



AGENDA

GENERAL MEETING

Tuesday 26 November 2019

commencing at 10.30am

Caboolture Chambers
2 Hasking Street, Caboolture

COUNCILLOR:

NOTICE IS HEREBY GIVEN, that a General Meeting of the Moreton Bay Regional Council will be held on Tuesday 26 November 2019 commencing at 10.30am in Caboolture Chambers, 2 Hasking Street, Caboolture to give consideration to the matters listed on this agenda.

Graeme Kanofski
Acting Chief Executive Officer

21 November 2019

Membership = 13
Mayor and all Councillors

Quorum = 7

[Agenda for public distribution](#)

LIST OF ITEMS

1. OPENING PRAYER	5
2. ATTENDANCE & APOLOGIES	5
3. MEMORIALS OR CONDOLENCES	5
4. A) CONFIRMATION OF MINUTES FROM PREVIOUS GENERAL MEETING	5
General Meeting - 19 November 2019 (Pages 19/2354 19/2391)	5
Attachment #1 Unconfirmed Minutes - General Meeting 19 November 2019	
5. PRESENTATION OF PETITIONS	5
<i>(Addressed to the Council and tabled by Councillors)</i>	
6. CORRESPONDENCE	5
7. COMMUNITY COMMENT	6
7.1. Community Comment: Scott Morcombe (A19359408)	
7.2. Community Comment: Julia Nuske (A19362111)	
7.3. Community Comment: Veronica Wingrove (A19364599)	
8. NOTIFIED MOTIONS	6
9. NOTICES OF MOTION (Repeal or amendment of resolutions)	6
<i>(s262 of the Local Government Regulation 2012)</i>	
10. OFFICERS' REPORTS TO COUNCIL (conducted in Sessions)	7
<i>(as referred by the Chief Executive Officer)</i>	
1 GOVERNANCE SESSION (Cr A Sutherland, Mayor)	8
ITEM 1.1	8
DISCRETIONARY FUNDS - ELIMBAH SPORTS AND RECREATION ASSOCIATION - DIVISION 12	
REPORT DETAIL	
ITEM 1.2	10
COUNCIL OF MAYORS (SEQ) - SOUTH EAST QUEENSLAND 2032 OLYMPIC AND PARALYMPIC GAMES - REGIONAL	
REPORT DETAIL	
SUPPORTING INFORMATION	
#1 Correspondence from Council of Mayors	
ITEM 1.3	14
THE MILL AT MORETON BAY - GOVERNANCE STRUCTURE - REGIONAL	
REPORT DETAIL	

2 PLANNING & DEVELOPMENT SESSION (Cr M Gillam)	18
ITEM 2.1	18
DA/33296/2016/VCHC/2 - CHANGE (OTHER) APPLICATION - MATERIAL CHANGE OF USE - DEVELOPMENT PERMIT FOR MULTIPLE DWELLING (26 DWELLINGS), LOCATED AT 4-8 SUTTON STREET, REDCLIFFE - DIVISION 6	
REPORT DETAIL	
SUPPORTING INFORMATION	
#1 Aerial Photograph	
#2 Zoning Plan	
#3 Locality Plan	
#4 Proposal Plans	
#5 Properly Made Submissions	
ITEM 2.2	89
PROPOSED THE MILL AT MORETON BAY GUIDANCE MATERIAL: DRAFT PUBLIC ART GUIDELINES AND PUBLIC CONSULTATION - DIVISION 7	
REPORT DETAIL	
SUPPORTING INFORMATION	
#1 The Mill at Moreton Bay Public Art Guidelines	
3 CORPORATE SERVICES SESSION (Cr M Constance)	112
4 ASSET CONSTRUCTION & MAINTENANCE SESSION (Cr A Hain)	113
ITEM 4.1	113
FERNY HILLS SWIMMING POOL HEAT PUMP REPLACEMENT - DIVISION 10	
REPORT DETAIL	
SUPPORTING INFORMATION	
Confidential #1 Tender Evaluation Assessment Sheet	
ITEM 4.2	121
BEACHMERE COMMUNITY CENTRE DEVELOPMENT - DIVISION 2	
REPORT DETAIL	
SUPPORTING INFORMATION	
Confidential #1 Tender Evaluation Assessment Sheet	
5 PARKS, RECREATION & SPORT SESSION (Cr K Winchester)	129
6 LIFESTYLE & AMENITY SESSION (Cr D Sims)	129
7 ECONOMIC DEVELOPMENT, EVENTS & TOURISM SESSION (Cr P Flannery)	129
8 REGIONAL INNOVATION SESSION (Cr D Grimwade)	130

Moreton Bay Regional Council

GENERAL MEETING - 496
26 November 2019

PAGE 4
Agenda

ITEM 8.1	130
TRANSFER OF LAND TO UNITYWATER - DIVISION 12	
REPORT DETAIL	
SUPPORTING INFORMATION	
#1 Locality Map - 5 Manordowns Drive, D'Aguiar	
11. GENERAL BUSINESS OR RESPONSE TO QUESTIONS TAKEN ON NOTICE	134
12. CLOSED SESSION	134
<i>(s275 of the Local Government Regulation 2012)</i>	
12a. CONFIDENTIAL OFFICERS' REPORTS TO COUNCIL	135
ITEM C.1 – CONFIDENTIAL	135
TRUSTEE LEASE FOR TELECOMMUNICATIONS PURPOSES - MORETON BAY REGIONAL COUNCIL TO OPTUS - DIVISION 1	
REPORT DETAIL	
SUPPORTING INFORMATION	
12b. CONFIDENTIAL GENERAL BUSINESS	142

1. OPENING PRAYER

2. ATTENDANCE & APOLOGIES

Attendance:

Cr Allan Sutherland (Mayor) (Chairperson)

Apologies:

Cr James Houghton

Suspended:

Under section 182A of the *Local Government Act 2009* Cr Adrian Raedel is currently suspended from office.

3. MEMORIALS OR CONDOLENCES

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

4. A) CONFIRMATION OF MINUTES FROM PREVIOUS GENERAL MEETING

General Meeting - 19 November 2019 (Pages 19/2354 19/2391)

RESOLUTION that the minutes of the General Meeting held 19 November 2019, be confirmed.

Attachment #1 Unconfirmed Minutes - General Meeting 19 November 2019

5. PRESENTATION OF PETITIONS

(Addressed to the Council and tabled by Councillors)

Receipt of petitions addressed to the Council and tabled by Councillors.

6. CORRESPONDENCE

Receipt of correspondence addressed to the Council and tabled by the Chief Executive Officer

7. COMMUNITY COMMENT

The following residents/ratepayers, having made the appropriate application in accordance with Council's Community Comment Session Policy (2150-062), have been approved to participate in the Community Comment session.

CHAIRPERSON'S REMINDER TO PARTICIPANTS

Participants of the Community Comment session are reminded that the speaker must provide an overview or dot-point of their presentation prior to making the presentation.

Speakers are allowed a maximum of 5 minutes and must act and speak with decorum. If the address is considered irrelevant, offensive or unduly long, the speaker will be required to cease.

Speakers must also note that at the conclusion of the presentation, no debate will be entered into.

7.1. Community Comment: Scott Morcombe (A19359408)

As part of the Community Comment session, Scott Morcombe, as approved by the Acting Chief Executive Officer, has been invited to address the Council in respect of DA/39443/2019/V2D - 28 Fernlea Avenue Scarborough.

7.2. Community Comment: Julia Nuske (A19362111)

As part of the Community Comment session, Julia Nuske, as approved by the Acting Chief Executive Officer, has been invited to address the Council in respect of DA/16705/2007/VCHG/3 - 2 Gayundah Esplanade, Woody Point.

7.3. Community Comment: Veronica Wingrove (A19364599)

As part of the Community Comment session, Veronica Wingrove, as approved by the Acting Chief Executive Officer, has been invited to address the Council in respect of Council's Local Laws and animal management.

8. NOTIFIED MOTIONS

Consideration of any motion notified by a Councillor to the Chief Executive Officer at least 5 days before the meeting at which the motion is to be moved.

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

(s262 of the Local Government Regulation 2012)

Consideration of any notice of motion to repeal or amend a resolution of the Council which is to be given to each Councillor at least 5 days before the meeting at which the proposal is to be made.

10. OFFICERS' REPORTS TO COUNCIL (conducted in Sessions)

(as referred by the Chief Executive Officer)

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

The Session Chairperson and designated Spokesperson for the respective portfolio, is 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

1 GOVERNANCE SESSION

(Cr A Sutherland, Mayor)

ITEM 1.1

DISCRETIONARY FUNDS - ELIMBAH SPORTS AND RECREATION ASSOCIATION - DIVISION 12

Meeting / Session: 1 GOVERNANCE
Reference: A19354948 : 15 November 2019
Responsible Officer: LK, Executive Support Officer (CORP Executive Services)

Executive Summary

The Council makes discretionary funds available each financial year to community organisations for community purposes in accordance with Council's Discretionary Funds Policy, Availability Notice and Guidelines.

An eligible application for discretionary funds has been received for Division 12 from the Elimbah Sports and Recreation Association Inc for the 'Elimbah Santa Run' (see attached application).

Under section 182A of the *Local Government Act 2009* Cr Adrian Raedel is currently suspended from office and is unable to approve the allocation of discretionary funds.

This report seeks Council's direction in relation to this application for Division 12 discretionary funds from the Elimbah Sports and Recreation Association Inc.

OFFICER'S RECOMMENDATION

That the application by Elimbah Sports and Recreation Association Inc under Council's Discretionary Funds Policy, for the 'Elimbah Santa Run', be approved in the amount of \$1,500 from the Division 12 allocation.

ITEM 1.1 DISCRETIONARY FUNDS - ELIMBAH SPORTS AND RECREATION ASSOCIATION - DIVISION 12 - A19354948 (Cont.)

REPORT DETAIL

1. Background

The Council makes discretionary funds available each financial year to community organisations for community purposes, in accordance with Council's Discretionary Funds Policy, Availability Notice and Guidelines.

Unless otherwise approved by Council, each financial year community organisations are eligible to apply for a maximum of \$10,000 and \$3,000 in discretionary funds to the Mayor and Councillors respectively. Community organisations may apply for discretionary funds to both the Mayor and Councillors up to a maximum of \$13,000 in total each financial year.

2. Explanation of Item

Under section 182A of the *Local Government Act 2009* Cr Adrian Raedel is currently suspended from office and is unable to approve the allocation of discretionary funds.

The Department of Local Government, Racing and Multicultural Affairs have advised that in this instance where a Councillor is unable to consider this application for discretionary funds, the funding request should be considered by Council at its General Meeting.

Elimbah Sports and Recreation Association Inc has applied for \$1,500 under the Discretionary Funds Policy for the 'Elimbah Santa Run'. This festive event involves will provide an opportunity for community involvement within the Moreton Bay Region.

3. Strategic Implications

3.1 Legislative / Legal Implications Nil identified

3.2 Corporate Plan / Operational Plan
Strengthening Communities: Strong local governance - strong leadership and governance.

3.3 Policy Implications
Arrangements will be made in accordance with Council's Discretionary Funds Policy 2150-101.

3.4 Risk Management Implications Nil identified

3.5 Delegated Authority Implications Nil identified

3.6 Financial Implications
Appropriate funds have been provided in the 2019/20 budget and the applications for funding are eligible under the 2019/20 Discretionary Funds guidelines.

3.7 Economic Benefit Implications Nil identified

3.8 Environmental Implications Nil identified

3.9 Social Implications Nil identified

3.10 Consultation / Communication
The Acting Chief Executive Officer, Director Finance and Corporate Services and Manager Executive Services have been consulted in relation to the preparation of this report.

ITEM 1.2
COUNCIL OF MAYORS (SEQ) - SOUTH EAST QUEENSLAND 2032 OLYMPIC AND PARALYMPIC GAMES - REGIONAL

Meeting / Session: 1 GOVERNANCE
Reference: A19374234. : 19 November 2019 **Refer Supporting Information A19370390**
Responsible Officer: JO, Manager Strategy and Engagement (CEO Strategy & Engagement)

Executive Summary

Since 2015 Council of Mayors South East Queensland (Council of Mayors) has been leading ongoing investigations into economic, infrastructure and legacy opportunities stemming from a South East Queensland 2032 Olympic and Paralympic Games.

The Queensland Government and Australian Government have both made financial contributions towards this work. To date, Moreton Bay Regional Council is the only Council of Mayors member council that is not a project partner, and has not made a financial contribution towards this project.

Moreton Bay Regional Council has been identified as a potential host region for a combined South East Queensland 2032 Olympic and Paralympic Games bid. Accordingly, Council of Mayors has requested Council become an equal partner in this project and provide a financial contribution of \$158,000 (ex gst).

OFFICER'S RECOMMENDATION

That Council become an equal partner in the South East Queensland 2032 Olympic and Paralympic Games project through a financial contribution of \$158,000 (ex GST) to the Council of Mayors (SEQ).

ITEM 1.2 COUNCIL OF MAYORS (SEQ) - SOUTH EAST QUEENSLAND 2032 OLYMPIC AND PARALYMPIC GAMES - REGIONAL - A19374234. (Cont.)

REPORT DETAIL

1. Background

Since 2015 Council of Mayors has been leading ongoing investigations into economic, infrastructure and legacy opportunities stemming from a South East Queensland 2032 Olympic and Paralympic Games.

The Queensland Government and Australian Government have both made financial contributions towards this work. To date, Moreton Bay Regional Council is the only Council of Mayors member council that is not a project partner and has not made a financial contribution towards this project.

2. Explanation of Item

Council of Mayors believe a 2032 Olympic and Paralympic Games has the potential to catalyse government to deliver the infrastructure needed to support South East Queensland's population, create jobs and stimulate the economy.

The 2000 Sydney Olympics generated \$20 billion in economic value and it is estimated that the tourism benefit alone of a 2032 Olympic and Paralympic Games would be approximately \$22 billion.

Initial work by Council of Mayors has identified opportunity for Moreton Bay Region as a host region for a combined South East Queensland 2032 Olympic and Paralympic Games bid. This presents significant pre-games training, games-related business and tourism opportunities for the Moreton Bay Regional Council area.

Accordingly, Council of Mayors has requested Council become an equal partner in this project and provide a financial contribution of \$158,000 (ex GST).

3. Strategic Implications

3.1 Legislative / Legal Implications Nil identified

3.2 Corporate Plan / Operational Plan
Creating Opportunities: Local jobs for residents - an innovative and thriving economy.

3.3 Policy Implications Nil identified

3.4 Risk Management Implications Nil identified

3.5 Delegated Authority Implications Nil identified

3.6 Financial Implications
At this time Council of Mayors is seeking a financial contribution of \$158,000 (ex gst) from Council.

3.7 Economic Benefit Implications
Council of Mayors believe an Olympic and Paralympic Games has the potential to deliver significant economic benefit for the regional and state economy, including the creation of local jobs.

3.8 Environmental Implications Nil identified

3.9 Social Implications
An Olympic and Paralympic Games has the potential to deliver legacy opportunities for Moreton Bay Region, as well as positive social impacts for community, health and sport participation.

3.10 Consultation / Communication
Councillors have been provided a briefing by the Council of Mayors.

SUPPORTING INFORMATION

Ref: [A19308793](#), [A19308896](#) & [A19308929](#)

The following list of supporting information is provided for:

ITEM 1.2

COUNCIL OF MAYORS (SEQ) - SOUTH EAST QUEENSLAND 2032 OLYMPIC AND PARALYMPIC GAMES - REGIONAL

#1 Correspondence from Council of Mayors

ITEM 1.2 COUNCIL OF MAYORS (SEQ) - SOUTH EAST QUEENSLAND 2032 OLYMPIC AND PARALYMPIC GAMES - REGIONAL
#1 Correspondence from Council of Mayors



20 November 2019

Mr Graeme Kanofski
Acting Chief Executive Officer
Moreton Bay Regional Council
PO Box 159
CABOOLTURE QLD 4510

Dear Mr Kanofski

SOUTH EAST QUEENSLAND 2032 OLYMPIC AND PARALYMPIC GAMES

Thank you for your consideration of the Council of Mayors' (SEQ) ongoing investigation into a potential South East Queensland 2032 Olympic and Paralympic Games, and the opportunity to address Moreton Bay Regional Council on 19 November 2019 regarding its future involvement in this project.

The Council of Mayors (SEQ) believe that an Olympic and Paralympic Games has the potential to catalyse governments to deliver the infrastructure needed to support the region's population, and in turn, create jobs and stimulate the Queensland economy.

The SEQ Mayors are also confident that a South East Queensland Games could deliver significant pre-Games training opportunities, Games-related business contracts and tourism for both the south-east and Queensland.

We would welcome consideration by Moreton Bay Regional Council to join with our member councils in working together to leverage this opportunity for the businesses and communities of South East Queensland.

To establish Moreton Bay Regional Council as an equal partner in this project, a financial contribution of \$158,000 ex GST would be required and I would kindly ask that Council consider supporting this contribution.

If you require any further information, please feel free to contact me at any time on 0417 732 461 or via at scott.smith@seqmayors.qld.gov.au. Thank you again for Moreton Bay Regional Council's ongoing support and its regional priorities.

Yours sincerely

A handwritten signature in black ink, appearing to be "Scott Smith". The signature is fluid and cursive, written over a horizontal line.

Scott Smith
Chief Executive Officer

ITEM 1.3
THE MILL AT MORETON BAY - GOVERNANCE STRUCTURE - REGIONAL

Meeting / Session: 1 GOVERNANCE
Reference: A19370311 : 20 November 2019 - Refer **Confidential Supporting Information**
Responsible Officer: RD, Legal Officer (CEO Legal)

Executive Summary

Following consultation with Queensland Treasury Corporation (**QTC**) and expert legal advisers Herbert Smith Freehills (**HSF**) officers recommend that Council resolves to conduct a beneficial enterprise in respect of Council-owned lots within the Mill Precinct at the Mill at Moreton Bay Priority Development Area (**PDA**). The beneficial enterprise will implement Council's vision, provide corporate governance and risk management and maximise investor confidence in the site.

Officers consider that the beneficial enterprise which is the subject of this report will benefit, or can reasonably be expected to benefit, the whole of Council's local government area because it will better provide for the PDA to be properly and optimally developed to provide the benefits estimated in the PDA of 6,000 jobs and generate almost \$1 billion economic benefit to the greater Moreton Bay Region.

OFFICER'S RECOMMENDATION

1. That Council resolve to conduct a beneficial enterprise which is directed at benefitting the whole of its local government area by forming and otherwise participating in a corporation limited by shares which is governed in accordance with the principles set out in this report and reflected in the drafts of
 - a) the constitution annexed at confidential supporting Information #1; and
 - b) the statement of corporate intent annexed at confidential supporting information #2.

(Governance Documents)

and authorises the Chief Executive Officer to finalise the drafting of and enter into the Governance Documents in a manner which is generally consistent with this report.

2. That Council authorises the appointment of Council's Chief Executive Officer as the initial director of the beneficial enterprise and for them to undertake all relevant and incidental actions arising and powers pursuant to that appointment.
3. That Council resolves to provide the financial support necessary to the corporation for it to engage:
 - a) an independent recruiter to source the balance of the first full board of directors of the beneficial enterprise in accordance with the Governance Documents; and
 - b) an independent professional services firm in consultation with QTC to ensure that an appropriate governance and risk management framework is put in place in respect of the beneficial enterprise at a suitable time; and
 - c) otherwise carry out the activities provided in each resolution herein.
4. That Council authorises the Chief Executive Officer to do all other things necessary to give effect to these recommendations, including to form establish and set up the initial operation of the corporation.

ITEM 1.3 THE MILL AT MORETON BAY - GOVERNANCE STRUCTURE - REGIONAL - A19370311 (Cont.)

REPORT DETAIL

1. Background

The Mill at Moreton Bay comprises numerous lots within a declared Priority Development Area (**PDA**). Some of these lots are owned by Council.

The Mill at Moreton Bay comprises numerous lots within a declared Priority Development Area (**PDA**). Some of these lots are owned by Council.

Development has commenced on some Council-owned lots pursuant to development agreements between Council and the University of the Sunshine Coast (**USC**). Other Council-owned lots remain vacant.

Council's vision is to deliver optimal development or "activation" of the vacant Council-owned lots to complement the USC development and to create a world-class development for the benefit of the whole government area.

Over time, various mechanisms have been considered by Council to better ensure the optimal development of the Council-owned lots (and the PDA generally). During this consideration, input has been received from various stakeholders and experts.

The mechanism which has widely been regarded as the most appropriate in this circumstance is the establishment of a beneficial enterprise under the *Local Government Act 2009*.

2. Explanation of Item

Each priority development area is developed differently, with various mechanisms used to promote, facilitate and carry out the development.

Each of these mechanisms affords a Council a varying degree of control and flexibility over the development of a PDA, but ultimately the aim is to achieve an over-arching development outcome.

The "beneficial enterprise mechanism" recommended for adoption in this report is similar (but not identical) to that one used by the Sunshine Coast Regional Council which established SunCentral Maroochydore Pty Ltd to promote, facilitate, carry out and control the development, disposal and management of land within the Maroochydore City Centre Priority Development Area.

External advisers with expertise in mechanisms used to develop PDAs (including advisers who have considerable experience derived from their involvement with SunCentral as well as other PDAs within South East Queensland) have been engaged by (and have briefed) Council.

The result of that briefing was that Council was accepting of a report being submitted to it which sought a resolution to establish a beneficial enterprise in accordance with the documents annexed to this report.

3. Strategic Implications

If Council wishes to establish the beneficial enterprise as recommended, then the enterprise will be responsible for overseeing the appropriate development of the Mill Precinct land within the PDA in accordance with the rights obligations set out in the statement of corporate intent.

Some further steps will be necessary to enable this to occur in practice. For example, Council would need to grant a development lease and other supporting agreements (as necessary) to the beneficial enterprise over the relevant land. This matter is expected to be the subject of a further report to Council once Council has received further advice from its relevant urban planning and architectural consultant.

ITEM 1.3 THE MILL AT MORETON BAY - GOVERNANCE STRUCTURE - REGIONAL - A19370311 (Cont.)

Importantly (and this differs to other beneficial enterprise mechanisms established by other Councils) it is noted at this stage that:

- Council is not transferring freehold ownership of the Council-owned lots to the enterprise;
- Council will be gaining any profits derived from any eventual dealings with the Council-owned land; and
- Whilst the enterprise will be given the autonomy considered appropriate to deliver outcomes in respect of the development of the Council-owned land within the PDA (provided that this is consistent with Council's vision through the statement of corporate intent and other supporting documents) Council will maintain a degree of oversight in its capacity as assessment manager and also via its appointed representative on the board of directors (Council's Chief Executive Officer).

3.1 Legislative / Legal Implications

Under section 40 of the *Local Government Act 2009 (LGA)* Council may conduct a beneficial enterprise (which includes forming a corporation limited by shares) for the benefit of the whole, or part of its local government area. The Department of Local Government, Racing and Multicultural Affairs has released public guidance clarifying that Council does not require Treasurer's approval under the *Statutory Bodies Financial Arrangements Act 1982* to establish the enterprise because Council has already been given the express power to do so under the LGA. Notwithstanding that, Council officers have been in dialogue with QTC (given its experience in matters similar to this one) and its officers have peer reviewed the documents annexed to this report which have been prepared by HSF.

3.2 Corporate Plan / Operational Plan

Creating Opportunities: Local jobs for residents - an innovative and thriving economy. It is estimated in the PDA document that the Mill at Moreton Bay will deliver 6,000 future local jobs.

3.3 Policy Implications Nil identified

3.4 Risk Management Implications

There is a risk that the enterprise will fail to achieve optimal development of the Council-owned land. However, that risk would still exist even if the enterprise was not established. Officers consider that the imposition of obligations on the enterprise as set out in the statement of corporate intent will serve to reduce the risk of the enterprise failing to achieve its aims and objectives.

3.5 Delegated Authority Implications

It is recommended that Council's Chief Executive Officer be authorised (or delegated power to) do all things necessary to give effect to recommendation 1 (above).

3.6 Financial Implications

QTC has kindly agreed to peer review the documents annexed to this report at no cost as they see the benefit in providing good governance arrangements, greater risk management for Council and economic investment in the Region. HSF has been procured under a State Government panel arrangement at a discounted rate pursuant to the Legal Services budget. Funding arrangements relevant to the enterprise will be the subject of a further report to Council.

3.7 Economic Benefit Implications

The optimal development of the Council-owned land is expected to generate almost \$1 billion in economic benefit to the Region. Specific economic benefits are outlined in further detail in the PDA Development Scheme.

3.8 Environmental Implications Nil identified

ITEM 1.3 THE MILL AT MORETON BAY - GOVERNANCE STRUCTURE - REGIONAL - A19370311 (Cont.)

3.9 Social Implications Nil identified

3.10 Consultation / Communication

QTC

HSF and other law firms

Council workshops (8 October 2019, 14 November 2019)

Community consultation was undertaken as part of the PDA process

2 PLANNING & DEVELOPMENT SESSION

(Cr M Gillam)

ITEM 2.1

DA/33296/2016/VCHC/2 - CHANGE (OTHER) APPLICATION - MATERIAL CHANGE OF USE - DEVELOPMENT PERMIT FOR MULTIPLE DWELLING (26 DWELLINGS), LOCATED AT 4-8 SUTTON STREET, REDCLIFFE - DIVISION 6

APPLICANT: Shorebrook Developments Pty Ltd C/- Urban Strategies Pty Ltd
OWNER: Shorebrook Developments Pty Ltd

Meeting / Session: 2 PLANNING & DEVELOPMENT
Reference: A19297723 : 4 November 2019 – Refer Supporting Information A19308793, A19308896 & A19308929
Responsible Officer: CA, Planner (PED Development Services)

Executive Summary

APPLICATION DETAILS	
Applicant:	Shorebrook Developments Pty Ltd C/- Urban Strategies Pty Ltd
Lodgement Date:	13 August 2019
Properly Made Date:	30 August 2019
Confirmation Notice Date:	5 September 2019
Information Request Date:	No Information Request Issued
Info Response Received Date:	Not applicable
Public Notification Dates:	20 September 2019 - 14 October 2019
No. of Submissions:	Properly Made: 3 Not Properly Made: 0
Decision Due Date:	10 December 2019
Prelodgement Meeting Held:	Yes

PROPERTY DETAILS	
Division:	Division 6
Property Address:	4-8 Sutton Street, Redcliffe
RP Description	Lots 417-419 RP30380
Land Area:	1,215m ²
Property Owner	Shorebrook Developments Pty Ltd

STATUTORY DETAILS	
Planning Legislation:	<i>Planning Act 2016</i>
Planning Scheme:	MBRC Planning Scheme
Planning Locality / Zone	General Residential Zone - Urban Neighbourhood Precinct
Level of Assessment:	Impact and Consistent

The Applicant has submitted a Change (Other) Application relating to an existing approval for a Material Change of Use - Development Permit for Multiple Dwelling at 4-8 Sutton Street, Redcliffe, formally described as Lots 417-419 RP30380.

ITEM 2.1 DA/33296/2016/VGHC/2 - CHANGE (OTHER) APPLICATION - MATERIAL CHANGE OF USE - DEVELOPMENT PERMIT FOR MULTIPLE DWELLING (26 DWELLINGS), LOCATED AT 4-8 SUTTON STREET, REDCLIFFE - DIVISION 6 - A19297723 (Cont.)

The changes proposed to the original approval consist of the following:

- Increase in height from 27m to 28.18m (mapped as 27m on Overlay Map - Building Heights)
- Reduction in the number of dwellings from twenty-eight (28) to twenty-six (26)
- Addition of two (2) car spaces - 43 spaces are proposed to be provided
- Change in unit typology
 - From: 20 x 2 bedroom units and 8 x 3 bedroom units
 - To: 12 x 2 bedroom units and 14 x 3 bedroom units
- Minor adjustments to the internal layout
- Minor changes to architectural features of the building

Although the changes proposed are relatively minor in nature and are generally compliant with the Planning Scheme, the application is subject to Impact Assessment due to the building height exceeding that mapped on Overlay Map - Building Height.

The Planning Act 2016 requires Council, as the assessment manager, to assess and decide the Change Application in the context of the development approval. In terms of assessing this Change Application, the matters for assessment (assessment benchmarks) are only those relevant to the proposed changes. Therefore, the development in its entirety has not been re-assessed in this instance, with only the proposed changes addressed.

The application was publicly advertised with three (3) submissions received. The proposed development is considered to accord with the intent of the MBRC Planning Scheme, and is recommended to be approved, subject to conditions.

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 Multiple Dwelling (26 Dwellings) at 4-8 Sutton Street, Redcliffe, described as Lots 417-419 RP30380, subject to the following plans/documents and conditions:

Approved Plans and Documents			
Plan / Document Name	Reference Number	Prepared By	Dated
Cover Page	DA000	Think Tank Architects	06/08/2019
Cover Page 2	DA001 Revision A	Think Tank Architects	02/08/2019
Cover Page 3	DA002 Revision B	Think Tank Architects	02/08/2019
Cover Page 4	DA003 Revision B	Think Tank Architects	02/08/2019
Locality Plan	DA90 Revision B	Think Tank Architects	02/08/2019
Site Plan	DA100 Revision B	Think Tank Architects	02/08/2019
Ground Floor	DA201 Revision E	Think Tank Architects	02/08/2019
Level 1	DA202 Revision C	Think Tank Architects	02/08/2019
Level 2-3	A203 Revision G	Think Tank Architects	30/10/2019
Level 4	DA204 Revision C	Think Tank Architects	02/08/2019
Level 5	DA205 Revision B	Think Tank Architects	02/08/2019
Level 6-7	DA206 Revision B	Think Tank Architects	02/08/2019
Level 8	DA207 Revision B	Think Tank Architects	02/08/2019
Sections	DA301 Revision C	Think Tank Architects	02/08/2019
Sections	DA302 Revision C	Think Tank Architects	02/08/2019
Elevations	DA401 Revision B	Think Tank Architects	02/08/2019
Elevations	DA402 Revision B	Think Tank Architects	02/08/2019
Areas	DA501 Revision B	Think Tank Architects	02/08/2019

Moreton Bay Regional Council

GENERAL MEETING - 496
26 November 2019

PAGE 20
Agenda

ITEM 2.1 DA/33296/2016/VCHC/2 - CHANGE (OTHER) APPLICATION - MATERIAL CHANGE OF USE - DEVELOPMENT PERMIT FOR MULTIPLE DWELLING (26 DWELLINGS), LOCATED AT 4-8 SUTTON STREET, REDCLIFFE - DIVISION 6 - A19297723 (Cont.)

Approved Plans and Documents			
Plan / Document Name	Reference Number	Prepared By	Dated
Areas	DA502 Revision C	Think Tank Architects	02/08/2019
Perspectives	DA701 Revision B	Think Tank Architects	02/08/2019
Perspectives	DA702 Revision B	Think Tank Architects	02/08/2019
Perspectives	DA703 Revision B	Think Tank Architects	02/08/2019
Transformer Detail	A902 Revision J	Think Tank Architects	26/02/2018
Stormwater Management Plan	MC284_R002_2 Rev 2	Motus Consulting	10/05/2017
Traffic Advice Letter	RTEref: 19158	Rytenskild Traffic Engineering	25/07/2019

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 the commencement of use or Council endorsement of any Community Management Statement, whichever occurs first and to be maintained.
2	Community Management Statement	
	Ensure that the Community Management Statement for the development reflects the following: <ol style="list-style-type: none"> 1. Car parking provisions; 2. Landscaping requirements; 3. Communal Open Space and Recreation areas; 4. Bin storage requirements and collection locations; and 5. Stormwater Management requirements. 	Prior to lodging a request for Compliance Assessment of subdivision plans.
3	Extent of Dwellings	
	Develop the Dwellings on the site as follows: <ol style="list-style-type: none"> 1. Twelve (12) Dwellings containing two (2) bedrooms; and 2. Fourteen (14) Dwellings containing three (3) bedrooms. 	Prior to the commencement of use or Council endorsement of any Community Management Statement, whichever occurs first, and to be maintained.
4	On-Site Car Spaces	
A	Provide car parking spaces on site generally in accordance with the approved plans.	Prior to the commencement of use or Council endorsement of any Community Management Statement, whichever occurs first, and to be maintained.

Moreton Bay Regional Council

GENERAL MEETING - 496
26 November 2019

PAGE 21
Agenda

ITEM 2.1 DA/33296/2016/VCHC/2 - CHANGE (OTHER) APPLICATION - MATERIAL CHANGE OF USE - DEVELOPMENT PERMIT FOR MULTIPLE DWELLING (26 DWELLINGS), LOCATED AT 4-8 SUTTON STREET, REDCLIFFE - DIVISION 6 - A19297723 (Cont.)

CONDITION		TIMING
B	Provide for the manoeuvring of vehicles on site, generally in accordance with the approved plan. Car spaces, access lanes and driveways shown on the approved plan must not be used for any other purpose.	Prior to the commencement of use or Council endorsement of any Community Management Statement, whichever occurs first, and to be maintained.
5	Bicycle Parking Facilities	
	Install secure bicycle parking facilities for a minimum of twenty-six (26) bicycles. Bicycle parking is to be provided in accordance with Austroads (2008), Guide to Traffic management - Part 11: Parking.	Prior to the commencement of use or Council endorsement of any Community Management Statement, whichever occurs first, and to be maintained.
6	Configuration of Lots	
	Amalgamate Lots 417, 418 and 419 on RP30380 into a single title. OR Lodge a Community Management Statement associated with a community-titled subdivision application with Council for endorsement.	Prior to commencement of use or endorsement of any Community Management Statement whichever occurs first.
7	Removal/ Demolition of Buildings	
A	Remove / demolish the existing Dwelling Houses located on the land.	Prior to works commencing on site.
B	Maintain the site in a clean and manageable state.	Prior to works commencing on site.
8	Electrical Transformer	
	Ensure that where electrical transformers are located in the front setback, it is screened so that the transformer is not visible from any road frontage and achieves the following: <ul style="list-style-type: none"> 1. A combination of screening device and landscaping; 2. The screening device is constructed of durable, weather resistant materials; and 3. Is integrated with the design of the development and positively contributes to the streetscape. <p>Note: The use of barbed wire or metal prongs is not permitted</p>	Prior to commencement of the use or Council's endorsement of any Community Management Statement, whichever occurs first, and to be maintained at all times.
9	Clothes Drying Facilities	
	Provide external clothes drying facilities that are screened from adjoining properties and the street, or provide an electric clothes dryer within each dwelling.	Prior to commencement of the use or Council's endorsement of any Community Management Statement, whichever occurs first, and to be maintained at all times.

ITEM 2.1 DA/33296/2016/VCHC/2 - CHANGE (OTHER) APPLICATION - MATERIAL CHANGE OF USE - DEVELOPMENT PERMIT FOR MULTIPLE DWELLING (26 DWELLINGS), LOCATED AT 4-8 SUTTON STREET, REDCLIFFE - DIVISION 6 - A19297723 (Cont.)

CONDITION		TIMING
10	Privacy Screening	
A	Provide privacy screening or alternate treatments where: <ol style="list-style-type: none"> 1. Habitable room windows or balconies of above ground floor dwellings directly face another habitable room or balconies on the same site or an adjoining site that are within 9m; and/or 2. Habitable room windows or balconies that overlook private recreation areas of other dwellings on the same site or an adjoining site. 	Prior to commencement of the use or Council's endorsement of any Community Management Statement, whichever occurs first, and to be maintained at all times.
B	Treatments may consist of one or more of the following: <ol style="list-style-type: none"> 1. Sill heights at a minimum of 1.5 metres above floor level; or 2. Fixed, tinted or opaque glazing in at least any part of the fixed window or balcony balustrading between the floor level of the dwelling or balcony and 1.5m for windows and 1.2m for balconies; or 3. Sliding external screens (e.g. louvered panels), of durable weather resistant materials and with a maximum of 50% transparency. 	Prior to commencement of the use or Council's endorsement of any Community Management Statement, whichever occurs first, and to be maintained at all times.
11	Street Numbering and Building Names	
	Install dwelling and street numbering and lockable mail boxes conveniently located at the road frontage of the site. Ensure street numbers and any building names are prominently displayed at the road frontage of the site, to enable identification by emergency services.	Prior to commencement of the use or Council's endorsement of any Community Management Statement, whichever occurs first, and to be maintained at all times.
12	Internal Fire System	
A	External fire hydrant facilities are provided on site to the standard prescribed under the relevant parts of Australian Standard AS2419.1 (2005) - Fire Hydrant Installations.	Prior to commencement of the use or Council's endorsement of any Community Management Statement, whichever occurs first, and to be maintained at all times.
B	A continuous path of travel having the following characteristics is provided between the vehicle access point to the site and each external fire hydrant and hydrant booster point on the land: <ol style="list-style-type: none"> 1. An unobstructed width of no less than 3.5m; 2. An unobstructed height of no less than 4.8m; 3. Constructed to be readily traversed by a 17 tonne HRV fire brigade pumping appliance; 4. An area for a fire brigade pumping appliance to stand within 20m of each fire hydrant and 8m of each hydrant booster point. 	Prior to commencement of the use or Council's endorsement of any Community Management Statement, whichever occurs first, and to be maintained at all times.
C	On-site fire hydrant facilities are maintained in effective operating order in a manner prescribed in Australian Standard AS1851	At all times.

Moreton Bay Regional Council

ITEM 2.1 DA/33296/2016/VCHC/2 - CHANGE (OTHER) APPLICATION - MATERIAL CHANGE OF USE - DEVELOPMENT PERMIT FOR MULTIPLE DWELLING (26 DWELLINGS), LOCATED AT 4-8 SUTTON STREET, REDCLIFFE - DIVISION 6 - A19297723 (Cont.)

