



# MINUTES

## GENERAL MEETING

**Tuesday 27 August 2019**  
commencing at 10.36am

Strathpine Chambers  
220 Gympie Road, Strathpine

**ENDORSED GM20190903**

---

**4. CONFIRMATION OF MINUTES FROM PREVIOUS MEETING**

**RESOLUTION**

**Moved by Cr Denise Sims**

**Seconded by Cr Koliana Winchester**

**CARRIED 11/0**

**That the minutes of the General Meeting held 27 August 2019 (Pages 19/1837 to 19/1961), be confirmed.**

LIST OF ITEMS

1.	<b>OPENING PRAYER</b>	<b>1837</b>
2.	<b>ATTENDANCE &amp; APOLOGIES</b>	<b>1837</b>
3.	<b>MEMORIALS OR CONDOLENCES</b>	<b>1837</b>
4.	<b>A) CONFIRMATION OF MINUTES FROM PREVIOUS GENERAL MEETING</b>	<b>1838</b>
	General Meeting - 20 August 2019 (Pages 19/1806 - 19/1836)	1838
	<b>RESOLUTION</b>	
5.	<b>PRESENTATION OF PETITIONS</b>	<b>1838</b>
	<i>(Addressed to the Council and tabled by Councillors)</i>	
6.	<b>CORRESPONDENCE</b>	<b>1838</b>
7.	<b>COMMUNITY COMMENT</b>	<b>1838</b>
8.	<b>NOTIFIED MOTIONS</b>	<b>1838</b>
9.	<b>NOTICES OF MOTION (Repeal or amendment of resolutions)</b>	<b>1838</b>
	<i>(s262 of the Local Government Regulation 2012)</i>	
10.	<b>OFFICERS' REPORTS TO COUNCIL (conducted in Sessions)</b>	<b>1839</b>
	<i>(as referred by the Chief Executive Officer)</i>	
	<b>1 GOVERNANCE SESSION (Cr A Sutherland, Mayor)</b>	<b>1839</b>
	<b>2 PLANNING &amp; DEVELOPMENT SESSION (Cr M Gillam)</b>	<b>1840</b>
	<b>ITEM 2.1 - DECLARATION OF INTEREST</b>	<b>1840</b>
	<i>Conflict of Interest - Declaration - Cr Allan Sutherland (Mayor)</i>	1840
	<b>ITEM 2.1</b>	<b>1841</b>
	DA/38582/2019/V2U - MATERIAL CHANGE OF USE - DEVELOPMENT PERMIT FOR RENEWABLE ENERGY FACILITY AT 260 WALLACE ROAD NORTH, BEACHMERE - DIVISION 2	
	<b>RESOLUTION</b>	
	REPORT DETAIL	
	<b>ITEM 2.2</b>	<b>1894</b>
	DA/34780/2017/V34R - RECONFIGURING A LOT - DEVELOPMENT PERMIT FOR SUBDIVISION (2 INTO 35 LOTS) & OPERATIONAL WORKS - DEVELOPMENT PERMIT FOR EARTHWORKS (FILLING) (SUPERSEDED PLANNING SCHEME) - LOCATED AT 33 JOSEPH CRES & 46 BANCROFT TCE, DECEPTION BAY - DIVISION 2	
	<b>RESOLUTION</b>	
	REPORT DETAIL	

<b>3 CORPORATE SERVICES SESSION (Cr M Constance)</b>	<b>1935</b>
<b>4 ASSET CONSTRUCTION &amp; MAINTENANCE SESSION (Cr A Hain)</b>	<b>1936</b>
<b>ITEM 4.1</b> BRENDALDE - NOLAN PARK - BMX PRECINCT CONSTRUCTION (DESIGN CONSULTANCY) - DIVISION 9	<b>1936</b>
<b>RESOLUTION</b> REPORT DETAIL	
<b>ITEM 4.2</b> TENDER - DAYBORO - MCKENZIE STREET - ROAD REHABILITATION - DIVISION 11	<b>1941</b>
<b>MOTION</b> <b>RESOLUTION</b> REPORT DETAIL	
<b>ITEM 4.3</b> TENDER - COLLECTION AND DISPOSAL OF LEACHATE (MBRC008340) - REGIONAL	<b>1946</b>
<b>RESOLUTION</b> REPORT DETAIL	
<b>ITEM 4.4</b> TENDER - COLLECTION AND DISPOSAL OF HOUSEHOLD HAZARDOUS WASTE, MISCELLANEOUS ITEMS AND/OR USED OIL (MBRC008339) - REGIONAL	<b>1951</b>
<b>RESOLUTION</b> REPORT DETAIL	
<b>5 PARKS, RECREATION &amp; SPORT SESSION (Cr K Winchester)</b>	<b>1955</b>
<b>6 LIFESTYLE &amp; AMENITY SESSION (Cr D Sims)</b>	<b>1955</b>
<b>7 ECONOMIC DEVELOPMENT, EVENTS &amp; TOURISM SESSION (Cr P Flannery)</b>	<b>1955</b>
<b>8 REGIONAL INNOVATION SESSION (Cr D Grimwade)</b>	<b>1955</b>
<b>11. GENERAL BUSINESS OR RESPONSE TO QUESTIONS TAKEN ON NOTICE</b>	<b>1956</b>
<b>ITEM 11.1</b> REGIONAL EVENTS	<b>1956</b>
<b>12. CLOSED SESSION</b> <i>(s275 of the Local Government Regulation 2012)</i>	<b>1957</b>
<b>ITEM C.1 - DECLARATION OF INTEREST</b> <i>Conflict of Interest - Declaration - Cr Denise Sims</i>	<b>1957</b> <i>1957</i>
<b>12a. CONFIDENTIAL OFFICERS' REPORTS TO COUNCIL</b>	<b>1958</b>
<b>ITEM C.1 – CONFIDENTIAL</b> PROPERTY ACQUISITION - ARANA HILLS - DIVISION 10	<b>1958</b>
<b>RESOLUTION</b>	

# Moreton Bay Regional Council

GENERAL MEETING - 484  
27 August 2019

**PAGE c**  
Minutes

---

<b>ITEM C.2 – CONFIDENTIAL</b>	<b>1960</b>
REDCLIFFE AERODROME RENT REVIEW - DIVISION 5	
<b><i>RESOLUTION</i></b>	
<b>12b. CONFIDENTIAL GENERAL BUSINESS</b>	<b>1961</b>
<b>13. CLOSURE</b>	<b>1961</b>

---

## 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 Koliانا Winchester  
Cr Denise Sims  
Cr Mick Gillam  
Cr Mike Charlton (Deputy Mayor)  
Cr Matthew Constance  
Cr Darren Grimwade

Chief Executive Officer	(Mr Daryl Hitzman)
Director Community & Environmental Services	(Mr Bill Halpin)
Director Infrastructure Planning	(Mr Andrew Ryan)
Director Planning	(Mr Mike Pickering)
Interim Director Finance & Corporate Services	(Mr Graeme Kanofski)
Manager Development Services	(Mr Dan Staley)
Team Leader Planning	(Ms Tina Maltby-Wells)
Team Leader Planning	(Ms Amy White)
Manager Asset Maintenance	(Mr Rod MacBeth)
Meeting Support	(Larissa Kerrisk)

### **Suspended:**

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

---

## 3. MEMORIALS OR CONDOLENCES

---

Cr Allan Sutherland (Mayor) made special mention of the late **Mrs Valerie 'Val' Tibbits** who passed away recently. Cr Sutherland said that Val was the wife of the former Redcliffe City Council Engineer, Mr Kevin Tibbits, who worked for the former Council from 1960 until retirement in 1989. Val was a well-known personality and was very involved in church and community groups all her life. The Mayor said it was a touching service, with a eulogy provided by Kev recounting that they had been together for over 70 years, having met when she was 15 years old and he was 16 at the Cotton Tree Caravan Park, never having been separated since that time. Cr Sutherland expressed his sincere condolences to family and friends.

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

---

**4. A) CONFIRMATION OF MINUTES FROM PREVIOUS GENERAL MEETING**

---

**General Meeting - 20 August 2019 (Pages 19/1806 - 19/1836)**

**RESOLUTION**

Moved by Cr Denise Sims

Seconded by Cr Mick Gillam

**CARRIED 12/0**

That the minutes of the General Meeting held 20 August 2019, be confirmed.

---

**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**

There are no participants in the Community Comment session for this meeting.

---

**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 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)**

No items for consideration.



---

**2 PLANNING & DEVELOPMENT SESSION**

**(Cr M Gillam)**

---

**ITEM 2.1 - DECLARATION OF INTEREST**

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

Pursuant to s175E of the *Local Government Act 2009*, Cr Allan Sutherland (Mayor) declared a conflict of interest in Item 2.1 as the applicant, Pacific Silica Pty Ltd, trading as Southern Pacific Sands was a contributor to the Mayor's 2012 election campaign of \$4,000.

**Cr Allan Sutherland (Mayor) retired from the meeting at 10:43am taking no part in the debate or resolution regarding same.**

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

**ATTENDANCE**

Ms Tina Malty Wells attended the meeting at 10.43am for discussion on Item 2.1 and Mr Dan Staley attended the meeting at this time for discussion on Items 2.1 and 2.2.

**ITEM 2.1**

**DA/38582/2019/V2U - MATERIAL CHANGE OF USE - DEVELOPMENT PERMIT FOR RENEWABLE ENERGY FACILITY AT 260 WALLACE ROAD NORTH, BEACHMERE - DIVISION 2**

**APPLICANT:** Pacific Silica Pty Ltd, trading as Southern Pacific Sands c/- Aurecon Australia

**OWNER:** Pacific Silica Pty Ltd

Meeting / Session: 2 PLANNING & DEVELOPMENT  
Reference: A18863682: 8 July 2019 – Refer Supporting Information A18888287, A18888297, A18888305  
Responsible Officer: DP, Planner (PED Development Services)

**Executive Summary**

<b>APPLICATION DETAILS</b>	
<b>Applicant:</b>	Southern Pacific Sands
<b>Lodgement Date:</b>	20 May 2019
<b>Properly Made Date:</b>	23 May 2019
<b>Confirmation Notice Date:</b>	31 May 2019
<b>Information Request Date:</b>	NA
<b>Info Response Received Date:</b>	NA
<b>Public Notification Dates:</b>	14 June 2019 - 05 July 2019
<b>No. of Submissions:</b>	Properly Made: eight (8) Not Properly Made: one (1)
<b>Decision Due Date:</b>	10 September 2019
<b>Prelodgement Meeting Held:</b>	23 January 2019

<b>PROPERTY DETAILS</b>	
<b>Division:</b>	Division 2
<b>Property Address:</b>	260 Wallace Road North, Beachmere
<b>RP Description</b>	Lot 2 RP92020
<b>Land Area:</b>	199.1940 hectares
<b>Property Owner</b>	Pacific Silica Pty Ltd

<b>STATUTORY DETAILS</b>	
<b>Planning Legislation:</b>	Planning Act 2016
<b>Planning Scheme:</b>	MBRC Planning Scheme
<b>Planning Locality / Zone</b>	Rural Zone - Agricultural Precinct Partial
<b>Level of Assessment:</b>	Impact Assessable

The applicant seeks a Material Change of Use - Development Permit for a Renewable Energy Facility (Solar Farm) over 260 Wallace Road North, Beachmere (Lot 2 on RP92020).

The subject site currently supports a 33kv Transmission line running east-west through the southern end of the site and is predominantly clear of vegetation.

*ITEM 2.1 DA/38582/2019/V2U - MATERIAL CHANGE OF USE - DEVELOPMENT PERMIT FOR RENEWABLE ENERGY FACILITY AT 260 WALLACE ROAD NORTH, BEACHMERE - DIVISION 2 - A18863682 (Cont.)*

The proposed development has been designed to provide a renewable energy source to the immediate surrounding area and Energex have expressed their support of the proposal in alleviating grid demand.

The proposed solar farm layout is comprised of rows of single axis trackers generally forming a rectangular layout to the north and west of the site. Each single axis tracker comprises ninety (90) solar panels centred around a controller which angles the modules to track the natural path of the sun. In total approximately 238,330 solar panels will be erected on the site generating a potential of up to 50 mega-watts of energy. The solar panels will cover an area of approximately 67 hectares.

Power harvested from the solar panels will be fed into a number of power conversion stations, located on site and distributed throughout the solar panel grid layout, with the energy then directed to a single substation via an internal power grid layout. The substation is located in the south-western corner of the site, adjacent to the existing high voltage (33kv) transmission line. The substation, containing a high-voltage transformer will convert the direct current flow to alternate current prior to connecting to the transmission line. The proposed grid connection has not been shown from the conversion station to the substation on the proposed plans.

On site ancillary facilities include an office/maintenance building, electrical substation, and laydown areas and are proposed to be located outside of environmental corridor areas.

The application was publicly advertised with eight (8) properly made submissions received.

The proposed development accords with the intent of the Rural Zone and the Strategic Framework of the Planning Scheme and is recommended to be approved subject to conditions.

---

**RESOLUTION**

**Moved by Cr Peter Flannery**

**Seconded by Cr Matt Constance**

**CARRIED 11/0**

*Cr Allan Sutherland (Mayor) had declared a conflict of interest and had left the meeting*

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

ITEM 2.1 DA/38582/2019/V2U - MATERIAL CHANGE OF USE - DEVELOPMENT PERMIT FOR RENEWABLE ENERGY FACILITY AT 260 WALLACE ROAD NORTH, BEACHMERE - DIVISION 2 - A18863682 (Cont.)

OFFICER'S RECOMMENDATION

- A. That Council, in accordance with the *Planning Act 2016*, approves the development application for a Material Change of Use - Development Permit for a Renewable Energy Facility at 260 Wallace Road North, Beachmere, described as Lot 2 on RP92020 subject to the following plans and conditions:

<b>Approved Plans and Documents</b>			
<b>Plan / Document Name</b>	<b>Reference Number</b>	<b>Prepared By</b>	<b>Dated</b>
Solar Farm Property Area	503637 001 DRG GA Rev B	Aurecon	14/05/2019
Solar Farm Access Roads	503637 001 DRG GA Rev B	Aurecon	14/05/2019
Solar Farm Site Layout	503637 001 DRG GA Rev B	Aurecon	14/05/2019
Solar Farm General Arrangement Tracker Details	503637 001 DRG GA006 Rev A	Aurecon	14/05/2019
Solar Farm O&M Building Layout	503637 001 DRG GA003 Rev A	Aurecon	14/05/2019
Solar Farm Warehouse Elevation Diagram	503637 001 DRG GA001 Rev A	Aurecon	18/11/2018
Solar Farm Warehouse Layout	503637 001 DRG GA012 Rev A	Aurecon	15/11/2018
Solar Farm General Arrangement Substation Equipment Detail	503637 001 DRG GA004 Rev A	Aurecon	14/05/2019
Ecological Assessment Report	501363 Appendix B	Aurecon	09/01/2019
Construction Traffic Impact Assessment	501363 - 0	Aurecon	23/04/2019

<b>Plans to be Amended</b>			
<b>Plan / Document Name</b>	<b>Reference Number</b>	<b>Prepared By</b>	<b>Dated</b>
Solar Farm Site Layout Aerial View	503637 001 DRG GA Rev B	Aurecon	04/06/2019
Solar Farm Site Layout with Existing Features	503637 001 DRG GA Rev B	Aurecon	04/06/2019
Solar Farm O&M Building Elevation Diagram	503637 001 DRG GA002 Rev A	Aurecon	14/05/2019

ITEM 2.1 DA/38582/2019/V2U - MATERIAL CHANGE OF USE - DEVELOPMENT PERMIT FOR RENEWABLE ENERGY FACILITY AT 260 WALLACE ROAD NORTH, BEACHMERE - DIVISION 2 - A18863682 (Cont.)

CONDITION		TIMING
<b>MATERIAL CHANGE OF USE - DEVELOPMENT PERMIT</b>		
<b>DEVELOPMENT PLANNING</b>		
<b>1</b>	<b>Approved Plans and/or Documents</b>	
A	Undertake development generally in accordance with the approved plans and/or documents. These plans and documents will form part of the approval, unless otherwise amended by conditions of this approval.	Prior to commencement of use and to be maintained at all times.
B	Obtain approval from Council for the amended Solar Farm Layout Aerial View, Building Elevation Diagram and Stormwater Management Plan in accordance with (A) above.	Prior to any approval of Building Works.
C	Implement the requirements and recommendations of the approved plan(s). The approved amended plan(s) will form part of the approval.	Prior to commencement of use.
<b>2</b>	<b>Preliminary Grid Connection</b>	
A	Prepare and submit to Council for approval, a preliminary Grid Connection Plan detailing the connection of the single axis trackers to the electrical substation. The plan is required to: <ol style="list-style-type: none"> <li>1. Avoid existing remnant native vegetation and the identified ecological restoration areas.</li> <li>2. Where the layout cannot reasonably avoid areas as specified above, materials are raised above the waterway to allow the unobstructed flow of water. This should be noted on the plan wherever relevant.</li> </ol>	Prior to the commencement of any site works.
B	Ensure any electrical connection works are consistent with the preliminary Grid Connection Plan, unless otherwise agreed to in writing by the Council	At all times
<b>3</b>	<b>Decommissioning and Rehabilitation</b>	
A	Prepare and submit to Council for approval, a decommissioning and rehabilitation plan identifying all actions required to return the subject site to its pre-development state (less any revegetation required as a condition of approval). The plan is to include the following: <ol style="list-style-type: none"> <li>1. The location and method of disposal of onsite materials that are to be recycled, wherever possible;</li> <li>2. The timeline of all identified actions</li> </ol>	12 months prior to decommissioning of the site
B	Undertake all of the identified actions listed in the approved decommissioning and rehabilitation plan unless otherwise agreed to by the Council in writing.	Within twelve (12) months of the decommissioning of the facility
C	Provide certification to Council that all of the actions identified in the decommissioning and rehabilitation plan have been completed in the required time period.	

ITEM 2.1 DA/38582/2019/V2U - MATERIAL CHANGE OF USE - DEVELOPMENT PERMIT FOR RENEWABLE ENERGY FACILITY AT 260 WALLACE ROAD NORTH, BEACHMERE - DIVISION 2 - A18863682 (Cont.)

4	<b>External Lighting</b>	
A	Install external lighting in accordance with AS4282-1997 - (Control of the Obtrusive Effects of Outdoor Lighting) or as amended.	Prior to commencement of use and to be maintained at all times.
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 commencement of use.
5	<b>Landscaping and maintenance</b>	
A	<p>Provide landscaping on site generally in accordance with the Planning Scheme Policy - Integrated Design Appendix D - Landscaping.</p> <p>In addition to the above, landscaping onsite is required to:</p> <ol style="list-style-type: none"> <li>1. Provide a densely planted native vegetation buffer within the 'boundary setback' shown on the proposal plans. The vegetated buffer is to be a minimum of 10m wide and located around the perimeter of the site where adjoining rural and rural residential properties along the western, northern and eastern boundaries of the site. To remove any doubt, no vegetation buffer along the southern property boundary is required. The vegetated buffer is to include: <ol style="list-style-type: none"> <li>(i) The implementation of tiered planting to provide sufficient coverage during the early phases of construction and operation;</li> <li>(ii) Trees capable of achieving a mature height of at least 5m at maturity and full screening of the proposed development from adjoining properties.</li> <li>(iii) Northern and western boundaries are revegetated with low combustion vegetation (examples include Lophostemon confertus, Acacia complanate, Alphitonia excelsa, Grevillea Leiophylla, Hakea florulenta, Lomandra multiflora, Hibertia scandens and Hibertia stricta)</li> <li>(iv) The remainder of the boundary setback vegetation buffer is to be vegetation consistent with Regional Ecosystem 12.3.5</li> <li>(v) Planting densities and species selected are to be consistent with the relevant Regional Ecosystem in accordance with section 2.4.2.1 of the Environmental Areas and Corridors Planning Scheme Policy. Technical Descriptions for Regional Ecosystems produced by the Queensland Government are to be used for determining densities and species selection.</li> <li>(vi) Where densities are unavailable for a particular Regional Ecosystem, a tree and shrub density of 4500 stems per ha (i.e. spaced at 1.5 m centres) would be acceptable. This density is recommended in the SEQ Restoration Framework Manual to facilitate a rapid canopy closure and reduce long term maintenance.</li> </ol> </li> </ol>	Prior to commencement of use.

ITEM 2.1 DA/38582/2019/V2U - MATERIAL CHANGE OF USE - DEVELOPMENT PERMIT FOR RENEWABLE ENERGY FACILITY AT 260 WALLACE ROAD NORTH, BEACHMERE - DIVISION 2 - A18863682 (Cont.)

	2. Unused areas of the site are grassed, including the understory of the single axis trackers.	
B	Provide certification, from a suitably qualified person, that landscaping has been implemented in accordance with (A) above.	Prior to the commencement of the use.
C	Maintain the landscaping.	At all times
<b>6</b>	<b>Storage of hazardous chemicals - Flood Planning Level</b>	
	Store hazardous chemicals at or above the prescribed Flood planning level as specified in Table 8.2.2.3 of the Flood hazard overlay code.	Prior to commencement of use and to be maintained at all times.
<b>7</b>	<b>Fencing and security of the proposed development</b>	
	<p>Ensure any fencing to restrict access to the development (eg public access to the solar panels) is located behind the vegetation buffer required by other conditions of this approval when viewed from the boundary of the site.</p> <p>Further, any security cameras installed are not to capture footage of the adjoining residential and rural properties.</p> <p><i>Note: To remove any doubt, fencing (eg industrial style fencing) is required on the inside of the vegetation and screened from adjoining properties.</i></p>	Prior to commencement of the use and to be maintained at all times.
<b>Environmental Planning</b>		
<b>8</b>	<b>Vegetation and Fauna Management Plan</b>	
A	<p>Submit a Vegetation and Fauna Management Plan outlining vegetation clearing procedures, reduced potential impacts on native fauna and protection/enhancement of retained vegetation in accordance with Planning Scheme Policy- Environmental areas and corridors. The plan shall be prepared by a suitably qualified person and include scaled plans and supporting documentation that provides for the following:</p> <ol style="list-style-type: none"> <li>1. Procedures for dealing with fauna observed immediately prior to vegetation clearing;</li> <li>2. Procedures for dealing with fauna during vegetation clearing;</li> <li>3. Procedures for the treatment / removal of injured fauna from the site.</li> <li>4. Nomination on a plan all trees that are required to be removed due to development works;</li> <li>5. Nomination on a plan Habitat Trees to be removed requiring the replacement of nest boxes;</li> <li>6. Nomination on a plan the trees that are unsafe or that are required to be removed under the Biosecurity Act 2014;</li> <li>7. Clearing procedures, weed control measures, ongoing maintenance procedures and monitoring programs;</li> <li>8. Nomination on a plan the trees to be retained throughout the development;</li> <li>9. Tree protection measures during site works to be retained.</li> </ol>	Prior to works commencing on site.

ITEM 2.1 DA/38582/2019/V2U - MATERIAL CHANGE OF USE - DEVELOPMENT PERMIT FOR RENEWABLE ENERGY FACILITY AT 260 WALLACE ROAD NORTH, BEACHMERE - DIVISION 2 - A18863682 (Cont.)

B	Obtain approval from Council for the Vegetation and Fauna Management Plan in accordance with (A) above.	Prior to site works and to be maintained.
C	Carry out works in accordance with the approved Fauna Management Plan.	At all times.
<b>9</b>	<b>No Net Loss of Fauna Habitat</b>	
A	Ensure where development results in the loss of a Habitat Tree, that the development provides replacement fauna nesting boxes in accordance with an approved nest box management plan at the following rate: <ol style="list-style-type: none"> <li>1. One (1) nest box for every hollow removed; or</li> <li>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.</li> </ol>	Prior to site works occurring.
B	Provide a nest box management plan with details of the proposed construction, installation methods and GPS location for each nest box for Council's records. Provide details of proposed maintenance and protocols for replacing fallen or broken nest boxes. Include any additional information that may be relevant such as: <ol style="list-style-type: none"> <li>1. Requirements for the target species;</li> <li>2. Nest box types - design and sizes;</li> <li>3. Installation technique;</li> <li>4. Proposed location of installed nest box; and</li> <li>5. Maintenance regime details.</li> </ol> <p>Nest boxes must be maintained for a minimum of 12 months post installation.</p>	
<b>10</b>	<b>Management of Wildlife</b>	
A	Carry out approved vegetation clearing under the supervision of a Fauna Spotter Catcher holding a valid Rehabilitation Permit from the relevant State Government Agency.	Prior to and during site works.
B	Provide an activity report, to be completed by the supervising Fauna Spotter Catcher, including: <ol style="list-style-type: none"> <li>1. The number and species of any animals observed during clearing;</li> <li>2. The actions taken to deal with observed animals;</li> <li>3. The number of any animals that were required to be relocated;</li> <li>4. The release site for any relocated animals;</li> <li>5. The number (if any) of animals injured during clearing;</li> <li>6. The treatment provided;</li> <li>7. The outcome of any treatment; and</li> <li>8. The location of the treatment.</li> </ol>	Within fourteen (14) days of completion of clearing.
<b>11</b>	<b>Extent of Vegetation Clearing</b>	
	Clearing of native vegetation must be limited to that which is necessary for the construction of the Solar farm and access roads	Prior to and during site works and to be maintained.



ITEM 2.1 DA/38582/2019/V2U - MATERIAL CHANGE OF USE - DEVELOPMENT PERMIT FOR RENEWABLE ENERGY FACILITY AT 260 WALLACE ROAD NORTH, BEACHMERE - DIVISION 2 - A18863682 (Cont.)

12	<b>Temporary Exclusion Fencing</b>	
	Delineate areas where vegetation is proposed to be retained with exclusion fencing to prevent accidental felling. Clearing is to be undertaken in accordance with AS 4970-2009 Protection of Trees on Development Sites.	During site works.
13	<b>Disposal of Cleared Vegetation</b>	
	Chip, shred or tub grind cleared native vegetation and spread as mulch or dispose of at an authorised waste facility.  Any hollows observed in cleared vegetation must be salvaged and installed as nest boxes in trees within the property.	At all times.
14	<b>Stockpiles of Construction and Landscaping Materials</b>	
	Locate any stockpiles of construction and landscaping materials and other site debris clear of drainage lines and clear of any position from which it could be washed into any drain, wetland or watercourse.	During site works.
15	<b>Ecological Restoration Plan Required</b>	
A	<p>Submit to Council for approval an Ecological Restoration Plan of Godwin Beach Tributary. The plan must be prepared by a suitably qualified person and include:</p> <ol style="list-style-type: none"> <li>1. The ground truthed location of the banks of the existing onsite waterway comprising the Godwin Creek Tributary by way of survey. The subsequent revegetation will be required 20m either side of the waterway centreline in accordance with Section 3.5.3 of the Environmental Areas and Corridors Planning Scheme Policy;</li> <li>2. Planting densities and species selected are to be consistent with the relevant Regional Ecosystem in accordance with section 2.4.2.1 of the Environmental Areas and Corridors Planning Scheme Policy. Technical Descriptions for Regional Ecosystems produced by the Queensland Government are to be used for determining densities and species selection;</li> <li>3. Where densities are unavailable for a particular Regional Ecosystem, a tree and shrub density of 4500 stems per ha (i.e. spaced at 1.5 m centres) would be acceptable. This density is recommended in the SEQ Restoration Framework Manual to facilitate a rapid canopy closure and reduce long term maintenance; and</li> <li>4. Provide detail on the establishment and maintenance of restoration sites regarding weed management; watering; and replacement planting.</li> </ol> <p>For example, provide details on thresholds for replacement planting (e.g. mortality rate and how regularly plants will be replaced). The maintenance period is to be a minimum of 2 years.</p> <p><i>Note: to remove any doubt, the specific sections of waterway intended to be rehabilitated is the open drain along the south-</i></p>	Prior to site works commencing or the first stage.

ITEM 2.1 DA/38582/2019/V2U - MATERIAL CHANGE OF USE - DEVELOPMENT PERMIT FOR RENEWABLE ENERGY FACILITY AT 260 WALLACE ROAD NORTH, BEACHMERE - DIVISION 2 - A18863682 (Cont.)

	<i>western corner of the site. This area extends from the mapped riparian and wetland setback on the western boundary to the existing remnant vegetation (also mapped in the riparian and wetland setback) to the Energex easement.</i>	
B	Obtain approval from Council for the Ecological Restoration Plan in accordance with (A) above.	Prior to works commencing on site.
C	Implement the requirements of the approved plan	During site works and to be maintained.
<b>16</b>	<b>Erosion and Sediment Control</b>	
	Implement an Erosion and Sediment Control Plan prepared by an experienced Certified Professional in Erosion and Sediment Control (CPESC) in accordance with the International Erosion Control Association Australasia (IECA) Best Practice and Sediment Control document.	Prior to commencement of works and to be maintained current at all times during construction.
<b>DEVELOPMENT ENGINEERING</b>		
<b>17</b>	<b>Replace Existing Council Infrastructure</b>	
	Replace existing Council infrastructure (including but not limited to street trees and footpaths) that is damaged as part of works carried out in association with the development to Council's standards.	Prior to commencement of use.
<b>18</b>	<b>Alterations and Relocation of Existing Services</b>	
	Ensure any alteration or relocation in connection with or arising from the development to any service, installation, plant, equipment or other item belonging to or under the control of an entity engaged in the provision of public utility services is to be carried out with the development and at no cost to Council unless agreed to in writing by the Council.	Prior to commencement of use.
<b>19</b>	<b>Stormwater</b>	
	Carry out the development to ensure that adjoining properties, reserves and roads are protected from ponding or nuisance from stormwater as a result of any works undertaken.	To be maintained at all times.
<b>20</b>	<b>New Council Roads</b>	
A	<p>Submit and have approved by Council, a development application for operational works for the following:</p> <ol style="list-style-type: none"> <li>1. External roads and associated works, as follows: <ol style="list-style-type: none"> <li>(i) Pritchard Road - Extend the existing formation of Pritchard Road comprising of minimum 3.5m wide sealed pavement up to the site property boundary, comprising a length of approximately 50m, and a formalised driveway access for the property. Roads in the Rural zone are to be as per Austroads.</li> </ol> </li> </ol> <p>Design drawings are to be prepared and certified by a suitably qualified Registered Professional Engineer Queensland (RPEQ) and in accordance with the approved plans and documents of development and the MBRC Planning Scheme current at the time of the operational works application.</p>	Prior to commencement of works associated with this condition.

ITEM 2.1 DA/38582/2019/V2U - MATERIAL CHANGE OF USE - DEVELOPMENT PERMIT FOR RENEWABLE ENERGY FACILITY AT 260 WALLACE ROAD NORTH, BEACHMERE - DIVISION 2 - A18863682 (Cont.)

B	<p>Construct, at no cost to Council and in accordance with the approved plans and documents of development the following:</p> <ol style="list-style-type: none"> <li>1. All frontage roads and associated works</li> <li>2. All external roads and associated works.</li> </ol> <p>This condition has been imposed under section 145 of the <i>Planning Act 2016</i>.</p>	<p>Prior to commencement of use.</p>
21	<p><b>Construction Management Plan</b></p>	
A	<p>Submit and have approved by Council, a Construction Management Plan (CMP) prepared by the Principal Contractor. The CMP is to outline, in sufficient detail, the processes that will be employed to minimise impacts on the surrounding community during construction. These processes are to cover the following:</p> <ol style="list-style-type: none"> <li>1. Material delivery and storage locations;</li> <li>2. Waste locations and collection details;</li> <li>3. Construction office accommodation;</li> <li>4. Contractor / tradesman vehicle parking arrangements;</li> <li>5. Works that may make audible noise outside of 7:00am to 6:00pm any business day or Saturday;</li> <li>6. Dust impacts to adjoining properties and properties located along Pritchard Road consequential of vehicle movements on and to the site;</li> <li>7. Notification of onsite works to adjoining and nearby residents by way of letter drop; and</li> <li>8. A schedule of heavy vehicle movements during construction period. The schedule must note the maximum number of heavy vehicles anticipated onsite each construction day.</li> </ol> <p>In addition to the above, construction hours are limited to 7am - 6pm Monday - Friday and 7am - 2pm Saturday. All heavy vehicle movements onsite are restricted to these hours.</p> <p>The CMP may include a site layout drawing identifying these areas.</p> <p>The CMP needs to reflect any staging requirements.</p> <p>Notes:</p> <ul style="list-style-type: none"> <li>• Materials unloading and loading must occur on-site unless prior written approval is given by Council.</li> <li>• All construction office accommodation and associated temporary buildings are to be contained within the site or on a nearby site.</li> </ul>	<p>Not less than two (2) weeks prior to commencement of works. To be maintained at all times.</p>
22	<p><b>Driveway Crossover</b></p>	
A	<p>Construct a driveway crossover to the site in accordance with the approved plans and documents of development and MBRC Standard Drawing RS-051.</p>	<p>Prior to commencement of use.</p>
B	<p>Provide certification from a suitably qualified Registered Professional Engineer Queensland (RPEQ) that all works have been designed and constructed in accordance with this permit condition.</p>	

ITEM 2.1 DA/38582/2019/V2U - MATERIAL CHANGE OF USE - DEVELOPMENT PERMIT FOR RENEWABLE ENERGY FACILITY AT 260 WALLACE ROAD NORTH, BEACHMERE - DIVISION 2 - A18863682 (Cont.)

