result in an elongated centre forming a ribbon of development along regional through roads. 		
<ul style="list-style-type: none"> m. General works associated with the development achieves the following: <ul style="list-style-type: none"> i. new development is provided with a high standard of services to meet and support the current and future needs of users of the site, including roads, street lighting services, telecommunications and reticulated electricity (underground wherever possible), water and sewerage (where available); ii. the development manages stormwater to: <ul style="list-style-type: none"> A. ensure the discharge of stormwater does not adversely affect the quality, environmental values or ecosystem functions of downstream receiving waters; B. prevent stormwater contamination and the release of pollutants; C. maintain or improve the structure and condition of drainage lines and riparian areas; D. avoid off-site adverse impacts from stormwater. iii. the development does not result in unacceptable impacts on the capacity and safety of the external road network; iv. the development ensures the safety, efficiency and useability of access ways and parking areas; v. site works including earthworks are managed to be safe and have minimal 	NA	The proposed development does not include any external building works, and will not alter the impervious area at the site. The proposal will utilise the existing vehicle crossover and parking area. Overall Outcome M is not applicable.

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impacts on adjoining or adjacent premises, the streetscape or the environment.		
n. Activities associated with the use do not cause a nuisance by way of aerosols, fumes, light, noise, odour, particles or smoke.	Y	The proposed development does not involve the use of any noisy machinery, or result in the release of any adverse odours. The shed that is proposed to be used for the Food Production has no openings facing the side of the adjoining Multiple Dwelling block. It is recommended that a condition is included to state that a mechanical exhaust ventilation system is not permitted. The delivery vans that will be taking the food off site for sale will be loaded in the covered car parking area, which provides screening from the adjoining residential use. The recommended conditions ensure that no nuisance is caused by the proposed Food Production. The proposal complies with Overall Outcome N.
o. Noise generating uses are designed, sited and constructed to minimise the transmission of noise to appropriate levels and do not cause environmental harm or nuisance.	Y	The proposed Food Production business is primarily making sandwiches and rolls, etc for sale off site. The proposed use does not include any noisy machinery, and is not expected to create any significant noise impacts. The loading of food from the site will be undertaken in covered parking areas, screened from any adjoining residential uses. The proposal complies with Overall Outcome O.
p. Noise sensitive uses are designed, sited and constructed so as not to be subject to unacceptable levels of noise.	NA	The proposed development does not result in any additional noise sensitive uses at the site. Overall Outcome P is not applicable.
q. Development avoids areas subject to constraint, limitation, or environmental value. Where development cannot avoid these identified areas, it responds by: i. adopting a 'least risk, least impact' approach when designing, siting and locating development in any area subject to a constraint, limitation or environmental value to minimise the potential risk to people, property and the environment;	Y	The site avoids any mapped erosion prone area, and is located in the balance Storm Tide and balance Flood Hazard areas. The proposed non-residential use will occur in an existing building, and it is a recommendation of this report that any building works which are below the Flood Planning Level are to be constructed from materials with a high water resistance.

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<ul style="list-style-type: none"> ii. ensuring no further instability, erosion or degradation of the land, water or soil resource; iii. when located within a Water buffer area, complying with the Water Quality Vision and Objectives contained in the Seqwater Development Guidelines: Development Guidelines for Water Quality Management in Drinking Water Catchments 2012. iv. maintaining, restoring and rehabilitating environmental values, including natural, ecological, biological, aquatic, hydrological and amenity values, and enhancing these values through the provision of planting and landscaping, and facilitating safe wildlife movement and connectivity through: <ul style="list-style-type: none"> A. the provision of replacement, restoration, rehabilitation planting and landscaping; B. the location, design and management of development to avoid or minimise adverse impacts on ecological systems and processes; C. the requiring of environmental offsets in accordance with the Environmental Offsets Act 2014. v. protecting native species and protecting and enhancing species habitat; vi. protecting and preserving the natural, aesthetic, architectural historic and cultural values of significant trees, places, objects and buildings of heritage and cultural significance; vii. establishing effective separation distances, buffers and mitigation measures associated with identified infrastructure to minimise adverse effects on sensitive land uses from odour, noise, dust and other nuisance generating activities; viii. establishing, maintaining and protecting appropriate buffers to waterways, wetlands, native vegetation and significant fauna habitat; ix. ensuring it promotes and does not undermine the ongoing viability, integrity, operation, maintenance and safety of identified infrastructure; 		<p>The proposed use area is not mapped within the Riparian and Wetland setback or any overland flow path. The proposal complies with Overall Outcome Q.</p>
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<ul style="list-style-type: none"> x. ensuring effective and efficient disaster management response and recovery capabilities; xi. where located in an overland flow path: <ul style="list-style-type: none"> A. development siting, built form, layout and access responds to the risk presented by the overland flow and minimises risk to personal safety; B. development is resilient to the impacts of overland flow by ensuring the siting and design accounts for the potential risks to property associated with the overland flow; C. development does not impact on the conveyance of the overland flow for any event up to and including the 1% AEP for the fully developed upstream catchment; D. development directly, indirectly and cumulatively avoid an increase in the severity of overland flow and potential for damage on the premises or other premises, public lands, watercourses, roads or infrastructure. 		
<p>r. Development in the Local centre precinct is for one or more of the uses identified below:</p> <p><i>Low impact industry - if not located adjoining a main street is a listed use.</i></p>	Y	The proposed Food Production Use adjoins Toorbul Lane, which is not a main street. Low impact industry - if not located adjoining a main street is listed in the table. The proposal complies with Overall Outcome R.
<p>s. Development in the Local centre precinct does not include one or more of the following uses:</p>	Y	The use is not included within the table identifying uses not to be included within the zone. The proposal complies with Overall Outcome S.
<p>t. Development not listed in the tables above may be considered on its merits and where it reflects and supports the outcomes of the zone.</p>	NA	The use is listed as a use that can be included within the zone. The use does not require assessment on its merits. Overall Outcome T is not applicable.

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).

2.5 Trunk Infrastructure

In accordance with section 4 of the Moreton Bay Regional Council Planning Scheme, the site is located in the identified Priority Infrastructure Area. Infrastructure charges applying to the land, where applicable, are to be applied in accordance the Council's Charges Resolution No. 7 commencing on 11 December 2017 (CR).

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2.5.1 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.

The site currently contains the following lawful uses:

- a Commercial Building (Retail) used for a bakery and hair dresser
- two (2) dwellings and a domestic outbuilding.

The existing uses for the Commercial Building (Retail) and two (2) dwelling units will remain, and the existing domestic outbuilding will be converted into Industrial Use. As such, Infrastructure Charges will be payable for the conversion of the existing shed into an Industrial use only. All other uses and Impervious Areas will remain the same.

2.5.2 Levied Charge Offset or Refund

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

2.5.3 Additional Trunk Infrastructure Costs

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

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

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

In this instance, having assessed the proposed development, it does not warrant the imposition of an additional payment condition.

2.6 Recording of particular approvals on the MBRC Planning Scheme

Not Applicable in this instance.

2.7 Referrals

2.7.1 Council Referrals

2.7.1.1 Development Engineering

Stormwater Flooding:

The development slightly encroaches into the flood hazard overlay at the front of the property (bakery). The rear of the property where the proposed food production use is not impacted by the flood hazard and coastal hazard overlay. The applicant has advised that the finished floor level of the non-habitable building is constructed to the Flood Planning Level.

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Stormwater quality management:

The development is located below the thresholds for a Stormwater Quality Management Plan set out in the State Planning Policy Water Quality.

Stormwater quantity management:

The rear of the development site is an existing impervious carparking area. Therefore, the new shed and carport will not increase impervious area and will not have any adverse impact in regards to stormwater runoff.

Parking and Access:

According to the PSP Schedule 8, HRV is required to service the low impact industry development. However, due to the small scale nature of the food production development, this requirement is reduced to a SRV service vehicle.

The development will be conditioned to carry out deliveries for goods leaving the site in vehicles not larger than a B99 vehicle (5.04m long). As deliveries to the site do not occur on a regular basis, the access aisle can be utilised as a short-duration unloading bay.

Note Council waste vehicles will service the bulk bin in the road reserve.

2.7.1.2 Environmental Health

Noise

The new building has no openings facing the side of the neighbouring multi residential block that also has minimal windows on that side of the building. The new building is also lined and no machinery will be used in making food items. Consequently, there are no anticipated adverse noise impacts to sensitive uses. In this regard, no noise conditions are recommended with any noise emissions from the proposed use managed under the *Environmental Protection Act 1994*.

Waste Management

Waste management arrangements will use the existing bin service therefore a waste management program is not required. As a consequence the recommendations of this report include a condition that the development be undertaken in accordance with SC 6.20 Planning scheme policy - Waste.

Lighting

It is recommended that a condition be provided to prevent intrusive lighting from the building.

Food Business Licence

The development incorporates a licensable food business under the Food Act 2006. The operator has applied for the licence that can be issued if a development approval is issued. The food business licence will regulate the internal works required to upgrade the outbuilding to a food licenced premise.

Mechanical Ventilation

Some food businesses use equipment that require mechanical ventilation to extrude fumes, smoke, steam and vapour from the premises. This food business does not require such equipment which means there are no amenity or noise issues for sensitive uses from mechanical ventilation. As a consequence the recommendations of this report include a condition that prohibits the installation of a mechanical exhaust ventilation system. As a result of this condition the scale and possible future emissions can be managed or mitigated.

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2.7.2 Referral Agencies

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

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

2.7.2.2 Advice Agencies

There were no Advice Agencies involved in assessing this application.

2.7.2.3 Third Party Agencies

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

2.8 Public Consultation

2.8.1 *Public Notification Requirements under the Development Assessment Rules*

- (a) Public Notification was served on all adjoining landowners on 10 May 2018.
- (b) The development application was advertised in the Bribie Weekly on 11 May 2018.
- (c) A notice in the prescribed form was posted on the relevant land on 10 May 2018 and maintained for a period of 15 business days until 4 June 2018.

2.8.2 *Submissions Received*

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

Type		Number Signatures	of Number Submissions
Properly Made	Letter, Email, Fax		1
	Petition	0	0
Not Properly Made	Letter, Email, Fax		0
	Petition	0	0
Total			1

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

Assessment of Submissions
<p>Issue - Noise Impact The submitter states that the proposed development will have noise impacts on the adjoining residential property:</p> <ul style="list-style-type: none"> • This business has been operating without approvals and has a high impact on noise during the night every night. • The noise of these vans is very disruptive as they are filled with ice and trays of food and further the engine is turned on well before they leave the premises and the noise of these trucks is extremely disruptive. • The noise impacts are extensive to residents, including myself and my family every night and early hours of the morning. • It is requested that a noise meter be installed on our balcony and adjoining units so that all noise can be registered. • The vans are also filled with ice which is extremely noisy very early (well before 6am) as it is thrown into the metal van. All of this noise is definitely HEARD from the neighbouring property and are located within the open driveway. Further the delivery trucks motors are started approximately half an hour prior to leaving the

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Assessment of Submissions
<i>premises and echo significantly with engine noise against the metal building, amplifying this noise.</i>
<p>Council Investigations have confirmed that the use of the Low Impact Industry has not yet commenced, so inferences of noise impacts from the proposed use are most likely related to the existing land use at the site.</p> <p>The proposed Food Production consists of the making of sandwiches and rolls, etc, that will be then taken by a food van for sale off the site. The applicant has advised that any baking or cooking undertaken for the Food Production use will be undertaken in the Bakery that operates at the front of the site. Given that no plant or machinery is used within the food production building, no adverse noise impacts are expected from the food production. The applicant has stated that the unloading bay shown on the plan is for unloading deliveries to the site only. The food vans leaving the site will use the existing parking spaces located within the carport structure to load deliveries from the site. This area is screened from the adjoining residential property.</p> <p>The applicant has advised that the Low Impact Industry (Food Production) will operate between 6:00am to 3:00pm Monday to Friday. Three vehicles will be used for deliveries from the site, and there will be a total of 6 vehicle movements associated with the food production use.</p> <p>It is recommended that any approval include a condition limiting the unloading of the service delivery vehicles to the site to the unloading area shown adjacent to the shed.</p> <p>Mechanical ventilation to extrude fumes, smoke, steam and vapour from the premises is not required as part of this use and therefore there are no expected amenity or noise issues for sensitive uses from mechanical ventilation. To ensure that no potential future expansion or change of use of the building results in additional noise impacts from ventilation or exhaust, it is recommended that any approval include a condition that prohibits the installation of a mechanical exhaust ventilation system.</p> <p>This is not sufficient grounds for refusal of the application.</p>
Issue - Hours of Operation
<p>The submitter has raised concerns regarding the proposed hours of operation:</p> <ul style="list-style-type: none"> <i>It must be noted that the highlighted "open" times for the Bongaree Hot Bread are incorrect. This business is operating 24/7.</i> <i>Packing of the food vans of food which is meant to be prepared in this facility, commences prior to 5am.</i>
<p>The bakery is an existing use at the site, and does not form part of this application. The applicant has proposed that the Low Impact Industry (Food Production) will operate between 6:00am to 3:00pm Monday to Friday. It is recommended that any approval include a condition limiting the hours of operation for the proposed Low Impact Industry (Food Production).</p> <p>This is not sufficient grounds for refusal of the application.</p>
Issue - Use of Toorbul Lane
<p>The submitter raises concerns regarding the use of Toorbul Lane:</p> <ul style="list-style-type: none"> <i>There are a number of "heavy" vehicles that access the site.</i>

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Assessment of Submissions

- *The owners and staff do not utilise the public car parking or marked street parking but rather park in the very narrow Toorbul Lane, where there is NO marked street parking.*
- *These cars significant hinder access to the rear carpark at adjacent Las Brisas units, and further reduce visibility when exiting Las Brisas.*
- *Further when the rubbish truck collects rubbish, it stops on Toorbul Lane, wheels bins onto the lane, empties the bins and then wheels bins back whilst completely preventing any access for vehicles to the Lane. It completely blocks all traffic.*
- *Toorbul Lane has residential properties which have direct carpark access to these properties. It is not and has not always functioned as a service lane but as a residential access and public access lane as there is also a public carpark at the back of the Bongaree arcade.*
- *The loading and driveway area are accessed by customers. Customers regularly enter through the back driveway and load or walk away with trays of baked goods. This definitely occurs on days that markets are on and has happened repeatedly.*

The existing parking provided on the site meets the requirements of the Planning Scheme for the total combined existing uses on the site and the proposed Low Impact Industry (Food Production). During a site visit it was observed by Council Officers that a number of vehicles park along the edge of Toorbul Lane. Vehicles parking in Toorbul Lane is not regulated by this development application.

The applicant has stated that Toorbul Lane has always functioned as a service lane and delivery vehicles have historically reversed into the businesses along here to do deliveries. When the commercial buildings backing onto Toorbul Lane were built there was no requirement for vehicles to have to enter and leave in a forward gear.

The proposed Low Impact Industry (Food Production) will utilise the existing bin at the site. As the site is not able to accommodate a Council Waste vehicle, the bulk bin will be serviced in the road reserve as per the current arrangement for the existing businesses established on the site.

Development Engineering has stated that according to the PSP - Schedule 8: an HRV is required to service the low impact industry development. However, due to the small nature of the food production development, this requirement is reduced to a SRV service vehicle. As deliveries to the site does not occur on a regular basis, the access aisle can be utilised as a short-duration unloading bay as per the existing arrangements for the bakery and the Hair Dresser.

This is not sufficient grounds for refusal of the application.

Issue - Visual Impacts

The submitter raises concerns about the visual impacts of the waste storage area of the site:

- *Bins are very visible to our residents particularly from our back balcony. Further these are often left open encouraging crows, ibis and other vermin.*
- *The bins are not screened from view.*

The proposed bin storage area is shown on the plans as being located at the rear of the site, along the Toorbul Lane frontage. The applicant has indicated that Council should condition suitable screening of the waste storage areas.

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Assessment of Submissions
<p>Council's Environmental Health Officer has stated that MBRC Planning Policy - Waste states that bins are "screened or located so the bins cannot be seen from a public place". It is acknowledged the bins can be seen from the balcony of an elevated dwelling which is private property and this issue is not covered by the Policy.</p> <p>It is recommended that any approval include a condition requiring that the bin storage area is screened, and that waste is managed in accordance with SC 6.20 Planning Scheme Policy - Waste.</p> <p>This is not sufficient grounds for refusal of the application.</p>
<p>Issue - Gas refuelling</p> <p>The submitter has raised concerns regarding the gas bottles at the site:</p> <ul style="list-style-type: none"> <i>The gas bottles are actually a gas re-fuelling station which is dangerous in such close proximity to Las Brisas and in particular my unit. Further, when this is being used, a strong gas odour enters my unit and I consider this harmful to the health of myself and my family. I further consider this extremely dangerous. Noise is also a factor when gas bottles are being filled.</i> <p>The applicant has advised that the gas bottles are associated with the existing Bakery, and fixed and are piped to the building. The applicant proposes that the gas bottles will be stored behind the waste enclosure area.</p> <p>Any concerns regarding the fire risk from a "gas refuelling station" adjacent to the property boundary should be directed to Workplace Health and Safety.</p> <p>This is not sufficient grounds for refusal of the application.</p>
<p>Issue - Fire Safety</p> <p>The submitter has raised concerns regarding fire safety at the site:</p> <ul style="list-style-type: none"> <i>There has been cooking equipment installed in the "food production area" including deep fryers. This in itself indicates that it is and will be used for more than sandwich preparation. Frying of any food increases fire safety hazards which with a gas refuelling station directly beside the building significantly increases the risks for residents in Las Brisas Units.</i> <p>The applicant has advised that the only cooking equipment in the shed is a bench top deep fryer and cooktop/oven. There are no fire risks with this equipment and it is considered appropriate for use by the proposed food business.</p> <p>Any concerns regarding the fire risk from a "gas refuelling station" adjacent to the property boundary should be directed to Workplace Health and Safety.</p> <p>This is not sufficient grounds for refusal of the application.</p>

2.8.3 Notice of Compliance

The Notice of Compliance was received by Council on 5 June 2018. The Notice of Compliance identifies that the public notification requirements for the development application were correctly undertaken in accordance with the requirements of Part 4, of the Development Assessment Rules.

ITEM 2.1 DA/35749/2018/V2N - MATERIAL CHANGE OF USE - DEVELOPMENT PERMIT FOR LOW IMPACT INDUSTRY (FOOD PRODUCTION) AT 13 TOORBUL STREET, BONGAREE - DIVISION 1 - A17194154 (Cont.)

2.9 Other Matters

None identified.

3. Strategic Implications

3.1 Legislative/Legal Implications

The applicant (and submitter) have appeal rights in accordance with the *Planning Act 2016*.

3.2 Corporate Plan / Operational Plan

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

3.3 Policy Implications

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

3.4 Risk Management Implications

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

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

The proposal will generate additional employment opportunities within Bribie Island.

3.8 Environmental Implications

There are no environmental implications arising from this development application.

3.9 Social Implications

There are no environmental implications arising from this development application.

3.10 Consultation / Communication

Refer to clause 2.7.

ATTENDANCE

Mr Clancy Sloan left the meeting at 11.07am after consideration of Item 2.1 and Mr Rohan Coldham attended at that time for consideration of Item 2.2.