CONDITION		TIMING
	(2013) - Routine service of fire protection systems and equipment.	
D	<p>For development that contains on-site fire hydrants external to buildings:</p> <ol style="list-style-type: none"> 1. Those external hydrants can be seen from the vehicular entry point to the site; or 2. A sign identifying the following is provided at the vehicular entry to the site: <ul style="list-style-type: none"> o The overall layout of the development (to scale); o Internal road names (where used); o All communal facilities (where provided); o The reception area and on-site manager's office (where provided); o External hydrants and hydrant booster points; o Physical constrains within the internal roadway system which would restrict access by fire fighting appliances to external hydrants and hydrant booster points; and o maintained in effective operating order in a manner prescribed in Australian Standard AS1851 (2013) - Routine service of fire protection systems and equipment. 	<p>Prior to commencement of the use or Council's endorsement of any Community Management Statement, whichever occurs first, and to be maintained at all times.</p>
E	<p>For development that contains on-site fire hydrants external to the building, those hydrants are identified by way of marker posts and raised reflective pavement markers in the manner prescribed in the technical note Fire hydrant indication system produced by the Queensland Department of Transport and Main Roads.</p> <p>Note: This condition (including items A-E) does not apply to buildings that are required by the Building Code of Australia to have a fire hydrant system complying with Australian Standard AS 2419.1 (2005) – Fire Hydrant Installations or other fire fighting facilities which provide equivalent protection.</p>	<p>Prior to commencement of the use or Council's endorsement of any Community Management Statement, whichever occurs first, and to be maintained at all times.</p>
13	Front Fencing	
	<p>Ensure that any front fencing is constructed to:</p> <ol style="list-style-type: none"> 1. no less than 0% transparent and does not exceed 1.2 metres in height; or 2. no less than 50% transparent and does not exceed 1.5 metres in height; or 3. no less than 85% transparent and does not exceed 1.8metres in height 	<p>Prior to commencement of the use or Council's endorsement of any Community Management Statement, whichever occurs first, and to be maintained at all times.</p>
14	Screen Fencing	
	<p>Construct a screen fence along the north, south and east boundaries of the site where a fence does not already exist. The fence should also have a 150mm clearance from natural ground level to ensure the external catchment flows traversing the site are not blocked. Unless an alternative design is agreed to with the owner of the adjoining land, the screen fence is to be 1.8 metres in height and constructed of treated timber.</p>	<p>Prior to the commencement of the use or endorsement of any Community Management Statement, whichever occurs first, and to be maintained at all times.</p>

Moreton Bay Regional Council

GENERAL MEETING - 496
26 November 2019

PAGE 24
Agenda

ITEM 2.1 DA/33296/2016/VCHC/2 - CHANGE (OTHER) APPLICATION - MATERIAL CHANGE OF USE - DEVELOPMENT PERMIT FOR MULTIPLE DWELLING (26 DWELLINGS), LOCATED AT 4-8 SUTTON STREET, REDCLIFFE - DIVISION 6 - A19297723 (Cont.)

CONDITION		TIMING
15	External Lighting	
A	Install external lighting in accordance with AS4282-1997 - (Control of the Obtrusive Effects of Outdoor Lighting) or as amended.	Prior to the commencement of the use or endorsement of any Community Management Statement, whichever occurs first, and to be maintained at all times.
B	Provide certification from a suitably qualified person that external lighting has been installed in accordance with AS4282-1997 - (Control of the Obtrusive Effects of Outdoor Lighting).	Prior to the commencement of the use or endorsement of any Community Management Statement, whichever occurs first.
16	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 the commencement of the use or endorsement of any Community Management Statement, whichever occurs first, and to be maintained at all times.
B	Provide certification from a suitably qualified person that lighting for pedestrian areas satisfies the intent of AS 1158.3.1 Pedestrian Area (Category P) Lighting – Performance and installation design requirements or as amended.	Prior to the commencement of the use or endorsement of any Community Management Statement, whichever occurs first.
17	Waste Management Plan	
A	Implement the approved waste management arrangements identified on the approved plan. Note: This development will use 4 x 1.1 m ³ bins serviced at the kerbside of Sutton Street.	Prior to the commencement of the use or endorsement of any Community Management Statement, whichever occurs first, and to be maintained at all times.
B	Manage waste in accordance with SC 6.20 Planning Scheme Policy - Waste.	At all times.
C	Provide a bin wash down facility connected to sewer as per SC 6.20 Planning Scheme Policy - Waste.	Prior to the commencement of the use or endorsement of any Community Management Statement, whichever occurs first, and to be maintained at all times.
18	Landscaping	
A	Provide landscaping on site generally in accordance with the approved plans and Planning Scheme Policy - Integrated Design Appendix D - Landscaping: The landscaping must also include the following: 1. Vegetation to screen the understory of the building (area between natural ground and finished ground floor level)	Prior to commencement of use or Council endorsement of any community management statement, whichever occurs first.

Moreton Bay Regional Council

GENERAL MEETING - 496
26 November 2019

PAGE 25
Agenda

ITEM 2.1 DA/33296/2016/VCHC/2 - CHANGE (OTHER) APPLICATION - MATERIAL CHANGE OF USE - DEVELOPMENT PERMIT FOR MULTIPLE DWELLING (26 DWELLINGS), LOCATED AT 4-8 SUTTON STREET, REDCLIFFE - DIVISION 6 - A19297723 (Cont.)

CONDITION		TIMING
	<p>from view from the street frontage and from adjoining properties to achieve a minimum 50% visual permeability.</p> <ol style="list-style-type: none"> 2. Screen vegetation adjoining the solid walls along the northern, eastern and southern boundaries of the site to minimize the visual impact of these walls. 3. Screening shrubs within the planter boxes along the southern edge of balconies on level 2 that minimise the potential for overlooking of adjoining properties. 	
B	Provide certification, from a suitably qualified person, that landscaping has been implemented in accordance with (A) above.	Prior to the commencement of use or Council endorsement of any community management statement, whichever occurs first.
C	Maintain the landscaping.	At all times.
19	On Site Services	
	<p>Ensure garbage bin areas, rainwater tanks, hot water tanks, gas bottles and air conditioners are:</p> <ol style="list-style-type: none"> 1. Located in the rear setback; or 2. located in the side setbacks and include screening (e.g. fencing or landscaping) from view of any road frontage; or 3. entirely underground where located in the front setback. <p>Note: Rainwater tanks are not permitted within easements.</p>	Prior to commencement of use or endorsement of any Community Management Statement, whichever occurs first and to be maintained at all times.
20	Water and/or Sewerage	
	<p>Submit to Council a Certificate of Completion or Provisional Certificate of Completion for the development from the Northern SEQ Distributor–Retailer Authority (Unitywater) confirming:</p> <ol style="list-style-type: none"> 1. a reticulated water supply network connection is available to the land; and 2. a sewerage network connection is available to the land; and 3. all the requirements of Unitywater have been satisfied. 	Prior to commencement of use or endorsement of any Community Management Statement, whichever occurs first.
21	Existing Telecommunications Infrastructure	
	<p>Provide a 'Telecommunications Infrastructure Provisioning Confirmation' or a 'Telecommunications Network Infrastructure Notification' letter from a telecommunications carrier licensed under the <i>Telecommunications Act 1997</i> (e.g. Telstra) confirming that telecommunications carrier has been engaged to install telecommunications infrastructure within the proposed development.</p>	Prior to commencement of use or endorsement of any Community Management Statement, whichever occurs first.
22	Fibre Ready Telecommunications – Multi	

Moreton Bay Regional Council

GENERAL MEETING - 496
26 November 2019

PAGE 26
Agenda

ITEM 2.1 DA/33296/2016/VGHC/2 - CHANGE (OTHER) APPLICATION - MATERIAL CHANGE OF USE - DEVELOPMENT PERMIT FOR MULTIPLE DWELLING (26 DWELLINGS), LOCATED AT 4-8 SUTTON STREET, REDCLIFFE - DIVISION 6 - A19297723 (Cont.)

CONDITION		TIMING
A	<p>Provide Fibre-Ready telecommunications infrastructure (Internal and External conduit paths) in accordance with NBN Co Guideline MDU Building Design Guide as amended, that:</p> <ol style="list-style-type: none"> 1. Includes a suitable building entrance facility (lead-in) from the property boundary to the building entrance; and 2. Has suitable space and access for the installation, maintenance and repair of all elements up to and including the Network Termination Device (NTD) and Power Supply Unit (PSU) or the likely location of a NTD and PSU for each dwelling; and 3. A conduit with draw string, from either the telecommunication room or riser/closet location to each NTD or the likely location of each NTD. 	<p>Prior to commencement of use or Council's endorsement of any Community Management Statement, whichever occurs first.</p>
B	<p>Provide certification to Council from the Installer or an RPEQ engineer (electrical engineer) that the works and infrastructure required in (A) above has been done.</p> <p>Note: The location or the likely location of the NTD is determined by the owner in consultation with the electrician/electrical engineer. NBN Co have guidelines available to help determine the best location. A template for certification is available from Council for the purpose of this condition.</p>	<p>Prior to commencement of use or Council's endorsement of any Community Management Statement, whichever occurs first.</p>
23	Telecommunications Internal Wiring	
A	<p>Install internal wiring (Category 6 or better) within each dwelling from the expected location of any future Network Termination Device (NTD) for High Speed Broadband (based on the recommended locational criteria in the NBN Co Guideline (MDU Building Design Guide OR New Developments or NBN Co. Preparation and Installation Guide for SDUs and MDUs) to the same connection points in the dwelling that would have been or have been installed for telephone and television connections; including but not limited to bedrooms, family/living rooms, and study/office.</p>	<p>Prior to commencement of use or Council's endorsement of any Community Management Statement, whichever occurs first.</p>
B	<p>Provide certification from the installer or an RPEQ engineer (electrical engineering) that the wiring required in (A) above has been done.</p> <p>Note: A template for certification is available from Council for the purpose of this condition. Installers are recommended to be a registered cabler.</p>	<p>Prior to commencement of use or Council's endorsement of any Community Management Statement, whichever occurs first.</p>
24	Provision of Electricity	
A	<p>Provide underground electricity to the site.</p>	<p>Prior to the commencement of the use or endorsement of any Community Management Statement, whichever occurs first, and to be maintained at all times.</p>
B	<p>Provide evidence (e.g. Certificate for Electricity Supply) demonstrating that an underground electricity supply network has or will be provided.</p>	<p>Prior to the commencement of the use or endorsement of any Community</p>

Moreton Bay Regional Council

GENERAL MEETING - 496
26 November 2019

PAGE 27
Agenda

ITEM 2.1 DA/33296/2016/VCHC/2 - CHANGE (OTHER) APPLICATION - MATERIAL CHANGE OF USE - DEVELOPMENT PERMIT FOR MULTIPLE DWELLING (26 DWELLINGS), LOCATED AT 4-8 SUTTON STREET, REDCLIFFE - DIVISION 6 - A19297723 (Cont.)

CONDITION		TIMING
		Management Statement, whichever occurs first, and to be maintained at all times.
25	No Net Loss of Fauna Habitat	
	<p>Development does not result in the net loss of fauna habitat. Where development does result in the loss of a Habitat Tree (as defined in the administrative definitions of the MBRC Planning Scheme), development will provide replacement fauna nesting boxes at the following rate:</p> <ol style="list-style-type: none"> 1. One (1) nest box for every hollow removed; or 2. Where hollows have not yet formed in trees greater than 80cm in diameter at 1.3m height, three (3) nest boxes are required for every habitat tree removed. 	Prior to the commencement of use or Council endorsement of any Community Management Statement, whichever occurs first, and to be maintained at all times.
26	Building Height	
	Provide certification from a suitably qualified person verifying the building height does not exceed 28.18m as per the administrative definition of 'height' as contained within the Moreton Bay Regional Council Planning Scheme.	Prior to the commencement of use or Council endorsement of any Community Management Statement, whichever occurs first and to be maintained.
27	Enclosed car parking areas	
A	<p>The internal car parking areas at Ground Floor and Level 1 along the side and rear elevations are to be fully enclosed, with the exception of the front elevation.</p> <p>The front elevation is to be appropriately screened and generally in accordance with the approved plan. The side and rear elevations are to incorporate appropriate architectural treatments, including patterns and colours, generally in accordance with the approved plan.</p>	Prior to the commencement of use or Council endorsement of any Community Management Statement, whichever occurs first, and to be maintained at all times.
B	Provide certification from a suitably qualified person confirming the proposed ventilation methods has no impact on the amenity of surrounding properties.	Prior to the commencement of use or Council endorsement of any Community Management Statement, whichever occurs first.
28	Storage Facilities	
	<p>Provide a storage area of 8m³ per dwelling. Each storage area must be clearly allocated to individual units.</p> <p>Note - Storage areas can be co-located in garages, allocated car park areas in basements; or incorporated into building design. This storage area is not located within the dwelling.</p>	Prior to the commencement of use or Council endorsement of any Community Management Statement, whichever occurs first, and to be maintained at all times.
CONDITION		TIMING
DEVELOPMENT ENGINEERING		

Moreton Bay Regional Council

GENERAL MEETING - 496
26 November 2019

PAGE 28
Agenda

ITEM 2.1 DA/33296/2016/VCHC/2 - CHANGE (OTHER) APPLICATION - MATERIAL CHANGE OF USE - DEVELOPMENT PERMIT FOR MULTIPLE DWELLING (26 DWELLINGS), LOCATED AT 4-8 SUTTON STREET, REDCLIFFE - DIVISION 6 - A19297723 (Cont.)

CONDITION		TIMING
29	Acid Sulfate Soil Investigation and Management	
A	Undertake an Acid Sulfate Soil Investigation, to be prepared by a qualified person. Soil sampling and analysis must be undertaken in accordance with procedures specified in Planning Scheme Policy - Acid Sulfate Soils. The investigation must provide information on the depth and extent of any acid sulfate soils on site within this stage of development, as well as the severity of acid sulfate soils relevant to the proposed disturbance.	Prior to the commencement of site works.
B	Prepare an Acid Sulfate Soil Management Plan for Council approval. All waters, including stormwater runoff, groundwater seepage and leachate from acid sulfate soils, must achieve the following quality prior to release from the site: <ol style="list-style-type: none"> 1. A pH range of 6.5-8.5 pH units. 2. 50mg/L maximum TSS concentration 3. 0.3mg/L maximum total iron concentration 4. 0.2mg/L maximum total aluminium concentration 5. No visible plume at either the point of release from the site or within a waterway. 	Prior to the commencement of site works.
C	Implement the requirements and recommendations of any Council approved Acid Sulfate Soil Management Plan required by (B) above. <p>Undertake verification testing at the rate of one sample per 200m³ throughout the duration of the excavation phase of the development. The verification testing must be undertaken by a qualified person using the SPOCAS or Chromium Reducible Sulphur testing suite, and the results must be submitted to Council for appraisal when requested during construction and prior to commencement of use.</p> <p>Groundwater monitoring is to be undertaken at a minimum of one location external to the area of excavation with the exact location to be agreed at the prestart meeting with Council's delegate.</p> <p>Groundwater monitoring is to be undertaken prior to works commencing and weekly throughout construction for the following parameters: <ol style="list-style-type: none"> 1. Level (in m AHD) 2. pH 3. Electrical conductivity <p>Results must be submitted to Council for appraisal when requested during construction and prior to commencement of use and must demonstrate that groundwater quality has not been adversely impacted by the works.</p> </p>	While site works are occurring.
D	Submit a Validation Report to Council at the completion of the site works. The validation report is to demonstrate compliance with the approved Acid Sulfate Soils Management Plan.	Prior commencement of use.

Moreton Bay Regional Council

GENERAL MEETING - 496
26 November 2019

PAGE 29
Agenda

ITEM 2.1 DA/33296/2016/VCHC/2 - CHANGE (OTHER) APPLICATION - MATERIAL CHANGE OF USE - DEVELOPMENT PERMIT FOR MULTIPLE DWELLING (26 DWELLINGS), LOCATED AT 4-8 SUTTON STREET, REDCLIFFE - DIVISION 6 - A19297723 (Cont.)

CONDITION		TIMING
	<p>Note:</p> <p>Council will only accept a 'qualified person' as being one of the following:</p> <ol style="list-style-type: none"> 1. Registered Professional Engineer of Queensland (RPEQ); or 2. Environmental/Soil Scientist with current professional membership status at a relevant organisation (e.g. ASSSI, AIG; EIANZ; GSA) <p>Having met the above requirements, obtained a minimum of five (5) years professional experience in the field of acid sulfate soils.</p>	
30	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.
31	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.
32	Construction Management Plan	
A	<p>Submit a Construction Management Plan (CMP) prepared by a suitably qualified person. The CMP is required to ensure the development works (including all construction, demolition and excavation) do not adversely affect the health, safety, amenity, traffic or environment in the surrounding area. The plan is to include (but is not limited to) at least the following:</p> <ul style="list-style-type: none"> • Proposed construction program; • Public safety, amenity and site security; • Operating Hours, Noise and Vibration Controls; • Air & dust management; • Stormwater runoff, erosion & sediment control; • Waste & materials refuse management; • Traffic management; • Construction materials delivery & storage; • Construction office accommodation; • Contractor's vehicle parking arrangements. • Management of dewatering within ASS areas. 	Not less than six (6) weeks prior to any works commencing on site.
B	Obtain approval from Council for the Construction Management Plan.	Prior to works commencing on site.
C	Implement the approved Construction Management Plan and keep a copy of the CMP on site at all times during construction.	At all times during construction of the development.

Moreton Bay Regional Council

GENERAL MEETING - 496
26 November 2019

PAGE 30
Agenda

ITEM 2.1 DA/33296/2016/VCHC/2 - CHANGE (OTHER) APPLICATION - MATERIAL CHANGE OF USE - DEVELOPMENT PERMIT FOR MULTIPLE DWELLING (26 DWELLINGS), LOCATED AT 4-8 SUTTON STREET, REDCLIFFE - DIVISION 6 - A19297723 (Cont.)

CONDITION		TIMING
	<p>Notes:</p> <ul style="list-style-type: none"> • The CMP should be based on the following: • Council will generally only approve early starts for large concrete pours (e.g. monolithic concrete pours for basements and suspended floor slabs) during summer. • Dewatering directly into Council's stormwater system (pipes or overland flow) without appropriate water quality treatment/improvement is not acceptable. • Materials unloading and loading must occur on-site unless prior written approval is given by Council. • All construction office accommodation and associated temporary buildings is to be contained within the site or on a nearby site. 	
33	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(s) of layout, MUTCD and Australian Standard AS2890, except for the reduced height clearances over proposed car park spaces 37 and 38 in accordance with the rystenskind traffic engineers letter dated 25 July 2019, with appropriate signage to be provided. The works must be designed, constructed and maintained in accordance with good engineering practices and Council's Planning Scheme requirements unless conditioned otherwise.</p> <p>Note: Maximum pavement slopes for parking modules for People with Disabilities is maximum of 1:40.</p>	Prior to commencement of use and to be maintained.
B	<p>As an additional control to improve the car park operation install convex mirrors at the corners of circulation aisles and ramps, to improve visibility between opposing vehicles.</p>	Prior to commencement of use and to be maintained.
C	<p>Provide certification from an RPEQ that all works have been designed and constructed in accordance with this permit condition.</p>	Prior to commencement of use.
34	Driveway Crossover	
	<p>The driveway crossover from the constructed road to the site must be designed and built as a General Wide Flaired Heavy Duty Vehicle Crossing in accordance with IPWEA standard drawing RS-051, with levels complying with Council Standard Road Verge profile.</p> <p>Provide certification from an RPEQ that all works have been designed and constructed in accordance with this permit condition.</p> <p>Notes:</p> <ol style="list-style-type: none"> 1. The internal access works must be designed to ensure the correct line, level and layout is achieved for the driveway crossover. 2. Council will not accept driveway crossovers that do not conform to the above requirements. 	Prior to commencement of use.

Moreton Bay Regional Council

ITEM 2.1 DA/33296/2016/VCHC/2 - CHANGE (OTHER) APPLICATION - MATERIAL CHANGE OF USE - DEVELOPMENT PERMIT FOR MULTIPLE DWELLING (26 DWELLINGS), LOCATED AT 4-8 SUTTON STREET, REDCLIFFE - DIVISION 6 - A19297723 (Cont.)

CONDITION		TIMING
35	Overland Flow Management	
	<p>Provide measures to properly manage overland flows draining to and through the land to ensure no nuisance or annoyance is created to any person or premises as a result of the development. The development must not result in ponding on adjacent land, redirection of overland flows to other premises and blockage of an overland flow relief path for flows exceeding the design flows for any underground system within the development.</p> <p>Note:</p> <p>The current design standards and relevant planning scheme codes are:</p> <ol style="list-style-type: none"> 1. Planning Scheme Policy Integrated Design; 2. Works Code. 	Prior commencement of use and to be maintained at all times.
36	Site Based Stormwater Management (Multiple Dwelling Developments)	
A	The Stormwater Management Strategy (SMS) provided in support of the application is approved as demonstrating that stormwater from the site can be discharged in accordance with Council's planning scheme and design standards.	Note only.
C	<p>Install on-site stormwater management measures in accordance with the approved SMS and Council's planning scheme and design standards.</p> <p>Detailed design of the stormwater management works shall conform to the approved SMS.</p> <p>Provide Council with "As Built" drawings and specifications of the stormwater management (quality and quantity mitigation) devices certified by an RPEQ.</p> <p>Provide certification from an RPEQ that all works have been designed and constructed in accordance with this permit condition.</p>	Prior to commencement of use.
D	The landowner is responsible for the ongoing operation and maintenance of the stormwater management devices to ensure the design discharge parameters are maintained for the life of the approved development.	At all times after commencement of the use.
E	The stormwater quality devices located within the development are to be maintained at regular intervals after commencement of the use by a suitably qualified contractor. A certificate of compliance from the maintenance contractor is to be kept on site and made available to Council Officers upon successful completion of each maintenance procedure. Maintenance certificates are to be kept on site for a minimum of 2 years.	Ongoing at maintenance intervals not exceeding the maintenance specifications in the approved SMS from the commencement of the use.
F	Approved wording is to be included in the documentation/community management statement to bind the future owners and/or body corporate to undertaking the	Prior to commencement of use.

Moreton Bay Regional Council

GENERAL MEETING - 496
26 November 2019

PAGE 32
Agenda

ITEM 2.1 DA/33296/2016/VCHC/2 - CHANGE (OTHER) APPLICATION - MATERIAL CHANGE OF USE - DEVELOPMENT PERMIT FOR MULTIPLE DWELLING (26 DWELLINGS), LOCATED AT 4-8 SUTTON STREET, REDCLIFFE - DIVISION 6 - A19297723 (Cont.)

CONDITION		TIMING
	maintenance, repair and reporting for the on-site stormwater management devices.	
37	Stormwater Drainage - Lawful Discharge	
	Ensure that stormwater from the proposed development is lawfully discharged from the subject land without causing nuisance and annoyance to any person.	At all times.
38	Pedestrian Pathways	
	Construct a 2.0 metre wide reinforced concrete pathway in accordance with Council's standards at the following locations <ul style="list-style-type: none"> • To the full frontage of the development site. Provide to Council for review and approval "Surveyed As Constructed drawings" and a digital ADAC file of the concrete pathway. This condition has been imposed under section 665 of the Sustainable Planning Act 2009.	Prior to commencement of use.
39	Emergency Management Procedure Manual	
A	Prepare and make available, on site a site specific emergency management procedure manual. The manual is to outline roles and responsibilities, evacuation routes (where applicable) and management actions to manage the safety of all occupants on the site during a major flood and/or storm tide event.	Prior to commencement of the use.
B	Regularly review and update the manual where appropriate to ensure consistency with Council's disaster management planning for Redcliffe.	To be maintained.
40	Structural Engineering Design Report	
A	Prepare a Structural engineering design report in accordance with Planning Scheme Policy Flood hazard, Coastal hazard and Overland flow to satisfy the requirements of the Flood Hazard Overlay code.	Prior to any approval of Building Works.
B	Construct the building works in accordance with the Structural engineering design report.	At all times during construction.
	Note: The Structural engineering design report is to be prepared by an RPEQ with appropriate experience in structural engineering and design.	
41	Building Materials Below the Flood Planning Level	
A	Building works which are below the Flood Planning Level are to be constructed from materials with a high water resistance.	Prior to commencement of use.
B	No filling is permitted within the area mapped as Medium/High risk flood hazard area under Council's Flood Hazard Overlay Code.	At all times

Moreton Bay Regional Council

ITEM 2.1 DA/33296/2016/VCHC/2 - CHANGE (OTHER) APPLICATION - MATERIAL CHANGE OF USE - DEVELOPMENT PERMIT FOR MULTIPLE DWELLING (26 DWELLINGS), LOCATED AT 4-8 SUTTON STREET, REDCLIFFE - DIVISION 6 - A19297723 (Cont.)

CONDITION	TIMING
<p>Notes:</p> <ol style="list-style-type: none"> 1. The Flood Planning Level used for development can be obtained from the relevant section of the Flood Check Development Report available via Council's website: www.moretonbay.qld.gov.au. The current Flood Planning Level for this site is 3.7m AHD. 2. The Queensland Government Fact Sheet 'Rebuilding after a flood' provides information about water resilient products and building techniques. Available at www.hpw.qld.gov.au. 	

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

ITEM 2.1 DA/33296/2016/VCHC/2 - CHANGE (OTHER) APPLICATION - MATERIAL CHANGE OF USE - DEVELOPMENT PERMIT FOR MULTIPLE DWELLING (26 DWELLINGS), LOCATED AT 4-8 SUTTON STREET, REDCLIFFE - DIVISION 6 - A19297723 (Cont.)

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

Decision Notice information

	Details to Insert
Application Type	Material Change of Use -Development Permit for Multiple Dwelling
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	<ul style="list-style-type: none"> • Operational Works – Development Permit • Building Works – Development Permit
Codes for Accepted Development	Not applicable
Referral Agencies	There are no Referral Agencies
Submissions	There were three (3) properly made submissions about this application.

ITEM 2.1 DA/33296/2016/VCHC/2 - CHANGE (OTHER) APPLICATION - MATERIAL CHANGE OF USE - DEVELOPMENT PERMIT FOR MULTIPLE DWELLING (26 DWELLINGS), LOCATED AT 4-8 SUTTON STREET, REDCLIFFE - DIVISION 6 - A19297723 (Cont.)

REPORT DETAIL

1. Background

On January 2008, Council approved an application for a Material Change of Use - Development Permit for Dwelling Units (24 dwelling units) – DA/16527/2007/DA. This has since lapsed.

On 14 June 2016, Council approved an application for a Material Change of Use – Development Permit for Multiple Dwelling (22 Units) – DA/30365/2015/V2M. This application is still current as it is within its currency period.

On 5 September 2017, Council approved an application for a Material Change of Use - Development Permit for Multiple Dwelling (28 Units) - DA/33296/2016/V2M.

On 19 March 2019, Council's Delegate approved a Change (Minor) Application to the previously approved Material Change of Use - Development Permit for Multiple Dwelling (28 Dwellings) - DA/33296/2016/VCHG/1). This Change (Other) Application seeks to change this approval.

2. Explanation of Item

2.1 Proposal Details

This application seeks to make changes to an existing development approval for a Material Change of Use - Development Permit for Multiple Dwelling at 4-8 Sutton Street, Redcliffe.

The changes proposed to the original approval consist of the following:

- Increase in height from 27m to 28.18m (mapped as 27m on Overlay Map - Building Heights)
- Reduction in the number of dwellings from twenty-eight (28) to twenty-six (26)
- Addition of two (2) car spaces - 43 spaces are proposed to be provided
- Change in unit typology
 - From: 20 x 2 bedroom units and 8 x 3 bedroom units
 - To: 12 x 2 bedroom units and 14 x 3 bedroom units
- Minor adjustments to the internal layout
- Minor changes to architectural features of the building

All other aspects of the development remain unchanged as per the original approval.

It is noted that the site is mapped under Overlay Map - Flood Hazard as being within the Medium Risk flood hazard area and within a Drainage Investigation Area, as well as within the Balance Area of the Coastal Hazard Overlay. The assessment benchmarks of both the Flood Hazard and Coastal Hazard Overlay Codes have previously been addressed, with all existing conditions relating to the overlays to remain.

2.2 Description of the Site and Surrounds

The development sites are currently vacant.

Directions	Planning Scheme Zone	Current Land Use
North	General Residential Zone Urban Neighbourhood Precinct	Dwelling House
South	General Residential Zone Urban Neighbourhood Precinct	Dwelling House
East	General Residential Zone Urban Neighbourhood Precinct	Dwelling House
West	General Residential Zone Urban Neighbourhood Precinct	Dwelling House & Multiple Dwelling

ITEM 2.1 DA/33296/2016/VCHC/2 - CHANGE (OTHER) APPLICATION - MATERIAL CHANGE OF USE - DEVELOPMENT PERMIT FOR MULTIPLE DWELLING (26 DWELLINGS), LOCATED AT 4-8 SUTTON STREET, REDCLIFFE - DIVISION 6 - A19297723 (Cont.)

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

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
Yes	(1) Development ensures fire hydrants are installed and located to enable fire services to access water safely, effectively and efficiently. (2) Road widths, and construction within the development, are adequate for fire emergency vehicles to gain access to a safe working area close to buildings and near water supplies whether or not on-street parking spaces are occupied. (3) Fire hydrants are suitable identified so that fire services can locate them at all hours.	An assessment of the proposed development has been undertaken against the applicable SPP requirements and the proposal has been determined to comply. The recommendations of this report includes a condition of development that internal fire systems are installed within the development where required.
Assessment benchmark - mining and extractive resources		
Applicable to Development	SPP requirement	Comment
No	None	Not applicable

ITEM 2.1 DA/33296/2016/VCHC/2 - CHANGE (OTHER) APPLICATION - MATERIAL CHANGE OF USE - DEVELOPMENT PERMIT FOR MULTIPLE DWELLING (26 DWELLINGS), LOCATED AT 4-8 SUTTON STREET, REDCLIFFE - DIVISION 6 - A19297723 (Cont.)

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>An assessment of the proposed development has been undertaken against the applicable SPP requirements and the proposal has been determined to comply.</p> <p>The site is mapped as a Medium Risk Area under Council's Flood Hazard Overlay and Balance Area of Council's Coastal Hazard Overlay. The existing approval contains conditions relating to the preparation of an emergency management manual and the submission of a structural engineering design report. These existing conditions will be recommended to remain as part of this Change Application.</p>

ITEM 2.1 DA/33296/2016/VCHC/2 - CHANGE (OTHER) APPLICATION - MATERIAL CHANGE OF USE - DEVELOPMENT PERMIT FOR MULTIPLE DWELLING (26 DWELLINGS), LOCATED AT 4-8 SUTTON STREET, REDCLIFFE - DIVISION 6 - A19297723 (Cont.)

	(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

2.3.2 *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 as it has been determined that compliance with the relevant Performance Outcomes can be achieved.

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		
General Residential Zone Code - Urban Neighbourhood Precinct	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	PO3 Note: The assessment benchmarks within this code were addressed as part of the original development approval. Only the proposed changes have been assessed as part of this application.
Overlay Codes		

ITEM 2.1 DA/33296/2016/VCHC/2 - CHANGE (OTHER) APPLICATION - MATERIAL CHANGE OF USE - DEVELOPMENT PERMIT FOR MULTIPLE DWELLING (26 DWELLINGS), LOCATED AT 4-8 SUTTON STREET, REDCLIFFE - DIVISION 6 - A19297723 (Cont.)

Assessment Benchmarks	Compliance with Overall Outcomes	Performance Outcomes assessment is required
Flood Hazard Overlay Code	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Note: The assessment benchmarks within this code were addressed as part of the original development approval. Only the proposed changes have been assessed as part of this application.
Coastal Hazard Overlay Code	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Note: The assessment benchmarks within this code were addressed as part of the original development approval. Only the proposed changes have been assessed as part of this application.
Development Codes		
Residential Uses Code	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Note: The assessment benchmarks within this code were addressed as part of the original development approval. Only the proposed changes have been assessed as part of this application.

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

2.4.3 Performance Outcome Assessment

Performance Outcome	Example
General Residential Zone Code - Urban Neighbourhood Precinct	
<p>PO3 Buildings and structures have a height that:</p> <ul style="list-style-type: none"> a. is consistent with the medium to high rise character of the Urban neighbourhood precinct; b. responds to the topographic features of the site, including slope and orientation; c. is not visually dominant or overbearing with respect to the streetscape; d. responds to the height of development on adjoining land where contained within another precinct or zone. <p>Note - Refer to Planning scheme policy - Residential design for details and examples.</p>	<p>E3 Building height:</p> <ul style="list-style-type: none"> a. is within the minimum and maximum mapped on Overlay map – Building heights; or b. for domestic outbuildings, including free standing carports and garages, 4m and a mean height not exceeding 3.5m.
<i>Performance Outcome Assessment</i>	
<p>The applicant is proposing an alternative solution to allow an overall building height of 28.18m, in lieu of the suggested building height of 27m as identified by Overlay Map - Building Heights.</p> <p>The proposed change seeks to increase height by 1.18m. This increase in height has resulted from slight increases in the floor to ceiling height for each level as well as introducing a slight pitch to the roof form. Importantly, the increase in height is located to the centre of the pitched roof with the majority of the building being approximately 27m. As such, the additional height when viewed from</p>	

ITEM 2.1 DA/33296/2016/VCHC/2 - CHANGE (OTHER) APPLICATION - MATERIAL CHANGE OF USE - DEVELOPMENT PERMIT FOR MULTIPLE DWELLING (26 DWELLINGS), LOCATED AT 4-8 SUTTON STREET, REDCLIFFE - DIVISION 6 - A19297723 (Cont.)

Performance Outcome	Example
	<p>external to the site will be negligible and will not result in amenity impacts (i.e. scale, bulk and overshadowing) to adjoining properties. Further, having regard to the broader locality/wider context, the slight increase in height will not interrupt significant view corridors given it relates to a small part of the roof.</p> <p>Although the proposed built form exceeds the suggested maximum height limit as per Example E3 of the zone code, the corresponding Performance Outcome, PO3, requires buildings and structures have a height that is consistent with the medium to high rise character of the Urban neighbourhood precinct. Planning Scheme Policy - Residential Design outlines medium rise being 4-6 storeys and high rise being 7 or more storeys. The proposed development provides 9 storeys and is therefore consistent with a high rise apartment as outlined within the Planning Scheme Policy.</p> <p>Further, the use of a podium level and entrance awning at the front of the building are positive design features used to establish a 'human scale', minimising the dominance of built form with respect to the streetscape. At the pedestrian level, in front of the site, the proposed change is unlikely to be noticeable.</p> <p>Therefore, compliance with the Performance Outcome is achieved.</p>

2.5 Trunk Infrastructure

In accordance with section 4 of the Moreton Bay Regional Council Planning Scheme, the subject site is located in the identified Priority Infrastructure Area. Infrastructure charges applying to the land, where applicable, are to be applied in accordance the Council's Charges Resolution No. 8 commencing on 14 August 2018 (CR).

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.

2.5.2 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

There is a previous lawful use of the land being three (3) Dwelling houses. Accordingly, the credit available under this option is \$50,960.16 (\$17,603.73 per lot), based on the proportional split stated in Table 3 of the CR.

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

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

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

The credit available under this option is \$17,603.73 per lot based on the proportional split stated in Table 3 of the CR. Therefore, a total credit of \$52,811.19 is available.

ITEM 2.1 DA/33296/2016/VCHC/2 - CHANGE (OTHER) APPLICATION - MATERIAL CHANGE OF USE - DEVELOPMENT PERMIT FOR MULTIPLE DWELLING (26 DWELLINGS), LOCATED AT 4-8 SUTTON STREET, REDCLIFFE - DIVISION 6 - A19297723 (Cont.)

2.5.3 Levied Charge Offset or Refund

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

2.5.4 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

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

The application was referred to Development Engineering for review and comment. It has been recommended that the submitted traffic advice letter provided by Rystenskild Traffic Engineering, dated 25 July 2019, be included within the approved documents table. It has also been recommended that all conditions of the existing permit remain, with a minor amendment to Condition 34A requiring appropriate signage over proposed car parking spaces 37 and 38 due to reduced height clearances.

2.7.1.2 Environmental Health

The application was referred to Environmental Health for review and it has been recommended that all existing conditions relating to lighting and waste management remain.

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.

ITEM 2.1 DA/33296/2016/VCHC/2 - CHANGE (OTHER) APPLICATION - MATERIAL CHANGE OF USE - DEVELOPMENT PERMIT FOR MULTIPLE DWELLING (26 DWELLINGS), LOCATED AT 4-8 SUTTON STREET, REDCLIFFE - DIVISION 6 - A19297723 (Cont.)

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 18 September 2019.
- (b) The development application was advertised in the Redcliffe and Bayside Herald on 19 September 2019.
- (c) A notice in the prescribed form was posted on the relevant land on 19 September 2019 and maintained for a period of at least 15 business days, until 14 October 2019.