<b>23</b>	<b>Structural Engineering Design Report for O&amp;M Building and Warehouse</b>	
A	Prepare a Structural Engineering Design Report for the O&M Building and Warehouse. This report is to be prepared by a suitably qualified Registered Professional Engineer Queensland (RPEQ) and in accordance with the MBRC Planning Scheme.	Prior to building works approval.
B	Provide RPEQ certification to the Building Certifier that the works have been designed in accordance with the recommendations of Structural Engineering Design Report.	
C	Construct the works in accordance with the RPEQ certified design and the recommendations of the Structural Engineering Design Report.	Prior to commencement of use.
<b>24</b>	<b>Building Below the Flood Planning Level</b>	
	<p>Construct building works below the Council adopted Flood Planning Level (FPL) from materials with a high water resistance and ensure that essential electrical services are located above the FPL. The FPL for the entire site at the time of approval is 3.7m AHD.</p> <p>Filling is not permitted within the area mapped as Medium Risk flood hazard area under Council's Flood Hazard Overlay Code.</p> <p>Notes:</p> <ul style="list-style-type: none"> <li>The Queensland Government Fact Sheet 'Rebuilding after a flood' provides information about water resilient products and building techniques. Available at <a href="http://www.hpw.qld.gov.au">www.hpw.qld.gov.au</a>.</li> <li>An essential electrical service includes services defined as utilities in Mandatory Part 3.5 – Construction of buildings in flood hazard areas of the Queensland Development Code</li> </ul>	Prior to commencement of use.
<b>25</b>	<b>Construction Access Transport Route</b>	
A	Undertake a pavement investigation and assessment for the proposed construction access route identifying any damage and rectification requirements. (i.e. photographic survey of the access route and summary report identifying damage and rectification requirements) Copies of the assessment are to be provided to Council.	Immediately upon construction completion
B	Rectify any damage caused by the construction traffic identified on the pavement assessment to Council's standards.	Prior to commencement of use.
C	Provide certification from a suitably qualified Registered Professional Engineer Queensland (RPEQ) that all works comply with this permit condition.	

ITEM 2.1 DA/38582/2019/V2U - MATERIAL CHANGE OF USE - DEVELOPMENT PERMIT FOR RENEWABLE ENERGY FACILITY AT 260 WALLACE ROAD NORTH, BEACHMERE - DIVISION 2 - A18863682 (Cont.)

<b>ADVICES</b>	
<b>1</b>	<b>Aboriginal Cultural Heritage Act 2003</b>
	<p>The <i>Aboriginal Cultural Heritage Act 2003</i> commenced in Queensland on April 16, 2004. The Act provides blanket protection of Aboriginal cultural heritage sites and places, including significant areas and objects, as well as archaeological remains. The Act also recognises that Aboriginal cultural heritage parties are key stakeholders in the assessment and management of Aboriginal cultural heritage.</p> <p>Under the Act, if a proposed activity involves disturbance of the ground surface, cultural heritage Duty of Care must be considered. This involves consideration of whether an activity is <i>likely</i> to harm Aboriginal cultural heritage. This may require involvement from the relevant Aboriginal cultural heritage party.</p> <p>Cultural heritage Duty of Care compliance ultimately lies with the person or entity conducting the activity, and penalty provisions apply for failing to fulfil this Duty of Care.</p> <p>Council strongly advises that before undertaking the land use activity, you refer to the <a href="#">cultural heritage duty of care - Department of Aboriginal and Torres Strait Islander Partnerships (Queensland Government)</a> for further information regarding the responsibilities of the developer.</p>
<b>2</b>	<b>Adopted Charges</b>
	<p>Payment of an Adopted Infrastructure Charge in accordance with Council's Infrastructure Charges Resolution (No. 8) dated 14 August 2018 or as amended apply to this development approval.</p> <p>From 1 July 2014, Moreton Bay Regional Council no longer issues an Infrastructure Charges Notice on behalf of Unitywater for water supply and sewerage networks and therefore a separate Infrastructure Charges Notice may be issued directly to the applicant by Unitywater in respect to this development approval.</p> <p>Payment of Infrastructure Charges is to be in accordance with the Infrastructure Charges Notice issued with this development approval and any Infrastructure Charges Notice issued by Unitywater. From 1 July 2014, all Infrastructure Charges for infrastructure networks controlled by Unitywater (eg. water and/or sewerage) regardless of when the Infrastructure Charges Notice was issued are to be paid directly to Unitywater while Infrastructure Charges for networks controlled by Moreton Bay Regional Council will continue to be paid directly to Moreton Bay Regional Council.</p>
<b>3</b>	<b>Minimum Flood Planning Level</b>
	<p>The O&amp;M Facilities building is mapped within the medium flood hazard area of the MBRC Planning Scheme. The Council adopted Flood Planning Level (FPL) specific to the location of the substation and the O&amp;M facilities building and warehouse at the time of approval is:</p> <ul style="list-style-type: none"> <li>• 3.7m AHD (substation); and</li> <li>• 3.7m AHD (O&amp;M facilities building and warehouse).</li> </ul> <p>Note: The level should be independently confirmed with Council at the detailed design stage.</p>

- B. That all external Referral Agencies for the development application be provided with a copy of the Council's Decision Notice.

ITEM 2.1 DA/38582/2019/V2U - MATERIAL CHANGE OF USE - DEVELOPMENT PERMIT FOR RENEWABLE ENERGY FACILITY AT 260 WALLACE ROAD NORTH, BEACHMERE - DIVISION 2 - A18863682 (Cont.)

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

**Decision Notice information**

	<b>Details to Insert</b>
<b>Application Type</b>	(a) Material Change of Use - Development Permit for Renewable Energy Facility
<b>Relevant Period of Approval</b>	Material Change of Use – 6 years
<b>Section 64(5) Deemed Approval</b>	Not applicable
<b>Superseded Planning Scheme</b>	Not applicable
<b>Variation approval affecting the Planning Scheme</b>	Not applicable
<b>Other Necessary Permits</b>	<ul style="list-style-type: none"> <li>• Operational Work - Roadworks – Development Permit</li> <li>• Operational Work - Filling and Excavation – Development Permit</li> <li>• Building Works – Development Permit</li> </ul>
<b>Codes for Accepted Development</b>	Not applicable
<b>Referral Agencies</b>	Energy Queensland - Advice Agency Only
<b>Submissions</b>	There were eight (8) properly made submissions about this application.

**REPORT DETAIL**

**1. Background**

A prelodgement meeting (PRE/4912) was held with the applicant on 23 January 2019 to discuss the proposed renewable energy facility, with a site visit occurring on Monday 22 April 2019 and a pre-assessment provided prior to the lodgement of the application.

**2. Explanation of Item**

**2.1 Proposal Details**

This application seeks a Material Change of Use - Development Permit for a Renewable Energy Facility (Solar Farm) over 260 Wallace Road North, Beachmere, formally described as Lot 2 on RP92020.

ITEM 2.1 DA/38582/2019/V2U - MATERIAL CHANGE OF USE - DEVELOPMENT PERMIT FOR RENEWABLE ENERGY FACILITY AT 260 WALLACE ROAD NORTH, BEACHMERE - DIVISION 2 - A18863682 (Cont.)

The development parameters include:

- Approximately 238,330 modules (solar panels)
- Approximately 2,648 single axis trackers (comprising a string of 90 modules each)
- Each single axis tracker is 94.351m in length and is 1.5m high
- Operation and maintenance facility
- Substation
- Warehouse building (storage of onsite equipment)
- Lay down area (temporary)

The modules will connect to power conversion stations then to a substation before connecting directly to the existing transmission line located onsite. Any modifications to the transmission line, will be addressed directly between the applicant and Energex and are outside the bounds of this application.

The proposed solar farm system is passive and does not emit noise, steam or dust. Maintenance requirements are minimal, with the only ongoing requirements being module washing, vegetation, weed and pest management, equipment maintenance and inspection, security detail and communications with stakeholders.

The proposal has limited site specific impacts and is able to protect and enhance biodiversity value onsite through locating single axis trackers outside of existing remnant vegetation and revegetating the degraded waterway mapped over the site. The development is resilient to flood hazard, with all electrical components and buildings located above the flood planning level. No filling or earthworks is proposed by this development in the medium flood hazard area.

Post construction offsite impacts are anticipated to be minimal as:

- Solar panels are designed to absorb heat and light and will not reflect heat or light toward nearby properties
- The proposal includes a 10m vegetation buffer to maintain scenic amenity and capture any residual reflectivity.
- the natural flow of stormwater and flood pathways over the site has been maintained.

However, the main potential for impacts from the development is limited to the construction phase of the project. In this regard, the applicant has advised the construction timeframe required is 312 construction days over a twelve-month construction period (6 days per week). Further a total of 560 heavy vehicle trips will be required to deliver and remove upon completion - plant, equipment and machinery to the site.

At this stage the construction details have not been finalised and further detail, specifically in relation to the timing and staging of heavy truck movements are not yet available. These details however can be addressed in a Construction Management Plan for the development.

2.2 Description of the Site and Surrounds

Directions	Planning Scheme Zone	Current Land Use
North	Rural Zone	Forestry
South	Extractive Industry	Extractive industry (Sand Quarry)
East	Rural Zone AND Rural Residential Zone	Primary production and dwelling houses
West	Rural Zone AND Rural Residential Zone	Dwelling houses

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.

ITEM 2.1 DA/38582/2019/V2U - MATERIAL CHANGE OF USE - DEVELOPMENT PERMIT FOR RENEWABLE ENERGY FACILITY AT 260 WALLACE ROAD NORTH, BEACHMERE - DIVISION 2 - A18863682 (Cont.)

These Assessment Benchmarks are prescribed as being contained in:

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

<b>Applicable Assessment Benchmarks:</b>	<p><u>State Planning Policy</u></p> <ul style="list-style-type: none"> <li>• State Planning Policy, Part E</li> </ul> <p><u>Regional Plan</u></p> <ul style="list-style-type: none"> <li>• South East Queensland Regional Plan</li> </ul> <p><u>From Schedule 10 of the Regulation:</u></p> <ul style="list-style-type: none"> <li>• Nil</li> </ul>
<b>SEQ Regional Plan Designation:</b>	<ul style="list-style-type: none"> <li>• Urban Footprint</li> </ul>
<b>Koala Habitat Designation:</b>	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:

<b>Assessment benchmark - Livable communities</b>		
Applicable to Development	SPP requirement	Comment
No tick boxes	None	Not applicable
<b>Assessment benchmark - mining and extractive resources</b>		
Applicable to Development	SPP requirement	Comment
Yes	<p>(1) Development within a resource/processing area of a KRA will not impede the undertaking of an existing or future extractive industry development.</p> <p>(2) Development of sensitive land uses and other potentially incompatible land uses is avoided within the separation area for a resource/processing area of a KRA, if it could impede the extraction of the resource.</p> <p>(3) Development not associated with extractive industry in the transport route separation area unless the</p>	<p>An assessment of the proposed development has been undertaken against the applicable SPP requirements and the proposal has been determined to comply</p> <p>Whilst the proposed development is located over a mapped key resource area - transport route separation area, the owner of the extractive resource license is the applicant.</p>



ITEM 2.1 DA/38582/2019/V2U - MATERIAL CHANGE OF USE - DEVELOPMENT PERMIT FOR RENEWABLE ENERGY FACILITY AT 260 WALLACE ROAD NORTH, BEACHMERE - DIVISION 2 - A18863682 (Cont.)

	<p>development mitigates the impacts of noise, dust and vibration generated by the haulage of extractive materials along the transport route.</p> <p>(4) Development adjacent to the transport route does not adversely affect the safe and efficient use of the transport route by vehicles transporting extractive resources.</p>	<p>Further, the extractive resources transport route currently used is via Peel Road.</p> <p>Further the Solar panels construction is able to be removed from the site if the extractive industry was to expand. As such the proposed solar farm does not impede the undertaking of the existing or future extractive industry.</p>
<b>Assessment benchmarks - water quality</b>		
Applicable to Development	SPP requirement	Comment
Yes	<p>(1) Development is located, designed, constructed and operated to avoid or minimize adverse impacts on environmental values arising from</p> <p>(a) altered stormwater quality and hydrology</p> <p>(b) waste water</p> <p>(c) the creation or expansion of non-tidal artificial waterways</p> <p>(d) the release and mobilization of nutrients and sediments.</p> <p>(2) Development achieves the applicable stormwater management design objectives outlined in tables A and B (appendix 2)</p> <p>Development in a water supply buffer area avoids adverse impacts on drinking water supply environmental values.</p>	<p>An assessment of the proposed development has been undertaken against the applicable SPP requirements.</p> <p>In this regard, the Stormwater Management Plan prepared by Aurecon was provided in support of the proposed development. The quality component has not been addressed by this report, and as such an amended Stormwater Management Report is recommended as a condition of any approval given. Following submission of this report the SPP targets will be able to be met.</p>
<b>Assessment benchmarks - natural hazards, risk and resilience</b>		
Applicable to Development	SPP Requirement	Comment
Yes	<p>Erosion prone areas within a coastal management district:</p> <p>(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:</p> <p>(a) coastal dependent development; or</p>	<p>An assessment of the proposed development has been undertaken against the applicable SPP requirements and the proposal has been determined to comply.</p> <p>Whilst the site is mapped within a bushfire hazard</p>

ITEM 2.1 DA/38582/2019/V2U - MATERIAL CHANGE OF USE - DEVELOPMENT PERMIT FOR RENEWABLE ENERGY FACILITY AT 260 WALLACE ROAD NORTH, BEACHMERE - DIVISION 2 - A18863682 (Cont.)

	<p>(b) temporary, readily relocatable or able to be abandoned development; or</p> <p>(c) essential community infrastructure; or</p> <p>(d) minor redevelopment of an existing permanent building or structure that cannot be relocated or abandoned.</p> <p>(2) Development permitted in (1) above, mitigates the risks to people and property to an acceptable or tolerable level.</p> <p>Bushfire, flood, landslide, storm tide inundation, and erosion prone areas outside the coastal management district:</p> <p>(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> <p>All natural hazard areas:</p> <p>(4) Development supports and does not hinder disaster management response or recovery capacity and capabilities.</p> <p>(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> <p>(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.</p> <p>(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.</p>	<p>area, the actual bushfire value onsite is minimal due to historical clearing for forestry. The proposed development can be conditioned to be constructed of bushfire resilient materials.</p> <p>Furthermore the proposed vegetation buffer is to include fire retardant species and a bushfire management plan forms a recommended condition of any approval given.</p> <p>The proposal is able to meet the requirements of the SPP.</p>
--	---	--

ITEM 2.1 DA/38582/2019/V2U - MATERIAL CHANGE OF USE - DEVELOPMENT PERMIT FOR RENEWABLE ENERGY FACILITY AT 260 WALLACE ROAD NORTH, BEACHMERE - DIVISION 2 - A18863682 (Cont.)

Assessment benchmarks - strategic airports and aviation facilities		
Applicable to Development	SPP Requirement	Comment
Yes	<ol style="list-style-type: none"> <li>(1) Development and associated activities do not create a permanent or temporary physical or transient intrusion into a strategic airport's operational airspace, unless the intrusion is approved in accordance with the relevant federal legislation.</li> <li>(2) Development and associated activities do not include light sources or reflective surfaces that could distract or confuse pilots within a light restriction zone or lighting area buffer.</li> <li>(3) Emissions do not significantly increase air turbulence, reduce visibility or compromise the operation of aircraft engines in a strategic airport's operational airspace.</li> <li>(4) Development and associated activities do not attract wildlife hazards within a wildlife hazard buffer zone.</li> <li>(5) Development and associated activities within a building restricted area do not interfere with the function of aviation facilities.</li> <li>(6) Development does not increase the risk to public safety within a public safety area.</li> <li>(7) Development within the 20 ANEF contour or greater is appropriately located and designed to prevent adverse impacts from aircraft noise.</li> </ol>	<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>CASA Aviation was notified as an advice agency and no concerns with the proposed development were identified.</p>

2.3.2 South East Queensland Regional Plan

The site is located in the Regional Landscape and Rural Production Area.

The development proposal is for a Material Change of Use in the Regional Landscape and Rural Production Area. An assessment against the applicable assessment criteria of the SEQRP has been undertaken, and the proposal is consistent with the requirements of the Regional Plan.

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.

ITEM 2.1 DA/38582/2019/V2U - MATERIAL CHANGE OF USE - DEVELOPMENT PERMIT FOR RENEWABLE ENERGY FACILITY AT 260 WALLACE ROAD NORTH, BEACHMERE - DIVISION 2 - A18863682 (Cont.)

2.4.1 Strategic Framework

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

Strategic Outcome	Complies	Assessment
<b>Theme - Sustainability and Resilience</b>		
<i>Design and site development and infrastructure using sustainability and urban design principles to reflect the Region's subtropical climate, reinforce local character and achieve innovation and design excellence.</i>	Y	The proposed development achieves innovation by providing for a renewable, sustainable energy source.  In this instance, the proposed development accords with the strategic outcome.
<i>Greenhouse gas emissions are reduced from development, land management and other planning decisions in the region.</i>	Y	The proposed development produces renewable energy, providing a carbon free energy source.  In this instance, the proposed development accords with the strategic outcome.
<i>The resilience of communities, development, essential infrastructure, natural environments and economic sectors to natural hazards including projected changes in weather is increased.</i>	Y	The proposed development has been designed to be resilient to flooding in that sensitive components of the infrastructure are located above the flood planning level. No sensitive land uses are proposed through this application.  Further, the provision of the development to provide an alternative energy source to the local community by feeding the energy collected back into the grid will assist to increase the resilience of the community.  In this instance, the proposed development accords with the strategic outcome.
<i>The adverse effects of development on land, air quality and noise levels are avoided in the first instance, mitigated and managed to within acceptable levels and environmental harm is avoided.</i>	Y	The proposed development includes mitigation measures to ensure adjoining properties are not impacted during the construction or operation of the proposed development.  This includes establishing a vegetation buffer to reduce visual impact. As the majority of potential impact will be during the construction phase, a construction management plan detailing potential risks and subsequent risk mitigation will be required as a condition of approval.  In this instance, the development is able to accord with the strategic outcome through conditions of approval.

ITEM 2.1 DA/38582/2019/V2U - MATERIAL CHANGE OF USE - DEVELOPMENT PERMIT FOR RENEWABLE ENERGY FACILITY AT 260 WALLACE ROAD NORTH, BEACHMERE - DIVISION 2 - A18863682 (Cont.)

Strategic Outcome	Complies	Assessment
<b>Theme - Natural Environment and Landscape</b>		
<p><i>Biodiversity and associated ecosystem services of the Moreton Bay Region will be protected, managed and enhanced, and resilience of ecosystems (including sub-tidal ecosystems) to the impacts of changing weather patterns and other environmental challenges will be maximised.</i></p>	<p>Y</p>	<p>The proposed development avoids impacting upon identified remanent vegetation onsite by locating all single axis trackers in areas that are currently devoid of vegetation. In order to ensure the construction phase of the development does not impact upon ecological values onsite, a construction management plan detailing potential risk and subsequent risk mitigation measures to biodiversity value will be required.</p> <p>Further, in order to enhance biodiversity value onsite, a recommendation of this report is to condition the development to:</p> <ul style="list-style-type: none"> <li>- Ground truth the mapped stream onsite and vegetate the banks of the stream; AND</li> <li>- Where vehicle access is proposed along mapped creek sections, culverts will be required to allow the Godwin Creek Tributary to flow naturally. For further information refer to the Environmental Planning Comments in Section 2.7.1.2 of this report.</li> </ul> <p>In this instance, the proposed development is capable of complying with the strategic outcome through conditions of approval</p>
<p><i>The natural values of all coastal areas, including Bribie Island, Pumicestone Passage, Deception Bay, Redcliffe Peninsula, Hays Inlet and the Pine Rivers estuary and their associated coastal features and processes will be maintained, protected and enhanced.</i></p>	<p>Y</p>	<p>The existing water course onsite is proposed to be enhanced by the proposed development. This will be achieved:</p> <ul style="list-style-type: none"> <li>- With any approval recommended to include a condition that the development address all potential impacts to ecological values onsite during both construction and operation phase; AND</li> <li>- revegetating the banks of the stream to improve water quality and improve ecological connectivity.</li> </ul> <p>In this instance, the proposed development, subject to the recommended conditions of approval, is capable of complying with the strategic outcome through conditions of approval</p>
<p><i>Healthy, diverse and productive rural and coastal landscapes are maintained and enhanced, for their multiple environmental, recreational,</i></p>	<p>Y</p>	<p>The existing watercourse onsite will be enhanced by the proposed development. This will be achieved:</p>

ITEM 2.1 DA/38582/2019/V2U - MATERIAL CHANGE OF USE - DEVELOPMENT PERMIT FOR RENEWABLE ENERGY FACILITY AT 260 WALLACE ROAD NORTH, BEACHMERE - DIVISION 2 - A18863682 (Cont.)

Strategic Outcome	Complies	Assessment
<i>cultural, economic and scenic amenity values.</i>		<ul style="list-style-type: none"> <li>- With any approval recommended to include a condition that the development address all potential impacts to ecological values onsite during both construction and operation phase; AND</li> <li>- By ground truthing the mapped stream onsite and revegetating the banks of the stream to improve water quality and improve ecological connectivity.</li> </ul> <p>In this instance, the proposed development is capable of complying with the strategic outcome through the recommended conditions of approval</p>
<i>Recognise and promote landscape values and scenic amenity across the Region.</i>	<b>Y</b>	<p>The proposed development mitigates its visual impact to adjoining and surrounding rural properties through vegetation buffering.</p> <p>A recommendation of this report is to condition the implementation of the proposed buffer.</p> <p>In this instance, the proposed development is capable of complying with the strategic outcome through conditions of approval</p>
<b>Theme - Rural Futures</b>		
<i>The rural economy is sustainable, diversified and strengthened.</i>	<b>Y</b>	<p>The proposed development diversifies the rural economy by providing opportunities for skilled full-time employment during the construction phase of the project.</p> <p>Furthermore, the proposed development will not impact upon the site's ability to accommodate agriculture due to its life span of 25-30 years, with associated agricultural activities able to co locate on the site or re-establish once the use has ceased.</p> <p>In this instance, the proposed development accords with the strategic outcome.</p>
<i>Rural communities are strengthened through the delivery of appropriate infrastructure and services and by preventing the intrusion of incompatible development.</i>	<b>Y</b>	<p>The proposed renewable energy facility is not an incompatible land use. The proposed development represents an appropriate inclusion within the Rural zone. Further, as the lifespan of the facility is 25-30 years, the long term viability of the site to accommodate primary production is not impacted upon.</p>

ITEM 2.1 DA/38582/2019/V2U - MATERIAL CHANGE OF USE - DEVELOPMENT PERMIT FOR RENEWABLE ENERGY FACILITY AT 260 WALLACE ROAD NORTH, BEACHMERE - DIVISION 2 - A18863682 (Cont.)

Strategic Outcome	Complies	Assessment
		In this instance, the proposed development accords with the strategic outcome.
<i>Planning promotes sustainable and diverse communities and protects rural areas from encroachment of incompatible activities and land uses.</i>	Y	The proposed development is sustainable in that it increases the amount of carbon free energy in the electricity grid of the immediate and surrounding area.  The use is not listed as an incompatible use and will not impact upon the ability of the site to accommodate some sort of primary production, eg. grazing.  In this instance, the proposed development accords with the strategic outcome.
<b>Theme - Natural Resources</b>		
<i>Coordinate the management and use of natural resources to enhance community, economic and environmental values.</i>	Y	The proposed development utilises a renewable natural resource to sustainably generate electricity. The proposed development will enhance economic and environmental values whilst not impacting upon community values.  In this instance, the proposed development accords with the strategic outcome.
<i>Highly productive agricultural land (cropping land) is a finite regional resource that should be used and managed for sustainable agricultural production and protected from alienating uses and inappropriate subdivision.</i>	Y	The proposed development does not impact upon the long term viability of the site to accommodate for primary production due to the limited life span of the facility being 25-30 years. Following the closure of the facility the site is able to be converted to agricultural production with the land holding remaining intact in a primary land parcel.  In this instance, the proposed development accords with the strategic outcome.
<b>Theme - Infrastructure</b>		
<i>Provide energy generation production, transmission and distribution capacity to meet the needs of a growing population and support the use of viable low emission energy sources where appropriate.</i>	Y	The proposed development is for a renewable energy facility. The proposal increases energy production capability while also introducing new, carbon free energy production.
<b>Theme - Water Management</b>		
<i>Floodplains in the region will be managed for the long-term benefit of the community such that hazards to people and damages to property and infrastructure are minimised and the intrinsic environmental values of the floodplain are protected.</i>	Y	The proposed development does not impact upon flood storage of stormwater onsite.

ITEM 2.1 DA/38582/2019/V2U - MATERIAL CHANGE OF USE - DEVELOPMENT PERMIT FOR RENEWABLE ENERGY FACILITY AT 260 WALLACE ROAD NORTH, BEACHMERE - DIVISION 2 - A18863682 (Cont.)

Strategic Outcome	Complies	Assessment
<i>Ensure development is appropriately planned, designed, constructed, operated and maintained to manage stormwater and wastewater in order to protect the environmental values.</i>	Y	As detailed in the Engineering Comments contained in section 2.7.1.1 of this report, an amended stormwater management report is recommended as a condition of approval. The amended report will demonstrate compliance with the strategic outcome.  In this instance the proposed development is able to accord with the strategic outcome through conditions of approval.
<b>Theme - Planning Areas</b>		
<b>Element - Rural planning area</b>		
<b>Sustainability and resilience</b>		
<i>The planning area contains many green infrastructure components, including waterways, core environmental areas, terrestrial environmental corridors, parks, linear open spaces, urban forests and street trees. Development will support the protection and enhancement of the green infrastructure network in this planning area through retention of native vegetation, managed regrowth and rehabilitation and the use of mechanisms such as development offsets and mitigation contributions;</i>	Y	The proposed development retains and protects the identified remnant vegetation onsite. Furthermore, the recommended conditions of approval will ensure the development is able to enhance ecological connectivity and water quality. A recommendation of this report is to condition the development to: - Ground truth the mapped stream onsite and revegetate the banks. - Mitigate the impact to existing remnant vegetation during the construction phase through identifying risk and implementing risk mitigation measures.  In this instance, the proposed development is able to accord with the strategic outcome through conditions of approval.
<b>Rural futures</b>		
<i>Substantial rural production areas in the north and west of the planning area provide employment opportunities in association with intensive cropping, grazing and forestry activities;</i>	Y	The site is located in the northern half of the local government area and is zoned within the agricultural precinct of the Rural zone.  Whilst the proposed development does not involve primary production, its lifespan of 25-30 years allows the land to be utilised for rural production following the closure of the facility.  In this instance, the proposed development accords with the strategic outcome.
<b>Natural resources</b>		
<i>Agricultural land classification (ALC) Class A and Class B land will be</i>	Y	The proposed development, whilst not for primary production is temporary, having a lifespan of 25-30 years. At the conclusion



ITEM 2.1 DA/38582/2019/V2U - MATERIAL CHANGE OF USE - DEVELOPMENT PERMIT FOR RENEWABLE ENERGY FACILITY AT 260 WALLACE ROAD NORTH, BEACHMERE - DIVISION 2 - A18863682 (Cont.)

Strategic Outcome	Complies	Assessment
<i>protected from encroachment by incompatible uses</i>		of the facility's operation the use is able to be removed from the site with minimal impact to the site. The use therefore allows for the long term viability of the subject site to support agricultural use.  In this instance, the proposed development complies with the strategic outcome.
<b>Theme - MBRC Place Model</b>		
<b>Element - Rural place type</b>		
<b>Sustainability and Resilience</b>		
<i>Development is managed and located to mitigate adverse effects of flood, bushfire, and landslide</i>	Y	The proposed development is resilient to flood and locates all electrical components of the solar farm above the flood planning level. Further, whilst the site is mapped within the bushfire hazard area, the proposed development is resilient to bushfire hazard. This is achieved through resilient materials and location of the solar panels. As the site is primarily void of vegetation, the experienced hazard in the location of the solar panels is minimal.
<i>These areas may provide opportunity for private land to be used for biosequestration, carbon sinks and for renewable energy production and vegetation offset programs.</i>	Y	Proposed development is for a renewable energy facility.
<b>Natural environment and landscape</b>		
<i>The integrity, condition and function of ecological processes within the rural areas are protected from the adverse impacts of development, land use activities and land degradation caused by vegetation clearing and earthworks;</i>	Y	The proposed development is supported by an ecological assessment report. The report identifies that the site is predominantly clear of vegetation with few areas of remanent vegetation. A recommendation of this report is to condition the proposed development to ground truth the mapped stream onsite and revegetate the banks of it. Whilst not catering for increased koala connectivity, this will boost ecological connectivity.  In this instance, the proposed development is able to accord with the strategic outcome subject to the recommended conditions of approval.
<i>Development within the rural areas maintains and enhances the green infrastructure network that links protected areas, natural reserves and forested private lands to lands in the Coast and riverlands place type; and</i>	Y	The proposed development is supported by an ecological assessment report. The report identifies that the site is predominantly clear of vegetation with few areas of remanent vegetation. A recommendation of this report is to condition the proposed development to ground truth the mapped stream onsite and

ITEM 2.1 DA/38582/2019/V2U - MATERIAL CHANGE OF USE - DEVELOPMENT PERMIT FOR RENEWABLE ENERGY FACILITY AT 260 WALLACE ROAD NORTH, BEACHMERE - DIVISION 2 - A18863682 (Cont.)

Strategic Outcome	Complies	Assessment
		<p>revegetate the banks of it. Whilst not catering for increased koala connectivity, this will boost ecological connectivity.</p> <p>In this instance, the proposed development is able to accord with the strategic outcome through recommended conditions of approval.</p>
<p><i>The visual character of the place type is characterised by rural production that acknowledges the regionally significant scenic amenity of the rural areas including major landscape features, views, lookouts, vistas and inter-urban break in the northern part of the Region and are retained where appropriate.</i></p>	<p><b>Y</b></p>	<p>The proposed development does not detract upon scenic amenity. Further, the proposed development includes introducing a vegetation buffer along the outskirts of the site to ensure visual amenity is maintained to adjoining residential properties.</p> <p>In this instance, the proposed development is able to accord with the strategic outcome through the recommended conditions of approval.</p>
<p><b>Strong communities</b></p>		
<p><i>Development achieves a high standard of amenity for residents and visitors, is consistent with the rural character of the area and does not negatively impact upon cultural values;</i></p>	<p><b>Y</b></p>	<p>The proposed development does not detract upon scenic amenity. Further, the proposed development includes introducing a vegetation buffer along the outskirts of the site to ensure visual amenity is maintained to adjoining residential properties.</p>
<p><i>The important contribution of the rural areas to the sense of place and identity of the Moreton Bay Region is identified and reflected in the management of development;</i></p>	<p><b>Y</b></p>	<p>In this instance, the proposed development is able to accord with the strategic outcomes through the recommended conditions of approval.</p>
<p><i>The amenity of sensitive land uses is protected from risks to health or safety resulting from rural activities.</i></p>	<p><b>Y</b></p>	
<p><b>Settlement pattern</b></p>		
<p><i>Rural land is used predominately for land extensive sustainable agriculture and cultivation including forestry on large lots that support ongoing productive use and interspersed with retention of high value native vegetation and protection of waterways on public and private lands;</i></p>	<p><b>Y</b></p>	<p>The proposed development, whilst not for primary production is temporary, having a lifespan of 25-30 years. At the conclusion of the facility's operation the use is able to be removed from the site with minimal impact to the site. The use therefore allows for the long term viability of the subject site to support agricultural use by not providing for further fragmentation.</p> <p>In this instance, the proposed development complies with the strategic outcome.</p>
<p><i>Rural industries and activities that support agriculture and cultivation are located within the rural area in locations and in a manner that does not adversely impact on the amenity,</i></p>	<p><b>Y</b></p>	<p>The proposed development does not detract upon scenic amenity. Further, the proposed development includes introducing a vegetation buffer along the outskirts of the site to ensure visual</p>

ITEM 2.1 DA/38582/2019/V2U - MATERIAL CHANGE OF USE - DEVELOPMENT PERMIT FOR RENEWABLE ENERGY FACILITY AT 260 WALLACE ROAD NORTH, BEACHMERE - DIVISION 2 - A18863682 (Cont.)

Strategic Outcome	Complies	Assessment
<i>scenic and environmental values of the area;</i>		amenity is maintained to adjoining residential properties.  In this instance, the proposed development is able to accord with the strategic outcome through the recommended conditions of approval.
<b>Natural resources</b>		
<i>The ongoing viability of rural production areas is protected, enhanced and used sustainably;</i>	Y	Whilst the proposed development is not for primary production, its use is temporary being 25-30 years. The application further limits material that is difficult to remove such as concrete.
<i>Agricultural land classification (ALC) Class A and Class B land retains its productive potential, is not removed from productive purposes and is protected from development that may alienate it from or conflict with its productive use.</i>	Y	In this regard, the proposed development maintains the long-term viability of rural production over the site.  In this instance, the proposed development is able to comply through the recommended conditions of approval.
<b>Infrastructure</b>		
<i>Infrastructure, including public utilities and major telecommunication facilities, are designed and located to mitigate detrimental impacts on the visual quality and environmental values, character and amenity of the area;</i>	Y	The proposed development does not detract upon scenic amenity. Further, the proposed development includes introducing a vegetation buffer along the outskirts of the site to ensure visual amenity is maintained to adjoining residential properties.  In this instance, the proposed development is able to accord with the strategic outcome through the recommended conditions of approval.
<i>Nutrient enrichment is avoided.</i>	Y	The proposed development will maintain grass cover and will not cause erosion or scour of existing stream banks leading to potential nutrient enrichment.
<b>Element - Key extractive resources place type</b>		
<b>Sustainability and resilience</b>		
<i>Any hazard or risk associated with operations and processes is within acceptable limits;</i>	Y	The risks associated with the proposed development are minimal. Notwithstanding this, the applicant has identified the potential amenity impact to adjoining sensitive land uses and proposes a vegetation buffer to mitigate the risk. A recommendation of this report is to condition the implementation of the vegetation buffer.

ITEM 2.1 DA/38582/2019/V2U - MATERIAL CHANGE OF USE - DEVELOPMENT PERMIT FOR RENEWABLE ENERGY FACILITY AT 260 WALLACE ROAD NORTH, BEACHMERE - DIVISION 2 - A18863682 (Cont.)

