Redland
CITY COUNCIL

MINUTES

GENERAL MEETING

Wednesday, 21 March 2018

The Council Chambers
91-93 Bloomfield Street
CLEVELAND QLD

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1 DECLARATION OF OPENING

The Mayor declared the meeting open at 9.37am and acknowledged the Quandamooka people, who are the traditional custodians of the land on which Council meets.

The Mayor also paid Council's respect to their elders, past and present, and extended that respect to other indigenous Australians who are present.

2 RECORD OF ATTENDANCE AND LEAVE OF ABSENCE

MEMBERS PRESENT:

Cr K Williams	Mayor
Cr W Boglary	Deputy Mayor and Councillor Division 1
Cr P Gollè	Councillor Division 3
Cr L Hewlett	Councillor Division 4
Cr M Edwards	Councillor Division 5
Cr J Talty	Councillor Division 6
Cr M Elliott	Councillor Division 7 – entered at 9.46am
Cr T Huges	Councillor Division 8
Cr P Gleeson	Councillor Division 9
Cr P Bishop	Councillor Division 10

EXECUTIVE LEADERSHIP TEAM:

Andrew Chesterman	Chief Executive Officer
John Oberhardt	General Manager Organisational Services
Louise Rusan	General Manager Community & Customer Services
Peter Best	General Manager Infrastructure & Operations
Deborah Corbett-Hall	Chief Financial Officer
Andrew Ross	General Counsel

APOLOGY

Cr P Mitchell	Councillor Division 2

MINUTES:

Liz Gaborit	Corporate Meetings & Register Team

COUNCILLOR ABSENCES DURING THE MEETING

Cr Elliott entered the meeting at 9.46am (after Item 3).

Cr Williams left the meeting at 10.29am and returned at 10.33am (at the commencement of Item 11.1.2).

Cr Gollè left the meeting at 10.35am and returned at 10.43am (during Item 11.2.3).

Cr Gleeson left the meeting at 10.46am and returned at 10.51am (during Item 11.2.3).

Cr Elliott left the meeting at 10.48am and returned at 10.49am (during Item 11.2.3).

Cr Talty left the meeting at 11.13am and returned at 11.14am (during Item 12).

3 DEVOTIONAL SEGMENT

Pastor Steve Kennedy from Champions Church Thornlands and member of the Ministers' Fellowship led Council in a brief devotional segment.

4 RECOGNITION OF ACHIEVEMENT

Nil.

5 RECEIPT AND CONFIRMATION OF MINUTES

5.1 GENERAL MEETING MINUTES 7 MARCH 2018

COUNCIL RESOLUTION

Moved by: **Cr P Bishop**
Seconded by: **Cr T Huges**

That the minutes of the General Meeting of Council held on 7 March 2018 be confirmed.

CARRIED 10/0

Crs Boglary, Gollè, Hewlett, Edwards, Elliott, Huges, Talty, Gleeson, Bishop and Williams voted FOR the motion.

Cr Mitchell was absent from the meeting.

6 MATTERS OUTSTANDING FROM PREVIOUS COUNCIL MEETING MINUTES

6.1 REQUEST FOR REPORT – AREA SURROUNDING BIRKDALE SCHOOL OF ARTS

At the General Meeting of 6 September 2017 (Item 14.1.1 refers) Council resolved as follows:

That the Chief Executive Officer be requested to prepare a report on the future of the area surrounding the Birkdale School of Arts Hall in relation to the Birkdale Community Hub, as identified in the Redlands Social Infrastructure Strategy 2009: Building Strong Communities.

This report was discussed as Item 11.3.3 (listed as Item 11.2.3 on the agenda).

7 PUBLIC PARTICIPATION

MOTION TO ADJOURN MEETING AT 9.47AM

Moved by: Cr P Gleeson
Seconded by: Cr M Edwards

That Council adjourn the meeting for a 25 minute public participation segment.

CARRIED 10/0

Crs Boglary, Gollè, Hewlett, Edwards, Elliott, Huges, Talty, Gleeson, Bishop and Williams voted FOR the motion.

Cr Mitchell was absent from the meeting.

1. Mr Anthony Moloney, a resident of Mt Cotton, addressed Council regarding application by Barro Group (Item 11.3.4).
2. Mrs Kylie Ramsay, a resident of Victoria Point, addressed Council regarding proposed development at Clay Gully Road (Item 11.1.1).
3. Mr Chris Burrow, a resident of Victoria Point, addressed Council regarding proposed development at Clay Gully Road (Item 11.1.1).

4. Mr Clive Taylor, a resident of Victoria Point, addressed Council regarding proposed development at Clay Gully Road (Item 11.1.1).
5. Mrs Maree Manby, a resident of Victoria Point, addressed Council regarding proposed development at Clay Gully Road (Item 11.1.1).

MOTION TO RESUME MEETING AT 10.18AM

Moved by: Cr M Elliott
Seconded by: Cr P Gleeson

That the meeting proceedings resume.

CARRIED 10/0

Crs Boglary, Gollè, Hewlett, Edwards, Elliott, Huges, Talty, Gleeson, Bishop and Williams voted FOR the motion.

Cr Mitchell was absent from the meeting.

8 PETITIONS AND PRESENTATIONS

8.1 PETITION – CR HEWLETT

8.1.1 REQUESTING COUNCIL REFUSE OR DEFER THE DECISION MAKING ON ROL005912 UNTIL THE VICTORIA POINT STRUCTURE PLAN HAS BEEN THROUGH A COUNCIL LED PUBLIC PARTICIPATION PROCESS

COUNCIL RESOLUTION

Moved by: Cr L Hewlett
Seconded by: Cr W Boglary

That the petition be received for consideration and stand as an order of the day for the meeting.

CARRIED 10/0

Crs Boglary, Gollè, Hewlett, Edwards, Elliott, Huges, Talty, Gleeson, Bishop and Williams voted FOR the motion.

Cr Mitchell was absent from the meeting.

8.2 PRESENTATION

8.2.1 REDLANDS SCOUT GROUP

The Redlands Scout Group invested the Mayor and presented her with a Scarf and framed Scout badges.

The Mayor also made a presentation to the Redlands Scout Group of a cheque for replacement of their flags after they were lost in the recent Scout Den fire.

9 MOTION TO ALTER THE ORDER OF BUSINESS

9.1 MOTION TO ACCEPT LATE ITEM AND ALTER THE ORDER OF BUSINESS

COUNCIL RESOLUTION

Moved by: **Cr P Bishop**
Seconded by: **Cr L Hewlett**

That the report *Approval for Mayor to attend Indigenous Tourism Summit* be accepted as a Late Item.

CARRIED 10/0

Crs Boglary, Gollè, Hewlett, Edwards, Elliott, Huges, Talty, Gleeson, Bishop and Williams voted FOR the motion.

Cr Mitchell was absent from the meeting.

This item was discussed as Item 11.2.2.

9.2 MOTION TO ALTER THE ORDER OF BUSINESS

COUNCIL RESOLUTION

Moved by: **Cr L Hewlett**
Seconded by: **Cr W Boglary**

That Item 11.2.4 (as listed on the agenda) *ROL05912 – 21-29 & 31 Clay Gully Road and 39 Brendan Way, Victoria Point – Assessment Report,* be brought forward to the first report of the day.

CARRIED 9/1

Crs Boglary, Gollè, Hewlett, Edwards, Elliott, Talty, Gleeson, Bishop and Williams voted FOR the motion.

Cr Mitchell was absent from the meeting.

Cr Huges voted AGAINST the motion.

10 DECLARATION OF MATERIAL PERSONAL INTEREST OR CONFLICT OF INTEREST ON ANY ITEMS OF BUSINESS

Mayor Williams declared a Conflict of Interest in Item 11.1.1 (refer to item for details).

Mayor Williams declared a conflict of interest in the following item, stating that the Applicant appears on the Mayor's Gift Register. Mayor Williams left the meeting at 10.29am and Deputy Mayor Boglary presided as chair.

11 REPORTS TO COUNCIL

11.1 COMMUNITY & CUSTOMER SERVICES

11.1.1 ROL005912 – 21-29 & 31 CLAY GULLY ROAD AND 39 BRENDAN WAY, VICTORIA POINT – ASSESSMENT REPORT

Objective Reference: **A2584296**
Reports and Attachments (Archives)

Attachments:

1. Locality Plan
2. Site aerial photo
3. Reconfiguration Site Plan
4. RPS zoning map
5. Local Development Area plan
6. Draft City Plan zoning
7. Draft Structure Plan
8. Mapped ecological corridor
9. State concurrence response
10. Koala Conservation mapping
11. Infrastructure Agreement

Authorising Officer: **Louise Rusan**
General Manager, Community and Customer Services

Responsible Officer: **David Jeanes**
Group Manager, City Planning and Assessment

Report Authors: **Emma Martin**
Senior Appeals Planner, Planning Assessment
Charlotte Hughes
Principal Planner, Planning Assessment

PURPOSE

This Category 4 development application is referred to Council for determination.

Council has received an application seeking a Development Permit for Reconfiguring a Lot for 270 lots, open space, an ecological corridor and road, over 8 stages on land at 21-29 & 31 Clay Gully Road and 39 Brendan Way, Victoria Point.

The application has been assessed against the provisions of the relevant planning instruments and the proposed development is considered to conflict with these provisions. This is discussed in more detail under the issues heading of this report.

The key issues identified in the assessment of this proposal are:

- The principle of development
  - Conflict with the South East Queensland Regional Plan 2009-2031 (SEQRP).
  - Conflict with the Redlands Planning Scheme.
  - The Structure Plan

    - Ecology
    - Traffic
    - Sewer, water and stormwater
    - Parks
    - Land use
    - Community facilities
- Reconfiguring a Lot
    - Ecological corridors
    - Layout and density
    - Stormwater
    - Sewer/Water
    - Open space
    - Earthworks
    - Traffic impact and access
    - Reverse amenity impacts
        - Odour and noise - adjoining poultry farm
        - Noise – adjoining Victoria Point Baptist Church

It is considered that the proposed development conflicts with the Redlands Planning Scheme and the SEQRP. However, in accordance with section 326(1)(b) of the *Sustainable Planning Act 2009* (SPA), sufficient grounds to justify approval despite the conflicts have been identified. It is therefore recommended that the application be approved, subject to conditions.

BACKGROUND

The development application was properly made on 30 March 2015. It proposed 289 lots, road and park over 7 stages.