ITEM 2.2

DA/35332/2017/V23C - MATERIAL CHANGE OF USE - DEVELOPMENT PERMIT FOR A HEALTH CARE SERVICE AND RECONFIGURING A LOT - DEVELOPMENT PERMIT (ACCESS EASEMENT) - 190 FREEMAN ROAD AND 109 ESPLANADE TOORBUL - DIVISION 1

APPLICANT: Mr Mark W Higham C/- Murray and Associates (Qld) Pty Ltd
OWNER: Mr Mark W Higham

Meeting / Session: 2 PLANNING & DEVELOPMENT
Reference: A17049762: 13 July 2018 – Refer Supporting Information A17201605
Responsible Officer: RC, Principal Planner (PED Development Services)

Executive Summary

APPLICATION DETAILS	
Applicant:	Mr Mark W Higham C/- Murray and Associates (Qld) Pty Ltd
Lodgment Date:	17 November 2017
Properly Made Date:	24 November 2017
Confirmation Notice Date:	1 December 2017
Information Request Date:	14 December 2017
Info Response Received Date:	27 March 2018
Public Notification Dates:	23 April 2018 - 15 May 2018
No. of Submissions:	Properly Made: Two (2) Not Properly Made: Nil (0)
Decision Due Date:	25 July 2018
Prelodgement Meeting Held:	PRE/4019

PROPERTY DETAILS	
Division:	1
Property Address:	190 Freeman Road and 109 Esplanade Toorbul
RP Description	Lot 9 RP71363 and Lot 10 SP132488
Land Area:	Lot 9 RP71363: 607m ² Lot 10 SP132488: 1890m ²
Property Owner	Mr Mark W Higham

STATUTORY DETAILS	
Planning Legislation:	Planning Act 2016
Planning Scheme:	MBRC Planning Scheme
Planning Locality / Zone	General residential zone - Coastal communities
Level of Assessment:	Impact

This application seeks a Material Change of Use - Development Permit for a Health Care Service and Reconfiguring a Lot (access easement) at 190 Freeman Road and 109 Esplanade, Toorbul, on land described as Lot 9 RP71363 and Lot 10 SP132488. The applicant seeks to reuse an existing Dwelling House (Lot 9 RP71363) to provide a Health Care service specifically a Doctor's surgery. Onsite parking is to be established at the rear of the existing structure, with access provided via proposed assessment easements over Lot 10 SP132488, that are also being created as part of this application.

The application was publicly advertised with two (2) properly made submissions received one in support and one which can be addressed via conditions. The proposed development is considered to accord with

ITEM 2.2 DA/35332/2017/V23C - MATERIAL CHANGE OF USE - DEVELOPMENT PERMIT FOR A HEALTH CARE SERVICE AND RECONFIGURING A LOT - DEVELOPMENT PERMIT (ACCESS EASEMENT) - 190 FREEMAN ROAD AND 109 ESPLANADE TOORBUL - DIVISION 1 - A17049762 (Cont.)

the intent of the MBRC Planning Scheme, and is recommended to be approved, subject to appropriate conditions.

COMMITTEE RECOMMENDATION

Moved by Cr Brooke Savage

Seconded by Cr Adam Hain

CARRIED 11/0

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

ITEM 2.2 DA/35332/2017/V23C - MATERIAL CHANGE OF USE - DEVELOPMENT PERMIT FOR A HEALTH CARE SERVICE AND RECONFIGURING A LOT - DEVELOPMENT PERMIT (ACCESS EASEMENT) - 190 FREEMAN ROAD AND 109 ESPLANADE TOORBUL - DIVISION 1 - A17049762 (Cont.)

OFFICER'S RECOMMENDATION

- A. That Council, in accordance with the *Planning Act 2016*, approves the development application for a Material Change of Use - Development Permit for a Health Care Service and Reconfiguring a Lot - Development Permit (access easement) at 190 Freeman Road and 109 Esplanade Toorbul, described as Lot 9 RP71363 and Lot 10 SP132488, subject to the following plans/documents and conditions:

Approved Plans and Documents			
Plan / Document Name	Reference Number	Prepared By	Dated
Proposed Floor Plan	DWG No.BK18-002	Bob Keating Design and Drafting	19/01/2018
Proposed Carparking Over Lot 9 on RP71363	A3/60791/Car Parking	Murray & Associates	19/06/2018
Proposed Access Easement over Lot 9 on RP71363 and Lot 10 SP132488	A3/60791 Prop EMT/B	Murray & Associates	19/06/2018
Disaster Management Assessment	No.60791	Murray & Associates (QLD) Pty Ltd	March 2018
Waste Management Program	CIV1700	Contour Consulting Engineers	15 September 2017

Conditions

CONDITION		TIMING
MATERIAL CHANGE OF USE - DEVELOPMENT PERMIT HEALTH CARE SERVICE		
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 commencement of use and to be maintained at all times.
2	DPU Disaster Management Plan	
A	Submit for approval a Disaster Management Plan in accordance with the recommendations of the approved Disaster Management Assessment and the following limitations: <ul style="list-style-type: none"> The approved use limited to the existing Dwelling house with a maximum Gross Floor Area (m²) of 100.6m², The approved use is not to occur during a Storm tide inundation event, During early indication of a Storm tide inundation event and or severe weather warning, cancellation / rescheduling of appointments are to occur to ensure 	Prior to the commencement of use.

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	<p>patients are not travelling to the site during such events; and</p> <ul style="list-style-type: none"> Necessary equipment for a Disaster Management Kit to be stored at or above 3.4 metre AHD 	
B	The use of the converted building (Lot 9) as a Health Care Service is to be undertaken in accordance with the approved Disaster Management Plan.	At all times.
3	On-Site Car Spaces	
A	Provide onsite parking in accordance with the approved plan.	Prior to commencement of use and to be maintained at all times.
B	Provide for the manoeuvring of vehicles on site, generally in accordance with the approved plan. Car spaces, access lanes and driveways shown on the approved plan must not be used for any other purpose.	Prior to commencement of use and to be maintained at all times.
4	Premises Hours of Operation	
	<p>Limit the hours of operation to between 7am To 7pm Monday to Sunday.</p> <p>To remove any doubt the surgery may open for emergency situations outside of these hours.</p>	At all times.
5	Screen Fencing	
A	<p>i. Construct a screen fence along the southern boundary of the site adjoining Lot 8 RP71363. Unless an alternative design is agreed to with the owner of the adjoining land, the screen fence is to:</p> <ul style="list-style-type: none"> Achieve a minimum height from the finish level of the carpark of 2.0 metres or 1.8 from top of retaining wall and constructed of treated timber from the rear boundary to the front setback of Dwelling, Achieve a maximum height no greater than the top of the Deck railing forward of the Dwelling tapering to 1.2 metres at the front boundary. Achieve a surface area density not less than 10 kg/m²; and Has no air gaps (including at the base and between panels). <p>ii. Construct a screen fence along the shared boundary of Lot 71 RP151538 with Lot 9 RP71363 and Lot 10 RP71363. Unless an alternative design is agreed to with the owner of the adjoining land, the screen fence is to be:</p> <ul style="list-style-type: none"> Achieve a minimum height of 2.0 metres from ground level, Achieves a surface area density not less than 10 kg/m²; and Has no air gaps (including at the base and between panels). 	Prior to the commencement of the use and to be maintained at all times.

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6	External Lighting	
	Install external lighting in accordance with AS4282-1997 - (Control of the Obtrusive Effects of Outdoor Lighting) or as amended.	Prior to commencement of use and to be maintained at all times.
7	Pedestrian Lighting	
A	Install lighting in any pedestrian areas that require illumination in accordance with AS 1158.3.1 Pedestrian Area (Category P) Lighting – Performance and installation design requirements or as amended.	Prior to commencement of use and to be maintained at all times.
8	Waste Management	
A	Implement the approved waste management program. Note: This development will use individual wheelie bins serviced at the kerbside of the street.	Prior to commencement of use.
B	Manage waste in accordance with SC 6.20 Planning Scheme Policy - Waste.	Prior to commencement of use and to be maintained at all times.
C	Provide a bin wash down facility connected to sewer as per SC 6.20 Planning Scheme Policy - Waste.	Prior to commencement of use and to be maintained at all times.
9	DPU - Screening	
	Windows along the southern side of the building are to be fixed with external privacy screens with a maximum transparency of 20%.	Prior to commencement of use and to be maintained at all times.
10	DPU Landscaping Plan	
	Provide landscaping on site generally in accordance with Planning Scheme Policy - Integrated Design Appendix D - Landscaping. And Provide a minimum width of 1.5 metres of soft landscaping along the rear boundary of the site (Lot 9). And Maintain existing soft landscaping within the front setback of the Dwelling house at a maximum height that supports clear sight lines from the street to the deck and main entrance to the Dwelling house (front door).	Prior to commencement of use and to be maintained at all times.
11	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: 1. a reticulated water supply network connection is available to the land; and	Prior to the commencement of use.

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	<p>2. a sewerage network connection is available to the land; and</p> <p>3. all the requirements of Unitywater have been satisfied.</p>	
CONCURRENCE AGENCY		
12	Concurrence Agency	
A	Comply with the conditions of Department of State Development, Manufacturing, Infrastructure and Planning response dated 15 January 2018 (reference: 1712-2846 SRA) or as amended.	At all times.
B	Provide certification to Council prepared by a suitably qualified person or the agency demonstrating the requirements of the Department of State Development, Manufacturing, Infrastructure and Planning have been met.	At all times.
DEVELOPMENT ENGINEERING		
13	Effluent Disposal	
A	<p>Provide suitably a sized holding tank to service the proposed development. All Effluent is to be removed from site by an authorised septage carrier.</p> <p>Note: Any modification of the existing wastewater treatment unit will require a plumbing approval prior to the commencement of work.</p>	Prior to commencement of use and to be maintained at all times.
B	Provide a copy of the plumbing Compliance Certificate upon completion of the works required under (A) above.	Prior to commencement of use.
14	Replace Existing Council Infrastructure	
	Replace existing Council infrastructure (including but not limited to street trees and footpaths) that is damaged as part of construction works, to a standard which is consistent with Council's standards.	Prior to commencement of use.
15	Alterations and Relocation of Existing Services	
	Any alteration or relocation in connection with or arising from the development to any service, installation, plant, equipment or other item belonging to or under the control of the telecommunications authority, electricity authorities, the Council or other person engaged in the provision of public utility services is to be carried with the development and at no cost to Council.	Prior to commencement of use.
16	Access, Internal Roadways, Parking and Servicing Areas	
A	<p>Design, construct and maintain, all line-marking, accesses, internal roadways, parking and servicing areas, in accordance with the approved plan of layout, MUTCD and Australian Standard AS2890. The works must be designed, constructed to provide the following:</p> <ol style="list-style-type: none"> 1. A minimum 3.0-metre-wide driveway from the Freeman Road frontage to the Lot 9 car parking area. 2. Line marking and signage designating the Freeman Road access as one-way from east to west. 	Prior to commencement of use and to be maintained.

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	3. A minimum 5.5-metre-wide driveway connecting the proposed Lot 9 car parking area with the existing car parking aisle on Lot 10.	
B	Provide a 'Level III' allotment drainage system in accordance with the Queensland Urban Drainage Manual (QUDM). The design ARI for the system shall be in accordance with QUDM.	Prior to commencement of use and to be maintained.
C	Provide certification from an RPEQ that all works have been designed and constructed in accordance with this permit condition.	Prior to commencement of use.
17	Access Easements	
	Provide reciprocal access easements over Lot 9 and Lot 10 in accordance with the approved plan of development.	Prior to commencement of use.
18	Construction Affecting Existing Roads	
	Provide and maintain control measures for any works in or affecting roads (including verges) to ensure that the works will not injure, endanger, obstruct or unduly inconvenience any person or user of the road. Note: All traffic control devices must be installed and maintained in accordance with the Manual of Traffic Control Devices (Queensland).	At all times.

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 fulfil 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. 7) dated 11 December 2017 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</p>

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	<p>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>
3	Waste Management (Clinical)
	<p>Management of clinical waste must be conducted in accordance with the provisions of the <i>Waste Reduction and Recycling Regulation 2011 - Part 5B Management of clinical and related wastes</i>.</p>

- B. That the Council report for this application be published to the website as Council's statement of reasons in accordance with Section 63 (5) of the *Planning Act 2016*.
- C. That all external Referral Agencies for the development application be provided with a copy of the Council's Decision Notice.
- D. That the following information be included in the Decision Notice.

Decision Notice information

	Details to Insert
Application Type	<p>(a) Reconfiguring a Lot Development Permit (access easement)</p> <p>AND</p> <p>(b) Material Change of Use Development Permit for Health care service.</p>
Relevant Period of Approval	<p>Reconfiguring a Lot requiring or not requiring Works – 4 years</p> <p>Material Change of Use – 6 years</p>
Section 64(5) Deemed Approval	Not applicable
Superseded Planning Scheme	Not applicable
Variation approval affecting the Planning Scheme	Not applicable
Other Necessary Permits	Building Works – Development Permit
Codes for Accepted Development	Not applicable
Referral Agencies	Department of State Development, Manufacturing, Infrastructure and Planning.
Submissions	There were two (2) properly made submissions about this application.

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REPORT DETAIL

1. Background

Lot 10 SP132488, is benefited by existing buildings used for a Chemist, General store and a Tavern forming a Neighbourhood hub.

Lot 9 RP71363, is benefited by an existing Dwelling house and associated Domestic outbuilding which is proposed to be converted as part of this application.

2. Explanation of Item

This application seeks a Material Change of Use - Development Permit for a Health Care Service and Reconfiguring a Lot Development Permit (access easement) at 190 Freeman Road, and 109 Esplanade Toorbul, on land described as Lot 9 RP71363 (Lot 9), and Lot 10 SP132488 (Lot 10).

It is proposed to reuse the existing Dwelling house located on Lot 9 to a Health Care Service specifically a Doctor's surgery. The existing Dwelling House is single storey construction with a Gross Floor Area (GFA) of 100.60m². The proposed development of the site will include four (4) visitor onsite parking spaces and one (1) Medium Ridged Vehicle (MRV) at the rear of the building.

To facilitate access and internal pedestrian / vehicle movement a reciprocal access easement over Lot 9 and Lot 10 is also being sort by the applicant.

No works are proposed over Lot 10, other than necessary upgrades to the existing internal driveway and new driveway crossover from Freeman Road. Proposed building works over Lot 9 are limited to a change of building classification from a Dwelling house to a Class 5 building for a professional use.

Coastal Hazard (Storm tide) Overlay Code and Flood Hazard Overlay Code

Lot 9 and Lot 10 are mapped as being constrained by Medium risk storm tide inundation, very minor areas of Medium risk flood hazard, and Balance flood planning area. Both the Coastal Hazard (storm tide) Overlay Code and Flood Hazard Overlay Code (*Overlay codes*) apply to this application. Moreover, certain uses with the mapped Overlay codes area under the MBRC Planning Scheme are defined as "*vulnerable use*" (including a Health care service).

Converting the existing Dwelling house into a building for a Health Care Service within (Lot 9) cannot achieve or be conditioned to achieve the Overall Outcomes of the Overlay codes, triggering assessment of the development against the relevant elements of the Strategic Framework. A detailed assessment of the proposed development against the Strategic Framework is provided within section 2.3.1 of this report.

The conversion of the existing Dwelling House into a Heath Care Service accords with the Strategic Framework acknowledging that:

- The Health Care Service will provide vital community support in health care to the wider Toorbul Community that does not currently exist in the community.
- The proposal seeks to utilise an existing approved structure for the proposed use as a Health Care Service which adjoins a designated neighbourhood hub.
- The use of the existing Dwelling House as a Health Care Service will be conducted in accordance with a Disaster management plan.
- Onsite parking, and pedestrian movements are restricted to the mapped Balance flood hazard area,
- The Health care service is limited in size to the existing footprint of the existing structure (100.6m² Gross Floor Area); and
- Residential uses will no longer occur on site.

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2.1 Description of the Site and Surrounds

Directions	Planning Scheme Zone	Current Land Use
North	Recreation and open space	Esplanade, with Toorbul Esplanade (Foreshore) (North).
South	General residential zone - Coastal communities precinct	Dwellings
East	General residential zone - Coastal communities precinct	Freeman Road
West	Recreation and open space	Toorbul Caravan Park

2.2 Assessment Benchmarks related to the Planning Regulation 2017

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

These Assessment Benchmarks are prescribed as being contained in:

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

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

2.2.1 State Planning Policy

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

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

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Assessment benchmarks - water quality		
Applicable to Development	SPP requirement	Comment
No	None	Not applicable.
Assessment benchmarks - natural hazards, risk and resilience		
Applicable to Development	SPP Requirement	Comment
Yes	<p>Erosion prone areas within a coastal management district:</p> <ul style="list-style-type: none"> (1) Development does not occur in an erosion prone area within a coastal management district unless the development cannot feasibly be located elsewhere as is: <ul style="list-style-type: none"> (a) coastal dependent development; or (b) temporary, readily relocatable or able to be abandoned development; or (c) essential community infrastructure; or (d) minor redevelopment of an existing permanent building or structure that cannot be relocated or abandoned. (2) Development permitted in (1) above, mitigates the risks to people and property to an acceptable or tolerable level. <p>Bushfire, flood, landslide, storm tide inundation, and erosion prone areas outside the coastal management district:</p> <ul style="list-style-type: none"> (3) Development other than that assessed against (1) above, avoids natural hazard areas, or where it is not possible to avoid the natural hazard area, development mitigates the risks to people and property to an acceptable or tolerable level. <p>All natural hazard areas:</p> <ul style="list-style-type: none"> (4) Development supports and does not hinder disaster management response or recovery capacity and capabilities. (5) Development directly, indirectly and cumulatively avoids an increase in the severity of the natural hazard and the potential for damage on the site or to other properties. 	<p>The proposed development is not located within the mapped Erosion prone areas within a coastal management district.</p> <p>The proposed development is located within a mapped Storm tide inundation area. Converting the existing Dwelling house into a building for a Health care service will be conducted in accordance with an approved Disaster management plan, this includes not using the building during a Storm tide inundation event.</p> <p>The existing approved Dwelling house is below the Flood Planning Level (FPL). However, the proposed use does not increase the level of risk, people or property as the proposed use will utilise an existing building and be closed during major storm tide events. Further the use will not see persons staying and living within the residence and therefore it is considered that the risk is lowered. In this instance, despite the building being subject to a Storm tide inundation event, appropriately conditioned the use of the building as a Health care service does not conflict with the SPP.</p>

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	(6) Risks to public safety and the environment from the location of hazardous materials and the release of these materials as a result of a natural hazard are avoided. (7) The natural processes and the protective function of landforms and the vegetation that can mitigate risks associated with the natural hazard are maintained or enhanced.	
Assessment benchmarks - strategic airports and aviation facilities		
Applicable to Development	SPP Requirement	Comment
No	None	Not applicable.