Strategic Outcome	Complies	Assessment
		In this instance, the proposed development is capable of according with the strategic outcome through conditions of approval.
<i>On site operations and processes are adequately buffered from incompatible uses, environmental features and development in surrounding areas; and</i>	Y	The proposed development incorporates effective buffers to identified remnant vegetation onsite.
<b>Settlement pattern</b>		
<i>Sensitive land uses are not established in the buffer area/separation area associated with a key resource area;</i>	Y	Proposed development not a sensitive land use.
<i>On site operations and processes are conducted safely without interruption and without adverse impacts on adjacent areas.</i>	Y	
<b>Employment location</b>		
<p>Key resource areas are:</p> <ul style="list-style-type: none"> <li>a. <i>protected from fragmentation or activities that would prevent resource extraction; and</i></li> <li>b. <i>only used for activities that are allied to and compatible with extractive resource operations and processes.</i></li> </ul>	Y	<p>The subject site adjoins ML50156 and MDL 263 to the south with an extractive resources transport route mapped as running through the site to the north. The applicant of the proposed development currently operates extractive industry from the adjoining extractive resource sites, therefor allied with the proposed development.</p> <p>The existing transport routes servicing the extractive resource transport are sufficient to continue to operate</p>
<b>Natural Resources</b>		
<i>Key resource areas are protected to facilitate future long term resource extraction; and</i>	Y	Proposed development will not impact on the ongoing operation of the extractive resource areas.
<i>Important economic resources undergoing extraction are protected from encroachment by sensitive land uses.</i>	Y	Proposed development will not impact on the ongoing operation of the extractive resource areas.
<b>Integrated transport</b>		
<i>Transport routes and dedicated haulage corridors are protected from incompatible development that will restrict their use as safe, efficient routes for the transportation of extractive material;</i>	Y	<p>The site owner and applicant is Pacific Silica Pty Ltd, who own and operate the surrounding extractive resource operations. The proposed development will not impact upon the viability or operation of the extractive resource sites.</p> <p>In this instance the proposed development accords with the strategic outcome.</p>

ITEM 2.1 DA/38582/2019/V2U - MATERIAL CHANGE OF USE - DEVELOPMENT PERMIT FOR RENEWABLE ENERGY FACILITY AT 260 WALLACE ROAD NORTH, BEACHMERE - DIVISION 2 - A18863682 (Cont.)

Strategic Outcome	Complies	Assessment
<b>Infrastructure</b>		
<i>The level of infrastructure service provision to key resource areas including electricity and telecommunications are maintained; and</i>	Y	The proposed development does not affect the existing infrastructure servicing adjoining extractive industries.  In this instance the proposed development accords with the strategic outcome.

On balance the proposed development for a Renewable Energy facility is located on a Rural zoned parcel of land next to an existing Extractive Industry. The proposal represents a renewable sustainable energy source. The proposed development will not impact on the ongoing operation of the existing extractive resource area located to the south and will maintain the site in one large parcel of land that will be available for primary agriculture once the proposed use ceases. Further the proposed use is able to be screened through a vegetated buffer and the existing watercourse on site will be revegetated through additional planting within the riparian corridor. In this regard the proposed development is consistent with the Strategic Framework.

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
<b>Zone/ Local Plan Code</b>		
Rural Zone Code	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	PO1, PO7, PO88, PO89
<b>Overlay Codes</b>		
Coastal Hazard Overlay Code	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	PO25
Flood Hazard Overlay Code	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	PO6

The assessment of the development proposal against the Performance Outcomes of the applicable code(s) is discussed below in section 2.4.3.

ITEM 2.1 DA/38582/2019/V2U - MATERIAL CHANGE OF USE - DEVELOPMENT PERMIT FOR RENEWABLE ENERGY FACILITY AT 260 WALLACE ROAD NORTH, BEACHMERE - DIVISION 2 - A18863682 (Cont.)

2.4.3 Performance Outcome Assessment

Performance Outcome	Example
<b>Rural Zone Code</b>	
<p><b>PO1</b> Development:</p> <ul style="list-style-type: none"> <li>a. adds value to an existing rural activity, the natural environment, or a tourism attraction;</li> <li>b. does not prejudice the ongoing operation of an existing or approved rural activity;</li> <li>c. is adequately serviced with necessary infrastructure to meet on-site needs and requirements;</li> <li>d. ensures adequate on-site stormwater and waste disposal is provided to avoid adverse impacts on water quality;</li> <li>e. is a size and scale that maintains the low density, low intensity and open area landscape character anticipated in the Rural zone;</li> <li>f. is designed, located and operated in a manner that avoids nuisance impacts on sensitive land uses;</li> <li>g. requires minimal filling or excavation. Where this occurs, visual impacts are reduced through screening;</li> <li>h. avoids being obtrusive or visually dominant by achieving low-set built form;</li> <li>i. uses natural and non-reflective materials and colours consistent with existing and surrounding rural buildings and rural environment, except where materials such as netting, shade cloth and similar coverings are necessary for agricultural operations;</li> <li>j. is not subject to a development constraint such as, but not limited to, flood, steep slope, waterway setback and significant vegetation; and</li> <li>k. does not result in any instability, erosion or degradation of land, water, soil resource or loss of natural, ecological or biological values.</li> </ul>	<p>No example provided.</p>
<i>Performance Outcome Assessment</i>	
<p>The proposed development adds value to the environment by introducing a renewable source of energy. Further, the proposed development can achieve increased ecological connections internally and externally by retaining remanent vegetation onsite and revegetation of a degraded onsite waterway.</p>	

ITEM 2.1 DA/38582/2019/V2U - MATERIAL CHANGE OF USE - DEVELOPMENT PERMIT FOR RENEWABLE ENERGY FACILITY AT 260 WALLACE ROAD NORTH, BEACHMERE - DIVISION 2 - A18863682 (Cont.)

Performance Outcome	Example
	<p>The subject site does not currently support a rural activity, nor will the proposed development prejudice the ongoing operation of nearby rural production.</p> <p>The site is located outside UnityWater’s reticulated sewerage area. The proposed development is for a non-habitable use. There will be no permanent staff employed onsite and staff employed offsite will only be required onsite for inspection, maintenance and cleaning. As such, an on-site wastewater treatment and effluent disposal report for the proposed development is not required.</p> <p>The proposed development is resilient to stormwater events and will not reduce flood storage or worsen onsite water quality.</p> <p>The visual amenity of the area will be maintained with the incorporation of a 10m wide vegetation buffer along the boundaries of the site adjoining rural and rural residential properties. A recommendation of this report is that any approval include a condition to require a revegetation management report providing further detail on the exact location, selected plant types and coverage.</p> <p>Minimal excavation (predominantly trench digging) is required to lay the necessary equipment associated with the single axis trackers. It is anticipated that further excavation may be required to support the grid connection. As no preliminary grid connection plan has been provided, a recommendation of this report is that any approval be conditioned to provide a preliminary grid connection plan.</p> <p>The solar panels will be raised approximately 1.5m above the ground, and whilst a large number of modules are proposed, the proposed visual buffer will ensure that the visual bulk of the site is significantly reduced. To ensure this is achieved, a recommendation of this report is that any approval be conditioned to provide a revegetation plan that clearly identifies the extent of the vegetation buffer.</p> <p>The modules are designed to absorb light rather than reflect light. The proposed ten metre wide vegetation buffer located around the site boundaries will ensure that any residual or non-absorbed light will be sufficiently buffered from the adjoining and nearby properties.</p> <p>The site is mapped as containing significant flood hazard, being predominantly medium flood hazard. As such, the proposed development has been designed to be resilient to flooding by locating all sensitive electrical equipment above the flood planning level and locating the operation and maintenance building outside of the medium flood hazard area. To ensure this is achieved, a recommendation of this report is that any approval include a condition that the proposed development locate all sensitive electrical equipment above the flood planning level, or ensure that any electrical equipment located below the flood planning level is resilient to flooding.</p> <p>The proposed development has the potential to contribute to a worsening of soil, water and environmental quality. To ensure compliance with the performance outcome, a recommendation of this report is that any approval include a condition requiring a revegetation plan identifying potential and actual ecological connections, including revegetation of onsite waterways and that unused parts of the site are grassed.</p> <p>In this instance, the proposed development is able to achieve compliance with the performance outcome subject to the application of the recommended conditions of approval.</p>

ITEM 2.1 DA/38582/2019/V2U - MATERIAL CHANGE OF USE - DEVELOPMENT PERMIT FOR RENEWABLE ENERGY FACILITY AT 260 WALLACE ROAD NORTH, BEACHMERE - DIVISION 2 - A18863682 (Cont.)

Performance Outcome	Example
<p><b>PO7</b></p> <p>The amenity of the area and adjacent sensitive land uses are protected from the impacts of dust, odour, light, chemicals and other environmental nuisance.</p>	<p><b>E7</b></p> <p>No example provided.</p>
<i>Performance Outcome Assessment</i>	
<p>The proposed development will have a minimal potential impact on the amenity of the area and nearby sensitive uses. To ensure the scenic amenity of the area is maintained, the applicant proposes a ten metre wide vegetation buffer along the site boundaries. The vegetation buffer will ensure any residual nuisances with the potential to impact on nearby sensitive land uses (such as light reflection) are effectively mitigated. To ensure compliance with this performance outcome, a recommendation of this report is that any approval include a condition requiring the submission of a revegetation management plan that identifies the extent of the proposed vegetation buffer.</p> <p>In this instance, the proposed development is able to achieve compliance with the performance outcome subject to the application of the recommended conditions of approval.</p>	
<p><b>PO88</b></p> <p>Development does not compromise the future primary productive capacity and characteristics of the highly productive land resource.</p>	<p><b>E88</b></p> <p>No example provided.</p>
<i>Performance Outcome Assessment</i>	
<p>The proposed renewable energy facility has a lifespan of 25-30 years. As such, the subject site is able to return to primary production at the end of its operational lifespan.</p> <p>To ensure compliance with the performance outcome, a recommendation of this report is that any approval include a condition that a site-specific rehabilitation plan be submitted that returns the subject site - with the exception of all revegetation work - to its current state.</p> <p>In this instance, the proposed development is able to achieve compliance with the performance outcome subject to the application of the recommended conditions of approval.</p>	
<p><b>PO89</b></p> <p>Development that does not require access to, or rely on the use of, fertile soils is not located in the Agricultural precinct.</p>	<p><b>E89</b></p> <p>No example provided.</p>
<i>Performance Outcome Assessment</i>	
<p>Whilst the proposed development having a lifespan of 25-30 years does not compromise the long term agricultural production potential of the subject site, it does not comply with the performance outcome.</p> <p>Accordingly, assessment against the overall outcomes of the code is required.</p>	



ITEM 2.1 DA/38582/2019/V2U - MATERIAL CHANGE OF USE - DEVELOPMENT PERMIT FOR RENEWABLE ENERGY FACILITY AT 260 WALLACE ROAD NORTH, BEACHMERE - DIVISION 2 - A18863682 (Cont.)

Performance Outcome	Example
<b>Coastal Hazard Overlay Code</b>	
<p><b>PO25</b> Development ensures earthworks complies with the requirements of Table 8.2.2.4 'Fill Requirements' and does not:</p> <ul style="list-style-type: none"> <li>a. directly, indirectly and cumulatively cause any increase in water flow velocity or level;</li> <li>b. increase the potential for erosion, scour or flood damage either on the premises or other premises, public land, watercourses, roads or infrastructure or elsewhere in the floodplain;</li> <li>c. change the timing of the flood wave or impact on flood warning times.</li> </ul>	<p><b>E25</b> No example provided.</p>
<i>Performance Outcome Assessment</i>	
<p>The information provided in support of the application did not include a Site Based (Localised) Flood Report prepared by a suitably qualified RPEQ to demonstrate that any filling associated with the proposed substation within the balance flood and coastal planning areas achieves Performance Outcome 6 (PO6) of the Flood Hazard Overlay Code and Performance Outcome 25 (PO25) of the Coastal Hazard Overlay Code.</p> <p>The site elevation ranges from 3.0m AHD to 3.5m AHD in the proposed location of the substation. Any filling within the balance flood and coastal planning areas to achieve the applicable Flood Planning Level of 3.6m AHD is minor. The proposed minor filling in a large lot will not create any significant issues as outlined in PO25 above. As such, a Site Based (Localised) Flood Report is not required in this instance.</p>	

<b>Flood Hazard Overlay Code</b>	
<p><b>PO6</b> Development ensures earthworks complies with the requirements of Table 8.2.2.4 'Fill Requirements' and does not:</p> <ul style="list-style-type: none"> <li>a. directly, indirectly and cumulatively cause any increase in water flow velocity or level;</li> <li>b. increase the potential for erosion, scour or flood damage either on the premises or other premises, public land, watercourses, roads or infrastructure or elsewhere in the floodplain;</li> <li>c. change the timing of the flood wave or impact on flood warning times.</li> </ul>	<p><b>E6</b> No example provided.</p>
<p>The information provided in support of the application did not include a Site Based (Localised) Flood Report prepared by a suitably qualified RPEQ to demonstrate that any filling associated with the proposed substation within the balance flood and coastal planning areas achieve Performance Outcome 6 (PO6) of the Flood Hazard Overlay Code and Performance Outcome 25 (PO25) of the Coastal Hazard Overlay Code.</p>	

ITEM 2.1 DA/38582/2019/V2U - MATERIAL CHANGE OF USE - DEVELOPMENT PERMIT FOR RENEWABLE ENERGY FACILITY AT 260 WALLACE ROAD NORTH, BEACHMERE - DIVISION 2 - A18863682 (Cont.)

Performance Outcome	Example
	The site elevation ranges from 3.0m AHD to 3.5m AHD in the proposed location of the substation. Any filling within the balance flood and costal planning areas to achieve the applicable Flood planning level of 3.7m AHD is minor. This minor filling in a large lot would not create any significant issues as outlined in PO6. As such, a Site Based (Localised) Flood Report is not required in this instance.

2.4.4 Overall Outcome Assessment

The development proposal does not comply with Performance Outcome 89 of the Rural Zone Code. Therefore, the proposal is required to be assessed against the applicable Overall Outcomes of the code as follows;

Rural Zone Code Section 6.2.10		
Overall Outcomes	Complies Y/N	Comments
<b>A.</b> A wide range of rural uses, as identified in the table below, are established.	<b>N</b>	The proposed use of the site is not listed as either a consistent or inconsistent use and is therefore to be assessed on its merits and where it reflects and supports the outcomes of the zone.
<b>B.</b> Rural activities and primary production activities are protected from intrusion by incompatible development.	<b>Y</b>	The long-term use of the site to support primary production is not detrimentally affected by the use of the site as a solar farm. This is due to the operational life span of the proposed development being 25-30 years. To ensure that the site is able to be used for primary production following the closure of the renewable energy facility, it is recommended that any approval include a condition requiring a site rehabilitation plan.
<b>H.</b> Intensification of existing and new commercial and retail development does not occur.	<b>Y</b>	The proposed development is for the production of energy and while the proposal is for a commercial development it will not contribute to the expansion of either commercial or retail activity.
<b>I.</b> Development maintains the open area character and scenic amenity, including the low density, low intensity and dispersed built form which defines the rural place type.	<b>Y</b>	The proposed development includes the provision of a vegetation buffer extending around the site boundaries at a width of 10m. This will ensure the character and scenic amenity of the area is maintained. To ensure compliance with the overall outcome, it is recommended that any approval include a condition requiring a revegetation management plan identifying the extent and selection of native trees included in the vegetation buffer.
<b>K.</b>	<b>Y</b>	The proposed development includes the provision of a vegetation buffer

ITEM 2.1 DA/38582/2019/V2U - MATERIAL CHANGE OF USE - DEVELOPMENT PERMIT FOR RENEWABLE ENERGY FACILITY AT 260 WALLACE ROAD NORTH, BEACHMERE - DIVISION 2 - A18863682 (Cont.)

Rural Zone Code Section 6.2.10		
Overall Outcomes	Complies Y/N	Comments
Development does not result in adverse or nuisance impacts on adjoining properties or the wider rural environment. Any adverse or nuisance impacts are contained and internalised to the lot through location, design, operation and on-site management practices.		extending around the site boundaries at a width of 10m. This will ensure the character and scenic amenity of the area is maintained. To ensure compliance with the overall outcome, it is recommended that any approval include a condition requiring a revegetation management plan identifying the extent and selection of native trees included in the vegetation buffer.
<b>L.</b> Development generating high volumes of traffic or involving heavy vehicle traffic movements is located on roads of a standard and capacity to accommodate traffic demand.	<b>Y</b>	Whilst the proposed development during its operational phase will generate minimal vehicle traffic, the generation of heavy vehicle traffic will be present during the construction phase.  Access to the site is proposed via Pritchard Road. To ensure the road is able to cater for the increase in vehicle traffic, a recommendation of this report is that any approval include a condition to require the upgrade of Pritchard road.
<b>M.</b> Development does not result in the establishment of industrial activities, other than rural industry <sup>(70)</sup> .	<b>Y</b>	No industrial activity proposed. In this instance, the proposed development accords with the overall outcome.
<b>N.</b> General works associated with the development achieves the following: i. a high standard of electricity, telecommunications, roads, sewerage, water supply and street lighting services is provided to new developments to meet the current and future needs of users of the site; ii. the development manages stormwater to: A. ensure the discharge of stormwater does not adversely affect the quality, environmental values or ecosystem functions of downstream receiving waters; B. prevent stormwater contamination and the release of pollutants;	<b>Y</b>	Works associated with the proposed development: i. achieve a high standard of onsite infrastructure to service the proposed use; ii. the development manages stormwater flows to: A. ensure the flow of stormwater onsite does not result in a reduction of water quality; B. ensures that materials left in the laydown area are contained to avoid pollutant release; C. can improve the structure and condition of onsite riparian areas and drainage lines through a revegetation plan forming a recommended condition of approval;

ITEM 2.1 DA/38582/2019/V2U - MATERIAL CHANGE OF USE - DEVELOPMENT PERMIT FOR RENEWABLE ENERGY FACILITY AT 260 WALLACE ROAD NORTH, BEACHMERE - DIVISION 2 - A18863682 (Cont.)

Rural Zone Code Section 6.2.10		
Overall Outcomes	Complies Y/N	Comments
<p>C. maintain or improve the structure and condition of drainage lines and riparian areas;</p> <p>D. avoid off-site adverse impacts from stormwater.</p> <p>iii. the development does not result in unacceptable impacts on the capacity on the capacity and safety of the external road network;</p> <p>iv. the development ensures the safety, efficiency and useability of access ways and parking areas;</p> <p>v. site works including earthworks are managed to be safe and have minimal impacts on adjoining or adjacent premises, the streetscape or the environment.</p>		<p>D. will not increase the existing off-site impacts from local stormwater flows.</p> <p>iii. The proposed development during its operational phase will result in minimal traffic generation. During its construction phase a moderate amount of heavy vehicle traffic will be generated. To ensure that Pritchard Road is able to accommodate the increase of vehicle flows, this report recommends any approval include conditions to respond to this issue. Further, the impacts of the construction phase will be wholly managed and mitigated through a Construction Management Plan.</p>
<p><b>O.</b> Activities associated with the use do not cause a nuisance by way of aerosols, fumes, light, noise, odour, particles or smoke.</p>	Y	The proposed development will not cause any nuisance to adjoining properties as listed in this overall outcome. The modules are designed to absorb light rather than reflect it. The vegetation buffer proposed around the site boundaries will ensure that any residual light reflection is buffered from adjoining rural residential and rural properties.
<p><b>P.</b> Noise generating uses are designed, sited and constructed to minimise the transmission of noise to appropriate levels and do not cause environmental harm or nuisance.</p>	Y	The proposed development will be silent during its operation. Noises during the construction period will be required to be controlled and managed by a construction management plan.
<p><b>S.</b> Development avoids areas subject to constraint, limitation, or environmental value. Where development cannot avoid these identified areas, it responds by:</p> <p>i. adopting a 'least risk, least impact' approach when designing, siting and locating development in any area subject to a constraint, limitation or environmental</p>	Y	<p>The proposed development avoids areas of remnant vegetation. However, the development does propose to use construction roads that intersect the identified waterway onsite.</p> <p>To ensure that the proposed development retains and enhances environmental values onsite, a recommendation of this report is that that any approval require a</p>

ITEM 2.1 DA/38582/2019/V2U - MATERIAL CHANGE OF USE - DEVELOPMENT PERMIT FOR RENEWABLE ENERGY FACILITY AT 260 WALLACE ROAD NORTH, BEACHMERE - DIVISION 2 - A18863682 (Cont.)

Rural Zone Code Section 6.2.10		
Overall Outcomes	Complies Y/N	Comments
<p>value to minimise the potential risk to people, property and the environment;</p> <p>ii. ensuring no further instability, erosion or degradation of the land, water or soil resource;</p> <p>iii. when located within a Water buffer area, complying with the Water Quality Vision and Objectives contained in the Seqwater Development Guidelines: Development Guidelines for Water Quality Management in Drinking Water Catchments 2012.</p> <p>iv. maintaining, restoring and rehabilitating environmental values, including natural, ecological, biological, aquatic, hydrological and amenity values, and enhancing these values through the provision of planting and landscaping, and facilitating safe wildlife movement and connectivity through:</p> <p>A. the provision of replacement, restoration, rehabilitation planting and landscaping;</p> <p>B. the location, design and management of development to avoid or minimise adverse impacts on ecological systems and processes;</p> <p>C. the requiring of environmental offsets in accordance with the Environmental Offsets Act 2014.</p> <p>v. protecting native species and protecting and enhancing species habitat;</p> <p>vi. protecting and preserving the natural, aesthetic, architectural historic and cultural values of significant trees, places, objects and</p>		<p>revegetation management plan to be submitted. It is further recommended that this revegetation management plan identifies and provides for potential and actual ecological connections onsite.</p>

ITEM 2.1 DA/38582/2019/V2U - MATERIAL CHANGE OF USE - DEVELOPMENT PERMIT FOR RENEWABLE ENERGY FACILITY AT 260 WALLACE ROAD NORTH, BEACHMERE - DIVISION 2 - A18863682 (Cont.)

Rural Zone Code Section 6.2.10		
Overall Outcomes	Complies Y/N	Comments
<p>vii. buildings of heritage and cultural significance; establishing effective separation distances, buffers and mitigation measures associated with identified infrastructure to minimise adverse effects on sensitive land uses from odour, noise, dust and other nuisance generating activities;</p> <p>viii. establishing, maintaining and protecting appropriate buffers to waterways, wetlands, native vegetation and significant fauna habitat;</p> <p>ix. ensuring it promotes and does not undermine the ongoing viability, integrity, operation, maintenance and safety of identified infrastructure;</p> <p>x. ensuring effective and efficient disaster management response and recovery capabilities;</p> <p>xi. where located in an overland flow path:</p> <p style="margin-left: 20px;">A. development siting, built form, layout and access responds to the risk presented by the overland flow and minimises risk to personal safety;</p> <p style="margin-left: 20px;">B. development is resilient to the impacts of overland flow by ensuring the siting and design accounts for the potential risks to property associated with the overland flow;</p> <p style="margin-left: 20px;">C. development does not impact on the conveyance of the overland flow for any event up to and including the 1% AEP for the fully developed upstream catchment;</p> <p style="margin-left: 20px;">D. development directly, indirectly and</p>		

ITEM 2.1 DA/38582/2019/V2U - MATERIAL CHANGE OF USE - DEVELOPMENT PERMIT FOR RENEWABLE ENERGY FACILITY AT 260 WALLACE ROAD NORTH, BEACHMERE - DIVISION 2 - A18863682 (Cont.)

Rural Zone Code Section 6.2.10		
Overall Outcomes	Complies Y/N	Comments
cumulatively avoid an increase in the severity of overland flow and potential for damage on the premises or other premises, public lands, watercourses, roads or infrastructure.		
<p><b>T.</b> Development in the Rural zone includes one or more of the following:</p> <ul style="list-style-type: none"> <li>• Animal husbandry</li> <li>• Animal keeping (excluding catteries and kennels)</li> <li>.....</li> <li>• Winery</li> </ul>	<b>N</b>	A Renewable energy facility is not listed.
<p><b>U.</b> Development in the Rural zone does not include any of the following:</p> <ul style="list-style-type: none"> <li>• Adult store</li> <li>• Bar</li> <li>.....</li> <li>• Warehouse</li> </ul>	<b>Y</b>	Renewable energy facility is not listed as an inconsistent use.
<p><b>V.</b> Development not listed in the tables above will be considered on its merit and where it reflects and supports the outcomes of the zone.</p>	<b>Y</b>	<p>The proposed development is consistent with the outcome and intent of the Rural Zone in that it:</p> <ul style="list-style-type: none"> <li>- Whilst not primary production is for a form of low impact energy production, that is most appropriately located in the rural zone;</li> <li>- Manages onsite impacts through incorporating a vegetation buffer that maintains scenic amenity values and shields sensitive receptors from any minor residual impacts of the modules;</li> <li>- Is temporary, having an operational lifespan of 25-30 years, allowing for the site to return to primary production following the conclusion of its operation; AND</li> <li>- Is able to enhance biodiversity values onsite through providing an environmental link onsite.</li> </ul> <p>Notwithstanding this, assessment against the strategic framework is</p>

ITEM 2.1 DA/38582/2019/V2U - MATERIAL CHANGE OF USE - DEVELOPMENT PERMIT FOR RENEWABLE ENERGY FACILITY AT 260 WALLACE ROAD NORTH, BEACHMERE - DIVISION 2 - A18863682 (Cont.)

Rural Zone Code Section 6.2.10		
Overall Outcomes	Complies Y/N	Comments
		required to properly demonstrate compliance with the Planning Scheme.

Based on the assessment above, the proposal is inconsistent with two (2) of the Overall Outcomes of the code(s). Therefore, in accordance with section 1.7.2 of the MBRC Planning Scheme, an assessment against the Strategic Framework is set out in section 2.4.1 of this report.

In addition, section 45 (5) of the *Planning Act 2016* states the assessment may be carried out against, or having regard to, any other relevant matter other than a person's personal circumstances, financial or otherwise. The other relevant matters to justify any approval of the proposal, are discussed in section 2.9 of this report.

2.5 Trunk Infrastructure

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

2.5.1 *Levied Charge*

In accordance with section 10 of the CR, a Levied Charge is applicable to the development proposal 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 no current existing lawful use of the land or record of a previous lawful use of the land that is no longer taking place. Accordingly, the credit available under this option is \$0.00.

(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 \$29,339.55 based on the proportional split stated in Table 3 of the CR.



ITEM 2.1 DA/38582/2019/V2U - MATERIAL CHANGE OF USE - DEVELOPMENT PERMIT FOR RENEWABLE ENERGY FACILITY AT 260 WALLACE ROAD NORTH, BEACHMERE - DIVISION 2 - A18863682 (Cont.)

2.5.3 *Levied Charge Offset or Refund*

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

2.5.4 *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.

2.5.5 *Other Matter*

The proposed use falls into the 'other uses' category and therefore no specific charge applies. The charge has been calculated based on the following:

- Impervious area = 276m<sup>2</sup>
- Gross floor area = 276m<sup>2</sup>

Importantly, while approximately 67 hectares of the site is covered by solar panels, the panels will move to track the sun and therefore allow any stormwater to fall immediately to the ground below them. The definition of Impervious Area in the Council's Charges Resolution is worded as follows;

*"Impervious area" means the area of the premises that is impervious to rainfall or overland flow, including areas of the premises covered by compacted gravel.*

As the proposal will allow stormwater to still fall to the ground without concentration or diversion, the panels do not represent an impervious area.

Therefore, the only chargeable components onsite are the O&M Building and Warehouse (areas provided above) and for these it is proposed that the use is charged the same infrastructure charges category as Other Industry.

The applicable charges in this instance would be \$50.60 per m<sup>2</sup> of GFA and \$10.10 per m<sup>2</sup> of impervious area and in this instance, the relevant MBRC/UnityWater split is 100/0.

2.6 Recording of particular approvals on the MBRC Planning Scheme

Not Applicable in this instance.

---

ITEM 2.1 DA/38582/2019/V2U - MATERIAL CHANGE OF USE - DEVELOPMENT PERMIT FOR RENEWABLE ENERGY FACILITY AT 260 WALLACE ROAD NORTH, BEACHMERE - DIVISION 2 - A18863682 (Cont.)

## 2.7 Referrals

### 2.7.1 Council Referrals

#### 2.7.1.1 Development Engineering

##### **Proposal Plans**

The O&M Building in the proposal plan titled Solar Farm O&M Building Elevation Diagram (Drawing No. 501363-001-DRG-GA-002 Rev A) is shown to be built on natural ground level. The required finished floor level for the O&M building is to be 3.4m AHD whilst the site elevation on the proposed location is approximately 2.25m AHD, based on Council mapping.

The location of the O&M building and warehouse is within an area of the site mapped as a Medium risk flood hazard area under the Flood Hazard Overlay. Filling is not permitted on land in the Medium risk flood hazard area in accordance the Flood Hazard Overlay Code. As such, the proposed O&M Building on natural ground level is not acceptable. Filling in the medium risk flood hazard area to achieve the required finished floor level will not be supported.

It is recommended that the development be conditioned to provide an amended Solar Farm O&M Building Elevation Diagram that incorporates pier and pole construction to achieve the required finished floor level for the O&M building.

##### **Traffic, Access & Parking**

Development vehicle access will be via the existing access on Pritchard Road. The existing access is proposed to be formalised to provide safe access to the site and suitable access for construction vehicles. Pritchard Road is not fully constructed for approximately 50m from the site property boundary. Development Engineering does not support the proposal for a gravel (unsealed) pavement. As part of this development, Pritchard Road should be extended from the existing formation (minimum 3.5m wide sealed pavement). An unsealed road is likely to cause ongoing maintenance issues.

It is recommended that the development be conditioned to provide a formalised access driveway and road upgrade works on Pritchard Road.

Majority of traffic associated with the development will occur during the construction phase. The documentation provided with the application included a Construction Traffic Impact Assessment report prepared by Aurecon. The nominated transport construction route includes Peel Road, Mynott Road, a section of Bishop Road, and Pritchard Road. Except for Pritchard Road, these roads are all identified as Council District Collector Roads under the Road hierarchy overlay.

The road pavement on the proposed construction access route may be damaged by the increased number of heavy vehicles during the construction of the solar farm. It is recommended that any development approval be conditioned to assess the construction access route pavement before construction commences and after completion of construction for the development and rectify any damage caused by the construction traffic in accordance with Council standards.

##### **Stormwater / Flooding**

###### Stormwater

A Stormwater Management Plan prepared by Aurecon was provided in support of the proposed development. It demonstrates that the proposed development can occur with negligible impacts on adjoining properties.

*ITEM 2.1 DA/38582/2019/V2U - MATERIAL CHANGE OF USE - DEVELOPMENT PERMIT FOR RENEWABLE ENERGY FACILITY AT 260 WALLACE ROAD NORTH, BEACHMERE - DIVISION 2 - A18863682 (Cont.)*

Flood and Coastal Hazard

The solar panel system is proposed to be located partly within an area of the site mapped within a Medium risk flood hazard area and Balance flood planning area under the Flood Hazard Overlay and within the Balance coastal planning area of the Coastal Hazard Overlay. The proposed solar panels will be constructed on steel piles which would allow rainfall to infiltrate the soil under the panels.

The O&M facilities building and warehouse will be located within an area of the site mapped within a Medium risk flood hazard area under the Flood Hazard Overlay.

The substation is proposed to be located within the Balance Flood and Coastal planning areas of the Flood Hazard Overlay and Coastal Hazard Overlay, respectively. The location is outside the mapped Medium risk flood hazard area under the Flood Hazard Overlay.

The Council's Flood Check Development Report indicates that the 2100 planning horizon Storm Tide event is the dominant flooding mechanism with a Defined Flood Event level of 3.7m AHD. The Flood Planning Level (FPL) for the site is 3.60m AHD. The Flood Check Development Report also noted that the site has been identified as a large lot and flood levels may vary significantly across the property. As such, further advice was requested from Council's Floodplain Management Team regarding the Defined Flood Level and Flood Planning Level for the proposed location of the Substation and O&M facilities building and warehouse. The applicable Defined Flood Event level is 3.0m AHD and 2.8m AHD for the proposed location of the Substation and the O&M facilities building and warehouse, respectively. As such, the applicable FPL is 3.7m AHD for the substation and 3.1m AHD for the O&M facilities building and warehouse. It is recommended that the substation be constructed at 3.3m AHD or above given the type of use and material involve i.e. electrical.

The finished floor level of the O&M facilities building is not indicated on the proposal plans. Conditions are recommended specifying the minimum finished floor level being the applicable Flood Planning Level (3.7m AHD) and areas below the Flood Planning Level to be constructed of resilient materials in accordance with E5.2-E5.3 and E8.3-E8.4 of the Flood Hazard Overlay Code and Coastal Hazard Overlay Code, respectively. The site elevation on the proposed location of the O&M facilities building and warehouse is approximately 2.25m AHD based on Council mapping. Filling is not permitted on Land in the Medium risk flood hazard area in accordance with the Flood Hazard Overlay Code. Therefore, the O&M building must be designed and constructed using pier and pole construction to achieve the required finished floor level.

The O&M warehouse can be located on natural ground level i.e. below the Flood Planning Level; however, any hazardous chemicals to be stored in the warehouse should be located to at least the applicable FPL.

The Flood Hazard overlay code requires development to be resilient to a flood hazard event by ensuring the design and built form account for the potential risks of the flood hazard event. Structures not on land already filled to the flood planning level require a structural engineering design capable of withstanding the nature of the hazard(s) to which the building will be subject, to be supported by a report (or multiple reports) prepared by a Registered Professional Engineer Queensland that identifies the flood hazard and the structural approach to be utilised. The reports are to be prepared in accordance with the Planning Scheme Policy - Flood Hazard, Coastal hazard and overland flow. It is recommended that the development be conditioned to require a Structural Engineering Design Report to be prepared and provided to the private building certifier.