The statutory timeframes prescribed under the SPA stipulate that a decision was due by 8 September 2017. The decision was not made in this time, however the application is impact assessable so there are no deemed approval provisions.

ISSUES

Development Proposal & Site Description

Site & Locality

The application relates to Lot 1 on RP72635, Lot 4 on RP57455 and Lot 1 on RP95513 with a street address of 21-29 & 31 Clay Gully Road and 39 Brendan Way Victoria Point (see **Attachment 1 and 2**).

The lots have been historically used for rural uses/hobby farming and contain existing residential dwellings, outbuildings, and two dams. The lots are largely devoid of vegetation, with only a scattering of trees throughout the 22ha.

A poultry farm was previously operational upon Lot 1 on RP72635. While the chicken sheds remain in situ, the use has ceased.

The existing dwellings and outbuildings to the far western boundary of Lot 1 are to be retained and located within one of the new residential allotments.

Proposal for decision

The applicant has applied for a Development Permit for the Reconfiguration of a Lot, which following a number of changes is proposed to be for a 3 into 270 lot

subdivision with open space, ecological corridor, stormwater management areas and road (see **Attachment 3**)

A summary of the proposal is provided below:

Aspect of proposal	Detail/comment
Total site area:	22.79ha
Net developable area:	20.81ha
Number of existing lots:	3
Number of proposed lots:	270 (including 7 vendor lots*) *vendor lots are lots that have been negotiated between the developer and the land owner as a condition of sale. They will likely be developed in the short term for large lot housing to be occupied by the existing owner and relatives, but will likely be redeveloped in the future for smaller lots
Lot sizes:	400m² to 4553m
Net residential density:	13 dwellings per hectare
Minimum lot frontage widths	12.5m
Access:	Via: A new 25m wide new road connecting lots within stage 3-8 to Clay Gully Road. A new 15m wide road access off Brendan Way for lots in Stage 1 & 2.
Covenants, easements or restrictions:	None
Land contamination:	None
PIP:	Park on adjoining site to the east: VPRP-018 Stormwater: Along Clay Gully Rd.

Changes to the proposal

On three occasions during the decision stage of the application the applicant notified Council and the former Department of Infrastructure, Local Government and Planning (DILGP) that minor changes had been made to the proposal. These are detailed below:

16 November 2015 – Response to Redland City Council (RCC) Information Request - Layout Revision C

The first change to the application occurred in response to an Information Request issued by officers. It made a number of changes to the application, including the following:

- Reduction in number of lots from 289 to 266 lots.
- Increased lot sizes for lots adjoining Park Residential zoned properties (Hanlin Place and Barcrest Drive) – minimum 800m².
- Increased lot sizes adjoining Brendan Way to be more consistent with the existing density in the street.
- Road and lot configuration changes.
- Minimum lot size maintained as 312m².
- Local park added adjoining the Victoria Point Baptist Church in the north of the site.

18 July 2017 – Minor Change - ROL Layout Revision I.

- Increase in proposed number of lots from 266 to 285 lots.
- Various changes to lot sizes, with the minimum proposed to be increased to 350m².
- The large vendor lots in the westernmost part of the site slightly reduced in size to accommodate widening of Brendan Way (from 20,749m² to 20,622m²).
- Lots adjoining Hanlin Place properties reduced in size from an average of 800m² to an average of 775m², with the depth of lots reducing from 40m to 31m and the width of lots increasing from 20m to 25m. The total number of lots adjoining Hanlin Place properties reduced from 14 lots to 11 lots. These changes have been made to accommodate the widening of the access road.
- Removal of the east-west road connection through the estate to address submitter concerns that the link will create a rat run for drivers wishing to skip congestion and signalised intersections along Cleveland-Redland Bay Road. This has consequential lot configuration changes – road and lot layout.
- Changes to staging – this is a result of changes to the road and lot layout.
- Changes to the extent of open space provision. The local park previously located along the northern boundary was removed following officer advice that the infrastructure was not considered to be trunk. The layout reverted to the original proposal, that lots be located in this area.
- Minor changes to the configuration to stormwater management areas.

29 August 2017 – Minor Change - ROL Layout Revision J

- Decrease in the number of lots from 285 lots to 263 lots.
- Various changes to lot sizes, within the minimum lot size increased to 400m².

13 November 2017 – Minor Change - ROL Layout Revision K

- Introduction of an east-west corridor along the southern boundary of the site.
- Alteration to the north-south corridor/drainage line – reducing the width of the corridor from 70m to 47m, consistent with the connecting corridor to the north of the site.
- Subsequent changes to lot and road layout and associated changes to lot size (no change to the minimum lot size).

All proposed changes are considered to be a minor change, in accordance with the definition outlined in section 350 of the *Sustainable Planning Act 2009*. This means they do not result in an additional referral triggers, they do not change the type of development proposed or the level of assessment and they are not considered to result in substantially different development.

The majority of these changes are easily identifiable as minor in nature, especially within the context of the application, however two key changes may be deemed more significant and therefore necessitate further explanation. These are the changes proposed along the northern boundary of the site as part of revision I, specifically the removal of the proposed local park and reintroduction of lots adjoining the Baptist church and also the reduction in lot size of all proposed lots along the northern boundary (adjoining Barcrest Drive properties). For these matters the relevant part of the test to consider is whether these changes comprise “substantially different

development". In this regard there is a statutory guideline that provides some further clarification on what this means, specifically:

a) Involves a new use with different or additional impacts

b) Results in the application applying to a new parcel of land

c) Dramatically changes the built form in terms of scale, bulk and appearance

d) Changes the ability of the proposal to operate as intended

e) Removes a component that is integral to the operation of the development

f) Significantly impacts on traffic flow and the transport network, such as increasing the traffic to the site

g) Introduces new impacts or increases the severity of known impacts

h) Removes an incentive or offset component that would have balance a negative impact of the development

i) Impacts on infrastructure provision, location or demand

The most relevant point for these changes is g). In this regard it should be noted that the original layout proposed 29 lots along the boundary with Barcrest Drive properties and this was reduced to 15 following the response to Council's original Information Request. In February 2016 however, officers wrote to the applicant to request further information with regard to the broader development area and the requirements of the *South East Queensland Regional Plan 2009* (SEQRP) to ensure that the proposed development was using the land efficiently. In preparing their response the applicant also considered the draft City Plan intent to zone additional land within the Emerging Community Zone, including lots adjoining the subject site in Barcrest Drive and Hanlin Place. Therefore in order to demonstrate that the subject proposal was the most efficient use of land the applicant considered the highest and best use of those lots. In this regard they considered that lots in Barcrest Drive had potential to be developed for a more intense form of residential use (this is discussed in more detail under the density headings of the report) and as such the applicant proposed to increase the number of lots in the application to 28 lots.

In relation to the four lots proposed adjoining the Victoria Point Baptist Church the perceived impact of the change relates to reverse amenity impacts that would result from noise complaints from future residents of the proposed lots. The applicant included evidence from an acoustic consultant that noise impacts could be managed and conditions can be included to ensure these impacts are addressed. This is reflected in the noise section of this report. These changes are not therefore considered to result in a change that is substantially different development.

In relation to the remaining lots:

- 6 and 8 Barcrest Drive will have 3 additional lots than in the previous layout
- 4 Barcrest Drive will have 2 additional lots
- 19 Clay Gully Road will have 1 additional lot

The dwelling house associated with 19 Clay Gully Road is located the closest to the adjoining boundary and is set back approximately 10m from the boundary and incorporates a dam and vegetation along this boundary. It will experience only one additional lot than the previous layout plan and as such, and within this context the change is not considered to increase the severity of a known impact.

The other three dwelling houses are set back 20-28m from the adjoining boundary and all have mature vegetation interspersed along the boundary. The large scale of

the properties and significant setbacks of the dwelling houses means there is also capacity to increase landscape planting should it be preferred. Two of the properties (4 and 6 Barcrest Drive) comprise large sheds along that boundary (15-20m long), with the other (8 Barcrest Drive) having an approved shed along the same boundary that is not yet constructed. These structures provide additional existing screening.

It is important to consider, however that the test must be considered within the context of the development as a whole and the overall impact of the development. Within this context the impact resultant of the additional lots is considered negligible and is not therefore considered to result in substantially different development.

Land use designation

The site is currently zoned *Rural Non-Urban* under the *Redlands Planning Scheme v7.1* (RPS) (see **Attachment 4**). The Scheme's *Habitat Protection Overlay, Waterways, Wetlands and Moreton Bay Overlay, Acid Sulfate Soils Overlay, Bushfire Hazard* and *Protection of the Poultry Industry Overlay* are all relevant.

The SEQ Regional Plan (SEQRP) designates the area as a local development area, known as the *Victoria Point Local Development Area* (VPLDA), within the urban footprint (see **Attachment 5**). Council's draft City Plan has incorporated this development area and some additional land into the *Emerging Community Zone* (see **Attachment 6**).

Application Assessment

Sustainable Planning Act 2009

In accordance with the transitional provisions of the *Planning Act 2016* set out under section 288, this application must be assessed and decided in accordance with the SPA under which it was made.

The application has been made in accordance with the *Sustainable Planning Act 2009* Chapter 6 – Integrated Development Assessment System (IDAS) and constitutes an application for Reconfiguring a Lot under the RPS.

SEQ Regional Plan 2009-2031

The application was lodged (and properly made) on 30 March 2015 when the SEQRP 2009-2031 was in effect. Although this planning instrument has since been superseded by the current 2017 regional plan, which came into effect on 11 August 2017, the latter does not apply to this assessment. Section 317(1) of the SPA 2009 provides the assessment manager with the power to give weight to new planning instruments, codes, laws and policies that come into effect after an application is made, this is however limited to applications that have not yet moved into decision stage when new instruments etc. come into effect. This application moved into decision stage on 16 December 2016 and as such Council must assess the application against the SEQRP 2009-2031.

Part A of the SEQRP (Introduction) explains the effect of the SEQRP, and stipulates (page 5):

> "*The following parts of the SEQ Regional Plan are relevant when assessing a development application or an application for approval of a master plan against or having regard to the SEQ Regional Plan:*
>
> - *the sub-regional narratives in Part C*
> - *the regional policies in Part D.*

An application conflicts with the SEQ Regional Plan if it does not comply with the sub-regional narratives in Part C or the regional policies in Part D. If there is an inconsistency between the sub-regional narratives in Part C and regional policies in Part D, the sub-regional narratives prevail."