2.2.2 South East Queensland Regional Plan

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

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

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

2.3.1 Strategic Framework

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

MBRC Place Model - Elements Coastal Communities Place Type (3.14.13.1)	
Strategic Outcome	Assessment
3.14.13.1 Specific Outcomes - Sustainability and resilience	
<ol style="list-style-type: none"> Land within this place type is vulnerable to coastal hazards and to projected increases in future hazard events which will constrain new development to the existing settlement footprint of the coastal communities; Development is designed to avoid exposure to riverine flood events, and to the extent practical mitigate the hazard of storm tide, erosion and inundation; 	<p>(1, 2) The applicant seeks to reuse an existing Dwelling house into a Health care service, adjoining an existing neighbourhood hub (Lot 10) that is benefited by a Chemist, General store, and Tavern. The Health care service will be conducted in accordance with an approved Disaster management plan, including not using the building during a Storm tide inundation event.</p> <p>The development is designed to avoid exposure to storm tide inundation to the extent practical by not seeking to expand the existing GFA of the building (100.60 m²).</p>

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<ol style="list-style-type: none"> 3. Buildings on large lots interspersed with private open space and trees respond to local climate conditions through incorporation of subtropical design principles such as allowing for the flow of breezes, natural ventilation and light; 4. Larger lots associated with detached housing and footpaths retain shade trees and native vegetation which contribute to the amenity and micro-climate of the area and ensure the ongoing provision of ecosystem services; 5. Developments are designed to allow solar access, ventilation and flow of breezes and provide open space and footpaths suitable for extensive native vegetation and appropriate shade trees; 6. Buildings are to be designed and sited so as to minimise energy requirements and provide a high standard of residential amenity; and 7. Development is managed and located to mitigate adverse effects of bushfire and landslide; 	<p>Appropriately, conditioned converting the existing Dwelling house as a building for a Health care service accords with the Specific Outcome.</p> <p>(3,4) The existing lot configuration remains unchanged, albeit reciprocal access easements over Lot 9 and Lot 10 to support vehicle and pedestrian access between the two lots are required.</p> <p>(5,6) The applicant does not seek to undertake additional building works beyond the requirements for a change in building classification. Existing solar access, ventilation and flow of breezes are maintained.</p> <p>Appropriately, conditioned the proposed development archives the Specific Outcome.</p>
<p>3.14.13.2 Specific Outcomes - Natural environment and landscape</p>	
<ol style="list-style-type: none"> 1. Natural areas within Coastal communities form part of the green infrastructure network that links with the surrounding Coasts and riverlands place type and links to the Mountains, forest and waterways place type; 2. Any infill development or redevelopment maintains existing natural areas and the wildlife they support, including a range of threatened species, and provides buffers to protect the green infrastructure network; 3. Development maintains and enhances natural scenic amenity values through maintenance and restoration of vegetated buffers between development and coastal waters and provision of open space along foreshores; 4. Development and coastal activities are located, designed and managed to mitigate disturbance of acid sulfate soils and the mobilisation and release of nutrients of concern from nutrient hazard areas; and 	<p>(1-5) The existing natural areas within the surrounding community remain unchanged. The proposed development seeks to reuse an existing Dwelling house as a building with access via a constructed carriageway (Freeman Road and Esplanade).</p> <p>The proposed development does not seek to undertake excavation and/or filling. Disturbance of acid Sulfate soils is avoided.</p> <p>The proposed development is not located along existing shoreline, and is separated by Esplanade.</p> <p>In this instance, the proposed development achieves the Specific Outcome.</p>

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5. Development does not increase the risk of shoreline erosion	
3.14.13.3 Specific Outcomes - Strong communities	
<ol style="list-style-type: none"> 1. Community services and facilities provided in coastal communities will be limited to support the existing resident populations in these areas; 2. The range of community facilities provided in Coastal communities is retained; 3. The foreshore, parks and open space, boat ramps, jetties, board walks, bikeways, recreational trails and community facilities within the villages provide low key, informal and safe meeting places for community interaction; 4. A diverse range of active and passive sport and recreational opportunities are available for residents and visitors; 5. The values of cultural heritage sites are maintained and enhanced; and 6. Development retains the sense of place and maintains the low intensity and small scale village character. 	<p>The proposed Health care service is small scale, (100.60m²). The use will provide an important Health care service to the Toorbul community and seeks to reinforce the adjoining neighbourhood hub for commercial activities.</p> <p>Converting the existing Dwelling house into a building for a Health care service maintains the existing streetscape and retains the sense of place, low intensity, and small scale village character.</p> <p>In this instance, the proposed development achieves the Specific Outcome.</p>
3.14.13.4 Specific Outcomes - Settlement pattern	
<ol style="list-style-type: none"> 1. No significant new development occurs within the coastal communities; and 2. Development that does occur is infill, confined to the existing settlement footprint, and generally maintains the existing small-scale, low density character of the coastal communities. 	<p>The proposed development seeks to reuse an existing Dwelling house into a building to be used for a Health care service and is accepted as infill development of a scale and intensity not to compromise the low-density character of Toorbul.</p> <p>In this instance, the proposed development achieves the Specific Outcome.</p>
3.14.13.5 Specific Outcomes - Employment location	
<ol style="list-style-type: none"> 1. Employment is provided in: <ol style="list-style-type: none"> a. Small scale retail / convenience type uses to service the local residents and visitors; b. Home based businesses operated within residential premises; and c. Small scale uses which service tourist/day tripper activities including short term visitor/tourist accommodation. 	<p>The proposed Health care service will provide an additional service to support the residents of Toorbul.</p> <p>In this instance, the proposed development achieves the Specific Outcome.</p>

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3.14.13.6 Specific Outcomes - Natural resources

1. Development does not adversely impact on the natural resources of the area including wetlands and waterways of Moreton Bay Marine Park, declared fish habitat areas and sand dune deposits; and
2. The high levels of ecosystem services provided in this area are protected from development impacts.

The existing natural areas within the surrounding community remains unchanged. The proposed development seeks to reuse an existing Dwelling house into a building to be used for a Health care service and is accepted as infill development of a scale and intensity that will not compromise the low-density character of Toorbul.

In this instance, the proposed development achieves the Specific Outcome.

3.14.13.7 Specific Outcomes - Integrated transport

1. An adequate level of service for road access is maintained for residents and visitors to the villages;
2. Boating facilities are maintained to provide safe access to the waterways; and
3. Local centres, local concentrations of employment and other local attractors are within 15 minutes of all residents by walking, cycling or public transport.

(1) Lot 9 and Lot 10 are afforded an adequate level of service for road access for the proposed use.

(2) Boating facilities are maintained and not compromised by the development.

(3) The site is centrally located and supports a 15-minute walkable community. Lot 9 adjoins a Neighbourhood hub (Lot 10). The proposed development seeks to reinforce the Neighbourhood hub by establishing reciprocal access easements between the two (2) lots to support internal vehicle and pedestrian access.

In this instance, the proposed development achieves the Specific Outcome.

3.14.13.8 Specific Outcomes - Infrastructure

1. Infrastructure, including public utilities and major telecommunication facilities, is designed and located to mitigate detrimental impacts on the visual quality and environmental values, character and amenity of the area;
2. Infrastructure is not subject to coastal hazards; and
3. Coastal communities have access to high speed broadband to support residential and business needs.

Note applicable, the applicant seeks to retain the existing infrastructure that services both lots. The proposed development does not seek to establish additional public utilities or major telecommunications facilities.

3.14.13.9 Specific Outcomes - Water Management

1. Development retains the natural hydrological characteristics of waterways, wetlands and coastal areas including groundwater, and mitigates disturbance of acid sulfate soils and the mobilisation and release of nutrients of concern from nutrient hazard areas;

(1) The applicant seeks to reuse an existing Dwelling house into a Health care service. Hydraulic characteristics of the site remain unchanged.

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2. Existing town water and sewerage connections are maintained;	(2) Existing town water connection to the site is to be maintained for the proposed use. Reticulated sewerage is not available within Toorbul.
3. Septic wastewater systems do not adversely impact on water quality in waterways; and	(3) A recommendation of this report is the existing onsite effluent system is to be removed and replace with holding tank (pump out system) to ensure the development does not adversely impact on water quality.
4. Water sensitive urban design measures are incorporated into development to protect and enhance the water quality in the Region's waterways, Pumicestone Passage and Deception Bay.	(4) The proposed development does not include additional GFA(m ²), existing stormwater infrastructure for the site is to be maintained. Appropriately, conditioned the proposed development achieves the Specific Outcome.

2.3.2 Assessment of Applicable Codes

Code Compliance Summary

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

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

Assessment Benchmarks	Compliance with Overall Outcomes	Performance Outcomes assessment is required
Zone/ Local Plan Code		
General Residential Zone Code - Coastal Communities precinct	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	PO5, PO51, PO56
Overlay Codes		
Coastal Hazard Overlay Code	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	PO15
Flood Hazard Overlay Code	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	PO5, PO10

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

2.3.3 Performance Outcome Assessment

Performance Outcome	Example
General Residential Zone Code - Coastal Communities precinct	
PO5	E5.1 For the primary street frontage, buildings are constructed:

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Performance Outcome	Example
Front setbacks ensure non-residential buildings address and actively interface with streets and public spaces.	<ul style="list-style-type: none"> a. to the property boundary; or b. setback a maximum of 3m from the property boundary, where for the purpose of outdoor dining.
<i>Performance Outcome Assessment</i>	
<p>The proposed development seeks to convert an existing Dwelling house for a Health care service. The building is located approximately 3.50 metres from the primary street frontage (Freeman Road). The front door is clearly visible from the road frontage and is benefited by an open deck providing a nexus between the building and street.</p> <p>A recommendation of this report is landscaping within front setback is to main clear visibility between the building entry and street.</p> <p>In this instance, the proposed development achieves the Performance Outcome (PO5)</p>	

Performance Outcome	Example
General Residential Zone Code - Coastal Communities precinct	
PO51 The expansion (into adjoining lots) of existing neighbourhood hubs or the establishment of a new neighbourhood hub does not occur.	No example provided
<i>Performance Outcome Assessment</i>	
<p>The applicant seeks to reuse an existing Dwelling house to a Health care service adjoining a neighbourhood hub (Lot 10). Despite seeking to establish internal vehicle and pedestrian access between the two (2) lots. The proposed development is a non-residential use and results in the expansion of the existing Neighbourhood hub over Lot 9.</p> <p>In this instance, the proposed development cannot comply or be conditioned to comply with the Performance Outcome (PO51) and requires assessment against the Overall Outcomes of the Code.</p>	

Performance Outcome	Example
General Residential Zone Code - Coastal Communities precinct	
PO56 <ul style="list-style-type: none"> a. The number of car parking spaces is managed to; b. avoid significant impacts on the safety and efficiency of the road network; c. avoid an oversupply of car parking spaces; d. avoid the visual impact of large areas of open car parking from road frontages and public areas; e. promote active and public transport options; f. promote innovative solutions, including on-street parking and shared parking areas. 	E56.1 Car parking is provided in accordance with Schedule 7 - Car parking.
<i>Performance Outcome Assessment</i>	

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Performance Outcome	Example
<p>For complete assessment of the proposed use against the relevant Performance Outcomes, Example 56.1 requires development to provide onsite parking in accordance with Schedule 7 - Car parking. For a Health care service four (4) spaces per 100m² of GFA is required (proposed GFA 100.60m²). In this instance, the applicant is required to provide a minimum of four (4) spaces. The original plans submitted in support of the proposed use included seven (7) spaces, albeit a change in the internal access arrangements to provide an additional access via Esplanade to support greater internal vehicle and pedestrian movement has now been provided resulting in a reduction of area for onsite vehicle parking, albeit achieving the Example 56.1.</p> <p>In this instance, a recommendation of this report is onsite parking to be provided in accordance with the approved plans.</p>	

Performance Outcome	Example
Coastal Hazard Overlay Code	
<p>PO12 Development maintains personal safety at all times, such that:</p> <ol style="list-style-type: none"> a vulnerable land use (flood and coastal) is not located in the Erosion Prone Area, High risk storm tide inundation area or the Medium risk storm tide inundation area; new buildings are not located in the High risk storm tide inundation area included in the Limited development zone; evacuation capability from the development or other premises is not hindered or made more complicated and there is no significant additional burden placed on emergency services personnel; the isolation of persons in the Defined Flood Event is avoided. 	No example Provided
<i>Performance Outcome Assessment</i>	
<ol style="list-style-type: none"> The applicant seeks to establish an identified "vulnerable land use" as identified by the MBRC Planning Scheme within a mapped Medium risk storm tide inundation area. The proposed development cannot achieve or be conditioned to achieve Performance Outcome PO12(a.) The development does not include a new building. Toorbul is mapped Medium risk storm tide inundation area. A recommendation of this report is the use of the existing structure for a Health care service will be conducted in accordance with an approved Disaster management plan, including not operating the Health care service during a Storm tide inundation event. As above, a recommendation of this report is the proposed use is not to occur during a Storm tide inundation event. <p>In this instance, the proposed development cannot comply or be conditioned to comply with the Performance Outcome (PO12) and requires assessment against the Overall Outcomes of the Code.</p>	

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Performance Outcome	Example
Coastal Hazard Overlay Code	
PO15 Development ensures that where earthworks alone cannot ensure the development achieves the flood planning level in Table 8.2.1.3 'Flood planning level for a habitable floor (residential development) and a non-habitable floor (non-residential development) and levels for hazardous chemicals', a building is designed and constructed using pier and pole construction to achieve the required storm tide immunity in the Defined Flood Event.	No example Provided.
<i>Performance Outcome Assessment</i>	
<p>The Flood planning level for Storm tide inundation is 3.4 metres AHD. The applicant seeks to convert an existing approved Dwelling house into a Health care service, with a finished floor level of approximately 2.0 metres AHD, resulting in the proposed use being subject to flood inundation in a Storm tide event.</p> <p>In this instance, the proposed development cannot comply or be conditioned to comply with the Performance Outcome (PO15) and requires assessment against the Overall Outcomes of the Code.</p>	

Performance Outcome	Example
Flood Hazard Overlay Code	
PO5 Development is resilient to a flood hazard event by ensuring design and built form account for the potential risks of flooding.	E5.2 Development ensures that the finished floor level is located, designed and constructed to at least the flood planning level in <u>Table 8.2.2.3 'Flood planning level for a habitable floor (residential development) and a non-habitable floor (non-residential development) and levels for hazardous chemicals'</u> .
	E5.3 Development ensures that a non-habitable room below the flood planning level in <u>Table 8.2.2.3 'Flood planning level for a habitable floor (residential development) and a non-habitable floor (non-residential development) and levels for hazardous chemicals'</u> has a high water resistance.
<i>Performance Outcome Assessment</i>	
<p>The Flood planning level for Flood inundation is 1.9 metres AHD. The applicant seeks to convert an existing Dwelling house into a Health care service with a finished floor level of approximately</p>	

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Performance Outcome	Example
2.0 metres AHD. As such the building is not anticipated to be subject to flood inundation in flood event.	
However, the Flood planning level for Storm tide inundation prevails as the highest of the two (2) levels. In this instance, despite the building achieving the Flood planning level for a predicted Flood hazard, the building does not achieve the required levels for a Storm tide Coastal Hazard event and therefore requires assessment against the Overall Outcomes of the Code.	

Performance Outcome	Example
Flood Hazard Overlay Code	
<p>PO10</p> <p>Development maintains personal safety at all times, such that:</p> <ul style="list-style-type: none"> a. a vulnerable land use (flood and coastal) is not located in the High risk flood hazard area or Medium risk flood hazard area; b. new buildings are not located in the High risk flood hazard area included in the Limited development zone; c. a residential accommodation building is located in the following: <ul style="list-style-type: none"> i. Balance flood planning area; or ii. the Medium risk area where located in the Medium risk storm tide inundation area of the Coastal hazard overlay or Balance coastal planning area of the Coastal hazard overlay ; d. evacuation capability from the development or other premises is not hindered or made more complicated and there is no significant additional burden placed on emergency services personnel; e. the isolation of persons in the Defined Flood Event is avoided. 	No example provided.
<i>Performance Outcome Assessment</i>	
<ul style="list-style-type: none"> a. The applicant seeks to establish a “vulnerable land use” within an existing approved structure that is located within the Flood Balance Area. b. The development does not include a new building other than necessary for a change in building classification. c. The proposed use is not for a residential accommodation building. 	

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Performance Outcome	Example
d. Only the rear of the site is mapped Medium risk flood hazard area, evacuation would occur via Freeman Road.	
e. During a Defined Flood Event, predicated modelling indicated that Toorbul township would be isolated from the west. However, the site would not be subject to flooding, albeit the rear boundary that will be conditioned to contain soft landscaping.	
f. A Disaster Management Plan is required to be prepared and approved for the site.	
In this instance, the proposed development complies with the Performance Outcome (PO10).	

2.3.4 Overall Outcome Assessment

The development proposal does not comply with the following Performance Outcomes:

Performance Outcome (PO51)	General residential zone code - Coastal communities
Performance Outcome (PO15)	Coastal Hazard Overlay Code.
Performance Outcome (PO5), and (PO10)	Flood Hazard Overlay Code.

Therefore, the proposal is required to be assessed against the applicable Overall Outcomes of the code as follows;

General residential zone - Coastal communities precinct - 6.2.6.1.1		
Overall Outcomes	Complies Y/N	Comments
a. Residential development in the Coastal communities of Donnybrook, Toorbul, Meldale, Dohles Rocks and Beachmere maintain the small-scale, low density character of coastal communities. The predominant form of development is low rise, detached dwellings on large residential lots.	N/A	The applicant seeks to reuse an existing Dwelling house into a Health care service. Therefore no residential development is proposed. It is noted that the proposed development does not change the predominant form of low rise, detached dwellings when viewed from Freeman Road.
b. Intensification of land uses in this precinct is not envisaged. Residential uses have a maximum site density of 15 dwellings per hectare.	Yes	The proposed development is for a Health care service and does not seek to increase the residential density of Toorbul.
c. The form and nature of future development is compatible with and recognise the key characteristics of the precinct.	Yes	The applicant seeks to reuse an existing Dwelling house into a Health care service. This maintains the existing developed form and nature of Toorbul.
d. New buildings within the Coastal communities precinct are provided with urban services.	N/A	The proposed development seeks to reuse an existing Dwelling house as a building for Health care services.
e. New buildings achieve a high standard of amenity for residents and neighbours and maintain and enhance the vegetated and low intensity built character of the precinct.	N/A	The proposed development seeks to reuse an existing Dwelling house as a building for Health care services.
f. Community activities:	Yes	A Health care service is a Community activity use within the General residential

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<ul style="list-style-type: none"> i. do not negatively impact adjoining residents or the streetscape; ii. do not undermine the viability of existing or future centres. 		<p>zone. The applicant seeks to reuse an existing Dwelling house as a building for a Health care service. The site adjoins the existing neighbourhood hub and represents a logical expansion.</p>
<p>g. Retail and commercial activities:</p> <ul style="list-style-type: none"> i. are clustered with other non-residential uses forming a neighbourhood hub; ii. are centred around a 'Main Street' central core fostering opportunities for social and economic exchange; iii. are of a small scale, appropriate for a neighbourhood hub; iv. do not negatively impact adjoining residents or the streetscape; v. are subordinate in function and scale to all centres within the region. 	<p>Yes</p>	<p>A Health care service is a Retail and commercial activities use within the General residential zone. A building used for a Health care service over Lot 9 will be clustered with other non-residential uses, centered around the main intersection of Toorbul. The scale and intensity of the development is consistent with a neighbourhood hub servicing the Toorbul community.</p> <p>The proposed development remains subordinate to the scale and function of the centres within the region; and appropriately conditioned does not negatively impact on the adjoining residents or the streetscape.</p>
<p>h. The design, siting and construction of non-residential uses:</p> <ul style="list-style-type: none"> i. maintains a human scale, through appropriate building heights and form; ii. provides attractive, active frontages that maximise pedestrian activity along road frontages, movement corridors and public spaces; iii. provides for active and passive surveillance of road frontages, movement corridors and public spaces; iv. promotes active transport options and ensures an oversupply of car parking is not provided; v. does not result in large internalised shopping centres⁽⁷⁶⁾ (e.g. Large external blank walls with tenancies only accessible from within the building) surrounded by expansive areas of surface car parking. 	<p>Yes</p>	<p>The applicant seeks to reuse an existing Dwelling house into a Health care service. The building will maintain the existing streetscape and supports an appropriate building height and built form of the locality.</p>