---

ITEM 2.1 DA/38582/2019/V2U - MATERIAL CHANGE OF USE - DEVELOPMENT PERMIT FOR RENEWABLE ENERGY FACILITY AT 260 WALLACE ROAD NORTH, BEACHMERE - DIVISION 2 - A18863682 (Cont.)

### **2.7.1.2 Environmental Planning**

The proposed development is located within an area mapped as 'MSES-Matters of State Environmental Significance' under the Environmental areas overlay of the MBRC Planning scheme. A mapped waterway (Godwin Beach Tributary) also traverses the proposed development site from the north west to the south east, which is identified under the Environmental areas overlay as a W3 waterway requiring a 20m setback and contains riparian and wetland setbacks.

The majority of the site is also mapped a MSES wildlife habitat (threatened and special least concerned animal). The site also contains areas of MSES regulated vegetation for essential habitat and MSES regulated vegetation Category C.

An Ecological Assessment Report (EAR) prepared for the site by Aurecon on 19th January 2019 (Ref: 501363) suggested that wildlife habitat and connectivity was mostly located within vegetated areas along the riparian reserves and confirmed that the development would be located within the least ecological value of the site that was mostly cleared of vegetation. The EAR also identified potential habitat for least concern amphibian and flora species under the Nature Conservation Act 1992

A site visit by Council Environmental Officers on the 7th May 2019 identified areas within the centre of the site (identified as vegetation community 3 - in the EAR) to be suitable habitat for Wallum froglets (*Crinia tinnula*) which are listed as Vulnerable under the *Nature Conservation Act 1992*

Environmental Planning is satisfied that the proposed development is located in areas of the site that are mostly cleared of vegetation, are considered least ecological value, provides a 20m setback from defined W3 waterway and will not cause fragmentation of contiguous vegetation or wildlife habitats.

However, site plans show that proposed construction vehicle access routes cross the W3 waterway buffer at five locations. The proposed vehicle access routes follow the existing access routes on site which will be required to be upgraded to facilitate heavy vehicles during construction.

Furthermore, the Conceptual Stormwater Management Plan (SMP) prepared for the site by Aurecon on the 19th of March 2019 (ref: 501363), states: *the increased imperviousness of the property was estimated to create an approximate 10% increase in overall runoff*. Increased surface water from the impervious panels, combined with maintenance (such as periodic slashing or potential grazing opportunities) and construction activities has the potential to impact on site habitats and water quality of the W3 waterway, through increased pollution, erosion and edge effects.

To comply with PO99 and PO105 the upgrade and design of the access roads must ensure that water quality within and downstream of Godwin Beach Tributary is to be maintained or improved. A recommendation of this report is to therefore require the design of the internal access and maintenance roads to include culverts to allow free drainage of Godwin Beach Tributary as a condition of approval. The actual location of the culverts will be determined by the survey of the existing waterway that will also be required as a condition of approval. It is further recommended that the proposed development is required to implement erosion and sediment control measures as a condition of approval.

*ITEM 2.1 DA/38582/2019/V2U - MATERIAL CHANGE OF USE - DEVELOPMENT PERMIT FOR RENEWABLE ENERGY FACILITY AT 260 WALLACE ROAD NORTH, BEACHMERE - DIVISION 2 - A18863682 (Cont.)*

In order to comply with PO110 if any vegetation is required to be cleared within the 20m Buffer for road upgrades, an environmental offset will be required in accordance with the environmental offset requirements identified in Planning scheme policy - Environmental areas. It is therefore recommended that a vegetation management plan, prepared in accordance with MBRC Planning Scheme Policy - Environmental areas is provided, that includes the identification of all vegetation to be cleared. An offset delivery plan will also be conditioned for native vegetation required to be cleared within the 20metre buffer.

To comply with PO102 a nest box management plan will be required where vegetation clearing results in the loss of a habitat tree as defined in the Planning scheme policy - Environmental areas. As such any approval should be conditioned that a vegetation management plan, prepared in accordance with MBRC Planning Scheme Policy - Environmental areas is provided, which includes identification of habitat trees required to be cleared. A nest box management plan will also be conditioned for replacement nest boxes where habitat trees are required to be removed as part of the development.

To comply PO99, PO101, PO102, PO105, PO106 and PO108 it will be conditioned that mitigation measures by way of restoring, rehabilitating and increasing the size of existing sections of remnant native vegetation, including the riparian zone of Godwin Beach Tributary are required to filter pollutants, improve habitat connectivity for wildlife movement within the site and retain water quality.

PO107-PO109 - requires that development minimises edge effects and adverse urban heat island effects through such measures as providing deeply planted vegetation buffers and green linkage opportunities. As the proposed development provisions for a 10m vegetation buffer, it is recommended that a landscaping plan is required as a condition of approval to achieve a suitable buffer to adjoining sensitive land uses.

To Comply with PO99 - Development is to ensure that indirect impacts from construction and maintenance of the proposed development also avoid impacts to the Wallum froglet habitat and wetland areas. This can be achieved by locating Operational and Maintenance Facilities away from the habitat area to limit heavy vehicles and machinery utilising access roads adjacent to the habitat vegetation, thereby reducing potential detrimental impacts by way of vibration and dust. As such a condition will be imposed to amend the site plan to relocate the Operational and Maintenance Facilities Area away from potential Wallum froglet habitat.

The proposed main access route to the development is via Pritchard Road in the South East of the property. Access via Pritchard Road is serviced by an existing internal road which intersects areas identified as Essential habitat for Koalas and Category C of least Concern Vegetation. The existing access routes on site may require upgrading to facilitate heavy vehicles during construction. Clearing to establish or maintain a road on freehold land within Category C vegetation is considered exempt under Table 2 of the DNME's list of exempt clearing work. However, as the vegetation is mapped as a High value area under the MBRC Planning Scheme, where the development results in the loss of a habitat tree (as defined under the MBRC Planning Scheme Policy - Environmental Areas) replacement nest boxes will be required to comply with PO102.

2.7.2 Referral Agencies

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

The application was referred to the Department of Infrastructure, Local Government and Planning (DILGP) for the following;

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

ITEM 2.1 DA/38582/2019/V2U - MATERIAL CHANGE OF USE - DEVELOPMENT PERMIT FOR RENEWABLE ENERGY FACILITY AT 260 WALLACE ROAD NORTH, BEACHMERE - DIVISION 2 - A18863682 (Cont.)

**2.7.2.2 Advice Agencies**

Energy Queensland

Council was advised on 6 June 2019 that the Advice Agency has no objection to the proposal. The advice agency has recommended a number of conditions be included in Council's decision notice including the following.

- All easement conditions must be maintained.
- No vehicular traffic is permitted to traverse along the east-west access road/s contained within Easement B on RP174765.
- Natural ground level on the easement cannot be disturbed without Energex approval. (Note: Energex is triggered as a referral agency for any Operational Works Development Application where filling or excavation is proposed wholly or partly within the Easement).
- Stormwater flows and scour design across the Energex easement must be adequate to ensure there is no impact to Energex's existing structures.
- The applicant is required to undertake a risk assessment and contact Energex to obtain Safety Advice prior to the commencement of any works in proximity to the powerlines.

There recommended conditions have been incorporated into the recommended conditions of approval.

**2.7.2.3 Third Party Agencies**

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

**2.8 Public Consultation**

*2.8.1 Public Notification Requirements under the Development Assessment Rules*

- (a) Public Notification was served on all adjoining landowners on 12 June 2019.
- (b) The development application was advertised in the Caboolture Herald on 13 June 2019
- (c) A notice in the prescribed form was posted on the relevant land on 13 June 2019 and maintained for a period of 15 business days until 5 July 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		8
	Petition		
Not Properly Made	Letter, Email, Fax		
	Petition		
<b>Total</b>			

ITEM 2.1 DA/38582/2019/V2U - MATERIAL CHANGE OF USE - DEVELOPMENT PERMIT FOR RENEWABLE ENERGY FACILITY AT 260 WALLACE ROAD NORTH, BEACHMERE - DIVISION 2 - A18863682 (Cont.)

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

<b>Assessment of Submissions</b>
<p><b><u>Issue</u></b> Ability of Pritchard Road to accommodate increased vehicle flows.</p>
<p><b><u>Discussion</u></b> Concerns that Pritchard Road is not able to accommodate vehicle traffic generated by the proposed development have been raised. This issue was identified during the assessment process and consequentially a recommendation of this report is to require the upgrade of Pritchard Road in line with Development Engineering comments (s 2.7.1.1 of this report) as a condition of approval. Through conditions of approval Pritchard Road will be capable of facilitating all vehicle movement into the Solar Farm with minimal impact to the rural residential properties along Pritchard Road.</p> <p>This is not sufficient grounds for refusal of the application.</p>
<p><b><u>Issue</u></b> Noise levels</p>
<p><b><u>Discussion</u></b> Concerns about the noise generation of the solar farm have been raised during public notification.</p> <p>The operation of the proposed development will not generate a notable level of noise and will require minimal maintenance work. The level of noise experienced through the operational phase of the proposed development is therefore not significant enough to warrant any acoustic treatments to any adjoining properties.</p> <p>Notwithstanding this, the construction phase of the proposed development has potential to generate levels of noise. To ensure potential impacts are properly mitigated and managed, a recommendation of this report is to require a Construction Management Plan that achieves this as a condition of approval.</p> <p>It is therefore considered that potential noise resulting from the proposed development is sufficiently addressed and managed through the conditions of approval. No further action is required.</p> <p>This is not sufficient grounds for refusal of the application.</p>
<p><b><u>Issue</u></b> Hours of operation</p>
<p><b><u>Discussion</u></b> Concerns of the hours of the operation of the proposed development have been raised. The hours of operation during the operational phase of the development is during daylight hours, seven days a week.</p> <p>The hours of operation during the construction phase will be managed in accordance with the relevant standards. To ensure potential impacts are properly mitigated and managed, a recommendation of this report is to require a Construction Management Plan that achieves this as a condition of approval.</p> <p>This is not sufficient grounds for refusal of the application.</p>

ITEM 2.1 DA/38582/2019/V2U - MATERIAL CHANGE OF USE - DEVELOPMENT PERMIT FOR RENEWABLE ENERGY FACILITY AT 260 WALLACE ROAD NORTH, BEACHMERE - DIVISION 2 - A18863682 (Cont.)

<p><b>Issue</b> Upgrade of Prichard Road</p>
<p><b>Discussion</b> Pritchard Road is required to be upgraded to accommodate for the increased vehicle traffic for the site. Concerns that the road should be maintained as is have been raised. As Pritchard Road is the most appropriate access point, upgrading the road is a necessary outcome.</p> <p>This is not sufficient grounds for refusal of the application.</p>
<p><b>Issue</b> Dust and mud impacts to Pritchard Road</p>
<p><b>Discussion</b> Concerns that the proposed development will bring dust and mud onto Pritchard road have been raised.</p> <p>The operational phase of the proposed development will result in the minor generation of standard vehicle traffic entering the site. This will predominantly comprise maintenance staff via private or company vehicle and is not anticipated to be heavy vehicles. The minor introduction of dust onto Pritchard Road is therefore negligible.</p> <p>During the construction phase however, the increase in vehicle traffic to the site including heavy vehicle traffic may result in an increase of dust onto Pritchard Road, having the potential to impact upon the rural residential properties located along Pritchard Road. In order to identify, mitigate and manage the impacts of the construction phase, a recommendation of this report is to require a Construction Management Plan that identifies and manages potential risks including dust pollution to Pritchard Road as a condition of approval.</p>
<p><b>Issue</b> Visual impacts of the proposed development</p>
<p><b>Discussion</b> The visual impact of the solar farm to adjoining properties was raised as a submitter concern.</p> <p>The visual impact of the solar farm has been taken into consideration as per PO1 and the Overall Outcomes of the Rural Zone Code as well as the Strategic Framework. The applicant is proposing a 10m visual buffer, which as per the provided photomontages will provide sufficient buffering to the proposed development. To ensure compliance with PO1 of the Rural Zone Code, a recommendation of this report is to require a Vegetation Management Plan as a condition of approval. The plan will be required to detail the extent of the proposed vegetation buffer as well as include the type and quantity of selected native vegetation.</p> <p>It is therefore considered that through conditions of approval the proposed development is able to comply with PO1 of the Rural Zone Code. No further assessment is required.</p> <p>This is not sufficient grounds for refusal of the application.</p>



ITEM 2.1 DA/38582/2019/V2U - MATERIAL CHANGE OF USE - DEVELOPMENT PERMIT FOR RENEWABLE ENERGY FACILITY AT 260 WALLACE ROAD NORTH, BEACHMERE - DIVISION 2 - A18863682 (Cont.)

<p><b>Issue</b> Heat island effect</p>
<p><b>Discussion</b> Concerns of a heat island effect as detailed in the 'Queensland solar farm guidance for local governments' is a claim made regarding solar farms.</p> <p>As per the document: <i>'there is limited evidence-based risks around the heat island effect caused by solar farms, mitigation measures are not considered necessary'</i>.</p> <p>As such no further action is required.</p> <p>This is not sufficient grounds for refusal of the application.</p>
<p><b>Issue</b> Level of Electromagnetic Interference to wireless internet and mobile reception</p>
<p><b>Discussion</b> The potential effect of electromagnetic radiation / interference (EMR) has been raised as a submitter concern.</p> <p>As per the 'Queensland solar farm guidance for local governments' document on which this concern is based on:</p> <p><i>'EMR has the potential to be generated from infrastructure associated with a solar farm such as; grid connection lines, underground network cabling, electrical transformers, inverters and substations.</i></p> <p><i>EMR is classified according to its frequency or wavelength i.e. Extremely Low Frequency (ELF), Very Low Frequency (VLF), Radio Frequency (RF) and Microwave (MW). The majority of infrastructure associated with solar farms fall under the ELF radiation classification with <u>negligible to immeasurable emissions</u>. Due to the negligible electromagnetic radiation produced by solar farms and related infrastructure, no specific measures are required beyond compliance with normal electrical safety practices and standards.</i></p> <p>Based on the recommendations of the 'Queensland solar farm guidance for local governments' report, this report finds no grounds for the potential EMR to be measured and managed.</p> <p>This is not sufficient grounds for refusal of the application.</p>
<p><b>Issue</b> Level of electromagnetic radiation as a health concern</p>
<p><b>Discussion</b> The potential effect of electromagnetic radiation / interference (EMR) has been raised as a submitter concern.</p> <p>As per the 'Queensland solar farm guidance for local governments' document on which this concern is based on:</p> <p><i>'EMR has the potential to be generated from infrastructure associated with a solar farm such as; grid connection lines, underground network cabling, electrical transformers, inverters and substations.</i></p>

ITEM 2.1 DA/38582/2019/V2U - MATERIAL CHANGE OF USE - DEVELOPMENT PERMIT FOR RENEWABLE ENERGY FACILITY AT 260 WALLACE ROAD NORTH, BEACHMERE - DIVISION 2 - A18863682 (Cont.)

EMR is classified according to its frequency or wavelength i.e. Extremely Low Frequency (ELF), Very Low Frequency (VLF), Radio Frequency (RF) and Microwave (MW). The majority of infrastructure associated with solar farms fall under the ELF radiation classification with negligible to immeasurable emissions. Due to the negligible electromagnetic radiation produced by solar farms and related infrastructure, no specific measures are required beyond compliance with normal electrical safety practices and standards.

Based on the recommendations of the 'Queensland solar farm guidance for local governments' report, this report finds no grounds for the potential EMR to be measured and managed.

This is not sufficient grounds for refusal of the application.

**Issue**

Devaluation of property

**Discussion**

The devaluation of property is not a relevant assessment benchmark for the assessment of this application. As such, this is not a relevant matter to be considered as a part of the assessment of this application.

This is not sufficient grounds for refusal of the application.

**Issue**

Toxic effect of a fire

**Discussion**

A submitter concern is the effect of potentially toxic smoke plumes that may result from an internal fire of the proposed development.

As detailed in the applicant's Town Planning Report, the materials used in the construction of the proposed development will be designed to be resilient to the effect of bushfire. Furthermore, the potential bushfire risk of the proposed development is very minimal as the site is predominantly clear of vegetation.

Furthermore, the proposed development will largely be constructed of modified glass, metal composites and wiring. As none of these materials are either highly flammable or proven to release hazardous smoke the submitter concern is largely baseless.

This is not sufficient grounds for refusal of the application.

**Issue**

Maintenance outside of daylight hours

**Discussion**

A submitter issue raised was the potential maintenance outside of daylight hours.

Maintenance is able to be conducted during daylight hours and will generate a negligible level of noise. The hours of operation during the construction phase will be regulated by the Environmental Protection Act. As staff visits to the site will be very limited during the proposed development's operational phase it is not likely that outside daylight hours maintenance will occur.

This is not sufficient grounds for refusal of the application.

ITEM 2.1 DA/38582/2019/V2U - MATERIAL CHANGE OF USE - DEVELOPMENT PERMIT FOR RENEWABLE ENERGY FACILITY AT 260 WALLACE ROAD NORTH, BEACHMERE - DIVISION 2 - A18863682 (Cont.)

<p><b>Issue</b> Stormwater drainage</p>
<p><b>Discussion</b> A submitter issue was raised regarding an increase to stormwater flows.</p> <p>The site is currently mapped as containing a large flood path, that continues throughout the immediate area and across nearby properties.</p> <p>The proposed development will retain the grassed area underneath the solar panels allowing for the natural intrusion of rainwater into the water table. As no hardstand is proposed, onsite stormwater flows will continue to drain naturally onsite.</p> <p>Refer to the engineering decision memo for further detail.</p> <p>This is not sufficient grounds for refusal of the application.</p>
<p><b>Issue</b> Privacy</p>
<p><b>Discussion</b> A submitter concern was the introduction of security cameras along the boundary of the site and oriented toward nearby private property.</p> <p>Whilst it is doubtful security cameras associated with the proposed development would be oriented toward rural residential properties, a condition of approval can be placed on the development ensuring that security cameras do not capture footage of adjoining private property.</p> <p>This is not sufficient grounds for refusal of the application.</p>
<p><b>Issue</b> Security fence</p>
<p><b>Discussion</b> A submitter concern was the erection of a security fence along the boundary of the site and the subsequent visual impact this would have on residential amenity. Security fencing will be required to safeguard the solar panels and limit access, however it will only be required around the extent of the single axis trackers. This allows the security fencing to be located on the inside of the vegetation buffer required around the perimeter of the site. In this regard security fencing will not impact upon the views of the adjoining rural and rural residential properties.</p> <p>To ensure this occurs, it is recommended that any fencing is required to be on the inside of the site to ensure visual buffering is provided by the 10m vegetation buffer as a condition of approval.</p> <p>The submitter issue is therefore sufficiently addressed through conditions of approval.</p> <p>This is not sufficient grounds for refusal of the application.</p>

ITEM 2.1 DA/38582/2019/V2U - MATERIAL CHANGE OF USE - DEVELOPMENT PERMIT FOR RENEWABLE ENERGY FACILITY AT 260 WALLACE ROAD NORTH, BEACHMERE - DIVISION 2 - A18863682 (Cont.)

<p><b>Issue</b> Changes to the planning scheme</p>
<p><b>Discussion</b> Concerns that the land will be zoned to extractive industry have been raised.</p> <p>This is not a relevant matter to the assessment of this development application.</p> <p>This is not sufficient grounds for refusal of the application.</p>
<p><b>Issue</b> Impacts of construction phase</p>
<p><b>Discussion</b> The construction timeframe is 12 months with 6 construction days per week as identified in the applicant's Construction Traffic Impact Assessment. The noise impacts of the construction phase will however be managed by a required Construction Management Plan forming a condition of approval.</p> <p>It is therefore considered that the submission is sufficiently addressed through conditions of approval.</p> <p>This is not sufficient grounds for refusal of the application.</p>
<p><b>Issue</b> Ability of road network to accommodate for increased traffic generation</p>
<p><b>Discussion</b> A submitter issue of the combined ability of Prichard Road - Mynott Road - Peel Road to handle the increased construction vehicle traffic was raised. As per development engineering comments, Pritchard Road will need to be upgraded to accommodate for the proposed development. No concern regarding Mynott or Peel Road was raised.</p> <p>As such, the submitter concern is sufficiently addressed through the recommended conditions of approval.</p> <p>This is not sufficient grounds for refusal of the application.</p>
<p><b>Issue</b> Historical vegetation clearing</p>
<p><b>Discussion</b> Concerns of why the site was cleared of vegetation has been raised.</p> <p>This is not a relevant matter to the assessment of this development application.</p> <p>This is not sufficient grounds for refusal of the application.</p>

ITEM 2.1 DA/38582/2019/V2U - MATERIAL CHANGE OF USE - DEVELOPMENT PERMIT FOR RENEWABLE ENERGY FACILITY AT 260 WALLACE ROAD NORTH, BEACHMERE - DIVISION 2 - A18863682 (Cont.)

<b>Issue</b> Increased criminal activity
<b>Discussion</b> The possibility of an increase in criminal activity has been raised. The submitter ascertains that through the introduction of electrical equipment a rise in theft of the facility's use of copper wiring.  The potential theft onsite is not a relevant assessment benchmark. Onsite access will be controlled through security fencing.  This is not sufficient grounds for refusal of the application.

2.8.3 Notice of Compliance

The Notice of Compliance was received by Council on 8 July 2019. The Notice of Compliance identifies that the public notification requirements for the development application were correctly undertaken in accordance with the requirements of Part 4, of the Development Assessment Rules.

2.9 Other Matters

None identified.

3. **Strategic Implications**

3.1 Legislative/Legal Implications

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

3.2 Corporate Plan / Operational Plan

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

3.3 Policy Implications

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

3.4 Risk Management Implications

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

3.5 Delegated Authority Implications

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

3.6 Financial Implications

a) In the event that an appeal is made to the Planning & Environment court against Council's decision, the Council will incur additional costs in defending its position.

3.7 Economic Benefit

The development supports the diversification of the electricity grid and directly addresses rising energy demands.

*ITEM 2.1 DA/38582/2019/V2U - MATERIAL CHANGE OF USE - DEVELOPMENT PERMIT FOR RENEWABLE ENERGY FACILITY AT 260 WALLACE ROAD NORTH, BEACHMERE - DIVISION 2 - A18863682 (Cont.)*

3.8 Environmental Implications

The proposed development enhances onsite ecological outcomes through providing for a 10m wide revegetation buffer around the site boundaries. This report also recommends the revegetation of the onsite stream in line with the performance outcomes and overall outcomes of the Rural zone code and the Strategic Framework of the MBRC Planning Scheme, further promoting high value environmental benefits.

Furthermore, the renewable energy facility will alleviate a portion of demand on fossil fuel burning.

3.9 Social Implications

The proposed development has the potential to impact on adjoining sensitive land uses through its construction and operational phase. Potential construction impacts included dust, noise, heavy vehicle trips and vibration are sufficiently addressed through conditions of approval, including the requirement of a Construction Management Plan that identifies:

- Material delivery and storage locations
- Waste locations and collection details
- Construction office accommodation
- Contractor / tradesman vehicle parking arrangements
- Works that may make audible noise outside of 6:30am to 6:30pm any business day or Saturday.

Subsequent mitigation measures are required in the instance whereby a potential impact may be incurred. An upgrade to Pritchard Road is also required to support the increase in heavy vehicle movements to the subject site.

The potential impacts of the operational phase of the proposed development are minimal, as the facility is able to run with only infrequent maintenance visits required. To maintain scenic amenity, a 10m vegetation buffer has been included in the proposed development. It is considered by this report that this buffer is sufficient in buffering any residual impacts from the operation of the solar farm while also maintaining scenic amenity.

3.10 Consultation / Communication

Refer to sections 2.7 and 2.8.

**ATTENDANCE**

Cr Allan Sutherland (Mayor) returned to the meeting at 10.53am after consideration and resolution of Item 2.1 and resumed the Chair at that time.

Ms Tina Maltby Wells left the meeting after consideration of Item 2.1 and Ms Amy White attended the meeting for discussion on Item 2.2.

**ITEM 2.2**

**DA/34780/2017/V34R - RECONFIGURING A LOT - DEVELOPMENT PERMIT FOR SUBDIVISION (2 INTO 35 LOTS) & OPERATIONAL WORKS - DEVELOPMENT PERMIT FOR EARTHWORKS (FILLING) (SUPERSEDED PLANNING SCHEME) - LOCATED AT 33 JOSEPH CRES & 46 BANCROFT TCE, DECEPTION BAY - DIVISION 2**

**APPLICANT: TRICREST DEVELOPMENTS PTY LTD AND MAKEPAAR PTY LTD C/- IB TOWN PLANNING**

**OWNER: GARSDEN INVESTMENTS PTY LTD & MR PETER J MURPHY & MAKEPAAR PTY LTD**

Meeting / Session: 2 PLANNING & DEVELOPMENT  
Reference: A18331866: 27 August 2019 – Refer Supporting Information A18943052, A18967406  
Responsible Officer: GH, Principal Planner (PED\_Development Services)

**Executive Summary**

<b>APPLICATION DETAILS</b>	
<b>Applicant:</b>	Tricrest Developments Pty Ltd and Makepaar Pty Ltd C/- IB Town Planning
<b>Lodgement Date:</b>	15 August 2017
<b>Properly Made Date:</b>	17 August 2017
<b>Confirmation Notice Date:</b>	28 August 2017
<b>Information Request Date:</b>	28 August 2017
<b>Info Response Received Date:</b>	12 December 2018 (final response received 5 August 2019)
<b>Public Notification Dates:</b>	11 January 2019 until 4 February 2019
<b>No. of Submissions:</b>	Properly Made: 11 Not Properly Made: 1
<b>Decision Due Date:</b>	3 September 2019
<b>Prelodgement Meeting Held:</b>	No

<b>PROPERTY DETAILS</b>	
<b>Division:</b>	Division 2
<b>Property Address:</b>	33 Joseph Crescent and 46 Bancroft Terrace, Deception Bay
<b>RP Description</b>	Lot 8 on RP137241 and Lot 9 on RP906707
<b>Land Area:</b>	3.2789ha
<b>Property Owner</b>	Garsden Investments Pty Ltd and Mr Peter J Murphy and Makepaar Pty Ltd

<b>STATUTORY DETAILS</b>	
<b>Planning Legislation:</b>	Planning Act 2016
<b>Planning Scheme:</b>	Caboolture ShirePlan (Superseded)
<b>Planning Locality / Zone</b>	Residential A Zone
<b>Level of Assessment:</b>	Impact Assessment

This application seeks a Reconfiguring a Lot - Development Permit for Subdivision (2 into 35 Lots) and Operational Works - Development Permit for Earthworks (Filling) (superseded planning scheme), located at 33 Joseph Crescent and 46 Bancroft Terrace, Deception Bay. The application was properly made on 17

ITEM 2.2 DA/34780/2017/V34R - RECONFIGURING A LOT - DEVELOPMENT PERMIT FOR SUBDIVISION (2 INTO 35 LOTS) & OPERATIONAL WORKS - DEVELOPMENT PERMIT FOR EARTHWORKS (FILLING) (SUPERSEDED PLANNING SCHEME) - LOCATED AT 33 JOSEPH CRES & 46 BANCROFT TCE, DECEPTION BAY - DIV - A18863682 (Cont.)

August 2017, pursuant to a request for assessment under a superseded planning scheme. Accordingly, the application is made under the *Planning Act 2016* and is assessed under the Caboolture *ShirePlan 2005* (now superseded).

It is proposed to create a new residential subdivision comprising thirty-five (35) lots. The lots are proposed to be accessed via a new 16m wide loop road forming an intersection with Joseph Crescent along the eastern boundary of the site. The proposed lots range in area between 400m<sup>2</sup> and 1,009m<sup>2</sup>, with the existing Dwelling House to be retained on Lot 1 with an area of 1,747m<sup>2</sup>.

The Operational Works component of the application seeks approval for earthworks (filling) in order to achieve the flood/storm tide immunity for all proposed lots. In order to support the fill, retaining walls are proposed (set inside the property boundaries by approximately 4m) and would have a maximum height of approximately 2.7m. Between the property boundary and the retaining walls, a drainage corridor (approximately 4m wide) is proposed to contain a diversion drain (concrete swale) to cater for the flows from the external catchment (adjoining properties).

The proposal is subject to Impact Assessment and was publicly advertised with eleven (11) properly made submissions received on the proposal, including a petition containing 81 signatures. The proposed development is consistent with the intent of the Caboolture *ShirePlan 2005* (now superseded) and is recommended to be approved, subject to conditions.

## RESOLUTION

Moved by Cr Peter Flannery

Seconded by Cr Mike Charlton (Deputy Mayor)

CARRIED 12/0

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



ITEM 2.2 DA/34780/2017/V34R - RECONFIGURING A LOT - DEVELOPMENT PERMIT FOR SUBDIVISION (2 INTO 35 LOTS) & OPERATIONAL WORKS - DEVELOPMENT PERMIT FOR EARTHWORKS (FILLING) (SUPERSEDED PLANNING SCHEME) - LOCATED AT 33 JOSEPH CRES & 46 BANCROFT TCE, DECEPTION BAY - DIV - A18863682 (Cont.)

**OFFICER'S RECOMMENDATION**

- A. That Council, in accordance with the *Planning Act 2016* approves the development application for a Reconfiguring a Lot - Development permit for Subdivision (2 into 35 Lots) and Operational Works - Development Permit for Earthworks (filling), located at 33 Joseph Crescent and 46 Bancroft Terrace, Deception Bay, on land described as Lot 8 on RP137241 and Lot 9 on RP906707, subject to the following plans/documents and conditions:

**RECONFIGURING A LOT - DEVELOPMENT PERMIT FOR SUBDIVISION**

Approved Plans and Documents			
Plan / Document Name	Reference Number	Prepared By	Dated
Mosquito Management Plan	-	Mosquito Consulting Services Pty Ltd.	6/11/2019
Minor Hydraulic Flood Report	7499	Inertia Engineering	2/08/2019

Plans to be Amended			
Plan / Document Name	Reference Number	Prepared By	Dated
Proposed Subdivision	19/PS13735/6E	WD Surveys	25/07/2019
Bulk Earthworks Plan (contained within the Engineering services report)	Sk006 Rev 3	Inertia	31/07/19
Engineering services report	7499	Inertia Engineering	2/08/2019
Bushfire Hazard Assessment and Management Plan	1762	Litoria	12/12/2018

CONDITION		TIMING
<b>RECONFIGURING A LOT</b>		
<b>DEVELOPMENT PLANNING</b>		
<b>1</b>	<b>Approved Plans and/or Documents</b>	
	Undertake development generally in accordance with the approved plans and/or documents. These plans and/or documents will form part of the approval, unless otherwise amended by conditions of this approval.	Prior to submitting to the Council any request for approval of a plan of subdivision (i.e. a survey plan) and to be maintained at all times.
<b>2</b>	<b>Amended Plan Required - Subdivision Plan</b>	
A	Submit an amended Subdivision plan incorporating the following: <ol style="list-style-type: none"> <li>Truncation of the south eastern corner of proposed lot 13 to provide suitable manoeuvring for a Bob Cat within the drainage channel. (Note: The proposed 90°</li> </ol>	Prior to submitting an Operational Works application (excluding earthworks).

ITEM 2.2 DA/34780/2017/V34R - RECONFIGURING A LOT - DEVELOPMENT PERMIT FOR SUBDIVISION (2 INTO 35 LOTS) & OPERATIONAL WORKS - DEVELOPMENT PERMIT FOR EARTHWORKS (FILLING) (SUPERSEDED PLANNING SCHEME) - LOCATED AT 33 JOSEPH CRES & 46 BANCROFT TCE, DECEPTION BAY - DIV - A18863682 (Cont.)

	<p>bend at south-eastern corner of Lot 13 is not appropriate).</p> <ol style="list-style-type: none"> <li>2. Footpath verge adjoining proposed lot 1 is be increased to provide a 1.5m wide shared concrete footpath, 1.5m from the kerb with 500mm clear between the footpath and property boundary.</li> <li>3. Dimension the proposed drainage reserve widths (refer other conditions of this permit).</li> </ol>	
B	Obtain approval from Council for the amended plan in accordance with (A) above.	
C	Implement the requirements and recommendations of the approved plan(s). The approved amended plan(s) will form part of the approval.	Prior to any Approval of Operational Works (excluding earthworks).
<b>3</b>	<b>Amended Plans - Drainage Channel Sections</b>	
	<p>Amend the drainage channel sections within the Engineering Services Report to show a minimum invert drain width of 2.0 metres (or as otherwise agreed with council in writing). Provide drainage reserve widths and channel details including widths, invert levels, cross falls, max batters to justify flows.</p> <p>Note:</p> <ul style="list-style-type: none"> <li>• Invert levels are to be designed to achieve minimum self-cleaning velocities.</li> <li>• A 2.0m base channel width (or as agreed by Council) is necessary for a mechanical cleaner (Bob-Cat) to enter the drainage channel for maintenance purposes.</li> <li>• Demonstrate suitable manoeuvring for a Bob Cat within the drainage channel at the south-eastern corner of Lot 13, truncation of this corner may be required for such manoeuvre. (Proposed 90° bend at south-eastern corner of Lot 13 is not appropriate and the Open Drain must be realigned/ reshaped at this location to avoid this 90° bend).</li> </ul>	Prior to submitting an Operational Works application (excluding earthworks).
<b>4</b>	<b>Amended Plan Required - Stormwater Management</b>	
A	<p>Submit and have approved by Council an amended Stormwater Management Plan (SMP) as contained within the Engineering Services Report that addresses the following:</p> <p><b>Quantity</b></p> <ol style="list-style-type: none"> <li>1. Adopt a minimum tailwater level of 1.3 m AHD in the design of the Eastern Open drain (ref. Caboolture Design and Development manual).</li> <li>2. Provide a minimum freeboard of 150 mm to proposed Southern and Eastern Open drains. (Typically 300 mm is provided) within the channels above the 100-year ARI water depth. (Note: if a minor stormwater pipe designed to Q10 is incorporated within the Open drains, required minimum freeboard may be reduced to 50 mm).</li> <li>3. incorporate low flow channels within the Open drains.</li> </ol>	Prior to lodging an operational works application (excluding Earthworks).