The relevant parts of the sub-regional narrative for Redland are set out from page 30 of the SEQRP. It refers to the "*Victoria Point Local Development Area*", which incorporates the subject site. With regards to this specific designation the following extract from the narrative is of relevance:

"*The Victoria Point Local Development Area…requires further investigation and planning scheme amendments before any development can proceed … The timely provision of transport infrastructure – including increased road capacity and quality public transport infrastructure… will lead the sequenced development of urban communities in Local Development Areas."*

Although not explicit the further investigation and planning scheme amendments referred to in the sub-regional narrative are taken to mean the development of a structure plan that has been adopted and incorporated into a planning scheme, rather than any unrelated amendments. The RPS 2006 has been amended a number of times since the adoption of the SEQRP, however none of these amendments relate to the further investigation required and as such are not considered relevant. On this basis the application is taken to conflict with the SEQRP and in accordance with Section 326 (b) Council's decision must not conflict with a relevant instrument unless "*there are sufficient grounds to justify the decision despite the conflict*". Before these grounds are considered it is important to also assess the application against the regional policies contained in Part D of the SEQRP, as this will help determine the scale of the conflict, which is essential in determining whether any relevant grounds are sufficient to overcome it.

Part D – Regional Policies sets out the Desired Regional Outcomes (DRO) sought, the principles required to achieve these outcomes, specific policy statements to indicate what must be done for the principles to have effect and programs, which identify the actions that need to be implemented.

The application must comply with all DROs within the SEQRP, however the following are considered to be most relevant to this application:

- Sustainability and Climate Change
- Natural Environment
- Strong Communities
- Compact Settlement
- Infrastructure
- Water Management
- Integrated Transport

Under the Compact Settlement DRO Policy 8.10 *Development Area Delivery* explains the purpose of development areas and highlights the particular importance of comprehensive planning for these areas to ensure the local environment is protected, land uses are optimally distributed and infrastructure is provided in an efficient and timely manner.

Structure Plan

To demonstrate compliance with the above SEQRP policies, the applicant was asked to undertake a detailed structure planning exercise. The SEQRP anticipates that this will be achieved through planning initiated and led by Councils, developers or the

State Government, as appropriate. It identifies that such plans can be prepared and approved formally as a structure plan, or could be prepared informally and then used as a basis for submitting a proposed planning scheme amendment or planning application.

The applicant was asked to address the following matters in their structure planning work for the VPLDA:

a) Environmentally significant areas including areas of bushland, corridors and foreshores, waterways and wetland; and significant individual trees;

b) Natural hazards within the site or surrounding it.

c) Topography, landscape features, views and vistas;

d) Existing movement network and future connections and their treatments; including public transport routes and their stops and pedestrian and cyclist paths;

e) Existing and proposed open space networks;

f) Existing and proposed infrastructure networks;

g) Existing residences and structures, land uses and approvals on the site and surrounding it;

h) The location of schools, shopping centres, employment generators and community facilities; and

i) The location of operating poultry farms or other potentially impacting activities.

Although the structure planning exercise for the VPLDA is still underway and many of the above matters remain unresolved at this time; the following provides a summary of how the application and draft structure planning work to date respond to the regional policies and whether the proposal would be consistent with the development intent for the VPLDA (refer to **Attachment 7** for the draft structure plan).

Land use and density

The Compact Settlement regional policy seeks to conserve land by making the most efficient use of it by achieving a minimum net residential density of 15 dwellings per hectare (dph) in development areas. This will help provide a mix of dwelling types to match the community needs, household sizes and structures; and provide housing choice and affordability.

In relation to the development site itself however, the density proposed (13 dph) is less than that sought by the SEQRP. It is important to acknowledge that the proposed vendor lots will have future development potential. The applicant submitted a concept layout plan to demonstrate that the lots could be subdivided efficiently and it is likely that this part of the proposal could yield an additional 25 - 30 lots. In this scenario the development density increases to approximately 14dph. In order to meet the minimum requirements of the SEQRP the proposal would need to deliver an additional 14-17 lots.

To determine whether this lesser density is appropriate, the proposal must be considered within the context of the structure plan as a whole, particularly with regard to the land use intent. Although this is an unresolved matter the economic consultant for this application, as well as the consultant for the development proposed by Fiteni Homes at the other end of the structure plan, agree that a small scale centre should be located within the development area to service localised convenience and shopping needs. The location and overall scale of this use is still to be determined, but the principle that it is required has been generally considered reasonable by

officers. In addition, both consultants also recommend a mix of house types/densities to create a vibrant community and provide housing choice. They recommend that this can be achieved with medium density housing close to the centre, bus routes and open space/recreation precincts. This work is also being finalised but officers consider it is reasonable to conclude that in locations where this can be delivered development will be achieving greater than the minimum density required by the SEQRP. It is likely that this was the intent of the density targets in the SEQRP, given areas like the subject land must deal with development constraints such as interface issues, including impacts on the character of existing streets and adjoining properties (these issues are discussed in more detail in the Redlands Planning Scheme section of this report).

On this basis, although the proposed development is just short of complying with the minimum density required by the SEQRP the proposed development is considered appropriate having regard to the constraints of the site, and the likelihood that higher density development will get delivered elsewhere within the structure plan.

Ecology

The Natural Environment regional plan policy seeks to protect, retain and restore the regions rich biodiversity ecosystems. The development will be providing part of a primary corridor connection which has been identified through the draft structure planning process for the VPLDA. A 40m wide ecological corridor is to be provided to the south of the site, which will ultimately be widened into an 80m wide corridor when land to the south develops (also discussed further in the assessment against the RPS below).

This will ensure that the site caters for fauna movement between areas of existing habitat and will provide for future biodiversity corridors and habitat areas e.g. rehabilitation of currently cleared areas to restore connectivity, in accordance with the Natural Environment regional policies of the SEQRP.

Bushfire Risk and Resilience

The Sustainability and Climate Change regional plan policy seeks to build resilience in new communities and ensure design considerations are guided by the natural environment and climate. The structure plan is supported by a Strategic Bushfire Hazard Assessment and Management Plan, which makes the following recommendations for the settlement pattern:

- The design of environmental corridors as low hazard where possible.
- Incorporating perimeter roads between any development and adjoining vegetation is recognised as international best practice (road reserves measuring 20m in width). To provide guaranteed separation/defensible space in perpetuity, facilitating emergency vehicle access and ensuring evacuation egress for passing vehicles.
- Property setbacks of 4-6m for properties adjoining perimeter roads - Building envelopes may assist in achieving this.
- Minimise the use of cul-de-sac outcomes, or at least avoid these within 100m of a corridor.
- Building construction solutions – Australian Standard.
- On street parking relative to the location of hydrants.
- Good water supply.
- Site specific assessment to support development applications.

The application does not currently comply with these recommendations, specifically in relation to the inclusion of perimeter roads to corridors and minimum setback requirements however this could be ensured by conditioning compliance as part of an approval. This will ensure the development complies with the Sustainability and Climate Change regional plan policy.

Public Transport
The Integrated transport regional plan policy seeks to connect people, places, goods and services; and promote public transport use, walking and cycling. As part of the structure planning process consideration is being given to existing and planned future infrastructure networks across the entire VPLDA. The application site itself will be providing part of a 25m wide collector street, which can ultimately facilitate a future bus route to the proposed neighbourhood centre identified in the draft structure plan. This collector street will provide safe and convenient passenger accessibility to public transport, provide access to sustainable transport choices and reduce car dependency in accordance with the Integrated Transport regional policies of the SEQRP.

Infrastructure
Water and sewer upgrades to cater for the development are to be secured via planning conditions and an Infrastructure Agreement (IA). This will ensure that the development supports the delivery of the preferred land use and that the upgrades will be provided in a timely manner, in accordance with the Infrastructure and Compact Settlement regional policies of the SEQRP.

There is uncertainty however over the necessary local road infrastructure that will need to be upgraded to facilitate the development. The two roads most affected by the structure plan area are Bunker Road and Double Jump Road, which form the northern and southern boundaries of the development area. Officers sought the advice of an independent traffic consultant to assist with the review of the traffic engineering material informing the structure plan. The traffic engineer advised that there was a limit in the upgrade works that could be made to Bunker Road and that it was generally appropriate in its current form. In his view further works to Bunker Road would be undertaken as development takes access from it and these improvements would suffice. Double Jump Road however is considered to be constructed to a rural standard at present and would need to be upgraded to an urban standard to support the increase in vehicle movements related to the development.

Council's current Priority Infrastructure Plan (PIP) identifies a substantial upgrade to Double Jump Road as part of the Victoria Point Bypass, in which it is proposed to duplicate the road to a four lane cross section. The draft Local Government Infrastructure Plan (LGIP) has scaled back this work in response to the capping of infrastructure charges. It therefore identifies more minor widening of the road pavement to incorporate shoulders and modifications to road drainage. In addition, uncertainty over the upgrade plans for Cleveland Redland Bay Road intersections may affect the ultimate design and alignment of Double Jump Road, specifically at its eastern end where the two intersect. The report highlights that there are considerable constraints associated with the intersection, not least of which is that the BP garage located on the corner appears to have been constructed partially within road reserve. The applicant's traffic engineer has highlighted another option being the realignment of Double Jump Road, through private property to create a new signalised intersection at Anita Street.

In order to address this uncertainty the applicant has provided a worst case scenario concept design for Double Jump Road (worst case in terms of cost). The design incorporates Council's planned realignment of Kingfisher Road / Double Jump Road / Heinemann Road, the LGIP planned widening of Double Jump Road, unplanned vertical realignment works, additional drainage works and the realignment of the eastern access to Cleveland-Redland Bay Road to Anita Street and the upgrade of the intersection to a four way signalised intersection.

The traffic impact assessment supporting the structure plan, which relies on Council's traffic modelling for the City, identifies that approximately 32% of vehicle trips on the road will be associated with the structure plan area. The total infrastructure charges anticipated to be received within the structure plan area would be sufficient to fund the proportional cost of the necessary road upgrades. It is also worth noting that the majority of these works are already planned for within the Local Government Infrastructure Plan (LGIP), with the realignment of the eastern end of Double Jump Road and the associated intersection works excepted. These works have largely therefore been planned to be delivered by Council. The point of this exercise was to determine whether additional unplanned upgrades would necessitate additional payments by the developers within the structure plan. It has however been demonstrated that the infrastructure charges that will be collected as part of these developments will cover any additional cost to Council.