2.8.2 *Submissions Received*

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

Type		Number of Signatures	Number of Submissions
Properly Made	Letter, Email, Fax		3
	Petition		0
Not Properly Made	Letter, Email, Fax		0
	Petition		0
Total			3

The matters raised within the submissions are outlined below:

Assessment of Submissions
<p>Issue - Building Height</p> <ul style="list-style-type: none"> • The submissions raise concern regarding the proposed building height as it exceeds the maximum building height of 27m. The submissions outlined that the increased height will impact on privacy and that the overshadowing created from the built form will affect the gardens of adjoining residents and that the reduction in sunlight and ventilation will create a loss of amenity. Further, the loss of breezes due to the increased height and that these impacts will be detrimental to the quality of life of the adjoining residents. • The submissions were concerned with the following statement: <i>“The building height as amended is considered to be consistent with the medium to high rise character of the Urban Neighbourhood Precinct, noting that the development shall continue to read as 9 storeys like the majority of multi-storey developments within the vicinity of the site.”</i> The submitters noted that the above statement is in contradiction to section E iv. of planning code: - <i>orientate to integrate with the street and surrounding neighbourhood.</i> The submitters outlined that the proposed building height does not integrate with the character of the surrounding neighbourhood due to the existing low-density dwellings that surround the proposed development and that the height is already too high for a residential suburb.
<p>Discussion</p> <p>This Change Application proposes to increase the building height from the previously approved height of 27m to 28.18m. It is recognised that the increased height exceeds that mapped on Overlay Map - Building Height, being 27m.</p> <p>Although the proposal is unable to comply with the suggested building height as per Example E3 of the zone code, the corresponding Performance Outcome, PO3, requires buildings and structures have a height that is consistent with the medium to high rise character of the Urban neighbourhood precinct. The submissions raised concern with the</p>

ITEM 2.1 DA/33296/2016/VCHC/2 - CHANGE (OTHER) APPLICATION - MATERIAL CHANGE OF USE - DEVELOPMENT PERMIT FOR MULTIPLE DWELLING (26 DWELLINGS), LOCATED AT 4-8 SUTTON STREET, REDCLIFFE - DIVISION 6 - A19297723 (Cont.)

<p>Assessment of Submissions</p>
<p>statement relating to the building height being consistent with the medium to high rise character of the Urban neighbourhood precinct. However, it is recognised that Planning Scheme Policy - Residential Design outlines medium rise being 4-6 storeys and high rise being 7 or more storeys. The proposed development provides 9 storeys and is therefore consistent with a high rise apartment as outlined within the Planning Scheme Policy. It is acknowledged that the proposed building will not integrate with the existing character of the neighbourhood which typically contains one and two storey dwellings. However, it is noted that the character of the area is likely to undergo significant change in the future with the area contained within the Urban Neighbourhood Precinct, the Planning Scheme's most high density/built form precinct.</p> <p>It is acknowledged that the proposed building with an overall maximum height of 28.18m would result in overshadowing and impact on breezes. However, although exceeding the suggested building height by 1.18m, the increased height is considered minor in nature and is within the expectations for the extent of overshadowing and impact on breezes envisaged by the Planning Scheme for the Urban Neighbourhood Precinct. Further, the proposed building complies with the suggested minimum setbacks, with the exception of a minor encroachment to the front boundary setback for an entrance awning and covered car parking spaces, as well as a set of external stairs from the ground floor car parking area on the southern boundary and a planter box along the southern boundary of Level 2.</p> <p>With regards to privacy, a condition would be recommended requiring adequate privacy treatments be placed on habitable room windows or balconies that overlook the private recreation of other dwelling on adjoining sites.</p> <p>This is not a reasons for refusal of the application.</p>
<p>Issue - Car Parking</p>
<ul style="list-style-type: none"> • The submissions raise concern regarding the number of car parking spaces proposed to be provided noting that the provision of 39 car parks is not sufficient to cater for 26 dwellings containing two (2) and three (3) bedrooms and that this will lead to: <ul style="list-style-type: none"> ○ cars parking on Sutton Street, being a narrow road, which will lead to congestion that will spread to surrounding streets; ○ congestion on the streets will impact on the access of emergency services; ○ additional cars on the street may be targeted by vandals; • The submitters noted that additional car parking should be provided as it can be assumed that these larger units will be occupied by families and couples, the most of which will have two or even three cars per family. Reference was made to the Australian Bureau of Statistics (ABS) 2016 Census data that indicated the majority of Australians have two or more motor vehicles. • The submissions raise concern regarding the reduction in visitor parking bays from five (5) to four (4), therefore leading to additional on-street parking and compounding the problem of congestion, noise and fumes.
<p>Discussion</p>
<p>This Change Application proposes to increase on site car parking spaces from forty-one (41) to forty-three (43), consisting of thirty-nine (39) resident spaces and four (4) visitor spaces. An increase in car parking is proposed even through a reduction of two (2) dwellings is sought as part of this application.</p> <p>The proposed car parking on site exceeds the minimum number of car parking spaces suggested by the Planning Scheme by seventeen (17) spaces. In addition, a total of twenty-six (26) bicycle parking spaces are to be provided to encourage the use of active transport</p>

ITEM 2.1 DA/33296/2016/VCHC/2 - CHANGE (OTHER) APPLICATION - MATERIAL CHANGE OF USE - DEVELOPMENT PERMIT FOR MULTIPLE DWELLING (26 DWELLINGS), LOCATED AT 4-8 SUTTON STREET, REDCLIFFE - DIVISION 6 - A19297723 (Cont.)

<p>Assessment of Submissions</p>
<p>and reduce the reliance on provide vehicles. As a result, the likely impact on existing on-street parking congestion is considered minimal. The likely peak period for on street parking would be expected to be in the evenings and on weekends, outside of the hours of when refuse collection typically occurs.</p> <p>Vandalism of vehicles parked on the street is a matter for the police and not a relevant planning consideration.</p> <p>This is not a reason for refusal of the application.</p>
<p>Issue - Building Design</p>
<ul style="list-style-type: none"> • The submissions raise concern regarding the inclusion of a deck adjacent to 2 Sutton Street, setback approximately 1m from the southern boundary. The submission outlines that the inclusion of the deck above ground will impact on privacy due to being able to see over the fence and that the position of the deck and the reduced setback is inappropriate. • Concern regarding the proximity to the side boundary of 10 Sutton Street has been raised, noting that there will be a loss of privacy due to overlooking created by the development and that the noise from the additional dwellings will be intolerable. • Concern has been raised relating to the total height of the car parking area (Ground Floor and Level 1). The submitter notes that the total height of these 2 levels is the same as the adjacent property and that there are several large windows on this side directly adjacent to the parking levels of the proposed complex. Further, the submitter notes that they will lose the use of the windows in the main living and outdoor areas should the proposed car park be built as per plan. • A submitter has recommended that the car parking areas be fully enclosed by concrete walls all around and that the fence on the northern side boundary be at least 1.8m to 2m high. Further, the submitter has requested that fumes do not come out of extraction fans towards their property. The submitter also raised concerns relating to noise and light disturbance from car parking areas. • Submissions acknowledged that the car park has been enclosed on its sites and that this will reduce issues arising from the fume, sound and light nuisance from cars. However, it has been requested that appropriate ventilation of the car parks be installed.
<p>Discussion</p>
<p>This Change Application does not seek to alter the already approved setbacks of the built form. Further, no changes are sought to the ground floor and level 1 car parking areas. It is noted that in accordance with Condition 28A of the current development approval, the car parking areas are required to be enclosed along the side and rear elevations with the front elevation to be appropriately screened. This condition would remain and need to be complied with should the Change Application be approved.</p> <p>Further, Condition 28B requires certification to be submitted to Council from a suitably qualified person confirming the proposed ventilation methods have no impact on the amenity of the surrounding properties. This condition would also remain and need to be complied with should the Change Application be approved.</p> <p>This is not a reason for the refusal of the application.</p>
<p>Issue - Refuse Storage</p>

ITEM 2.1 DA/33296/2016/VCHC/2 - CHANGE (OTHER) APPLICATION - MATERIAL CHANGE OF USE - DEVELOPMENT PERMIT FOR MULTIPLE DWELLING (26 DWELLINGS), LOCATED AT 4-8 SUTTON STREET, REDCLIFFE - DIVISION 6 - A19297723 (Cont.)

<p>Assessment of Submissions</p> <ul style="list-style-type: none"> Concern has been raised relating to the location of the refuse storage area proposed against the boundary of 10 Sutton Street. The submitter notes that refuse storage on their side of the property is unacceptable as they have large windows which will make it very uncomfortable to use these windows for fresh air. The submitter recommends that the storage be removed from this side or be completely enclosed so that the odour and site of the refuse does not affect the quality of living currently enjoyed.
<p>Discussion</p> <p>This Change Application does not seek to relocate the bin storage area as approved within the current approval. The bin storage, therefore, remains on the southern side of the internal driveway positioned away from neighbouring properties.</p> <p>The bin wash facility is proposed to be slightly repositioned within the ground floor car parking area, however remains along the northern boundary of the site, behind a solid wall and infrequently used, therefore unlikely to result in an amenity impact (both visual and odour) to the adjoining property along the northern boundary.</p> <p>This is not a refusal for the refusal of the application.</p>
<p>Issue - Construction Activities</p> <ul style="list-style-type: none"> Concern has been raised regarding the potential of deep drilling at the initial stage of the development that will continue for a prolonged period of time. The submitter noted that this can adversely affect the structure of their property due to the development being in such close proximity. A submitter noted that their property experienced a lot of rattling of windows when the huge complex at 12 Sutton Street was being constructed, a building that is a block away. A submitter as advised that they have no option but to get before (already done) and after Dilapidation Reports and should there be any structural damage to their property, immediate legal action will be taken. A submitter has requested that the Engineer's Report of the proposed complex be put online as soon as possible, and that notification be sent once this has been actioned so that they may access it. Concern has been raised relating to the noise, dust and disturbance during building and that should the need to accommodate elsewhere during office hours they will be seeking costs of re-location and ongoing operational costs of working away from their usual work place at 10 Sutton Street, Redcliffe.
<p>Discussion</p> <p>Condition 33 of the current development approval requires the submission of a Construction Management Plan to Council for assessment prior to any works commencing on site. The Construction Management Plan is required to include measures to ensure the development works (including all construction, demolition and excavation) do not adversely affect the health, safety, amenity, traffic or environment in the surrounding area. This condition would remain and need to be complied with should the Change Application be approved.</p> <p>Any damage to adjoining properties that may occur as a result of construction activities would be a civil matter between the developer and the property owner. Any engineering plans and reporting would occur after detailed design and would be assessed by a private building certifier. There is no requirement for this information to be made available on line however the submitter may wish to liaise with the developer or building certifier for details, once available.</p> <p>This is not a reason for refusal of the application.</p>

ITEM 2.1 DA/33296/2016/VCHC/2 - CHANGE (OTHER) APPLICATION - MATERIAL CHANGE OF USE - DEVELOPMENT PERMIT FOR MULTIPLE DWELLING (26 DWELLINGS), LOCATED AT 4-8 SUTTON STREET, REDCLIFFE - DIVISION 6 - A19297723 (Cont.)

2.8.3 Notice of Compliance

The Notice of Compliance was received by Council on 15 October 2019. The Notice of Compliance identifies that the public notification requirements for the development application were correctly undertaken in accordance with the requirements of Part 4, of the Development Assessment Rules.

2.9 Other Matters
None identified.

3. Strategic Implications

3.1 Legislative/Legal Implications

The applicant and 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 generally consistent with the existing Moreton Bay Region planning provisions and relevant policies.

3.4 Risk Management Implications

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

3.5 Delegated Authority Implications

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

3.6 Financial Implications

- a) In the event that an appeal is made to the Planning & Environment Court against Council's decision, the Council will incur additional costs in defending its position.
- b) Should the application be approved, Infrastructure Charges are applicable.

3.7 Economic Benefit Implications

Appropriate development supports the growing Moreton Bay region.

3.8 Environmental Implications

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

3.9 Social Implications

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

3.10 Consultation / Communication

Refer to clause 2.8.

SUPPORTING INFORMATION

Ref: [A19308793](#), [A19308896](#) & [A19308929](#)

The following list of supporting information is provided for:

ITEM 2.1

DA/33296/2016/VCHC/2 - CHANGE (OTHER) APPLICATION - MATERIAL CHANGE OF USE - DEVELOPMENT PERMIT FOR MULTIPLE DWELLING (26 DWELLINGS), LOCATED AT 4-8 SUTTON STREET, REDCLIFFE - DIVISION 6

#1 Aerial Photograph

#2 Zoning Plan

#3 Locality Plan

#4 Proposal Plans

#5 Properly Made Submissions

ITEM 2.1 DA/33296/2016/VCHC/2 - CHANGE (OTHER) APPLICATION - MATERIAL CHANGE OF USE - DEVELOPMENT PERMIT FOR MULTIPLE DWELING (26 DWELLINGS), LOCATED AT 4-8 SUTTON STREET, REDCLIFFE - DIVISION 6 (Cont.)

#1 Aerial Photograph



ITEM 2.1 DA/33296/2016/VCHC/2 - CHANGE (OTHER) APPLICATION - MATERIAL CHANGE OF USE - DEVELOPMENT PERMIT FOR MULTIPLE DWELING (26 DWELLINGS), LOCATED AT 4-8 SUTTON STREET, REDCLIFFE - DIVISION 6 (Cont.)

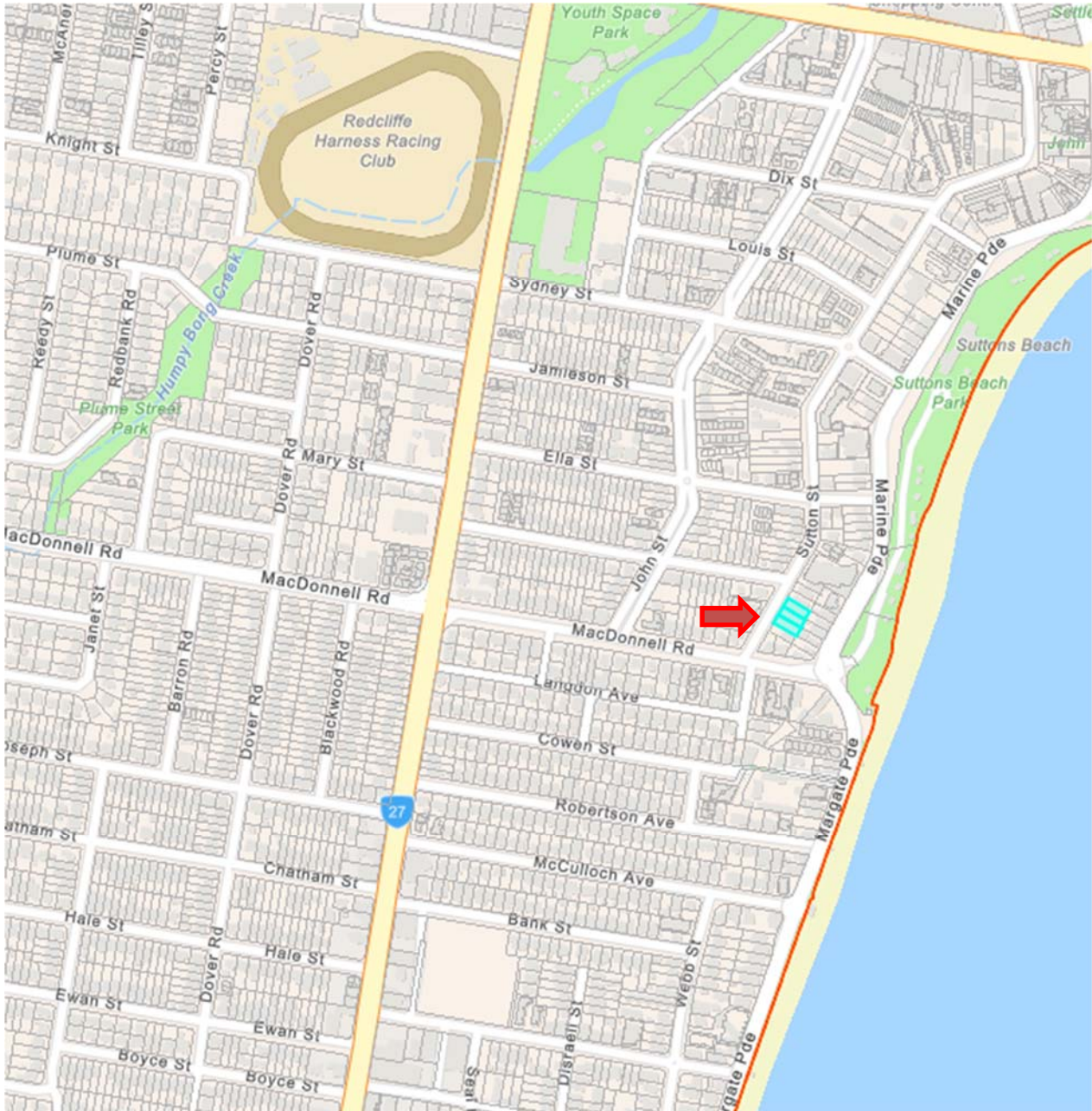
#2 Zoning Plan



- Zones
- General residential
 - Centre
 - Recreation and open space
 - Environmental management and conservation
 - Industry
 - Community facilities
 - Emerging community
 - Extractive industry
 - Limited development
 - Rural
 - Rural residential
 - Township

ITEM 2.1 DA/33296/2016/VCHC/2 - CHANGE (OTHER) APPLICATION - MATERIAL CHANGE OF USE - DEVELOPMENT PERMIT FOR MULTIPLE DWELING (26 DWELLINGS), LOCATED AT 4-8 SUTTON STREET, REDCLIFFE - DIVISION 6 (Cont.)

#3 Locality Plan



ITEM 2.1 DA/33296/2016/VCHC/2 - CHANGE (OTHER) APPLICATION - MATERIAL CHANGE OF USE - DEVELOPMENT PERMIT FOR MULTIPLE DWELING (26 DWELLINGS), LOCATED AT 4-8 SUTTON STREET, REDCLIFFE - DIVISION 6 - A19297723 (Cont.)

#4 Proposal Plans

SITE ANALYSIS		SITE PLAN	
PLANNING SUMMARY			
SITE AREA	1216.48 sqm		
SITE COVER PODIUM	685sqm (56.3%)		
NUMBER OF UNITS			
LEV 2	5 UNITS X 2 BED + MEDIA		
LEV 3	5 UNITS X 2 BED + MEDIA		
LEV 4	1 UNIT X 2 BED 1 UNIT X 3 BED 2 UNITS X 3 BED + MEDIA		
LEV 5	1 UNIT X 2 BED 1 UNIT X 3 BED 2 UNITS X 3 BED + MEDIA		
LEV 6	3 UNITS X 3 BED		
LEV 7	3 UNITS X 3 BED		
LEV 8	2 UNITS X 3 BED + MEDIA PENTHOUSE		
TOTAL UNITS	26 UNITS		
OPEN SPACE AND RECREATIONAL AREA			
GROUND	285 sqm		
LEV 2	109 sqm		
LEV 3	65 sqm		
LEV 4	49 sqm		
LEV 5	49 sqm		
LEV 6	61 sqm		
LEV 7	51 sqm		
LEV 8	120 sqm		
TOTAL	789 sqm		
LANDSCAPE			
GROUND	362 sqm		
CARPARKS			
12 (2BED) UNITS X 1 CAR =	12 CARS		
14 (3BED) UNITS X 1+2 CARS =	27 CARS		
TOTAL =	39 CARS		
provided TOTAL =	39 CARS		
visitors =	4 CARS		



4-8 SUTTON STREET - REDCLIFFE

MINOR CHANGE APPLICATION DA2-G
06-08-2019

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Drawing List DA			
Sheet Number	Sheet Name	Drawn By	Checked By
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DA21	COVERPAGE 2	BP	MP
DA22	COVERPAGE 3	BP	MP
DA23	COVERPAGE 4	BP	MP
DA24	COVERPAGE 5	BP	MP
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ITEM 2.1 DA/33296/2016/VCHC/2 - CHANGE (OTHER) APPLICATION - MATERIAL CHANGE OF USE - DEVELOPMENT PERMIT FOR MULTIPLE DWELING (26 DWELLINGS), LOCATED AT 4-8 SUTTON STREET, REDCLIFFE - DIVISION 6 - A19297723 (Cont.)



REVISION HISTORY	
1	ISSUE FOR PERMIT APPLICATION
2	ISSUE FOR PERMIT APPLICATION

<small>thinktank architects 1/11 High Street, Brisbane QLD 4000 Brisbane, Queensland Australia Phone: 07 3251 1111 www.thinktankarchitects.com.au</small>	
PROJECT	83-16
UNIT DEVELOPEMENT	
PROJECT ADDRESS 4-8 SUTTON ST REDCLIFFE	
CLIENT SHOREBROOK DEVELOPMENTS PTY LTD	
ARCHITECT MICHAEL JULLYAN	
DRAWING NAME COVER PAGE 2	
ISSUE MCA-G	
ISSUE DATE	DWG NO.
02-08-19	DA001
REVISION	SCALE
A	AT A1
DRAWN BY	CHECKED BY
MP-GD	MJ
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ITEM 2.1 DA/33296/2016/VCHC/2 - CHANGE (OTHER) APPLICATION - MATERIAL CHANGE OF USE - DEVELOPMENT PERMIT FOR MULTIPLE DWELING (26 DWELLINGS), LOCATED AT 4-8 SUTTON STREET, REDCLIFFE - DIVISION 6 - A19297723 (Cont.)



REVISION HISTORY	
1	ISSUED FOR PERMIT
2	ISSUED FOR PERMIT
3	ISSUED FOR PERMIT

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<small> UNIT 1 - 10/11, TONGUE POINT ROAD, REDCLIFFE QLD 4013 PHONE: 07 3861 1111 EMAIL: info@thinktankarchitects.com.au WWW: www.thinktankarchitects.com.au </small>	
PROJECT	83-16
UNIT DEVELOPEMENT	
PROJECT ADDRESS	4-8 SUTTON ST REDCLIFFE
CLIENT	SHOREBROOK DEVELOPMENTS PTY LTD
ARCHITECT	MICHAEL JULLYAN
DRAWING NAME	COVER PAGE 3
SCALE	MCA-G
ISSUE DATE	DWG NO.
02-08-19	DA002
REVISION	SCALE
B	AT A1
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ITEM 2.1 DA/33296/2016/VCHC/2 - CHANGE (OTHER) APPLICATION - MATERIAL CHANGE OF USE - DEVELOPMENT PERMIT FOR MULTIPLE DWELING (26 DWELLINGS), LOCATED AT 4-8 SUTTON STREET, REDCLIFFE - DIVISION 6 - A19297723 (Cont.)



REVISION HISTORY	
1	ISSUE FOR PERMIT
2	ISSUE FOR PERMIT
3	ISSUE FOR PERMIT

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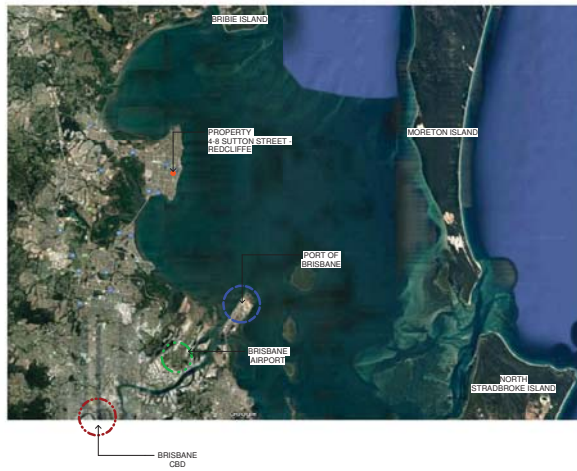
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UNIT DEVELOPMENT	
PROJECT ADDRESS	4-8 SUTTON ST REDCLIFFE
CLIENT	SHOREBROOK DEVELOPMENTS PTY LTD
ARCHITECT	MICHAEL JULLYAN
DRAWING NAME	COVER PAGE 4
ISSUE	MCA-G
ISSUE DATE	02-08-19
DWG NO.	DA003
REVISION	B
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LEVEL 1, 10/110 TONGUE POINT ROAD, REDCLIFFE QLD 4059

ITEM 2.1 DA/33296/2016/VCHC/2 - CHANGE (OTHER) APPLICATION - MATERIAL CHANGE OF USE - DEVELOPMENT PERMIT FOR MULTIPLE DWELING (26 DWELLINGS), LOCATED AT 4-8 SUTTON STREET, REDCLIFFE - DIVISION 6 - A19297723 (Cont.)

SITE ANALYSIS **LOCALITY PLAN**

REVISION HISTORY	
1	PROPOSAL
2	PROPOSAL
3	PROPOSAL



1 LOCALITY PLAN
1:500 @A1

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BRISBANE, AUSTRALIA
PH: 07 5551 1111
WWW.THINKTANKARCHITECTS.COM.AU

PROJECT: UNIT DEVELOPEMENT 83-16

PROJECT ADDRESS: 4-8 SUTTON ST REDCLIFFE

CLIENT: SHOREBROOK DEVELOPEMENTS PTY LTD

ARCHITECT: MICHAEL JULLYAN

DRAWING NAME: LOCALITY PLAN

ISSUE: MCA-G

ISSUE DATE: 02-08-19	DWG NO: DA90
REVISION: B	SCALE: 1:1500/T A1
DRAWN BY: MP	CHECKED BY: MJ

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FILED: 02-08-19 AT 1:15 PM AEST

ITEM 2.1 DA/33296/2016/VCHC/2 - CHANGE (OTHER) APPLICATION - MATERIAL CHANGE OF USE - DEVELOPMENT PERMIT FOR MULTIPLE DWELING (26 DWELLINGS), LOCATED AT 4-8 SUTTON STREET, REDCLIFFE - DIVISION 6 - A19297723 (Cont.)



REVISION HISTORY	
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2	PROPOSAL
3	PROPOSAL

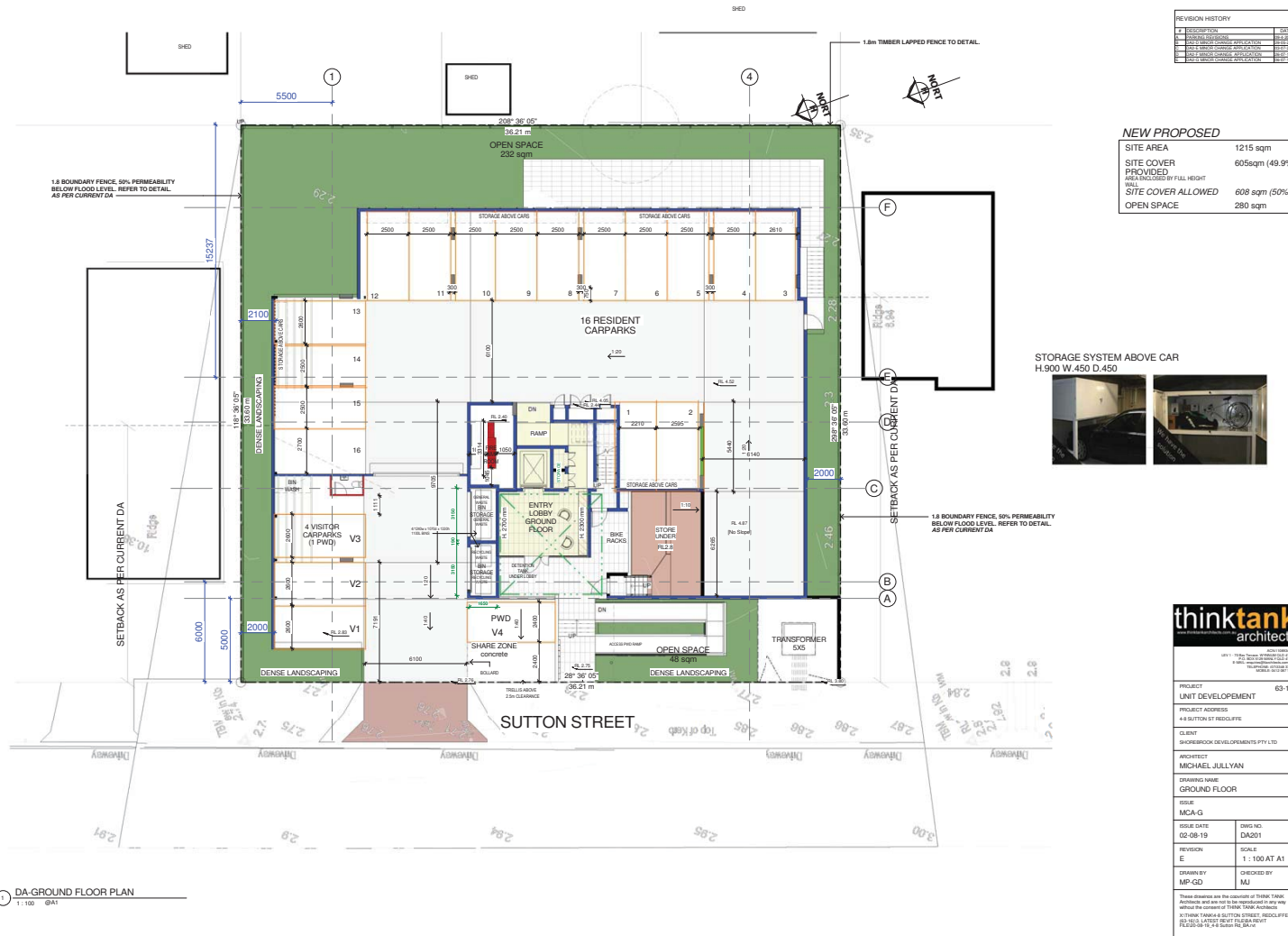
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 6/11, LAYTON ROAD, REDCLIFFE QLD 4059
 1/11, LAYTON ROAD, REDCLIFFE QLD 4059

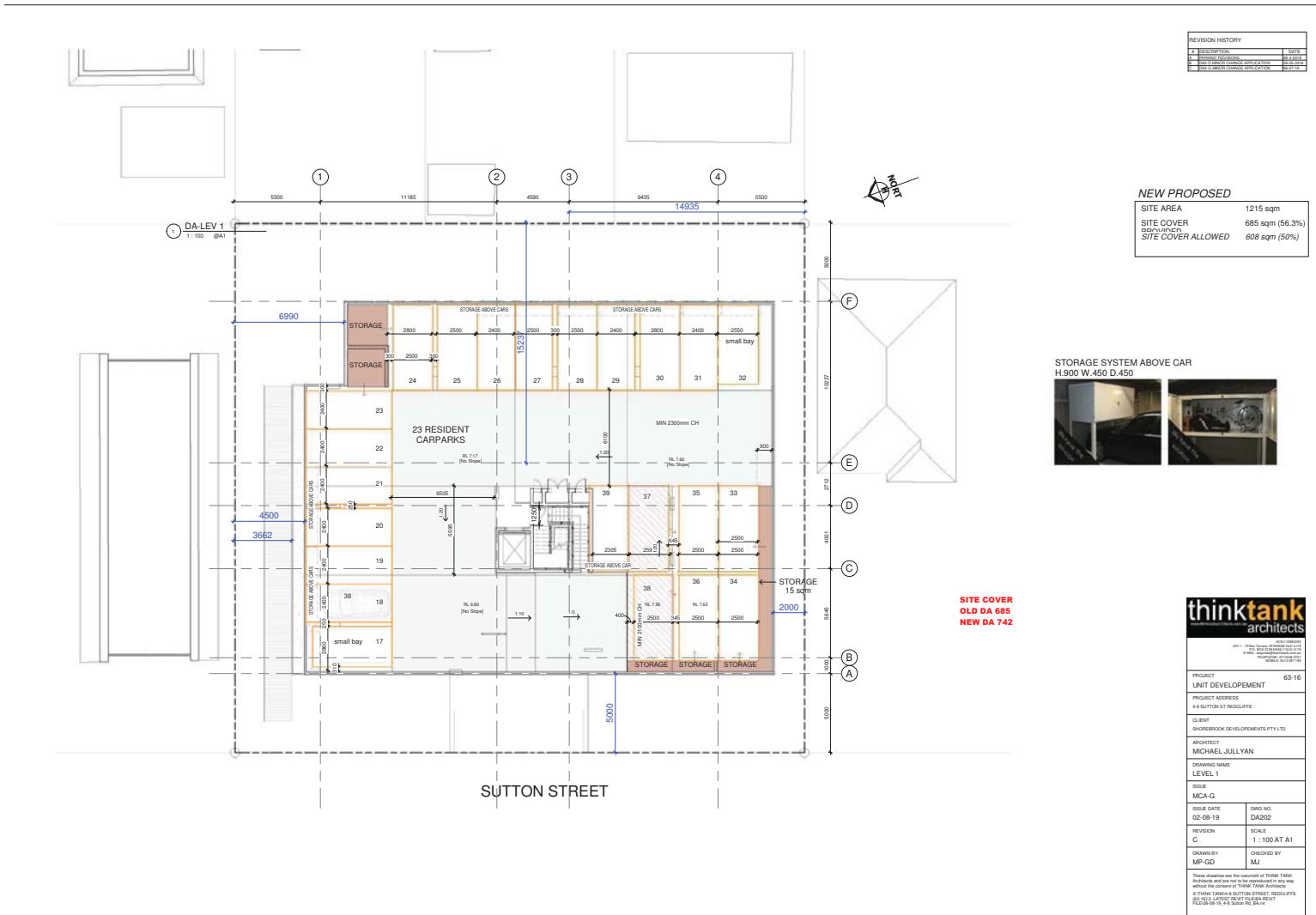
PROJECT	83-16
UNIT DEVELOPEMENT	
PROJECT ADDRESS	4-8 SUTTON ST REDCLIFFE
CLIENT	SHOREBROOK DEVELOPMENTS PTY LTD
ARCHITECT	MICHAEL JULLYAN
DRAWING NAME	SITE PLAN
ISSUE	MCA-G
ISSUE DATE	02-08-19
DWG NO.	DA100
REVISION	B
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 10/110, TONGUE POINT ROAD, REDCLIFFE QLD 4059

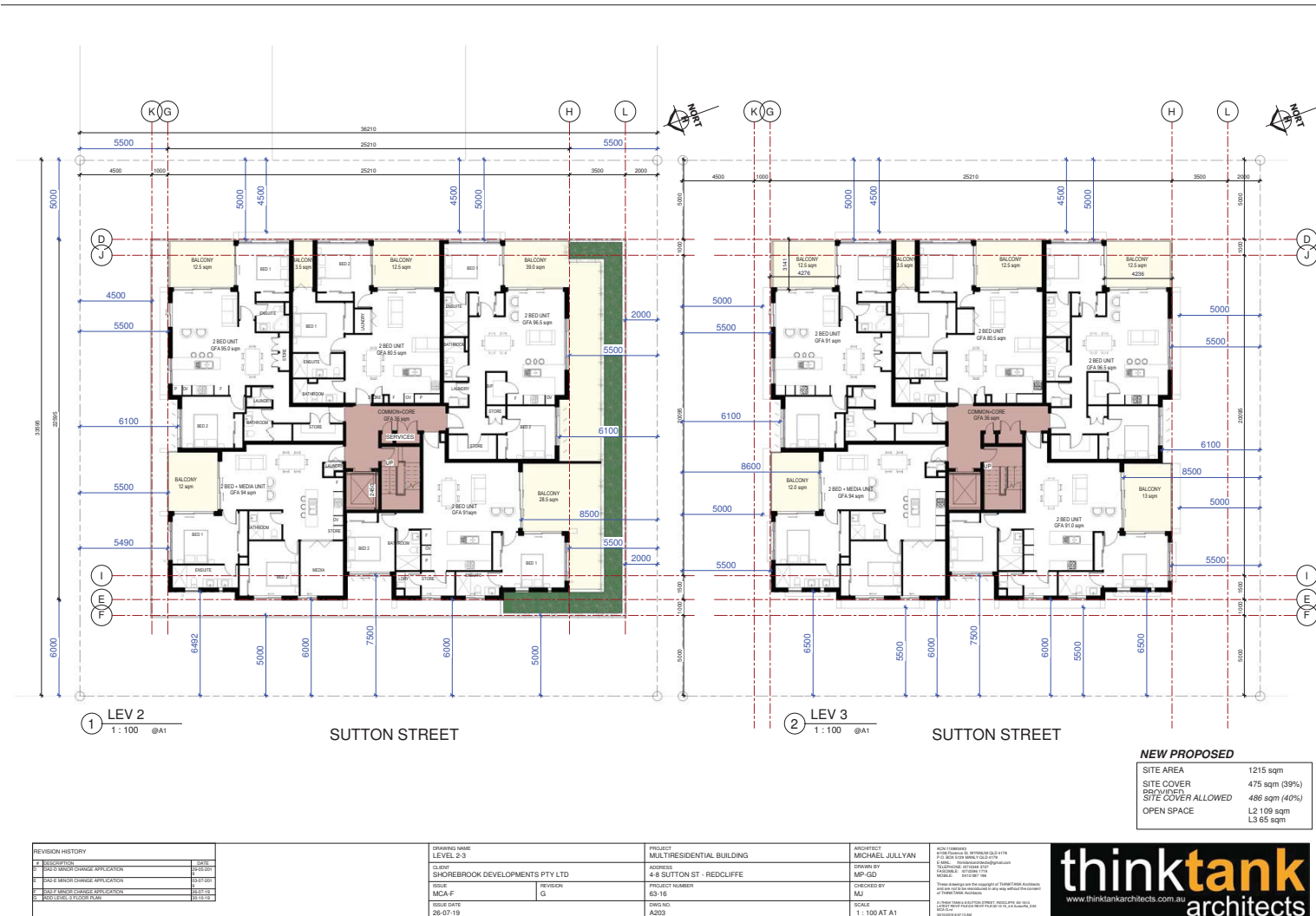
ITEM 2.1 DA/33296/2016/VCHC/2 - CHANGE (OTHER) APPLICATION - MATERIAL CHANGE OF USE - DEVELOPMENT PERMIT FOR MULTIPLE DWELING (26 DWELLINGS), LOCATED AT 4-8 SUTTON STREET, REDCLIFFE - DIVISION 6 - A19297723 (Cont.)