ITEM 2.2 DA/34780/2017/V34R - RECONFIGURING A LOT - DEVELOPMENT PERMIT FOR SUBDIVISION (2 INTO 35 LOTS) & OPERATIONAL WORKS - DEVELOPMENT PERMIT FOR EARTHWORKS (FILLING) (SUPERSEDED PLANNING SCHEME) - LOCATED AT 33 JOSEPH CRES & 46 BANCROFT TCE, DECEPTION BAY - DIV - A18863682 (Cont.)

	<p>4. Provide maintenance accesses not steeper than 1 in 6 for the Open drains from Road 1.</p> <p>5. Provide cross sections with dimensions for the Open drains on amended design drawings.</p> <p>6. Replace Box culvert across the Road 1 to have a minimum depth of 375 mm as per QUDM requirements.</p> <p><b>Quality</b></p> <p>7. Provide a maintenance access to the Bio-retention basin not steeper than 1 in 6. (The plans do not provide any gradient details).</p> <p>Note: Design drawings are to be prepared and certified by a suitably qualified RPEQ and in accordance with the approved plans and documents of development current at the time of the operational works application.</p>	
B	<p>Submit and have approved by Council, a development application for operational works for stormwater infrastructure to service the development.</p> <p>Design drawings are to be prepared and certified by a suitably qualified Registered Professional Engineer Queensland (RPEQ) and in accordance with the approved plans and documents of development and the MBRC Planning Scheme current at the time of the operational works application.</p>	Prior to submitting to the Council any request for approval of a plan of subdivision (i.e. a survey plan).
C	<p>Construct stormwater infrastructure to service the development at no cost to Council and in accordance with the approved plans and documents of development.</p> <p>This condition has been imposed under section 145 of the <i>Planning Act 2016</i>.</p>	
<b>5</b>	<b>Amended Plan Required - Bushfire Management Plan</b>	
A	<p>Submit an amended Bushfire Management Plan that addresses the following:</p> <p>1. Amend the report to reflect the current subdivision layout.</p>	Prior to lodging an operational works application (excluding Earthworks).
B	<p>Obtain approval from Council for the Bushfire Management Plan in accordance with (A) above.</p>	Prior to submitting to the Council any request for approval of a plan of subdivision (i.e. a survey plan).
C	<p>Implement the requirements and recommendations of the approved Bushfire Management Plan/Bushfire Plan.</p> <p>Note: Acceptance of the amended Bushfire Management Plan does not infer approval for the establishment of firebreaks and associated clearing on adjoining land. Additional approvals may be required.</p>	Prior to submitting to the Council any request for approval of a plan of subdivision (i.e. a survey plan) and to be maintained at all times.

ITEM 2.2 DA/34780/2017/V34R - RECONFIGURING A LOT - DEVELOPMENT PERMIT FOR SUBDIVISION (2 INTO 35 LOTS) & OPERATIONAL WORKS - DEVELOPMENT PERMIT FOR EARTHWORKS (FILLING) (SUPERSEDED PLANNING SCHEME) - LOCATED AT 33 JOSEPH CRES & 46 BANCROFT TCE, DECEPTION BAY - DIV - A18863682 (Cont.)

<b>6</b>	<b>Entry Statement</b>	
	<p>Establishment of any "Entry Statement" as a marketing strategy for the development must accord with the following, unless otherwise approved by Council:</p> <ol style="list-style-type: none"> <li>1. Located within a privately owned allotment or on the boundary of a privately owned allotment;</li> <li>2. Limited to one (1) entry statement per development;</li> <li>3. Constructed of durable, weather resistant materials;</li> <li>4. Positively contributes to the character of the surrounding area; and</li> <li>5. Does not contain the logo of any developer or other entity.</li> </ol>	Prior to submitting to the Council any request for approval of a plan of subdivision (i.e. survey plan).
<b>7</b>	<b>Landscaping for Reconfiguring a Lot</b>	
A	<p>Carry out landscaping and associated earthworks, site preparation and other necessary works in accordance with approved plans, details and technical specifications of any proposed planting or landscape work (both soft and hard works) where such works will be on land under the control of Council, whether as a park, reserve or road reserve. Landscaping is to accord with the all of the Probable Solutions of the Landscaping Code as well as Planning Scheme Policy 14 in the Caboolture Shire Plan.</p> <p>Where there is no Probable Solution listed for a corresponding Specific Outcome, submit certification from a suitably qualified person that the landscaping complies with the Specific Outcome.</p>	Prior to submitting to the Council any request for approval of a plan of subdivision (i.e. survey plan).
B	<p>Before commencing the works obtain approval for the plans, details and technical specifications of any planting or landscape work from Council.</p>	Prior to work commencing on site.
<b>8</b>	<b>Street Trees</b>	
	<p>Provide street trees within the development in accordance with the Landscaping Code and Planning Scheme Policy 14 of the Caboolture ShirePlan.</p>	Prior to submitting to the Council any request for approval of a plan of subdivision (i.e. survey plan).
<b>9</b>	<b>Fencing</b>	
A	<p>Construct a screen fence along the western boundary of the existing drainage reserve on Lot 106RP844501 as well as the east and southern boundaries of the proposed drainage reserve where none already exists. 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>	Prior to submitting to the Council any request for approval of a plan of subdivision (i.e. survey plan).
B	<p>Construct a 1.8m treated timber paling fence along the rear boundaries of proposed Lots 2-12, the rear and east boundary of proposed Lot 13 and the rear of proposed Lots 14-17.</p>	

ITEM 2.2 DA/34780/2017/V34R - RECONFIGURING A LOT - DEVELOPMENT PERMIT FOR SUBDIVISION (2 INTO 35 LOTS) & OPERATIONAL WORKS - DEVELOPMENT PERMIT FOR EARTHWORKS (FILLING) (SUPERSEDED PLANNING SCHEME) - LOCATED AT 33 JOSEPH CRES & 46 BANCROFT TCE, DECEPTION BAY - DIV - A18863682 (Cont.)

<b>10</b>	<b>Water and/or Sewerage</b>	
	<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"> <li>1. a reticulated water supply network connection is available to the land; and</li> <li>2. a sewerage network connection is available to the land; and</li> <li>3. all the requirements of Unitywater have been satisfied.</li> </ol>	<p>Prior to submitting to the Council any request for approval of a plan of subdivision (i.e. survey plan).</p>
<b>11</b>	<b>New Telecommunications Infrastructure - RAL</b>	
A	<p>Provide Fibre-Ready telecommunications infrastructure (pit and pipe) throughout the development in accordance with the Communication Alliance specifications contained within Industry Guideline G645:2011 Fibre Ready Pit and Pipe Specifications for Real Estate Development Projects or in accordance with the NBN Co. specifications contained within New Developments: Deployment of the NBN Co Conduit and Pit Network – Guidelines for Developers NBN-TE-CTO-194 and Creating Pit and Pipe Designs for New Developments (Job Aid for Developers) NBN-TE-CTO-586, as amended and current at the date of installation.</p>	<p>Prior to the development being accepted off maintenance.</p>
B	<p>Provide certification from a RPEQ electrical engineer that the works specified in (A) above have been installed and evidence that a telecommunications carrier licensed under the Telecommunications Act 1997 has agreed to take ownership of the infrastructure.</p> <p>OR</p> <p>Provide written confirmation from NBN Co that the works specified in (A) above have been accepted by it.</p> <p>OR</p> <p>Provide a 'Telecommunications Infrastructure Provisioning Confirmation' or a 'Telecommunications Network Infrastructure Notification' letter from a telecommunications carrier licensed under the Telecommunications Act 1997 (e.g. Telstra) confirming that telecommunications carrier has been engaged to install telecommunications infrastructure within the proposed development.</p> <p>Note: Council policies are available on Council's website.</p>	

ITEM 2.2 DA/34780/2017/V34R - RECONFIGURING A LOT - DEVELOPMENT PERMIT FOR SUBDIVISION (2 INTO 35 LOTS) & OPERATIONAL WORKS - DEVELOPMENT PERMIT FOR EARTHWORKS (FILLING) (SUPERSEDED PLANNING SCHEME) - LOCATED AT 33 JOSEPH CRES & 46 BANCROFT TCE, DECEPTION BAY - DIV - A18863682 (Cont.)

<b>12</b>	<b>Existing Service Connections (Lot 1)</b>	
	Submit certification from a suitably qualified person that: <ul style="list-style-type: none"> <li>All of the existing service connections (electricity, telecommunications, water) to an existing building or a private property pole is wholly contained in the lot it serves; and</li> <li>Any electricity connections and infrastructure made redundant by the development is removed with the land reinstated.</li> </ul>	Prior to submitting to the Council any request for approval of a plan of subdivision (i.e. survey plan).
<b>13</b>	<b>Electricity</b>	
A	Provide evidence (e.g. Certificate for Electricity Supply to Subdividers with Agreement Number or Certificate of Supply) demonstrating that an electricity supply network has or will be constructed within all new roads and along the frontage of each proposed lot.	Prior to submitting to the Council any request for approval of a plan of subdivision (i.e. survey plan).
B	Provide an underground electricity supply connection to each proposed lot.	
<b>14</b>	<b>Certify Lots are in Accordance with Approved Plan</b>	
	Provide certification from a Licensed Surveyor that the lots created accord with the approved plan.	Prior to submitting to the Council any request for approval of a plan of subdivision (i.e. survey plan).
<b>15</b>	<b>Street Names</b>	
A	Submit requests for the names of new street/s in accordance with Council's Policy 11-2150-038 Allocation of Road Names and Street Address Numbers or as amended;	Prior to submitting to the Council any request for approval of a plan of subdivision (i.e. survey plan).
B	Obtain approval from Council for the names of new streets in accordance with (A) above;	
C	Erect approved street name boards on all new roads in accordance (A) and (B); and	
D	Mark all street names on the survey plans.	
<b>16</b>	<b>Payment of Rates</b>	
	Pay all outstanding rates and charges applicable to the subject land.	Prior to submitting to the Council any request for approval of a plan of subdivision (i.e. survey plan).
<b>17</b>	<b>Dedicated Road Access</b>	
	Provide dedicated constructed road access to the development.	Prior to submitting to the Council any request for approval of a plan of subdivision (i.e. survey plan) and to be maintained at all times.

ITEM 2.2 DA/34780/2017/V34R - RECONFIGURING A LOT - DEVELOPMENT PERMIT FOR SUBDIVISION (2 INTO 35 LOTS) & OPERATIONAL WORKS - DEVELOPMENT PERMIT FOR EARTHWORKS (FILLING) (SUPERSEDED PLANNING SCHEME) - LOCATED AT 33 JOSEPH CRES & 46 BANCROFT TCE, DECEPTION BAY - DIV - A18863682 (Cont.)

<b>18</b>	<b>Management of Wildlife</b>	
A	Carry out approved vegetation clearing under the supervision of a Fauna Spotter Catcher holding a valid Rehabilitation Permit from the relevant State Government Agency.	Prior to and during site works.
B	Provide an activity report, to be completed by the supervising Fauna Spotter Catcher, including: <ol style="list-style-type: none"> <li>1. The number and species of any animals observed during clearing;</li> <li>2. The actions taken to deal with observed animals;</li> <li>3. The number of any animals that were required to be relocated;</li> <li>4. The release site for any relocated animals;</li> <li>5. The number (if any) of animals injured during clearing;</li> <li>6. The treatment provided;</li> <li>7. The outcome of any treatment; and</li> <li>8. The location of the treatment.</li> </ol>	Within fourteen (14) days of completion of clearing.
<b>19</b>	<b>Vegetation Clearing – Extent Approved</b>	
	Clearing of native vegetation must be limited to that which is necessary for the development footprint.	Prior to and during site works and to be maintained.
<b>20</b>	<b>Cleared Vegetation – Disposal</b>	
	Chip, shred or tub grind cleared native vegetation and spread as mulch or dispose of at an authorised waste facility.  Any hollows observed in cleared vegetation must be salvaged and installed as nest boxes in trees within the property.	At all times.
<b>21</b>	<b>Transfer of Land for Drainage Purposes</b>	
	Transfer to Council Lots 100 and 101 for the purposes of drainage.  The land is to be transferred in fee simple on trust at no cost to Council for the purposes of stormwater.  This condition has been imposed under section 145 of the <i>Planning Act 2016</i> .	Prior to submitting to the Council any request for approval of a plan of subdivision (i.e. survey plan).
<b>ENVIRONMENTAL HEALTH</b>		
<b>22</b>	<b>Mosquito Management</b>	
A	Submit a landscaping plan to demonstrate the implementation of the landscaping buffer recommended in the mosquito management plan. The plan is to be provided by a suitably qualified expert in mosquito management and is to include access arrangements to facilitate treatment measures.	Prior to submitting to the Council any request for approval of a plan of subdivision (i.e. a survey plan).
B	Obtain Council approval for the landscaping plan.	
C	Implement the recommendations of the mosquito management plan and approved landscaping plan.	

ITEM 2.2 DA/34780/2017/V34R - RECONFIGURING A LOT - DEVELOPMENT PERMIT FOR SUBDIVISION (2 INTO 35 LOTS) & OPERATIONAL WORKS - DEVELOPMENT PERMIT FOR EARTHWORKS (FILLING) (SUPERSEDED PLANNING SCHEME) - LOCATED AT 33 JOSEPH CRES & 46 BANCROFT TCE, DECEPTION BAY - DIV - A18863682 (Cont.)

<b>CONCURRENCE AGENCY</b>		
<b>23</b>	<b>Concurrence Agency</b>	
A	Comply with the conditions of the Department of State Development, Manufacturing, Infrastructure and Planning response dated 9 April 2018 (reference: 1709-1317 SRA) or as amended.	At all times.
B	Provide certification to Council prepared by a suitably qualified person or the agency demonstrating the requirements of the Department of State Development, Manufacturing, Infrastructure and Planning have been met.	Prior to submitting to the Council any request for approval of a plan of subdivision (i.e. a survey plan).
<b>DEVELOPMENT ENGINEERING</b>		
<b>24</b>	<b>Replace Existing Council Infrastructure</b>	
	Replace existing Council infrastructure (including but not limited to street trees and footpaths) that is damaged as part of works carried out in association with the development to Council's standards.	Prior to submitting to the Council any request for approval of a plan of subdivision (i.e. a survey plan).
<b>25</b>	<b>Alterations and Relocation of Existing Services</b>	
	Ensure any alteration or relocation in connection with or arising from the development to any service, installation, plant, equipment or other item belonging to or under the control of an entity engaged in the provision of public utility services is to be carried out with the development and at no cost to Council unless agreed to in writing by the Council.	Prior to submitting to the Council any request for approval of a plan of subdivision (i.e. a survey plan).
<b>26</b>	<b>Stormwater</b>	
	Carry out the development to ensure that adjoining properties, reserves and roads are protected from ponding or nuisance from stormwater as a result of any works undertaken.	To be maintained at all times.
<b>27</b>	<b>New Council Roads – Design &amp; Construction</b>	
A	<p>Submit and have approved by Council, a development application for Operational Works for the following:</p> <ol style="list-style-type: none"> <li>All new roads, including the construction of the intersection with Joseph Crescent, footpaths, stormwater and associated works. The following classifications are to be applied:  <b>Residential Access</b> (MBRC Scheme) with 8.0m seal and 1.5m concrete footpath within road reserve shown on approved subdivision plan.</li> </ol> <p>Design drawings are to be prepared and certified by a suitably qualified Registered Professional Engineer Queensland (RPEQ) and in accordance with the approved plans and documents of development and the MBRC Planning Scheme current at the time of the operational works application.</p>	Prior to commencement of works associated with this condition.



ITEM 2.2 DA/34780/2017/V34R - RECONFIGURING A LOT - DEVELOPMENT PERMIT FOR SUBDIVISION (2 INTO 35 LOTS) & OPERATIONAL WORKS - DEVELOPMENT PERMIT FOR EARTHWORKS (FILLING) (SUPERSEDED PLANNING SCHEME) - LOCATED AT 33 JOSEPH CRES & 46 BANCROFT TCE, DECEPTION BAY - DIV - A18863682 (Cont.)

B	<p>Construct, at no cost to Council and in accordance with the approved plans and documents of development the following:</p> <ol style="list-style-type: none"> <li>1. All new roads and associated works</li> </ol> <p>This condition has been imposed under section 145 of the <i>Planning Act 2016</i>.</p>	<p>Prior to submitting to the Council any request for approval of a plan of subdivision (i.e. a survey plan).</p>
28	<b>Erosion and Sediment Control</b>	
	<p>Implement an Erosion and Sediment Control Plan prepared by an experienced Certified Professional in Erosion and Sediment Control (CPESC) in accordance with the International Erosion Control Association Australasia (IECA) Best Practice and Sediment Control document.</p>	<p>Prior to commencement of works and to be maintained current at all times during construction.</p>
29	<b>Minimum Development Levels</b>	
	<p>Ensure all lots have a minimum finished level as shown on the approved Engineering Services Report's Bulk Earthworks Plan SK006.</p>	<p>Prior to submitting to the Council any request for approval of a plan of subdivision (i.e. a survey plan).</p>
30	<b>Construction Management Plan</b>	
A	<p>Submit and have approved by Council, a Construction Management Plan (CMP) prepared by the Principal Contractor. The CMP is to outline, in sufficient detail, the processes that will be employed to minimise impacts on the surrounding community during construction. These processes are to cover the following:</p> <ol style="list-style-type: none"> <li>1. Material delivery and storage locations</li> <li>2. Waste locations and collection details</li> <li>3. Construction office accommodation</li> <li>4. Contractor / tradesman vehicle parking arrangements</li> <li>5. Works that may make audible noise outside of 6:30am to 6:30pm any business day or Saturday.</li> </ol> <p>The CMP may include a site layout drawing identifying these areas.</p> <p>The CMP needs to reflect any staging requirements.</p> <p>Notes:</p> <ol style="list-style-type: none"> <li>1. Council will generally only approve early starts for large concrete pours during summer (e.g. monolithic concrete pours for basements and suspended floor slabs)</li> <li>2. Dewatering directly into Council's stormwater system (pipes or overland flow) without appropriate water quality treatment/improvement is not acceptable</li> <li>3. Traffic control measures may need to be put in place for the duration of the construction works to control contractor / tradesman vehicle parking arrangements, this should be documented within the CMP</li> <li>4. Materials unloading and loading must occur on-site unless prior written approval is given by Council.</li> </ol>	<p>Not less than two (2) weeks prior to commencement of works. To be maintained current at all times.</p>

ITEM 2.2 DA/34780/2017/V34R - RECONFIGURING A LOT - DEVELOPMENT PERMIT FOR SUBDIVISION (2 INTO 35 LOTS) & OPERATIONAL WORKS - DEVELOPMENT PERMIT FOR EARTHWORKS (FILLING) (SUPERSEDED PLANNING SCHEME) - LOCATED AT 33 JOSEPH CRES & 46 BANCROFT TCE, DECEPTION BAY - DIV - A18863682 (Cont.)

	5. All construction office accommodation and associated temporary buildings is to be contained within the site or on a nearby site.	
B	Implement the approved Construction Management Plan (CMP) and keep a copy of the approved CMP on site at all times during construction.	At all times during construction of the development.

**OPERATIONAL WORKS - DEVELOPMENT PERMIT FOR EARTHWORKS (FILLING) COMPONENT**

Approved Plans and Documents			
Plan / Document Name	Reference Number	Prepared By	Dated
Minor Hydraulic Flood Report	7499	Inertia Engineering	2/08/2019

Plans to be Amended			
Plan / Document Name	Reference Number	Prepared By	Dated
Proposed Subdivision	19/PS13735/6E	WD Surveys	25/07/2019
Bulk Earthworks Plan (contained within the Engineering services report)	Sk006 Rev 3	Inertia	31/07/19
Engineering services report	7499	Inertia Engineering	2/08/2019

CONDITION		TIMING
<b>OPERATIONAL WORKS - DEVELOPMENT PERMIT FOR EARTHWORKS (FILLING)</b>		
<b>SPECIAL CONDITIONS</b>		
<b>31</b>	<b>Amendments Required</b>	
	<p>The following amendments must be completed and submitted for approval by Council's delegated officer:</p> <ol style="list-style-type: none"> <li>1. Provide amended plans to reflect the approved subdivision layout plan.</li> <li>2. The verge adjacent to Lot 100 is to provide for a 1.5m concrete footpath, 1.5m from the kerb and channel with 0.5m clear between the edge of the footpath and any obstruction (eg bollards).</li> <li>3. The footpath verge adjoining proposed lot 1 is to be increased to provide a 1.5m wide shared concrete footpath, 1.5m from the kerb with 500mm clear between the footpath and property boundary.</li> </ol> <p>The design drawings must be approved by Council's delegated officer.</p> <p>Provide a complete set of all drawings to Council.</p>	Prior to a prestart meeting being held.

ITEM 2.2 DA/34780/2017/V34R - RECONFIGURING A LOT - DEVELOPMENT PERMIT FOR SUBDIVISION (2 INTO 35 LOTS) & OPERATIONAL WORKS - DEVELOPMENT PERMIT FOR EARTHWORKS (FILLING) (SUPERSEDED PLANNING SCHEME) - LOCATED AT 33 JOSEPH CRES & 46 BANCROFT TCE, DECEPTION BAY - DIV - A18863682 (Cont.)

<b>STANDARD CONDITIONS</b>		
<b>32</b>	<b>Approved Plans and/or Documents</b>	
	<p>Undertake filling generally in accordance with the approved Engineering Services Report's Bulk Earthworks Plan SK006, as amended above, with the following modification:</p> <ol style="list-style-type: none"> <li>1. Stable batters are to be utilised rather than retaining wall finishes until the operational works for stormwater management in the subdivision approval has been granted, which will accurately detail the ultimate line and level of required retaining walls.</li> </ol> <p>These plans and/or documents will form part of the approval, unless otherwise amended by conditions of this approval.</p>	At all times during construction and prior to works being finalised.
<b>33</b>	<b>Errors and Omissions</b>	
	<p>Where errors or omissions occur in the design or works do not conform to or meet Council standards then these works shall be rectified to comply with Council standards at no cost to Council.</p> <p>Where drawings contain insufficient detail or do not contain details of works that are either necessary or associated with the development then these works shall be designed and constructed to Council standards.</p> <p>Only the approved plans shall be used for construction.</p> <p>Note: Council reserves the right to amend the approved drawings or request further information should this become necessary.</p>	At all times during construction and prior to works being finalised.
<b>34</b>	<b>Works – Applicant's Expense</b>	
	<p>(a) All works, services, facilities and/or public utility alterations required by or as a consequence of this approval or stated condition/s, whether carried out by the Council or otherwise, shall be at the developer's expense unless otherwise specified or agreed in writing.</p> <p>Replace existing Council infrastructure (including but not limited to street trees and footpaths) to Council's standards.</p> <p>(b) Where existing works including roads and drainage works will not link up with and join smoothly to proposed works and are not more than twenty (20) metres from the nearest point of the proposed works, the developer shall carry out such works as are necessary to ensure that such incomplete works including roads and drainage are constructed to link up with and join smoothly to the works proposed in accordance with Council's standards.</p>	<p>(a) At all times during construction.</p> <p>(b) Prior to finalisation of works.</p>

ITEM 2.2 DA/34780/2017/V34R - RECONFIGURING A LOT - DEVELOPMENT PERMIT FOR SUBDIVISION (2 INTO 35 LOTS) & OPERATIONAL WORKS - DEVELOPMENT PERMIT FOR EARTHWORKS (FILLING) (SUPERSEDED PLANNING SCHEME) - LOCATED AT 33 JOSEPH CRES & 46 BANCROFT TCE, DECEPTION BAY - DIV - A18863682 (Cont.)

<b>35</b>	<b>Acid Sulfate Soils</b>	
A	Prepare an Acid Sulfate Soil Investigation Report and if required an Acid Sulfate Soils Management Plan. The reports and analysis are to be undertaken in accordance with the Planning Scheme and prepared by a suitably qualified person.	Prior to the commencement of works.
B	Implement the requirements and recommendations of the Acid Sulfate Soil Management Plan.  All testing and monitoring is to be undertaken in accordance with the Planning Scheme.	While site works are occurring.
C	Provide certification from a suitably qualified person that all works have been undertaken in accordance with the Acid Sulfate Soil Management Plan.	Prior to submitting to the Council any request for approval of a plan of subdivision (i.e. a survey plan).
	Note: Council will only accept a 'suitably qualified person' as being either a Registered Professional Engineer of Queensland (RPEQ) or Environmental/Soil Scientist with current professional membership status at a relevant organisation (e.g. ASSSI, AIG; EIANZ; GSA) and has obtained a minimum of five (5) years professional experience in the field of acid sulfate soils.	
<b>36</b>	<b>Notification of Finalisation of Works</b>	
	Notify Council in writing that the works on site have been finalised.	At the time of completion of construction or prior to submitting to the Council any request for approval of a plan of subdivision (i.e. a survey plan) whichever occur first.
<b>37</b>	<b>Works Through Land not owned by the Developer</b>	
	Where any works are proposed to be undertaken on or extend into any property not owned by the developer then the other property owner's written consent must be lodged with Council. The written consent from the land owner must identify the correct drawing title and number (including revision number) for the works within or through their land.	Prior to any works commencing within those properties.
<b>38</b>	<b>Notification to Affected Premises</b>	
(a)	Provide all occupiers of premises adjoining the site, directly opposite the frontage of the site, adjacent to and directly opposite external works or residents/occupiers likely to be directly affected by the works an information kit which includes the following: <ul style="list-style-type: none"> <li>A layout plan of the proposed development showing adjoining lot boundaries, new and existing roads, park and open space, drainage reserves and community purposes lots as applicable;</li> </ul>	(a) Not less than 14 days prior to commencing any construction works.

ITEM 2.2 DA/34780/2017/V34R - RECONFIGURING A LOT - DEVELOPMENT PERMIT FOR SUBDIVISION (2 INTO 35 LOTS) & OPERATIONAL WORKS - DEVELOPMENT PERMIT FOR EARTHWORKS (FILLING) (SUPERSEDED PLANNING SCHEME) - LOCATED AT 33 JOSEPH CRES & 46 BANCROFT TCE, DECEPTION BAY - DIV - A18863682 (Cont.)

	<ul style="list-style-type: none"> <li>• Details of any external works with any changes to existing works highlighted for easy identification;</li> <li>• Scheduled start and completion dates;</li> <li>• Contact names and phone numbers for the Developer, Supervising Engineer, Consulting Engineer, the Contractor, Wildlife Spotter and who to contact in an emergency; and</li> <li>• The site working hours authorised for the site works.</li> </ul> <p>(b) Provide Council with a copy of this information kit.</p>	(b) Prior to notifying residents as required by part
<b>39</b>	<b>Prestart Meeting</b>	
	<p>Arrange a prestart meeting with Council officers from Development Engineering section.</p> <p>The following people will be required to attend the prestart meeting:</p> <ul style="list-style-type: none"> <li>• Developer's Supervising Engineer</li> <li>• Contractor's Engineer / Project Manager</li> <li>• Contractor's Site Supervisor</li> <li>• Fauna Manager (where required).</li> </ul>	Not less than 7 days prior to commencing any construction works.
<b>40</b>	<b>Erosion and Sediment Control</b>	
	Implement an Erosion and Sediment Control Plan prepared by an experienced Certified Professional in Erosion and Sediment Control (CPESC) in accordance with the International Erosion Control Association Australasia (IECA) Best Practice and Sediment Control document.	Prior to commencement of works and to be maintained current at all times during construction.
<b>41</b>	<b>Haul Routes</b>	
	Haul routes for the transport of imported or spoil material and gravel pavement material along Council roads below sub-arterial standard must be approved by Council's delegated officer.	Prior to a pre-start meeting being held.
<b>42</b>	<b>Spillage onto Existing Roads</b>	
	<p>Clean those parts of the access route to the site that are affected by any material dropped, deposited or spilled on the roads as a result of construction processes associated with the site.</p> <p>All care must be taken to prevent sediments being deposited on roads.</p> <p>Note: All materials must be swept up and removed from the roads and not directed into Council's stormwater drainage system.</p>	At all times during construction.

ITEM 2.2 DA/34780/2017/V34R - RECONFIGURING A LOT - DEVELOPMENT PERMIT FOR SUBDIVISION (2 INTO 35 LOTS) & OPERATIONAL WORKS - DEVELOPMENT PERMIT FOR EARTHWORKS (FILLING) (SUPERSEDED PLANNING SCHEME) - LOCATED AT 33 JOSEPH CRES & 46 BANCROFT TCE, DECEPTION BAY - DIV - A18863682 (Cont.)

<b>43</b>	<b>Earth Retaining Structures</b>	
	<p>(a) Design and construct all earth retaining structures in accordance with:</p> <ul style="list-style-type: none"> <li>• Council's planning scheme and relevant planning scheme polices;</li> <li>• Council's design standards;</li> <li>• Relevant Australian Standards; and</li> <li>• Building code requirements that would apply to structures taking the same form.</li> </ul> <p>(b) Earth retaining structures around areas of cut that are on or near the boundaries of the site must be designed to allow for the existing live and dead loads associated with the use of the adjoining land and a 2m high boundary fence.</p> <p>(c) Submit for Council records copies of Forms 15 &amp; 16 as detailed under section 254 of the Building Act 2006. The forms are to be signed by an RPEQ for all structural retaining walls.</p>	<p>(a) At all times.</p> <p>(b) At all times.</p> <p>(c) Prior to finalisation of works or prior to submitting to the Council any request for approval of a plan of subdivision (i.e. a survey plan) whichever occur first</p>
<b>44</b>	<b>Filling inspection, testing and compaction requirements</b>	
	All filling is to be in accordance with Australian Standard AS3798 Guidelines on Earthworks for commercial and Residential developments with level 1 inspection and testing.	At all times during construction.
	Provide certification from the geotechnical inspection and testing authority that the works comply with the specifications.	Prior to pre-start for the roads and drainage associated with the reconfiguration of a lot application.
<b>45</b>	<b>Unsuitable Fill Materials</b>	
	<p>Ensure that all fill material used on the development site is free of unsuitable materials, identified in AS3798 and the following:-</p> <p>(a) actual acid sulfate soils and potential acid sulphate soils; and</p> <p>(b) organic or putrescible matter; and</p> <p>(c) material imported from land which is, or has been, listed on the "Environmental Management Register" under the <i>Environmental Protection Act 1994</i>; and</p> <p>(d) building demolition material.</p>	At all times.

ITEM 2.2 DA/34780/2017/V34R - RECONFIGURING A LOT - DEVELOPMENT PERMIT FOR SUBDIVISION (2 INTO 35 LOTS) & OPERATIONAL WORKS - DEVELOPMENT PERMIT FOR EARTHWORKS (FILLING) (SUPERSEDED PLANNING SCHEME) - LOCATED AT 33 JOSEPH CRES & 46 BANCROFT TCE, DECEPTION BAY - DIV - A18863682 (Cont.)

<b>46</b>	<b>Compaction Requirements – Fill in Parks</b>	
	Filling is not permitted in existing or proposed park without prior written approval of Council. If filling to the park is shown on the approved drawings, then the extent of fill into the park shall not be varied without prior written approval of Council.	At all times during construction.
<b>47</b>	<b>Stormwater Runoff Control – Batters and Retaining Walls</b>	
	All batters and/or retaining walls higher than 600mm in height and with a catchment greater than 1000m <sup>2</sup> shall have cut-off drains at the top of the batter with turf or rock lined batter drains. Where these are not detailed on the approved drawings then these works shall be in accordance with Council's current standards.  All open drains including bunds shall be lined with appropriate scour protection. Council's preference, where suitable, is for turf or rock lining to drains with energy dissipation devices located as directed.	At all times.
<b>48</b>	<b>Stormwater Runoff Control – Open Drains</b>	
	All open drains including bunds shall be lined with appropriate scour protection. Council's preference, where suitable, is for turf or rock lining to drains with energy dissipation devices located as directed.	At all times.
<b>49</b>	<b>Stormwater Overland Flow – Site Earthworks</b>	
	Earthworks must be undertaken on the site so as not to cause nuisance and annoyance to others. The development must: (a) Allow stormwater overland flow which entered the land prior to the commencement of the earthworks to continue to enter the land; and (b) Ensure stormwater overland flow from the development site is not discharged or diverted onto land (other than a road) adjacent to the site in a manner which:- a. concentrates the rate of flow at any point along the property boundary; or b. increases the peak flow rates of stormwater discharged at any point along the property boundary; beyond that which existed prior to commencement of these earthworks.	At all times during construction.
<b>50</b>	<b>Stabilisation of Disturbed Areas</b>	
	Ensure that a grass strike rate of at least 80% cover has been attained on all disturbed areas or other approved means of stabilisation of grassed areas have been provided.  For Residential A and B subdivisions, the road reserve between kerb and property line shall be turfed as a condition of completion.	Prior to finalisation of works or prior to submitting to the Council any request for approval of a plan of subdivision (i.e. a survey plan) whichever occur first

ITEM 2.2 DA/34780/2017/V34R - RECONFIGURING A LOT - DEVELOPMENT PERMIT FOR SUBDIVISION (2 INTO 35 LOTS) & OPERATIONAL WORKS - DEVELOPMENT PERMIT FOR EARTHWORKS (FILLING) (SUPERSEDED PLANNING SCHEME) - LOCATED AT 33 JOSEPH CRES & 46 BANCROFT TCE, DECEPTION BAY - DIV - A18863682 (Cont.)