It is noted that Council officers cannot confirm whether the former Department of Infrastructure, Local Government and Planning (DILGP) has certainty over the delivery and funding of necessary upgrades to State infrastructure to service the development area. The Department is a concurrence agency with respect to the development area designation and the regional plan requirements and it has provided a concurrence agency response with no requirements for contributions to wider network upgrades. The response requires small scale modifications associated with the intersection at Cleveland-Redland Bay Road, Benfer Road and Clay Gully Road to achieve a 'no worsening' effect only. The applicant's traffic report, which underpins the structure planning work, highlights that once the proposed collector road connects to Double Jump Road (when land to the south develops) the intersection at Double Jump Road and Cleveland–Redland Bay Road must be upgraded. As discussed above the report nominates two options with regard to the upgrade; the first being the signalisation of the intersection and the second being the diversion of Double Jump Road through privately owned land to connect to Anita Street. In the latter option the existing intersection at Cleveland-Redland Bay Road and Double Jump Road would need to be modified to a left-in/left-out. Both options necessitate land resumptions and will be costly and difficult to deliver. It is difficult therefore to see how the Department determined that the application complies with the SEQRP in relation to state interests and the structure planning. Regardless this is the jurisdiction of the referral agency not Council.

Community facilities

The Strong Communities regional plan policy seeks to build inclusive and healthy communities, that have access to a range of services and facilities and that meet diverse community needs.

The draft structure plan identifies the location of a neighbourhood centre and local centre within the VPLDA, which are to the south of the development site. Although the Retail needs assessment is still under review, officers consider that the location of the neighbourhood centre on the development site itself would not be appropriate. Council's Social Planner was consulted and they confirmed that financial

contributions to regional facilities were preferred over onsite provision within the structure plan. Approval of the application would not therefore prejudice the future provision of community facilities for the VPLDA and the proposal would not conflict with the Strong Communities regional plan policy.

Parks/recreation

The applicant submitted a Parks Analysis Report to underpin the structure plan, the report was prepared by PIE Solutions and identifies that in accordance with the level of service planned for by Council's Open Space Strategy the development area is adequately serviced by community (district) and destination (regional) recreational parks. The report notes that the City generally has a deficiency of district sports facilities but that Council has recently purchased land near to the site (Heinemann Road) for this purpose and financial contributions from future development of this area will contribute to that. With regard to local park provision the report nominates that four (4) to five (5) local parks would be required to deliver the standard of service sought by the Open Space Strategy.

In addition to this work, Fiteni Homes has prepared a draft Open Space and Recreation Study in relation to their application (ROL006166) also within the development area. This report nominates that four (4) local parks should be delivered within the structure plan area; one (1) large local park (min 1ha) supporting active recreation, one (1) local park between 0.5ha and 1ha and then two (2) local parks of at least 0.5ha.

It is considered that in delivering these parks the structure plan will provide for healthy and safe environments that encourage community activity, participation and healthy lifestyles and prevent crime in accordance with the regional policies of the SEQRP. The proposed development will not be required to deliver a local park as a more appropriate location to service the catchment is to the south of the subject site. Notwithstanding, the development will provide for the informal kick about space mentioned above.

Conflict with the SEQRP

It is considered that the proposal does conflict with a number of provisions within Part D of the SEQRP, specifically in relation to the lack of certainty over the strategic planning for the area. When this is balanced against the established position that the proposal conflicts with part C of the SEQRP, it is considered a fairly significant conflict. A lack of confidence over the structure planning goes to the heart of the intent of the applicable regional planning policies for development areas, that development should not proceed until certainty on these matters is established.

Notwithstanding this, it is also necessary to consider the implications of these unresolved matters in relation to the proposed subdivision. The above assessment has demonstrated that the subdivision would not compromise the ultimate intent of the wider area and is generally consistent with the development pattern and infrastructure delivery expected had the structure planning been resolved. The areas where this certainty is not established, i.e. in terms of ecology, can be dealt with by condition. Having regard to this it is considered that the level of conflict is somewhat tempered and is therefore less critical than may be determined at first glance.

Sufficient grounds to justify a conflict with the SEQRP

Council will be aware that it's decision must not conflict with a relevant instrument unless "*there are sufficient grounds to justify the decision despite the conflict*" and that Council is bound to consider this test in accordance with the SPA. Based on the above assessment, there are considered to be sufficient grounds to justify the conflict with the SEQRP, for the following reasons:

- The site is part of the VPLDA which has been specifically identified to provide additional land supply for areas within the Urban Footprint and is an area where future growth is expected;
- The scale of the conflict with the SEQRP is considered to be moderate, having regard to the level of compliance with the regional policies in part D of the SEQRP – specifically the protection/enhancement of biodiversity values, the efficient use of land and timely delivery of infrastructure;
- Although the structure planning exercise for the VPLDA is still underway; officers consider that sufficient information has been provided to determine that the proposed development is an appropriate use of the land (residential), protects the strategic environmental values of land adjoining and adjacent to the subject site and secures the delivery of necessary infrastructure to support the proposal and wider development area. Finally, the information provided has given sufficient certainty that approval of the proposed development does not prejudice the right and orderly development of the remaining development area, which is the ultimate intent of the applicable regional policies.

State Planning Policies & Regulatory Provisions

State Planning Policy/Regulatory Provision	Applicability to Application
State Planning Policy April 2016	**Natural Hazards, Risk & Resilience** Parts of the western extent, and south-east of the subject site are mapped as Potential Impact Buffer under the SPP. Land to the west and south is covered in sparse vegetation and the level of risk is considered to be tolerable, in accordance with the SPP. Future dwellings within these lots along the western boundary will be required to be certified as meeting MP2.1 Buildings in Bushfire-Prone Areas of the QDC. **Biodiversity** MSES – Regulated Vegetation (intersecting a watercourse) is located in the central north of the site, in the location of an existing dam. This will form part of a future environmental/drainage corridor and stormwater basin. **Stormwater Quality** The development complies with the requirements of the SPP in relation to stormwater.
Koala Conservation SPRP	The site is within a Priority Koala Assessable Development Area under the SEQ Koala Conservation SPRP and is mapped as containing Medium Value Rehabilitation Areas. The application is assessable against *Division 6 – Development in a Priority Assessable Area* and a detailed assessment is provided below.
SPRP (Adopted Charges)	The development is subject to infrastructure charges in accordance with the SPRP (adopted charges) and Council's adopted infrastructure charges resolution. Details of the charges applicable have been provided under the Infrastructure Charges heading of this report. The structure plan area is outside of Council's Priority Infrastructure Area, this means that Council's infrastructure planning has not anticipated the development and has not therefore planned the necessary infrastructure to support it. On this basis Council can reasonably require developments provide or contribute to

State Planning Policy/Regulatory Provision	Applicability to Application
	additional infrastructure In the most part the capped charges and infrastructure provision required by each development will cover the infrastructure provision required to support the development area. There is one exception to this; sewer. This is explained below: It has been identified that the application requires additional trunk infrastructure that has not been planned for in Council's Priority Infrastructure Plan, firstly sewer upgrade works and upgrade to the Victoria Point WWTP. These additional requirements will be contained within an Infrastructure Agreement. More detail on the content and conditions within this is located under the Infrastructure heading in the RPS section of this report.

SEQ Koala Conservation SPRP

Assessment against Division 6 – Development in a priority koala assessable development area (**Attachment 10**):

Column 2 Assessment Criteria for assessable development	Officer Comments
1. Site design does not result in the clearing of non-juvenile koala habitat trees in areas of bushland habitat.	The proposal does not involve the removal of non-juvenile koala habitat trees in areas of bushland habitat.
2. Site design must avoid clearing non-juvenile koala habitat trees in areas of high value rehabilitation habitat, and medium value rehabilitation habitat, with any unavoidable clearing minimised and significant residual impacts counterbalanced under the Environmental Offsets Act 2014.	The subject site is largely clear of vegetation with the majority of non-juvenile koala habitat trees (NJKHT) scattered throughout the site. This makes retention of all NJKHTs impossible with the redevelopment of the site and in this case removal is considered to be unavoidable. The application is supported by a tree retention plan which identifies that between 52 – 71 NJKHTs will be removed and approximately 25 to be retained. The variation accounts for future arborist's reports on some trees. Since the application was lodged, the layout has been amended and the tree retention plan originally submitted with the application is no longer accurate. An updated plan will be provided as part of the Operational Works application. The proposed development incorporates environmental corridors where removed trees can be mitigation with onsite revegetation. There is considered to be sufficient room onsite to achieve offset requirements in accordance with the rate set out by the Environmental Offsets Act. These will be conditioned. Conditions can also be drafted to require environmental offsets to counterbalance any significant residual impact after on site revegetation is undertaken if there is not sufficient room onsite.
3. Site design provides safe koala movement opportunities as appropriate to the development type and habitat connectivity values of the site determined through Schedule 2.	The proposed development provides for a 40m wide east-west ecological corridor (which will become part of an 80m wide corridor in total). This will provide opportunities for safe koala movement through the site. It is noted that a trunk collector road traverses the corridor, which will have an impact on safe koala movement through the site. To address this impact the developer is required (as a clause of the Infrastructure Agreement) to construct a fauna underpass and incorporate sensitive road design features to ensure safe koala movement is facilitated. In addition the north-south drainage line/corridor, whilst primarily for the conveyance and treatment of stormwater, will also provide a link to established habitat to the north of the subject site.

Column 2 Assessment Criteria for assessable development	Officer Comments
4. During construction phases: a. measures are taken in construction practices to not increase the risk of death or injury to koalas; and b. native vegetation that is cleared and in an area intended to be retained for safe koala movement opportunities is progressively restored and rehabilitated.	Recommended conditions will require an Ecological Corridor management plan and a detailed road crossing treatment plan to be submitted for approval at operational works stage.
5. Native vegetation clearing is undertaken as sequential clearing and under the guidance of a koala spotter where the native vegetation is a non-juvenile koala habitat tree.	A condition for a fauna spotter will be included as part of the decision notice for Operational Works.
6. Landscaping activities provide food, shelter and movement opportunities for koalas consistent with the site design.	To be provided as part of the Ecological Corridor management plan.

Redlands Planning Scheme

The application has been assessed under the RPS version 7.1. The application is impact assessable and therefore the entire planning scheme is applicable to the assessment, however the following are considered to be of most relevance:

- Rural Non-Urban Zone code
- Habitat Protection Overlay code
- Flood Prone, Storm Tide and Drainage Constrained Land Overlay code
- Waterways, Wetlands and Moreton Bay Overlay code
- Protection of Poultry Industry Overlay code
- Bushfire Hazard Overlay code
- Acid Sulfate Soils Overlay code
- Reconfiguration code
- Excavation and Fill code
- Infrastructure Works code
- Stormwater Management code

The key issues identified during the assessment are detailed below.