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<p>i. General works associated with the development achieves the following:</p> <p>i. new development is provided with a high standard of services to meet and support the current and future needs of users of the site, including roads, street lighting services, telecommunications and reticulated electricity (underground wherever possible), water and sewerage (where available);</p> <p>ii. the development manages stormwater to:</p> <p>A. ensure the discharge of stormwater does not adversely affect the quality, environmental values or ecosystem functions of downstream receiving waters;</p> <p>B. prevent stormwater contamination and the release of pollutants;</p> <p>C. maintain or improve the structure and condition of drainage lines and riparian areas;</p> <p>D. avoid off-site adverse impacts from stormwater.</p> <p>iii. the development does not result in unacceptable impacts on the capacity and safety of the external road network;</p> <p>iv. the development ensures the safety, efficiency and useability of access ways and parking areas;</p> <p>v. site works including earthworks are managed to be safe and have minimal impacts on adjoining or adjacent premises, the streetscape or the environment.</p>	<p>Yes</p>	<p>The applicant seeks to construct a new driveway access and onsite car park at the rear of the site.</p> <p>Appropriately conditioned the works will achieve the stormwater requirements regulated under the planning scheme.</p>
<p>j. Activities associated with the use do not cause a nuisance by way of aerosols, fumes, light, noise, odour, particles or smoke.</p>	<p>Yes</p>	<p>Appropriately conditioned, fencing and lighting to support the building for a Health care service will achieve the Overall Outcome.</p>
<p>k. Noise generating uses are designed, sited and constructed to minimise the transmission of noise to appropriate levels and do not cause environmental harm or nuisance.</p>	<p>N/A</p>	<p>The proposed use Health care service is not considered a noise generating use.</p>
<p>l. Noise sensitive uses are designed, sited and constructed so as not to be subject to unacceptable levels of noise.</p>	<p>N/A</p>	<p>A Health care service is not a noise sensitive use.</p>

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<p>m. Development avoids areas subject to constraint, limitation, or environmental value. Where development 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 in any area subject to a constraint, limitation or environmental value to minimise the potential risk to people, property and the environment; ii. ensuring no further instability, erosion or degradation of the land, water or soil resource; iii. when located within a Water buffer area, complying with the Water Quality Vision and Objectives contained in the Seqwater Development Guidelines: Development Guidelines for Water Quality Management in Drinking Water Catchments 2012. iv. maintaining, restoring and rehabilitating environmental values, including natural, ecological, biological, aquatic, hydrological and amenity values, and enhancing these values through the provision of planting and landscaping, and facilitating safe wildlife movement and connectivity through: <ul style="list-style-type: none"> A. the provision of replacement, restoration, rehabilitation planting and landscaping; B. the location, design and management of development to avoid or minimise adverse impacts on ecological systems and processes; C. the requiring of environmental offsets in accordance with the Environmental Offsets Act 2014. v. protecting native species and protecting and enhancing species habitat; vi. protecting and preserving the natural, aesthetic, architectural historic and cultural values of significant trees, places, objects and buildings of heritage and cultural significance; 	<p>Yes</p>	<p>The site is mapped within the Riparian and wetland setback, albeit, no building works are proposed. The proposed development as submitted accords with the requirements for development within the Riparian and wetland setback.</p>
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<p>vii. establishing effective separation distances, buffers and mitigation measures associated with identified infrastructure to minimise adverse effects on sensitive land uses from odour, noise, dust and other nuisance generating activities;</p> <p>viii. establishing, maintaining and protecting appropriate buffers to waterways, wetlands, native vegetation and significant fauna habitat;</p> <p>ix. ensuring it promotes and does not undermine the ongoing viability, integrity, operation, maintenance and safety of identified infrastructure;</p> <p>x. ensuring effective and efficient disaster management response and recovery capabilities;</p> <p>xi. where located in an overland flow path:</p> <p>A. development siting, built form, layout and access responds to the risk presented by the overland flow and minimises risk to personal safety;</p> <p>B. development is resilient to the impacts of overland flow by ensuring the siting and design accounts for the potential risks to property associated with the overland flow;</p> <p>C. development does not impact on the conveyance of the overland flow for any event up to and including the 1% AEP for the fully developed upstream catchment;</p> <p>D. development directly, indirectly and cumulatively avoid an increase in the severity of overland flow and potential for damage on the premises or other premises, public lands, watercourses, roads or infrastructure.</p>		
<p>n. Development in the Coastal communities precinct includes one or more of the following: <i>Refer to Table as per Overall Outcomes</i></p>	<p>N/A</p>	<p>Despite the proposed use achieving vehicle access via a mapped Neighbourhood Hub, the site (Lot 9) is located outside a Neighbourhood Hub.</p>

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o. Development in the Coastal communities precinct does not include any of the following: <i>Refer to Table as per Overall Outcomes</i>	Yes	A Health care service is not listed as a use that is not supported in a Coastal communities precinct.
p. Development not listed in the tables above may be considered on its merits and where it reflects and supports the outcomes of the zone	Yes	A Health care service may be considered on its' merits where it reflects and support the outcomes of the zone. Appropriately conditioned the proposed use of the existing Dwelling house as a Health care service accords with the Overall Outcomes.

Coastal hazard overlay code - 8.2.1		
Overall Outcomes	Complies Y/N	Comments
2 (a.) - Erosion Prone Area 2 (b.) - High risk storm tide inundation area and Limited development zone. 2 (c.) - High risk storm tide inundation area and Limited development zone. 2 (e.) - Balance coastal planning area.	N/A	The proposed development is not located within the mapped Erosion Prone Area. The site is not mapped High risk storm tide inundation or mapped Limited development zone. The site is not mapped Balance coastal planning area.
d. Development in the Medium risk storm tide inundation area manages and mitigates the tolerable risk of the coastal hazard by ensuring that:		
i. a material change of use is only for uses consistent with the overall outcomes of the applicable zone and precinct if the use is not a vulnerable land use (flood and coastal) and the risk to people, property and infrastructure located on the premises and other premises is avoided or mitigated;	No	A Health care service is a vulnerable land use under the Coastal hazard overlay. With the site being mapped Medium risk storm tide inundation area a vulnerable land use is not supported on the site. In this instance, the proposed development cannot comply or be conditioned to comply with Overall Outcome 2 (d.)(i).
ii. reconfiguring a lot for boundary realignment only occurs if the risk of coastal hazard to people, property and infrastructure located on the premises and other premises is not increased and where practicable the risk of coastal hazard for future occupants is mitigated;	N/A	The proposed development seeks to establish an access easement. The existing lot configuration remains unchanged.
iii. reconfiguring a lot for creating lots by subdividing another lot is only for the following:		

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<p>A. in the Rural zone, where consistent with the overall outcomes of the applicable zone and precinct; or</p> <p>B. in the Centre zone, Industry zone, or Recreation and open space zone, where not for the purpose of a vulnerable use (flood and coastal) and consistent with the overall outcomes of the applicable zone and precinct; or</p> <p>C. in the Rural residential zone, where the minimum lot size for each rural residential lot is provided outside the High risk storm tide inundation area or Medium risk storm tide inundation area; or</p> <p>D. in all other zones, where:</p> <p>i. all resultant lots are located outside the High risk storm tide inundation area or Medium risk storm tide inundation area other than those for the purposes of Park or Permanent plantation; or</p> <p>ii. for a lot on a building format plan under the <i>Land Title Act 1994</i> which is subject to a community titles scheme under the <i>Body Corporate and Community Management Act 1997</i> and is associated with a material of use.</p>		
<p>iv. building work complies with the flood planning level, engineering design and resilient materials requirements;</p>	<p>No</p>	<p>The applicant seeks to reuse the existing Dwelling house into a Health care service, the established floor level of existing Dwelling house is approximately 2.00 metre AHD (ground level 1.75 metre AHD). The minimum floor level to achieve the Flood planning level in relation to the storm tide hazard is for Habitable floor levels for the site is 3.4 metre AHD. Therefore, the predicted flood modeling places the building below the Flood planning level and subject to storm tide inundation.</p> <p>In this instance, the proposed development cannot comply or be</p>

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		conditioned to comply with Overall Outcome 2 (d.)(iv).
<p>v. earthworks only occur if:</p> <p>A. in the General residential zone, Centre zone, Community facilities zone, Recreation and open space zone, Industry zone, Township zone or Emerging community zone;</p> <p>B. filling raises the ground level to as a minimum the Year 2100 Highest Astronomical Tide level ;</p> <p>C. there are no adverse local drainage impacts, flooding and coastal impacts on other premises, public land, watercourses, roads or infrastructure or impacts on natural riverine and coastal processes or flood warning times.</p>	Yes	The applicant seeks to undertake minor earthworks to facilitate onsite parking and provision of a holding tank for onsite effluent storage. The proposed earthwork are acceptable as minor works and will not cause adverse impacts on local drainage, public land, watercourse, road or infrastructure, or impact on natural riverine and coastal processes or flood warning times.
f. Development in the Coastal planning area:		
<p>i. supports and does not unduly burden the disaster management response and recovery capacity and capabilities during and after a significant coastal hazard event;</p>	Yes	<p>A Health Care Service located within Toorbul would provide an additional community service. Converting the existing Dwelling house for a Health care service does not otherwise unduly burden disaster management response as the building is part of the existing built form of Toorbul.</p> <p>A recommendation of this report is the use is to occur in accordance with an approved Disaster management plan, that limits the use and reduces the level of risk during a Storm tide inundation event.</p>
<p>ii. provides for efficient evacuation of on-site persons and facilitates direct and simple access for evacuation personnel and resources during a coastal hazard event, while ensuring development does not hinder or place additional complexities upon evacuation activities for other premises;</p>	Yes	<p>A recommendation of this report is the use will be conducted in accordance with an approved Disaster management plan, including not using the building as a Health care service during a Storm tide inundation event.</p>

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iii. avoids isolation of persons during a coastal hazard event up to and including the Defined Flood Event;	N/A	The proposed use is within an existing approved structure. The existing Toorbul community at large is at risk in extreme events. Whilst the use would only be used during the day, a recommendation of this report is the preparation and have approved a Disaster management plan,
iv. adopts siting, built form, layout, and access (including evacuation access) arrangements that respond to the risk of the coastal hazard and minimise risk to personal safety in all coastal hazard events up to and including the Defined Flood Event;	N/A	The proposed use is within an existing approved structure. The existing Toorbul community at large is at risk in extreme events. Whilst the use would only be used during the day, a recommendation of this report is the preparation and have approved a Disaster management plan,
v. is resilient to a coastal hazard event by ensuring the siting and design of development accounts for the potential risks to property associated with the coastal hazard event;	N/A	The proposed use is within an existing approved structure. The existing Toorbul community at large is at risk in extreme events. Whilst the use would only be used during the day, a recommendation of this report is the preparation and have approved a Disaster management plan,
vi. directly, indirectly and cumulatively avoids an increase in the severity of a coastal hazard event and potential for damage on the premises or to other premises;	Yes	By converting the existing Dwelling house into a building for a Health care service does not directly, indirectly or cumulatively increase the severity of a coastal hazard event. The built form remains unchanged.
vii. involving essential community infrastructure remains functional during and immediately after a coastal hazard event up to and including the Defined Flood Even	N/A	The proposed development is not essential community infrastructure.
viii. ensures that essential building services or services essential for the development are designed, located and operated to minimise the risk of the coastal hazard to people, damage to property, disruption to building function and the re-establishment time after a coastal hazard event;	N/A	<p>The applicant seeks to convert an existing Dwelling house to a building for a Health care service. Essential services to support the building are established.</p> <p>The development does not seek to change the current services and therefore does not impact on the existing function and re-establishment time after a coastal hazard event.</p>
ix. avoids the accidental release of hazardous materials as a result of a coastal hazard event;	Yes	The applicant seeks to convert an existing Dwelling house for a building for a Health care service, the proposed use does not include potential hazardous materials.

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x. maintains natural processes and the protective function of landforms and vegetation;	Yes	The applicant seeks to convert an existing Dwelling house for a building for a Health care service. Maintaining the existing built form supports and maintains the natural process and the protective function of landforms and vegetation of Toorbul.
xi. does not impact adversely on the ability for future coastal hazard mitigation measures to be implemented on other premises.	Yes	The site is centrally located within Toorbul's urban area, future coastal hazard mitigation measures are likely to be implanted external to the site.

Flood hazard overlay code - 8.2.1		
Overall Outcomes	Complies Y/N	Comments
<p>2 (a.) - High risk flood hazard area and Limited development zone</p> <p>2 (b.) - High risk area.</p> <p>2 (d.) - Drainage master plan area.</p>	N/A	<p>The proposed development is not located within the mapped High risk flood hazard area or Limited development zone.</p> <p>The site is not mapped High risk area.</p> <p>The site is not in a drainage master plan area.</p>
(c.) Development in the Medium risk area manages and mitigates the tolerable risk of flood hazard by ensuring that:		
<p>i. a material change of use is only for the following uses if consistent with the overall outcomes of the applicable zone and precinct and the risk to people, property and infrastructure located on the premises and other premises is avoided or mitigated:</p> <p>A. Dwelling house⁽²²⁾; or</p> <p>B. Outdoor sport and recreation⁽⁵⁵⁾; or</p> <p>C. Park⁽⁵⁷⁾; or</p> <p>D. Permanent plantation⁽⁵⁹⁾; or</p> <p>E. Cropping⁽¹⁹⁾ (where involving forestry for wood production); or</p> <p>F. Tourist park⁽⁸⁴⁾; or</p> <p>G. Home based business⁽³⁵⁾; or</p> <p>H. Non-residential uses where not involving a vulnerable land use (flood and coastal).</p>	No	<p>The applicant seeks to establish a Health care service on a Lot that is mapped as subject to Medium flood risk. Despite the Medium flood risk being located generally along the rear of the site and the building is located within the Balance flood planning area, the proposed development cannot achieve (H.) of the Overall Outcome.</p> <p>In this instance, the proposed development as submitted cannot achieve the Overall outcome.</p>

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ii. reconfiguring a lot for boundary realignment only occurs if the risk of flood hazard to people, property and infrastructure located on the premises and other premises is not increased and where practicable the risk of flood hazard for future occupants is mitigated	N/A	The proposed reconfiguring a lot does not include a boundary realignment.
iii. reconfiguring a lot for creating lots by subdividing another lot is only for the following: <ul style="list-style-type: none"> A. in the Rural zone, Centre zone, Industry zone, Recreation and open space zone, or Township zone, where not for a residential purpose or vulnerable use (flood and coastal) and consistent with the overall outcomes of the existing zone and precinct; B. in the Rural residential zone, where the minimum lot size for each rural residential lot is provided outside the High risk or Medium risk area; C. in any other zone, where all resultant lots are located outside the High risk or Medium risk area other than those for the purposes of Park⁽⁵⁷⁾ or Permanent plantation⁽⁵⁹⁾. iv. building work complies with the flood planning level, engineering design and resilient materials requirements; v. earthworks do not occur except where associated with a previous approval.	N/A	The proposed reconfiguring a lot does not include a subdivision.
e. Development in the Balance flood planning area manages and mitigates the tolerable risk of the flood hazard by ensuring that: <ul style="list-style-type: none"> i. a material change of use is only for uses consistent with the overall outcomes of the applicable zone and precinct if the risk to people, property and infrastructure 	No	The applicant seeks to reuse the existing Dwelling house into a Health care service within that part of the site mapped Balance flood planning area. The proposed use (Health care service) achieving the relevant Overall Outcomes of the General residential zone - Coastal communities precinct. However will not complying with Flood planning level of 3.9 metres AHD required under the Storm tide Overlay.

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<p>located on the premises and other premises is avoided or mitigated;</p> <p>ii. reconfiguring a lot is consistent with the overall outcomes of the applicable zone and precinct;</p> <p>iii. building work complies with the flood planning level and resilient materials requirements;</p> <p>iv. earthworks only occur, if:</p> <p>A. filling raises the ground level as a minimum to the Defined Flood Event;</p> <p>B. there are no adverse local drainage impacts, flooding and coastal impacts on other premises, public land, watercourses, roads or infrastructure or impacts on natural riverine and coastal processes or flood warning times.</p>		<p>In this instance, the proposed development as submitted cannot achieve the Overall outcome.</p>
f. Development in the Flood planning area:		
<p>i. supports, and does not unduly burden the disaster management response and recovery capacity and capabilities during and after significant flood events;</p>	Yes	<p>The applicant seeks to reuse the existing Dwelling house into a building for a Health care service. The building is located within that part of the site mapped Balance flood planning area. Having the building within the mapped Balance food planning area may assist at time in the recovery processes providing a Health care service within Toorbul.</p>
<p>ii. provides for efficient evacuation of on-site persons and facilitates direct and simple access for evacuation personnel and resources during flood events, while ensuring development does not hinder or place additional complexities upon evacuation activities for other premises;</p>	Yes	<p>As above, the building is located within that part of the site mapped Balance flood planning area. Having the building within the mapped Balance food planning area provides direct and simple access for evacuation during a flood event.</p>
<p>iii. avoids isolation of persons during flood events up to and including the Defined Flood Event;</p>	Yes	<p>The existing site is predominately located within the mapped Balance flood planning area. The building achieves the Flood planning level for Flood Events and would not result in the isolation of persons during a flood event.</p>

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iv. provides for siting, built form, layout, and access (including evacuation access) which responds to the risk of the flood hazard and minimises risk to personal safety in all flood hazard events up to and including the Defined Flood Event;	Yes	The applicant seeks to reuse the existing Dwelling house into a building for a Health care service, the locality of the building is within the mapped Balance flood planning area minimising risk to personal safety in all flood hazard events up to and included the Defined Flood Event
v. is resilient to flood events event by ensuring the siting and design of development accounts for the potential risks to property associated with the flood hazard;	Yes	Appropriately conditioned the use of the site as a Health care service is resilient to flood events, by ensuring the proposed use only occurs within the Balance flood planning area.
vi. directly, indirectly and cumulatively avoids an increase in the severity of flood hazards and potential for damage on the premises or to other premises or elsewhere in the flood plain;	Yes	Appropriately conditioned the use of the site as a Health care service is resilient to flood events, by ensuring the proposed use only occurs within the Balance flood planning area.
vii. involving essential community infrastructure remains functional during and immediately after a flood event up to and including the Defined Flood Even	Not applicable	The proposed development is not essential community infrastructure.
viii. avoids the accidental release of hazardous materials as a result of a flood event;	Yes	The proposed use of the site as a Health care service does not involve hazardous materials.
ix. maintains natural processes and the protective function of landforms and vegetation;	Yes	Converting the existing Dwelling house as a building for a Health care service maintains natural process and the protective function of landforms and vegetation of Toorbul
x. does not impact adversely on the ability for future flood hazard mitigation measures to be implemented on other premises.	Yes	Appropriately conditioned the use of the site as a Health care service is resilient to flood events, by ensuring the proposed use only occurs within the Balance flood planning area.

Based on the assessment above, the proposal is inconsistent with Seven (7) of the Overall Outcomes of the relevant codes, specifically in relation to the Coastal Hazard Overlay. Therefore, in accordance with section 1.7.2 of the MBRC Planning Scheme, an assessment against the Strategic Framework is set out in section 2.3.1 of this report.