<b>ADVICES</b>	
<b>1</b>	<b>Aboriginal Cultural Heritage Act 2003</b>
	<p>The <i>Aboriginal Cultural Heritage Act 2003</i> commenced in Queensland on April 16, 2004. The Act provides blanket protection of Aboriginal cultural heritage sites and places, including significant areas and objects, as well as archaeological remains. The Act also recognises that Aboriginal cultural heritage parties are key stakeholders in the assessment and management of Aboriginal cultural heritage.</p> <p>Under the Act, if a proposed activity involves disturbance of the ground surface, cultural heritage Duty of Care must be considered. This involves consideration of whether an activity is <i>likely</i> to harm Aboriginal cultural heritage. This may require involvement from the relevant Aboriginal cultural heritage party.</p> <p>Cultural heritage Duty of Care compliance ultimately lies with the person or entity conducting the activity, and penalty provisions apply for failing to fulfil this Duty of Care.</p> <p>Council strongly advises that before undertaking the land use activity, you refer to the <a href="#">cultural heritage duty of care - Department of Aboriginal and Torres Strait Islander Partnerships (Queensland Government)</a> for further information regarding the responsibilities of the developer.</p>
<b>2</b>	<b>Adopted Charges</b>
	<p>Payment of an Adopted Infrastructure Charge in accordance with Council's Infrastructure Charges Resolution (No. 8) dated 14 August 2018 or as amended apply to this development approval.</p> <p>From 1 July 2014, Moreton Bay Regional Council no longer issues an Infrastructure Charges Notice on behalf of Unitywater for water supply and sewerage networks and therefore a separate Infrastructure Charges Notice may be issued directly to the applicant by Unitywater in respect to this development approval.</p> <p>Payment of Infrastructure Charges is to be in accordance with the Infrastructure Charges Notice issued with this development approval and any Infrastructure Charges Notice issued by Unitywater. From 1 July 2014, all Infrastructure Charges for infrastructure networks controlled by Unitywater (eg. water and/or sewerage) regardless of when the Infrastructure Charges Notice was issued are to be paid directly to Unitywater while Infrastructure Charges for networks controlled by Moreton Bay Regional Council will continue to be paid directly to Moreton Bay Regional Council.</p>
<b>3</b>	<b>Extent of Checking by Council</b>
	<p>This approval shall not be taken to mean that the drawings have been checked in detail and Council accepts no responsibility whatsoever for the survey information, the design, or for the accuracy of any information or detail contained in the approved drawings and specifications.</p>
<b>4</b>	<b>Environmental Protection Act</b>
	<p>It remains the duty of care of the site owner not to cause Environmental Harm as defined under the Environmental Protection Act 1994.</p>
<b>5</b>	<b>Approval does not include Building Works</b>
	<p>This approval is limited to earthworks only and does not include approval of any building works that may appear on the drawings.</p>



ITEM 2.2 DA/34780/2017/V34R - RECONFIGURING A LOT - DEVELOPMENT PERMIT FOR SUBDIVISION (2 INTO 35 LOTS) & OPERATIONAL WORKS - DEVELOPMENT PERMIT FOR EARTHWORKS (FILLING) (SUPERSEDED PLANNING SCHEME) - LOCATED AT 33 JOSEPH CRES & 46 BANCROFT TCE, DECEPTION BAY - DIV - A18863682 (Cont.)

PROPERTY NOTES	
<b>1</b>	<b>DS09 Mosquito Breeding Area</b>
	The following property note will be attached to Council's database for all Lots:  "This lot is adjacent to a mosquito breeding area."

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

**Decision Notice information**

	Details to Insert
<b>Application Type</b>	(b) Reconfiguring a Lot- Development Permit for Subdivision (2 into 35 Lots)  (c) Operational Works Development Permit for Earthworks (filling)
<b>Relevant Period of Approval</b>	Reconfiguring a Lot requiring Works – 4 years  Operational Works – 4 years
<b>Section 64(5) Deemed Approval</b>	Not applicable
<b>Superseded Planning Scheme</b>	Caboolture <i>ShirePlan</i> 2005
<b>Variation approval affecting the Planning Scheme</b>	Not applicable
<b>Other Necessary Permits</b>	Operational Works – Development Permit (Road Works and Drainage)
<b>Codes for Accepted Development</b>	Not applicable
<b>Referral Agencies</b>	Department of State Development, Manufacturing, Infrastructure and Planning
<b>Submissions</b>	There were eleven (11) properly made submissions about this application.

ITEM 2.2 DA/34780/2017/V34R - RECONFIGURING A LOT - DEVELOPMENT PERMIT FOR SUBDIVISION (2 INTO 35 LOTS) & OPERATIONAL WORKS - DEVELOPMENT PERMIT FOR EARTHWORKS (FILLING) (SUPERSEDED PLANNING SCHEME) - LOCATED AT 33 JOSEPH CRES & 46 BANCROFT TCE, DECEPTION BAY - DIV - A18863682 (Cont.)

## REPORT DETAIL

### 1. Background

On 14 February 2017, Council's delegate gave written notice of acceptance to assess and decide a proposed development application for Reconfiguring a Lot - Development Permit for Subdivision and Operational Works - Earthworks (Filling) application under a superseded planning scheme (Caboolture ShirePlan 2005) in accordance with section 99 of the *Sustainable Planning Act 2009* (Council ref: DA/33360/2016/V9).

On 17 August 2017, the subject application was accepted as properly made. Council issued an information request to the applicant on 1 September 2017. Since issuing of the Information Request, the information response period was extended multiple times (at the applicant's request) and a response to the information request was received on 12 December 2018. On 29 March 2019, post public notification, Council officers issued an outstanding matters request to the applicant. The final information response was received by Council on received on 5 August 2019.

### 2. Explanation of Item

#### 2.1 Proposal Description

This application seeks a Reconfiguring a Lot - Development Permit for Subdivision (2 into 35 Lots) and Operational Works - Development Permit for Earthworks (Filling) (superseded planning scheme), located at 33 Joseph Crescent and 46 Bancroft Terrace, Deception Bay.

#### *Reconfiguring a Lot component*

The proposed Reconfiguring a Lot component of the application seeks a Development Permit for Subdivision to create thirty-five (35) residential lots in a single stage. The proposed lots range in area between 400m<sup>2</sup> and 1,009m<sup>2</sup>, with the exception of proposed Lot 1. Lot 1 is located in the north-western corner of the site and is proposed to retain the existing Dwelling house on a lot with an area of 1,747m<sup>2</sup>.

Access to the lots is proposed via a new 16m wide public road (loop road formation) that will form an intersection with Joseph Crescent along the eastern boundary of the site, utilising an existing area of unformed road reserve.

Proposed Lot 100 is proposed as an ecological buffer/drainage reserve and has an area of 3,882m<sup>2</sup>. This land contains a bio-retention basin and is proposed to be transferred to Council. Proposed Lot 101 is proposed as a drainage lot containing a shallow concrete diversion drain and is also proposed to be transferred to Council.

The subject site is currently low-lying and is required to be filled to achieve flood/storm tide immunity. All lots are proposed to achieve the minimum Defined Flood Event (DFE) 3.5m AHD, with the exception of proposed Lot 1 (containing the existing house) in which no earthworks are proposed. Whilst it is noted the minimum finished level to achieve the DFE is 3.5m AHD, parts of the site are required to be filled to a higher level to ensure lots are free draining and to ensure appropriate stormwater outlet flows are achieved.

#### *Operational Works component*

The Operational Works component of the application seeks approval for earthworks (filling) in order to achieve the flood/storm tide immunity for all proposed lots. In order to support the fill, retaining walls are proposed (set inside the property boundaries by approximately 4m) and would have a maximum height of approximately 2.7m to support the fill. Between the retaining walls

ITEM 2.2 DA/34780/2017/V34R - RECONFIGURING A LOT - DEVELOPMENT PERMIT FOR SUBDIVISION (2 INTO 35 LOTS) & OPERATIONAL WORKS - DEVELOPMENT PERMIT FOR EARTHWORKS (FILLING) (SUPERSEDED PLANNING SCHEME) - LOCATED AT 33 JOSEPH CRES & 46 BANCROFT TCE, DECEPTION BAY - DIV - A18863682 (Cont.)

(4m inside the property boundaries) and the property boundaries is a drainage corridor (approximately 4m wide) containing a diversion drain (concrete swale), proposed to cater for the flows from the external catchment, to divert runoff around the fill platform and discharge to the north of the site.

The proposal is subject to Impact Assessment and was publicly advertised with eleven (11) properly made submissions received on the proposal, including a petition. The proposed development is consistent with the intent of the Caboolture *ShirePlan* 2005 (now superseded) and is recommended to be approved, subject to conditions.

## 2.2 Description of the Site and Surrounds

Directions	Planning Scheme Zone (Caboolture ShirePlan)	Current Land Use
North	Open Space	Deception bay Regional Park
South	Residential A	Dwelling Houses
East	Residential A	Dwelling Houses
West	Residential A	Dwelling Houses

## 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.

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

### 2.3.1 State Planning Policy

A new State Planning Policy came into effect on 3 July 2017 and is not integrated into the Caboolture *ShirePlan* 2005. The following assessment benchmarks are to be applied to the assessment of development applications until the State interests have been appropriately integrated into Council's planning scheme. Assessment against the SPP assessment benchmarks is as follows:

Assessment benchmark - livable communities		
Applicable to Development	SPP requirement	Comment
No	None	Not applicable

ITEM 2.2 DA/34780/2017/V34R - RECONFIGURING A LOT - DEVELOPMENT PERMIT FOR SUBDIVISION (2 INTO 35 LOTS) & OPERATIONAL WORKS - DEVELOPMENT PERMIT FOR EARTHWORKS (FILLING) (SUPERSEDED PLANNING SCHEME) - LOCATED AT 33 JOSEPH CRES & 46 BANCROFT TCE, DECEPTION BAY - DIV - A18863682 (Cont.)

<b>Assessment benchmark - mining and extractive resources</b>		
Applicable to Development	SPP requirement	Comment
No	None	Not applicable
<b>Assessment benchmarks - water quality</b>		
Applicable to Development	SPP requirement	Comment
Yes	<p>Development is located, designed, constructed and operated to avoid or minimize adverse impacts on environmental values arising from</p> <ul style="list-style-type: none"> <li>(a) altered stormwater quality and hydrology</li> <li>(b) waste water</li> <li>(c) the creation or expansion of non-tidal artificial waterways</li> <li>(d) the release and mobilization of nutrients and sediments.</li> </ul> <p>(1) Development achieves the applicable stormwater management design objectives outlined in tables A and B (appendix 2)</p> <p>(2) Development in a water supply buffer area avoids adverse impacts on drinking water supply environmental values.</p>	An assessment of the proposed development has been undertaken against the applicable SPP requirements and the proposal has been determined to comply.
<b>Assessment benchmarks - natural hazards, risk and resilience</b>		
Applicable to Development	SPP Requirement	Comment
Yes	<p>Erosion prone areas within a coastal management district:</p> <p>(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:</p> <ul style="list-style-type: none"> <li>(a) coastal dependent development; or</li> <li>(b) temporary, readily relocatable or able to be abandoned development; or</li> <li>(c) essential community infrastructure; or</li> <li>(d) minor redevelopment of an existing permanent building or</li> </ul>	An assessment of the proposed development has been undertaken against the applicable SPP requirements and the proposal has been determined to comply. The site is located within the Coastal Management District and contains erosion prone areas. The application was referred to the Department of State Development, Manufacturing, Infrastructure and Planning. The Department had no

ITEM 2.2 DA/34780/2017/V34R - RECONFIGURING A LOT - DEVELOPMENT PERMIT FOR SUBDIVISION (2 INTO 35 LOTS) & OPERATIONAL WORKS - DEVELOPMENT PERMIT FOR EARTHWORKS (FILLING) (SUPERSEDED PLANNING SCHEME) - LOCATED AT 33 JOSEPH CRES & 46 BANCROFT TCE, DECEPTION BAY - DIV - A18863682 (Cont.)

	<p>structure that cannot be relocated or abandoned.</p> <p>(2) Development permitted in (1) above, mitigates the risks to people and property to an acceptable or tolerable level.</p> <p>Bushfire, flood, landslide, storm tide inundation, and erosion prone areas outside the coastal management district:</p> <p>(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> <p>All natural hazard areas:</p> <p>(4) Development supports and does not hinder disaster management response or recovery capacity and capabilities.</p> <p>(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> <p>(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.</p> <p>(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.</p>	<p>issues with the proposal, however recommended conditions of approval.</p>
<b>Assessment benchmarks - strategic airports and aviation facilities</b>		
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.

ITEM 2.2 DA/34780/2017/V34R - RECONFIGURING A LOT - DEVELOPMENT PERMIT FOR SUBDIVISION (2 INTO 35 LOTS) & OPERATIONAL WORKS - DEVELOPMENT PERMIT FOR EARTHWORKS (FILLING) (SUPERSEDED PLANNING SCHEME) - LOCATED AT 33 JOSEPH CRES & 46 BANCROFT TCE, DECEPTION BAY - DIV - A18863682 (Cont.)

2.4 Assessment Against Local Categorising Instrument - Caboolture ShirePlan 2005 (now superseded)

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

2.4.1 *Desired Environmental Outcomes*

The proposal is generally consistent with the Desired Environmental Outcomes contained within the Caboolture ShirePlan.

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 solution satisfying or not satisfying the corresponding Specific Outcome; and
- (b) proposes an outcome where no solution is stated in the code and the proposed outcome does not satisfy the corresponding Specific Outcome.

Assessment Benchmarks	Compliance with Overall Outcomes	Specific Outcome assessment is required
<b>Development Codes Code</b>		
Residential A Zone Code	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
Reconfiguring a Lot Code	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	SO3, SO7, SO22, SO25
Dams, Filling and Excavation Code	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	SO4, SO12
General Works Code	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
Landscaping Code	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
Stormwater Code	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
Traffic, Access and Parking Code	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	

ITEM 2.2 DA/34780/2017/V34R - RECONFIGURING A LOT - DEVELOPMENT PERMIT FOR SUBDIVISION (2 INTO 35 LOTS) & OPERATIONAL WORKS - DEVELOPMENT PERMIT FOR EARTHWORKS (FILLING) (SUPERSEDED PLANNING SCHEME) - LOCATED AT 33 JOSEPH CRES & 46 BANCROFT TCE, DECEPTION BAY - DIV - A18863682 (Cont.)

Overlay Codes		
Acid Sulfate Soils Overlay Code	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
Bushfire Hazard Overlay Code	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
Catchment protection Overlay Code	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	SO4, SO11
Nature Conservation Overlay Code	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	SO5

The assessment of the development proposal against the Specific Outcomes of the applicable code(s) is discussed below in section 2.4.3.

#### 2.4.3 Specific Outcome Assessment

Specific Outcome	Probable Solution
<b>Reconfiguring a Lot Code</b>	
<b>SO3</b> Development on created lots is not restricted by flooding.	<b>S3.1</b> The minimum area required for each lot above the 100 year ARI flood level for each zone is set out in Table 7.20.
<i>Specific Outcome Assessment</i>	
The proposed development has been designed to ensure each 'created' lot achieves the minimum area (100%) above the 100 year ARI flood level as a result of the proposed earthworks.	
Proposed lot 1 which contains the existing Dwelling house is not proposed to be filled and would not achieve the minimum area above the 100 year ARI flood level however there will be no change to the pre-development conditions.	
The proposed development complies with the Specific Outcome.	
<b>SO7</b> (a) Lots have an appropriate area and dimensions for the establishment of uses consistent with the purpose of the relevant zone and for the siting of: <ul style="list-style-type: none"> <li>(i) required buildings and structures;</li> <li>(ii) associated vehicular access;</li> <li>(iii) parking and manoeuvring;</li> <li>(iv) effective circulation;</li> <li>(v) landscaping; and</li> <li>(vi) any necessary buffering.</li> </ul> (b) For the Rural Residential Zone, the minimum lot size achieves the following:	<b>S7.1</b> Lot areas and dimensions are in accordance with Table 7.21. <b>S7.2</b> Lots contain a diameter circle in accordance with Table 7.21.

ITEM 2.2 DA/34780/2017/V34R - RECONFIGURING A LOT - DEVELOPMENT PERMIT FOR SUBDIVISION (2 INTO 35 LOTS) & OPERATIONAL WORKS - DEVELOPMENT PERMIT FOR EARTHWORKS (FILLING) (SUPERSEDED PLANNING SCHEME) - LOCATED AT 33 JOSEPH CRES & 46 BANCROFT TCE, DECEPTION BAY - DIV - A18863682 (Cont.)

Specific Outcome	Probable Solution
<p>(i) for land located within the 'Buffer Areas Precinct' the impact of other land uses on rural residential development is minimised and the impact of the rural residential development on sensitive environmental and rural areas is minimised;</p> <p>(ii) for land located within the 'Park Residential Precinct' the development provides for rural residential style living on land that is of a sufficient size to ensure environmental considerations have not been compromised and that adequate land is available for both effluent disposal and private recreation purposes;</p> <p>(iii) for land located within the 'Restricted Precinct' the existing size and shape of lots is maintained;</p> <p>(iv) for land located within the 'Transition Precinct' the existing size and shape of lots is maintained for possible future residential development.</p> <p>(c) A variety of lot sizes is provided for within each residential and rural residential development and the creation of residential areas comprising solely of lots with sizes close to or at the minimum permitted area is avoided.</p>	
<i>Specific Outcome Assessment</i>	
<p>The application proposes an alternative solution as a number of Lots are below the suggested minimum area of 600m<sup>2</sup> and below the minimum 20m frontage.</p> <p>The proposed development complies with the Specific Outcome as each proposed lot would have a sufficient area and dimension to accommodate a future dwelling house and associated outbuildings, appropriate vehicular access, area for parking, manoeuvring and circulation and landscaping.</p>	
<p><b>SO22</b> Open space satisfies the following:</p> <p>(a) provides for a range of safe and easily accessible recreation facilities to meet the needs of the community;</p> <p>(b) provides well distributed public open spaces that contribute to the legibility, accessibility and character of the development;</p> <p>(c) helps creates attractive urban environment;</p> <p>(d) establishes a clear relationship between public open space and adjoining land uses;</p> <p>(e) facilitates appropriate measures for stormwater and flood management and care of valuable environmental resources;</p> <p>(f) enables the retention of significant vegetation, wetlands and waterways and other habitat areas,</p>	<p><b>S22.1</b> An open space dedication of 10% of the total site area is provided.</p> <p><b>S22.2</b> Land dedicated for open space is provided with approximately 50% being for active use and 50% being for passive use.</p> <p><b>S22.3</b> Open space has direct street frontages of:</p> <p>(a) a minimum of 50% of the total boundary of the park to provide physical access and visibility;</p> <p>OR</p> <p>(b) a minimum of 15% of the total boundary of the park, where the</p>



ITEM 2.2 DA/34780/2017/V34R - RECONFIGURING A LOT - DEVELOPMENT PERMIT FOR SUBDIVISION (2 INTO 35 LOTS) & OPERATIONAL WORKS - DEVELOPMENT PERMIT FOR EARTHWORKS (FILLING) (SUPERSEDED PLANNING SCHEME) - LOCATED AT 33 JOSEPH CRES & 46 BANCROFT TCE, DECEPTION BAY - DIV - A18863682 (Cont.)

Specific Outcome	Probable Solution
their associated buffer and linkages/corridors and natural and cultural features; and (g) is cost effective to maintain.	proposed park is required for conservation purposes.
<i>Specific Outcome Assessment</i>	
<p>The application proposes an alternative solution as the development does not provide a minimum 10% of the total site area as open space. The requirement for an open space dedication is now made redundant by the introduction of Council's Charges Resolution (CR) that requires a monetary contribution towards the open space network.</p> <p>The proposed drainage reserve (Lot 100) has an area and is provided with appropriate road frontage to ensure appropriate physical access and passive surveillance of this area.</p> <p>The proposed development complies with the Specific Outcome.</p>	
<b>SO25</b> Small lots do not adversely affect the character and amenity of the stated planning character of the area.	<b>S25.1</b> Small lots are only located within a Residential Emerging Area as identified in Schedule 4.
<i>Specific Outcome Assessment</i>	
<p>The application proposes an alternative solution to satisfy SO25. The application proposes a number of 'small residential lots' (lots between 400 and 599m<sup>2</sup> in area) outside of a mapped 'emerging area'.</p> <p>The development has been designed to ensure all 'small residential lots' have been located internal to the site, with larger lots (600m<sup>2</sup> +) located around the periphery of the development to ensure the character and amenity of the surrounding area is maintained.</p> <p>The proposed development complies with the Specific Outcome.</p>	
Specific Outcome	Probable Solution
<b>Dams, Filling and Excavation Code</b>	
<b>SO4</b> Filling or excavation does not adversely impact on the visual amenity of surrounding areas.	<p><b>S4.1</b> Any retaining walls or embankments are set back at least the equivalent height of the wall or embankment from any boundary of the site.</p> <p><b>S4.2</b> Any embankments more than 1.0 metre in height are stepped, terraced and landscaped.</p> <p><b>S4.3</b> Filling or excavation works are completed within three (3) months of the commencement date.</p>

ITEM 2.2 DA/34780/2017/V34R - RECONFIGURING A LOT - DEVELOPMENT PERMIT FOR SUBDIVISION (2 INTO 35 LOTS) & OPERATIONAL WORKS - DEVELOPMENT PERMIT FOR EARTHWORKS (FILLING) (SUPERSEDED PLANNING SCHEME) - LOCATED AT 33 JOSEPH CRES & 46 BANCROFT TCE, DECEPTION BAY - DIV - A18863682 (Cont.)

<i>Specific Outcome Assessment</i>	
<p>The application proposes an alternative solution to satisfy SO4. Whilst the proposed retaining walls have a height of up to 2.7m in height, they are stepped inside the site by approximately 4m. The proposed walls exceeding 1.0m in height are not proposed to be stepped and the proposed filling works are unlikely to be completed within a three (3) month timeframe.</p> <p>With respect to height and stepping of retaining walls, the retaining walls have been proposed in a single vertical rise. In this instance, this outcome is a preferential outcome given the lower side of a stepped wall would not be easily accessed and would be difficult to be maintained. It is noted that the walls have been set back a greater distance inside the property boundaries to reduce the visual impacts of the walls to adjoining properties. The submitted section drawings demonstrate the proposed retaining walls will not adversely affect the amenity of surrounding properties.</p> <p>Given the extensive earthworks required to ensure the finished level of lots will be above the defined flood event (DFE) level, the earthworks would likely exceed a three (3) month timeframe. The recommendations of this report include a condition of development requiring a construction management plan to be submitted and approved by Council to ensure amenity impacts on the surrounding area are appropriately managed.</p> <p>The proposed development complies with the Specific Outcome.</p>	
<p><b>SO12</b> The filling or excavation of land does not: (a) Redirect water away from existing flow paths; (b) Concentrate stormwater onto an adjacent property; (c) Obstruct flows within dedicated drainage easements; or (d) Encroach onto adjoining properties.</p>	<p><b>S12.1</b> All fill material is placed above the 100 year ARI flood level or above a nominated 1 in 100 year flood level, whichever is the highest.</p> <p><b>S12.2</b> Filling or excavation of land does not obstruct the natural flow of stormwater.</p>
<i>Specific Outcome Assessment</i>	
<p>The application includes an Operational Works - Earthworks (Filling) component to ensure the finished level of each proposed lot, with the exception of Lot 1 which contains the existing dwelling house, is above the Defined Flood Event (DFE) level. By virtue of the filling to ensure lots achieve the DFE, fill material will be required below the 100 year ARI flood level.</p> <p>The applicant has submitted a Minor Hydraulic Flood Report and Stormwater Management Plan to demonstrate the proposed filling will not result in water being redirected away from existing flow paths, concentrate stormwater onto an adjacent property, obstruct flows within dedicated drainage easements or encroach onto adjoining properties. The reporting has been reviewed by Councils engineers and determined to be satisfactory, subject to minor amendments that are included within the recommended conditions of development.</p> <p>The proposed development complies with the Specific Outcome.</p>	
<b>Specific Outcome</b>	<b>Example</b>
<b>Catchment Protection Overlay Code</b>	
<b>S04</b>	<b>S4.1</b> Development is set back from the edge of the top of the bank or HAT level

ITEM 2.2 DA/34780/2017/V34R - RECONFIGURING A LOT - DEVELOPMENT PERMIT FOR SUBDIVISION (2 INTO 35 LOTS) & OPERATIONAL WORKS - DEVELOPMENT PERMIT FOR EARTHWORKS (FILLING) (SUPERSEDED PLANNING SCHEME) - LOCATED AT 33 JOSEPH CRES & 46 BANCROFT TCE, DECEPTION BAY - DIV - A18863682 (Cont.)

Specific Outcome	Example
<p>Protect and maintain waterway corridors and their hydrologic, water quality and ecological function by:</p> <ul style="list-style-type: none"> <li>(a) Providing adequate buffers to waterways; and</li> <li>(b) Protecting natural drainage channels and riparian habitat; and</li> <li>(c) Providing adequate habitat connectivity between waterways.</li> </ul>	<p>(whatever is greater) of a Waterway or Wetland a distance of:</p> <ul style="list-style-type: none"> <li>(a) At least forty (40) metres to all Catchment Protection Minor Waterways;</li> <li>(b) At least one hundred (100) metres to Wetland Protection Areas.</li> <li>(c) At least one hundred (100) metres to Catchment Protection Major Waterways.</li> </ul>
<p><i>Specific Outcome Assessment</i></p>	
<p>The northern-eastern portion of the site is mapped as containing 100m buffer to a mapped Wetland area. An alternative solution is proposed as part of the development footprint is located within the mapped buffer area.</p> <p>The proposal complies with the Performance Outcome as an appropriate buffer is maintained to the wetland, noting the proposed lots will not be located forward of existing established properties, there are no natural drainage channels over the property, the site has largely been cleared and contains only scattered vegetation and the site does not form part of a corridor between waterways, noting the site adjoins a single wetland area. In addition, an esplanade road and a 3,882m<sup>2</sup> ecological buffer/drainage lot (proposed Lot 100) is proposed between the development footprint and the mapped Wetland.</p> <p>The proposed development complies with the Specific Outcome.</p>	
<p><b>SO11</b> Natural coastal processes are able to be managed and life and property are protected from development by ensuring that:</p> <ul style="list-style-type: none"> <li>(a) Development does not occur within Erosion Prone Areas, except for temporary or relocatable structures for safety or recreational purposes (eg. picnic tables, barbeques, walking trails, bikeways, lookouts and elevated decks) associated with a development can be located within erosion prone areas;</li> <li>(b) Existing intensities of development are not exceeded; and</li> <li>(c) Existing building alignments of neighbouring properties are not exceeded.</li> </ul>	<p><b>S11.1</b> No solution provided.</p>
<p><i>Specific Outcome Assessment</i></p>	
<p>The proposal includes development within an erosion prone area within the CMD. The proposal seeks to intensify the development from a single house into 35 lots.</p> <p>The application was referred to the Department State development, Manufacturing, Infrastructure and Planning as Concurrence Agency for matters relating 'Tidal works or work within a Coastal Management District (where within an erosion prone area). On 9<sup>th</sup> April 2018, Council received a response from DSDMIP (Ref: 1709-1317 SRA) advising that the department has no objection to the proposal, subject to conditions. Based on the proposal being accepted as achieving the State Interest for natural hazards, risk and resilience, the proposal is deemed to comply with the Specific Outcome.</p>	

ITEM 2.2 DA/34780/2017/V34R - RECONFIGURING A LOT - DEVELOPMENT PERMIT FOR SUBDIVISION (2 INTO 35 LOTS) & OPERATIONAL WORKS - DEVELOPMENT PERMIT FOR EARTHWORKS (FILLING) (SUPERSEDED PLANNING SCHEME) - LOCATED AT 33 JOSEPH CRES & 46 BANCROFT TCE, DECEPTION BAY - DIV - A18863682 (Cont.)

Specific Outcome	Example
<p>In addition, it is noted that the proposed development is not located forward of the established Coastal building alignment and is consistent with established seaward building line.</p> <p>The proposal achieves compliance with the Specific Outcome.</p>	

Specific Outcome	Example
<p><b>Nature Conservation Overlay Code</b></p>	
<p><b>SO5</b> The location of infrastructure does not disturb Significant Vegetation and Wetlands.</p>	<p><b>S5.1</b> Infrastructure does not traverse Significant Vegetation and Wetlands. <b>S5.2</b> Roads adjacent to Significant Vegetation and Wetlands incorporate traffic calming devices to minimise disturbance to wildlife. <b>S5.3</b> Wildlife under/overpasses are provided to facilitate wildlife movement.</p>
<p><i>Specific Outcome Assessment</i></p> <p>A small portion of the site along the northern boundary is mapped as being within the 20m buffer area to areas of biodiversity significance. A small portion of the proposed bioretention basin within the proposed drainage lot (Lot 100) may encroach the mapped buffer area.</p> <p>The proposal would comply with the Specific Outcome as the proposed infrastructure (bioretention basin) would not disturb the mapped significant vegetation (area of biodiversity significance) within the adjoining land to the north.</p> <p>The proposal achieve compliance with the Specific Outcome.</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 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:

ITEM 2.2 DA/34780/2017/V34R - RECONFIGURING A LOT - DEVELOPMENT PERMIT FOR SUBDIVISION (2 INTO 35 LOTS) & OPERATIONAL WORKS - DEVELOPMENT PERMIT FOR EARTHWORKS (FILLING) (SUPERSEDED PLANNING SCHEME) - LOCATED AT 33 JOSEPH CRES & 46 BANCROFT TCE, DECEPTION BAY - DIV - A18863682 (Cont.)

(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 current existing lawful use of the land or record of a previous lawful use of the land being a single Dwelling house. Accordingly, the credit available under this option is \$17,603.73.

(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 \$35,207.46 based two (2) existing lots on the proportional split stated in Table 3 of the CR.

2.5.3 *Levied Charge Offset or Refund*

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

2.5.4 *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 Planning Scheme

In accordance with section 89 of the *Planning Act 2016*, the existing approval to allow a superseded planning scheme to apply to a particular development of the land is already required to be noted in Schedule 4 of the MBRC Planning Scheme.

ITEM 2.2 DA/34780/2017/V34R - RECONFIGURING A LOT - DEVELOPMENT PERMIT FOR SUBDIVISION (2 INTO 35 LOTS) & OPERATIONAL WORKS - DEVELOPMENT PERMIT FOR EARTHWORKS (FILLING) (SUPERSEDED PLANNING SCHEME) - LOCATED AT 33 JOSEPH CRES & 46 BANCROFT TCE, DECEPTION BAY - DIV - A18863682 (Cont.)

## 2.7 Referrals

### 2.7.1 Council Referrals

#### 2.7.1.1 Development Engineering

##### *Traffic, Access & Parking*

The development will be accessed via a road access forming a "T" Intersection at Joseph Road. It shall be noted that the location of access intersecting at Joseph Crescent is recommended to be conditioned to comply with Councils Planning Scheme Policies. The proposed roads and its layout serving the development is acceptable.

##### *Stormwater / Flooding*

An amended Stormwater Management Report (Quantity and Quality) was submitted by Inertia Consulting received on 5 August 2019. Council Officers have since assessed an amended report and it has been determined to be satisfactory subject to conditions.

The applicant has proposed a bio-retention basin to be constructed. The bio-retention basin has been sized to cater for treatment of the applicable minor storm event. It has also been demonstrated that the bio-retention basin caters for Frequent Flow Management as required by SPP 4/10 Healthy Waters.

Stormwater quantity has been attenuated whereby increased flood storage was provided to compensate for increased post developed flow volumes.

The external catchment flows are conveyed around the perimeter of the site in a safe manner and the access road is unlikely to cause detrimental effects to adjoining properties. The Developer is to implement all the recommendations of the reports. It is recommended that the Stormwater infrastructure be constructed generally in accordance with the approved report. Additional detail of proposed drainage reserve and drain widths is required and is recommended as a condition.

##### *Earthworks*

The site contour is generally below 5.0 metres AHD and it is likely that the extent of proposed earthworks fill will exceed 100m<sup>3</sup> exerting extra loadings thus posing a potential for Acid Sulfate Soil disturbance. The applicant will be required to undertake an Acid Sulfate Soil/geotechnical subsoil Investigation prepared by a suitably qualified and experienced person. Soil sampling and analysis must be undertaken in accordance with procedures specified in Planning Scheme Policy 1 Acid Sulfate Soils. The investigation must provide information on the depth and extent of any acid sulfate soils on site within this development, as well as the severity of acid sulfate soils relevant to the proposed disturbance likely to be caused by pre-loading effect of filling.

#### 2.7.1.2 Environmental Health

##### *Mosquito Management*

Future residents may be impacted by mosquito and biting midge due to the development site's proximity to swamp land.

ITEM 2.2 DA/34780/2017/V34R - RECONFIGURING A LOT - DEVELOPMENT PERMIT FOR SUBDIVISION (2 INTO 35 LOTS) & OPERATIONAL WORKS - DEVELOPMENT PERMIT FOR EARTHWORKS (FILLING) (SUPERSEDED PLANNING SCHEME) - LOCATED AT 33 JOSEPH CRES & 46 BANCROFT TCE, DECEPTION BAY - DIV - A18863682 (Cont.)

A mosquito management plan has been provided in support of the development application. The plan recommends a landscape vegetation hedge on the resident's side of the northern ecological buffer as a measure for assisting in the control of mosquitoes.

Council Officers raised concerns regarding the practical implementation of the vegetation buffer given its proximity to the drainage lot. Changes to the layout have also occurred since submission of the mosquito management plan. It is recommended a condition be applied that requires the recommendations of the management plan be implemented with consideration to the changed layout. This can be achieved via submission and approval of a landscaping plan showing the mosquito management landscaping buffer.

### 2.7.2 Referral Agencies

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

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

- (a) Matters relating to Tidal work or work in a coastal management district. Council was advised on 9 April 2018 that DSDMIP (Ref:1709-1317 SRA) has no objection to the development application subject to a number of conditions being attached to Council's Decision Notice.