The principle of development

The land is zoned as Rural Non-Urban under the RPS and outcomes of the zone seek to provide for land uses that rely on traditional and emerging rural activities and which encourage enjoyment of the rural environment e.g. recreational and tourism uses. Furthermore, overall outcomes of the Reconfiguration Code seek to provide for lots in this zone which are of sufficient size to accommodate productive agricultural activities, with a minimum lot size of 20 hectares sought under Table 1 of the code.

The proposed subdivision provides residential lots ranging in size from 400m2 to 4553m2, which is not in accordance with the overall outcomes sought for the zone. Consequently the development conflicts with the RPS. Council's decision must not conflict with a relevant instrument unless "*there are sufficient grounds to justify the decision despite the conflict'* and it is therefore considered necessary to demonstrate whether there are sufficient grounds to justify the decision, despite the conflict.

One of the matters to be considered in determining whether there are sufficient grounds is whether the relevant instrument is out of date. In this respect it is noted that the current land zoning does not reflect the future planning intent for the area. As outlined above, under the SEQRP the site is located within the VPLDA, which has been identified to provide additional land supply and where future growth is expected.

Furthermore, although this document carries no statutory weight, it is also worth noting that the land is proposed to be zoned as Emerging community under the draft *Redland City Plan* (City Plan). The purpose of the Emerging community zone is to '*guide the creation of functional, efficient and attractive communities in the newly developing parts of the city*' and that this is to be achieved through structure planning of the area, which is currently being undertaken.

Sufficient grounds to justify a conflict with the RPS:
Based on the above assessment, there are considered to be sufficient grounds to justify a conflict with the Rural Non-Urban zoning under the RPS, for the following reasons:

- The current planning instrument, being the RPS, is out of date due to its age (originally adopted in 2006).
- Considering the land use intent under the SEQRP (as discussed in detail above) and the future zoning under the draft City Plan, the current land zoning under the RPS does not reflect the planning intent for the area.
- A structure planning process is underway and it has been demonstrated that the development would not compromise the future planning intent for remainder of the VPLDA.

Density
The Reconfiguration code does not provide guidance on what density should be sought for this area; other than by providing a minimum lot size for the Rural Non-Urban zone. However it is noted that a dwelling density of 12-15 dph is sought for the Emerging Community zone under the draft City Plan and this is also reflected in the density targets set out by the SEQRP of 15 dph. The proposed development is a density of 13 dph and will increase to approximately 14dph when the vendor lots are redeveloped. In order to comply with the SEQRP requirements an additional 14-17 lots will be required.

It is noted that there are constraints/characteristics that affect how this increase in density can be appropriately achieved and these are discussed below:

- Lots adjoining properties within the Park Residential zone in Hanlin Place are proposed to be approximately 800m². Whilst these adjoining properties are also identified as Emerging Community zone in the draft City Plan, unlike the properties within Barcrest Drive, these are considered to be more constrained. All but one lot comprises environmental covenants and building envelopes to protect the vegetation on site and a number of the lots are also affected by significant flood mapping associated with Moorgurrapum Creek. The highest and best use of these lots is therefore limited and as such the proposed lower density of lots adjoining these properties is considered appropriate to allow greater setbacks to sensitive vegetation.
- Similarly, lots proposed along existing road frontages should have regard to the existing character of these streetscapes. On this basis the densities proposed fronting Brendan Way and Clay Gully Road are considered to be consistent with the character of these streets.

- Conversely, land directly to the north of the subject site and along Barcrest Drive comprises large Park Residential zoned (PRZ) properties. In the draft City Plan these lots are proposed to form part of the Emerging Community Zone and are relatively unconstrained. It is therefore anticipated that these lots will be developed in the future to achieve higher density residential development. Further, land immediately to the north of Barcrest Drive is zoned as Medium Density Residential zone, which is currently occupied by a retirement facility. It is therefore considered that the existing size of Barcrest Drive properties should not be considered a limiting factor to the density in this part of the development.

As discussed under the land use/density heading in the SEQRP section of this report, it is considered likely that medium density development will be delivered closer to future centre uses that will counterbalance the slight non-compliance with the minimum density requirement on site. In addition, it is considered that a lesser density is justified in this case due to the need to address constraints related to the existing character of the streetscape and the vegetation on larger adjoining lots.

Lot Size

Specific Outcome S2.1(2) of the Reconfiguration Code requires that the creation of subdivisions result in a "*mix of lot sizes that suit a variety of needs."* Specifically in relation to Urban Residential zoned land (Specific Outcome S2.2) the lot sizes should be of a size and width that "*(a) achieve a density that meets expected population growth; (b) maintains a quality lifestyle; (c) meets the requirements of people with different housing needs; (d) provides housing choice.*" Although the subject site is not located within the Urban Residential zone, the provisions for this zone are considered the best fit for assessment purposes in this circumstance where the type of development proposed is not consistent with the zoning intent for the land, but where sufficient grounds have been identified to justify the conflict. In order to increase the minimum lot size in the development to 400m², variation in lot size has been limited. Of the 270 lots proposed, 222 lots are between 400m² and 510m², this is over 80%. This proportion increases to almost 85% when the vendor lots are discounted. It is difficult to conclude that this is the variety of housing mix anticipated by the Redlands Planning Scheme in this kind of housing estate, particularly noting that probable solution P2.1(2) of the code provides for lots of 350m².

It is likely that a more vibrant community would be achieved if the minimum lot size was lowered, for example to include some 150m²-250m² lots, greater variety in housing choice and product could be achieved. Smaller minimum lot sizes would also free up land to provide a greater number of medium-large lots, whilst ensuring development remains viable. It should also be noted that maintaining a minimum lot size of 400m² and even to an extent 350m² is a significant limiting factor to the site being able to achieve a density of 15dph to comply with the SEQRP, whilst also delivering a vibrant community with a broad mix of lots sizes and housing choice.

Although the proposed development provides for limited choice the structure plan as a whole has the potential to provide for greater variation. The application is constrained by the existing character of the surrounding streets and the subsequent need to provide larger lots.

The Overall Outcomes of the code seeks to achieve development that meets the needs of the diverse and changing needs of the community, whilst ensuring consideration is given to the local landscape setting and expected end uses. In this regard the application is considered to comply with the Reconfiguration Code.

Ecology

The site is covered by the Habitat Protection Overlay and mapped as Enhancement Area, with an Enhancement Corridor running along the southern part of the site, and traversing the middle of the site (**Attachment 8**). The Enhancement Corridor is intended to support a natural area network by enhancing/creating habitat linkages between areas mapped as Bushland Habitat to the south and west of the site.

Specific outcome S2.1(5) of the Habitat Protection Overlay Code (HPOC) seeks to locate development outside of the mapped corridor areas however, where this is not achievable, the corridor is to be expanded to no less than 100m in width. It is also worth noting that Council's draft City Plan and the draft *Wildlife Connections Plan 2017-2027* also seek to provide ecological corridors that have a minimum width of 100m.

The proposed subdivision however notes a 30m wide corridor running along the southern boundary of the site, which is traversed by a 25m wide road. The ultimate intention being that a corridor with a total of width 60m would be provided in the future; 30m being on the subject site itself and 30m being provided on land to the south when this develops.

Throughout the assessment of the application, officers advised the applicant that insufficient information/ justification had been provided to demonstrate that a corridor with a reduced width of 60m rather than 100m, would achieve the overall outcomes of the code. In the absence of adequate information, Council sought independent advice from an ecological expert, who regularly assists and gives evidence in Planning and Environment Court appeals, to determine the adequacy of the proposed habitat corridors for the proposed application. It was advised that while there are valid grounds to support a habitat corridor of 100m in width, a well-designed habitat corridor of 80m in width with a central core habitat of 30m in width would ultimately provide the standard of ecological corridor envisaged by the overall outcomes of the Habitat Protection Overlay Code. Recommendations in respect to the proposed treatment of the road crossing the eastern end of the corridor were also provided by the expert.

The applicant has subsequently agreed to increase the width of the proposed ecological corridor on the development site to 40m; with the remaining 40m to be provided on the adjoining lots to the south in the future. The landowner of these lots is aware of this requirement. The 40m wide corridor can be secured via planning condition and the applicant will be required to provide an Ecological Corridor Management plan and Road Crossing Treatment plan for approval at operational works stage, to ensure that the design of the corridor and road crossing achieve the desired end outcomes.

Stormwater

The majority of the site is in the Eprapah Creek Catchment, which is located to the north. A smaller portion drains to the south and east toward Moogurrapum Creek.

The applicant has provided a Stormwater Management Plan that demonstrates the stormwater management systems proposed for the site incorporate Water Sensitive Urban Design features to meet the required Planning Scheme and SPP water quality and quantity requirements for the proposed development.

With regard to stormwater discharge the development:

- Incorporates stormwater detention and bio-retention measures for the western and eastern catchments.

- Includes proposed stormwater detention measures that result in a 'no-worsening' for peak discharge off the site to both Eprapah Creek and Moogurrapum Creek.
- Provides proposed lots and roads that are flood free for all events including the 1% AEP.

In the absence of a finalised structure plan relating to stormwater provisions, the report has satisfactorily demonstrated that the approval of this application would not impact or affect the subsequent stormwater management and infrastructure provision for the structure plan area.

Sewer

The application is supported by a Sewer Network Analysis prepared by Cardno and dated August 2016. While the structure plan area is located within the vicinity of the Victoria Point Wastewater Treatment Plant (WWTP) catchment, servicing for this structure plan area remains unresolved at this stage. Redland Water and Waste (RWW) has analysed the current capacity of the WWTP and considering infill development potential within its catchment has identified that an upgrade to the WWTP is required to service the structure plan area as well as the Weinam Creek PDA. This means that additional financial contributions, over and above the capped charges, will be required by all developments within the structure plan area to contribute toward the upgrade.

Officers at RWW have identified the design, cost and licence implications of the upgrade and have advised that $15M is required to fund the upgrade. This is partially covered by existing budget commitments for anticipated growth of almost $3M and contributions that will be collected through capped charges of around $9M, however there is an estimated shortfall of $3,000,000. This sum must therefore be shared by the developers within the development area and the PDA. When calculated on a per lot basis this equates to an additional per lot contribution of $1,348.00 (**Attachment 11**).