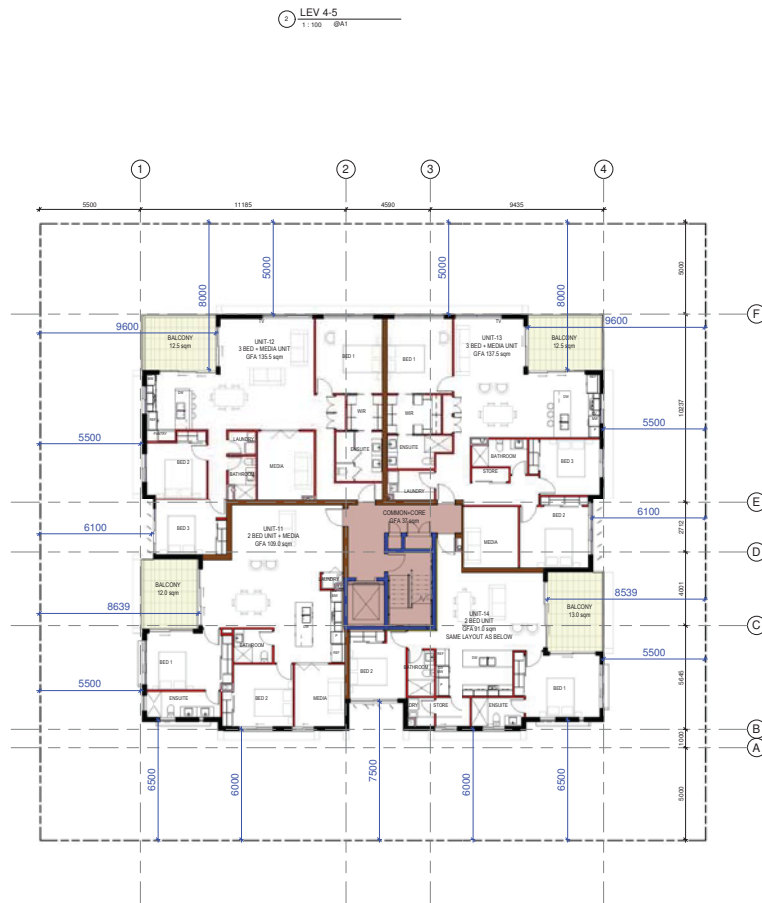
ITEM 2.1 DA/33296/2016/VCHC/2 - CHANGE (OTHER) APPLICATION - MATERIAL CHANGE OF USE - DEVELOPMENT PERMIT FOR MULTIPLE DWELING (26 DWELLINGS), LOCATED AT 4-8 SUTTON STREET, REDCLIFFE - DIVISION 6 - A19297723 (Cont.)



ITEM 2.1 DA/33296/2016/VCHC/2 - CHANGE (OTHER) APPLICATION - MATERIAL CHANGE OF USE - DEVELOPMENT PERMIT FOR MULTIPLE DWELING (26 DWELLINGS), LOCATED AT 4-8 SUTTON STREET, REDCLIFFE - DIVISION 6 - A19297723 (Cont.)



ITEM 2.1 DA/33296/2016/VCHC/2 - CHANGE (OTHER) APPLICATION - MATERIAL CHANGE OF USE - DEVELOPMENT PERMIT FOR MULTIPLE DWELING (26 DWELLINGS), LOCATED AT 4-8 SUTTON STREET, REDCLIFFE - DIVISION 6 - A19297723 (Cont.)



REVISION HISTORY	
1	PROPOSAL
2	PRELIMINARY DEVELOPMENT
3	FINAL DEVELOPMENT APPLICATION
4	FINAL DEVELOPMENT APPLICATION

SITE AREA	1215 sqm
SITE COVER	493 sqm (40.5%)
SITE COVER ALLOWED	486 sqm (40%)
OPEN SPACE	49 sqm

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UNIT 1 - 10/11, 12/13, 14/15, 16/17, 18/19, 20/21, 22/23, 24/25, 26/27, 28/29, 30/31, 32/33, 34/35, 36/37, 38/39, 40/41, 42/43, 44/45, 46/47, 48/49, 50/51, 52/53, 54/55, 56/57, 58/59, 60/61, 62/63, 64/65, 66/67, 68/69, 70/71, 72/73, 74/75, 76/77, 78/79, 80/81, 82/83, 84/85, 86/87, 88/89, 90/91, 92/93, 94/95, 96/97, 98/99, 100/101, 102/103, 104/105, 106/107, 108/109, 110/111, 112/113, 114/115, 116/117, 118/119, 120/121, 122/123, 124/125, 126/127, 128/129, 130/131, 132/133, 134/135, 136/137, 138/139, 140/141, 142/143, 144/145, 146/147, 148/149, 150/151, 152/153, 154/155, 156/157, 158/159, 160/161, 162/163, 164/165, 166/167, 168/169, 170/171, 172/173, 174/175, 176/177, 178/179, 180/181, 182/183, 184/185, 186/187, 188/189, 190/191, 192/193, 194/195, 196/197, 198/199, 200/201, 202/203, 204/205, 206/207, 208/209, 210/211, 212/213, 214/215, 216/217, 218/219, 220/221, 222/223, 224/225, 226/227, 228/229, 230/231, 232/233, 234/235, 236/237, 238/239, 240/241, 242/243, 244/245, 246/247, 248/249, 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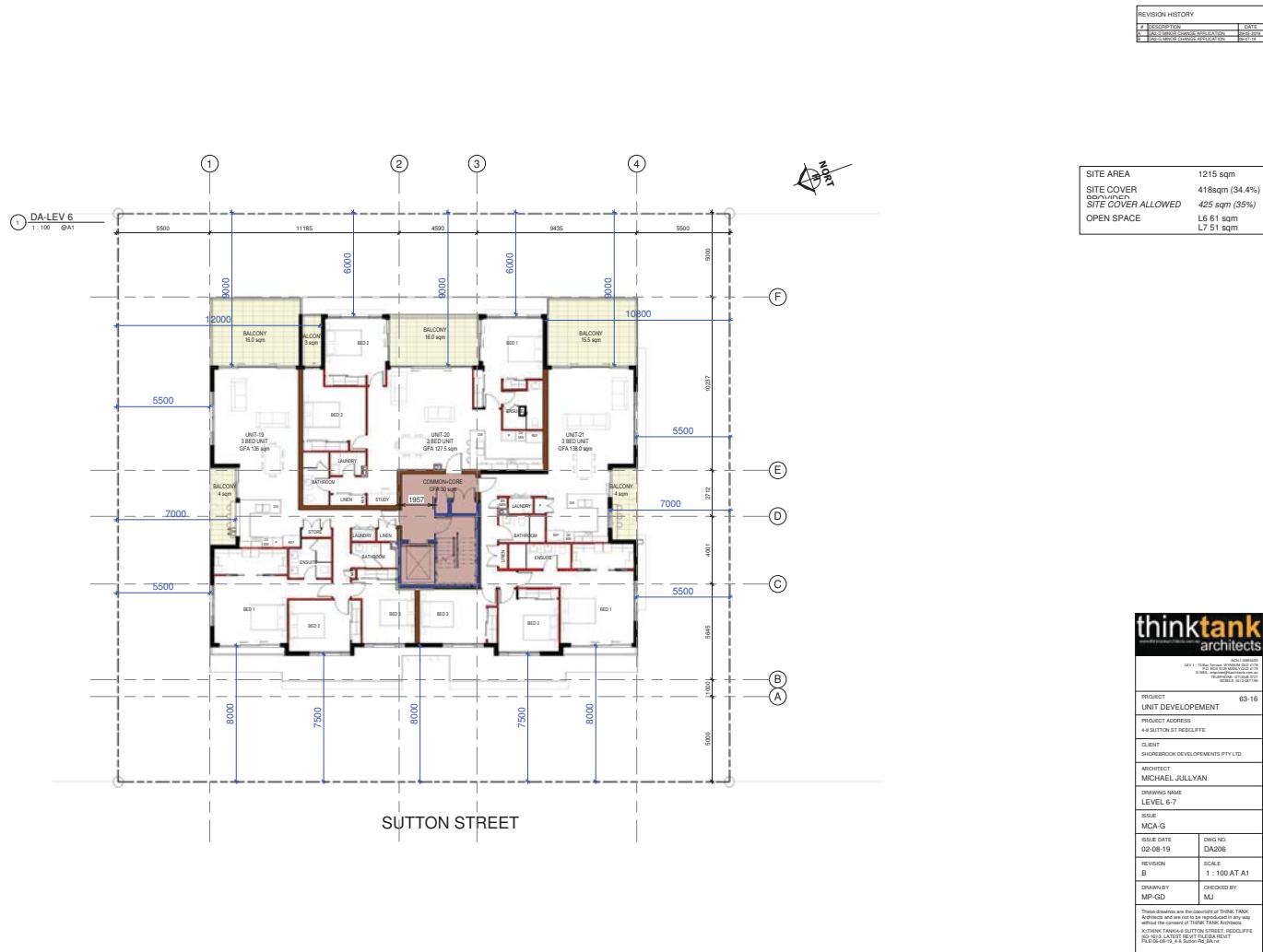
GENERAL MEETING - 496
26 November 2019

PAGE 61
Agenda

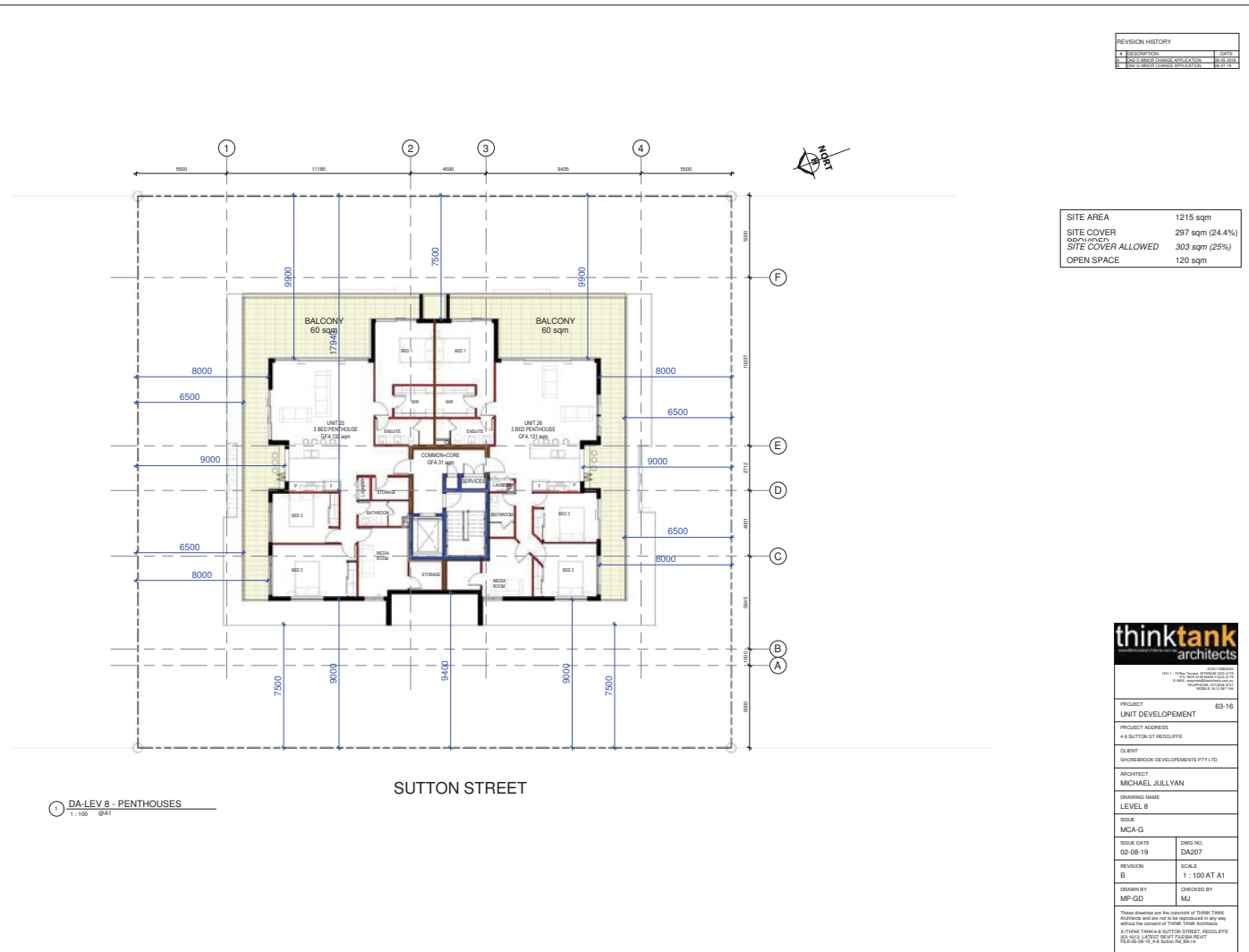
ITEM 2.1 DA/33296/2016/VCHC/2 - CHANGE (OTHER) APPLICATION - MATERIAL CHANGE OF USE - DEVELOPMENT PERMIT FOR MULTIPLE DWELING (26 DWELLINGS), LOCATED AT 4-8 SUTTON STREET, REDCLIFFE - DIVISION 6 - A19297723 (Cont.)



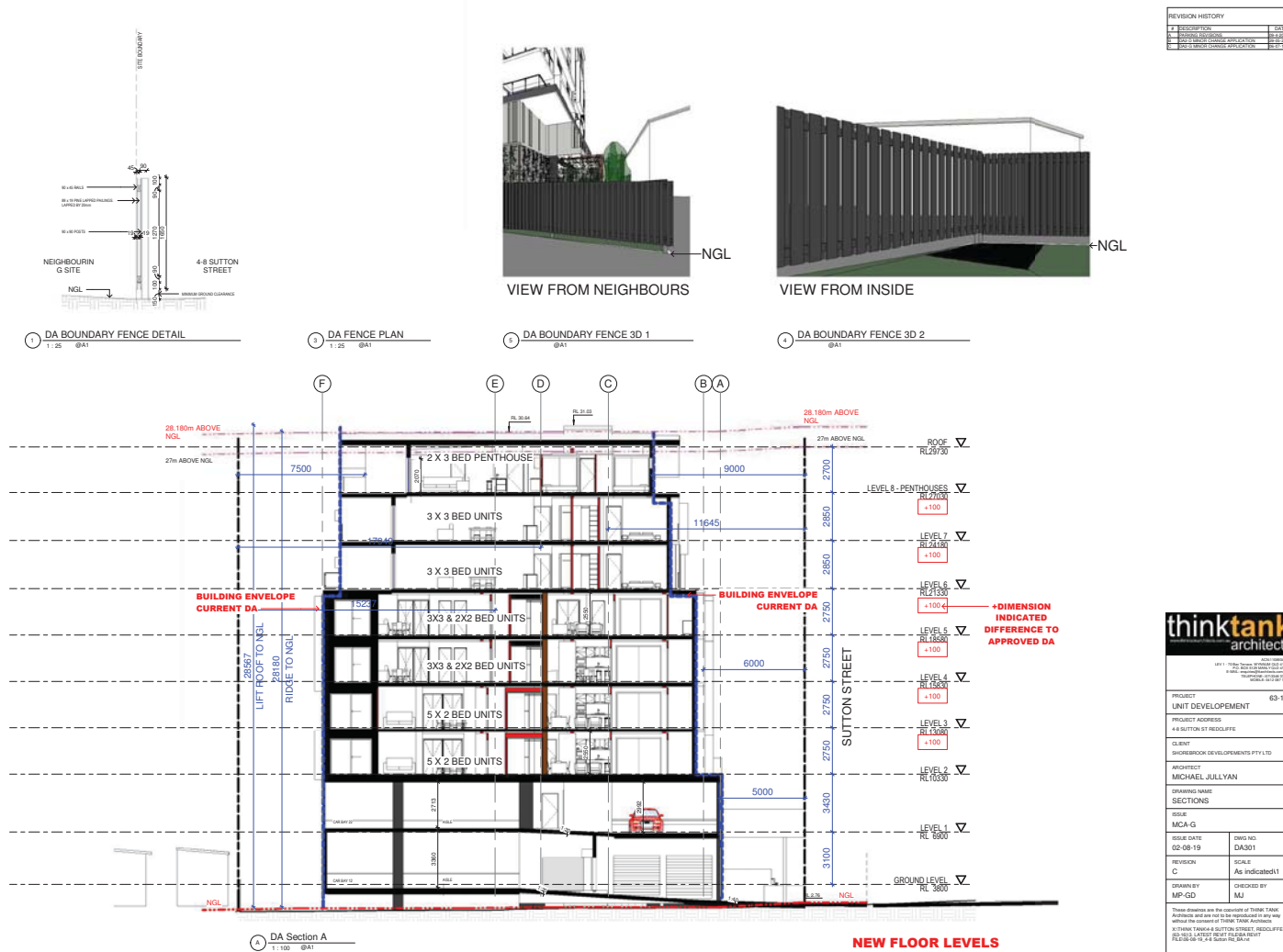
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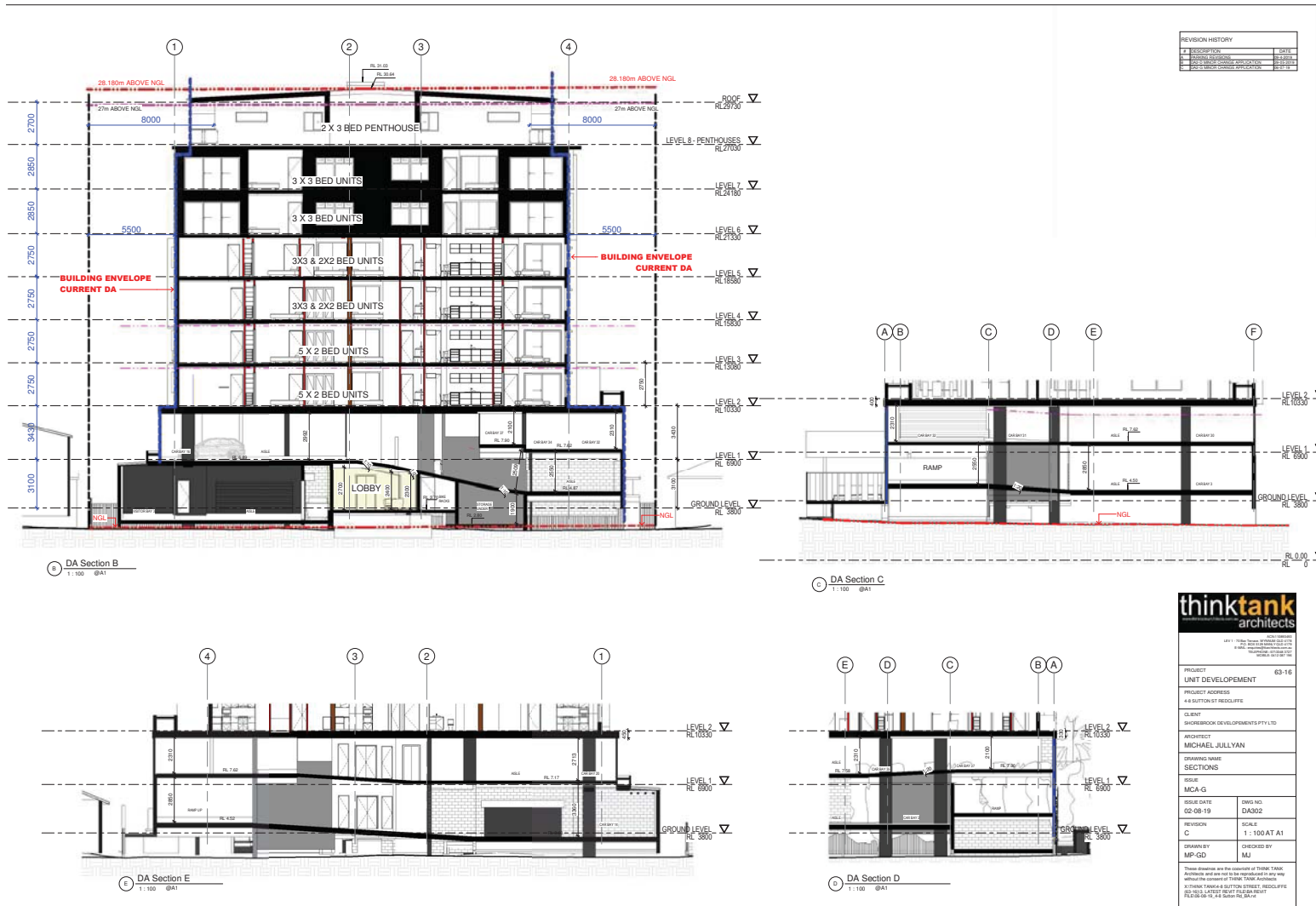
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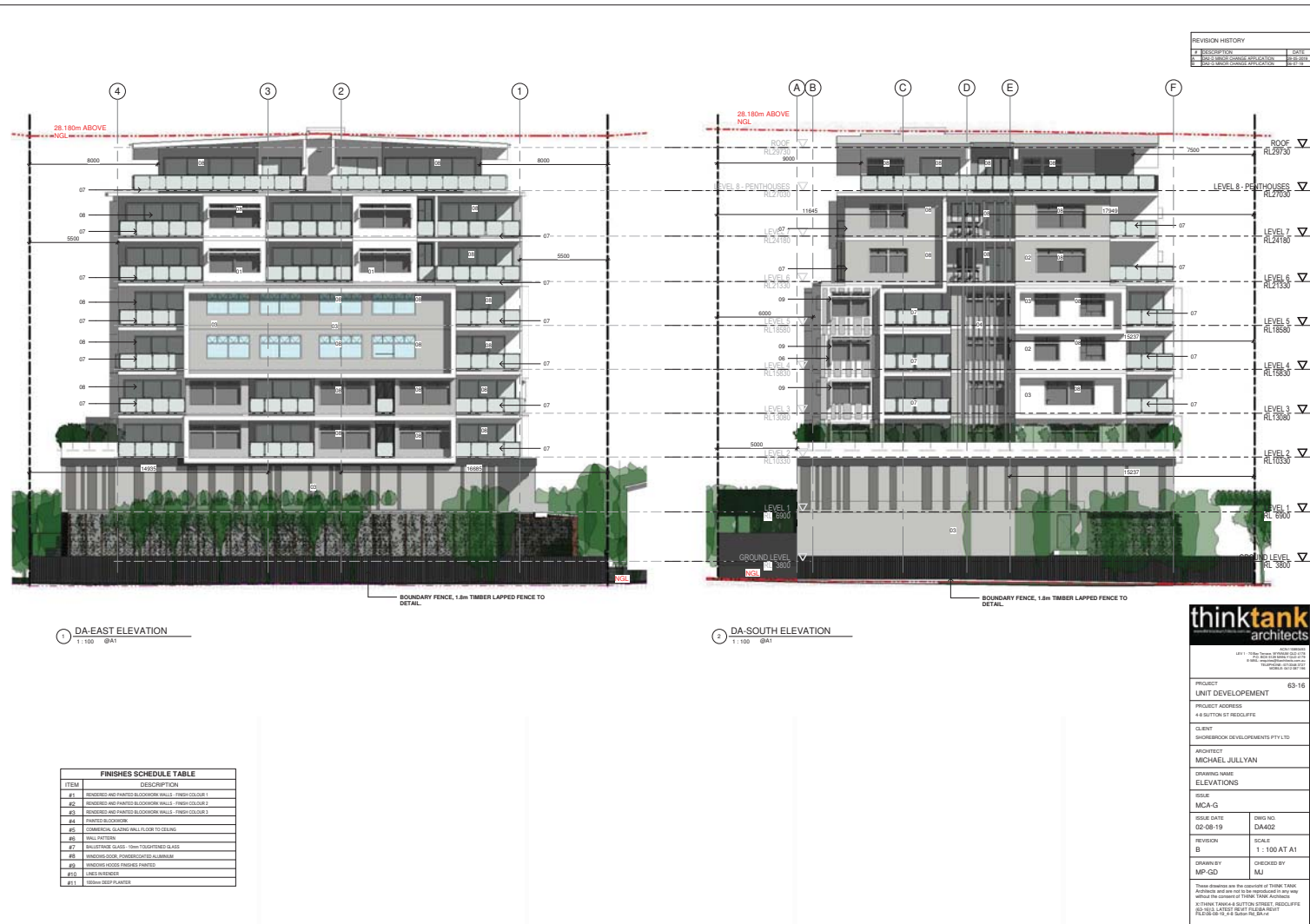
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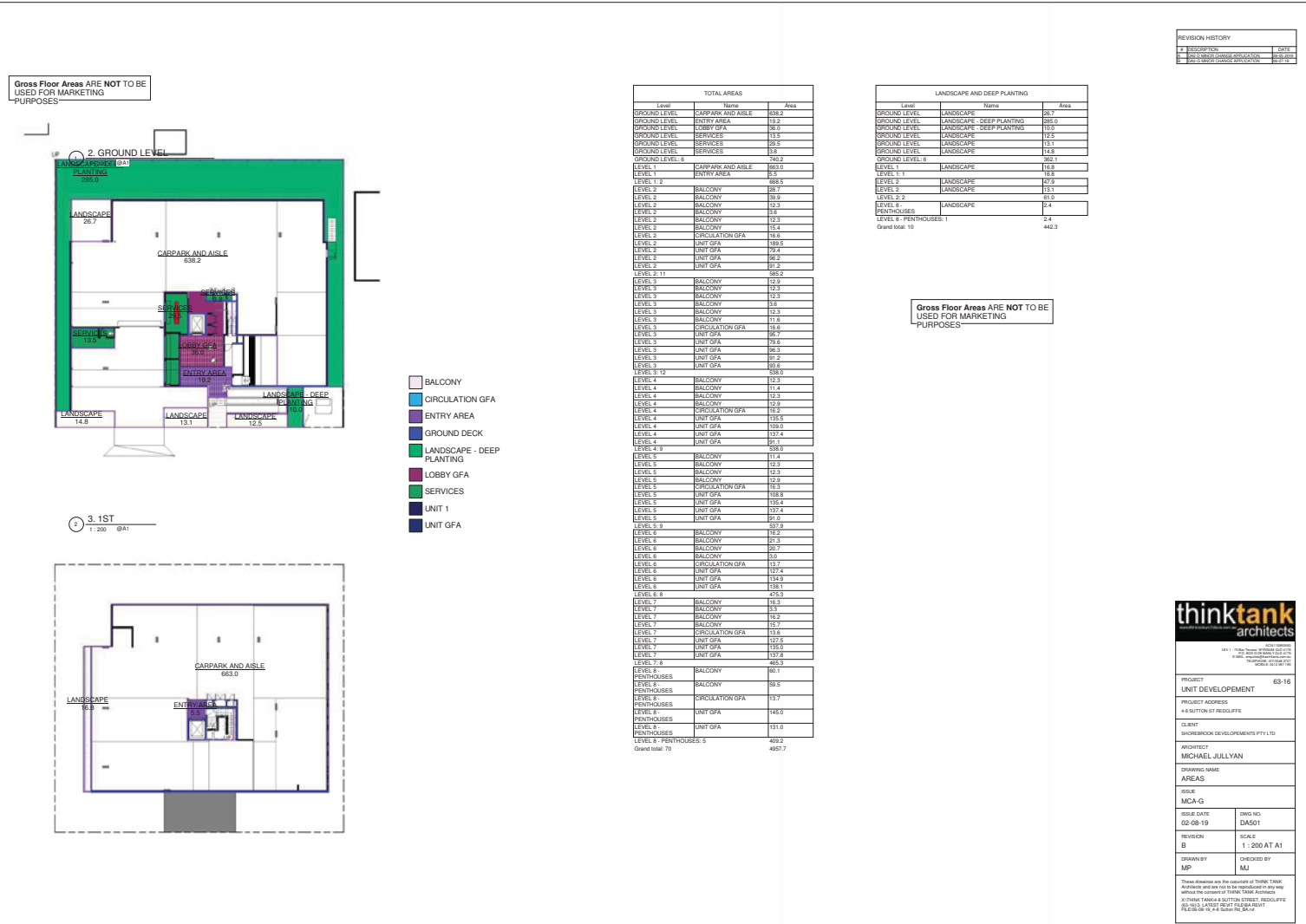
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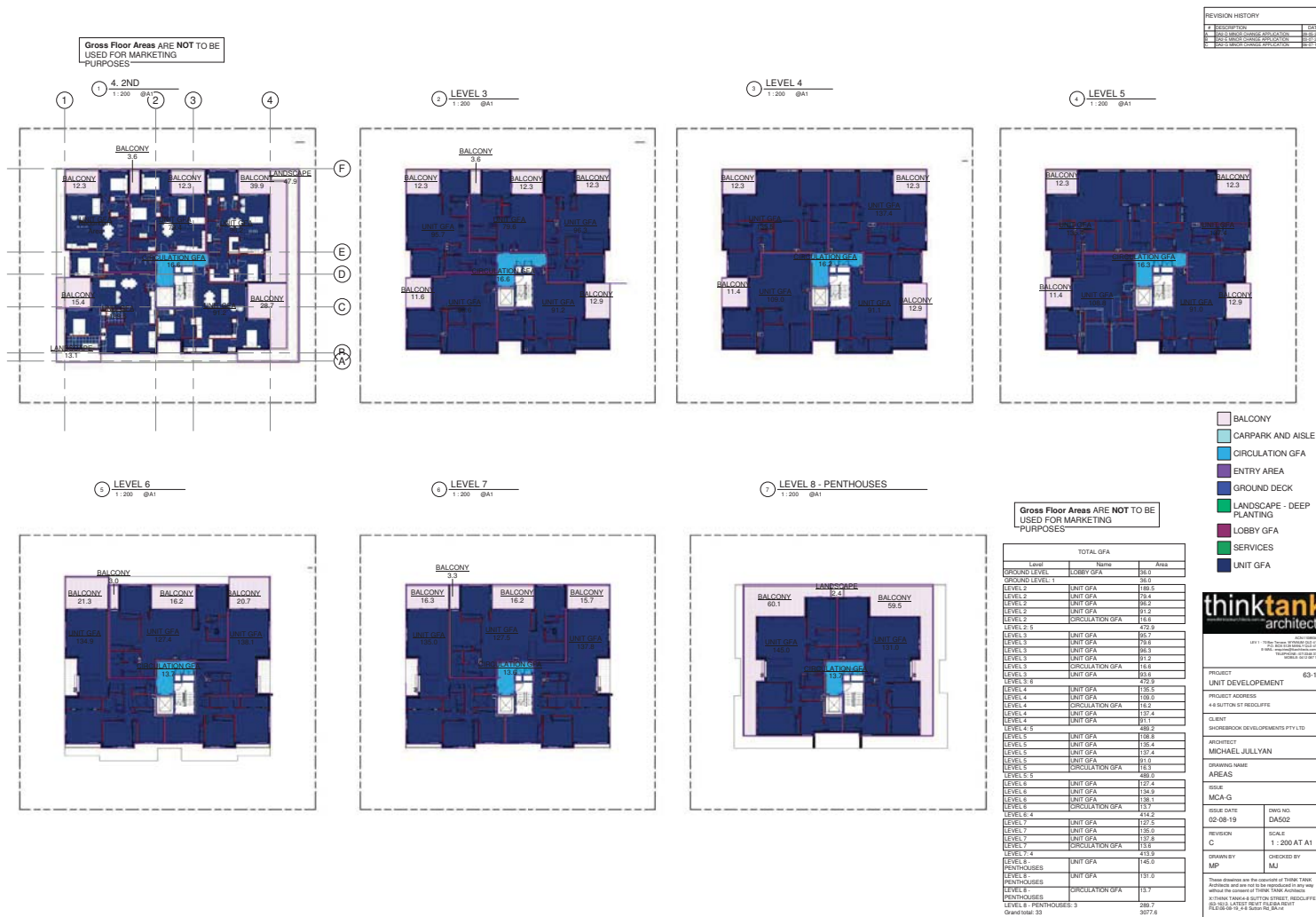


Moreton Bay Regional Council

GENERAL MEETING - 496
26 November 2019

PAGE 69
Agenda

ITEM 2.1 DA/33296/2016/VCHC/2 - CHANGE (OTHER) APPLICATION - MATERIAL CHANGE OF USE - DEVELOPMENT PERMIT FOR MULTIPLE DWELING (26 DWELLINGS), LOCATED AT 4-8 SUTTON STREET, REDCLIFFE - DIVISION 6 - A19297723 (Cont.)



GENERAL MEETING - 496
26 November 2019

PAGE 69
Agenda

ITEM 2.1 DA/33296/2016/VCHC/2 - CHANGE (OTHER) APPLICATION - MATERIAL CHANGE OF USE - DEVELOPMENT PERMIT FOR MULTIPLE DWELING (26 DWELLINGS), LOCATED AT 4-8 SUTTON STREET, REDCLIFFE - DIVISION 6 - A19297723 (Cont.)



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REVISION HISTORY	
1	PROPOSED
2	PROPOSED
3	PROPOSED
4	PROPOSED

2 LANDSCAPE DETAIL - NORTH
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4 LANDSCAPE 01
@A1

3 LANDSCAPE DETAIL -02
@A1

1 LANDSCAPE AT LEV 2 - SOUTH SIDE
@A1

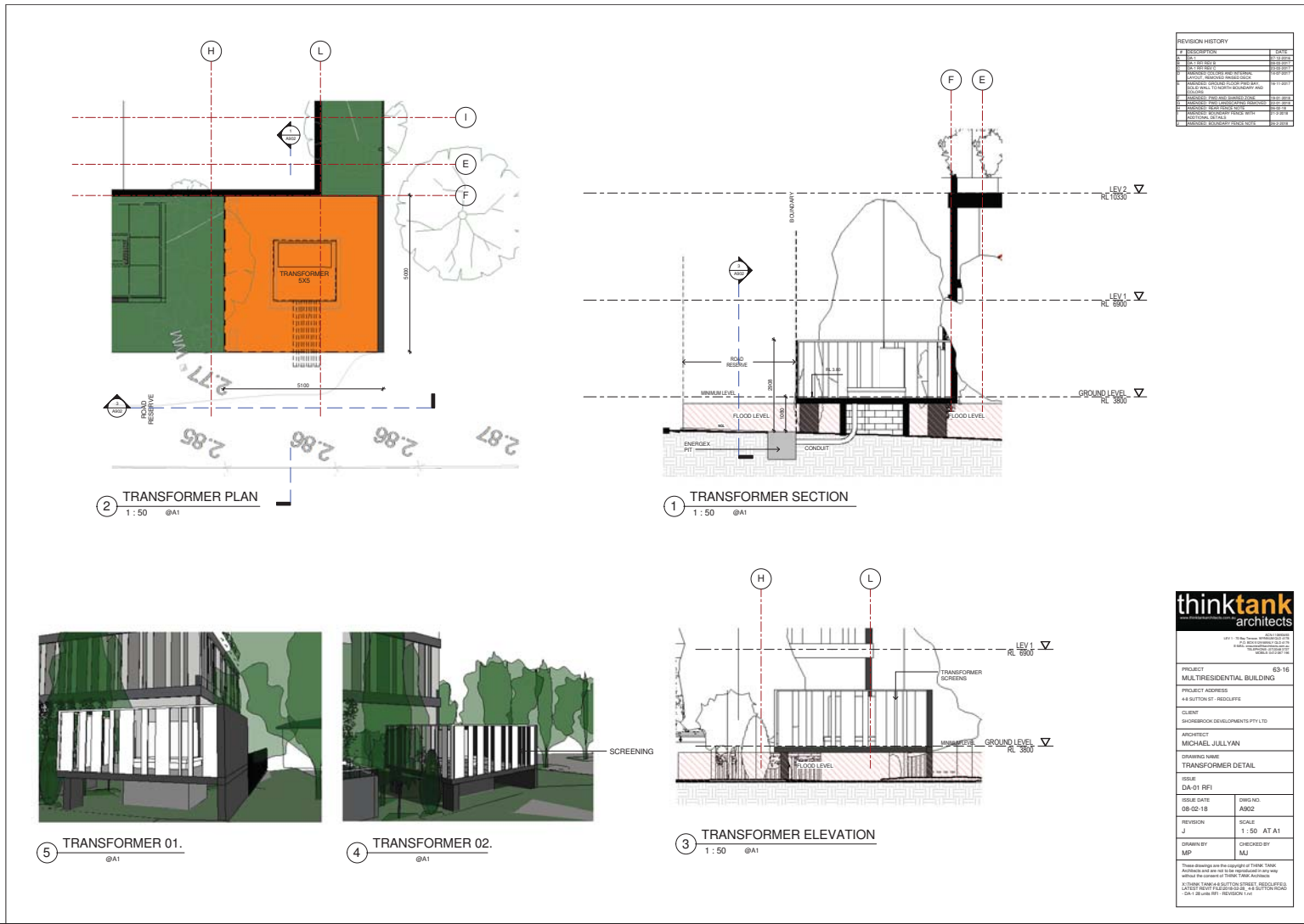
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UNIT 1 - 10/11a, TONGUE POINT ROAD, REDCLIFFE QLD 4059
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PROJECT: UNIT DEVELOPEMENT 83-16
PROJECT ADDRESS: 4-8 SUTTON ST REDCLIFFE
CLIENT: SHOREBROOK DEVELOPMENTS PTY LTD
ARCHITECT: MICHAEL JULLYAN
DRAWING NAME: PERSPECTIVES
SCALE: AT A1
ISSUE: MCA-G
ISSUE DATE: 02-08-19 DWG NO: DA703
REVISION: B
DRAWN BY: MP-GD CHECKED BY: MJ

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10-11A, TONGUE POINT ROAD, REDCLIFFE QLD 4059
TEL: 07 3877 8888 FAX: 07 3877 8888

ITEM 2.1 DA/33296/2016/VCHC/2 - CHANGE (OTHER) APPLICATION - MATERIAL CHANGE OF USE - DEVELOPMENT PERMIT FOR MULTIPLE DWELING (26 DWELLINGS), LOCATED AT 4-8 SUTTON STREET, REDCLIFFE - DIVISION 6 - A19297723 (Cont.)