#### **2.7.2.2 Advice Agencies**

There were no Advice Agencies involved in assessing this application.

#### **2.7.2.3 Third Party Agencies**

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

## 2.8 Public Consultation

### 2.8.1 Public Notification Requirements under the Development Assessment Rules

- (a) Public Notification was served on all adjoining landowners on 9 January 2019.
- (b) The development application was advertised in the Redcliffe and Bayside Herald on 10 January 2019.
- (c) A notice in the prescribed form was posted on the relevant land on 10 January 2019 and maintained for a period of fifteen (15) business days until 4 February 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		10
	Petition	81	1
Not Properly Made	Letter, Email, Fax		1
	Petition		
<b>Total</b>			12

ITEM 2.2 DA/34780/2017/V34R - RECONFIGURING A LOT - DEVELOPMENT PERMIT FOR SUBDIVISION (2 INTO 35 LOTS) & OPERATIONAL WORKS - DEVELOPMENT PERMIT FOR EARTHWORKS (FILLING) (SUPERSEDED PLANNING SCHEME) - LOCATED AT 33 JOSEPH CRES & 46 BANCROFT TCE, DECEPTION BAY - DIV - A18863682 (Cont.)

The matters raised within the submissions are outlined below:

<b>Assessment of Submissions</b>
<p><b>Issue - Traffic, Access and Parking</b></p> <ul style="list-style-type: none"> <li>• Access to Joseph Crescent is unsuitable. There are already traffic and parking problems in the area and congestion at the intersection with Beach Road.</li> <li>• There are other alternatives for access to facilitate traffic flow without adverse consequences to Joseph Crescent.</li> <li>• The proposed access to Joseph Crescent will accentuate both traffic and parking problems.</li> <li>• The proposed entrance is proposed at the bottom of a steep hill in a corner location. Access from Bancroft Terrace would be more appropriate.</li> <li>• The proposed development will create a bottleneck for emergency services.</li> <li>• Presently the traffic entering and exiting Joseph Crescent onto Bancroft Terrace is restricted by added traffic islands and directional turning signs. Captain Cook Parade is a closed road at the intersection with Bancroft Terrace.</li> <li>• To facilitate the increased volume of vehicular and foot traffic from both the estate and the proposed Community Centre it is timely that Council also addresses the major intersection of the 3 roads from the viewpoint of safety of motorists, cyclists and pedestrians. The location of bus stops for pedestrians should also be re-visited.</li> <li>• It is suggested - to alleviate the increased noise and traffic flow for existing residents of Beach Rd and Joseph Crescent - that Captain Cook Parade be re-opened to facilitate traffic and pedestrian flow and provide or allow for alternative road access to and from the proposed MBRC Community Centre. The use of traffic calming along Captain Cook Parade could possibly manage the speed of vehicles.</li> <li>• Traffic routing should be altered to permit the extra vehicular traffic to enter and to leave Joseph Crescent at the Bancroft Terrace intersection as there are restrictions at the present time.</li> <li>• The existing structure of Beach Road will have difficulty accommodating the increased traffic entering and leaving the new Community Centre, let alone accommodating the increased traffic flow to and from the new subdivision.</li> <li>• To facilitate the increased traffic flow along Joseph Crescent, traffic lanes should be installed and clearly marked, vehicle speed reduced, speed signs and traffic calming fitted at least to both ends of Joseph Crescent.</li> <li>• Consideration must be given to a safe and easy entrance to the two existing properties adjacent to the new road from Joseph Crescent.</li> <li>• We ask consideration to be given to the existing levels at the intersection of Bancroft Terrace/ Captain Cook Parade/ the intersection at Joseph Crescent and the proposed entry road to the subdivision.</li> <li>• The entry points to Joseph Crescent, via Bancroft Terrace and Beach Road, have blind spots when entering. The entry from Bancroft Terrace is particularly tight and would only be a matter of time before a tragedy occurs.</li> <li>• Why can't the entry point to this new estate be via 46 Bancroft Terrace? Bancroft Terrace allows traffic to travel in both directions, has line markings and would be a safer option. There is also public transport available with a Council Bus Stop an easy walk from the entry of 46 Bancroft Terrace. By having the entry and exit to the proposed 35 new homes on Bancroft Terrace, it would eliminate the pressure and risk that would be placed on Joseph Crescent.</li> <li>• There is ample area to put an entrance to the subdivision off Bermuda Avenue. There are streets which have been surveyed on the north western side of the subdivision but have not yet been formed.</li> </ul>



ITEM 2.2 DA/34780/2017/V34R - RECONFIGURING A LOT - DEVELOPMENT PERMIT FOR SUBDIVISION (2 INTO 35 LOTS) & OPERATIONAL WORKS - DEVELOPMENT PERMIT FOR EARTHWORKS (FILLING) (SUPERSEDED PLANNING SCHEME) - LOCATED AT 33 JOSEPH CRES & 46 BANCROFT TCE, DECEPTION BAY - DIV - A18863682 (Cont.)

- In 2017, Council were made aware of parking problems with the Department of Fisheries Project nearby.
- Council should increase the parking availability along Beach Road.
- Heavy vehicles associated with the earthworks will result in safety risks.

**Discussion**

The application proposes a new 16m wide road, forming a new intersection with Joseph Crescent utilising existing road reserve. A new road is proposed in the form of an internal loop road to service the proposed lots.

The surrounding road network within this catchment and intersections have been assessed and can satisfactorily accommodate the expected increase in vehicle movements generated by the proposed 35 lots. No external road upgrades are proposed as part of the application nor are considered to be required by Council engineers. A review of the sightlines of the proposed intersection of the new road and Joseph Crescent meets the relevant Australian Standards and are considered satisfactory.

A submitter has proposed that the access to the development should be from Bancroft Terrace. The existing access handle has a width of approximately 6.5m and is not of sufficient width to accommodate a public road (minimum 16m). In addition, the existing grade of the access handle (approximately 12.5% slope) would make achieving a suitable access difficult in this location. Another submitter has suggested access to the site should be taken from Bermuda Avenue/St Thomas Court. Access from Bermuda Avenue/St Thomas Court is not possible as the site does not have road frontage to these roads.

Bancroft Terrace is an existing bus route and an existing bus stop is located adjacent to Airlie Avenue. There is no reason for the existing bus stop to be relocated as a result of the proposed development.

The proposed access intersection will function satisfactorily under projected year 2030 traffic conditions. The intersection will perform satisfactorily with a maximum Degree of Saturation and will not adversely impact upon the operation of Joseph Crescent.

The percentage increase in traffic on Bancroft Terrace and Joseph Cres is not considered to be relevant. Joseph Cres is a 10m wide sealed road within a 20m road reserve and the existing traffic volume on both roads allows capacity for the proposed use and the resultant volume will be well within the acceptable limits for a residential road.

The existing road system and intersections within this vicinity will comfortably accommodate additional traffic generated by the proposed development. The current traffic volumes at the Intersection of Bancroft Terrace/ Joseph Cres and Beach Rd/Joseph Cres operates at a sufficient level of service with significant spare capacity available.

This is not sufficient grounds for refusal of the application.

**Issue - Amenity**

- Severe visible impact regarding the height of the single face retaining wall (1.75-2.20 plus fencing) alongside my fence line.
- The proposed retaining wall is not adequately setback from neighbouring properties. The proposed retaining wall setback 3 or 4 metres will be visually dominant.
- The proposed retaining wall between 1.75m and 2.5m will be significant. Buildings and structures built on top of the retaining wall could be up to 4m in height and will have a negative effect on the amenity and aesthetics of the area.

ITEM 2.2 DA/34780/2017/V34R - RECONFIGURING A LOT - DEVELOPMENT PERMIT FOR SUBDIVISION (2 INTO 35 LOTS) & OPERATIONAL WORKS - DEVELOPMENT PERMIT FOR EARTHWORKS (FILLING) (SUPERSEDED PLANNING SCHEME) - LOCATED AT 33 JOSEPH CRES & 46 BANCROFT TCE, DECEPTION BAY - DIV - A18863682 (Cont.)

- The proposed development will create a strange type of 'residential island' surrounded by a 'moat'.
- The proposed retaining wall will be an imposing structure and will be unattractive to look at.
- Future properties will overlook existing properties and will lose privacy.
- Disagree with the statement that significant existing vegetation will buffer/screen the retaining walls. With or without the trees, all adjoining properties will see this huge wall.
- The overall increase in traffic, noise and congestion to existing residents will destroy the community feel of our street - Joseph Crescent.
- The site is a lovely out-look for existing residents and will be ruined.

**Discussion**

The site is subject to flooding and storm tide inundation. In order to achieve flood immunity, the site is required to be filled to 3.5m AHD to achieve the Defined Flood Event. As a result the fill will be supported by retaining walls with maximum heights up to 2.7m. All retaining walls are proposed to be set approximately 4m inside the property boundaries. Between the retaining wall (setback 4m) and the property boundary, a diversion drain is proposed to capture external runoff within the perimeter spoon drain. The proposed diversion drain is proposed as a spoon drain, similar to what currently exists along the western boundary of the site. The proposed drainage reserve containing the diversion drain (1,569m<sup>2</sup>) is proposed to be dedicated to Council as drainage reserve.

All retaining walls are proposed in a single rise and it is expected that a boundary fence (typically 1.8m) will ultimately sit above the retaining wall (combined maximum height of retaining wall and fence of 4.5m). As previously mentioned, retaining walls will be set inside the property by approximately 4m. The submitted sections drawings demonstrate the combined height of retaining walls and fences will not detrimentally the amenity of adjoining properties.

This is not sufficient grounds for refusal of the application.

**Issue - Environmental Impacts**

- The proposed development on low lying ground will have many adverse consequences for the environment.
- The proposed development will impact on Koala population through clearing of habitat trees.
- Both Council and community plan, support and promote sustaining and development of our natural flora and fauna habitats including our Koalas.
- Increase in run-off from land covered by 35 homes and streets into habitat and Marine Park adds to pollution, and stench. Fresh water facilitates devastation of mangroves. Approval of the project is neither in the interest of the community nor consistent with responsible, safe, and moral requirement for quality of life for community development, an essential attribute as claimed by Council,
- Potential harm to the root system of my trees (12-15 metre high) along my fence line caused by the excavation work constructing the drainage. And preventing potential expenses for removal of damaged trees.
- The proposal may increase the risk of bushfire risk. This site is currently a grassed area with only a few trees. The proposed new houses will be 'fuel' bushfire risk.
- Part of the site is mapped as being a 'High Value Area' under the Environmental areas of the MBRC Planning Scheme. These mapped areas should be protected from development impacts.
- The proposed 20 metre wide ecological buffer is inadequate to ensure native vegetation is protected.

ITEM 2.2 DA/34780/2017/V34R - RECONFIGURING A LOT - DEVELOPMENT PERMIT FOR SUBDIVISION (2 INTO 35 LOTS) & OPERATIONAL WORKS - DEVELOPMENT PERMIT FOR EARTHWORKS (FILLING) (SUPERSEDED PLANNING SCHEME) - LOCATED AT 33 JOSEPH CRES & 46 BANCROFT TCE, DECEPTION BAY - DIV - A18863682 (Cont.)

- The site is mapped as containing a riparian and wetland setback under the MBRC Planning Scheme (between 25 - 60 metres across the back boundary of the site). The proposed 20m wide ecological buffer area is inadequate to protect the waterways and biodiversity from negative consequences.
- The impact to the environment and local animals will be detrimental for everyone in the community.
- The impact on the protected marine sanctuary is immeasurable and a very big concern.

**Discussion**

A small portion of the site along the northern boundary (approximately 15m in width) is mapped as containing part of the 20m buffer to an area of Biodiversity significance under the Nature Conservation Overlay Code of the Caboolture Shire Plan. This part of the site is proposed as an Ecological buffer to be transferred to Council as part of the application. Initially the application included lots in the north east corner backing onto the drainage reserve. Since public notification has occurred, the applicant has amended the plans to relocate these allotments to ensure an esplanade road and greater buffer to the wetland.

A portion of the site is mapped as under the Catchment Protection Overlay Code as containing a 100m buffer to wetland (Deception Bay). The proposal would not comply with probable solution 4.1 which suggests that development is setback 100m from a mapped wetland. The corresponding Specific Outcome- waterway corridors and their hydrological, water quality and ecological function is protected and maintained by:

- (a) providing adequate buffers to waterways;
- (b) Protecting natural drainage channels and riparian habitat; and
- (c) Providing adequate habitat connectivity between waterways.

The proposal can comply with the Specific Outcome as an appropriate buffer is maintained to the wetland, noting the proposed lots will not be located forward of existing established properties, there are no natural drainage channels over the property, the site has largely been cleared and contains only scattered vegetation and the site does not form part of corridor between waterways, noting the site adjoins a single wetland area. In addition, an esplanade road and a 3,882m<sup>2</sup> ecological buffer/drainage reserve (proposed Lot 100) is proposed between the development footprint and the mapped Wetland

The application was referred to the Department of State Development, Manufacturing, Infrastructure and Planning (DSDMIP) for matters relating to Tidal Works or Work in a Coastal Management District. Council received a response from DSDMIP on 9 April 2018, recommending approval, subject to conditions. The conditions of approval require that only 'clean' fill is utilised in earthworks, erosion and sedimentation control is implemented during site works and that any non-juvenile Koala habitat tree removed is replaced at a rate of three (3) trees for each tree removed.

Under the Koala SPRP, the site is mapped outside of the Priority Koala Assessable Area. The site is mapped as containing Low Value Rehabilitation and 'Generally not Suitable' habitat mapping.

Whilst it is acknowledged that minor earthworks associated with the diversion drain could impact root systems of trees on adjoining land, this vegetation is not protected by state or local planning controls. It is reasonable for a person to undertake works on their land which may impact overhanging branches or root systems associated with vegetation on adjoining land.

This is not sufficient grounds for refusal of the application.

ITEM 2.2 DA/34780/2017/V34R - RECONFIGURING A LOT - DEVELOPMENT PERMIT FOR SUBDIVISION (2 INTO 35 LOTS) & OPERATIONAL WORKS - DEVELOPMENT PERMIT FOR EARTHWORKS (FILLING) (SUPERSEDED PLANNING SCHEME) - LOCATED AT 33 JOSEPH CRES & 46 BANCROFT TCE, DECEPTION BAY - DIV - A18863682 (Cont.)

**Issue - Earthworks, Drainage and Flooding**

- Nearly all the site is subject to Medium risk flood hazard and Coastal hazard (Storm tide inundation) under the MBRC Planning Scheme.
- The proposed 3-4m wide diversion drain is inadequate to handle run-off and will result in flooding water flowing on to adjacent properties.
- The proposed diversion drain is narrow and includes a right-angle bend. How will water be confined to this drain.
- As development proposed in this low former flood plain involves earthwork excavating, filling and raising levels it is subject to adverse consequences due to flood water run-off. It is already demonstrated on higher areas along Blue Pacific Road where some building blocks were raised thereby reducing seepage and increasing the velocity of runoff to insufficient outlets. Thereby causing flooding and more road closures than previously experienced. The situation with the proposed low-lying development is even worse.
- The proposed earthworks will increase the likelihood and height of tidal flooding.
- The subdivision application proposes the filling of the land within the estate to a minimum height of RL3.8. The minimum road height is to be RL2.8.
- We ask consideration be given to the existing levels at the intersection of Bancroft Terrace/ Captain Cook Parade/ the intersection at Joseph Crescent and the proposed entry road to the subdivision.
- Could the existing Joseph Crescent levels be raised at the intersection of the subdivision entry road to lessen the slope between Bancroft Terrace and the subdivision entry road?
- Joseph Crescent is low lying and regularly flooded.
- Excess water could sit in the swale and over time this could lead to my property becoming wetter and softer and increase the risk of landside.
- Sea levels are rising from climate change and the potential for flooding will increase.
- The diversion drain should be at least 10 metres wide as:
  - Additional land would allow more water to be absorbed and less water run-off into neighbouring properties;
  - It would reduce the strength of flow of the run-off therefore reducing the risk of drowning;
  - It would provide a more appropriate separation distance and better visual buffer between properties and the high retaining wall.
- Hundreds of tonnes of fill will have to come on to the site and be compacted. So much fill will create an unbelievable amount of dust and the noise will be unbearable.
- Dust from fill and construction activities will impact on the health of residential properties.
- The proposal will redirect snakes and vermin into surrounding backyards.

**Discussion**

The site is subject to flooding and storm tide inundation. In order to achieve flood immunity, the site is required to be filled to achieve the Defined Flood Event. As a result the fill will be supported by retaining wall ranging in height from 1.6m to 2.7m in height. All retaining walls are proposed to be set inside the property boundaries. Between the retaining wall and the property boundary, a diversion drain is proposed to capture external drainage. The proposed diversion drain is proposed as a spoon drain, similar to what currently exists along the western boundary of the site. The proposed diversion drain (1,569m<sup>2</sup>) is proposed to be dedicated to Council as drainage reserve. A hydraulic report was supplied demonstrating that the drainage solution would operate satisfactorily.

ITEM 2.2 DA/34780/2017/V34R - RECONFIGURING A LOT - DEVELOPMENT PERMIT FOR SUBDIVISION (2 INTO 35 LOTS) & OPERATIONAL WORKS - DEVELOPMENT PERMIT FOR EARTHWORKS (FILLING) (SUPERSEDED PLANNING SCHEME) - LOCATED AT 33 JOSEPH CRES & 46 BANCROFT TCE, DECEPTION BAY - DIV - A18863682 (Cont.)

All retaining walls are proposed in a single rise and it is expected that a boundary fence (typically 1.8m) will ultimately sit above the retaining wall (combined height of retaining wall and fence between 3.4m to 4.3m).

Stormwater quantity is proposed to be managed by ensuring increased flood storage is provided to compensate for any increased post developed flow volumes.

The external catchment flows are conveyed around the site in a safe manner and the access road is unlikely to cause detrimental effects to adjoining properties. The proposed access to the site has been assessed and would remain trafficable in a Q100 flood event.

The development works will be conditioned to ensure that adjoining properties, reserves and roads are protected from ponding or nuisance from stormwater as a result of any works undertaken on site.

The recommendations of this report include a condition of development requiring the submission of a construction management for Council approval prior to works commencing to ensure the impacts on surrounding residents are minimised.

This is not sufficient grounds for refusal of the application.

**Issue - Miscellaneous**

- Joseph Crescent doesn't not get a local paper delivered.
- Public notification signs are deceptive and show access onto open space.
- This application is years old, why only give us 3 weeks to respond with our opinion.
- The proposal will affect the quality of life of surrounding residents.
- There is no provision for open space areas.
- The application documents have limited reference to the noise levels, vehicular movement, peace and quietness of the area having deleterious impact for occupants of existing homes and upon the road network.
- The proposed diversion drain will be a safety hazard/drowning risk.
- The size of the lots should be limited between 500m<sup>2</sup> to 900m<sup>2</sup>.
- Footpaths need to be provided along Joseph Crescent to prevent people walking on the street.
- The proposal will devalue surrounding land.

**Discussion**

The application is subject to Impact Assessment and was required to be publicly notified for a period of fifteen (15) business days. The applicant has submitted a notice of compliance, demonstrating that all public notification actions were correctly undertaken.

The proposed drainage measures (spoon drain) will be similar to the existing drainage infrastructure along the western boundary. The proposed drainage is not considered to be a safety risk.

There is no requirement for the provision of a local recreation park for a development of this scale (35 lots).

The site is located within the Residential A zone of the Caboolture *ShirePlan*. It is acknowledged the application proposed lots sizes below the minimum 600m<sup>2</sup> suggested by Probable Solution S7.1 of the Reconfiguring a Lot Code of the Caboolture *ShirePlan*. The proposal is considered to comply with the corresponding Performance Outcome PO7 as the proposed lots would have an appropriate area and dimension for the establishment of uses consistent with the zone and for the siting of a Dwelling House and associated outbuildings, vehicular access, parking and manoeuvring and landscaping. In addition, it

ITEM 2.2 DA/34780/2017/V34R - RECONFIGURING A LOT - DEVELOPMENT PERMIT FOR SUBDIVISION (2 INTO 35 LOTS) & OPERATIONAL WORKS - DEVELOPMENT PERMIT FOR EARTHWORKS (FILLING) (SUPERSEDED PLANNING SCHEME) - LOCATED AT 33 JOSEPH CRES & 46 BANCROFT TCE, DECEPTION BAY - DIV - A18863682 (Cont.)

is noted the development has been designed to locate smaller (<600m<sup>2</sup>) lots internal to the development and larger lots (>600m<sup>2</sup>) around the periphery.

Conditions of development can be included to require pedestrian pathways for the proposed new road. The provision of pedestrian pathways within surrounding street is considered an onerous imposition on the development and are not necessitated by a development of this scale (35 Lots).

The impact on property values is not a relevant planning consideration. Furthermore, no evidence has been provided to substantiate the claim.

This is not sufficient grounds for refusal of the application.

### 2.8.3 Notice of Compliance

The Notice of Compliance was received by Council on 5 February 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

### 2.9.1 Consistency with MBRC Planning Scheme 2016

The application has been made and assessed against the Caboolture *ShirePlan* 2005 (now superseded). While not able to be considered in the assessment of this development application, and only for information purposes, under the current MBRC Planning Scheme, the site is included within the General residential zone, Suburban neighbourhood precinct and is mapped as containing Medium risk flood hazard as shown on Overlay map - Flood hazard and containing Medium risk storm tide as shown on Overlay map - Coastal hazard. The proposed Reconfiguring a Lot component of the application would achieve the maximum net residential density of 11 dwellings per hectare (10.7 dwellings per hectare proposed). The proposal would however not achieve compliance against the Flood hazard and Coastal hazard overlay codes as filling of land to achieve flood immunity is not permitted.

## 3. Strategic Implications

### 3.1 Legislative/Legal Implications

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

### 3.2 Corporate Plan / Operational Plan

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

### 3.3 Policy Implications

The proposal is consistent with the Caboolture *ShirePlan* 2005 (now superseded) planning provisions and relevant policies.

### 3.4 Risk Management Implications

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

### 3.5 Delegated Authority Implications

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

*ITEM 2.2 DA/34780/2017/V34R - RECONFIGURING A LOT - DEVELOPMENT PERMIT FOR SUBDIVISION (2 INTO 35 LOTS) & OPERATIONAL WORKS - DEVELOPMENT PERMIT FOR EARTHWORKS (FILLING) (SUPERSEDED PLANNING SCHEME) - LOCATED AT 33 JOSEPH CRES & 46 BANCROFT TCE, DECEPTION BAY - DIV - A18863682 (Cont.)*

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) If approved, an Infrastructure Charges Notice will be issued with the development approval.

3.7 Economic Benefit

Appropriate development supports the growing Moreton Bay region

3.8 Environmental Implications

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

3.9 Social Implications

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

3.10 Consultation / Communication

Refer to clause 2.8.

**ATTENDANCE**

Ms Amy White and Mr Dan Staley left the meeting at 10.58am after consideration of Item 2.2.

---

**3 CORPORATE SERVICES SESSION**

**(Cr M Constance)**

---

No items for consideration.



---

**4 ASSET CONSTRUCTION & MAINTENANCE SESSION**

**(Cr A Hain)**

---

**ITEM 4.1**

**BRENDALE - NOLAN PARK - BMX PRECINCT CONSTRUCTION (DESIGN CONSULTANCY) - DIVISION 9**

*Meeting / Session:* 4 ASSET CONSTRUCTION & MAINTENANCE  
*Reference:* A18807763 : 8 July 2019 Refer **Confidential Supporting Information A18784144**  
*Responsible Officer:* DB, Senior Project Manager (ECM Project Management & Construction)

---

**Executive Summary**

Tenders were invited for the 'Brendale - Nolan Park - BMX Precinct Construction (Design Consultancy) (BUS262 VP139103)' project. The tender closed on 2 July 2019, with two conforming tenders received.

It is recommended that Council award the contract to Bornhorst & Ward Pty Ltd for the sum of \$222,202 (excluding GST) as this tender was evaluated as representing the best overall value to Council.

---

**RESOLUTION**

---

Moved by Cr Mike Charlton (Deputy Mayor)

Seconded by Cr Mick Gillam

**CARRIED 12/0**

1. That the tender for 'Brendale - Nolan Park - BMX Precinct Construction (Design Consultancy) (BUS262 VP139103)' project be awarded to Bornhorst & Ward Pty Ltd for the sum of \$222,202 (excluding GST).
2. That the Council enters into an agreement with Bornhorst & Ward 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 Bornhorst & Ward Pty Ltd for the 'Brendale - Nolan Park - BMX Precinct Construction (Design Consultancy) (BUS262 VP139103)' project and any required variations of the agreement on Council's behalf.

*ITEM 4.1 BRENDALE - NOLAN PARK - BMX PRECINCT CONSTRUCTION (DESIGN CONSULTANCY) - DIVISION 9 - A18807763 (Cont.)*

## OFFICER'S RECOMMENDATION

1. That the tender for 'Brendale - Nolan Park - BMX Precinct Construction (Design Consultancy) (BUS262 VP139103)' project be awarded to Bornhorst & Ward Pty Ltd for the sum of \$222,202 (excluding GST).
2. That the Council enters into an agreement with Bornhorst & Ward 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 Bornhorst & Ward Pty Ltd for the 'Brendale - Nolan Park - BMX Precinct Construction (Design Consultancy) (BUS262 VP139103)' project and any required variations of the agreement on Council's behalf.

## **REPORT DETAIL**

### **1. Background**

The project is located at Nolan Park, Kenworth Place, Brendale. The project scope comprises detailed design for the construction of a BMX facility, to enable the relocation of the Pine Rivers BMX Club from England Park, Brendale.

The scope of works includes the design of site earthworks to establish a base pad for BMX track development (track construction by club), stormwater management, irrigation and track lighting, fencing, car parking and access road, club house, spectator seating, pathways and landscaping. Lighting is also to be provided to the internal roadway, pathways and carpark.

The objective of the project is to provide a regional BMX facility which will meet the long-term needs of the club to host national standard competitions. Civil and building designs are to be completed by December 2019, with civil works to be undertaken within the 2020/21 financial year and construction of a clubhouse within 2021/22.



**Figure 1: 3D view of the site**

ITEM 4.1 BRENDALE - NOLAN PARK - BMX PRECINCT CONSTRUCTION (DESIGN CONSULTANCY) - DIVISION 9 - A18807763 (Cont.)

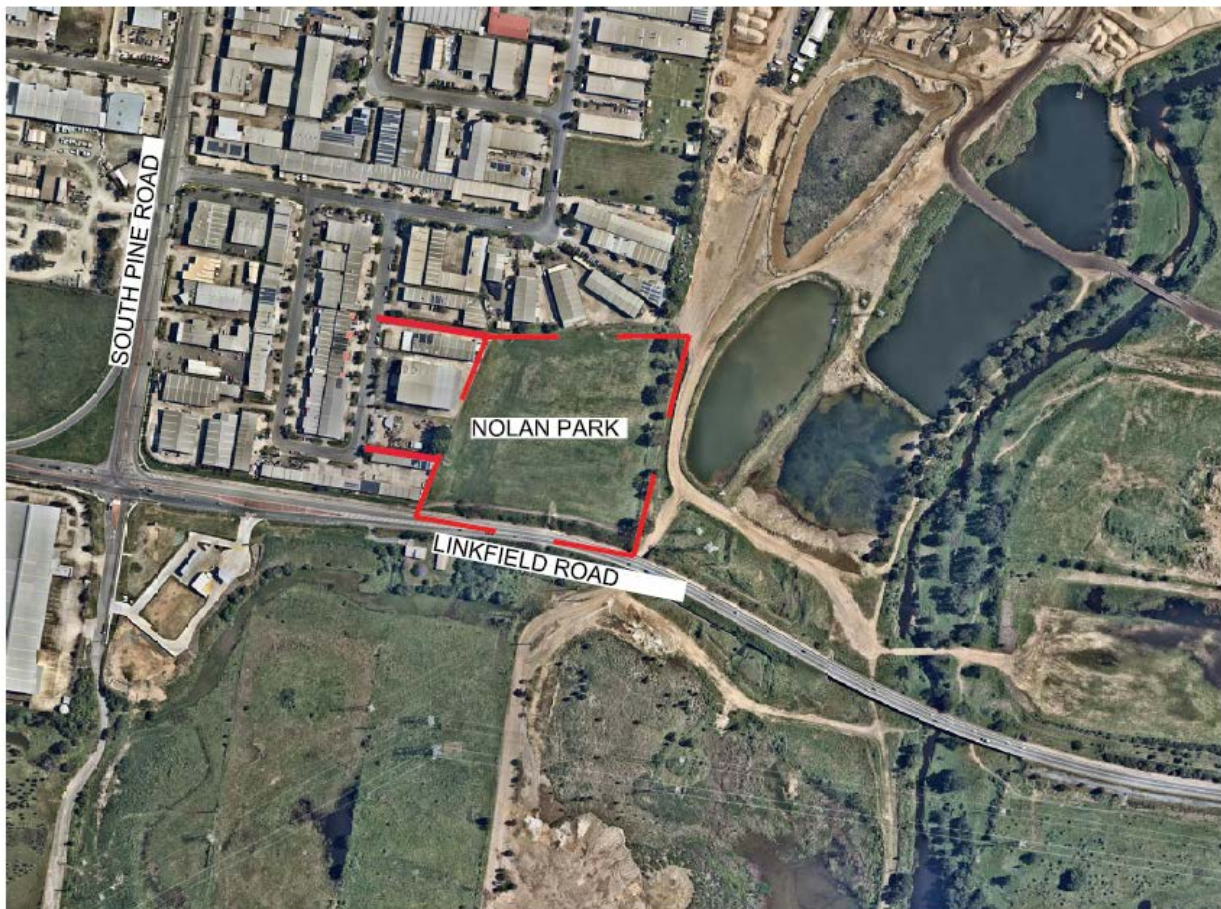


Figure 2: Locality plan - Nolan Park

2. Explanation of Item

Tenders for the 'Brendale - Nolan Park - BMX Precinct Construction (Design Consultancy) (BUS262 VP139103)' project closed on 2 July 2019 with a total of two conforming tenders received. The tenders were assessed by the assessment panel in accordance with Council's Purchasing Policy and the selection criteria as set out in the tender documents.

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

RANK	TENDERER	EVALUATION SCORE
1	Bornhorst and Ward Pty Ltd	100.00
2	Cardno (QLD) Pty Ltd	97.17

**Bornhorst and Ward Pty Ltd (BW)** submitted a detailed tender and demonstrated their experience on projects of a similar scale and complexity. BW will lead the multidisciplinary design team, and have undertaken a number of design projects for Moreton Bay Regional Council, including the Samford Parklands Community Hub Car Park and the Master planning phase of this project. Design duration is 26 weeks.

**Cardno (QLD) Pty Ltd** submitted a detailed tender and demonstrated their methodology and experience on a range of civil design projects; however, there were no additional benefits for the higher price.

*ITEM 4.1 BRENDALE - NOLAN PARK - BMX PRECINCT CONSTRUCTION (DESIGN CONSULTANCY) - DIVISION 9 - A18807763 (Cont.)*

The selected consultants that did not submit indicated post the time of tender they did not have capacity to complete the work.

**3. Strategic Implications**

**3.1 Legislative/Legal Implications**

Due to value of work being greater than \$200,000, Council sought quotes using the Vendor Panel system under VP139103, Local Buy Arrangement BUS262, in accordance with the *Local Government Act 2009*.

**3.2 Corporate Plan / Operational Plan**

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

**3.3 Policy Implications**

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

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

**3.4 Risk Management Implications**

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

**Financial Risks:**

Council sought quotes using the Vendor Panel system under VP139103, Local Buy consultants prequalified Arrangement BUS262.

**Design Phase Risks:**

- a. The recommended consultant will provide a detailed program of works and a staging plan to manage the project scope within the available budget. A basis of design report will be prepared to address the design phase risks.
- b. Material Change of Use - Development Permit for Outdoor Sport and Recreation,
- c. Building Work - Development permit to carry out building works assessable against the MBRC Planning Scheme.
- d. Operational Works - Development Permit for Earthworks.

**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 \$280,000 for this project in the 2019/20 Capital Projects Program budget 101295. All financials below are excluding GST.

Tender price	\$ 222,202.00
Contingency (10%)	\$ 22,220.20
-----	
Total Project Cost	\$ 244,422.20
=====	

The budget amount for this project is sufficient.

*ITEM 4.1 BRENDALE - NOLAN PARK - BMX PRECINCT CONSTRUCTION (DESIGN CONSULTANCY) - DIVISION 9 - A18807763 (Cont.)*

3.7 Economic Benefit

The completion of the project will provide additional facilities, enhancing the capacity of the park.

3.8 Environmental Implications

This project includes improvements to existing landscaping.

3.9 Social Implications

This project will have positive social implications by providing new sports complex facilities.

3.10 Consultation / Communication

A detailed communication plan has been prepared for this project. Communication strategies include online website updates and updates to the Divisional Councillor which will be implemented once the tender is awarded. The Divisional Councillor has been consulted and is supportive of the project.

**ATTENDANCE**

Mr Rod MacBeth attended the meeting at 11.05am for discussion on Item 4.2.

**ITEM 4.2**

**TENDER - DAYBORO - MCKENZIE STREET - ROAD REHABILITATION - DIVISION 11**

Meeting / Session: 4 ASSET CONSTRUCTION & MAINTENANCE  
Reference: A18888264 : 26 July 2019 - Refer **Confidential** Supporting Information  
**A18815087**  
Responsible Officer: MJ, Coordinator Construction (ECM Asset Maintenance)

**Executive Summary**

Tenders were invited for 'Dayboro - McKenzie Street - Road Rehabilitation (MBRC008883)' project, as part of the 2019-20 road rehabilitation program. Tenders closed on 9 July 2019 with eight conforming tenders received.