In addition, section 45 (5) of the Planning Act 2016 states the assessment may be carried out against, or having regard to, any other relevant matter other than a person's personal circumstances, financial or otherwise. The other relevant matters to justify any approval of the proposal, are discussed in section 2.8 of this report.

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2.4 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. 7 commencing on 11 December 2018 (CR).

2.4.1 *Levied Charge*

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

2.4.2 *Levied Charge Credit*

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

(a) Payment of previous charges or contributions

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

(b) Lawful use of land

An assessment of existing and previous lawful uses of the land has determined that a credit amount of \$25,823.03 exists and has been calculated based on a Dwelling house (90/10 Split).

(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 \$25,823.03 based on the proportional split stated in Table 3 of the CR.

2.4.3 *Levied Charge Offset or Refund*

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

2.4.4 *Additional Trunk Infrastructure Costs*

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

- (a) generates infrastructure demand of more than what is required to service the type or scale of future development assumed in the LGIP; or
- (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

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

In this instance, having assessed the proposed development, it does not warrant the imposition of an additional payment condition.

Note: Under Moreton Bay Regional Council Charges Resolution (No.7), 11 December 2017 a Health care serve has a charge rate of \$141.65 m² GFA / \$10.10 per m² of impervious area.

In this instance, the proposed use of 100.60 m² X (\$141.65) = \$14,249.99 + 607m² (\$10.10) = \$6,130.70 = \$20,380.69, this charge is less than the existing credit.

- A recommendation of this report is the above calculations be accepted and the attached ICN show a zero (\$0) charge.
- A recommendation of this report is the existing Dwelling housing cannot be used for residential uses concurrently with a Health care service and an amended plan has been required to demonstrate this requirement has been met.

2.5 Recording of particular approvals on the MBRC Planning Scheme

Not Applicable in this instance.

2.6 Referrals

2.6.1 *Council Referrals*

2.6.1.1 Development Engineering

Stormwater

A stormwater management plan was submitted as part of the material in support of the development. The plan establishes that there are no stormwater quality or quantity requirements, the development is subject to flood and coastal hazard impacts and determines the kerb and channel as a point of stormwater discharge.

The submitted material provides little information for development assessment and the point of stormwater discharge is subject to TMR conditions as a concurrence agency on a State controlled road. The stormwater management plan has not been approved and the development is satisfactory for standard stormwater conditions to apply without the requirement for an amended stormwater plan to be provided.

Traffic, Access & Parking

Performance Outcome (PO23) of the General residential zone code - Coastal community precinct requires the development to provide safe access for all vehicles required to access the site and E23.3 includes Schedule 8 - Service Vehicle Requirements listing a regular MRV service vehicle for the proposed Health Care Services use. MRV access to and through the site has been provided by the access easements over the adjoining property but the submitted layout does not include the required MRV service bay (3.5-metre-wide x 8.8-metre-long).

A recommendation of this report is an amended plan be submitted for approval demonstrating an MRV service bay area can be constructed at the rear of the existing Dwelling house.

Stormwater / Flooding

The existing approved Dwelling house has a finished floor level of 2.0 m AHD. The site is within the mapped Medium risk storm tide inundation area. Performance Outcome (PO15) of the Coastal

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Hazard Overlay Code requires where earthworks cannot ensure the development achieves the flood planning level (3.4 m AHD) that a building is designed and constructed using pier and pole construction to achieve storm tide immunity. It is recognised that the proposed development is the reuse of an existing structure to provide a use not otherwise provided for the community of Toorbul. Whilst, the proposed development does not satisfy PO15, satisfaction against the Strategic Framework is required.

Onsite Effluent Disposal

An onsite effluent report was submitted as part of the material in support of the application. Council's plumbing department has reviewed the material and do not support the report's recommendations for the following reasons:

- i. The Toorbul water table is dependent upon rainfall and tidal influence ruling out the proposed primary effluent disposal,
- ii. There is no suitable reserve land application area available (100% area required for trench land application areas); and
- iii. The land application area under a carpark is not desirable.

A recommendation of this report is effluent holding tanks (pump out system) are to be installed onsite. This is consistent with the adjoining development over Lot 10.

2.6.1.2 Environmental Health

Lighting

It is recommended that conditions are included to ensure suitable lighting is installed.

Noise

Noise from the car parking area has the potential to impact on the amenity of the neighbouring residential properties. In lieu of an acoustic report it is appropriate that measures to control the impacts are implemented. As a consequence, the recommendations of this report include a condition that the construction of an acoustic barrier with a specified height, density and location is constructed.

Waste Management

A waste management program has been provided and is acceptable for the proposed use. This development will use individual wheelie bins serviced at the kerbside. Clinical waste will also be serviced at the kerbside as required. As a consequence, the recommendations of this report include a condition that the development be undertaken in accordance with the waste management program and also an advice that clinical waste will be managed in accordance with the relevant regulation.

2.6.2 Referral Agencies

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

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

- (a) Matters relating to State-Controlled Roads. Council was advised on 15 January 2018 that DSDMIP has no objection to the development application subject to a number of conditions being attached to Council's Decision Notice.

Note: The approved plans listed within the Referral agency response - with conditions have changed slightly although the detail of the application remains the same. A recommendation of this report is a condition requiring the applicant to comply with the conditions of

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Department of State Development, Manufacturing, Infrastructure and Planning response dated 15 January 2018 (reference: 1712-2846 SRA) or as amended and
Provide certification to Council prepared by a suitably qualified person or the agency demonstrating the requirements of the Department of State Development, Manufacturing, Infrastructure and Planning have been met.

In this instance, despite the variation in recommended approved plans, the development accords with the Referral agency response - with conditions.

2.6.2.2 Advice Agencies

There were no Advice Agencies involved in assessing this application.

2.6.2.3 Third Party Agencies

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

2.7 Public Consultation

19 June 2018 the applicant submitted revised plans that included an additional access easement over Lot 10 SP132488 to support a "looped" access from Esplanade to Freeman Road. This change supported a greater level of internal vehicle and pedestrian connectivity between the proposed Health care service, Chemist, General store and Tavern. The submitted plans accord with the plans that form part of the material for public notification and unlikely to result in additional submissions if the proposed changes had been subject to public notification.

2.7.1 *Public Notification Requirements under the Development Assessment Rules*

- (a) Public Notification was served on all adjoining landowners on 20th April 2018.
- (b) The development application was advertised in the Caboolture Herald on 19th April 2018.
- (c) A notice in the prescribed form was posted on the relevant land on 19th April 2018 and maintained for a period of 15 business days until 15th May 2018.

2.7.2 *Submissions Received*

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

Type		Number of Signatures	Number of Submissions
Properly Made	Letter, Email, Fax		Two (2)
	Petition		
Not Properly Made	Letter, Email, Fax		
	Petition		
Total			Two (2)

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

Assessment of Submissions
<p>Issue Issue - lack of privacy, noise, pollution from vehicles, if a fence was constructed views would be lost.</p> <p>The applicant seeks to establish a Health care service within the existing Dwelling house located at 190 Freeman Road. Onsite parking is proposed at the rear of the Dwelling house. To the west of the site is an existing Dwelling house (108 Freeman Road), elevated with an existing open chain wire fence along the common boundary.</p>

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The impact of the onsite parking at the rear Dwelling house at the rear of the site may result in privacy and amenity issues if the current fencing is maintained. Albeit, the construction of a solid timber fence along the entire common boundary of the site would impact on views and vistas from the front of the Dwelling house at 108 Freeman Road.

A recommendation of this report is a Fencing condition requiring the applicant to achieve the following requirements:

- i. Construct a screen fence along the southern boundary of the site adjoining Lot 8 RP71363. Unless an alternative design is agreed to with the owner of the adjoining land, the screen fence is to be:
 - Achieve a minimum height from the finish level of the carpark of 2.0 metres or 1.8 from top of retaining wall and constructed of treated timber from the rear boundary to the front setback of Dwelling,
 - Achieve a maximum height no greater than the top of the Deck railing forward of the Dwelling tapering to 1.2 metres at the front boundary.
 - Achieves a surface area density not less than 10 kg/m²; and
 - Has no air gaps (including at the base and between panels).
- ii. Construct a screen fence along the shared boundary of Lot 71 RP151538 with Lot 9 RP71363 and Lot 10 RP71363. Unless an alternative design is agreed to with the owner of the adjoining land, the screen fence is to be:
 - Achieve a minimum height of 2.0 metres from ground level,
 - Achieves a surface area density not less than 10 kg/m²; and
 - Has no air gaps (including at the base and between panels).

This is not sufficient grounds for refusal of the application.

Submission in support of the Development.

We, the undersigned, are in favour of the development proposed at 190 Freeman Road, Toorbul. Toorbul is an isolated community and a medical facility within the precinct would be of great benefit to our community members.

Toorbul is mostly an ageing community, and the development of a medical practitioner would be of great use. The nearest medical facility is at least 25kms away in Caboolture.

Because of the distance, ringing for an ambulance, the only option at the moment, results in a wait time of sometimes 40 – 45 minutes. This can be a matter of life and death. The provision of a medical practitioner within the community would add to our current services – a small goods corner store, a tavern and bottle shop, and the Community Pharmacy.

We fully support the redevelopment of the premises, and encourage the Council to support the setting up of the practice if possible. Should there be alteration of land use within this application and development, then it will be good for the community.

2.7.3 Notice of Compliance

The Notice of Compliance was received by Council on 17 May 2018. The Notice of Compliance identifies that the public notification requirements for the development application were correctly undertaken in accordance with the requirements of Part 4, of the Development Assessment Rules.

2.8 Other Matters

None identified.

ITEM 2.2 DA/35332/2017/V23C - MATERIAL CHANGE OF USE - DEVELOPMENT PERMIT FOR A HEALTH CARE SERVICE AND RECONFIGURING A LOT - DEVELOPMENT PERMIT (ACCESS EASEMENT) - 190 FREEMAN ROAD AND 109 ESPLANADE TOORBUL - DIVISION 1 - A17049762 (Cont.)

3. Strategic Implications

3.1 Legislative/Legal Implications

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

3.2 Corporate Plan / Operational Plan

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

3.3 Policy Implications

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

3.4 Risk Management Implications

Development occurs efficiently and effectively in the region in a manner that reduces the potential risk implications to Council and the community. A Disaster Management Plan is being conditioned as part of the recommendation for approval.

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

The proposed use provides for additional employment within Toorbul supporting economic growth.

3.8 Environmental Implications

There are no environmental implications arising for the use of an existing Dwelling house to provide Health care service.

3.9 Social Implications

The proposed use provides a Health care service to the Toorbul community not otherwise available.

3.10 Consultation / Communication

Refer to clause 2.7.

ATTENDANCE

Ms Tina Maltby-Wells and Mr Rohan Coldham left the meeting at 11.11am after consideration of 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

**BURPENGARY - DAVID STREET - DRAINAGE INVESTIGATION AREA 16 (DIA) -
DRAINAGE CHANNEL UPGRADE - DIVISION 2**

Meeting / Session: 4 ASSET CONSTRUCTION & MAINTENANCE
Reference: A17132334 : 10 July 2018 - Refer **Confidential** Supporting Information
A17067129
Responsible Officer: HV, Senior Project Manager (ECM Project Management & Construction)

Executive Summary

Tenders were invited for the 'Burpengary - David Street - Drainage Investigation Area 16 (DIA) Drainage Channel Upgrade (MBRC007204)' project. The tender closed on 12 June 2018, with a total of 13 tenders received, four of which were non-conforming.

It is recommended that Council award the contract to AllenCon Pty Ltd for the sum of \$500,700.20 (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 Mick Gillam

CARRIED 11/0

That the tender for Burpengary - David Street - Drainage Investigation Area 16 (DIA) Drainage Channel Upgrade (MBRC007204)' project be awarded to AllenCon Pty Ltd for the sum of \$500,700.20 (excluding GST).

ITEM 4.1 BURPENGARY - DAVID STREET - DRAINAGE INVESTIGATION AREA 16 (DIA) - DRAINAGE CHANNEL UPGRADE - DIVISION 2 - A17132334 (Cont.)

OFFICER'S RECOMMENDATION

That the tender for Burpengary - David Street - Drainage Investigation Area 16 (DIA) Drainage Channel Upgrade (MBRC007204)' project be awarded to AllenCon Pty Ltd for the sum of \$500,700.20 (excluding GST).

REPORT DETAIL

1. Background

This project is located within the Burpengary Sports Complex, immediately to the rear of properties which border David Street and Joyce Street, Burpengary. The project involves a channel capacity upgrade for 220 metres to increase drainage capacity.

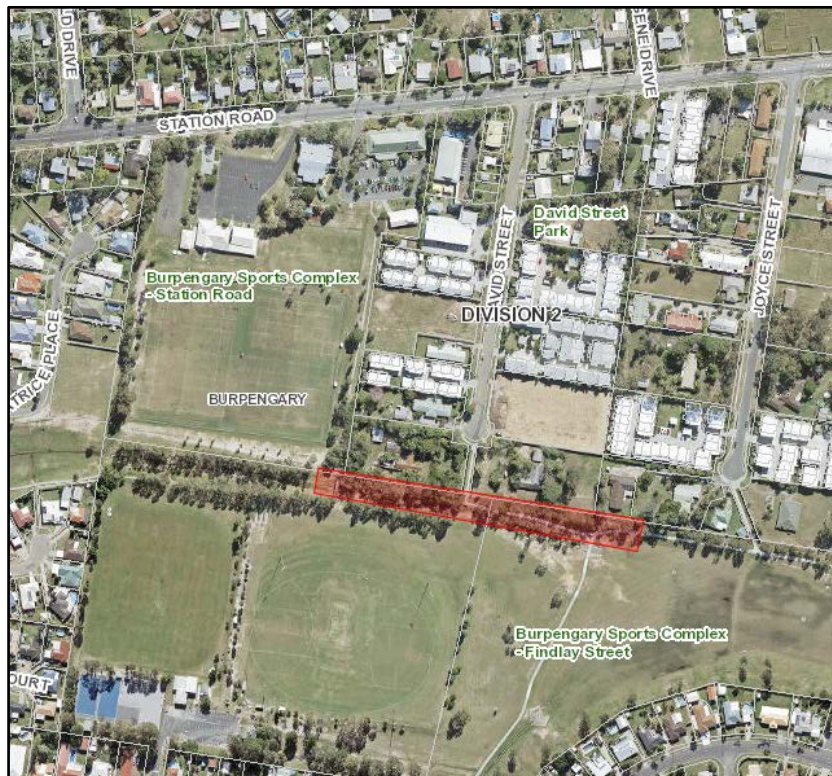


Figure 1: Location plan - site of works

The works are expected to commence in August 2018 and take 13 weeks to complete, which includes an allowance (three weeks) for wet weather.

2. Explanation of Item

Tenders for the *Burpengary - David Street - Drainage Investigation Area 16 (DIA) Drainage Channel Upgrade (MBRC007204)* project closed on 12 June 2018 with a total of 13 conforming tenders received, four of which were non-conforming. 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):

ITEM 4.1 BURPENGARY - DAVID STREET - DRAINAGE INVESTIGATION AREA 16 (DIA) - DRAINAGE CHANNEL UPGRADE - DIVISION 2 - A17132334 (Cont.)

RANK	TENDERER	EVALUATION SCORE
1	AllenCon Pty Ltd	94.15
2	BMD Urban Pty Ltd	93.77
3	A & A Stimmler	87.91
4	Shamrock Civil Engineering Pty Ltd	84.43
5	Auzcon Pty Ltd	83.66
6	B&L Civil Pty Ltd	83.30
7	Ryan Civil Contracting Pty Ltd	76.02
8	Sunshine Coast Consulting Pty Ltd	73.83
9	Allroads Pty Ltd	65.22
10	Aqua Project Solutions Pty Ltd	Non-conforming
11	G&H Plant Hire Pty Ltd Trading as Civil Contractors	Non-conforming
12	Universal Civil Contracting	Non-conforming
13	Roll Up Fence	Non-conforming

AllenCon Pty Ltd submitted a comprehensive tender and demonstrated their construction experience on projects of a similar scale and complexity. At a tender clarification meeting on 9 July 2018, AllenCon Pty Ltd demonstrated their understanding and methodology to complete the project, including site environment controls and traffic management. The construction duration identified was 13 weeks with an allowance (three weeks) for wet weather.

BMD Urban Pty Ltd submitted a comprehensive tender and demonstrated their construction methodology and experience on projects of a similar scale and complexity. The tendered construction program of works was of nine weeks' duration. There were no additional benefits for the higher price.

A & A Stimmler submitted a complete tender and indicated their construction methodology and experience on projects of a similar scale and complexity. The tendered construction program of works was of 16 weeks' duration. At a tender clarification meeting on 4 July 2018, A & A Stimmler described their methodology for construction and management of site environment controls and traffic management. The proposed construction duration was 16 weeks which indicated that works would continue close to the wet season. The evaluation panel considered the longer construction duration and works occurring close to the wet season a greater risk.

The non-conforming tenders did not submit the mandatory tender documentation or achieve the required level for external financial assessment.

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*.

ITEM 4.1 BURPENGARY - DAVID STREET - DRAINAGE INVESTIGATION AREA 16 (DIA) - DRAINAGE CHANNEL UPGRADE - DIVISION 2 - A17132334 (Cont.)

3.2 Corporate Plan / Operational Plan

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

3.3 Policy Implications

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

- Council's Procurement Policy 10-2150-006
- *Local Government Act 2009*
- Local Government Regulation 2012 Chapter 6.

3.4 Risk Management Implications

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

Financial Risks:

- a. A third-party review of financial status has been carried out, and the recommended tenderer was rated 'very strong'.

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

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

3.6 Financial Implications

Council has identified a total of \$750,000 (excluding GST) in the 18-19 Capital Projects program for this project (102195).

Tender price (Construction)	\$ 500,700.20
Contingency 10%	\$ 50,000.00
QLeave	\$ 2,310.00

Total Project Cost	\$ 553,010.20
	=====

Estimated ongoing operational/maintenance costs are \$1,500 per F/Y.

The budget amount for this project is sufficient.

3.7 Economic Benefit

The project will enhance the drainage infrastructure to address flooding issues, as well as providing capacity necessary to support development within David and Joyce Streets as identified within the 'MBRC Planning Scheme'.

3.8 Environmental Implications

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

3.9 Social Implications

The completed works will address public safety issues caused by erosion.

ITEM 4.1 BURPENGARY - DAVID STREET - DRAINAGE INVESTIGATION AREA 16 (DIA) - DRAINAGE CHANNEL UPGRADE - DIVISION 2 - A17132334 (Cont.)

3.10 Consultation / Communication

Adjacent residents will be notified of the works and expected construction timeframe prior to commencement, via a project notice and project sign as defined in the communications plan which will include a councillor weekly update. Residents directly abutting the project site will be door knocked after tender is awarded by Council to advise on the proposed works. The adjacent sporting clubs will be advised and provided with weekly progress communications by the project manager. The works will be undertaken towards the end of the AFL/soccer/rugby league playing season.