Moreton Bay Regional Council

GENERAL MEETING - 496
26 November 2019

PAGE 74
Agenda

ITEM 2.1 DA/33296/2016/VCHC/2 - CHANGE (OTHER) APPLICATION - MATERIAL CHANGE OF USE - DEVELOPMENT PERMIT FOR MULTIPLE DWELING (26 DWELLINGS), LOCATED AT 4-8 SUTTON STREET, REDCLIFFE - DIV 6 - A19297723

#5 Properly Made Submissions

From: [Elena Alex Telegin](#)
To: [MBRC Incoming Mail](#)
Subject: Submission to DA/33296/2016/VCHG/2
Date: Wednesday, 25 September 2019 7:59:27 PM
Attachments: [Submission 4to 8 Sutton street DA 33296 2016.docx](#)

Dear officer,

Please find attached submission made to DA/33296/2016/VCHG/2 lodged for 4-8 Sutton street.

One I sent 5 hours ago is missing important part.

Please use this one.

Please contact us if you have any questions.

Kind regards

Elena Telegina 3 Marine parade Redcliffe QLD 4020 mobile 0405733156
Alexey Telegin 3 Marine parade Redcliffe QLD 4020 mobile 0411 800392

ITEM 2.1 DA/33296/2016/VCHC/2 - CHANGE (OTHER) APPLICATION - MATERIAL CHANGE OF USE - DEVELOPMENT PERMIT FOR MULTIPLE DWELING (26 DWELLINGS), LOCATED AT 4-8 SUTTON STREET, REDCLIFFE - DIV 6 - A19297723

Development Address: 4, 6 & 8 Sutton Street, Redcliffe 4020.

Application reference DA/33296/2016/VCHG/2

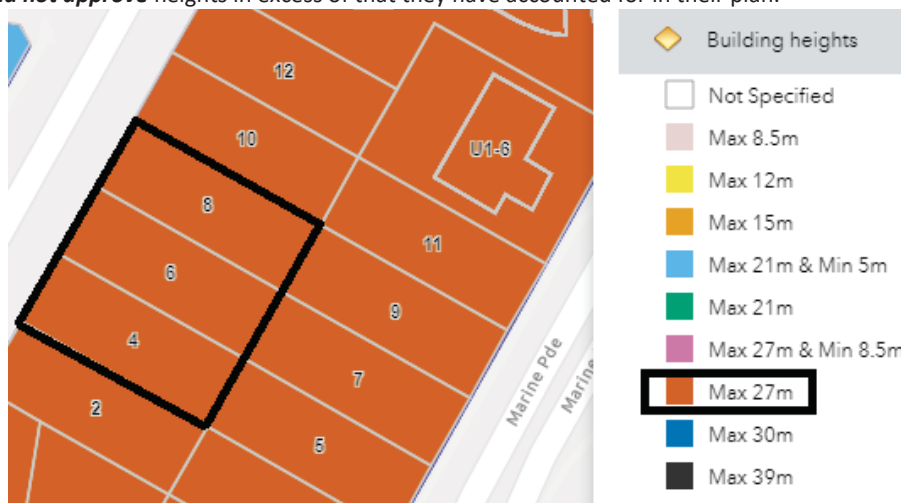
Name and address of persons making the submission: Elena Telegina, 3 Marine Parade, Redcliffe 4020; Alexey Telegin, 3 Marine Parade, Redcliffe 4020.

Grounds for submission: exceeds maximum building height; insufficient car parking spaces; insufficient distance to boundary; reduction of life quality due to blocking sunlight, air circulation, fumes, lights and noise disturbance.

Objection to Excessive Building Height:

We request that the building height for the development does not exceed the maximum permissible building height of 27 meters.

We have a strong objection to the building height of the development proposed at 4-8 Sutton street being **28.18 metres**, which is **significantly higher** than the maximum building height of **27 metres** as per the town plan, as in the below image. We believe that the council height is already too high for a residential suburb with the nature of low-density dwellings, and we strongly believe that the council **should not approve** heights in excess of that they have accounted for in their plan.



We have objection to the following claim in the submission report:

“The additional height is limited to just over 1m (28.180m) and would not alter the general appearance of the building or noticeably alter shadows cast by the building, with an alternative roof design proposed. The change shall therefore have no impact on adjoining properties in terms of loss of amenity. A comparative shadow analysis is provided within the architectural plans prepared by Think Tank Architects.”

We think that an increase of more than a metre past the allowable maximum height—and council places these maximums for a reason—will, in fact, be **very detrimental to the quality of life** of the adjoining buildings.

The submission did not consider the additional **loss of privacy** that elevating the topmost floor of the development would have on the adjoining houses; with this increased height, which will be even

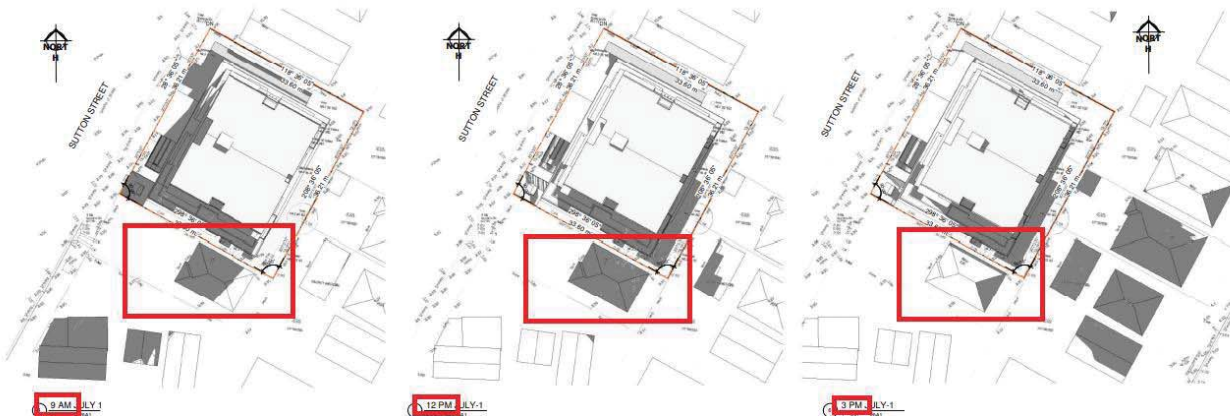
ITEM 2.1 DA/33296/2016/VCHC/2 - CHANGE (OTHER) APPLICATION - MATERIAL CHANGE OF USE - DEVELOPMENT PERMIT FOR MULTIPLE DWELING (26 DWELLINGS), LOCATED AT 4-8 SUTTON STREET, REDCLIFFE - DIV 6 - A19297723

harder to protect against with foliage, the upper floors will have direct view into the back yards of all adjoining buildings (especially those to its east side). This increased lack of privacy will reduce out quality of life even more.

Secondly, the additional shadows incurred by the building of an additional metre will have a detrimental effect to the gardens of the residents of adjoining houses. While it might not look like much on paper, the increased shadow will render it incapable of growing several plant species. Furthermore, it will considerably reduce the amount of sunlit time we can experience on our backyards which, especially during the cold winter season, is considered a **significant loss of amenity**.

Finally, considering the close boundary to the southern side (around 2 metres), having such a huge structure—now increased by an additional metre—will significantly reduce quality of life for its resident due to claustrophobic feelings, lack of space, and reduced ventilation and light.

As can be seen in the shadow illustration of the proposed plans (page 8), the proposed building will cast shadows on the building at 2 Sutton Street for the entirety of the day (from at least 9am to at least 3pm)—it will perpetually lose sunlight. This, combined with the closeness of the proposed building to it, will mean that it will be unhealthily dark inside. This is a significant health detriment, considering the necessity of the human body to sunlight.



Furthermore, we have issue with the following:

“The building height as amended is considered to be consistent with the medium to high rise character of the Urban Neighbourhood Precinct, noting that the development shall continue to read as 9 storeys like the majority of multi-storey developments within the vicinity of the site.”

We believe this is in contradiction to section E iv. of planning code: — *orientate to integrate with the street and surrounding neighbourhood.*

Given character of surrounding neighbourhood and, in particular, the street, are two- and three-story low-density residential buildings, this **would not integrate** with the street and surrounding neighbourhood. This is clearly evident in the structure towering over existing buildings and amenities. Increasing the height will compound this problem even more.

ITEM 2.1 DA/33296/2016/VCHC/2 - CHANGE (OTHER) APPLICATION - MATERIAL CHANGE OF USE - DEVELOPMENT PERMIT FOR MULTIPLE DWELING (26 DWELLINGS), LOCATED AT 4-8 SUTTON STREET, REDCLIFFE - DIV 6 - A19297723

It is in the interest of council to make sure the neighbourhood looks integrated and allowing a building of this height will be in detriment to the goal and enjoyment of everyone.

Objection to Insufficient Car Parking:

We request that an additional ten car parking spaces are added to the plan to accommodate for number of units' occupants.

Section xi. of code — cater for appropriate car parking and manoeuvring areas on-site.

This development will only allocate 39 car parks. Due to the rearranging of the units into a configuration with more three-bedroom units, we believe there needs to be additional car parking. This is because these larger units can be assumed to be occupied by families and couples, the most of which have two or even three cars per family. Having only 27 car parks to 14 three-bedroom units still equal **less than two car parking spaces** per unit. It is almost unfathomable that these families will only have one car between them.

Similarly, the fact that only one car parking space has been provided for each two-bedroom unit is insufficient due to the majority of couples and families having two or more cars.

These facts are taken from the Australian Bureau of Statistics 2016 Census, so this information is very relevant to our current situation. Consider the following extract (source: https://quickstats.censusdata.abs.gov.au/census_services/getproduct/census/2016/quickstat/036):

Number of registered motor vehicles	Australia	%	2011	%
None	623,829	7.5	665,851	8.6
1 motor vehicle	2,881,485	34.8	2,778,575	35.8
2 motor vehicles	2,999,184	36.2	2,802,468	36.1
3 or more vehicles	1,496,382	18.1	1,279,133	16.5
Number of motor vehicles not stated	285,197	3.4	234,292	3.0

The majority of Australians have two (2) motor vehicles (36.2%), and a good proportion (18%) have three (3) vehicles. Furthermore, as can be seen in the comparison to the 2011 census data, the trend of increased motor vehicles is increasing—the number of families with one motor vehicle is decreasing, and the proportion of families with 2 and, particularly, 3 vehicles has increased.

This means that in providing just one carparking space for two-bedroom units, and an average of one (i.e. less than two) car parking spaces per three-bedroom unit is **critically insufficient**.

As the amount of car parking provided has not changed to accommodate these larger families and their additional cars, we believe this will lead occupants to park on Sutton Street. This will dramatically increase congestion on an already-narrow road and reduce the quality of life for current residents due to **noise and exhaust fumes**.

There is the exacerbation of the overcrowding problem of cars that already exists on Sutton Street. Due to the number of large, multi-residential developments located on the street, there is a pre-existing problem of overcrowding; the residents of these apartment buildings, possessing more than the one car that is provided for, are forced to park it in a street that is not built to accommodate such extensive use. Clearly, the addition of another multiple-residence building in which parking is insufficient will only further burden the street, and this problem will spread to surrounding streets as Sutton Street becomes overcrowded. You will appreciate that this, as well as being an unfair externality, will be unsustainable as Redcliffe's population further expands.

ITEM 2.1 DA/33296/2016/VCHC/2 - CHANGE (OTHER) APPLICATION - MATERIAL CHANGE OF USE - DEVELOPMENT PERMIT FOR MULTIPLE DWELING (26 DWELLINGS), LOCATED AT 4-8 SUTTON STREET, REDCLIFFE - DIV 6 - A19297723

Concerning insufficient parking requirements, we further present the issue of the safety of the residents' vehicles. As you may be aware, there have been a number of instances of vandalism to vehicles parked on the street. In accordance with the unavoidable situation of on-street parking outlined above, there is a high likelihood that such an activity, happening again, will target the vehicles of the residents. To avoid this, we propose that the number of street-parked vehicles is minimised, where possible, through appropriate allowances in developments.

This is the same for the reduction of visitor bays provided from five (5) in the previous application to four (4) in the current application. It is not possible that increasing the size of units provided, and accordingly the amount of people expected to occupy them, would also work with reducing the amount of visitor parking spaces provided. They will just have to park on the street which compounds the problem of congestion, noise and fumes as outlined above.

In summary, we suggest that the development is reassessed in terms of its likely neighbourhood impact to account for the situation that happens in real life. We also suggest that, in order to maintain the progressive and sustainable nature of Moreton Bay, a thorough review of the minimum parking requirements for multiple dwellings is carried out.

Finally, we appreciate that the car park has been enclosed on its sides, as this will reduce some of the issues arising from the fume, sound and light nuisance from the cars. However, considering the considerable health risks associated with fumes from the cars, we would like to ask that appropriate ventilation of the car park is also installed. Depending on the material of the enclosing wall, this will divert any remnant emissions that may still persist.

Objection to Closeness of Structure to Boundary:

We request that the setback between the proposed building OMP and the house at 2 Sutton Street be increased to four meters.

We protest the inclusion of the deck. Whilst we understand the desire to accommodate outdoor spaces, the height of it above ground (1.5 metres as scaled from the plans) may severely impact our privacy, as from that height anyone on it will be able to see over the fence into our and our neighbours' backyards. Furthermore, its distance from the southern boundary, a single metre, is too

ITEM 2.1 DA/33296/2016/VCHC/2 - CHANGE (OTHER) APPLICATION - MATERIAL CHANGE OF USE - DEVELOPMENT PERMIT FOR MULTIPLE DWELING (26 DWELLINGS), LOCATED AT 4-8 SUTTON STREET, REDCLIFFE - DIV 6 - A19297723

Development Address: 4-8 Sutton Street, Redcliffe Qld 4020: Application Reference DA/33296/2016/VCHG/2

Person raising the objection by way of written submission: Anita Sharma
10 Sutton Street, Redcliffe Qld 4020

Date of Submission: 8th October 2019

I raise the following objections to the proposed development:

1. **Overshadowing/loss of light/breeze and visual bulk of the building:**

The height of the building proposed development is significantly higher than the current maximum height of as per the Council's regulations. The proposed plan shows that the proposed development will be at least 1.18 metres more than that is allowed under the regulations. There are a number of residential homes in the area that are only single or double storey height. This proposed complex will overshadow the properties around the area, in particular my property at 10 Sutton Street.

The proposed height will also cause a loss of breeze which we enjoy at the moment.

If the extended height of the proposed complex will be walled all around with a roof which the current plan shows this will definitely overshadow the surrounding properties.

The proposed plan suggests that the amendment sought with the height of the complex "*will continue to be read as 9 storeys like the majority of multi- storey developments within the vicinity of the site*".

The height and sitting of the proposed construction will have an impact on the neighbouring properties and dominate the feel of the open-ness of the area in the neighbourhood. This building will not integrate with the street and surrounding neighbourhood.

It is recommended that the proposed complex is reduced in height and that there be increase in setbacks from the surrounding properties. I have raised this objection previously and suggested that the increment in the setback from my property to be increased to 4 metres. This setback is important for the next objection as well.

2. **Overlooking/ loss of privacy/Noise:**

The proposed height and current proximity to the side boundary of 10 Sutton Street will have an effect on my privacy. There will be a great deal of overlooking as I do have big windows on the side of the house and also the noise coming from the number of units proposed will be intolerable.

ITEM 2.1 DA/33296/2016/VCHC/2 - CHANGE (OTHER) APPLICATION - MATERIAL CHANGE OF USE - DEVELOPMENT PERMIT FOR MULTIPLE DWELING (26 DWELLINGS), LOCATED AT 4-8 SUTTON STREET, REDCLIFFE - DIV 6 - A19297723

3. **Car Park in the Proposed Plan:**

This is of great concern to me and the owners of adjoining properties. The number of car parks (50plus from the plan) plus visiting cars will greatly pollute the surrounding air from fumes emitted from the cars.

The proposed plan dedicates floors 1 and 2 to parking. The total height of these 2 levels is about the same as my property. There are several large windows on this side of my property which will be directly adjacent to the parking levels of the proposed complex. I will lose the use of these windows in the main living, kitchen and lounge areas of my house should the proposed car park be built as per plan.

Not only am I concerned about the fumes which will definitely enter the living areas and bedrooms of my property but also the noise and light disturbance from the cars in the car park of the proposed complex.

As previously stated in my objections there is only one way in and out of Sutton street is via Sutton Street. There are no other streets which will assist the proposed plan in reducing on street parking as this area of Redcliffe already has issues with cars being parked right in front of our properties on Sutton Street at all hours and I often do not have any visitor car parking at all on the street. In case of an emergency it is very difficult to get either a fire brigade or an ambulance close to my property. This issue I have already raised with Council previously.

It is recommended that the car parks be fully enclosed by concrete walls all around and the fence be at least 1.8 to 2 metres high on this side of the property. By fully enclosed car park levels it must be ensured that fumes do not come out of extraction fans on to the side of my property at 10 Sutton Street.

4. **Refuse Storage:**

Current plan shows that refuse storage is against the boundary of 10 Sutton Street. Refuse storage on my side of the property is unacceptable as I do have large windows which will make it very uncomfortable to use these windows for fresh air.

It is recommended that the storage be removed from this side or be completely enclosed so that the odour and sight of the refuse does not affect the quality of living enjoyed currently.

5. **Extreme Concern:**

When the footing of my property was being excavated I was advised by the builder that there was water just after digging up to a metre deep. I have been advised by the owner of 9 Marine Parade (Mr David Tyler, a builder himself and his property is right behind the proposed site) that the footing of his house has a depth of 4 metres and in some areas about 13 metres.

ITEM 2.1 DA/33296/2016/VCHC/2 - CHANGE (OTHER) APPLICATION - MATERIAL CHANGE OF USE - DEVELOPMENT PERMIT FOR MULTIPLE DWELING (26 DWELLINGS), LOCATED AT 4-8 SUTTON STREET, REDCLIFFE - DIV 6 - A19297723

He has advised that he had to have about 62 screw piles all around the footing to hold the house which is a standard concrete slab and double brick 3 storey building weighing about 750 tonnes. He tells me that this method of footing was necessary due to the quality of the soil. There used to be a creek that ran off behind my property and the adjoining properties and passes directly on the proposed site. Undoubtedly the proposed complex will face similar issues with respect to the foundation.

As the proposed building is a huge complex and should the engineer's report advice that a similar method be utilised as Mr Tyler's property, there would be very deep drilling at the initial stage and for a prolonged period of time . This can adversely affect the structure of my property due to the development being in such close proximity to my property.

My property experienced a lot of rattling of windows when the huge complex at 12 Sutton Street was being constructed. That building is a block away from my property.

I have no option but to get before (already done) and after Dilapidation Reports and I hereby notify that should there be any structural damage to my property I will not hesitate to take immediate legal action.

I would appreciate if the Engineer's Report of the proposed complex is put online as soon as possible. Please could a notification be sent to me so that I may access it.

9. **Inconvenience during building:**

I and my family members work from home . The noise, dust and disturbance will adversely affect our livelihood. We may have to accommodate elsewhere during office hours. Should this occur we will be seeking costs of re-location and ongoing operational costs of working away from our usual work place at 10 Sutton Street, Redcliffe.

We need to be satisfied that there will be minimal inconvenience.

Whilst I am in favour of any new developments in our area that is sympathetic to the needs, concerns and rights of the neighbouring properties, further action will be taken should any of my objections not receive appropriate response prior to the commencement of the proposed building.

I am happy to discuss any of the issues raised in this list of objections to come to a mutually agreeable solution. Please note that I will be out of the country between 27th October to 31 December 2019).

Please note that I appoint Abhishek Sharma (mob: 0416 881 018) of 10 Sutton Street, to represent me in my absence.

Thanking you.

Anita Sharma

Moreton Bay Regional Council

GENERAL MEETING - 496
26 November 2019

PAGE 83
Agenda

ITEM 2.1 DA/33296/2016/VCHC/2 - CHANGE (OTHER) APPLICATION - MATERIAL CHANGE OF USE - DEVELOPMENT PERMIT FOR MULTIPLE DWELING (26 DWELLINGS), LOCATED AT 4-8 SUTTON STREET, REDCLIFFE - DIV 6 - A19297723

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MORETON BAY
REGIONAL COUNCIL

11 OCT 2019

CABOOLTURE CUSTOMER
SERVICE CENTRE

From David Daly

To mrbc@moretonbay.qld.gov

Dear officer,

Please find attached submission made to DA/33296/2016/VCHG/2 lodged for 4-8 Sutton Street.

Kind Regards,

David Daly and Family 2 Sutton Street Redcliffe Qld 4020. Mobile - 0478056437

Edith Daly 7 Yaldara Street Carseldine Qld 4034. Mobile 0404902381

Michael Daly 7 Yaldara Street Carseldine Qld 4034 Mobile 0417075284

[Handwritten signatures and dates]
11-10-19
11-10-19
11-10-19

Objection to
Development
Ath Amy White.
Plan & Dev.

Moreton Bay Regional Council
RECORDS MANAGEMENT
11 OCT 2019
OBJ ID: _____

ITEM 2.1 DA/33296/2016/VCHC/2 - CHANGE (OTHER) APPLICATION - MATERIAL CHANGE OF USE - DEVELOPMENT PERMIT FOR MULTIPLE DWELING (26 DWELLINGS), LOCATED AT 4-8 SUTTON STREET, REDCLIFFE - DIV 6 - A19297723

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Development Address: 4, 6 & 8 Sutton Street, Redcliffe 4020.

Application reference DA/33296/2016/VCHG/2

Name and address of persons making the submission: David Daly and Family 2 Sutton Street Redcliffe Qld 4020. Edith Daly 7 Yaldara Street Carseldine Qld 4034. Michael Daly 7 Yaldara Street Carseldine Qld 4034

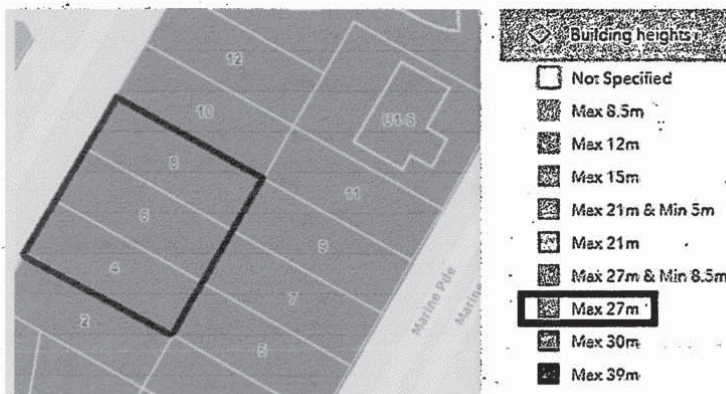
Grounds for submission: exceeds maximum building height; insufficient car parking spaces; insufficient distance to boundary; reduction of life quality due to blocking sunlight, air circulation, fumes, lights and noise disturbance.

As underlined in this submission our property at 2 Sutton Street will be greatly affected.

Objection to Excessive Building Height:

We request that the building height for the development does not exceed the maximum permissible building height of 27 meters.

We have a strong objection to the building height of the development proposed at 4-8 Sutton street being **28.18 metres**, which is significantly higher than the maximum building height of **27 metres** as per the town plan, as in the below image. We believe that the council height is already too high for a residential suburb with the nature of low-density dwellings, and we strongly believe that the council should not approve heights in excess of that they have accounted for in their plan.



We have objection to the following claim in the submission report:

"The additional height is limited to just over 1m (28.180m) and would not alter the general appearance of the building or noticeably alter shadows cast by the building, with an alternative roof design proposed. The change shall therefore have no impact on adjoining properties in terms of loss of amenity. A comparative shadow analysis is provided within the architectural plans prepared by Think Tank Architects."

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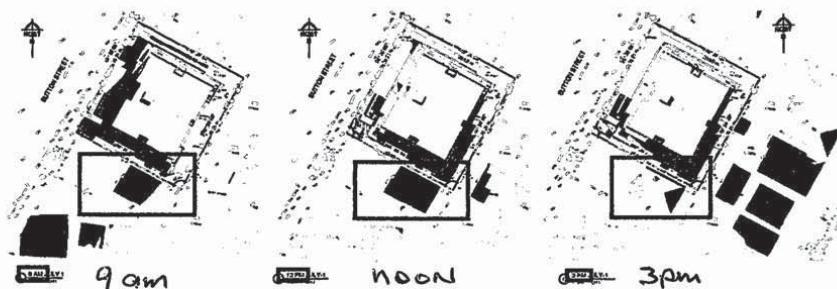
We think that an increase of more than a metre past the allowable maximum height—and council places these maximums for a reason—will, in fact, be **very detrimental to the quality of life** of the adjoining buildings.

The submission did not consider the additional **loss of privacy** that elevating the topmost floor of the development would have on the adjoining houses; with this increased height, which will be even harder to protect against with foliage, the upper floors will have direct view into the back yards of all adjoining buildings (especially those to its east side). This increased lack of privacy will reduce out quality of life even more.

Secondly, the additional shadows incurred by the building of an additional metre will have a detrimental effect to the gardens of the residents of adjoining houses. While it might not look like much on paper, the increased shadow will render it incapable of growing several plant species. Furthermore, it will considerably reduce the amount of sunlit time we can experience on our backyards which, especially during the cold winter season, is considered a **significant loss of amenity**.

Excessive effect of building height on No2 Sutton Street. The close boundary to the southern side (around 2 metres) and having such a huge structure—now increased by an additional metre—will significantly reduce quality of life for our family at 2 Sutton Street due to claustrophobic feelings, lack of space, and reduced ventilation and light.

As can be seen in the shadow illustration of the proposed plans (page 8), the proposed building will cast shadows on the 2 Sutton Street for the entirety of the day (from at least 9am to at least 3pm)—it will perpetually lose sunlight. This, combined with the closeness of the proposed building to it, will mean that it will be unhealthily dark inside. This is a significant health detriment, considering the necessity of the human body to sunlight.



Furthermore, we have issue with the following:

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Given character of surrounding neighbourhood and, in particular, the street, are two- and three story low-density residential buildings, this would not integrate with the street and surrounding neighbourhood. This is clearly evident in the structure towering over existing buildings and amenities. Increasing the height will compound this problem even more.

It is in the interest of council to make sure the neighbourhood looks integrated and allowing a building of this height will be in detriment to the goal and enjoyment of everyone.

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Similarly, the fact that only one car parking space has been provided for each two-bedroom unit is insufficient due to the majority of couples and families having two or more cars.

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The majority of Australians have two (2) motor vehicles (36.2%), and a good proportion (18%) have three (3) vehicles. Furthermore, as can be seen in the comparison to the 2011 census data, the trend of increased motor vehicles is increasing—the number of families with one motor vehicle is decreasing, and the proportion of families with 2 and, particularly, 3 vehicles has increased.

This means that in providing just one carparking space for two-bedroom units, and an average of one (i.e. less than two) car parking spaces per three-bedroom unit is critically insufficient.

As the amount of car parking provided has not changed to accommodate these larger families and their additional cars, we believe this will lead occupants to park on Sutton Street. This will dramatically increase congestion on an already-narrow road and reduce the quality of life for current residents due to noise and exhaust fumes.

In view of this fact that No 2 Sutton Street is the closest neighbour to the proposed building it is evident that these problems will be particularly significant.

ITEM 2.1 DA/33296/2016/VCHC/2 - CHANGE (OTHER) APPLICATION - MATERIAL CHANGE OF USE - DEVELOPMENT PERMIT FOR MULTIPLE DWELING (26 DWELLINGS), LOCATED AT 4-8 SUTTON STREET, REDCLIFFE - DIV 6 - A19297723

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There is the exacerbation of the overcrowding problem of cars that already exists on Sutton Street. Due to the number of large, multi-residential developments located on the street, there is a pre-existing problem of overcrowding; the residents of these apartment buildings, possessing more than the one car that is provided for, are forced to park it in a street that is not built to accommodate such extensive use. Clearly, the addition of another multiple-residence building in which parking is insufficient will only further burden the street, and this problem will spread to surrounding streets as Sutton Street becomes overcrowded. You will appreciate that this, as well as being an unfair externality, will be unsustainable as Redcliffe's population further expands.

Concerning insufficient parking requirements, we further present the issue of the safety of the residents' vehicles. As you may be aware, there have been a number of instances of vandalism to vehicles parked on the street. In accordance with the unavoidable situation of on-street parking outlined above, there is a high likelihood that such an activity, happening again, will target the vehicles of the residents. To avoid this, we propose that the number of street-parked vehicles is minimised, where possible, through appropriate allowances in developments.

This is the same for the reduction of visitor bays provided from five (5) in the previous application to four (4) in the current application. It is not possible that increasing the size of units provided, and accordingly the amount of people expected to occupy them, would also work with reducing the amount of visitor parking spaces provided. They will just have to park on the street which compounds the problem of congestion, noise and fumes as outlined above.

In summary, we suggest that the development is reassessed in terms of its likely neighbourhood impact to account for the situation that happens in real life. We also suggest that, in order to maintain the progressive and sustainable nature of Moreton Bay, a thorough review of the minimum parking requirements for multiple dwellings is carried out.

Finally, we appreciate that the car park has been enclosed on its sides, as this will reduce some of the issues arising from the fume, sound and light nuisance from the cars. However, considering the considerable health risks associated with fumes from the cars, we would like to ask that appropriate ventilation of the car park is also installed. Depending on the material of the enclosing wall, this will divert any remnant emissions that may still persist.

Objection to Closeness of the Structure to Boundary of No 2 Sutton Street.

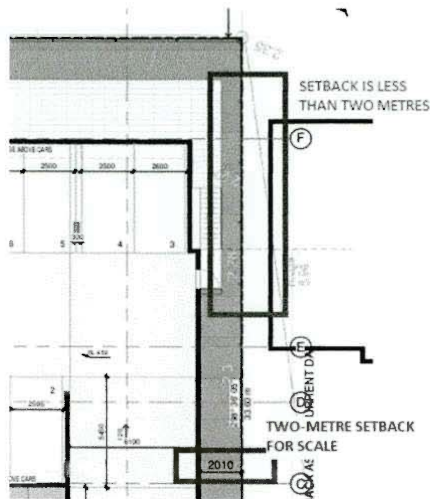
We request that the setback between the proposed building OMP and the house at 2 Sutton Street be increased to four meters.

We protest the inclusion of the deck. Whilst we understand the desire to accommodate outdoor spaces, the height of it above ground (1.5 metres as scaled from the plans) may severely impact our privacy, as from that height anyone on it will be able to see over the fence into our and our neighbours' backyards. Furthermore, its distance from the southern boundary, a single metre, is too close a structure to the existing house, which will be a further source of overbearing.

ITEM 2.1 DA/33296/2016/VCHC/2 - CHANGE (OTHER) APPLICATION - MATERIAL CHANGE OF USE - DEVELOPMENT PERMIT FOR MULTIPLE DWELING (26 DWELLINGS), LOCATED AT 4-8 SUTTON STREET, REDCLIFFE - DIV 6 - A19297723

Scanned By:NaomiSteel@MBRCDOM On: 14/10/2019 AM Moreton Bay Regional Council

Observe the insufficiency of this structure in the below plans:



This position of the deck is, furthermore, inappropriate considering the minimum applied setback is two metres.

Therefore, on the basis of privacy concerns and inappropriate extrapolation of structures beyond permissible boundaries, we ask for its removal from the proposed plans.

We appreciate the time you have taken to read and acknowledge our comments. As residents who are dedicated to keeping Redcliffe a sustainable seaside district, we urge that you consider our comments.

David Daly and Family 2 Sutton Street Redcliffe Qld 4020.

Edith Daly 7 Yaldara Street Carseldine Qld 4034.

Michael Daly 7 Yaldara Street Carseldine Qld 4034

10/10/2019

Edith Daly 11-10-19
Michael Daly 11-10-19
David Daly 11-10-19

ITEM 2.2

PROPOSED THE MILL AT MORETON BAY GUIDANCE MATERIAL: DRAFT PUBLIC ART GUIDELINES AND PUBLIC CONSULTATION - DIVISION 7

Meeting / Session: 2 PLANNING & DEVELOPMENT
Reference: A19296686 : 4 November 2019 - **Refer Supporting Information A19364093**
Responsible Officer: NS, Coordinator Community & Cultural Programs (CES Community Services, Sport & Recreation)

Executive Summary

The purpose of this report is to seek Council's approval to commence public consultation on "The Mill at Moreton Bay: *(Draft) Public Art Guidelines*".

OFFICER'S RECOMMENDATION

That the Chief Executive Officer be authorised to commence public consultation (as described in this report) on "The Mill at Moreton Bay: *(Draft) Public Art Guidelines*" annexed at Supporting Information #1.

ITEM 2.2 PROPOSED THE MILL AT MORETON BAY GUIDANCE MATERIAL: DRAFT PUBLIC ART GUIDELINES AND PUBLIC CONSULTATION - DIVISION 7 - A19296686 (Cont.)

REPORT DETAIL

1. Background

The Mill Priority Development Area's (PDA) Development Scheme (DS) commenced on 18 August 2017. The DS identifies that public art that is appropriate to the origins, history and character of the area will contribute to the uniqueness and richness of The Mill.

The DS includes specific allowance for the making of 'Guidance Material', and the following action is included in the document's 'Implementation Strategy':

Strategy 4.6. Action 2

"Develop additional guidance material as needed to assist in communicating the criteria within the development scheme (for example street profiles and cross sections)."

Officers have developed The Mill 'Draft Streetscape Guidelines' and 'Draft Civic Space and Park Guidelines', for the Mill Central and part of the Mill Green, to provide more detail on achieving exemplary urban, streetscape, civic space, and park design. These draft guidelines illustrate where public art is required, however provide no further guidance in relation to the types of public art to be delivered or the overall outcomes sought.

Accordingly, draft Public Art Guidelines for The Mill at Moreton Bay Priority Development Area (PDA) have been developed to assist in communicating the vision and requirements of public art to developers, relevant contractors (such as urban planners, architects, landscape architects, artists and designers), and set expectations for the community. Council's Development Services team will use the guidelines as an assessment resource, providing further detail to the Mill PDA Criteria.

Officers seek Council approval to commence public consultation on the draft guidelines as provided in Supporting Information #1, adopting a similar process for making or amending Planning Scheme Policies under the Minister's Guidelines and Rules.

2. Explanation of Item

The draft guidelines will support the DS in delivering high-quality public art outcomes across The Mill PDA area, and enable Council to influence the type and character of public art commissions delivered by developers and other parties at The Mill. The draft guidelines will do this by, amongst other things, communicating the vision for public art at The Mill, the curatorial rationale and themes to be utilised in artwork commissions, and the assessment and approval processes for public art projects.

Whilst the *Economic Development Act 2012* provides no guidance on public notification processes for the making of guidance material, the Guidelines will operate in a similar manner to a Planning Scheme Policy under the *Planning Act 2016* - in that it will support the operation of the Development Scheme. Accordingly, it is proposed that the guidelines be publicly notified using a similar process for making or amending Planning Scheme Policies under the Minister's Guidelines and Rules. This will involve:

- publishing the proposed draft guidelines on the Council's website; and
- publishing, at least once in a newspaper circulating in the area of the relevant local government, a notice—
 - (i) stating that the proposed draft guidelines are published on the Council's website and available for inspection at Council's Strathpine and Caboolture offices; and
 - (ii) inviting persons to make submissions, within a period of at least 20 business days, about the proposed draft guidelines.

Officers propose extended consultation dates of Friday 29 November 2019 to Wednesday 29 January 2020.

Feedback/ submissions will be considered by Council following the consultation period, before final adoption of the guidelines.

ITEM 2.2 PROPOSED THE MILL AT MORETON BAY GUIDANCE MATERIAL: DRAFT PUBLIC ART GUIDELINES AND PUBLIC CONSULTATION - DIVISION 7 - A19296686 (Cont.)

3. Strategic Implications

3.1 Legislative / Legal Implications Nil identified

3.2 Corporate Plan / Operational Plan
Creating Opportunities: Well-planned growth - a sustainable and well-planned community.

3.3 Policy Implications
The draft guidelines will provide clarity and further detail to implement the DS.

3.4 Risk Management Implications
Providing guidance material for the PDA reduces the risk of inappropriate and poor quality public art outcomes.

3.5 Delegated Authority Implications Nil identified

3.6 Financial Implications
The consultation costs of the proposed draft guidelines are provided for in the current budget.

3.7 Economic Benefit Implications
The draft guidelines provide further detail to support the DS, which promotes economic benefits to the region. The potential economic benefits of public art at The Mill include, but are not limited to:

- Attracting investment and business; and
- Creating a cultural tourism destination.