It is recommended that Council award the contract to RPQ North Coast for the sum of \$259,187.02 (excluding GST) as this tender represents the best overall value to Council.

**MOTION**

Moved by Cr Darren Grimwade  
Seconded by Cr Koliana Winchester

1. That the tender for 'Dayboro - McKenzie Street - Road Rehabilitation (MBRC008883)' project be awarded to RPQ North Coast for the sum of \$259,187.02 (excluding GST).
2. That the Council enters into an agreement with RPQ North Coast as described in this report.
3. That the Chief Executive Officer be authorised to take all action necessary, including but not limited to, negotiating, making, amending, signing and discharging the agreement with RPQ North Coast for 'Dayboro - McKenzie Street - Road Rehabilitation (MBRC008883)' project and any required variations of the agreement on Council's behalf.

**CLOSED SESSION**

**RESOLUTION**

Moved by Cr Mike Charlton (Deputy Mayor)  
Seconded by Cr Matt Constance

CARRIED 12/0

That Council move into closed session pursuant to the provisions of s275 (1) of the Local Government Regulation 2012 clause (e), as the matter involves contracts proposed to be made by the Council, to discuss Item 4.2.

Members of the press and public gallery left the Chambers.  
The closed session commenced at 11.13am.

**OPEN SESSION**

**RESOLUTION**

Moved by Cr Mick Gillam  
Seconded by Cr Koliana Winchester

CARRIED 12/0

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

The open session resumed at 11.31am.

ITEM 4.2 TENDER - DAYBORO - MCKENZIE STREET - ROAD REHABILITATION - DIVISION 11 - A18888264  
(Cont.)

**Foreshadowed Motion**

**Cr Mick Gillam foreshadowed the following motion:**

1. That the tender for 'Dayboro - McKenzie Street - Road Rehabilitation (MBRC008883)' project be awarded to Fulton Hogan Industries Pty Ltd for the sum of \$273,097.13 (excluding GST).
2. That the Council enters into an agreement with Fulton Hogan Industries 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 Fulton Hogan Industries Pty Ltd for 'Dayboro - McKenzie Street - Road Rehabilitation (MBRC008883)' project and any required variations of the agreement on Council's behalf.

Cr Grimwade's original motion was put to the vote and declared **CARRIED. 11/1**, as follows:

**RESOLUTION**

**Moved by Cr Darren Grimwade**

**Seconded by Cr Koliana Winchester**

**CARRIED 11/1**

*Cr Mick Gillam voted against the motion*

1. That the tender for 'Dayboro - McKenzie Street - Road Rehabilitation (MBRC008883)' project be awarded to RPQ North Coast for the sum of \$259,187.02 (excluding GST).
2. That the Council enters into an agreement with RPQ North Coast as described in this report.
3. That the Chief Executive Officer be authorised to take all action necessary, including but not limited to, negotiating, making, amending, signing and discharging the agreement with RPQ North Coast for 'Dayboro - McKenzie Street - Road Rehabilitation (MBRC008883)' project and any required variations of the agreement on Council's behalf.

ITEM 4.2 TENDER - DAYBORO - MCKENZIE STREET - ROAD REHABILITATION - DIVISION 11 - A1888264  
(Cont.)

**OFFICER'S RECOMMENDATION**

1. That the tender for 'Dayboro - McKenzie Street - Road Rehabilitation (MBRC008883)' project be awarded to RPQ North Coast for the sum of \$259,187.02 (excluding GST).
2. That the Council enters into an agreement with RPQ North Coast as described in this report.
3. That the Chief Executive Officer be authorised to take all action necessary, including but not limited to, negotiating, making, amending, signing and discharging the agreement with RPQ North Coast for 'Dayboro - McKenzie Street - Road Rehabilitation (MBRC008883)' project and any required variations of the agreement on Council's behalf.

**REPORT DETAIL**

**1. Background**

The project scope involves pavement rehabilitation, widening and installation of kerb and channel of a section of McKenzie Street, between 85 to 104 McKenzie Street, Dayboro. These works will renew the pavement surface, extending the asset's life and provide improved driving conditions for road users. Preparatory civil works for this project have commenced, with the asphalt surfacing works to commence mid-September 2019. Total project duration is approximately 12 weeks, weather permitting.

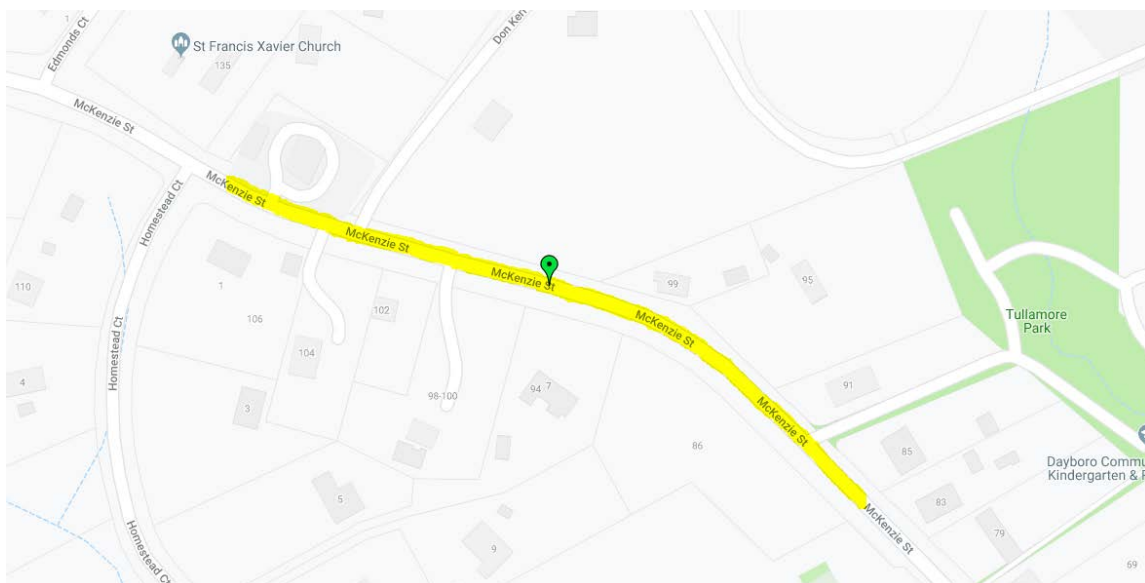


Figure 1: Locality plan - McKenzie Street, Dayboro

**2. Explanation of Item**

Tenders were invited for the 'Dayboro - McKenzie Street - Road Rehabilitation (MBRC008883)' project. Tenders closed on 9 July 2019 with eight conforming tenders received. Tenders were evaluated by the assessment panel in accordance with Council's Purchasing Policy and the selection criteria set out in the request for tender documents.



ITEM 4.2 TENDER - DAYBORO - MCKENZIE STREET - ROAD REHABILITATION - DIVISION 11 - A18888264  
(Cont.)

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

RANK	TENDERER	EVALUATION SCORE
1	RPQ North Coast	93.90
2	Fulton Hogan Industries Pty Ltd	93.45
3	Stanley Macadam Pty Ltd (trading as Stanley Road Construction)	92.81
4	Allen's Asphalt Pty Ltd	92.22
5	Faherty Civil Contractors Pty Ltd	86.76
6	Australian Road Services Pty Ltd	85.31
7	Colas QLD Pty Ltd	85.19
8	JWB Contractors Pty Ltd	85.12

**RPQ North Coast (RPQ)** submitted an extensive tender submission demonstrating their experience on projects of a similar scale and scope. RPQ provided an extensive site-specific methodology submission, detailing strategies and proposed actions to achieve the project requirements, and demonstrated commitment to safety with an extensive safety plan submission. RPQ will be sourcing asphalt from a local asphalt plant. The submission from RPQ was the second lowest priced offer, received the highest evaluation score and was deemed best value to Council.

**Fulton Hogan industries Pty Ltd (FHI)** submitted a comprehensive tender and demonstrated their methodology, experience on projects of a similar scale and scope and their commitment to safety. FHI will be sourcing asphalt from a local asphalt plant. The offer from FHI was the fourth lowest priced and received the second highest evaluation score; however, there were no additional benefits for the higher price and therefore this offer was not deemed value for money.

**Stanley Macadam Pty Ltd T/A Stanley Road Construction (SRC)** submitted a comprehensive tender submission which detailed their proposed actions to achieve project outcomes. The offer from SRC was the lowest priced offer but received the third highest evaluation score.

### 3. Strategic Implications

#### 3.1 Legislative/Legal Implications

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

#### 3.2 Corporate Plan / Operational Plan

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

#### 3.3 Policy Implications

This project has been 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

*Financial* - A third-party review of financial status has been undertaken and the recommended tenderer, RPQ North Coast, received a rating of 'strong' which has confirmed they have the capability and financial capacity to carry out the works under this contract.

ITEM 4.2 TENDER - DAYBORO - MCKENZIE STREET - ROAD REHABILITATION - DIVISION 11 - A18888264  
(Cont.)

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

3.5 Delegated Authority Implications

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

3.6 Financial Implications

The recommendation of this report is within budget allocation for 'Project 103806 - Road Rehabilitation - McKenzie Street, Dayboro'.

Pavement Surfacing Contract	\$259,187.02
10% Contingency	\$ 25,918.70
QLeave	\$ 1,935.00
	-----
Total Project Cost	\$287,040.72 (excluding GST)
	=====

3.7 Economic Benefit

The project objective is to renew the pavement and achieve the required level of service.

3.8 Environmental Implications

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

3.9 Social Implications

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

3.10 Consultation / Communication

Communication strategies have been implemented by ECM Construction including project notices, project signs, forewarning variable message road signs and weekly updates to the Divisional Councillor which will be implemented once the project commences. Residents directly abutting the project site will be contacted by Council to advise on the proposed works and associated timing. The Divisional Councillor has been consulted and is supportive of the project.

**ATTENDANCE**

Mr Rod MacBeth left the meeting at 11.32am after consideration of Item 4.2.

**ITEM 4.3  
TENDER - COLLECTION AND DISPOSAL OF LEACHATE (MBRC008340) -  
REGIONAL**

*Meeting / Session:* ASSET CONSTRUCTION & MAINTENANCE  
*Reference:* A18822524 : 12 July 2019 - Refer **Confidential** Supporting Information  
**A18857191**  
*Responsible Officer:* BM, Coordinator Waste Operations (ECM Waste Services)

**Executive Summary**

Tenders were invited for the 'Collection and Disposal of Leachate' (MBRC008340). The tender closed on 4 April 2019 with a total of three conforming submissions received.

It is recommended that Council award the contract to Cleanaway Operations Pty Ltd (Cleanaway) for the estimated sum of \$90,603 per month (\$1,087,236 per annum) (excluding GST) for a 3-year contract term from the date of signing to 30 June 2022; with options to extend the contract for 3 x 1-year options, at Council's discretion. Cleanaway's tender was evaluated as representing the best overall value to Council.

**RESOLUTION**

Moved by Cr James Houghton

Seconded by Cr Peter Flannery

CARRIED 12/0

1. That the tender for 'Collection and Disposal of Leachate' (MBRC008340) be awarded to Cleanaway Operations Pty Ltd for the estimated sum of \$90,603 per month (\$1,087,236 per annum) (excluding GST), for the period from the date of signing to 30 June 2022, with options to extend the contract for 3 x 1-year options, at Council's discretion.
2. That the Council enters into an agreement with Cleanaway Operations 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 Cleanaway Operations Pty Ltd for the 'Collection and Disposal of Leachate' (MBRC008340) and any required variations of the agreement on Council's behalf.

ITEM 4.3 TENDER - COLLECTION AND DISPOSAL OF LEACHATE (MBRC008340) - REGIONAL - A18822524  
(Cont.)

### OFFICER'S RECOMMENDATION

1. That the tender for 'Collection and Disposal of Leachate' (MBRC008340) be awarded to Cleanaway Operations Pty Ltd for the estimated sum of \$90,603 per month (\$1,087,236 per annum) (excluding GST), for the period from the date of signing to 30 June 2022, with options to extend the contract for 3 x 1-year options, at Council's discretion.
2. That the Council enters into an agreement with Cleanaway Operations 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 Cleanaway Operations Pty Ltd for the 'Collection and Disposal of Leachate' (MBRC008340) and any required variations of the agreement on Council's behalf.

### **REPORT DETAIL**

#### **1. Background**

Leachate percolates, over time, down through the landfill, to the base of the landfill. The leachate is recirculated through the landfill to assist in the biological degradation of the waste; however, from time to time, there is excess leachate within the landfill areas. Excess leachate is either dispersed on-site at the landfill or removed off-site to an approved processing facility for treatment and disposal. This tender seeks services to be provided at the three major waste facilities, Bunya, Caboolture and Dakabin landfills, as well as the Upper Caboolture transfer station which was previously a landfill. Significant rain events may increase the requirements for the services.

Tenderers were requested to provide a schedule of rates per litre per month for collection and disposal of the following quantities of leachate:

- 0 - 100,000 litres
- 100,001 - 250,000 litres
- Over 250,000 litres

Disposal options requested for Dakabin, Bunya and Caboolture Landfills and the Upper Caboolture Transfer Station consist of:

- disperse on site
- dispose to a processing facility
- dispose to the Caboolture Waste Facility

Tenderers were also requested to provide for the following service schedules as required:

- regular scheduled service during operating hours
- as needed basis during operating hours
- as needed basis outside operating hours
- an immediate service during operating hours
- an immediate service outside operating hours

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

Tenders for the *Collection and Disposal of Leachate* closed on 4 April 2019 with a total of three conforming tenders received. The tenders were assessed by an evaluation panel in accordance with Council's Procurement Policy and the selection criteria set out in the tender documents.

*ITEM 4.3 TENDER - COLLECTION AND DISPOSAL OF LEACHATE (MBRC008340) - REGIONAL - A18822524 (Cont.)*

The evaluation period was delayed due to the negotiations with Cleanaway on their deviations to the tender which related to insurance cover, price review for change of law and indirect and consequential loss. Cleanaway accepted Council's contract requirements and there was no variation to their tendered rates.

Tenderers and their evaluation scores are listed from highest to lowest ranking in the table below.

Rank	Tenderer	Evaluation Score %
1	Cleanaway Operations Pty Ltd	98.99
3	Aussie HydroVac Services Pty Ltd	98.10
4	Suez Recycling & Recovery Pty Ltd	77.90

**Cleanaway Operations Pty Ltd (Cleanaway)** submitted a comprehensive tender providing the required information in the response form and received the highest ranking for the overall selection criteria. Cleanaway has significant experience in the waste industry and currently provides kerbside collection services, roll on roll off bin services and the collection and disposal of leachate services to Council. Cleanaway's offer is based upon processing of the leachate collected at their chemical waste treatment facility in Potassium Street, Narangba.

**Aussie HydroVac Services Pty Ltd (AHS)** submitted a comprehensive tender providing the required information and received the second highest ranking from the evaluation panel. AHS currently provide leachate services for the Tweed Shire Council, Department of Transport and Main Roads (RoadTek) as well as other types of liquid waste removal for their customers. AHS indicated that the leachate will be transported to Ipswich to a composting facility. The leachate will be required to be analysed prior to disposal, which may lead to delays in servicing or cost variations.

**Suez Recycling & Recovery Pty Ltd (Suez)** submitted a comprehensive tender providing the required information and received the third highest ranking. Suez manages the collection and disposal of a range of waste products across Australia. Suez indicated that it will allocate the leachate collection to a subcontractor who specialises in liquid waste collection and disposal. Based on Suez subcontracting the work and their tendered rates being significantly higher than the rates offered by Cleanaway and AHS, the evaluation panel did not consider their offer being value for money for Council.

**3. Strategic Implications**

**3.1 Legislative/Legal Implications**

Council called a public tender for the services through the LG Tender system in accordance with the *Local Government Act 2009*.

**3.2 Corporate Plan / Operational Plan**

This project is consistent with the Corporate Plan outcome - Valuing Lifestyle: Healthy natural environment - a clean and healthy environment.

**3.3 Policy Implications**

This contract has been 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 risk associated with providing these services has been assessed and the following issues identified. The manner in which the possible impact of these risks is minimised is detailed below.

*ITEM 4.3 TENDER - COLLECTION AND DISPOSAL OF LEACHATE (MBRC008340) - REGIONAL - A18822524 (Cont.)*

As required, Cleanaway provided their public liability insurance, Environmental Policy, WH&S Policy and Health and Safety Management Plan. Cleanaway also provided copies of their third-party certification for:

- Environmental Management System - ISO 14001:2015
- Occupational Health and Safety Management System - AS/NZS 4801:2001
- Quality Management System - ISO:2015;

for their treatment facility at 26-32 Potassium Street, Narangba.

The necessary state government (Environmental Authority) licences and approvals have been provided and Cleanaway advised that they will comply with the requirements under *Work Health and Safety Act 2011* and the *Environmental Protection Act 1994* for the collection, transport, processing and disposal of the hazardous waste categories.

Council's internal Contractor Performance Reporting indicates that the company provides satisfactory services. A third-party review of financial status has been carried out on Cleanaway and the company was rated as "*strong*".

The panel has reviewed the tenderers' submissions and highlighted the following requirements to select the successful tenderer.

*Processing facility*

The majority of leachate collected is removed to a licenced facility for processing. Cleanaway have their treatment facility at Narangba. Cleanaway will collect and dispose of the leachate to the facility at Narangba or their other facilities at Yatala or Crestmead, if required.

*Available plant and equipment*

Cleanaway have itemised nine different vacuum tanker trucks available for the services. Their vehicles are suitable for accessing all sites as per current requirements.

*Leachate/rain events*

Excess leachate occurs most often during heavy rain when the sites may need to use up to four tankers on site to pump out the leachate and remove to the processing facility. Cleanaway's fleet of equipment cover this requirement. Council's site supervisors indicated that the tankers provided in the AHS submission were too large to manoeuvre in the Bunya and Dakabin landfills. AHS also nominated a composting facility at Ipswich as their disposal location. During a rain event, the composting facility may experience a deluge of water and therefore concerns were raised that the facility may not accept any of the leachate, leaving Council with nowhere to dispose of the liquid.

*On-site disposal projects*

The leachate collection system at the Caboolture Waste Facility is connected to the sewer under a trade waste permit with Unitywater, which reduces the requirement to tanker the leachate off-site. Leachate disposal to sewer is planned in the next 12 months at the Dakabin Waste Facility and the next 2 years at the Bunya Waste Facility. An on-site treatment plant is also planned for the Upper Caboolture Transfer Station in the next 12 months. All systems will reduce the reliance on the contractors to tanker the leachate off-site; however, the contract is still required as a backup due to heavy rain events and emergency situations.

The leachate collection contract will include a condition that specifies that this schedule of rates contract does not provide the contractor with a guarantee of any, or a certain volume of work due to the ongoing infrastructure improvements. It is expected that during the next 24 months, the leachate produced at the waste management sites will be discharged to sewer or treated by an on-site treatment plant.

*ITEM 4.3 TENDER - COLLECTION AND DISPOSAL OF LEACHATE (MBRC008340) - REGIONAL - A18822524  
(Cont.)*

3.5 Delegated Authority Implications

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

3.6 Financial Implications

The 2019-20 budget allocation for this service area is sufficient.

The allocation in the 2020/21 budget should be reduced, due to leachate collection system at the Dakabin Waste Facility being connected to sewer and an on-site treatment plant installed at the Upper Caboolture Transfer Station.

3.7 Economic Benefit

The appointment of the successful tenderer will allow Council to have prompt access to services in a timely and cost-effective manner. The fixed rates will allow accurate cost estimates and forecasting of services each financial year for the term of the agreement or available options. The collection and disposal of the leachate to sewer ensures compliance with the environmental authority (EA).

3.8 Environmental Implications

Council maintains leachate levels to meet Council's environmental licensing requirements at each waste facility.

3.9 Social Implications

Managing the leachate levels at the waste facilities reduces contamination and odour issues for the facility and surrounding areas.

3.10 Consultation / Communication

Consultation was held with Council's Senior Procurement Advisor and Legal Services.

**ITEM 4.4****TENDER - COLLECTION AND DISPOSAL OF HOUSEHOLD HAZARDOUS WASTE, MISCELLANEOUS ITEMS AND/OR USED OIL (MBRC008339) - REGIONAL**

*Meeting / Session:* ASSET CONSTRUCTION & MAINTENANCE  
*Reference:* A18851581 : 19 July 2019 - Refer **Confidential** Supporting Information  
**A18857309**  
*Responsible Officer:* BM, Coordinator Waste Operations (ECM Waste Services)

**Executive Summary**

Tenders were invited for the 'Collection and Disposal of Household Hazardous Waste, Miscellaneous Items and/or Used Oil' (MBRC008339). The tender closed on 4 April 2019 with two conforming submissions received.

It is recommended that Council award the contract to Cleanaway Operations Pty Ltd (Cleanaway) for the estimated sum of \$231,115 per annum (excluding GST) for a 3-year contract term from the date of contract signing to 30 June 2022, with options to extend for a further 3 x 1-year periods, at Council's discretion. Cleanaway's tender was evaluated as representing the best overall value to Council.

**RESOLUTION**

Moved by Cr Mick Gillam

Seconded by Cr James Houghton

CARRIED 12/0

1. That the tender for the 'Collection and Disposal of Household Hazardous Waste, Miscellaneous Items and/or Used Oil (MBRC008339)' be awarded to Cleanaway Operations Pty Ltd for the estimated sum of \$231,115 per annum (excluding GST), for a period from the date of contract signing to 30 June 2022, with options to extend for a further 3 x 1-year periods, at Council's discretion.
2. That the Council enters into an agreement with Cleanaway Operations 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 Cleanaway Operations Pty Ltd for the 'Collection and Disposal of Household Hazardous Waste, Miscellaneous Items and/or Used Oil (MBRC008339)' and any required variations of the agreement on Council's behalf.



ITEM 4.4 TENDER - COLLECTION AND DISPOSAL OF HOUSEHOLD HAZARDOUS WASTE, MISCELLANEOUS ITEMS AND/OR USED OIL (MBRC008339) - REGIONAL - A18851581 (Cont.)

### OFFICER'S RECOMMENDATION

1. That the tender for the 'Collection and Disposal of Household Hazardous Waste, Miscellaneous Items and/or Used Oil (MBRC008339)' be awarded to Cleanaway Operations Pty Ltd for the estimated sum of \$231,115 per annum (excluding GST), for a period from the date of contract signing to 30 June 2022, with options to extend for a further 3 x 1-year periods, at Council's discretion.
2. That the Council enters into an agreement with Cleanaway Operations 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 Cleanaway Operations Pty Ltd for the 'Collection and Disposal of Household Hazardous Waste, Miscellaneous Items and/or Used Oil (MBRC008339)' and any required variations of the agreement on Council's behalf.

### **REPORT DETAIL**

#### **1. Background**

Council encourages residents to separate hazardous waste disposed of at various waste management facilities so that this type of material does not end up as landfill. Collection and disposal by the contract includes:

- Domestic quantities of household hazardous waste such as chemicals and paint, miscellaneous items including fluorescent tubes, energy efficient light bulbs, smoke alarms, marine flares and non-halon fire extinguishers; and
- Used oil, including mineral oil which is disposed of by residents into onsite bulk containers for collection and re-use as an industrial burner fuel, hydraulic oil or incorporated into other refined products.

Tenderers were invited to submit rates for any or all of the hazardous waste services for collection and disposal of:

- per kilogram for Household Hazardous Waste and Miscellaneous Items;
- per quantity of Miscellaneous Items;
- per litre for Used Oil.

To be carried out on:

- a regular schedule as agreed;
- an as-needs basis when advised - within 1 working day notice; or
- an immediate collection when advised - within 4 hours' notice.

The table below lists the waste management facilities and the hazardous waste services supplied at each site.

Waste Management Facility	Hazardous Waste Category Accepted
Bunya Landfill	Household Hazardous Waste, Miscellaneous Items and Used Oil
Dakabin Landfill	Household Hazardous Waste, Miscellaneous Items and Used Oil
Caboolture Landfill	Household Hazardous Waste, Miscellaneous Items and Used Oil
Ningi Transfer Station	Used Oil

ITEM 4.4 TENDER - COLLECTION AND DISPOSAL OF HOUSEHOLD HAZARDOUS WASTE, MISCELLANEOUS ITEMS AND/OR USED OIL (MBRC008339) - REGIONAL - A18851581 (Cont.)

Waste Management Facility	Hazardous Waste Category Accepted
Toorbul Transfer Station	Used Oil
Upper Caboolture Transfer Station	Used Oil
Wamuran Transfer Station	Used Oil
Woodford Transfer Station	Household Hazardous Waste, Miscellaneous Items and Used Oil
Redcliffe Transfer Station	Household Hazardous Waste, Miscellaneous Items and Used Oil
Mt Nebo Transfer Station	Used Oil

**2. Explanation of Item**

Tenders for the *Collection and Disposal of Household Hazardous Waste, Miscellaneous Items and/or Used Oil (MBRC008339)* closed on 4 April 2019 with a total of two conforming tenders received. The tenders were assessed by the evaluation panel in accordance with Council's Procurement Policy and the selection criteria set out in the tender documents.

The evaluation period was delayed due to uncertainty associated with how the hazard ratings for some hazardous materials were to be considered.

**3. Strategic Implications**

Tenderers and their evaluation scores are ranked from highest to lowest in the table below.

Rank	Tenderer	Evaluation Score %
1	Cleanaway Operations Pty Ltd	100
2	J. J. Richards and Sons Pty Ltd	60.18

**Cleanaway Operations Pty Ltd (Cleanaway)** submitted a comprehensive tender and received the highest ranking for the overall selection criteria. Cleanaway has significant experience in the waste industry and currently provides the following services to Council - kerbside collection services, roll on roll off bin services, the collection and disposal of leachate services and is the current contractor for the collection and disposal of household hazardous waste, miscellaneous items and used oil. Cleanaway's offer will involve processing of the materials collected at their chemical waste treatment facility in Potassium Street, Narangba.

**J.J. Richards and Sons Pty Ltd (JJ Richards)** received the second highest ranking from the evaluation panel based on their submission. JJ Richards is a privately-owned company with significant experience in the waste management industry and submitted a comprehensive tender; however, there were no additional benefits resulting from the higher priced tender.

3.1 Legislative/Legal Implications

Council called a public tender for the services through the LG Tender system in accordance with the *Local Government Act 2009*.

3.2 Corporate Plan / Operational Plan

This project is consistent with the Corporate Plan outcome - Valuing Lifestyle: Healthy natural environment - a clean and healthy environment.

3.3 Policy Implications

This contract has been 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.

ITEM 4.4 TENDER - COLLECTION AND DISPOSAL OF HOUSEHOLD HAZARDOUS WASTE, MISCELLANEOUS ITEMS AND/OR USED OIL (MBRC008339) - REGIONAL - A18851581 (Cont.)

3.4 Risk Management Implications

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

As required, Cleanaway provided their public liability insurance, Environmental Policy, WH&S Policy and Health and Safety Management Plan. Cleanaway also provided copies of their third-party certification for:

- Environmental Management System - ISO 14001:2015;
  - Occupational Health and Safety Management System - AS/NZS 4801:2001; and
  - Quality Management System - ISO:2015;
- for their treatment facility at 26-32 Potassium Street, Narangba.

The necessary state government (Environmental Authority) licences and approvals have been provided and Cleanaway advised that they will comply with the requirements under *Work Health and Safety Act 2011* and the *Environmental Protection Act 1994* for the collection, transport, processing and disposal of the hazardous waste categories.

Council's internal Contractor Performance Reporting indicates that the company provides satisfactory services. A third-party review of financial status has been carried out on Cleanaway and the company was rated "*strong*".

3.5 Delegated Authority Implications

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

3.6 Financial Implications

The 2019-20 budget allocation for this tender is sufficient.

3.7 Economic Benefit

The appointment of the recommended tenderer will provide Council with prompt access to services in a timely and cost-effective manner. The fixed rates will allow accurate cost estimates and forecasting of services each financial year for the term of the agreement, and available options. The collection, treatment and disposal of the hazardous waste categories will assist in reducing Council's liability in the management of the waste facilities.

3.8 Environmental Implications

The diversion of hazardous waste away from landfill is a major waste minimisation target and meets the requirements of Council's Sustainability Policy and waste minimisation program. The exclusion of hazardous waste and oil from the landfill will improve the quality of leachate and significantly reduce the risk to the environment.

3.9 Social Implications

Providing specific areas at waste facilities for the collection of household hazardous waste, miscellaneous items and used oil creates the opportunity for residents to safely dispose of and recycle materials that may otherwise end up in landfill.

3.10 Consultation / Communication

Consultation was held with Council's Senior Procurement Advisor and Legal Services.

---

**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)**

---

No items for consideration.

**11. GENERAL BUSINESS OR RESPONSE TO QUESTIONS TAKEN ON NOTICE**

---

**ITEM 11.1  
REGIONAL EVENTS  
(AH)**

Cr Adam Hain made mention of his attendance at the opening of the **Antique Machinery Restoration Society Qld Heritage Fair** held at the Woodford Showgrounds on Saturday 24 August 2019. Cr Hain said the group are based at the Caboolture Historical Village and that it was an honour to be present at the event.

Cr Adam Hain reported on his attendance to the **Sunshine Coast Rugby League A-Grade Grand Final** on Saturday 24 August 2019. Cr Hain reported that the Stanley River Wolves won against the Caboolture Snakes 28-16 and offered his congratulations to the winners, and added that a good time was had by all.

Cr Adam Hain also made mention of his attendance to the last-ever meeting of the **Caboolture East Neighbourhood Watch** and **Kabultur Eastenders** on Sunday 25 August 2019. Cr Hain said that this was a sad moment for the groups after 20-years of service and advised that he presented them with Certificates of Appreciation from the Mayor and Moreton Bay Regional Council.

## 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.

### **ITEM C.1 - DECLARATION OF INTEREST**

#### **Conflict of Interest - Declaration - Cr Denise Sims**

Pursuant to s175E of the *Local Government Act 2009*, Cr Denise Sims declared a material personal interest in Item C.1 as her daughter Nicola Jackson and immediate family members are beneficiaries in a trust in the premises situated at 307 Dawson Parade, Arana Hills which is in close proximity to the property proposed to be acquired by Council, and her daughter and immediate family members may stand to gain a benefit, or suffer a loss, depending on the outcome of the consideration of the matter.

**Cr Denise Sims retired from the meeting at 11:37am taking no part in the debate or resolution regarding same.**

## CLOSED SESSION

### RESOLUTION

**Moved by Cr Peter Flannery**

**Seconded by Cr Adam Hain**

**CARRIED 11/0**

*Cr Denise Sims had declared a material personal interest and had left the meeting*

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

Members of the press and public gallery left the Chambers.  
The closed session commenced at 11.37am.

## OPEN SESSION

### RESOLUTION

**Moved by Cr Peter Flannery**

**Seconded by Cr Matt Constance**

**CARRIED 11/0**

*Cr Denise Sims had declared a material personal interest and had left the meeting*

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

The open session resumed at 11.45am.

---

**12a. CONFIDENTIAL OFFICERS' REPORTS TO COUNCIL**

---

**ITEM C.1 – CONFIDENTIAL**

**PROPERTY ACQUISITION - ARANA HILLS - DIVISION 10**

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

**Reference:** A18959922 : 14 August 2019 - Refer Confidential Supporting Information  
**A18707292**

**Responsible Officer:** AS, A/Property Services Manager (CES Property & Commercial Services)

---

**Basis of Confidentiality**

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

**Executive Summary**

This report seeks Council's approval to acquire land for strategic purposes, in particular for the potential future activation of the Arana Hills central business district.

---

**RESOLUTION**

---

**Moved by Cr Matt Constance**

**Seconded by Cr Mick Gillam**

**CARRIED 11/0**

*Cr Denise Sims had declared a material personal interest and had left the meeting*

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

**ATTENDANCE**

Cr Denise Sims returned to the meeting at 11.46am after consideration and resolution of Item C.1.

**CLOSED SESSION**

**RESOLUTION**

Moved by Cr Adam Hain

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 Item C.2.

Members of the press and public gallery left the Chambers.  
The closed session commenced at 11.46am.

**OPEN SESSION**

**RESOLUTION**

Moved by Cr Julie Greer

Seconded by Cr James Houghton

**CARRIED 12/0**

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

The open session resumed at 11.48am.



**ITEM C.2 – CONFIDENTIAL**

**REDCLIFFE AERODROME RENT REVIEW - DIVISION 5**

**Meeting / Session:** 8 Regional Innovation (Cr D Grimwade)

**Reference:** A18980541 : 20 August 2019 - Refer Confidential Supporting Information  
A18980546

**Responsible Officer:** AS, A/Property Services Manager (CES Property & Commercial Services)

**Basis of Confidentiality**

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

**Executive Summary**

Council has recently commissioned a market rent review for land leases at the Redcliffe Aerodrome. In addition, there has been ongoing uncertainty for lessees in regards lease areas and tenures. This report seeks a Council resolution to adopt the rent review rates and key lease terms.

**RESOLUTION**

Moved by Cr James Houghton

Seconded by Cr Adam Hain

**CARRIED 12/0**

That Council adopt the lease rental rates, lease area determination and tenure as outlined in this report.

---

**12b. CONFIDENTIAL GENERAL BUSINESS**

---

No items for consideration.

**13. CLOSURE**

---

There being no further business the meeting closed at 11.50am.

CHIEF EXECUTIVE OFFICER'S CERTIFICATE

I certify that minute pages numbered 19/1837to 19/1961 constitute the minutes of the General Meeting of the Moreton Bay Regional Council held 27 August 2019.

\_\_\_\_\_  
Daryl Hitzman  
Chief Executive Officer

CONFIRMATION CERTIFICATE

The foregoing minutes were confirmed by resolution of Council at its meeting held Tuesday 3 September 2019.

\_\_\_\_\_  
Daryl Hitzman  
Chief Executive Officer

\_\_\_\_\_  
Councillor Allan Sutherland  
Mayor