ITEM 4.2

TENDER - DAKABIN WASTE MANAGEMENT FACILITY - CONSTRUCTION OF SHED AND BIN BAY ROOFS - MBRC007405 - REGIONAL

Meeting / Session: 4 ASSET CONSTRUCTION & MAINTENANCE
Reference: A17084879 : 16 July 2018 - Refer **Confidential** Supporting Information
A16705411
Responsible Officer: AH, Manager Waste Services

Executive Summary

Tenders were invited for the construction of a recycle shed and bin bay roofs at the Dakabin Waste Management Facility (MBRC007405). The tender closed on 22 May 2018 with a total of five tender responses received, one of which was non-conforming.

It is recommended that the tender for *Dakabin Waste Management Facility - Construction of Shed and Bin Bay Roofs* be awarded to CKNR Pty Ltd for a total sum of \$270,330 (excluding GST) as this offer was evaluated as representing the best overall value to Council.

COMMITTEE RECOMMENDATION

Moved by Cr Denise Sims

Seconded by Cr Koliana Winchester

CARRIED 10/0

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

That the tender for Dakabin Waste Management Facility - Construction of Shed and Bin Bay Roofs be awarded to CKNR Pty Ltd for the sum of \$270,330 (excluding GST).

ITEM 4.2 TENDER - DAKABIN WASTE MANAGEMENT FACILITY - CONSTRUCTION OF SHED AND BIN BAY ROOFS - MBRC007405 - REGIONAL - A17084879 : (Cont.)

OFFICER'S RECOMMENDATION

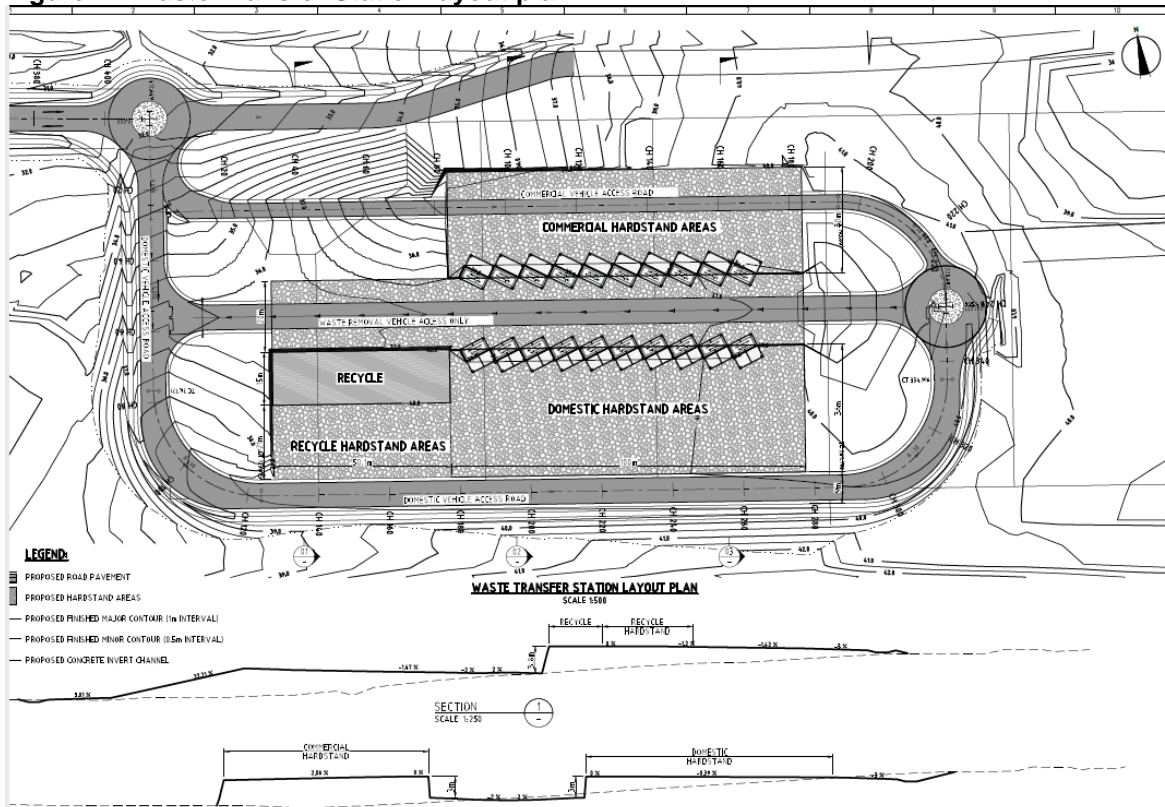
That the tender for Dakabin Waste Management Facility - Construction of Shed and Bin Bay Roofs be awarded to CKNR Pty Ltd for the sum of \$270,330 (excluding GST).

REPORT DETAIL

1. Background

Council will commence the construction of a new transfer station at the southern end of the Dakabin Waste Management Facility in the 2018-19 financial year. The new transfer station will comprise a large recycling shed to allow visitors to dispose of recyclable waste in the one place, including sorting, packaging and removal for processing via forklifts. The transfer station will accommodate more than 40 domestic or commercial vehicles at any one time and consist of two x ten-bay roofed transfer decks where waste can be deposited by users into the roll-on roll-off (RORO) bins. The RORO bins will be placed between the two transfer decks and this central operational area is only accessible by service trucks removing full bins to the waste cell without interaction between heavy machinery and customers. (Figure 1)

Figure 1 - Waste Transfer Station layout plan:



The construction of the bin bay roofs will provide cover for users and protect the waste from rainwater to prevent leachate generation. One modular colour bond steel shed and twenty modular colour bond steel bin bay roofs have already been purchased in preparation for the transfer station construction. This tender awards the actual building erection of the new shed and roofs, including associated concrete slabs and footings.

A separate tender will be let for the civil works associated with the transfer station and circulation roads.

ITEM 4.2 TENDER - DAKABIN WASTE MANAGEMENT FACILITY - CONSTRUCTION OF SHED AND BIN BAY ROOFS - MBRC007405 - REGIONAL - A17084879 : (Cont.)

2. Explanation of Item

Tenders were advertised on 28 April 2018 and closed on 22 May 2018 with a total of four conforming and one non-conforming tender responses received. The tenders were assessed by the evaluation panel in accordance with Council's Procurement policy and the selection criteria set out in the tender documents.

The table below lists the tenderers and their evaluation scores (ranked from highest to lowest).

Rank	Tenderer	Evaluation Score
1	CKNR Pty Ltd	100
2	D&C Sheds Pty Ltd	81.82
3	Sunstate Design & Construct Pty Ltd	72.58
4	Sunstate Design & Construct Pty Ltd (alternate option)	64.60
5	R. T. King Carpentry	Non-conforming

CKNR Pty Ltd received the highest ranking from the evaluation panel based on the selection criteria. The submission demonstrated that the contractor has a thorough understanding of the required works. The company profile and previous relevant experience indicated that the contractor specialises in shed manufacture and construction and submitted the strongest pricing component to be the overall best value to Council.

D&C Sheds Pty Ltd submitted a comprehensive tender and received the second highest ranking from the evaluation panel. The company provided a satisfactory understanding of the required works along with a strong WH&S element. The price element provided in the submission by D&C Sheds Pty Ltd was not considered as the most advantageous to Council.

Sunstate Design & Construct Pty Ltd submitted a satisfactory tender and received the third and fourth highest rankings from the evaluation panel. The company provided a satisfactory understanding of the required works and satisfactory previous experience. An alternative pricing model was submitted by the contractor where the contractor stated that if the works were to be conducted within a short period, the price for the construction works would increase. The price element in both pricing models submitted by Sunstate Design & Construct Pty Ltd was not considered most advantageous to Council.

R. T. King Carpentry submitted a non-conforming tender. The submission did not provide any documentation relating to the works described, provided no understanding of the tender, previous experience, safety documentation or pricing structure.

3. Strategic Implications

3.1 Legislative/Legal Implications

Due to the 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: Healthy natural environment - a clean and healthy environment.

3.3 Policy Implications

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

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

3.4 Risk Management Implications

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

ITEM 4.2 TENDER - DAKABIN WASTE MANAGEMENT FACILITY - CONSTRUCTION OF SHED AND BIN BAY ROOFS - MBRC007405 - REGIONAL - A17084879 : (Cont.)

The successful contractor must construct the shed and bin bay roofs using Queensland Building and Construction Commission (QBCC) certified builders and comply with appropriate Australian Standards. In addition, the construction will be supervised by an on-site foreman and building approval to be performed by an independent qualified certifier.

3.5 Delegated Authority Implications

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

3.6 Financial Implications

The price for these services are a lump sum figure and not subject to changes due to rise and fall or CPI. This project will be debited to Project No: 102224 - Dakabin Transfer Station. The recommended tender price is within budget allocation.

3.7 Economic Benefit

The engagement of a contractor allows Council to construct a shed and bin bay roofs in the most cost effective manner.

3.8 Environmental Implications

Provision of infrastructure for the community to dispose of various recyclable wastes including hazardous waste safely in an enclosed area helps reduce environmental impacts and will reduce the likelihood of illegal dumping. Roofs covering the RORO bins shield visitors from weather while disposing of waste and will prevent rainwater entering the RORO bin, eliminating the risk of leachate.

3.9 Social Implications

Provision for residents to dispose of recyclable waste including household hazardous waste reduces the amount of waste to landfill and illegal dumps across the region.

3.10 Consultation / Communication

Consultation was held with Procurement Services throughout the tendering and evaluation assessments to ensure compliance with Council's Procurement Policy and tender evaluation process.

ITEM 4.3

ROAD CONDITION ASSESSMENT - OPTION TO EXTEND CONTRACT - REGIONAL

Meeting / Session: 4 ASSET CONSTRUCTION & MAINTENANCE
Reference: A17227486 : 16 July 2018
Responsible Officer: JF, Coordinator Asset Management (ECM Infrastructure Planning)

Executive Summary

This report seeks Council's approval to extend the current contract for roads condition assessment, awarded to Infrastructure Management Group Pty Ltd within the 2017-18 financial year, for a further two x one year periods. The contract was for a single roads condition assessment with the option of two x one year extensions, subject to satisfactory performance.

The contractor, Infrastructure Management Group Pty Ltd, has performed satisfactorily over the 2017-18 contract period and it is recommended that the contract be extended for the further two x one year periods as per current contract option. For the 2018-19 financial year, the cost will be \$224,000 (excluding GST), with CPI increases applying in 2019-20.

COMMITTEE RECOMMENDATION

Moved by Cr Koliana Winchester

Seconded by Cr Denise Sims

CARRIED 11/0

That the contract with Infrastructure Management Group Pty Ltd, for the Road Condition Assessment (MBRC006388), be extended for a further two x one year periods, in accordance with Clause 3.2, Part 4, General Conditions of the Contract.

ITEM 4.3 ROAD CONDITION ASSESSMENT - OPTION TO EXTEND CONTRACT - REGIONAL - A17227486 (Cont.)

OFFICER'S RECOMMENDATION

That the contract with Infrastructure Management Group Pty Ltd, for the Road Condition Assessment (MBRC006388), be extended for a further two x one year periods, in accordance with Clause 3.2, Part 4, General Conditions of the Contract.

REPORT DETAIL

1. Background

At its meeting held on 23 May 2017, Council adopted the Roads Portfolio Asset Management Plan. This asset management plan was based on a proactive and optimised capital and operational works strategy, focused on undertaking treatments earlier in the asset lifecycle, such as the application of low cost rejuvenation treatments and increasing the extent of re-surfacing works. This resulted in an extended coverage of Council's road network through the use of more affordable treatments.

In considering this strategy, Council requested increased scrutiny of the road network to monitor the overall road condition and to ensure that significant network deterioration did not occur as a direct result of this new strategy. Road condition assessments, which extend across the full extent of Council's sealed road network, provide the necessary information to allow Council officers to effectively monitor the network and establish trends.

In April 2017, Council called for tenders from suitably qualified companies to undertake a road condition assessment. The tender was for one network assessment with options for Council to extend the tender for a further two x one years. The tender was awarded to Infrastructure Management Group Pty Ltd who successfully completed the initial network assessment in June 2018 and it is recommended that the provisions of the contract to extend the tender for a further two years (2 assessments) be applied.

2. Explanation of Item

The current contract for the Road Condition Assessment of Council's road network collects useful data and information which influences forward budget decisions. This information is updated in Council's strategic asset management software which predicts the overall network deterioration over a longer time horizon. This information enables Council to monitor the overall road network condition and ensure it is meeting community expectations and service levels, including the Pavement Condition Index (PCI).

3. Strategic Implications

3.1 Legislative/Legal Implications

Council called a public tender for the work through the LG Tender system in accordance with *The Local Government Act 2009*. Subsequently the tender was awarded to Infrastructure Management Group Pty Ltd who successfully completed the initial network assessment.

The offer of extension is provided under Clause 3.2, Part 4, General Conditions of the Contract which states "*The Principal may, in its sole discretion, by written notice (an "Extension Notice") to the Contractor given not less than 1 month prior to the Contract Expiry Date extend the Term by the Extension Period.*" This clause has been confirmed and validated by Council's Legal Services Department.

3.2 Corporate Plan / Operational Plan

This project is consistent with the Corporate Plan Outcome - Valuing Lifestyle: Diverse Transport Options - Maintain a safe, efficient, reliable and integrated transport network.

3.3 Policy Implications

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

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

ITEM 4.3 ROAD CONDITION ASSESSMENT - OPTION TO EXTEND CONTRACT - REGIONAL - A17227486 (Cont.)

3.4 Risk Management Implications

Infrastructure Management Group Pty Ltd have proven their ability to provide the services under this contract and have demonstrated flexibility as required. This contractor continues to comply with Council and State Government Workplace Health and Safety requirements.

3.5 Delegated Authority Implications

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

3.6 Financial Implications

Provision has been made in the 2018-19 budget for the road condition assessment contract within budget number 20414.006.22004

3.7 Economic Benefit

The collection of this road network condition information enables Council to adopt a more evidence based approach to selecting suitable road projects, thereby optimising investment in infrastructure assets and providing better value-for-money for ratepayers.

3.8 Environmental Implications

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

3.9 Social Implications

Better information enables Council to better manage its road network which in turn provides a better driving experience for the community.

3.10 Consultation / Communication

Council officers have met to discuss the performance of the current contractor and their ability to remain compliant with the conditions and specifications of the contract. Officers have established that the current provider remains well positioned to effectively deliver the contract services.

ITEM 4.4

CABOOLTURE - MEWETT STREET - ROAD REHABILITATION - DIVISION 3

Meeting / Session: 4 ASSET CONSTRUCTION & MAINTENANCE
Reference: A17222063 : 11 July 2018 - Refer **Confidential** Supporting Information
A17148570
Responsible Officer: GW, Senior Project Manager (ECM Project Management & Construction)

Executive Summary

Tenders were invited for the 'Caboolture - Mewett Street - Road Rehabilitation (MBRC007580)' project. The tender closed on 27 June 2018, with a total of five tenders received, four of which were conforming.

It is recommended that Council award the contract to Ryan Civil Contracting Pty Ltd for the sum of \$398,962.45 (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 11/0

That the tender for the *Caboolture - Mewett Street - Road Rehabilitation (MBRC007580)* project be awarded to Ryan Civil Contracting Pty Ltd for the amount of \$398,962.45 (excluding GST).

ITEM 4.4 CABOOLTURE - MEWETT STREET - ROAD REHABILITATION - DIVISION 3 - A17222063 (Cont.)

OFFICER'S RECOMMENDATION

That the tender for the *Caboolture - Mewett Street - Road Rehabilitation (MBRC007580)* project be awarded to Ryan Civil Contracting Pty Ltd for the amount of \$398,962.45 (excluding GST).

REPORT DETAIL

1. Background

The project is located at Mewett Street, from the intersection with Lower King Street to Lee Street, Caboolture. The project scope includes the rehabilitation of this section of Mewett Street and the Mewett Street/Lee Street roundabout and approaches. The objective of the project is to improve the road pavement to the desirable level of service as the existing road pavement has deteriorated.

The works are expected to commence in early August 2018 and take three weeks to complete, which includes an allowance for wet weather.

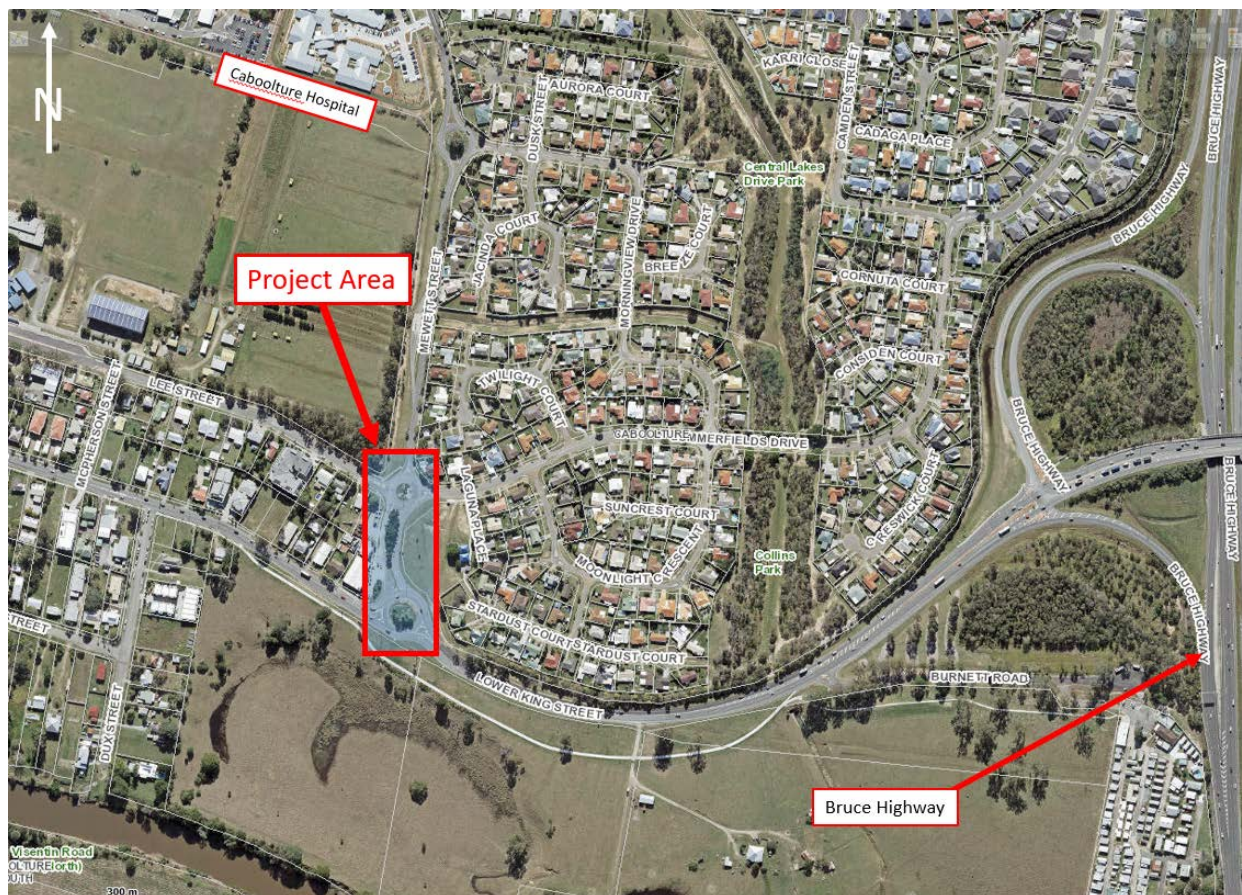


Figure 1 - Locality plan

2. Explanation of Item

Tenders for the '*Caboolture - Mewett Street - Road Rehabilitation (MBRC007580)*' project closed on 27 June 2018 with a total of five tenders received, four of which were conforming. 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):

ITEM 4.4 CABOOLTURE - MEWETT STREET - ROAD REHABILITATION - DIVISION 3 - A17222063 (Cont.)