3.8 Environmental Implications
The draft guidelines provide further detail to support the DS, which promotes environmental benefits.

3.9 Social Implications
The draft guidelines provide further detail to support the DS, which promotes positive social outcomes.

The potential social benefits of public art at The Mill include:

- Creating a strong cultural identity;
- Creating a sense of place;
- Animating public spaces and places;
- Celebrating community cultures; and
- Responding to the area's Aboriginal and historic heritage.

3.10 Consultation / Communication
The draft guidelines have been informed by public art consultancy *CreativeMove* who were engaged to research the historical, cultural, social and environmental context of the location and to recommend curatorial themes, artwork opportunities, and planning and management arrangements for public art throughout the PDA.

Internal and external stakeholders, including Kabi Kabi First Nation Traditional Owners Native Title Claim Group, were consulted throughout the research phase.

Internal stakeholders, including Development Services and Strategic Planning, provided expert advice that informed the development of the draft guidelines.

The draft guidelines are now proposed to go on public consultation for community feedback.

SUPPORTING INFORMATION

Ref: [A19364093](#)

The following list of supporting information is provided for:

ITEM 2.2

**PROPOSED THE MILL AT MORETON BAY GUIDANCE MATERIAL: DRAFT PUBLIC ART
GUIDELINES AND PUBLIC CONSULTATION - DIVISION 7**

#1 The Mill at Moreton Bay Public Art Guidelines

ITEM 2.2 PROPOSED THE MILL AT MORETON BAY GUIDANCE MATERIAL: DRAFT PUBLIC ART GUIDELINES AND PUBLIC CONSULTATION - DIVISION 7 - A19296686 (Cont.)

#1 The Mill at Moreton Bay Public Art Guidelines



DRAFT



**The Mill at Moreton Bay
Public Art Guidelines**

Revision 2.0
Issued 29 October 2019

Report Authors and Contributors

Author Moreton Bay Regional Council (Strategic Planning and Economic Development)

Contributor

Archipelago'

Reviewed by the Mill Design Review Panel

ITEM 2.2 PROPOSED THE MILL AT MORETON BAY GUIDANCE MATERIAL: DRAFT PUBLIC ART GUIDELINES AND PUBLIC CONSULTATION - DIVISION 7 - A19296686 (Cont.)

DRAFT

CONTENTS

1. INTRODUCTION	1
1.1 Relationship to the Development Scheme	1
1.2 Relationship to the Moreton Bay Regional Council Planning Scheme	1
2. WHAT IS PUBLIC ART?	2
2.1 Types of Public Art	2
2.2 Examples of public art in the private realm	4
3. WHY INCLUDE PUBLIC ART	5
4. COMMISSIONING PUBLIC ART	5
5. DEVELOPING THE BRIEF	6
6. PUBLIC ART VISION	7
6.1 Public art objectives	7
6.2 Public art design principles	7
7. CURATORIAL RATIONAL	8
8. CURATORIAL THEMES	9
9. FRAMEWORK FOR DEVELOPERS	10
9.1 Commissioning models	10
9.2 Managing artwork commissions	10
10. APPROVING A PROPOSED ART SUBMISSION	11
11. GLOSSARY	12
APPENDIX A	13
A. STANDARD ARTWORK COMMISSIONING METHODOLOGY	14

DRAFT THE MILL

1. INTRODUCTION

The Mill Priority Development Area (PDA) aims to be a world-class destination, as such its design and planning must be exemplary.

These Public Art Guidelines have been produced to assist in the delivery of The Mill at Moreton Bay Priority Development Area (PDA) vision. The PDA vision being for an active and embellished public realm delivering high quality landscape and urban design outcomes.

These guidelines are provided to communicate the vision and public art requirements to developers and relevant consultants such as urban planners, architects, landscape architects, artists and designers.

These guidelines also set expectations for the community in terms of the theming, form and location of public art at The Mill.

They assist the design, planning and assessment of civic spaces, streetscapes and parks within the PDA.

These guidelines provide developers and designers with a clear indication of the outcomes that are desired.

These guidelines will be utilised by Moreton Bay Regional Council (MBRC) as the Minister Economic Development Queensland (MEDQ) delegate in the assessment of public art proposals in the PDA. They will also be consulted by the Design Review Panel (DRP) in its role of providing specific design advice for development propositions.

These guidelines provide clarity to investors and the community on the quality of the public artwork to be included in the PDA.

The standards set out in these guidelines are intended to provide a degree of certainty and clarity of interpretation of the *Development Scheme*. Notwithstanding this intention, as guidelines are not statutory obligations, they are to be afforded some flexibility in application.

Proponents may therefore propose innovative and alternative solutions that demonstrate achievement of the PDA vision, relevant structural elements, PDA-wide criteria and place provisions in the *Development Scheme*.

These guidelines are an evolving document expected to be revised from time to time to reflect new findings or recommendations prompted by further PDA planning work and on-going review of development outcomes achieved across the PDA.

The Mill Public Art Guidelines are a companion to The Mill Civic Space and Park Guidelines, Mill Streetscape Guidelines, and other future Mill Guidelines and as such a holistic approach is to be adopted in their application to specific opportunities

1.1 RELATIONSHIP TO THE DEVELOPMENT SCHEME

The Mill Public Art Guidelines are 'guidance material' and are to be taken into account in the preparation and assessment of PDA development applications in accordance with sections 2.1.3, 2.2.2 and 2.6 of the *Development Scheme*.

These guidelines are required by the *Development Scheme's* Implementation Strategy to support the achievement of the vision for the Mill. The relevant Implementation Strategy action is:

4.6 Action 2. Develop additional guidance material as needed to assist in communicating the criteria within the development scheme (for example street profiles and cross sections).

As per the Implementation Strategy, these guidelines will assist in communicating the *Development Scheme* criteria.

1.2 RELATIONSHIP TO THE MORETON BAY REGIONAL COUNCIL PLANNING SCHEME

The Moreton Bay Regional Council Planning Scheme is also 'guidance material' and where relevant is taken into account in the preparation and assessment of PDA development applications (refer to section 2.2.12 of the *Development Scheme*).

Where these guidelines contain variations to aspects of the planning scheme, these guidelines prevail.

THE MILL DRAFT

2. WHAT IS PUBLIC ART?

Public art refers to contemporary art practice that occurs outside of the traditional gallery or museum system. It is art in any visual media that has been planned and executed with the intention of being staged in the public domain, usually outside and accessible to all.

The public domain refers to both indoor and outdoor spaces and includes the natural and built environment used by the general public on a day-to-day basis such as streets, plazas, parks, and public infrastructure.

Some aspects of privately owned space also contribute to the look and feel of the public realm within a place. These may include:

- the articulation, bulk and scale of buildings;
- courtyards and building entries that are traversed by the public; or
- gardens that are visible from the public realm.

While monuments, memorials and civic statues are some of the oldest forms of public art, contemporary public art practice is a much wider practice in which site specificity, community involvement and collaboration are key as is the relationship between the content and audience.

Public artworks can be located in, or form part of:

- building developments;
- public open space;
- private space that is physically or visually accessible to the public;
- streetscapes; and
- transport or utility networks.

Public art may be permanent, temporary or ephemeral. It should not be seen in isolation but in the context of its adjacent buildings, their uses and its location in a wider network of public and private space.

2.1 TYPES OF PUBLIC ART

The descriptors that follow indicate the diversity of approaches to public art projects. Public art does not need to fall into a single type, it is common for art to cross between one or more types. For example a piece of functional art can also be classified as iconic, equally an interpretive piece of art can also be site specific.

Digital

Examples of digital public artworks include video played on an outdoor screen, or computer-generated imagery (CGI) projected directly onto the surface of a building. Digital artwork can also include elements of sound or light.

Kinetic

A kinetic artwork is one that moves in some way.

Functional

Where the primary purpose of the element is utilitarian such as seating, lighting, bollards, rubbish bins, bike racks, shelters and paving. These can vary in form, scale or quantity, dependent on the location and artist aspiration. Functional works can reinforce a design aesthetic or thematic concern and be playful, delightful or sophisticated.

Commemorative

A commemorative artwork is located at a focal point within the landscape or architectural design location that draws attention to historical events, persons, or places of significance. A commemorative opportunity may be a stand-alone form or a collection of elements, is mostly medium to large scale, and are generally built from elements designed to endure.

Landmark/Way finding

A landmark/wayfinding artwork is one sited within a key location, often within a place of historical or geographical significance, and with high traffic volume. The landmark opportunity may lend itself to a large-scale, stand-alone form, while a wayfinding opportunity is located along a journey or pathway often within direct or indirect sightlines. This may serve the dual purpose of being both an artwork and a directional indicator, and may be of variable form, quantity, and scale.

Site specific

Designed specifically for and in response to a particular site through scale, material, form and concept.

Interactive

An interactive artwork offers audience engagement as part of its character and function. Examples of these artworks include play-based sculptural elements (in a public park or playground), and digital interactivity, where viewers may take their own journey through the artwork layers.

Integrated

Works that are fully incorporated within the design of the built or natural environment. It may be the facade of a building, be constructed within and/or be of importance to the architectural framework. It may also add meaning, aesthetic importance or itself be a feature within a space either indoor or outdoor.

Interpretive

Where the primary purpose is to describe, educate and comment on issues, events or situations. It generally has relevance to the area in which it is sited, and adds a layer of cultural memory over the place.

Temporary

Temporary public artwork has a predetermined lifetime that can range anywhere between a few hours to several years. Examples can include installations, projections and performances created for public space.

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Figure 1. Example of digital art
Night Life
Artist: James Turrell
Image courtesy of QAGOMA



Figure 2. Example of functional art
XXX Times Square with Love
Artist: J.Mayer H.Und Partners
Image courtesy of Rob Kassabian & Marsha Ginsberg for Times Square Arts and UAP



Figure 3. Example of landmark scale art
Air sea and land, curated by Justkids
Artist: Okuda San Miguel
Image courtesy of Justkids



Figure 4. Example of integrated art
The sound That light makes
Artist: Alexander Knox and Canhui Chen
Image courtesy of UAP.



Figure 5. Example of interpretive art
Interpretive artwork on the Noarlunga Downs Wetland Trail
Image courtesy of www.walking.sa.gov.au



Figure 6. Example of temporary art
Trail of Tears, curated by Justkids
Artist: D*FACE
Image courtesy of Justkids

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2.2 EXAMPLES OF PUBLIC ART IN THE PRIVATE REALM

Inclusion of public art within private development can be used as a marketing tool and placemaking element. It can change the way people think about a building and the way people pass through a commercial precinct.



Figure 7. Rainbow mille-feuille Tokyo, by artist Emmanuelle Moureaux. This commercial building is offset 2m from the property line to allow for the installation of 48 coloured sticks on both sides of the glazed facade. Image courtesy of Daisuke SHIMA



Figure 8. "I see what you mean" Denver, Colorado by Artist Lawrence Argent. Peering into the cities convention centre, the sculpture embodies the curiosity that a passerby might feel. Creating an attraction in its own right.

Image courtesy of Argent studio.



Figure 10. Darling one construction hoarding, Sydney by artist Karan Singh. Hoarding illustrations were designed for the Lendlease project to bring a vibrant and enticing attraction to what is typically seen as plain hoarding structures.

Image courtesy of Houston Group



Figure 9. "Harmonic Convergence", Miami International Airport, Miami, FLA- ©2012, PhenomenArts, Inc., Christopher Janney, Artistic Director. Integrated into the station terminal, the work is composed of 132 shades of transparent color with accompanying sound-score. The artwork uses video sensors to track pedestrian movement within the space and influence the sound-score.

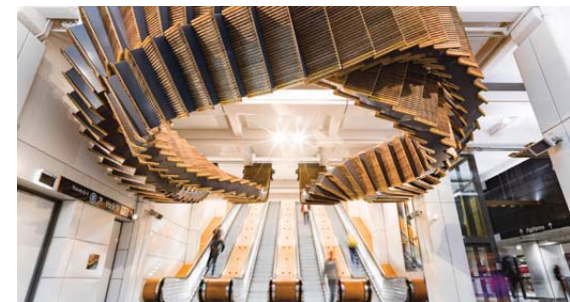


Figure 11. Interloop, Wynard Station Sydney by artist Chris Fox. Internal to the trainstation. The sculpture uses remnant pieces of the original train station as a dynamic signifier of Sydneys past enriching the history of the site.

Image Image courtesy of Josh Raymond, chrisfox.com.au

DRAFT THE MILL

3. WHY INCLUDE PUBLIC ART

Public art is used to enhance an environment and enrich the experience of being in a place. The inclusion of public art in the Mill will enhance the way people engage with each development by creating focal reference points in the region that encourage people to engage with their surroundings.

Works of art can become familiar features that help to cultivate community identity and support way-finding. This will add to the evolving community's sense of place by providing an opportunity to understand and reflect upon the Mills past, present and future.

Developers and contractors are to consider public art opportunities early in the design process to evaluate site influences, implications and restrictions that may be imposed by the site and the expectations of the future audience.

4. COMMISSIONING PUBLIC ART

Every commissioning opportunity is different and the act of commissioning requires some adaptability to each site's unique circumstances.

Commissioning public art will involve contracting professional and recognised local, national, or international artists to produce permanent or temporary site-specific work.

The commissioning process begins by developing an artist brief. The brief is to be open and inspiring to allow space for creativity, time for research and development of ideas. It needs to be clear and set well defined and realistic ambitions.

Selecting the right artist for each job significantly influences the success of each project and, the selection process may vary depending on the procurement model. This is described more in section 9.1.

Art in the public and private domain can be realised through:

MBRC developments

Designated MBRC sponsored temporary or permanent capital works projects for the purposes of civic enhancement.

Private developments

Private developers are encouraged to integrate public art within their developments to express their commitment and contribution to the development of this vibrant precinct.

This can be achieved by using design consultants that will develop designs that are cognisant and respectful of the sites heritage and environmental context. It should also be future focused and consider the potential to help shape the built form into precincts, communities and places of a human scale that people enjoy living, learning and working in.

This may also be achieved by commissioning public art.

Community cultural developments

Where public art projects are developed and managed by community organisations or led by MBRC.

Transport authorities and service providers

Where high quality urban design outcomes are integrated within infrastructure elements. This could include but is not limited to facade treatments to bus stops and substations, bridge design, design of smart city infrastructure and artistic embellishments to traffic signal boxes and service pit lids.

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5. DEVELOPING THE BRIEF

The artist brief is a written document that provides relevant information on the artwork to be commissioned. The brief should set the vision, direction and scope of the commission whilst remaining flexible enough to allow for a creative response.

Different parties may be involved in developing the brief including art curators, artists, architects, landscape architects, community members and any other professions and individuals with a passion for artistic expression.

Developers and contractors may wish to engage an art curator to help develop the brief and manage the procurement of the public artwork commission. This is discussed further in section 9.2.

The brief is generally considered a formal document and contents may include the following:

- identity of the person/group in charge;
- project details including background information on the community, the site and project objectives;
- artist submission requirements including details on what is required of the artist at each stage of the selection and creation processes;
- scope of commission, type of work proposed, scale, material constraints and any stylistic preferences;
- budget available for the design concept and fabrication;
- project timeline;
- assessment criteria and selection panel if relevant (described in section 10);
- proposed lifespan of artwork and maintenance; and
- contract conditions.



Figure 12. Example briefing workshop

DRAFT THE MILL

6. PUBLIC ART VISION

To create one of Australia's distinct regional public art collections that creates an innovative urban heart and sustainable climate of life-long public art.

6.1 PUBLIC ART OBJECTIVES

The public art objectives and principles are mechanisms to establish performance expectations of public art and their contribution to realising the PDA-wide criteria and Place Provision criteria identified in the *Development Scheme*.

The following objectives of the public art guideline have been designed to guide developers, relevant contractors such as urban planners, architects, landscape architects, artists and designers in realising the public art vision for The Mill.

1. Use art to contribute to the sense of place

Art theming will invite artists to respond to the heritage of the place; to acknowledge the first inhabitants and share its natural histories, and also evoke the innovation and contemporary aspirations at the heart of The Mill development. Public artworks will be unique, relevant and memorable.

2. To create local landmarks

Inclusion of landmark scale urban art can be used to shape the urban identity of The Mill and improve the visual connection to the surrounding environment.

3. To make streets, open spaces and buildings more distinctive

Using the language of the built form and public realm to express the character of the site will bring cultural meaning, aesthetic quality and uniqueness to the urban space.

4. Use temporary art to create changing experiences.

The use of temporary and ephemeral art can beautify streetscapes and create excitement around new and proposed developments and activate underused sites.

6.2 PUBLIC ART DESIGN PRINCIPLES

The design principles provide guidance for developing projects, shaping briefs, selecting artists and implementing projects. The principles apply equally to all scales of public artwork.

1. High quality design

Artwork to be delivered at The Mill is to be of high quality and artistic merit. This can be achieved by engaging curatorial advisors and well-regarded artists to realise each project vision.

The life cycle of the proposed artwork is to be considered when developing the brief to ensure that the artwork will have creative and physical longevity and on-going relevance to the site.

A maintenance schedule is to be developed and enforced throughout the life of the artwork.

2. Connection to Country

Use public art to acknowledge, uphold and reflect the prior and ongoing connection to Country of local Traditional Custodians – the Kabi Kabi First Nation Traditional Owners Native Title Claim Group ('Kabi Kabi Claimants').

3. Art should be able to be enjoyed and experienced by everyone

Art projects should be developed with a community audience in mind. Art work should engage people of all ages and abilities, and provide an opportunity to explore cultural diversity.

4. Art should relate well to the built and natural environment

Ensure that art work is responsive to climate and environmental issues, be constructed of environmentally aware materials and processes and consider the use of embodied and expended energy in its manufacture and operation.

THE MILL DRAFT

7. CURATORIAL RATIONAL

Paper and cardboard are two elements that have been integral to The Mill site for generations.

The former AMP/Amcor Paper Mill operated on the site for 56 years. The Mill closed in 2013 and now is making way for a health and knowledge precinct. The operations of the Mill are within clear living memory for many residents, a generation of whom will no doubt be somewhat amazed at its re-birth as a university of knowledge and innovation.

In 1948, Herbert Gepp, managing director of Australian Paper Manufacturers Ltd. announced that the company was acquiring land on the Pine River, Petrie, for the establishment of a paper mill which would produce wrapping paper and cardboard. From 1957 until 2013 The Mill did just that, supporting jobs and businesses. But the production of paper at the Mill also caused contamination of the site. As a society and as individuals we are all more acutely aware of our human responsibility to make our activities more sustainable and to minimise our contamination of the environment which sustains us all in the end.

There is now considerable emphasis on recycling of paper (pioneered at the Mill) and much of what we use today had already been recycled to increase its sustainable use on the planet. Paper remains an important and valuable commodity in both the local and global market.

Paper and cardboard have also remained consistently important to a range of both traditional and contemporary artists for its artmaking capabilities as both a material to draw and paint on and a substance to manipulate - folding, gluing, cutting - to make into sculptures, artists books and a variety of other uses. It is also universally seen as a suitable artmaking material for children due to its affordability and less precious nature for experimentation. Consequently, it is a broadly democratic and inclusive medium of art practice for all ages and cultures.

Paper and the environment are key platforms for The Mill to be recognised, explored and celebrated. Together they imply **unfolding futures in a new millennium.**



Figure 13. Example of riparian themed art work. Image courtesy of duo decorative screens



8. CURATORIAL THEMES

Curatorial themes

MBRC has identified four curatorial themes to inform the development of artwork across the site and to assist in the selection of artwork type, artist/s and artwork.

These themes have been established by acknowledging and recognising the sites geology and natural environment, the Traditional Custodians and their connection to Country, post contact European settlement, and contemporary and future Australian society.

Table 3: Proposed curatorial themes

Caring for Country: Riparian zone	The next Mill (ennium)	Gathering through time and place	An outdoor pharmacy
<ul style="list-style-type: none"> ▪ Fragile ecology 	<ul style="list-style-type: none"> ▪ Digital connectivity 	<ul style="list-style-type: none"> ▪ Collective approaches 	<ul style="list-style-type: none"> ▪ Bush medicine
<ul style="list-style-type: none"> ▪ Environmental sustainability 	<ul style="list-style-type: none"> ▪ Smart technology 	<ul style="list-style-type: none"> ▪ A gathering place - from Aboriginal people coming together for ceremonies and the Mill attracting workers to the region, to the new learning and innovation industries that will attract people into the future. 	<ul style="list-style-type: none"> ▪ Contemporary research and medical achievements
<ul style="list-style-type: none"> ▪ Prior Aboriginal occupation and use of the area 	<ul style="list-style-type: none"> ▪ Ethical, environmental and economic coherence 		<ul style="list-style-type: none"> ▪ Melding artistic research with botanical and scientific endeavours
<ul style="list-style-type: none"> ▪ Ongoing Aboriginal custodianship of Country 	<ul style="list-style-type: none"> ▪ Experimentation 		
<ul style="list-style-type: none"> ▪ Coming together of different landscapes and cultures 	<ul style="list-style-type: none"> ▪ Innovation 		
<ul style="list-style-type: none"> ▪ All Recreation Parks within Mill Central and Mill Green 	<ul style="list-style-type: none"> ▪ Life long learning 		

THE MILL DRAFT

9. FRAMEWORK FOR DEVELOPERS

9.1 COMMISSIONING MODELS

There are several ways to commission artworks and to source artists for public art commissions. The most common methods are 'open competition', 'limited tender', and 'direct commission'. Each method offers benefits and limitations that need to be considered on a case-by-case basis.

Open Competition/Invitation

Open competition is usually adopted as an advertised 'expression of interest' (EOI) and most frequently includes two stages:

- shortlisting a select number of artists from the first round EOI applications and inviting them to further develop their proposal for a design fee; and
- shortlisted artists present their concept to a selection panel who follow a rigorous assessment criteria to select one artist or a team of artists.

Limited Tender

Limited tender involves an artist being sourced from existing arts advocacy organisations' databases and/or through commercial and non-commercial galleries. Several artists may be approached for consideration as an initial 'long-list' and then a shorter list is determined against criteria to contend for the public art commission through a limited competition.

Direct Commission

Direct commission is when artists are approached directly to create work for a public art commission against an approved brief endorsed by the commissioner. The artist in this instance is deemed to be the most suitable person to deliver the public art commission.

Often, public art curators are appointed to undertake the work required for direct commissions. This approach provides clear identification of artist and reasons why, direct negotiation of what is required, uses a curator's expertise (if contracted), and can result in commissions by high-profile artists with a national or international reputation who would only likely respond to the brief if approached directly.

The process is not open in this instance; it relies on high-level knowledge of artists and the expertise of the curator engaged and requires good negotiation skills to execute the commission.

9.2 MANAGING ARTWORK COMMISSIONS

MBRC encourages the appointment of a public art consultant / curator to assist with the commissioning process and ensure high quality, contemporary art outcomes that are consistent with the vision for The Mill.

Some curators have expertise in project management and may also undertake community consultation and stakeholder management, oversee the commissioning process, artwork fabrication, risk assessments, time-frame and budget.

Standard artwork commissioning methodology is attached Appendix A.

DRAFT THE MILL

10. APPROVING A PROPOSED ART SUBMISSION

10.1 DEVELOPMENT APPROVAL PROCESS

Developers are encouraged to discuss public art proposals with MBRC prior to development approval submission. For projects that require Master Planning, are of high significance or impact, Step 1 to 3 should be followed. For other developments, Steps 2 to 3 are to be followed.

It is recommended that the art work commissioning methodology shown in Appendix A is utilised to ensure that the commissions are in line with MBRCs objectives, principles and expectations under the development scheme.

Step 1 - At pre-application stage or during the application process

A public art proposal should be prepared which identifies the scope and rationale of the public art opportunity, the proposed commissioning process, and estimated budget. The proposal will be reviewed by the Design Review Panel Public Art Sub-Committee in line with the public art criteria nominated in 10.2 of this guideline. Any recommendations will be recorded in writing and passed on to the developer for consideration.

Step 2 - MBRC Development application

Public art development is to be included in the finalised development application. Details should include:

- brief statement of design intent and how it relates to the approval criteria;
- a site plan to show where the artwork will be installed;
- concepts/illustrations of proposed artwork showing the relationship to its environment;
- dimensions and materials of proposed artwork; and
- the proposed budget.

MBRC will issue a decision notice that endorses the scheme. MBRC may provide conditions requiring further information prior to endorsement including the provision of a public art report prior to occupation of the development.

Step 3 - Installation of works

A final public art report is required to be submitted prior to the occupation of the development, to satisfy MBRC that the public art criteria has been met.

The report should provide information about the completed work(s) and commissioned artist including images; key details about the fabrication and installation; information regarding ongoing ownership and maintenance.

10.2 PUBLIC ART CRITERIA

Suggested criteria is listed below. This criterion may also be used by the Design Review Panel Public Art Sub-Committee.

1. Artistic merit
 - » The artwork is an original, designed and created by a professional artist/s.
 - » The artwork achieves high standards of excellence and innovation.
 - » The artist/s have previous experience with similar size, scale, budgeted projects and have professional referees.
 - » Artwork is not offensive
2. Alignment with the curatorial framework. The artwork complies and engages with, or interprets the curatorial rationale and themes:
 - » Caring for Country - Riparian zone
 - » The next Mill (ennium): Game changing innovation
 - » Gathering through time and place
 - » An outdoor pharmacy
3. Engagement and accessibility.
 - » The artwork complies with Aboriginal cultural protocols (if relevant)
 - » It is accessible to the public - it can be seen from or is in the public realm - and provides engagement opportunities.
4. Place and site
 - » The art work contributes to an attractive, stimulating and functional environment, and does not detract from the amenity or safety of the public realm.
5. Design life
 - » The artwork complies with relevant policies, Australian standards and building codes.
 - » Materials are durable and there is consideration of maintenance requirements.

ITEM 2.2 PROPOSED THE MILL AT MORETON BAY GUIDANCE MATERIAL: DRAFT PUBLIC ART GUIDELINES AND PUBLIC CONSULTATION - DIVISION 7 - A19296686 (Cont.)

THE MILL DRAFT

11. GLOSSARY

Unless defined below, or in the *Economic Development Act 2012*, or the *Development Scheme*, the MBRC *Planning Scheme* definitions apply to this guideline

Development Scheme	The Mill at Moreton Bay Priority Development Area - Development Scheme (August 2017) - https://www.dsdmip.qld.gov.au/edq/the-mill-at-moreton-bay.html
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ITEM 2.2 PROPOSED THE MILL AT MORETON BAY GUIDANCE MATERIAL: DRAFT PUBLIC ART GUIDELINES AND PUBLIC CONSULTATION - DIVISION 7 - A19296686 (Cont.)

DRAFT

APPENDIX A STANDARD ARTWORK COMMISSIONING METHODOLOGY

THE MILL DRAFT

A. STANDARD ARTWORK COMMISSIONING METHODOLOGY

ARTWORK OPPORTUNITIES REPORT (CURATORIAL RATIONALE, OPPORTUNITIES)

- Identify the project vision and objectives; in particular, how they relate to public art;
- review existing artwork elements in the immediate precinct and surrounds to ascertain context for new commission/s;
- consult with the client and design team to ensure that strategies developed align with the approval criteria
- consult with the project design team to ensure design intent/palette and best artwork siting in relation to key design features and view lines;
- develop a Curatorial Rationale – key themes and conceptual drivers to inform artwork types and artist selection for the project (see section 9); and
- finalise a public art opportunities report or public art proposal for client review. This document may be presented to Council at pre-application stage or during the application process (see section 11.1).

Artist Selection (Identification, Shortlist)

- create a longlist of local, national and international artist suitable for the opportunities;
- present longlist and suggested shortlist of artists to the client and design team for selection;
- liaise with the shortlisted artists regarding project opportunities, programs, budgets and expectations; and
- finalise an Artist Selection Report for client review.

Artwork Commission Brief (Opportunity, Context, Direction)

Create a briefing document that:

- articulates project background, context and curatorial drivers
- outlines artwork opportunity and objectives
- identifies program and budget
- outlines concept design requirements

CONCEPT DESIGN STAGE - (IDEAS, BUDGET, SCALE)

Artist will:

- undertake research and read all briefing material;
- produce a concept for the art opportunity outlined in the briefing document;
- provide visual representations such as sketches / impressions / renders, illustrating the proposed artwork design with scale and perspective indicated;
- produce a written Concept Statement outlining vision, intent and rationale for the concepts;
- propose artwork implementation/construction methodology; and
- develop cost estimates and a proposed program for the implementation stage.

Curator will:

- conduct artist briefings to outline curatorial and design direction of artworks;
- manage budgets, approvals and payments to artists and sub-contractors;
- provide commission agreements on behalf of the client;
- review concept designs and provide curatorial input and advice to artists;
- assist artist/s to seek engineering advice and liaise with design and/or construction teams;
- review budgets and provide construction estimates to client;
- facilitate concept design presentations;
- meet with the project team to gain endorsement for artwork concepts to proceed to design development and commissioning; and
- finalise a concept design package for client review.

DRAFT

DESIGN DEVELOPMENT STAGE (BUDGET, ENGINEERING, RISK MANAGEMENT)

Artist will:

- resolve any outstanding design issues
- finalise materials and finishes
- finalise fabrication methodologies and costings.

Curator will:

- provide contract management and artist liaison;
- review developed designs, fabrication methodologies, and budgets;
- assist the artist/s to seek suitable fabrication quotations;
- assist artist/s to confirm engineering requirements and liaise with design and/or construction teams;
- liaise with the project design team and site contractor as required regarding site constraints, programming, access, etc.; and
- review budgets and provide construction estimates to client; facilitate client presentations;

COMMISSION STAGE (FABRICATION & INSTALLATION)

Artist & Curator will:

- oversee fabrication to ensure artistic vision of the project during construction including client approvals as required;
- provide quality reviews throughout the fabrication process and ensure adherence to approved artwork budget;
- liaise with artist/s, managing contractor, sub-contractors and Council to coordinate all aspects of artwork installation, such as footings, power requirements and site access;
- provide commission update reports to the client at key stages of fabrication and installation of the artwork/s;
- obtain final client approval prior to delivery of artwork/s or installation; and
- oversee the installation of the artwork/s and provision of installation plans as required.

ITEM 2.2 PROPOSED THE MILL AT MORETON BAY GUIDANCE MATERIAL: DRAFT PUBLIC ART GUIDELINES AND PUBLIC CONSULTATION - DIVISION 7 - A19296686 (Cont.)

THE MILL MORETON BAY

CONTACT US

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November 2019



3 CORPORATE SERVICES SESSION

(Cr M Constance)

No items for consideration.

4 ASSET CONSTRUCTION & MAINTENANCE SESSION

(Cr A Hain)

ITEM 4.1

FERNY HILLS SWIMMING POOL HEAT PUMP REPLACEMENT - DIVISION 10

Meeting / Session: 4 ASSET CONSTRUCTION & MAINTENANCE
Reference: A19306632 : 15 November 2019 - Refer **Confidential Supporting Information A19346158**
Responsible Officer: MK, Principle Engineer Building and Facilities (IP Infrastructure Planning)

Executive Summary

Council invited tenders for the “Ferry Hills Swimming Pool - Heat Pump Replacement (MBRC008361)” project. The tender was evaluated on the 14th November 2019, with a total of six conforming tenders received.

The project scope includes the demolition and renewal works for two heat pumps for the 50 metre pool at the Ferry Hills Swimming Pool Complex, as the existing heat pumps are in very poor condition. The new heat pumps will allow the pool to be sufficiently heated and to be in service all year round.

It is recommended that Council awards the primary contract for the “Ferry Hills Swimming Pool - Heat Pump Replacement (MBRC008361)” to Sunbather Pty Ltd for the sum of \$222,240.00 (excluding GST) as this tender was evaluated as representing the best overall value to Council.

OFFICER’S RECOMMENDATION

1. That the tender for the “Ferry Hills Swimming Pool - Heat Pump Replacement (MBRC008361)” be awarded to Sunbather Pty Ltd for the amount of \$224,240.00 (excluding GST).
2. That the Council enters into an agreement with Sunbather Pty Ltd as described in this report.
3. That the Chief Executive Officer be authorised to take all action necessary, including but not limited to, negotiating, making, amending, signing and discharging the agreement with Sunbather Pty Ltd for the “Ferry Hills Swimming Pool - Heat Pump Replacement (MBRC008361)” and any required variations of the agreement on Council's behalf.

ITEM 4.1 FERNY HILLS SWIMMING POOL HEAT PUMP REPLACEMENT - DIVISION 10 - A19306632 (Cont.)

REPORT DETAIL

1. Background

The “Ferry Hills Swimming Pool - Heat Pump Replacement (MBRC008361)” project is located at the Ferry Hill Swimming Pool Complex at Ferry Way, Ferry Hills, Queensland.



Figure 1: Location of Works - Ferry Hills Swimming Pool

The outcome of this project is to ensure that the 50 metre pool is sufficiently heated such that it is able to be in service all year round. Currently the pool closes for winter. The heat pumps currently installed at the 50 metre pool at Ferry Hills Swimming Pool are reaching their end of life and are due for renewal. The heat pumps that are in operation currently are not achieving the desired water temperature, which has raised complaints from the pool management and the public. This is due to fact that the heat pumps are leaking water and there are multiple defects in the system.

GHD were engaged as an engineering consultant to provide an assessment on the heating requirements required for the 50 metre pool to be operational and sufficiently heated all year round. GHD provided engineering drawings and the technical specification to be issued for tender.

The heat pumps renewal scope of works includes the demolition and removal of the existing heat pump equipment and installation of two new heat pumps. The works include all associated plumbing and electrical works to tie the new heat pumps and control gear into the existing plumbing and electrical services. (See Figure 2). The heat pumps will have provision to connect to Council’s IELVS Building Management System for remote heat pump monitoring and alarm management. The integration into IELVS is outside of the scope of works for this tender.

Works will require 12 weeks to complete, which includes the lead time for heat pump manufacture and delivery to site, and the construction works on site. Following the completion of the works, the heat pumps will be handed over to Council and Ferry Hill’s Swimming Pool management and will include all supporting documentation and certification. Sunbather Pty Ltd will provide on-site training for management staff and Council in the correct operation of the new heat pumps.

ITEM 4.1 FERNY HILLS SWIMMING POOL HEAT PUMP REPLACEMENT - DIVISION 10 - A19306632 (Cont.)

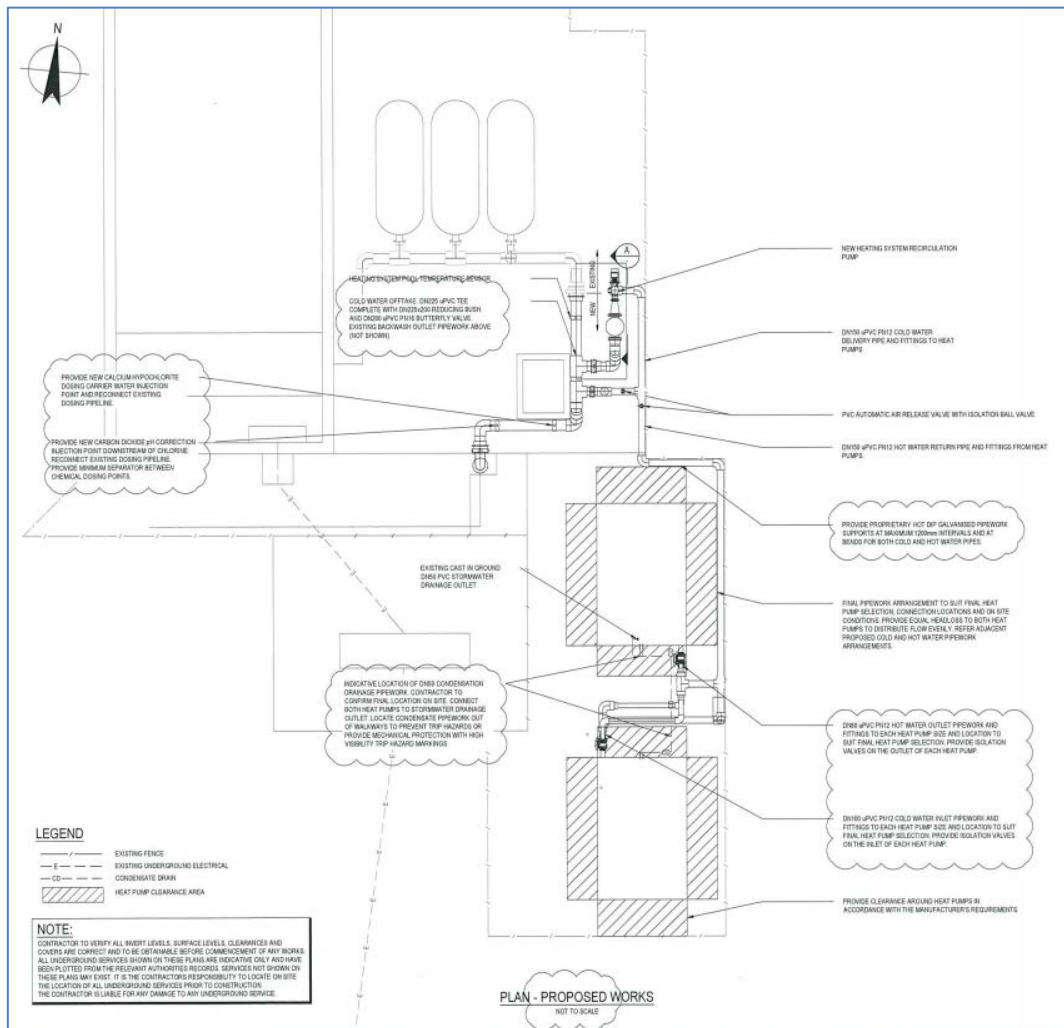


Figure 2: Ferny Hills Swimming Pool - 50m Pool Heat Pumps Replacement Proposed Plan

2. Explanation of Item

Tenders were invited for the “*Ferny Hills Swimming Pool - Heat Pump Replacement (MBRC008631)*” project. The tenders were evaluated on the 14th November 2019 with a total of six tenders. All six companies that provided a tender were conforming. The responses were assessed by the assessment panel in accordance with Council’s Purchasing Policy and the selection criteria set out in the tender documentation.