With regard to reticulated sewer infrastructure the lots will be serviced by:

- A central sewer route which will provide a connection to the north in Brendan Way, via a 150mm dia. gravity sewer to an existing 150mm diameter gravity drain.
- An eastern sewer route which will provide a connection to the east via a 300mm dia. gravity sewer along Clay Gully Road and a 300mm dia. gravity sewer across Cleveland Redland Bay Road.

The Infrastructure Agreement (IA) requires the developer to provide a financial contribution of $1,348.00 per lot for wastewater infrastructure for the future upgrade of the Victoria Point Wastewater Treatment Plan; additionally the works and land dedication required to provide for the construction of a sewer gravity main are being secured by the IA, at no cost to Council.

Consequently, the development has demonstrated compliance with specific outcome S4 of the Infrastructure Works code and S1.4 of the Reconfiguration Code by providing an appropriate sewerage management strategy.

Open space

Specific outcome S1.3 of the Reconfiguration Code requires development to provide for public open spaces that are well distributed and provide for a range of passive and recreational facilities.

The landscaping plans provided show the inclusion of a local park within the open space corridor running through the middle of the site. This was added to the layout by the applicant following the draft recommendations of the '*Victoria Point West Local Development Area open space and recreation study'* prepared by Otium Planning Group and dated August 2017 for another development application within the development area (ROL006166), which highlighted that a local park was required on the subject land to ensure the future community was properly serviced.

However, following consultation with Council's City Infrastructure group it was determined that the subject site was not the optimum location to service the catchment, furthermore the proposed local park would be located within a drainage line and Q2 flood area, which mean park embellishments in this location would be flood affected and may become a maintenance burden to Council.

As discussed under the SEQRP heading of this report, following consultation with Council's City Infrastructure group, it was recommended that a proposed area within the open space corridor could be used as an informal kick about space; which would be low maintenance, would be able to better withstand the environmental constraints and would complement the formal recreational areas required within the structure plan, with the equipped local recreation park provided to the south where it would be more central to the catchment it serves.

Earthworks

The applicant will be required to provide a Construction Management Plan as part of the Operational Works approval, to ensure that works on the site relating to excavation and fill, will not cause environmental nuisance due to hours of construction, dust emissions and truck movements, in accordance with specific outcome S3 of the Excavation and Fill code.

Preliminary earthwork concept plans have been provided, however the applicant will be required to obtain Operational Works approval for earthworks associated with the reconfiguration. Retaining walls heights are to be limited to 1.5m in height, and must be tiered by 0.75m for every 1m above this, unless otherwise approved as part of the Operational Works application. Any future retaining structures that do exceed 1.5m will be required to be designed in accordance with probable solution P1 of the Excavation and Fill code, meaning they will be tiered and include landscaping to reduce the impact of their increased height.

Officers have noted that earthworks associated with the proposed development have the potential to affect vegetation on adjoining, privately owned, properties. As these are outside of the development area it has not been possible to establish the overall impact to this vegetation. As such it is considered necessary to include an advice note on any approval to highlight the responsibility of the developer to engage with these landowners to consider the most appropriate way to manage this risk.

Traffic

In accordance with specific outcome S1.2 of the Reconfiguration code and S7 of the Infrastructure Works code, the development is providing new public roads and/or upgrading existing public roads to provide safe and efficient access points and connections through the site.

The Road Hierarchy Layout Plan, which will form part of the approved drawings, shows the construction of a 25m wide residential collector street, which will provide a Bus Route through the site to serve local residents and ultimately connect through to the neighbourhood centre proposed as part of the structure planning work. Council's appointed Traffic Engineer provided advice that current best practice public transport

planning would not recommend a connection through the structure plan area, but would instead concentrate bus connectivity along the higher order roads of Bunker Road, Double Jump Road and Cleveland-Redland Bay Road. Notwithstanding, the applicant's traffic engineer was of the view that whilst this is true for the western end of the development area, the eastern portion would not be as well serviced and the development area therefore necessitated a bus route diversion through this part of the site. This was accepted by the State and in their referral response they incorporated a change to the ROL layout plan requiring the proposed collector road as a future bus route.

The intersection at Clay Gully Road / Benfer Road / Cleveland-Redland Bay Road is to be upgraded in accordance with State referral response (Left-out slip lane, road markings to prevent traffic blocking access to the retirement village etc.).

Barcrest Drive is proposed to be terminated in a cul-de-sac within the development site itself with a pedestrian connection through to Barcrest Drive. Officers consider that the proposed development should however provide a full vehicular connection to ensure a high level of connectivity is achieved within the structure plan having regard to the highest and best use of Barcrest Drive properties once the draft City Plan is adopted. A condition has been proposed to achieve this.

It is important to note that should Council wish to remove this requirement it will be incumbent on Council to pay for the connection in the future should it be desired. It is unlikely that this could be conditioned on future developers of Barcrest Drive properties given vehicle trips from these properties will most likely travel east to Clay Gully Road. Although it will provide future residents of Barcrest Drive with an alternative route should Clay Gully Road become unpassable (e.g. by a traffic accident or similar etc), it is likely to be more frequently used by future residents from the proposed development site and as such it is most appropriate that the subject proposal deliver it.

Water

The applicant undertook a Water Network Analysis by H2One Pty Ltd and it has been Water, that there is sufficient capacity within Council's water supply network to adequately service the proposed development without upgrades to existing infrastructure. Conditions of the permit require the application to connect all lots to reticulated water systems, in accordance with the Services Layout Plans and to construct external water supply connections, details of which will be approved as part of operational works. The proposal therefore complies with specific outcome S3 of the Infrastructure Works Code and S1.4 of the Reconfiguration Code.

Reverse amenity

Odour

The site is mapped under the Protection of Poultry Industry overlay and specifically within the Poultry Buffer, which typically extends 500m from the centre of a poultry farm. Overall outcomes of the Protection of Poultry Industry overlay code seek to protect the ongoing operation of the poultry industry from uses that are sensitive to its operations and to ensure uses and other development are sited and designed to ameliorate odour impacts generated by the poultry industry.

The poultry farm located on the development site itself is no longer operational; however, there is one poultry farm located to the south at 48 Double Jump Rd which is within 500m of the development site and has the potential to cause reverse amenity impacts. It is noted that the poultry farm is owned by another housing developer, Fiteni Homes, however officers understand that the farm will continue to

operate for a number of years before it is ultimately redeveloped and as such it is still considered necessary to ensure the provisions of the overlay are considered.

In order to demonstrate compliance with the overall outcomes of the code, the applicant submitted an air quality report, prepared by Pacific Environment Ltd. This was subsequently supported by further survey work in 2015-16 to provide a more robust assessment and consider a worst case scenario. The report has been reviewed by Council's Health & Environment Team and also independently peer reviewed on behalf of Council by a suitably qualified expert.

It was concluded that the conservative assumptions adopted for the odour emissions together with the provision of a vegetated separation buffer (a minimum of 20m) is likely to ensure future residents experience an appropriate level of odour amenity and the development of the land for residential purposes is not expected to restrict lawful operation of the poultry farm at 48 Double Jump Road.

It is noted that while the lots within Stage 7 will be buffered by the 40m ecological corridor, lots within Stage 8 would directly adjoin the southern boundary and be impacted by the poultry odour. Consequently a condition of the permit will require that development within Stage 8 does not commence until the poultry activities at 48 Double Jump Road have ceased.

Subject to this condition, the proposal has demonstrated compliance with the overall outcomes of the Protection of the Poultry Industry Overlay Code.

Noise

Council officers raised concern with the proximity of lots along the northern boundary, which would directly interface Victoria Point Baptist Church and which would have the potential for reverse amenity impacts. The applicant submitted a noise impact assessment to address these concerns – recommendations within the report will be recommended as conditions including an acoustic fence to be constructed along the northern boundary of the affected lots, to protect the amenity of future residents and to ensure the development does not prejudice the ongoing operation of the Church.

Officers do not recommend that all recommendations in the acoustic report are required, which includes recommendations that there be no windows on the northern elevations of future houses on the affected lots and that the outdoor recreation area/patio be provided along the side boundary. Council's Health and Environment Officers advised that the provision of an acoustic fence will be sufficient to ameliorate the noise emissions from the Church and that combined with building attenuation will ensure sufficient measures have been taken to address any reverse amenity impacts of the proposal.

Dams

The subject site comprises three agricultural dams that are proposed to be filled by the development. One of these (the dam located adjoining the northern boundary at the centre of the proposal site), is identified as being within a natural drainage line.

The codes of the Redlands Planning Scheme are mostly silent on private waterbodies, except in the South East Thornlands and Kinross Road structure plans where more specific guidance is given. The Redlands Planning Scheme policies provide some guidance in relation to Infrastructure Works, Ecological Impact Assessment and Waterway, Wetlands and Moreton Bay. The infrastructure works policy stipulates that all dams be removed and the ecological impacts assessment policy requires that dams are part of any assessment. The Waterways policy is a little clearer; it stipulates that where a dam is located within a waterway buffer Council's

position is that it should be retained and if it is located within a natural drainage line the preference is that it be retained, albeit in a modified form.

In this instance the developer has proposed to fill all dams and this is considered appropriate to achieve the efficient development of the land. With regard to the dam located within a natural drainage line the applicant has proposed to modify the dam into a bio basin for the treatment of stormwater. Officers do not consider the retention of the dam is necessary. This dam is located in a proposed corridor and although it is not wide enough to retain the dam completely, a modified dam could be retained in this location if it was considered necessary. The stormwater assessment for the site would need to be updated to reflect this change however.

As discussed the codes in the Redlands Planning Scheme do not require that the existing dams are retained. The policies supporting the scheme identify a 'preference' that one is retained (within the natural drainage line), however the status of requirements within the planning scheme policies is akin to a probable solution and so this preference is not mandatory. The SEQRP however requires that the land is developed efficiently and as such officers do not consider it necessary to require retention.

Infrastructure Charges

If approved, the proposed development is subject to infrastructure charges in accordance with the State Planning Regulatory Provisions (adopted charges). The total charge applicable to this development is:
This charge has been calculated as follows in accordance with Council's Adopted Infrastructure Charges Resolution (No. 2.3) August 2016.