RANK	TENDERER	EVALUATION SCORE
1	Ryan Civil Contracting Pty Ltd	99.02
2	Civlec Pty Ltd T/A GRC Civil	92.47
3	Stanley Road Construction	87.87
4	Allroads Pty Ltd	67.16
5	Smart Urban Pty Ltd	Non-conforming

Ryan Civil Contracting Pty Ltd submitted a comprehensive tender and demonstrated their experience on projects of a similar scale and complexity. Ryan Civil Contracting Pty Ltd have completed previous projects for council such as De Havilland Drive road/ drainage upgrade and Camellia Avenue road rehabilitation. At the tender clarification meeting held on 3 July 2018, Ryan Civil Contracting Pty Ltd detailed their construction methodology; confirmed an overall construction duration of three weeks (including an allowance for wet weather) and demonstrated a strong understanding of all the project requirements.

Civlec Pty Ltd submitted a comprehensive tender and demonstrated their construction methodology and experience on projects of a similar scale and complexity. The tendered construction confirmed an overall construction duration of three weeks (including an allowance for wet weather). There were no additional benefits for the higher price.

Stanley Road Construction submitted a comprehensive tender and demonstrated their construction methodology and experience on projects of a similar scale and complexity. The tendered construction program was of seven weeks' duration plus an allowance for wet weather. There were no additional benefits for the higher price.

Allroads Pty Ltd submitted a comprehensive tender and demonstrated their construction methodology and experience on projects of a similar scale and complexity. The tendered construction program was of four weeks' duration plus an allowance for wet weather. There were no additional benefits for the higher price.

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

3. Strategic Implications

3.1 Legislative/Legal Implications

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

3.2 Corporate Plan / Operational Plan

This project is consistent with the Corporate Plan outcome - Valuing Lifestyle: 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 10-2150-006
- *Local Government Act 2009*
- Local Government Regulation 2012 Chapter 6.

3.4 Risk Management Implications

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

ITEM 4.4 CABOOLTURE - MEWETT STREET - ROAD REHABILITATION - DIVISION 3 - A17222063 (Cont.)

Financial Risks:

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

Construction Risks:

- a. The recommended contractor will provide a program of works, traffic management plan, and safety plan 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 recommended contractor has demonstrated their understanding of constructability challenges and their technical capability to complete the works, including the provision of staging plans.
- c. It was identified that works on the road were needed to be undertaken as night works to reduce impacts on traffic. The contractor has provided a methodology and demonstrated their understanding of the scope of works. All works will be carried out at night ensuring one lane in each direction will remain open during the construction, with all movements maintained under traffic control. The construction works will cease prior to 5am ensuring all traffic lanes are available for the morning peak, and also for the afternoon peak traffic period.

3.5 Delegated Authority Implications

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

3.6 Financial Implications

Council has allocated a total of \$460,000 (excluding GST) in the 18-19 Capital Projects Program for this project (101441).

Tender Price Construction	\$ 398,962.45
Contingency (10%)	\$ 39,896.25
QLeave	\$ 1,895.00

Total Project Cost	\$ 440,753.70
	=====

The budget amount for this project is sufficient.

3.7 Economic Benefit

The road rehabilitation works will address surface issues, reduce maintenance costs and extend the life of the road pavement.

3.8 Environmental Implications

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

3.9 Social Implications

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

3.10 Consultation / Communication

A detailed communications plan has been prepared. The use of three Variable Message Boards, Project Notices and project signs will be implemented two weeks prior to any site works. The adjacent residents and businesses directly affected by the nightly road rehabilitation works in Mewett Street will be notified two days in advance of the planned works by the project manager, via door knocking and hand delivered notification. Weekly communication with affected residents and business owners, including daily notifications to the Caboolture Hospital and emergency services, will be undertaken by Council's project manager during construction to inform on progress during the three-week construction duration. The Divisional Councillor has been consulted and is supportive of the project and the consultation plan.

ITEM 4.5 - DECLARATION OF 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 4.5 as the Councillor is the number one ticketholder of the Redcliffe Tiger's AFL Club.

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

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 Cr James Houghton'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 if the Councillor has a perceived conflict of interest in the matter and what action the Councillor must take.

Moved by Cr Mike Charlton (Deputy Mayor)

Seconded by Cr Brooke Savage

CARRIED 9/1

Cr Mick Gillam voted against Committee's Recommendation

That in accordance with s175E(4) of the *Local Government Act 2009*, Cr James Houghton does not have a perceived conflict of interest in the matter.

Cr James Houghton remained in the meeting.

ITEM 4.5

ROTHWELL - NATHAN ROAD - SPORTING STAGE 1 (CIVIL WORKS) - DIVISION 5

Meeting / Session: 4 ASSET CONSTRUCTION & MAINTENANCE

Reference: A17209343 : 9 July 2018 - Refer **Confidential** Supporting Information
A17191683

Responsible Officer: AM, Project Engineer (ECM Project Management & Construction)

Executive Summary

Tenders were invited for the 'Rothwell - Nathan Road - Sporting Stage 1 (MBRC007569 Civil Works)' project. The tender closed on 3 July 2018, with a total of ten tenders received, nine of which were conforming.

It is recommended that Council award the contract to Main Constructions Pty Ltd for the sum of \$6,535,084.60 (excluding GST) as this tender was evaluated as representing the best overall value to Council.

COMMITTEE RECOMMENDATION

Moved by Cr James Houghton

Seconded by Cr Koliana Winchester

CARRIED 11/0

That the tender for the *Rothwell - Nathan Road - Sporting Stage 1 (MBRC007569 Civil Works)* project be awarded to Main Constructions Pty Ltd for the sum of \$6,535,084.60 (excluding GST).

ITEM 4.5 ROTHWELL - NATHAN ROAD - SPORTING STAGE 1 (CIVIL WORKS) - DIVISION 5 - A17209343 (Cont.)

OFFICER'S RECOMMENDATION

That the tender for the *Rothwell - Nathan Road - Sporting Stage 1 (MBRC007569 Civil Works)* project be awarded to Main Constructions Pty Ltd for the sum of \$6,535,084.60 (excluding GST).

REPORT DETAIL

1. Background

The project is located along Nathan Road, Rothwell and involves the construction of a senior AFL field, access road, carpark and landscaping.

The site has previously undergone earthworks in 2017-18 to the value of \$3.5M, including site filling, settlement and wetland construction, to allow for the civil works to be constructed.

The Stage 1A Civil Works includes:

- Earthworks, including bulk earthworks to Stage 2
- Entrance road and carpark
- 1 main AFL field
- Field lighting
- Irrigation, including temporary irrigation pump house (permanent house to be constructed as part of the building works)
- Pedestrian pathways
- Stormwater installation
- Service infrastructure provision, including, power, water, sewer and communications
- Playground installation
- Landscaping and revegetation

Works are expected to commence in late August 2018 and take 75 weeks to complete, weather permitting, which includes 12 weeks for turf consolidation and allowance of 127 wet weather days. The project is scheduled to be completed by January 2020.

The tender for the construction of the clubhouse will occur in the latter part of 2018.

ITEM 4.5 ROTHWELL - NATHAN ROAD - SPORTING STAGE 1 (CIVIL WORKS) - DIVISION 5 - A17209343 (Cont.)



Figure 2: Location plan - Nathan Road Sporting Precinct

2. Explanation of Item

Tenders for the 'Rothwell - Nathan Road - Sporting Stage 1 (MBRC007569 Civil Works)' project closed on 3 July 2018, with a total of ten tenders received, nine of which were conforming. 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	Main Constructions Pty Ltd	100.00
2	Auzcon Pty Ltd - Alternative 3	92.72
3	Hall Contracting Pty Ltd	90.84
4	Auzcon Pty Ltd - Alternative 2	90.58
5	Auzcon Pty Ltd - Alternative 1	89.51

ITEM 4.5 ROTHWELL - NATHAN ROAD - SPORTING STAGE 1 (CIVIL WORKS) - DIVISION 5 - A17209343 (Cont.)

RANK	TENDERER	EVALUATION SCORE
6	BMD Urban Pty Ltd - Alternative 1	89.39
7	Hazell Bros QLD Pty Ltd	89.09
8	Auzcon Pty Ltd	87.37
9	BMD Urban Pty Ltd	87.25
10	Epoca Constructions Pty Ltd	Non-conforming

Main Constructions Pty Ltd submitted a detailed tender and demonstrated their construction methodology and experience on projects of a similar scale and complexity. Main Constructions Pty Ltd have completed previous projects for Council such as Burpengary AFL (MBCSC), Brendale AFL (SPSA), Burpengary Soccer (MBCSC - under construction). At the tender clarification meeting held on 12 July 2018, Main Constructions Pty Ltd provided their construction methodology, confirmed an overall project duration of 75 weeks (inclusive of rain allowance) and demonstrated a strong understanding of all the project requirements.

Auzcon Pty Ltd - Alternative 3 submitted a detailed 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.

Hall Contracting Pty Ltd submitted a detailed 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 supply the mandatory tender documentation.

3. Strategic Implications

3.1 Legislative/Legal Implications

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

3.2 Corporate Plan / Operational Plan

This project is consistent with the Corporate Plan outcome - Valuing Lifestyle: Quality recreation and cultural opportunities - 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 10-2150-006
- *Local Government Act 2009*
- Local Government Regulation 2012 Chapter 6.

3.4 Risk Management Implications

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

ITEM 4.5 ROTHWELL - NATHAN ROAD - SPORTING STAGE 1 (CIVIL WORKS) - DIVISION 5 - A17209343 (Cont.)

- c. The contractor has already provided a proposed program of works within their tender, including an allowance for wet weather, which details critical items and lead times, to minimise delivery risks.
- d. The contractor will provide a safety plan including a traffic management plan and will be required to fence off the areas where construction is being undertaken. The contractor will be required at all times to meet relevant workplace health and safety requirements as part of the contract, including safe work method statements.
- e. A number of construction requirements have been conditioned through the development approval including Vegetation Management Plan, pathways, fencing, car parking, and fauna management plan. The contractor has reviewed the development approval and confirmed their understanding of these conditions.
- f. The contractor has demonstrated a strong understanding of constructability challenges, working on a site that requires strong environmental management and wet conditions and has outlined their technical ability and previous experience to complete the works.
- g. The contractor will provide a site specific environmental management plan in line with the development approval.

3.5 Delegated Authority Implications

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

3.6 Financial Implications

Council has allocated a total of \$14.75M (excluding GST) towards the civil and building (clubhouse) construction phase of this project; comprising \$6M allocated in the 17-18 FY, \$5.5M allocated in the 18-19 FY and \$3.25M set aside for the 19-20 FY.

The initial earthworks stage was completed, with \$2.5M left over from 17-18, which will be provided into the 18-19 FY.

Civil Works Tender:	
Tender price (Civil works 18-19 FY)	\$ 6,535,084.60
Contingency (approx. 10%)	\$ 650,000.00
QLeave	\$ 31,000.00

Total (Civil works)	\$ 7,216,084.60
	=====

The construction of the clubhouse building is to be tendered towards the end of the 2018 calendar year. The estimate for this work is \$3M.

Estimated ongoing operational/maintenance costs for stage 1 are \$102,000 per F/Y.

The budget amount for this project is sufficient.

3.7 Economic Benefit

The new sporting precinct development will offer the following benefits:

- A new home for the Redcliffe Tigers.
- Increased opportunities for sport, recreation and wellbeing activities in Moreton Bay Region by developing the sporting precinct.

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, in line with the Development Approval.

3.9 Social Implications

The sporting precinct will increase the capacity for additional sports use in the catchment, providing sporting fields that can be used for a diverse range of sporting and recreation uses.

ITEM 4.5 ROTHWELL - NATHAN ROAD - SPORTING STAGE 1 (CIVIL WORKS) - DIVISION 5 - A17209343 (Cont.)

3.10 Consultation / Communication

A detailed communication plan has been developed. Residents adjacent to the site have been previously consulted in relation to the site filling and earthworks. In line with the approved communication plan, prior to commencement of the civil works, adjacent residents will be notified via a project notice and project signage. A dedicated Significant Project Website has been established and will be updated monthly. The Divisional Councillor will be provided with fortnightly updates and has been consulted and is supportive of the project.

5 PARKS, RECREATION & SPORT SESSION

(Cr K Winchester)

ITEM 5.1

REQUEST TO EXTEND OPERATING HOURS - REDCLIFFE CITY CLAY TARGET CLUB - DIVISION 6

Meeting / Session: 5 PARKS, RECREATION & SPORT
Reference: A16968549 : 4 June 2018 - **Refer Supporting Information A17145561**
Responsible Officer: KS, Sport & Recreation Manager (CES Community Services, Sport & Recreation)

Executive Summary

Redcliffe City Clay Target Club Inc., located at Duffield Road Clontarf, has requested an increase to its approved operating hours.

After a review of the club's operating history, a comprehensive noise assessment and a 12-month trial of extended operating hours, this report seeks Council's endorsement to approve an increase in operating hours.

Any approved extension to the club's operating hours will be included in its new lease to be drafted in accordance with Council's Community Leasing Policy.

COMMITTEE RECOMMENDATION

Moved by Cr Adam Hain

Seconded by Cr Peter Flannery

CARRIED 11/0

1. That an extension to the Redcliffe City Clay Target Club Inc.'s operating hours to 9.30am to 4.30pm every Wednesday and Friday and 9.00am to 4.30pm every second, third and fifth (when it occurs) Sunday, be approved.
2. That future leases with the Redcliffe City Clay Target Club Inc. continue to stipulate that Council retains the right to review and determine the hours of operation should Council be of the opinion that undue disturbance or inconvenience is caused to other members of the community.

ITEM 5.1 REQUEST TO EXTEND OPERATING HOURS - REDCLIFFE CITY CLAY TARGET CLUB - DIVISION 6 - A16968549 (Cont.)

OFFICER'S RECOMMENDATION

1. That an extension to the Redcliffe City Clay Target Club Inc.'s operating hours to 9.30am to 4.30pm every Wednesday and Friday and 9.00am to 4.30pm every second, third and fifth (when it occurs) Sunday, be approved.
2. That future leases with the Redcliffe City Clay Target Club Inc. continue to stipulate that Council retains the right to review and determine the hours of operation should Council be of the opinion that undue disturbance or inconvenience is caused to other members of the community.

REPORT DETAIL

1. Background

The Redcliffe City Clay Target Club Inc. (RCCTC) leases land at Duffield Road, Clontarf (refer Supporting Information 1). The lease is due to expire on 31 March 2022, however RCCTC have requested to transition to a new lease under Council's Community Leasing Policy.

Prior to 1990 the club's approved operating hours were 9.00am to 9.00pm seven days per week, however following a number of noise complaints, Council officers undertook a series of noise assessments and conducted consultation with the impacted residents. The outcome of this review was a reduction in operating hours and a change in the direction of shooting.

The current lease agreement restricts the club's operations to the following hours:

- every Wednesday between 10.30am and 4.30pm;
- every Saturday between 9.30am and 4.30pm; and
- every third Sunday of each month and the fifth Sunday (when it occurs), between 9.30am and 4.30pm.

RCCTC states that it has a stable, dedicated and responsible committee, and more than 175 members from a large catchment area which extends from Redcliffe to Warner and Caboolture. Further, the club states that it has experienced high membership growth of 27% per year over the last seven years.

The club advises that to accommodate this growth and meet community and workforce demands including shift and weekend workers, retirees, and remote area contractors, there is a need for increased operating hours.

2. Explanation of Item

On 3 March 2015 Council received a request from RCCTC to extend its approved operating hours to accommodate growth in membership and meet demand for its services. As part of Council's assessment of this request, in September 2015 ASK Consulting Engineers were contracted to prepare a noise report. The report verified that the noise levels were compliant with the noise limit for the operation of the facility. Supporting Information 2 details the locations where the noise assessments were conducted.

In December 2016, the club was granted approval to extend operations to include Fridays for a 12-month trial. More than 4,000 residents were notified of the impending trial with feedback received from 21 residents; 17 in support of the trial and four raising an objection. During the actual 12-month trial period, which commenced March 2017, no complaints were received.

The following is a summary of the club's current and proposed operating hours.

Day	Current approved operating hours	Proposed operating hours (in addition to the current lease agreement)
Wednesday	10.30am to 4.30pm	9:30am to 4.30pm (additional 1 hour)
Friday	Nil	9:30am to 4:30pm (additional day)

ITEM 5.1 REQUEST TO EXTEND OPERATING HOURS - REDCLIFFE CITY CLAY TARGET CLUB - DIVISION 6 - A16968549 (Cont.)

Saturday	9.30am to 4.30pm	9.30am to 4.30pm (no change)
Sunday	Third and fifth Sunday (where it occurs) - 9.30am to 4.30pm	Second, third and fifth Sunday (where it occurs) - 9.00am to 4.30pm (additional Sunday and additional 30 minutes)

A current condition of RCCTC's lease enables Council to retain the right to review and determine the hours of operation should Council be of the opinion that undue disturbance or inconvenience is caused to other members of the community. It is recommended that this provision continue to be a condition of future RCCTC leases.

3. Strategic Implications**3.1 Legislative/Legal Implications**

Noise levels measured during the assessment were compliant with section 440ZC of the *Environmental Protection Act 1994*.

3.2 Corporate Plan / Operational Plan

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

3.3 Policy Implications

The standard terms and conditions of the lease with Redcliffe City Clay Target Club Inc. will be in accordance with Council's Community Leasing Policy (14-2150-079).

3.4 Risk Management Implications

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

3.5 Delegated Authority Implications

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

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 extension of the Redcliffe City Clay Target Club Inc.'s operating hours will allow the club to accommodate the increase and diversity in membership.

3.10 Consultation / Communication

Mayor and Divisional Councillors
Redcliffe City Clay Target Club Inc.

ITEM 5.2

**OUTCOME OF EXPRESSIONS OF INTEREST - FORMER PETRIE STATE
EMERGENCY SERVICES CLUBHOUSE BUILDING AND STORAGE SHEDS -
DIVISION 7**

Meeting / Session: 5 PARKS, RECREATION & SPORT
Reference: A17219339 : 13 July 2018 - **Refer Supporting Information A17220933**
Responsible Officer: SN, Community Facilities Support Officer (CES Community Services, Sport & Recreation)

Executive Summary

Council called for expressions of interest (EOI) from not-for-profit community organisations to lease the former Petrie State Emergency Services (SES) clubhouse building (Refer Building 1 of Supporting Information #1) and two storage sheds (Refer Buildings 2 and 3 of Supporting Information #1) located on Council-controlled land at 76 Dayboro Road, Petrie.

This report seeks Council's endorsement for the provision of leases to the successful applicants under the EOI process, being Multicap Limited, The Uniting Church in Australia Property Trust (Q.) represented by Wesley Mission Queensland, and Crime Stoppers Queensland Limited.