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

Table 2 - Tenderer’s Evaluation Scores

RANK	TENDERER	EVALUATION SCORE
1	Sunbather Pty Ltd	100.00
2	Platinum Aquatics Australia	86.15
3	Alto Pacific Pty Ltd	83.70
4	QIS Energy Conservation Systems Pty Ltd	80.60

ITEM 4.1 FERNY HILLS SWIMMING POOL HEAT PUMP REPLACEMENT - DIVISION 10 - A19306632 (Cont.)

RANK	TENDERER	EVALUATION SCORE
5	Evo Industries Pty Ltd	77.42
6	EDRESS Pty Ltd	54.54

The following observations of tenders were made by the assessment team:

Sunbather Pty Ltd submitted a tender which extensively covered all evaluation criteria and mandatory criteria. This included a detailed methodology and strategy, Gantt Chart and work health & safety management. Sunbather Pty Ltd have previously undertaken similar work for local government including the installation of heat pumps with commercial pool covers at the Murrumba Downs Swimming Pool for Council. Sunbather have also undertaken similar heat pump installation works for other Council's within South-East Queensland including Ipswich City Council and Logan City Council.

At a tender clarification meeting with Sunbather Pty Ltd, they demonstrated their understanding and methodology to complete this project to conform with the technical specification. The construction duration is 12 weeks inclusive of the required lead time of the heat pumps manufacture and delivery, wet weather allowance and the installation of the heat pumps and the associated plumbing and electrical works on site at the Ferny Hills Swimming Pool.

Platinum Aquatics Australia submitted a comprehensive tender and demonstrated their ability and experiences on smaller heat pump projects. The proposed heat pumps and equipment to be installed conformed to the technical specification. However, there were no additional benefits for the higher price.

Alto Pacific Pty Ltd submitted a comprehensive tender and demonstrated their ability and experiences on other pool projects. Their proposed heat pumps and associated equipment to be installed met the required technical specifications. However, there were no additional benefits for the higher price.

QIS Energy Conservation Systems Pty Ltd submitted a comprehensive tender and demonstrated their ability and experiences on similar projects and the proposed heat pumps and associated equipment to be installed met the required technical specifications. However, QIS's tender submission provided no additional benefits for the higher price.

Evo Industries Pty Ltd submitted a comprehensive tender, with the equipment selection meeting the technical specification by installing 3 smaller heat pumps, rather than 2 stated in the specification. However, Evo's tender submission provided no additional benefits for the higher price.

EDREES Pty Ltd submitted a satisfactory tender, with the equipment selection meeting the required specification however, EDREE's tender submission did not provide a detailed delivery plan and their tender submission provided no additional benefits for the higher price.

3. Strategic Implications

3.1 Legislative/Legal Implications

Due to value of work expected to be 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.

ITEM 4.1 FERNY HILLS SWIMMING POOL HEAT PUMP REPLACEMENT - DIVISION 10 - A19306632 (Cont.)

3.3 Policy Implications

This project/contract/initiative has been procured/sourced in accordance with the provisions of the following documents:

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

3.4 Risk Management Implications

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

Financial Risk:

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

Construction Method/Complexity Risks:

- a. The recommended contractor will provide a detailed program of works, a staging plan with lead times for critical equipment, site specific traffic management, environmental management and safety plans. Work areas will be isolated to protect site personnel, the public, and to meet workplace health and safety requirements.
- b. The contractor has demonstrated their understanding of constructability challenges and their technical capability to complete the works at this location and within a limited timeframe.
- c. There are no Development Approvals relating to this site or project.

Site Operation Risks:

- a. The recommended contractor has advised that they will work closely with Council and the pool management at the Ferny Hills Swimming Pool to minimise disruptions to day-to-day operations

3.5 Delegated Authority Implications Nil identified

3.6 Financial Implications

\$18,231.00 was spent in 18/19 FY for the 50 metre pool heat pump design.

Council has allocated a total of \$311,832 for this project in the 19-20 FY.

Tender Price (Construction)	\$222,240.00
Contingency (10%)	\$22,224.00

Total Project Cost	\$244,464.00
	=====
Estimated ongoing operational/maintenance costs	\$5,500.00 per F/Y.

This project will be debited to job/project number 101991.

The budget allocation for this project is sufficient.

3.7 Economic Benefit

The intention of this project is for Council to be able to operate the heat pumps for the 50 metre pool all year round, as it so determines, which will assist in maximising the use of the facility and reduce the risk of the current lease holders being unable to use the pools for purposes which require heated water.

ITEM 4.1 FERNY HILLS SWIMMING POOL HEAT PUMP REPLACEMENT - DIVISION 10 - A19306632 (Cont.)

3.8 Environmental Implications

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

3.9 Social Implications

The project will have a positive social impact to the Ferny Hills community, by allowing full utilisation of the 50m pool as it will be sufficiently heated and is able to be operational all year round. This assists the community to promote healthy lifestyles.

3.10 Consultation / Communication

Building & Facilities Planning will be in continuous communication with the Principal Contractor. Communication strategies include weekly updates from the contractor regarding the heat pumps manufacture lead time and installation progress. Weekly site visits will occur to get regular updates on construction progress. In addition, Property & Commercial Services will be given constant updates on the project's progress.

SUPPORTING INFORMATION

Ref: A19346158 & A18462969

The following list of supporting information is provided for:

ITEM 4.1

FERNY HILLS SWIMMING POOL HEAT PUMP REPLACEMENT - DIVISION 10

***Confidential* #1 Tender Evaluation Assessment Sheet**

ITEM 4.2
BEACHMERE COMMUNITY CENTRE DEVELOPMENT - DIVISION 2

Meeting / Session: 4 ASSET CONSTRUCTION & MAINTENANCE
Reference: A19341139 : 2 October 2019 - Refer **Confidential Supporting Information**
A19349529
Responsible Officer: MK, Principal Engineer Buildings and Facilities (IP Directorate)

Executive Summary

Tenders were invited for the “*Beachmere Community Centre Development (MBRC008651)*” project. The Request for Tender closed on 17 September 2019 with a total of 6 conforming tenders received.

The tender comprised of the primary works and four optional extras; Option 1 (operable wall), Option 2 (entry ramp veranda), Option 3 (vinyl function room floor) and Option 4 (refurbished amenities). A fire hydrant will also be installed in the carpark as part of the project however these works will be undertaken by a separate specialist contractor.

It is recommended that Council includes Option 1 (operable wall between activity room 1 and 2), Option 3 (vinyl function room floor) and Option 4 (refurbished male and female amenities) as part of the contract as this will provide Council with an improved and versatile facility to meet the Beachmere community’s needs.

It is recommended that Council awards the contract for the “*Beachmere Community Centre Development (MBRC008651)*” to Quadric Pty Ltd, for the sum of \$563,510.70 (excluding GST) as this tender was evaluated as representing the best overall value to Council.

OFFICER’S RECOMMENDATION

1. That the tender for “*Beachmere Community Centre Development (MBRC008651)*” be awarded to Quadric Pty Ltd for the amount of \$563,510.70 (excluding GST), which includes Option 1 (operable wall between activity room 1 and 2), Option 3 (vinyl function room floor) and Option 4 (refurbished male and female amenities).
2. That the Council enters into an agreement with Quadric Pty Ltd as described in this report.
3. That the Chief Executive Officer be authorised to take all action necessary, including but not limited to, negotiating, making, amending, signing and discharging the agreement with Quadric Pty Ltd for “*Beachmere Community Centre Development (MBRC008651)*” and any required variations of the agreement on Council’s behalf.

ITEM 4.2 BEACHMERE COMMUNITY CENTRE DEVELOPMENT - DIVISION 2 - A19341139 (Cont.)

REPORT DETAIL

1. Background

In March 2018, the community facility located at 10-26 Biggs Avenue, Beachmere was handed back to Council for management. The facility had previously been occupied by the Returned Service League of Australia (Queensland Branch) Beachmere Sub Branch Inc. under a lease agreement with Council and was utilised primarily as a food and beverage venue.

Following the facility's return to Council, a community facility needs assessment and planning process was undertaken to determine future community use of the building. As an outcome of this process, it was determined that the facility be repurposed as a multi-purpose community centre/hall which is to be managed by a non-profit community organisation on behalf of Council, under a Hall Management Agreement.

A Council meeting on 4 December 2018 recommended that Beachmere Area Network Group Inc. (BANG) be appointed to manage the community facility under a Hall Management Agreement for a five-year term commencing after the redevelopment works have been completed.

A budget allocation was provided in the 2018/19 and 2019/20 Council budgets to fund the redevelopment works. The budget allocation covers the detailed design of the redeveloped building as well as the corresponding construction works.



Figure 1 - Location of Community Centre

The detailed design of the community centre has been completed incorporating significant input from BANG, as well as all relevant stakeholders within Council.

The floor plan of the redeveloped community centre is shown below in Figure 2 and comprises of the following areas:

- Area in blue - Six separate leasable areas
- Area in purple - Disaster Management store room
- Area in red - Bowls Club shared office
- Area in green - Shared amenities and cleaners store room

ITEM 4.2 BEACHMERE COMMUNITY CENTRE DEVELOPMENT - DIVISION 2 - A19341139 (Cont.)

All leasable areas will have access to the amenities via swipe card including the bowls club whom occupy the adjacent shed and bowls greens.

The community centre will form part of Council’s disaster management facilities network. Future works will include the installation of a generator capable of supplying electricity to the building during power outages.

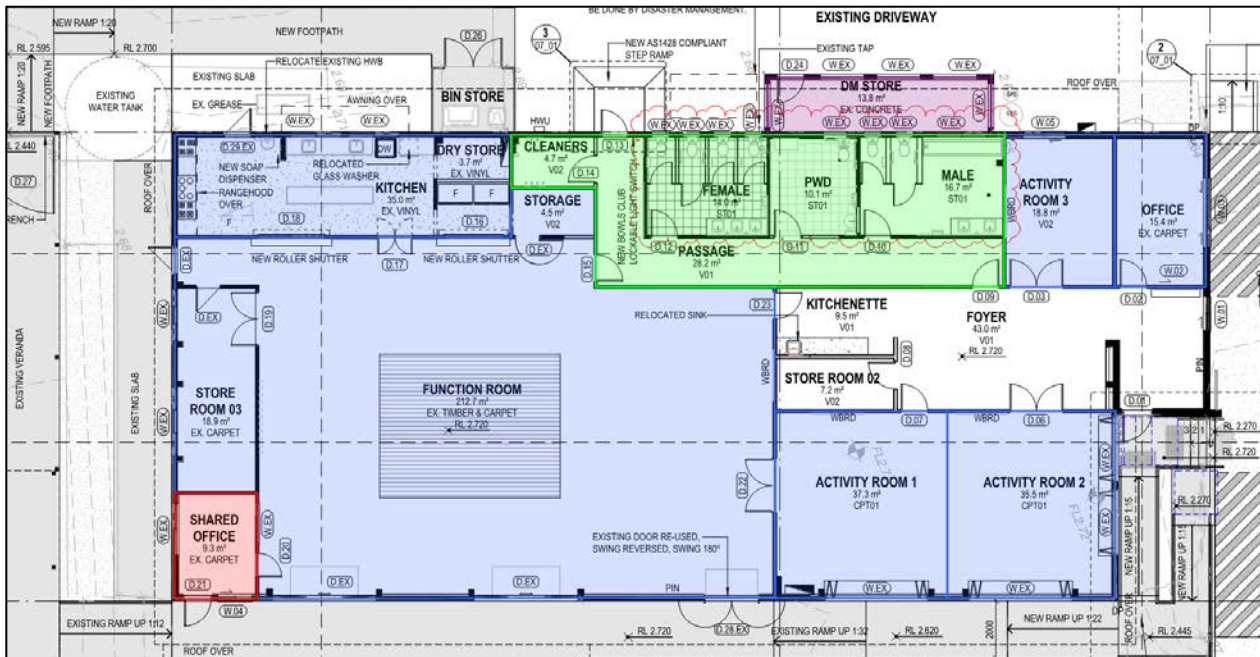


Figure 2 - Floor Plan

Tenders were requested to provide prices for the base works as well as the four optional extras giving Council the ability to select desirable works based on the prices received and stakeholder feedback. The optional extras consist of Option 1 (operable wall between activity room 1 and 2), Option 2 (design and construction of front entry ramp veranda), Option 3 (vinyl flooring in function room) and Option 4 (refurbished male and female amenities).

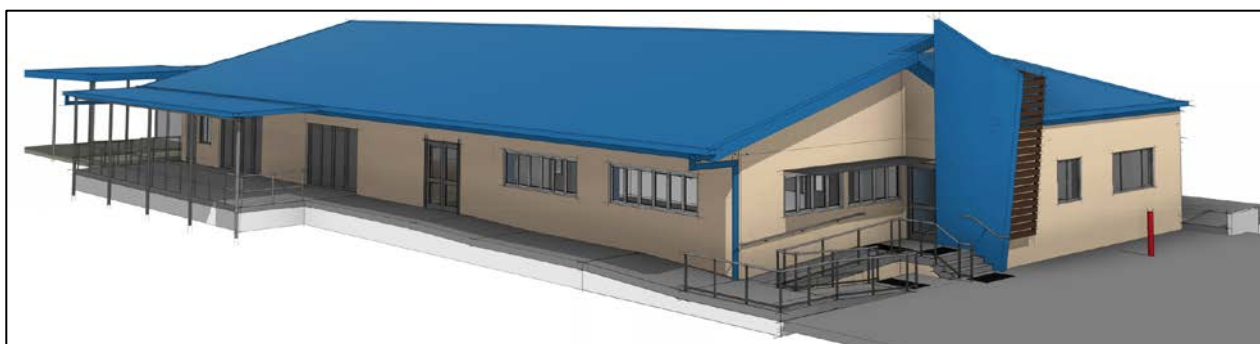


Figure 3 - Artist's Impression

2. Explanation of Item

Tenders for the “Beachmere Community Centre Development (MBRC008651)” project closed on 17 September 2019 with a total of six conforming tenders and zero non-conforming tenders. A site inspection for all tenderers was mandatory. 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). Stakeholder feedback indicated that Option 1, Option 3 and Option 4 are requested to be included as part of the contract therefore these evaluation scores reflect this.

ITEM 4.2 BEACHMERE COMMUNITY CENTRE DEVELOPMENT - DIVISION 2 - A19341139 (Cont.)

Table 1 - Tender Evaluation Scores

RANK	TENDERER	EVALUATION SCORE
1	Quadric Pty Ltd	98.88
2	Kane Constructions (QLD) Pty Ltd T/A Arete Australia	97.82
3	Intrec Management Pty Ltd	94.04
4	Premis Solutions Pty Ltd	93.78
5	NF Corbett Pty Ltd	90.76
6	LEAF Building Group Pty Ltd	85.30

Quadric Pty Ltd (Quadric) submitted a comprehensive tender and demonstrated its methodology and experiences on projects of a similar scale and complexity. Quadric has undertaken similar sized refurbishment works for various school buildings around South-East Queensland demonstrating its ability to manage construction works for a government agency. At a tender clarification meeting held on 12 November 2019, Quadric demonstrated its understanding and methodology to complete the project including management of the site and the adjacent bowls club. Quadric has indicated the construction duration will be 10 weeks inclusive of wet weather. The assessment panel evaluated the offer from Quadric as providing the best overall value to Council.

Kane Constructions (QLD) Pty Ltd T/A Arete Australia (Arete) submitted a comprehensive tender and demonstrated its ability on projects of a similar scale and complexity. Arete has undertaken similar works for other Councils within South-East Queensland including Sunshine Coast Council, Noosa Shire Council, and Gold Coast City Council. At a tender clarification meeting on 9 October 2019, Arete demonstrated its understanding and methodology to complete the project including management of the site and the adjacent bowls club. The construction duration is 13 weeks inclusive of wet weather. Arete offers no additional benefits to Council for the higher price.

Intrec Management Pty Ltd (Intrec) submitted a comprehensive tender and demonstrated its ability on projects of a similar scale and complexity. Intrec has completed similar works for Moreton Bay Regional Council including the refurbishment of Bribie Island Library and The Corso Level 4 Tenancy Split. The construction duration is 14 weeks inclusive of wet weather. Intrec offers no additional benefits to Council for the higher price.

3. Strategic Implications

3.1 Legislative / Legal Implications

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

3.2 Corporate Plan / Operational Plan

This project is consistent with the Corporate Plan outcome - Valuing Lifestyle: Quality recreation and cultural opportunities - celebrating local arts, culture and community.

3.3 Policy Implications

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

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

ITEM 4.2 BEACHMERE COMMUNITY CENTRE DEVELOPMENT - DIVISION 2 - A19341139 (Cont.)

3.4 Risk Management Implications

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

Financial Risk:

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

Construction Risks:

- a. The recommended contractor will provide a detailed program of works, a staging plan, site specific traffic management, environmental management and safety plans. Work areas will be isolated to protect site personnel, the public, and to meet workplace health and safety requirements.
- b. The contractor has demonstrated its understanding of constructability challenges and its technical capability to complete the works at this location.

Wet weather delays

- a. The Request for Tender documents required tenderers to include an allowance for inclement weather within their tendered construction time line. The allowance is based upon the Bureau of Meteorology Rainfall Graph for the Brisbane area. The contractor has provided an initial program of works with an inclusion of estimated wet weather days.

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 \$1,000,000 for this project. \$49,841.50 has been spent in FY18/19 for the planning/design and the remaining \$950,158.50 is for the remaining planning/design as well as the construction phase of the project in FY19/20.

Planning/Design	\$ 84,240.09
Tender price - inclusive of Options 1,3 & 4 (Construction Contract)	\$ 563,510.70
Contingency (10%)	\$ 56,351.07
Fire Hydrant (Separate Construction Contract)	\$ 130,000.00
Contingency (10%)	\$ 13,000.00

Total Project Cost	=====
	\$ 847,101.86
	=====

Estimated ongoing operational/maintenance costs: \$ 15,000.00 per F/Y

This project will be debited to job/project number 107754.
The budget amount for this Project is sufficient.

3.7 Economic Benefit Implications

The project provides Council with a leasable facility and will bring the building back to full utilisation for the Beachmere community.

3.8 Environmental Implications

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

ITEM 4.2 BEACHMERE COMMUNITY CENTRE DEVELOPMENT - DIVISION 2 - A19341139 (Cont.)

3.9 Social Implications

The project will have a positive social impact to the Beachmere community by allowing full utilisation of the building's spaces by community groups. The building will also be DDA compliant once works have been completed.

3.10 Consultation / Communication

Building & Facilities Planning will be in continuous communication with the principal contractor throughout the entire project. Communication strategies include weekly site visits to gather updates from the contractor. Communication strategies include consistent updates to the Community Services Sports & Recreation team which will be passed onto BANG and the bowls club, as required.

SUPPORTING INFORMATION

Ref: [A19349529](#)

The following list of supporting information is provided for:

ITEM 4.2

BEACHMERE COMMUNITY CENTRE DEVELOPMENT - DIVISION 2

***Confidential* #1 Tender Evaluation Assessment Sheet**

5 PARKS, RECREATION & SPORT SESSION

(Cr K Winchester)

No items for consideration.

6 LIFESTYLE & AMENITY SESSION

(Cr D Sims)

No items for consideration.

7 ECONOMIC DEVELOPMENT, EVENTS & TOURISM SESSION

(Cr P Flannery)

No items for consideration.

8 REGIONAL INNOVATION SESSION

(Cr D Grimwade)

ITEM 8.1

TRANSFER OF LAND TO UNITYWATER - DIVISION 12

Meeting / Session: 8 REGIONAL INNOVATION
Reference: A19327723 : 11 November 2019 - **Refer Supporting Information A19327751**
Responsible Officer: CL, Property Officer (CES Property & Commercial Services)

Executive Summary

This report seeks Council's approval to dispose of a property located at 5 Manordowns Drive, D'Aguilar (Lot 105 on SP224581) to Unitywater.

OFFICER'S RECOMMENDATION

1. That the exception contained in section 236(1)(b)(i) of the Local Government Regulation 2012 applies to the Council regarding the disposal of the land referred to in this report.
2. That Council approves the sale of the Council property detailed in this report.
3. That the Chief Executive Officer be authorised to take all action necessary including, but not limited to, negotiating, making, amending, signing and discharging the contract of sale on the Council's behalf, as described in this report.

ITEM 8.1 TRANSFER OF LAND TO UNITYWATER - DIVISION 12 - A19327723 (Cont.)

REPORT DETAIL

1. Background

5 Manordowns Drive, D'Aguilar (Lot 105 on SP224581) is a 209m² parcel of Council-owned land used entirely by Unitywater for the purposes of a pump station. Unitywater records indicate that this land was incorrectly excluded from the Transfer of Assets Scheme in 2010.

2. Explanation of Item

The property houses a Unitywater pump station, and is considered to have no practical use for Council. Presently, Unitywater relies on its rights under the *SEQ Water (Distribution & Retail Restructuring) Act 2009* to access the existing infrastructure. Council's departments have been consulted and the consensus is that a transfer of the entire Lot 105 is appropriate given the small area of the existing lot, and that it is more cost effective than a boundary realignment.

The transfer of the property for a nominal amount is deemed appropriate as it has been identified that the property was incorrectly retained by Council in 2010 following the Transfer of Asset Scheme.

Unitywater is to pay all fees and stamp duty associated with the transfer. Consultation with Unitywater has confirmed in-principle support to assume ownership of the property on these general terms.

3. Strategic Implications

3.1 Legislative / Legal Implications

Section 236(1)(b)(i) of the Regulation provides an exception whereby the Council may dispose of a valuable non-current asset other than by tender or auction if the valuable non-current asset is disposed of to a government agency. The Council may only rely on that exception, if before granting the transfer of land, it resolves that the exception applies.

3.2 Corporate Plan / Operational Plan

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

3.3 Policy Implications Nil identified

3.4 Risk Management Implications Nil identified

3.5 Delegated Authority Implications
As noted in Recommendation 3.

3.6 Financial Implications Nil identified

3.7 Economic Benefit Implications Nil identified

3.8 Environmental Implications Nil identified

3.9 Social Implications Nil identified

3.10 Consultation / Communication

Financial Services Department
Legal Services Department
Infrastructure Planning Department

SUPPORTING INFORMATION

Ref: [A19327751](#)

The following list of supporting information is provided for:

**ITEM 8.1
TRANSFER OF LAND TO UNITYWATER - DIVISION 12**

#1 Locality Map - 5 Manordowns Drive, D'Aguilar

ITEM 8.1 TRANSFER OF LAND TO UNITYWATER(Cont.)

#1 Locality Map - 5 Manordowns Drive, D'Aguilar



11. GENERAL BUSINESS OR RESPONSE TO QUESTIONS TAKEN ON NOTICE

Consideration of general business matters as raised at the meeting, or responses to questions taken on notice.

12. CLOSED SESSION

(s275 of the Local Government Regulation 2012)

Consideration of confidential officers' reports as referred by the Chief Executive Officer and confidential general business matters as raised at the meeting.

12a. CONFIDENTIAL OFFICERS' REPORTS TO COUNCIL

ITEM C.1 – CONFIDENTIAL

TRUSTEE LEASE FOR TELECOMMUNICATIONS PURPOSES - MORETON BAY REGIONAL COUNCIL TO OPTUS - DIVISION 1

Meeting / Session: *7 Economic Development, Events & Tourism (Cr P Flannery)*

Reference: *A19134431 : 7 November 2019 - Refer **Confidential** Supporting Information A19134430*

Responsible Officer: *JH, Technical Officer - Property Services (CES Property & Commercial Services)*

Basis of Confidentiality

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

Executive Summary

This report seeks Council's approval for the provision of a lease to Optus Mobile Pty Limited (Optus) for the purpose of installing a telecommunications facility (Facility) on the terms outlined in this report.

12b. CONFIDENTIAL GENERAL BUSINESS

No items for consideration.



MINUTES

GENERAL MEETING

Tuesday 19 November 2019
commencing at 10.35am

Strathpine Chambers
220 Gympie Road, Strathpine

UNCONFIRMED

LIST OF ITEMS

1.	OPENING PRAYER	2354
2.	ATTENDANCE & APOLOGIES	2354
3.	MEMORIALS OR CONDOLENCES	2354
4.	A) CONFIRMATION OF MINUTES FROM PREVIOUS GENERAL MEETING RESOLUTION	2355
4.	B) ADOPTION OF COMMITTEE MEETING REPORT & RECOMMENDATION RESOLUTION	2355
5.	PRESENTATION OF PETITIONS <i>(Addressed to the Council and tabled by Councillors)</i>	2355
6.	CORRESPONDENCE	2355
7.	COMMUNITY COMMENT	2355
7.1.	Community Comment: Kenlie Williams - Development Application 2019 / 39704 / V23R - Combined MCU and RAL - Residential Stockland Subdivision Newport (Aqua Street Development Application) (A19340403)	
8.	NOTIFIED MOTIONS	2356
9.	NOTICES OF MOTION (Repeal or amendment of resolutions) <i>(s262 of the Local Government Regulation 2012)</i>	2356
10.	OFFICERS' REPORTS TO COUNCIL (conducted in Sessions) <i>(as referred by the Chief Executive Officer)</i>	2356
	1 GOVERNANCE SESSION (Cr A Sutherland, Mayor)	2357
	ITEM 1.1 ADOPTION OF COUNCIL POLICY - REGIONAL RESOLUTION REPORT DETAIL	2357
	ITEM 1.2 - DECLARATION OF INTEREST	2360
	<i>Conflict of Interest - Declaration - Cr Mick Gillam</i>	2360
	<i>Councillor not voluntarily left meeting - other Councillors who are entitled to vote must decide</i>	2360
	ITEM 1.2 DISCRETIONARY FUNDS - LAWNTON SWIM CLUB - DIVISION 9 RESOLUTION REPORT DETAIL	2361
	2 PLANNING & DEVELOPMENT SESSION (Cr M Gillam)	2364

Moreton Bay Regional Council

GENERAL MEETING - 495
19 November 2019

PAGE b
Minutes

3 CORPORATE SERVICES SESSION (Cr M Constance)	2365
ITEM 3.1	2365
MONTHLY REPORTING PACKAGE - OCTOBER 2019 - REGIONAL RESOLUTION	
REPORT DETAIL	
4 ASSET CONSTRUCTION & MAINTENANCE SESSION (Cr A Hain)	2368
ITEM 4.1	2368
MANGO HILL - HALPINE LAKE - PATHWAY CONSTRUCTION - DIVISION 4 RESOLUTION	
REPORT DETAIL	
ITEM 4.2 - WITHDRAWN	2373
NEWPORT WATERS ACCESS CHANNEL DREDGING - DIVISION 5	
5 PARKS, RECREATION & SPORT SESSION (Cr K Winchester)	2374
ITEM 5.1	2374
BEACHMERE - BIGGS AVENUE - PROPOSED NAMING OF MAZLIN PARK - DIVISION 2 RESOLUTION	
REPORT DETAIL	
ITEM 5.2	2379
BEACHMERE - MAIN STREET - PROPOSED NAMING OF BUILDING - DIVISION 2 RESOLUTION	
REPORT DETAIL	
6 LIFESTYLE & AMENITY SESSION (Cr D Sims)	2383
7 ECONOMIC DEVELOPMENT, EVENTS & TOURISM SESSION (Cr P Flannery)	2383
8 REGIONAL INNOVATION SESSION (Cr D Grimwade)	2383
11. GENERAL BUSINESS OR RESPONSE TO QUESTIONS TAKEN ON NOTICE	2384
ITEM 11.1	2384
2019 MURRI WOMEN'S SOFTBALL TOURNAMENT RESOLUTION	
ITEM 11.2	2384
BATTLE OF THE BRAINS	
ITEM 11.2	2384
10 TH BOWLS PREMIER LEAGUE RESOLUTION	
ITEM 11.3	2385
QUEENSLAND TONGAN LANGUAGE SCHOOL	
ITEM 11.4	2385
GENERAL MINUTES - 12 NOVEMBER 2019 - ADMINISTRATIVE OMISSION	

Moreton Bay Regional Council

GENERAL MEETING - 495
19 November 2019

PAGE c
Minutes

ITEM 11.5	2386
REGIONAL RECYCLER COMPETITION - REGIONAL RESOLUTION	
ITEM 11.6	2386
A-LEAGUE FOOTBALL MATCH - DOLPHIN STADIUM	
12. CLOSED SESSION	2387
<i>(s275 of the Local Government Regulation 2012)</i>	
12a. CONFIDENTIAL OFFICERS' REPORTS TO COUNCIL	2388
ITEM C.1 – CONFIDENTIAL	2388
FERNY HILLS POOL EXTENSION OF OPENING SEASON - DIVISION 10 RESOLUTION	
ITEM C.2 – CONFIDENTIAL	2389
AGREEMENT TO PURCHASE EXISTING LEASED PORTABLE WEIGHBRIDGES - REGIONAL RESOLUTION ADJOURNMENT RESOLUTION TO ADJOURN MEETING RECONVENE RESOLUTION TO RECONVENE MEETING	
12b. CONFIDENTIAL GENERAL BUSINESS	2391
ITEM C.3 – CONFIDENTIAL	2391
APPOINTMENT OF CHIEF EXECUTIVE OFFICER RESOLUTION	
13. CLOSURE	2391

1. OPENING PRAYER

The Mayor recited the Opening Prayer and invited Councillors to join him in the recitation of the Lord's Prayer.

2. ATTENDANCE & APOLOGIES

Attendance:

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

Acting Chief Executive Officer	(Mr Graeme Kanofski)
Director Community & Environmental Services	(Mr Bill Halpin)
Director Planning	(Mr Mike Pickering)
Director Engineering, Construction & Maintenance	(Mr Tony Martini)
Director Infrastructure Planning	(Mr Andrew Ryan)
Director Finance & Corporate Services	(Ms Donna Gregory)
Manager Executive Services	(Mr Darren Dallinger)
Accounting Services Manager	(Mr Denis Crowe)

Meeting Support (Kim Reid)

Apologies:

Nil

Suspended:

Under section 182A of the *Local Government Act 2009* Cr Adrian Raedel is currently suspended from office

3. MEMORIALS OR CONDOLENCES

Cr James Houghton conveyed his condolences to the family of the late **Reverend Elder Leiviifiloa Mulitauaopele**, known as 'Father Leivi' who recently passed away at the age of 63 years.

Rev Elder Leivi was born in 1957 in Samoa, relocating to Brisbane in 1998 with his wife and children where he became Pastor at the First Samoan Full Gospel Church located in Deception Bay.

Cr Houghton noted that Rev Elder Leivi's passion to serve God and the community was evident in the 20 plus years of his service. Rev Elder Leivi served as a Liaison Officer for the Queensland Department of Education and led the Samoan Council of Churches Queensland for the past three years. He also participated in serving food to the elderly and homeless at the Bethel Soup Kitchen in Deception Bay.

Cr James Houghton noted that Rev Elder Leivi would be sadly missed and his passing would be a great loss to the community.

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

4. A) CONFIRMATION OF MINUTES FROM PREVIOUS GENERAL MEETING

RESOLUTION

Moved by Cr Koliانا Winchester
Seconded by Cr Julie Greer

CARRIED 12/0

That the minutes of the General Meeting held 12 November 2019, be confirmed with the following amendment, noted as an administrative omission on page 19/2385 of today's meeting:

Page 19/2338 be amended to include the wording of the resolution moved by Cr Adam Hain, seconded by Cr Koliانا Winchester permitting Cr Darren Grimwade to remain and participate in the meeting following the Councillors declaration of perceived conflict of interest in Item C.1 and having not voluntarily left the meeting.

4. B) ADOPTION OF COMMITTEE MEETING REPORT & RECOMMENDATION

RESOLUTION

Moved by Cr Matt Constance
Seconded by Cr Adam Hain

CARRIED 12/0

That the report and recommendations of the Audit Committee Meeting held 13 November 2019, be adopted.

5. PRESENTATION OF PETITIONS

(Addressed to the Council and tabled by Councillors)

There were no petitions tabled.

6. CORRESPONDENCE

There was no correspondence tabled.

7. COMMUNITY COMMENT

7.1. Community Comment: Kenlie Williams - Development Application 2019 / 39704 / V23R - Combined MCU and RAL - Residential Stockland Subdivision Newport (Aqua Street Development Application) (A19340403)

Cr Allan Sutherland (Mayor) opened the Community Comment session, making the required statement regarding the conduct of the Session, and invited Ms Kenlie Williams to address the Council in respect of A Development Application 2019 / 39704 / V23R - Combined MCU and RAL - Residential Stockland Subdivision Newport (Aqua Street Development Application).

Ms Williams' address contained the following points:

- The proposed development application (Aqua Street in Residential Stockland Subdivision Newport) has disregard to the block's 8.5 metre building height restriction;
- The proposal is to construct a six-storey tower on the block in Phase 1 with Phase 2 also to include a six-storey tower;

- The six-storey towers will be out of sync with the future planning of Newport (under the Next Generation Neighbourhood zoning);
- The development application claims that residents of Newport knew that both towers would be constructed, however, this would be more believable if the three D models in the Sales Office and 'fly overs' had actually reflected the towers and their true scale and proportion;
- The complete lack of community engagement or consultation on this proposal flies in the face of good governance and community spirit;
- The negative impacts of concentrated, high rise population on the surrounding unsuspecting neighbours would be significant such as dominating, overshadowing, loss of privacy, parking and traffic congestion and lack of pedestrian safety.

The Mayor thanked Ms Williams for the attending the Community Comment Session.

8. NOTIFIED MOTIONS

There were no notified motions.

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

(s262 of the Local Government Regulation 2012)

There were no notices of motion.

10. OFFICERS' REPORTS TO COUNCIL (conducted in Sessions)

(as referred by the Chief Executive Officer)

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

The Session Chairperson and designated Spokesperson for the respective portfolio, is 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 Koliانا Winchester
6 Lifestyle & Amenity	Cr Denise Sims
7 Economic Development, Events & Tourism	Cr Peter Flannery
8 Regional Innovation	Cr Darren Grimwade

ATTENDANCE

Mr Darren Dallinger attended the meeting at 10.52am for discussion on Item 1.1.

1 GOVERNANCE SESSION

(Cr A Sutherland, Mayor)

**ITEM 1.1
ADOPTION OF COUNCIL POLICY - REGIONAL**

Meeting / Session: 1 GOVERNANCE
Reference: A19337427 : 13 November 2019 - **Refer Supporting Information A16452725**
Responsible Officer: DD, Manager Executive Services (CORP Executive Services)

Executive Summary

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

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

- Policy 2150-011 - Conflict of Interest

RESOLUTION

Moved by Cr Mick Gillam

Seconded by Cr Matt Constance

CARRIED 12/0

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

- Policy 2150-011 - Conflict of Interest

OFFICER'S RECOMMENDATION

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

- Policy 2150-011 - Conflict of Interest

REPORT DETAIL

1. Background

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

2. Explanation of Item

Objective: To assist employees of Moreton Bay Regional Council (Council) manage instances where their private or personal interests may be contrary to those of the organisation or have the capacity to conflict with the employee's duty to act in the public interest.

This Policy defines Council's commitment to assist employees to identify and manage conflicts of interest and to foster:

- a) integrity and impartiality;
- b) promoting the public good;
- c) commitment to the system of government; and
- d) accountability and transparency.

Policy Summary: Council is committed to ensuring that the conduct of all employees is beyond reproach and that appropriate processes are in place to assist employees to act impartially and in accordance with the public interest at all times. This accords with Section 6 of the *Public Sector Ethics Act 1994* which establishes that the primary obligation of a government employee is to always act in the public interest.

All employees **must** place the public interest above their private or personal interests when carrying out their official duties.

Overview of amendments: Amendments have been made to the definitions and policy statement sections of the policy to provide greater clarity and bring definitions into line with those provided by the Crime and Corruption Commission's audit report *Managing and responding to conflicts of interest involving council employees*.

3. Strategic Implications

3.1 Legislative/Legal Implications

This policy and directive has been developed in accordance with the *Local Government Act 2009* and the *Local Government Regulation 2012*.

3.2 Corporate Plan / Operational Plan

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

3.3 Policy Implications

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

3.4 Risk Management Implications

Effective implementation of this policy and other resource will significantly reduce risks to Council presented by employee COIs.

3.5 Delegated Authority Implications Nil identified

- 3.6 Financial Implications Nil identified
- 3.7 Economic Benefit Implications Nil identified
- 3.8 Environmental Implications Nil identified
- 3.9 Social Implications Nil identified
- 3.10 Consultation / Communication
MBRC all Councillors, EMT, relevant Council officers and the Audit Committee have been consulted in the preparation of this report.

ATTENDANCE

Mr Darren Dallinger left the meeting at 10.53am after Item 1.1.

ITEM 1.2 - DECLARATION OF INTEREST

Conflict of Interest - Declaration - Cr Mick Gillam

Pursuant to s175E of the *Local Government Act 2009*, Cr Mick Gillam declared a perceived conflict of interest in Item 1.2 as Cr Gillam is a Patron and Life Member of the Lawnton Swim Club.