Total Charge: $7,472,743.70

Stage 1 - 42 lots + balance

Notice #001796

Residential Component	
43 X 3 bedroom residential dwellings X $28,335.90 Demand Credit	$1,218,443.70
2 X 3 bedroom residential dwelling X $23,235.40 (no sewer)	$46,470.80
Total Council Charge:	**$1,171,972.90**

Stage 2 - 46 lots + balance

Notice #001797

Residential Component	
47 X 3 bedroom residential dwellings X $28,335.90 Demand Credit	$1,331,787.30
1 X 3 bedroom residential dwelling X $28,335.90	$28,335.90
Total Council Charge:	**$1,303,451.40**

Stage 3 - 33 lots + balance

Notice #001798

Residential Component	
34 X 3 bedroom residential dwellings X $28,335.90 Demand Credit	$963,420.60
2 X 3 bedroom residential dwelling X $23,235.40 (no sewer)	$46,470.80
Total Council Charge:	**$916,949.80**

Stage 4 - 33 lots + balance

Notice #001799	
Residential Component	
34 X 3 bedroom residential dwellings X $28,335.90	$963,420.60
Demand Credit	
1 X 3 bedroom residential dwelling X $28,335.90	$28,335.90
Total Council Charge:	**$935,084.70**

Stage 5 - 36 lots + balance

Notice #001800	
Residential Component	
37 X 3 bedroom residential dwellings X $28,335.90	$1,048,428.30
Demand Credit	
1 X 3 bedroom residential dwelling X $28,335.90	$28,335.90
Total Council Charge:	**$1,020,092.40**

Stage 6 - 37 lots + balance

Notice #001801	
Residential Component	
38 X 3 bedroom residential dwellings X $28,335.90	$1,076,764.20
Demand Credit	
1 X 3 bedroom residential dwelling X $28,335.90	$28,335.90
Total Council Charge:	**$1,048,428.30**

Stage 7 – 13 lots

Notice #001802	
Residential Component	
13 X 3 bedroom residential dwellings X $28,335.90	$368,366.70
Demand Credit	
1 X 3 bedroom residential dwelling X $28,335.90	$28,335.90
Total Council Charge:	**$340,030.80**

Stage 8 – 27 lots

Notice #001803	
Residential Component	
27 X 3 bedroom residential dwellings X $28,335.90	$765,069.30
Demand Credit	
1 X 3 bedroom residential dwelling X $28,335.90	$28,335.90
Total Council Charge:	**$736,733.40**

It should be noted that these calculations are not based on the proposed development of 270 lots, but on a scenario whereby the development achieves no more than 267 lots as proposed by the attached draft conditions. Changes to the development approval will affect the charges and these contributions will need to be recalculated.

INFRASTRUCTURE AGREEMENT

The Infrastructure Agreement for the development is contained in **Attachment 11**.

- Financial contributions to an upgrade of the Victoria Point Wastewater Treatment Plan - $1,348 per lot (total of $360,015 for this application);
- Works and land contributions for upgrades to the reticulated sewer network, that not only services the subject site but will also facilitate the ultimate closure of a pump station (wastewater pump station 118);
- Works contribution being the construction of a fauna underpass;
- An agreement that this infrastructure will not be subject to offsets; and
- An agreement that the applicant will not seek to convert the infrastructure to trunk infrastructure for the purpose of seeking an offset or refund in the future.

In relation to parks, community facilities, roads, water and footpaths/cycleways the proposed development will deliver the infrastructure required to service the site or provide appropriate contributions to support planned upgrades.

Parks
With regard to district sports parks and city wide recreation parks Council's City Infrastructure group has confirmed that the proposal does not initiate the need for additional facilities; the capped charges will contribute to the facilities that are already planned. The wider structure plan area will need to provide parks however this is not required on the subject site and will be delivered as part of the future development of the structure plan area.

Community Facilities
Council's Social Planner likewise confirmed that the development area does not trigger the need for any additional community facilities and that the capped charges paid for each development will contribute appropriately to Council's current plans/provision.

Roads
Finally, with regard to local roads, the assessment contained under the SEQRP 'infrastructure' heading of this report identifies that some additional upgrades will be required to Double Jump Road, however the infrastructure charges to be paid by each development will cover the developers' portion of this cost.

OFFSETS

There are no offsets that apply under Chapter 8 Part 2 of the *Sustainable Planning Act 2009* and the executed Infrastructure Agreement.

REFUNDS

There are no refunds that apply under Chapter 8 Part 2 of the *Sustainable Planning Act 2009* and the executed Infrastructure Agreement.

State Referral Agencies

The application triggered State referral for:

1. Regional Plan
2. Development impact on State transport infrastructure

The State provided its response on 15 December 2016, with subsequent updates to account for the minor changes to the application, requiring conditions be applied to any approval issued by Council. These included alterations to Clay Gully Road at its eastern end to incorporate a left turn slip lane at the intersection with Cleveland-Redland Bay Road (and other associated works) and design requirements for the

main access into the site to ensure it could accommodate a single unit rigid bus of 12.5m in length.

In addition, the State set out advice to Council highlighting that local and regional development areas under the 2009 regional plan are no longer considered development areas for the purposes of the Planning Regulation 2017, and as such it is Council's responsibility to ensure the land is developed efficiently and at a density that will enable the dwelling targets under the new regional plan to be met.

The final concurrence agency response, dated 22 November 2017, is attached to this report (**Attachment 9**). It must be appended to a Decision Notice should Council approve the application.

Public Consultation

The proposed development is impact assessable and required public notification. The application was publicly notified for 16 business days from 19 November 2015 to 11 December 2015. A notice of compliance for public notification was received on 14 December 2015.

In addition to this, and following their submission of further structure planning material, the applicant opted to conduct additional community consultation in December 2016. Submissions relating to this non-mandatory consultation are not properly made submission as defined under SPA, but the matters raised in those submissions are addressed in this report.

Submissions

There were 337 properly made submissions received during the notification period. A further 16 submissions were received that were not properly made but which were accepted under s305(3) of the *Sustainable Planning Act 2009*. The matters raised within these submissions are outlined below.

1.	**Issues - Traffic** - Brendan Way is 6m which is tight – concerned about passing vehicles including refuse and high volume of traffic volumes. - Rat race through development to avoid traffic lights on Cleveland Redland Bay Road. - Concern over the new main road exiting directly opposite their residential property. Impacts in terms of light and noise and safety. - The intersection at Clay Gully - Cleveland Redland needs improvement. - Footpath details are not indicated. - No major collector roads shown on plan from Double Jump to the north of Bunker – should be 18m.
	Officer's Comment - Conditions will require Brendan Way to be upgraded to a collector Street standard to accommodate the increased traffic volumes. - The road layout has been changed so that the development will not become a 'rat run' to avoid traffic lights. - Impacts from the location of the access (headlights/noise) to existing properties opposite in Clay Gully Road can be minimised by offsetting the alignment so that it is not perpendicular to Clay Gully Road. Impacts cannot be avoided completely however and are a reasonable consequence of urban development. - Upgrading of the intersection at Benfer Rd/Cleveland Redland Bay Road have been conditioned by the state. - The provision of appropriate footpaths will be conditioned. - The revised layout provides a 25m wide collector road through the site which will ultimately connect to Double Jump Road.
2.	**Issue – Retaining walls** Concern expressed with retaining walls being greater than 1.5m in height – requests they are limited to 1m in height.

	Officer's Comment See Earthworks section of report for discussion.
3.	**Issue – Lot sizes** Lot sizes are considered to be too small and non-complaint with the Rural Non-Urban zone. The proposed 800sqm blocks can be further subdivided, will these be zoned differently to allow no further development
	Officer's Comment See Issues section of report for discussion on lot sizes and the principle of development in this area. The land zoning designation will change with the adoption of the draft City Plan. A condition has been recommended to ensure that proposed lots 156-166 (adjoining Hanlin Place) maintain a minimum lot size of 774m². Any proposals to subdivide these lots in the future would conflict with this approval. This means an applicant would need to lodge a request to Council to change to this ROL and would need to demonstrate that the change meets the minor change test. Unless the impacts of the development on the adjoining residents has changed, i.e. where the zoning of adjoining land has changed, it is not likely that such an amendment would be approved.
4.	**Issue – Odour** Odour issues/ chicken farm - doesn't meet the requirements of the Protection of the Poultry Industry Poultry overlay. The chicken farm is still operating and there needs to be 500m buffer for health reasons
	Officer's Comment See Reverse amenity section of report for discussion.
5.	**Issue – Biodiversity** The development doesn't meet overall outcomes of Habitat Protection Overlay code. The proposed fauna movement corridor proposed is far too small in width and the RPS requires a 100m corridor. Mature trees to be cleared.
	Officer's Comment See Issues and Koala section of report for discussion on the ecological corridor and existing trees.
6.	**Issue – Stormwater** Clarification requested on whether the dam will used for stormwater. Clarification requested on whether stormwater been addressed adequately - concerns about water catchment rising with increased overland flow and additional stormwater being added into catchment.
	Officer's Comment See Issues section of report for discussion on Stormwater. The dams are to be filled, with one being modified to incorporate a stormwater basin. The entire north-south corridor is a drainage channel for the development.
7.	**Issue – Park** Open space proposed doesn't meet the specific outcomes of the RPS: it isn't large enough for replacement planting and compromised with stormwater areas. There are limited park amenities proposed.
	Officer's Comment See Issues section of report for discussion on Open space.
8.	**Issue – Principal of use** Proposal is premature and piecemeal, compromises the city to create functional, efficient and attractive communities. Contrary to preferred settlement pattern framework, identifies the site for rural and habitat corridor Contrary to overall outcomes for zone.
	Officer's Comment See Issues section of report for discussion on land use and conflict with the planning scheme/SEQRP.

Deemed Approval

This application has not been deemed approved under Section 331 of the *Sustainable Planning Act 2009*.

STRATEGIC IMPLICATIONS

Legislative Requirements

In accordance with the *Sustainable Planning Act 2009* this development application has been assessed against the Redlands Planning Scheme V7.1 and other relevant planning instruments. The decision was due by 8 September 2017 and as such the application is in 'deemed refusal'. This means the applicant may, at any time, file an appeal with the Planning and Environment Court seeking that the Court decide the matter. To date the applicant has not exercised this right.

Risk Management

Standard development application risks apply. In accordance with the *Sustainable Planning Act 2009* the applicant may appeal to the Planning and Environment Court against a condition of approval, against a decision to refuse or against a failure to make a decision within time. A submitter also has appeal rights.

Financial

If approved, Council will collect infrastructure contributions in accordance with the State Planning Regulatory Provisions (adopted charges) and Council's Adopted Infrastructure Charges Resolution. The applicant has also entered into an Infrastructure Agreement with Council to provide financial contributions to cover additional upgrade costs to the Victoria Point Wastewater Treatment Plant and to provide a fauna underpass within their development. The Infrastructure Agreement stipulates that the applicant will not seek any offsets or credits in lieu of these contributions.