COMMITTEE RECOMMENDATION

Moved by Cr Denise Sims

Seconded by Cr Julie Greer

CARRIED 11/0

1. That Multicap Limited be granted a lease over the former Petrie SES clubhouse building (Refer Supporting Information #1 - Building 1) at 76 Dayboro Road Petrie, up to 30 June 2020, in accordance with the terms and conditions of Council's Community Leasing Policy, with annual rental commencing at \$1.00 per annum.
2. That the Uniting Church in Australia Property Trust (Q.) represented by Wesley Mission Queensland be granted a lease over a storage shed (Refer Supporting Information #1 - Building 3) at 76 Dayboro Road Petrie, up to 30 June 2020, in accordance with the terms and conditions of Council's Community Leasing Policy, with annual rental commencing at \$1.00 per annum.
3. That Crime Stoppers Queensland Limited be granted a lease over a storage shed (Building 2) at 76 Dayboro Road, Petrie for a period of five years, in accordance with the terms and conditions of Council's Community Leasing Policy, with annual rental commencing at \$1.00 per annum.
4. 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 recommendations 1, 2 and 3.
5. That the Chief Executive Officer be authorised to take all action necessary to give effect to recommendations 1, 2 and 3.

ITEM 5.2 OUTCOME OF EXPRESSIONS OF INTEREST - FORMER PETRIE STATE EMERGENCY SERVICES CLUBHOUSE BUILDING AND STORAGE SHEDS - DIVISION 7 - A17219339 (Cont.)

OFFICER'S RECOMMENDATION

1. That Multicap Limited be granted a lease over the former Petrie SES clubhouse building (Refer Supporting Information #1 - Building 1) at 76 Dayboro Road Petrie, up to 30 June 2020, in accordance with the terms and conditions of Council's Community Leasing Policy, with annual rental commencing at \$1.00 per annum.
2. That the Uniting Church in Australia Property Trust (Q.) represented by Wesley Mission Queensland be granted a lease over a storage shed (Refer Supporting Information #1 - Building 3) at 76 Dayboro Road Petrie, up to 30 June 2020, in accordance with the terms and conditions of Council's Community Leasing Policy, with annual rental commencing at \$1.00 per annum.
3. That Crime Stoppers Queensland Limited be granted a lease over a storage shed (Building 2) at 76 Dayboro Road, Petrie for a period of five years, in accordance with the terms and conditions of Council's Community Leasing Policy, with annual rental commencing at \$1.00 per annum.
4. 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 recommendations 1, 2 and 3.
5. That the Chief Executive Officer be authorised to do all things necessary to give effect to recommendations 1, 2 and 3.

REPORT DETAIL

1. Background

Due to the relocation of the Petrie State Emergency Service (SES) to a new facility at Murrumba Downs, a clubhouse building (Refer Building 1 in Supporting Information #1) and a small storage shed (Refer Building 2 in Supporting Information #1) at the former SES site at 76 Dayboro Road, Petrie have become vacant and available for lease to community organisations.

In addition to these buildings, a further storage shed previously used to house Council's Mobile Library vehicle was identified as being surplus to Council's requirements and available for lease to a community organisation (Refer Building 3 in Supporting Information #1).

In accordance with Council's Community Leasing Policy (No. 14-2150-079), Council may undertake an EOI process to select the most appropriate community organisation to receive tenure over a Council owned facility. As such, an EOI process was recently undertaken between April and May of 2018 to identify future community tenants for Buildings 1, 2 and 3.

2. Explanation of Item

Applications under the EOI process were received from the following community organisations:

- Multicap Limited;
- The Uniting Church in Australia Property Trust (Q.) represented by Wesley Mission Queensland; and
- Crime Stoppers Queensland Limited.

All applications were reviewed by an assessment panel consisting of officers from Council's Community Services, Sport and Recreation Department and assessed against the following criteria:

- facility usage and community benefit;
- facility maintenance and development capacity;
- facility management experience; and
- financial capacity.

ITEM 5.2 OUTCOME OF EXPRESSIONS OF INTEREST - FORMER PETRIE STATE EMERGENCY SERVICES CLUBHOUSE BUILDING AND STORAGE SHEDS - DIVISION 7 - A17219339 (Cont.)

As an outcome of this assessment process, it is recommended that leases be granted in accordance with the terms and conditions of Council's Community Leasing Policy as follows:

1. Building 1 - Multicap Limited;
2. Building 2 - Crime Stoppers Queensland Limited; and
3. Building 3 - The Uniting Church in Australia Property Trust (Q.) represented by Wesley Mission Queensland.

Multicap Limited

Multicap was established in 1962 by a group of volunteers to assist Queensland families struggling to find suitable support for their children with multiple disabilities. Multicap has evolved into a multi-faceted service provider, assisting more than 1200 people with disability and their families, and creating employment for over 100 people with disability. Multicap is supported by a team of more than 900 dedicated staff.

Multicap empowers people with disability and their families through a network of one-on-one and group programs. Services including recreational activities, employment training, supported independent living and respite (centre-based and in-home) are delivered from Hubs across Queensland and New South Wales.

The existing Multicap Petrie Hub currently operates from Council-owned facilities directly adjacent to the vacant buildings subject to this EOI process (Refer Supporting Information #1). The existing hub facilities are provided to Multicap by Council under community lease arrangements.

Multicap have identified that their existing Petrie Hub facilities are already at capacity, with further increases in service demands anticipated following the introduction of the National Disability Insurance Scheme (NDIS) in early 2019.

The provision of a community lease over Building 1 will allow Multicap to hold staff meetings and training on-site, as well as add additional client services and programs to meet the current and future needs of people with a disability in the Moreton Bay Region.

Accordingly, it is proposed that: a lease over Building 1 be provided to Multicap in accordance with the terms and conditions of Council's Community Leasing Policy, and that the lease end date be set to align with that of their other Council leased facilities located at 76 Dayboro Rd. Petrie - 30 June 2020.

The Uniting Church in Australia Property Trust (Q.) represented by Wesley Mission Queensland

Wesley Mission Queensland's (WMQ) mission is to walk alongside people in need, offering care and compassion, and promoting choice, independence and community wellbeing. WMQ has been carrying out these objectives since its beginnings in 1907.

WMQ delivers various community services within the Moreton Bay Region, as well as throughout the broader South-East Queensland area. Since 2014, WMQ has delivered the Pine Rivers Home Assist Secure program (HAS) which provides a variety of home maintenance and modification services to the elderly and people with a disability in the Moreton Bay Region. These services are coordinated and delivered from Council-owned facilities located directly adjacent to the vacant buildings subject to this EOI process (Refer Supporting Information #1). The existing Pine Rivers HAS facilities are provided to WMQ by Council under community lease arrangements.

WMQ cite that demand for Pine Rivers HAS services continues to grow, which has placed pressure on their existing facilities, particularly with respect to the storage of fabrication materials required for home modification services (e.g. grab rails, access ramps, etc).

WMQ have advised that the provision of a community lease over Building 3 will enable additional storage of tools and materials for its services, as well as house a mini bus utilised to transport clients attending centre-based respite services at its Hyland House Respite facility (located at Munding Street, Petrie).

Accordingly, it is proposed that: a lease over Building 3 be provided to WMQ in accordance with the terms and conditions of Council's Community Leasing Policy, and that the lease end date be set to align with that of their other Council leased facilities located at 76 Dayboro Rd. Petrie - 30 June 2020.

ITEM 5.2 OUTCOME OF EXPRESSIONS OF INTEREST - FORMER PETRIE STATE EMERGENCY SERVICES CLUBHOUSE BUILDING AND STORAGE SHEDS - DIVISION 7 - A17219339 (Cont.)

Crime Stoppers Queensland Limited

The Pine Rivers Volunteer Area Committee (PRVAC) for Crime Stoppers was established in May 2006 and currently consists of 15 active members. The PRVAC, who reports to the Crime Stoppers QLD Head Office, has two primary objectives: To spread and promote the Crime Stoppers message across the region; and to undertake fundraising initiatives that contribute towards the payment of rewards for information leading to the apprehension of offenders, the solving of a crime and/or the recovery of stolen property (Crime Stoppers Rewards Program).

Crime Stoppers Queensland, through the PRVAC, has requested a lease over Building 3 for the purposes of storing a recently acquired promotional trailer, as well as group archive files. Currently the trailer is stored at Petrie Police Station, however the group has cited difficulties in readily accessing the trailer due to access restrictions and the need for other vehicle relocations to accommodate ingress and egress.

Whilst Crime Stoppers Queensland has submitted their EOI for a lease over Building 3 (larger storage shed), subsequent consultation with the group has identified that Building 2 (smaller storage shed) is of sufficient size to meet the group's requirements. Accordingly, it is proposed that a lease over Building 2 be provided to Crime Stoppers Queensland Limited in accordance with the terms and conditions of Council's Community Leasing Policy.

3. Strategic Implications

3.1 Legislative/Legal Implications

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 community organisations other than by way of tender or auction.

3.2 Corporate Plan / Operational Plan

Strengthening Communities: Healthy and supportive communities - a healthy and inclusive community.

3.3 Policy Implications

The terms and conditions of the proposed lease agreements will be in accordance with Council's Community Leasing Policy (14-2150-079).

3.4 Risk Management Implications

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

3.5 Delegated Authority Implications

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

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 provision of community leases to Multicap Limited, The Uniting Church in Australia Property Trust (Q.) represented by Wesley Mission Queensland and Crime Stoppers Queensland Limited will provide all the organisations with facilities from which to run and/or expand their operations for the benefit of the local community.

ITEM 5.2 OUTCOME OF EXPRESSIONS OF INTEREST - FORMER PETRIE STATE EMERGENCY SERVICES CLUBHOUSE BUILDING AND STORAGE SHEDS - DIVISION 7 - A17219339 (Cont.)

3.10 Consultation / Communication

Internal

- Relevant Council officers
- Councillor for Division 7
- All Councillors (Council Workshop - 6 March 2018)

External

- Multicap Limited
- The Uniting Church in Australia Property Trust (Q.) represented by Wesley Mission Queensland
- Crime Stoppers Queensland Limited

6 LIFESTYLE & AMENITY SESSION

(Cr D Sims)

No items for consideration.

7 ECONOMIC DEVELOPMENT, EVENTS & TOURISM SESSION

(Cr P Flannery)

No items for consideration.

8 REGIONAL INNOVATION (Cr A Sutherland in the absence of Cr Grimwade)

ITEM 8.1

JET A1 FUEL SUPPLY TENDER - REDCLIFFE AERODROME - DIVISION 5

Meeting / Session: 8 REGIONAL INNOVATION
Reference: A17234203 : 17 July 2018 - **Refer Supporting Information A17235088**
Responsible Officer: AS, Enterprise and Investments Officer (CES Property & Commercial Services)

Executive Summary

The purpose of this report is to seek Council's approval to lease an area of land at the Redcliffe Aerodrome, Nathan Road, Redcliffe for the purposes of establishing a facility to supply Jet A1 fuel.

COMMITTEE RECOMMENDATION

Moved by Cr Adrian Raedel

Seconded by Cr Denise Sims

CARRIED 11/0

1. That written tenders are invited by Council for the lease of the land described as Lease Q on Lot 1 on RP189479 in Supporting Information #1 for the purposes detailed in this report.
2. That the Chief Executive Officer be authorised to award the tender, grant the lease of the land referred to in recommendation 1 to the preferred tenderer in accordance with the Local Government Regulation 2012 and do all things necessary to give effect to recommendations 1 and 2.

ITEM 8.1 JET A1 FUEL SUPPLY TENDER - REDCLIFFE AERODROME - DIVISION 5 - A17234203 (Cont.)

OFFICER'S RECOMMENDATION

1. That written tenders are invited by Council for the lease of the land described as Lease Q on Lot 1 on RP189479 in Supporting Information #1 for the purposes detailed in this report.
2. That the Chief Executive Officer be authorised to award the tender, grant the lease of the land referred to in recommendation 1 to the preferred tenderer in accordance with the Local Government Regulation 2012 and do all things necessary to give effect to recommendations 1 and 2.

REPORT DETAIL

1. Background

The supply of aviation fuel at the Redcliffe Aerodrome is currently provided by BP Australia (BP) who hold a lease over the premises described as lease P, which houses their supply infrastructure; BP's lease, including options, expires in 2034.

BP are currently only supplying Avgas to the users of the aerodrome, however a number of users, including commercial helicopter operators and the skydiving facility, use a fuel known as Jet A1.

The onsite supply of Jet A1 fuel is only currently available via an on-sell arrangement through a commercial tenant at the aerodrome. The intent of this report is to seek approval for the invitation of written tenders to lease the subject land to enable a supplier, determined by tender, to establish a Jet A1 fuel supply facility adjacent to the existing Avgas supply.

2. Explanation of Item

Under the Local Government Regulation 2012, a commercial lease of Council land is deemed to be a disposal of a valuable non-current asset. Council officers are seeking a Council resolution to market and lease the proposed site, shown in Supporting Information #1, via an open tender campaign.

Upon an open tender process being conducted, competitive consideration of tenders received will include proven experience in the supply of aviation fuels, financial considerations and review of infrastructure proposals associated with the establishment of the new supply facility. Council will be provided with a briefing in regard to the request for tender outcome.

Given the lease purpose and the requirement for the provision of supply infrastructure, it is considered appropriate to align the lease term with that of the adjacent BP Avgas facility, with an end date of 2034 inclusive of options.

3. Strategic Implications

3.1 Legislative/Legal Implications

Under the Local Government Regulation 2012, before the Council may grant a lease over land it must first invite written tenders or conduct an auction, unless an exception applies under section 236.

3.2 Corporate Plan / Operational Plan

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

3.3 Policy Implications

There is no Council Policy which specifically deals with the leasing of tenancies.

3.4 Risk Management Implications

The Redcliffe Aerodrome currently manages the onsite supply and storage of aviation fuel. Any specific risk management requirements of the lessee will be included in the lease document.

ITEM 8.1 JET A1 FUEL SUPPLY TENDER - REDCLIFFE AERODROME - DIVISION 5 - A17234203 (Cont.)

3.5 Delegated Authority Implications

As per the recommendation, the Chief Executive Officer be authorised to take all action necessary to complete the Lease.

3.6 Financial Implications

Council can expect to receive an appropriate rental for the premises.

3.7 Economic Benefit

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

3.8 Environmental Implications

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

3.9 Social Implications

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

3.10 Consultation / Communication

The Redcliffe Aerodrome Chamber of Commerce Incorporated and Jet A1 users at the Aerodrome are supportive of the proposal.
Legal Services

9 GENERAL BUSINESS

ITEM 9.1 REGIONAL EVENTS

Cr Adam Hain reported on the **QSEC Rodeo Round-up** event held on Saturday 7 July 2018 at the Queensland State Equestrian Centre. Cr Hain said that the event is growing, having achieved good numbers in attendance this year, and that the rodeo went very well.

Cr Adam Hain also made comment on the **Queensland Junior Cup** held at the 18-lane Caboolture Bowling Centre on the weekend of 21-22 July 2018. Cr Hain said that the event was Council sponsored and was attended by participants and their families from all over Australia which was a great economic generator for the area, and commended the organisers for their great work.

Cr Koliana Winchester reported on the **Jetty 2 Jetty Fun Run** held on Sunday 22 July 2018. Cr Winchester said that the event, sponsored by Council, attracted between 4,000 - 5,000 participants with funds raised being provided to headspace Redcliffe - a National Youth Mental Health Foundation.

COMMITTEE RECOMMENDATION

Moved by Cr Koliana Winchester

Seconded by Cr Mick Gillam

CARRIED 11/0

That a Mayoral letter of congratulation be sent to Moreton Bay Region Industry and Tourism Limited on organising the well-run Jetty 2 Jetty Fun Run event.

Cr Brooke Savige reported on the **Abbey Medieval Festival** held over the weekend of 14-15 July 2018 at the Abbey Museum of Art and Archaeology. Cr Savige said that attendance to the event was very good and that the weather was excellent.

Cr Peter Flannery reported on his attendance at the Medieval Banquet held on Saturday 7 July 2018 as part of the festival. Cr Flannery commented that the Mayor had embraced the theme and attended in costume. The event was highly enjoyable and encouraged others to attend.

COMMITTEE RECOMMENDATION

Moved by Cr Brooke Savige

Seconded by Cr Mike Charlton (Deputy Mayor)

CARRIED 11/0

That a Mayoral letter of congratulation be sent to the organising committee on staging the successful Abbey Medieval Festival and Abbey Medieval Banquet.

Cr Peter Flannery also made comment on the recent opening of the **World Gym Burpengary** which is the largest World Gym in Australia.

ITEM 9.2
E-PETITIONS - REGIONAL
(JH)

Cr James Houghton referred to the e-Petition “Stop Council Killing Baja and Winston” tabled at the General Meeting earlier today, and expressed concern that some e-petitions are based on incorrect information.

The Mayor concurred stating that e-petitions can damage the reputation and integrity of Council and its officers and suggested that appropriate advice should be sought.

COMMITTEE RECOMMENDATION

Moved by Cr James Houghton

Seconded by Cr Adam Hain

CARRIED 11/0

That appropriate advice be sought regarding the matter of online Petitions.

CLOSED SESSION (Confidential items)

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

CLOSED SESSION

COMMITTEE RECOMMENDATION

Moved by Cr Mick Gillam

Seconded by Cr Denise Sims

CARRIED 11/0

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

Members of the press and public gallery left the Chambers.
The closed session commenced at 11.50am.

ATTENDANCE

Mr Michael Hagan attended the meeting at 11.52am for discussion on Items C.1 and C.2.

OPEN SESSION

COMMITTEE RECOMMENDATION

Moved by Cr Mick Gillam

Seconded by Cr Peter Flannery

CARRIED 11/0

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

The open session resumed at 11.56am.

ITEM C.1 – CONFIDENTIAL

PROPERTY ACQUISITIONS - AKERS ROAD, LAWNTON - DIVISION 8

Meeting / Session: 5 PARKS, RECREATION & SPORT

Reference: A16964283 : 17 July 2018 - Refer **Confidential** Supporting Information
A16969010

Responsible Officer: DH (Strategic Planning and Economic Development; MH (Property & Commercial Services)

Basis of Confidentiality

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

Executive Summary

The purpose of this report is to seek a Council resolution to acquire the properties described in this confidential report, for park purposes and road purposes.

COMMITTEE RECOMMENDATION

Moved by Cr Mick Gillam

Seconded by Cr Adam Hain

CARRIED 11/0

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

ITEM C.2 – CONFIDENTIAL

RENEWAL OF LEASE TO AEROPOWER PTY LTD - DIVISION 5

Meeting / Session: 7 ECONOMIC DEVELOPMENT & TOURISM

Reference: A15922933 : 17 July 2018 - Refer **Confidential** Supporting Information
A17237190

Responsible Officer: AS, Enterprise and Investments Officer, Property and Commercial Services
(EPS 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

The term of the existing lease between Council and Aeropower Pty Ltd, for the premises described as Lease H 14B at the Redcliffe Aerodrome, has expired, and Council's approval is required for the lease to be renewed under the Local Government Regulation 2012 other than by tender or auction.

COMMITTEE RECOMMENDATION

Moved by Cr Koliana Winchester

Seconded by Cr Mick Gillam

CARRIED 11/0

1. That a renewal of the lease of the premises at the Redcliffe Aerodrome, Nathan Road, Rothwell described as "Lease H 14B" be approved to Aeropower Pty Ltd on the terms specified in this report and rental in accordance with the currently approved Redcliffe Aerodrome rental market rates.
2. That the exception contained in section 236(1)(c)(iii) of the Local Government Regulation 2012 applies to the Council on the disposal of the land referred to in Recommendation 1.
3. That the Chief Executive Officer be authorised to take all action necessary to give effect to recommendation 1.

CLOSURE

There being no further business the Chairperson closed the meeting at 11.58am.