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

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

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

Moved by Cr Mike Charlton (Deputy Mayor)

Seconded by Cr Brooke Savage

CARRIED 11/0

Cr Gillam had declared a perceived conflict of interest and was not entitled to vote

That in accordance with s175E(4) of the *Local Government Act 2009*, it is considered that Cr Mick Gillam 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 Mick Gillam remained in the meeting.

ITEM 1.2
DISCRETIONARY FUNDS - LAWNTON SWIM CLUB - DIVISION 9

Meeting / Session: 1 GOVERNANCE
Reference: A19334849 : 12 November 2019
Responsible Officer: LK, Executive Support Officer (CORP Executive Services)

Executive Summary

The purpose of this report is to seek Council approval for a discretionary funds application by the Lawnton Swim Club Inc for \$22,000 to host the annual 'Aussie Arvo' event.

The Council makes discretionary funds available each financial year to community organisations for community purposes in accordance with Council's Discretionary Funds Policy, Availability Notice and Guidelines.

Cr Allan Sutherland (Mayor), Cr Mike Charlton (Division 9) and Cr Mick Gillam (Division 8) would like to support this initiative through the discretionary funds program in the amounts of \$4,000, \$9,000 and \$9,000 respectively.

RESOLUTION

Moved by Cr Adam Hain

Seconded by Cr Julie Greer

CARRIED 12/0

That Council approve the application for Lawnton Swim Club Inc under Council's Discretionary Funds Policy, for the 'Aussie Arvo' event, be approved in the amount of \$22,000 for this project with the following divisional allocations:

- Cr Allan Sutherland (Mayor) to allocate \$4,000;
- Cr Mike Charlton (Division 9) to allocate \$9,000; and
- Cr Mick Gillam (Division 8) to allocate \$9,000.

OFFICER'S RECOMMENDATION

Council direction is required in relation to the application by the Lawnton Swim Club Inc under Council's Discretionary Funds Policy, for the 'Aussie Arvo' event in the amount of \$22,000.

REPORT DETAIL

1. Background

The Council makes discretionary funds available each financial year to community organisations for community purposes, in accordance with Council's Discretionary Funds Policy, Availability Notice and Guidelines.

Unless otherwise approved by Council, each financial year community organisations are eligible to apply for a maximum of \$10,000 and \$3,000 in discretionary funds to the Mayor and Councillors respectively. Community organisations may apply for discretionary funds to both the Mayor and Councillors up to a maximum of \$13,000 in total each financial year.

In instances where a community organisation applies for discretionary funds in excess of \$13,000, the application is to be considered at Council's General Meeting.

2. Explanation of Item

Lawnton Swim Club has applied for \$22,000 in discretionary funds in support of the 'Aussie Arvo' event which is held at the Lawnton Aquatic Centre on Australia Day each year.

The six-hour event comprises a range of family focussed activities (rides, games, movie, BBQ's) across the Club's three pools and adjoining outdoor spaces.

The 'Aussie Arvo' event has been run by the Lawnton Swim Club for two years now (commencing in 2017) and the event has grown in popularity over time, becoming a local tradition. On average between 3,000 - 4,000 people attend the event over the course of the afternoon.

The 'Aussie Arvo' is an important event for the Moreton Bay region providing an opportunity for residents to celebrate together and acknowledge Australia's national day. The event delivers broader community benefit through social connection, active lifestyles, opportunities for youth, and by activation of a local recreational facility.

Admission to the event is free ensuring that low cost entertainment is available to Moreton Bay residents over the Australia Day long weekend. 'Aussie Arvo' also provides community groups such as Lions Club Kallangur, Rotary Club Albany Creek, Pine Rivers Soccer Club with an opportunity for fundraising activities through the sale of sausages, fairy floss and glow sticks.

Funding requested in the application will be used for costs associated with the hire of carnival rides, catering, marketing, entertainment, movie screening, extra toilets, security, lighting and staffing to ensure community safety at the event.

3. Strategic Implications

3.1 Legislative / Legal Implications Nil identified

3.2 Corporate Plan / Operational Plan
Strengthening Communities: Strong local governance - strong leadership and governance.

3.3 Policy Implications
Arrangements will be made in accordance with Council's Discretionary Funds Policy 2150-101.

3.4 Risk Management Implications Nil identified

- 3.5 Delegated Authority Implications Nil identified
- 3.6 Financial Implications
Appropriate funds have been provided in the 2019/20 budget and the application for funding is eligible under the 2019/20 Discretionary Funds guidelines.
- 3.7 Economic Benefit Implications Nil identified
- 3.8 Environmental Implications Nil identified
- 3.9 Social Implications Nil identified
- 3.10 Consultation / Communication
Councillors, the Acting Chief Executive Officer, Director Finance and Corporate Services and Manager Executive Services have been consulted in relation to the preparation of this report.

UNCONFIRMED

2 PLANNING & DEVELOPMENT SESSION

(Cr M Gillam)

No items for consideration.

ATTENDANCE

Mr Denis Crowe attended the meeting at 10.55am for discussion on Item 3.1.

UNCONFIRMED

3 CORPORATE SERVICES SESSION

(Cr M Constance)

ITEM 3.1

MONTHLY REPORTING PACKAGE - OCTOBER 2019 - REGIONAL

Meeting / Session: 3 CORPORATE SERVICES

Reference: A19332544 : 12 November 2019 - **Refer Supporting Information A19333651**

Responsible Officer: AD, Management Accountant (CORP Accounting Services)

Executive Summary

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

RESOLUTION

Moved by Cr Mike Charlton (Deputy Mayor)

Seconded by Cr Koliana Winchester

CARRIED 12/0

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

OFFICER'S RECOMMENDATION

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

REPORT DETAIL

1. Background

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

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

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

2. Explanation of Item

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

3. Strategic Implications

3.1 Legislative / Legal Implications

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

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

3.2 Corporate Plan / Operational Plan

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

3.3 Policy Implications

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

3.4 Risk Management Implications

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

- 3.5 Delegated Authority Implications Nil identified
- 3.6 Financial Implications
As at the end of October 2019, Council's operating result is \$89.65 million and the capital expenditure incurred amounted to \$46.89 million (excluding the University Project).
- 3.7 Economic Benefit Implications Nil identified
- 3.8 Environmental Implications Nil identified
- 3.9 Social Implications Nil identified
- 3.10 Consultation / Communication
Director Finance and Corporate Services and Accounting Services Manager.

ATTENDANCE

Mr Denis Crowe left the meeting at 10.59am after Item 3.1.

4 ASSET CONSTRUCTION & MAINTENANCE SESSION**(Cr A Hain)****ITEM 4.1****MANGO HILL - HALPINE LAKE - PATHWAY CONSTRUCTION - DIVISION 4**

Meeting / Session: 4 ASSET CONSTRUCTION & MAINTENANCE
Reference: A19275299: 29 October 2019 - Refer **Confidential** Supporting Information
A19141670
Responsible Officer: BB, Manager Project Management (ECM Project Management)

Executive Summary

Tenders were invited from Council's prequalified Civil Construction panel for the 'Mango Hill - Halpine Lake - Pathway Construction (MBRC008453/VP159702)' project. Tenders closed on 17 October 2019 with ten tenders received, including three alternative offers.

It is recommended that Council award the contract to Main Constructions (Building) Pty Ltd for the sum of \$427,758.13 (excluding GST) as this tender was evaluated as representing the best overall value to Council.

RESOLUTION

Moved by Cr Julie Greer

Seconded by Cr Peter Flannery

CARRIED 12/0

1. That the tender for 'Mango Hill - Halpine Lake - Pathway Construction (MBRC008453/VP159702)' project be awarded to Main Constructions (Building) Pty Ltd for the sum of \$427,758.13 (excluding GST).
2. That the Council enters into an agreement with Main Constructions (Building) Pty Ltd as described in this report.
3. That the Chief Executive Officer be authorised to take all action necessary, including but not limited to, negotiating, making, amending, signing and discharging the agreement with Main Constructions (Building) Pty Ltd for 'Mango Hill - Halpine Lake - Pathway Construction (MBRC008453/VP159702)' project and any required variations of the agreement on Council's behalf.

OFFICER’S RECOMMENDATION

1. That the tender for ‘Mango Hill - Halpine Lake - Pathway Construction (MBRC008453/VP159702)’ project be awarded to Main Constructions (Building) Pty Ltd for the sum of \$427,758.13 (excluding GST).
2. That the Council enters into an agreement with Main Constructions (Building) Pty Ltd as described in this report.
3. That the Chief Executive Officer be authorised to take all action necessary, including but not limited to, negotiating, making, amending, signing and discharging the agreement with Main Constructions (Building) Pty Ltd for ‘Mango Hill - Halpine Lake - Pathway Construction (MBRC008453/VP159702)’ project and any required variations of the agreement on Council’s behalf.

REPORT DETAIL

1. Background

The project is located between Mango Hill Train Station and Halpine Lake Reserve, Mango Hill. The project scope includes the construction of a 3m wide concrete pathway connection between Mango Hill Train Station and Jasper Place. Works also include full disability compliance, a pedestrian/cycle bridge, access ramp to the train station and all associated landscaping. The objective of the project is to shorten the commuter link to Mango Hill Train Station and provide greater recreational use of the park around the lake for cyclists and pedestrians.

Detailed design has been completed. Construction, pending award, is programmed to commence in April 2020 and be completed by July/August 2020, in line with budget allocation.



Figure 1: Locality plan - Halpine Lake Reserve

2. Explanation of item

Tenders were invited from Council’s prequalified Civil Construction panel for the ‘Mango Hill - Halpine Lake - Pathway Construction (MBRC008453/VP159702)’ project closed on 17 October 2019 with ten tenders received, all of which were conforming including three alternative offers. 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 score):

RANK	TENDERER	EVALUATION SCORE
1	Main Constructions (Building) Pty Ltd	100.00
2	AllenCon Pty Ltd	90.12
3	Pentacon Pty Ltd	90.04
4	The Landscape Construction Company Pty Ltd (Alternative)	89.45
5	The Landscape Construction Company Pty Ltd	88.98
6	Auzcon Pty Ltd	86.47
7	Queensland Civil Group Pty Ltd (Alternative)	84.30
8	Queensland Civil Group Pty Ltd	83.91
9	Civlec Pty Ltd T/A GRC Civil (Alternative)	79.18
10	Civlec Pty Ltd T/A GRC Civil	78.88

Main Constructions (Building) Pty Ltd (Main) submitted a comprehensive tender. A tender clarification meeting was held on 31 October 2019, at which Main demonstrated relevant experience, detailed methodology, understanding of the project and capability in effectively delivering the project in a timely manner. Main has previously undertaken construction work for the Council, including the Mango Hill Footbridge (\$267,668), Maba Court, Everton Hills Pedestrian Bridge (\$603,000); as well as work for Brisbane City Council - Beams Road, Culvert Widening/Pathway (\$680,400).

AllenCon Pty Ltd submitted a comprehensive tender, demonstrating relevant similar project experience; however, there were no additional benefits for the higher price.

Pentacon Pty Ltd submitted a comprehensive tender, demonstrating relevant similar project experience; however, there were no additional benefits for the higher price.

3. Strategic Implications

3.1 Legislative / Legal Implications

A competitive tender process was undertaken 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/contract/initiative has been procured/sourced in accordance with the provisions of the following documents:

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

3.4 Risk Management Implications

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

Financial Risks:

- a. The tenderers were sourced from Council's Prequalified Civil Construction Panel (MBRC008453).
- b. A third-party review of financial status has been carried out and the successful tenderer was rated 'satisfactory'.

Construction Risks:

- a. The recommended contractor will provide a detailed program of works, a staging plan, site specific traffic management, environmental management, tree management and safety plans. Work areas will be isolated to protect site personnel, the public, and to meet workplace health and safety requirements. The contractor will provide details on tree protection and management principles that will be included in the tree management plan.
- b. The contractor has demonstrated their understanding of constructability challenges and their technical capability to complete the works at this location.
- c. The contractor has provided a program with an allowance (10 days) for weather delays as part of their tendered program.
- d. A Riverine Protection Permit Exemption applies as confirmed by the Department of Natural Resources, Mines and Energy.
- e. There are no Development Approvals relating to this site or project.
- f. The project site is adjacent to the Queensland Rail (QR) corridor. All works are outside of the QR property.
- g. There are no procurement risks relating to this contract. The timeframe from awarding the contract and commencement of works has been clarified with the contractor and there is sufficient lead time for material procurement so as not to delay the project.

3.5 Delegated Authority Implications Nil identified

3.6 Financial Implications

Council has allocated a total of \$687,000 in the Capital Projects Program for this project (103686); with \$77,000 for design in 18-19 FY; \$215,000 for construction in 19-20 FY; and \$395,000 for construction in 20-21 FY.

Design 2018-19	\$ 78,401.00
Tender Price (Construction)	\$ 427,758.13
Contingency (10%)	\$ 42,775.81
QLeave	\$ 2,032.00

Total Project Cost	\$ 550,966.94
	=====
Estimated ongoing operational/maintenance costs	\$3,050.00 per F/Y

The budget amount for this project is sufficient.

3.7 Economic Benefit Implications Nil identified

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 pathway will provide improved amenity and more direct access for local residents to the Mango Hill Train Station. This will encourage increased levels of walking which will support Council's goals of improving the health of Moreton Bay residents which will, in turn, also increase the use of public transport facilities and may aid in the reduction of traffic congestion within the Mango Hill area.

3.10 Consultation / Communication

A detailed communication plan has been prepared. Project signage will be displayed a minimum of four weeks prior to and throughout the works, including project notices distributed a minimum of two weeks prior to the commencement of works. QR has been consulted throughout the design phase and will be consulted during construction. The Divisional Councillor will receive weekly email updates on the progress of the project. The Divisional Councillor has been consulted and is supportive of the project.

UNCONFIRMED

ITEM 4.2 - WITHDRAWN
NEWPORT WATERS ACCESS CHANNEL DREDGING - DIVISION 5

Meeting / Session: 4 ASSET CONSTRUCTION & MAINTENANCE
Reference: A19236994 : 13 November 2019 - Refer **Confidential** Supporting
Information A19210765
Responsible Officer: BB, Manager Project Management (ECM Project Management)

This item was withdrawn at the request of the Acting Chief Executive Officer.

UNCONFIRMED

5 PARKS, RECREATION & SPORT SESSION

(Cr K Winchester)

ITEM 5.1

BEACHMERE - BIGGS AVENUE - PROPOSED NAMING OF MAZLIN PARK - DIVISION 2

Meeting / Session: 5 PARKS, RECREATION & SPORT
Reference: A19265640 : 28 October 2019
Responsible Officer: BS, Technical Officer (IP Parks & Recreation Planning)

Executive Summary

An application has been received requesting that parkland, located at 21 Biggs Avenue, Beachmere be named after the Mazlin family. This report provides Council with background information relevant to the application and recommends that Lot 1, SP163744 be named "Mazlin Park".

RESOLUTION

Moved by Cr Peter Flannery

Seconded by Cr Adam Hain

CARRIED 12/0

1. That having regard to the information provided within this report and subject to the outcome of public advertising, the naming of Lot 1, SP163744 as "Mazlin Park", be approved.
2. That the name "Beachmere Activity Centre" be retained and applied only to the building within the parkland.
3. That the proposal to name the parkland be advertised in local newspapers with public submissions open for a period of 28 days.
4. That should adverse submissions be received as a result of public advertising; the matter be referred to Council in a subsequent report.

OFFICER'S RECOMMENDATION

1. That having regard to the information provided within this report and subject to the outcome of public advertising, the naming of Lot 1, SP163744 as "Mazlin Park", be approved.
2. That the name "Beachmere Activity Centre" be retained and applied only to the building within the parkland.
3. That the proposal to name the parkland be advertised in local newspapers with public submissions open for a period of 28 days.
4. That should adverse submissions be received as a result of public advertising; the matter be referred to Council in a subsequent report.

REPORT DETAIL

1. Background

An application has been received by Council requesting that Lot 1, SP163744 (refer Figure 1), located at 21 Biggs Avenue, Beachmere, be named in recognition of the Mazlin family.



Figure 1: Lot 1, SP163744 - Parkland to be named

Lot 1, SP163744 is currently shown in Council's asset register system as Beachmere Activity Centre with an existing sign located in front of the building (see figure 2).



Figure 2: Beachmere Activity Centre sign and building

2. Explanation of Item

As the name "Beachmere Activity Centre" is more properly associated with the building rather than the parkland, it is proposed that this name continue to be applied to the building only and that the park be acknowledged with its own name.

The application to name a park or recreation reserve under Council control was lodged by Geoffrey Mazlin, son of Victor and Olive Mazlin, in recognition of the association the Mazlin family has with the area. Information received from the applicant notes the following in respect of the Mazlin's:

The Mazlin family particularly Victor and Olive lived in Beachmere for over 66 years and would possibly have been the longest-term residents - during that time they were heavily involved in the community - both Olive and Vic have sadly passed in the past 4 weeks - Olive on June 25th, 2019 and Vic on 10th July 2019. All four of their children and families also live at Beachmere and have been actively involved in the community.

The nomination is for the family particularly Vic and Olive - they were founding members of the Beachmere Sailing Club and worked tirelessly to raise funds and build the Clubhouse (now the Activity Centre) - Vic Mazlin was the instigator of the application for the land on which to build the Beachmere Bowls Club and greens, the greens were opened first, then Vic Mazlin and his building company built the original clubhouse after sufficient funds were raised, the clubhouse was virtually built for the cost of the materials only.

Vic and Olive were life members of the Club, and held many senior positions including those of Patron, Chairman and Treasurer. The Club has a plaque inside honouring their commitment to the community and the Club.

Vic Mazlin was also part of the team that built the Community Hall, was one of the founding members of the Beachmere Lions Club holding the position of President for many years and being recognised for his work in the community with many high awards from Lions International. The Beachmere Lions Club has injected tens of thousands of dollars into the community and local school and does to this day.

Under Policy No: 11-2150-039, Naming of Council Owned or Administered Buildings, Structures and other Assets (excluding roads), applicants are required to provide documentation to substantiate the good character of the person or persons being acknowledged. This application has been supported by a letter of recommendation from Division 2 Councillor Peter Flannery and the Lions Club of Beachmere. The proposal was also referred to Council's local historian, who has verified the statements made by the applicant.

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

- Persons with a historical connection to the land or area;
- Names of pioneering families and long-term residents;
- Names of respected community members of considerable service who are, or were resident or working within the region;
- Persons having made a significant financial or "in kind" contribution to the park;

Council internal policy requires that any proposal to name a park be advertised in local newspapers for a period of up to 28 days during which time submissions can be received. This process allows Council to assess any possible objections to the proposed naming.

A history board is proposed to be installed in conjunction with the new park name sign to explain the connection the Mazlin family had with the area. The proposed wording is as follows:

"The Mazlin family were active volunteers within the Beachmere community and were a driving force behind several major projects, notably, the Beachmere Activity Centre."

3. Strategic Implications

3.1 Legislative / Legal Implications Nil identified

3.2 Corporate Plan / Operational Plan

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

3.3 Policy Implications

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

3.4 Risk Management Implications Nil identified

3.5 Delegated Authority Implications

Subject to no adverse submissions being received, the matter should be referred to the Director Engineering Construction and Maintenance for implementation.

3.6 Financial Implications

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

3.7 Economic Benefit Implications Nil identified

3.8 Environmental Implications Nil identified

3.9 Social Implications

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

3.10 Consultation / Communication

The proposed naming is supported by the Division 2 Councillor. The proposed naming will be advertised in local newspapers for a period of 21 days (reduced due to the coming Christmas break) during which time public submissions can be made and will be received. If adverse comments are received, then the matter will be reported back to Council for final consideration and direction. Where no adverse comments are received, the matter will be delegated to the Director Engineering Construction and Maintenance for implementation.

UNCONFIRMED

ITEM 5.2

BEACHMERE - MAIN STREET - PROPOSED NAMING OF BUILDING - DIVISION 2

Meeting / Session: 5 PARKS, RECREATION & SPORT
Reference: A19315122 : 7 November 2019
Responsible Officer: BS, Technical Officer (IP Parks & Recreation Planning)

Executive Summary

The former Beachmere RSL building, located at 10 Biggs Avenue, Beachmere, is being redeveloped to form part of Councils network of community facilities following its closure in 2018. It is proposed that the facility be named to allow for marketing and booking processes to commence prior to its re-opening in early 2020. This report provides Council with background information relevant to the application and recommends that the building shown in figure 1 on Lot 1, SP212541 be named "Beachmere Hub".

RESOLUTION

Moved by Cr Peter Flannery

Seconded by Cr Brooke Savage

CARRIED 12/0

1. That having regard to the information provided within this report and subject to the outcome of public advertising, the naming of the building shown in figure 1 on Lot 1, SP212541, as "Beachmere Hub" be approved.
2. That the proposal to name the building be advertised in local newspapers with public submissions open for a period of 21 days.
3. That should adverse submissions be received as a result of public advertising; the matter be referred to Council in a subsequent report.

OFFICER’S RECOMMENDATION

1. That having regard to the information provided within this report and subject to the outcome of public advertising, the naming of the building shown in figure 1 on Lot 1, SP212541, as “Beachmere Hub” be approved.
2. That the proposal to name the building be advertised in local newspapers with public submissions open for a period of 21 days.
3. That should adverse submissions be received as a result of public advertising; the matter be referred to Council in a subsequent report.

REPORT DETAIL

1. Background

The building is located within Clayton Park, half way between the commercial centre and Beachmere foreshore. The facility is surrounded by other public facilities - bowling greens, play equipment, green space, war memorial and the water tower.

Originally established in the early 1980s, Beachmere Bowls Club Inc. built the premises and lawn bowling greens. In 2009, the newly formed Club Beachmere Inc. took over management of the facility. During these years, the community referred to the facility as ‘Club Beachmere’.

In 2015 the facility was leased to the Beachmere RSL and some continued to refer to it as ‘Club Beachmere’ while others called it ‘the RSL’ until it was returned to Council in 2018 for financial reasons.

Although the bowling greens will remain in use, the facility aims to accommodate a range of different community uses and accordingly, should be named to reflect the change in use.

Forming part of Councils community halls network, the facility will be managed by a local community organisation on behalf of Council. It will be a multipurpose community centre with a variety of different size rooms to enable adaptive community use. Generally, the facility will be a meeting place; a place where members of the local community can gather for a range of purposes.



Figure 1 Building to be named

2. Explanation of Item

Council’s Policy: 2150-039 Naming of Council-Owned or Administered Buildings, Structures and other Assets (excluding roads) requires the naming of community facilities to be consistent with the overarching values, ethical principles, and current standards of Council, stakeholders and both the local and wider community. In naming a facility, consideration should be given to reflecting the location, geographical or historical context of the land on which the facility is erected. An expanded scope may need to be considered in some instances. The policy also states that this does not preclude them being named in recognition of

community members or using any of the other conventions listed in the Guidelines for Selection of Permanent Names.

Research for a name was conducted using the Guidelines for Selection of Permanent Names. Investigations into the site of the facility and the local geography and history found no obvious reference that could be used to guide naming of the facility. As a facility available for the wider community, it was not considered appropriate to name it in recognition of a single person from the local area.

Several possible names were considered prior to the selection of the preferred name. These were derived from the intended use of a facility as a gathering place and a place to connect for community activities and benefit. The following names were considered:

<i>Beachmere Connect</i>	<i>Beachmere Universal Centre</i>	<i>Beachmere Square</i>
<i>The Village Green</i>	<i>Connections Centre</i>	<i>Beachmere Hive</i>
<i>Beachmere Place</i>	<i>Gathering Centre</i>	<i>Beachmere Green</i>

These alternative options all reflected the intended use of the facility and while they broadly met policy requirements, uniform agreement on one name could not be found within the community.

Research on community hubs shows that a hub is a place that facilitates service collaboration and integration and provides a “place-making opportunity to build cohesive communities”. A hub is a gathering place for local people and “an access point for a wide range of community activities, programs, services and events”.

Three community service groups will be co-located at the Beachmere facility: Beachmere Area Network Group (BANG), Beachmere Lawn Bowls and Disaster Management. It is anticipated a range of other groups will hire the facility to provide social, support and assistance programs and services to the local community. What is being provided at this new centre is consistent with the various definitions of a community hub. BANG has expressed support for this name and believe it will be very welcomed by the local community.

It is desirable for marketing and booking processes to approve the naming prior to construction when the work itself will greatly assist in promoting the facility. Having a name will establish a clear identity and allow for preparation of marketing and promotional material as well as assisting with implementing management and booking procedures in a timely manner.

3. Strategic Implications

3.1 Legislative / Legal Implications Nil identified

3.2 Corporate Plan / Operational Plan
Strengthening Communities: Healthy and supportive communities - a healthy and inclusive community.

3.3 Policy Implications
The submitted application complies with and has all the supporting documentation required under MBRC Policy No: 11-2150-039, Naming of Council Owned or Administered Buildings, Structures and other Assets (excluding roads). Council policy requires that any proposal to name a building be advertised in local newspapers for a period of up to 28 days during which time submissions can be received. This process allows Council to assess any possible objections to the proposed naming.

3.4 Risk Management Implications
The proposed name meets Policy requirements and poses no governance risk. However, there may be a risk of the community not readily accepting the name chosen for the facility, posing a risk to Council's reputation.

3.5 Delegated Authority Implications Nil identified

3.6 Financial Implications Nil identified

3.7 Economic Benefit

For marketing and promotion purposes, the facility name should contain as few words with as few syllables as possible. The proposed name provides marketing opportunities for the refurbished building that will assist in achieving a regular income from hire and contribute to its long-term economic sustainability.

3.8 Environmental Implications Nil identified

3.9 Social Implications

It is appropriate to name the refurbished facility such that it does not cause confusion with other local community facilities, however it is also appropriate to provide a name that reflects the intended use of the facility and is acceptable to the community the centre is to serve.

3.10 Consultation / Communication

Internal

- Councillor Division 2
 - The proposed naming is supported by the Division 2 Councillor. The proposed naming will be advertised in local newspapers for a period of 21 days (reduced due to the coming Christmas break) during which time public submissions can be made and will be received. If adverse comments are received, then the matter will be reported back to Council for final consideration and direction. Where no adverse comments are received, the matter will be delegated to the Director Engineering Construction and Maintenance for implementation.
- Director - Community and Environmental Services
- Community Planning and Resources Manager
- Community Planning and Policy Coordinator
- Community Halls staff

External

- BANG Inc (management group for the refurbished facility)
- Beachmere Community Hall Progress Association (own and manage the Beachmere Community Hall)
- Beachmere Lions Club (manage the Beachmere Activity Centre)

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 SESSION

(Cr D Grimwade)

No items for consideration.

UNCONFIRMED

11. GENERAL BUSINESS OR RESPONSE TO QUESTIONS TAKEN ON NOTICE

**ITEM 11.1
2019 MURRI WOMEN'S SOFTBALL TOURNAMENT**

Cr Peter Flannery reported that he had attended the opening of the 2019 Murri Women's Softball Tournament held at the Caboolture Sports Softball Association, Dances Road, Sports fields over the preceding weekend.

The tournament is in its sixth year and is a fantastic event helping build relationships in the community.

RESOLUTION

**Moved by Cr Peter Flannery
Seconded by Cr**

CARRIED 12/0

That a Mayoral letter of congratulation be sent to Caboolture Sports Softball Association and the Queensland Softball Association for the successful running of the 2019 Murri Women's Softball Tournament event.

**ITEM 11.2
BATTLE OF THE BRAINS**

Cr Mick Gillam reported on the annual "Battle of the Brains" competition held last Thursday evening. The competition saw 396 students making up 57 teams of 7, compete in the various rounds of questions. The students represented 17 schools from the southern part of the region. Third place was The Lakes College, second place was Holy Spirit School, Bray Park and the overall winner was Patrick Road State School.

Cr Gillam conveyed his thanks to Council's event staff for their assistance in the organising and conduct the event which has been held annually since 1993.

**ITEM 11.3
10TH BOWLS PREMIER LEAGUE**

Cr Mick Gillam reported on the 10th Bowls Premier League (BPL) competition recently hosted by Club Pine Rivers. This is the fifth time Club Pine Rivers had hosted the prestigious event which was streamed on Fox Sports and worldwide to approx. 180,000 viewers. Tweed Head Ospreys enjoyed the win over the heavily-fancied Sydney Lions.

Council's sponsorship of the event was recognised with the logo prominently positioned on the backboards, that was also the location of the presentations, as well as being displayed throughout the competition and on the shirts of the Brisbane Pirates team that unfortunately did not make the play-offs.

RESOLUTION

**Moved by Cr Mick Gillam
Seconded by Cr Mike Charlton (Deputy Mayor)**

CARRIED 12/0

That a Mayoral letter of congratulation be sent to the Pine Rivers Memorial Bowls Club (Club Pine Rivers) on the successful hosting of the 10th BPL competition.

**ITEM 11.4
QUEENSLAND TONGAN LANGUAGE SCHOOL**

Cr Koliana Winchester mentioned that she had been invited by the Brisbane Tongan Community to attend the soft launch of the Queensland Tongan Language School. Cr Winchester expressed how proud she was of her heritage and what a wonderful opportunity it was for her to attend the opening and to 'say a few words'. It was interesting to note that the School is open to everyone from the community to learn the Tongan language.

**ITEM 11.5
GENERAL MINUTES - 12 NOVEMBER 2019 - ADMINISTRATIVE OMISSION**

Cr Darren Grimwade pointed out that the minutes of the General Meeting of 12 November 2019, were not complete as the wording of the resolution allowing Cr Grimwade to remain in the meeting to participate in the debate and resolution of Item C.1 appeared to have been omitted although the Mover and Seconder of the resolution is recorded.

The mover and seconder of the motion earlier in today's meeting, confirming the minutes of the General Meeting of 12 November 2019 (Cr Koliana Winchester and Cr Julie Greer respectively), agreed for their motion to be amended to include correction of the administrative omission and that Minute Page 19/2338 be amended to include the highlighted wording below, to complete the resolution:

ITEM C.1 - DECLARATION OF INTEREST

Conflict of Interest - Declaration - Cr Darren Grimwade

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

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

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

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

Moved by Cr Adam Hain

Seconded by Cr Koliana Winchester

CARRIED 10/0

Cr Darren Grimwade had declared a perceived conflict of interest and was not entitled to vote

That in accordance with s175E(4) of the Local Government Act 2009, it is considered that Cr Darren Grimwade 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 Darren Grimwade remained in the meeting.

ITEM 11.6
REGIONAL RECYCLER COMPETITION - REGIONAL

Cr Adam Hain noted that Council's Regional Recycler Competition had been held at schools and early learning centres throughout the region this week. Cr Hain mentioned Pumicstone State School in particular, for the great initiatives being undertaken at the school such as students participating in the 'wrapper free lunch challenge' every Thursday which Cr Hain noted was a simple and practical way to cut down on waste.

RESOLUTION

Moved by Cr Adam Hain

Seconded by Cr Mick Gillam

CARRIED 12/0

That staff be congratulated on the successful conduct of Council's Regional Recycler Competition and the great initiatives being undertaken to reduce waste reduction.

ITEM 11.7
A-LEAGUE FOOTBALL MATCH - DOLPHIN STADIUM

Cr Allan Sutherland (Mayor) made mention that on the preceding weekend, Dolphin Stadium was the venue for the A-League football match between Brisbane Roar and Melbourne City. The event was very successful with just over 9000 fans in attendance, which saw Brisbane City take out the win.

The Mayor commented that it was great to see the stadium being used for multi-purpose events.

12. CLOSED SESSION

(s275 of the Local Government Regulation 2012)

Consideration of confidential officers' reports as referred by the Chief Executive Officer and confidential general business matters as raised at the meeting.

CLOSED SESSION

RESOLUTION

Moved by Cr Matt Constance

Seconded by Cr James Houghton

CARRIED 12/0

That Council 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 11.23am.

OPEN SESSION

RESOLUTION

Moved by Cr Adam Hain

Seconded by Cr Julie Greer

CARRIED 12/0

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

The open session resumed at 11.39am.

12a. CONFIDENTIAL OFFICERS' REPORTS TO COUNCIL

ITEM C.1 – CONFIDENTIAL

FERNY HILLS POOL EXTENSION OF OPENING SEASON - DIVISION 10

Meeting / Session: 6 Lifestyle & Amenity (Cr D Sims)

Reference: A19296677 : 4 November 2019

Responsible Officer: BP, Coordinator Regional Leisure Venues (CES Property & Commercial Services)

Basis of Confidentiality

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

Executive Summary

The Ferny Hills Aquatic Centre (FHAC) located at 71 Ferny Way, Ferny Hills comprises a 50-metre outdoor pool, toddlers play pool and a 15-metre indoor heated pool. The centre opens on a seasonal basis from 1 September to 30 April with exception of the indoor heated pool which opens year-round at the discretion of the operator.

Officers propose to transition FHAC to year-round operation including an upgrade to the pool heating system and variation of the management and operation agreement with the contracted operator.

RESOLUTION

Moved by Cr Matt Constance

Seconded by Cr Mike Charlton (Deputy Mayor)

CARRIED 12/0

1. That the Ferny Hills Aquatic Centre transition to year-round operation as outlined in this report.
2. That the Chief Executive Officer be authorised to take all action necessary, including but not limited to, negotiating, making, amending, signing and discharging the agreement with Belgravia Health and Leisure Group Pty Ltd and any required variations of the agreement on the Council's behalf.

ITEM C.2 – CONFIDENTIAL

AGREEMENT TO PURCHASE EXISTING LEASED PORTABLE WEIGHBRIDGES - REGIONAL

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

Reference: A19306956 : 11 November 2019 - Refer **Confidential** Supporting Information
A19307077

Responsible Officer: AH, Manager Waste Services (ECM Waste 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 introduction of the State Government's waste levy has driven significant operational changes to Council's waste management facilities. At both the Dakabin and Bunya waste management facilities (WMF), such change has required the procurement and installation of an additional weighbridge to each facility to minimise operational impacts of the waste levy.

Council engaged Australian Weighing Equipment Pty Ltd (AWE) to supply and install two weighbridges on short-term leases via a vendor panel arrangement. The two additional weighbridges are satisfactorily addressing some of the key operational challenges due to the waste levy introduction.

To maintain effective and safe weigh-in and weigh-out ingress and egress from the Bunya and Dakabin WMFs, it is proposed to accept an offer from AWE for the purchase of the installed weighbridge systems for a one-off residual payment that credits the lease payments made by Council from the final purchase costs at the conclusion of the lease.

RESOLUTION

Moved by Cr Mike Charlton (Deputy Mayor)

Seconded by Cr Adam Hain

CARRIED 12/0

1. That Council prepares a Quote Consideration Plan for the medium-sized contractual arrangement with Australian Weighing Equipment Pty Ltd for the purchase of existing leased portable weighbridge systems at Bunya and Dakabin Waste Management Facilities.
2. That the Quote Consideration Plan for the medium-sized contractual arrangement with Australian Weighing Equipment Pty Ltd for the purchase of existing leased portable weighbridge systems at Bunya and Dakabin Waste Management Facilities be adopted, as tabled.
3. That the Council enters into an agreement with Australian Weighing Equipment Pty Ltd for the purchase of existing leased portable weighbridge systems at Bunya and Dakabin Waste Management Facilities, as described in this report.
4. That the Chief Executive Officer be authorised to take all action necessary including, but not limited to, negotiating, making, amending, signing and discharging the agreement with Australian Weighing Equipment Pty Ltd for the purchase of existing leased portable weighbridge systems at Bunya and Dakabin Waste Management Facilities and any required variations of the agreement on Council's behalf.

ADJOURNMENT

RESOLUTION TO ADJOURN MEETING

Moved by Cr Adam Hain
Seconded by Cr Mick Gillam

CARRIED 12/0

That the General Meeting be adjourned.

The meeting adjourned at 11.40am.

RECONVENE

RESOLUTION TO RECONVENE MEETING

Moved by Cr James Houghton
Seconded by Cr Darren Grimwade

CARRIED 11/0

That the General Meeting be reconvened.

The meeting resumed at 4.27pm.

ATTENDANCE

Cr Koliana Winchester was not in attendance when the meeting reconvened.

12b. CONFIDENTIAL GENERAL BUSINESS

ITEM C.3 – CONFIDENTIAL
APPOINTMENT OF CHIEF EXECUTIVE OFFICER

RESOLUTION

Moved by Cr Allan Sutherland (Mayor)

Seconded by Cr Matt Constance

CARRIED 10/1

Cr Brooke Savige voted against the motion

That pursuant to s257 of the *Local Government Act 2009*, Council delegates to the Acting Chief Executive Officer, in consultation with the Mayor, the power to do all things necessary to finalise arrangements and enter into a contract of employment appointing as the Chief Executive Officer of Moreton Bay Regional Council the preferred candidate (as recommended by the selection panel) identified at today's General Meeting.

13. CLOSURE

There being no further business the meeting closed at 4.34pm.

CHIEF EXECUTIVE OFFICER'S CERTIFICATE

I certify that minute pages numbered 19/2354 to 19/2391 constitute the minutes of the General Meeting of the Moreton Bay Regional Council held Tuesday, 19 November 2019.

Graeme Kanofski
Acting Chief Executive Officer

CONFIRMATION CERTIFICATE

The foregoing minutes were confirmed by resolution of Council at its meeting held Tuesday 26 November 2019.

Graeme Kanofski
Acting Chief Executive Officer

Councillor Allan Sutherland
Mayor