If the development is refused an appeal will very likely be lodged. In this event the Infrastructure Agreement will become obsolete and the applicant may choose to take a different position in negotiating its content. Any Court proceedings will likely result in legal costs.

People

Not applicable. There are no implications for staff.

Environmental

Environmental implications are detailed within the assessment in the "issues" section of this report.

Social

Social implications are detailed within the assessment in the "issues" section of this report.

Alignment with Council's Policy and Plans

The assessment and officer's recommendation conflict with the Redlands Planning Scheme, as described within the "issues" section of this report.

CONSULTATION

The assessment officer has consulted with other internal assessment teams where appropriate. Advice has been received from relevant officers and forms part of the assessment of the application. Officers have also consulted with the relevant asset owners and asset managers, specifically City Spaces, City Infrastructure, Economic Sustainability & Major Projects and Redland Water & Waste. Officers also sought the

assistance of independent experts in ecology, traffic and odour matters to assist with the assessment.

OPTIONS

The development application has been assessed against the Redlands Planning Scheme and relevant State planning instruments. The development is considered to conflict with those instruments however sufficient grounds have been identified to justify approval despite the conflict. It is therefore recommended that the application be approved subject to conditions.

Council's options are:

1. That Council resolves to adopt the officer's recommendation to approve the application subject to conditions.
2. That Council resolves to approve the application, without conditions or subject to different or amended conditions.
3. That Council resolves to refuse the application.

OFFICER'S RECOMMENDATION

That Council resolves to recommend a Development Permit approval be issued subject to conditions for the ROL for 3 into 267 lots at 21-29 & 31 Clay Gully Road and 39 Brendan Way, Victoria Point (Lot 4 on RP57455, Lot 1 on RP95513 and 1 on RP72635).

ASSESSMENT MANAGER CONDITIONS	TIMING
1. Comply with all conditions of this approval, at no cost to Council, at the timing periods specified in the right-hand column. Where the column indicates that the condition is an ongoing condition, that condition must be complied with for the life of the development.	
Approved Plans and Documents	
2. Undertake the development in accordance with the approved plans and documents referred to in Table 1, subject to the conditions of this approval and any notations by Council on the plans.	Prior to Council approval of the Survey Plan. All stages

Plan/Document Title	Reference Number	Prepared By	Plan/Doc. Date
ROL Plan Preliminary (for Information only)	ASB32-SK01, Rev L	Place Design Group	Received 30/01/2018
Infrastructure Report	Version I	Sheey & Partners Pty Ltd	10/11/2017
Road Hierarchy Layout Plan	7968-A Version 8	Sheey & Partners Consulting Engineers	Nov-17
Services Layout Plans	7968-C-D-F-G and H	Water Technology	Nov-17
Site Based Stormwater Management Plan and Flood Assessment	3956-02-R01-V01_SMP.docx	Water Technology	09/11/2017
External Sewer Layout	7968-AD Version C	Sheey & Partners Pty Ltd	Aug-16
External Sewer Long Section Sheet 1 of 2	7968-AE Version 3	Sheey & Partners Pty Ltd	Aug-16
External Sewer Long Section Sheet 2 of 2	7968-AF Version 3	Sheey & Partners Pty Ltd	Aug-16
Earthworks Layout Plans	7968-J-Rev.5 7968-K Rev.5 7968-L Rev.4 7968-M Rev.4	Sheey & Partners Pty Ltd	Nov-17

	7968-N Rev.4 7968-P Rev.5 7968-Q Rev.4		
Reverse Amenity Issue Response	RB/16-720.R01.Rev2	Acoustics RB Pty Ltd	Nov-17
Ausbuild Reverse Amenity Assessment	Job ID: 08784	Pacific Environment Ltd	27 Nov 14
Landscape Master Plan & Design Intent	Project No. 1014025 Rev. H	Place Design Group	10/11/2017
Water Services Strategy Layout Plan	Recommended Water Services Strategy Layout Plan	H2ONE	June 2017
Double Jump Road Indicative Structure Plan – Strategic Bushfire Hazard Assessment and Management Plan	Project No: 83503910	MWH/Stantec	June 2017

Table 1: Approved Plans and Documents

Compliance Assessment	
3. Submit to Council and receive a Compliance Certificate for the document referred to in Table 2, which is to be generally in accordance with Preliminary ROL drawing ASB32-SK01, Rev L (attached to this approval for information purposes only), the approved Strategic Bushfire Hazard Assessment and Management Plan and which incorporates the following: • A minimum 40m wide ecological corridor; • Updating of the staging and the layout to accommodate the 40m wide ecological corridor; • An esplanade/perimeter road along the full extent of the northern boundary of the corridor; • Building setbacks for properties along esplanade roads; • Truncations to all corner lots that are adjoined to both frontages by a road and/or a footpath; • All truncations are to be a minimum 6m x 3 chord; • Details of the width of the road connection between proposed lots 150 and 151, noting that it must achieve the cross section required by a Residential Access Street in the standard drawings of the Redlands Planning Scheme; and • The removal of the proposed cul-de-sac to Barcrest Drive and the provision of a full vehicular connection. Rename the plan ROL Plan ASB32-SK01 Revision M. The total number of lots is not to exceed 267. The approved amended plan will form part of this approval. *Note: A site based bushfire hazard assessment, which demonstrates compliance with the approved Strategic Bushfire Hazard Assessment and Management Plan, to support the revised layout is recommended.*	Prior to the application being lodged for Operational Works approval.

Document or Works Item	Compliance Assessor	Assessment Criteria
ROL Plan	Redland City Council	Reconfiguration Code Excavation and Fill Code Infrastructure Works Code Stormwater Management Code Habitat Protection Overlay

Table 2: Compliance Assessment

4. Comply with ROL Plan reference ASB32-SK01 Revision M.	Prior to Council approval of the Survey Plan for each stage.
5. Proposed lots 156-166 must maintain a minimum lot size of 774m².	Prior to Council approval of

Note: Future purchasers should be advised of this limitation	the Survey Plan for each stage and ongoing
6. Submit to Council a Survey Plan for approval, in accordance with the approved plans, following compliance with all relevant conditions and requirements of this approval	Prior to expiry of the relevant period for the approved development.
7. Complete all operational works associated with this development approval, including work required by any of the conditions included in this development approval. Such operational work must be carried out generally in accordance with the approved Drawings and Documents or, if requiring a further approval from Council, in accordance with the relevant further approval(s).	Prior to Council approval of the Survey Plan for each stage and ongoing.
Infrastructure Agreement	
8. Comply with the Infrastructure Agreement for the development.	Prior to Council approval of the Survey Plan for each stage and ongoing.
Existing Structures	
9. Demolish, relocate/remove or obtain the relevant approvals for all existing structures on site, including all slabs and footings, in accordance with the approved plan(s) and cap all services prior to demolition commencing. This does not apply to the existing dwelling (and existing secondary dwelling) located on proposed lots 1004 and 1005.	Prior to Council approval of the Survey Plan for each stage for the affected stages
10. Remove any existing fences and/or incidental works that straddle the new boundaries, or alter to realign with the new property boundaries or to be wholly contained within one of the new properties.	Prior to Council approval of the Survey Plan for each stage.
Utility Services	
11. Relocate any services (e.g. water, sewer, electricity, telecommunications and roofwater) that are not wholly located within the lots that are being serviced. This does not apply to the existing dwelling (and existing secondary dwelling) located on proposed lots 1004 and 1005.	Prior to Council approval of the Survey Plan for each stage.
12. Pay the cost of any alterations to existing public utility mains, services or installations due to building and works in relation to the proposed development, or any works required by conditions of this approval. Any cost incurred by Council must be paid in accordance with the terms of any cost estimate provided to perform the works.	At the time the works occur, or prior to Council approval of the Survey Plan, whichever is the sooner, for each stage.
13. Design and install underground electricity and telecommunication conduits to service each of the new lots in accordance with the requirements of the relevant service providers and the Redlands Planning Scheme Infrastructure Works code and Planning Scheme Policy 9 – Infrastructure Works. Provide Council with written confirmation of the service provider agreements to the supply of electricity and telecommunication services. This does not apply to the existing dwelling (and existing secondary dwelling) located on proposed lots 1004 and 1005.	Prior to Council approval of the Survey Plan for each stage.
Land Dedication and Design	
14. Dedicate land to the State with Council as trustee in accordance with the approved ROL plan for the following purposes: a) Utilities: and b) Road. As part of the relevant stage and required for the development. Transfer of land is to be undertaken at no cost to Council.	Prior to Council approval of the Survey Plan for the relevant stage.
15. Transfer the land to Council in fee simple (on trust) in accordance with the approved ROL plan for the following purposes: a) Park/open space; b) Ecological corridor; and c) Stormwater drainage. Transfer of land is to be undertaken at no cost to Council.	Prior to Council approval of the Survey Plan for each stage.
16. Grant easements for the following and submit the relevant easement documentation to Council for approval: a) Access purposes, in favour of proposed Lot 1005, over part of proposed Lot 1004, in accordance with the approved ROL Plan;	As part of the request for assessment of the Survey Plan for each stage.

b) Access, construction and maintenance of utility services over proposed Lots, where necessary, and identified on approved operational work detailed design drawings, in favour of Redland City Council, Redland Water and other utility operators and their agents; c) Turning areas for refuse service vehicle turn-around, where such areas are located over private property, or subsequent stages, in favour Of Redland City Council and its agents; Once approved by Council, register the easement on the property title.	
Split Valuation	
17. Pay a contribution to Council for the purposes of paying the State Government Split Valuation Fees. The current value of the contribution is $36.50 per allotment (2017/2018 Financial Year). The amount of contribution must be paid at the rate applicable at the time of payment. A Split Valuation Fee is required for each allotment contained on the Plan(s) of Survey, including balance lots.	Prior to Council approval of the Survey Plan for each stage.
Access and Roadworks	
18. Submit to Council for approval, engineering plans and details showing road widening on Brendan Way along the frontage of the development according to the following: a) Minimum 7.0m wide roadway (2 x 3.5m); b) Minimum 1.5m wide concrete footpath; c) Verge profile according to standard drawing R-RSC-8; d) Reinstatement of concrete kerb and channel where required; and e) Adjustment and relocations necessary to public utility services resulting from these works.	As part of operational works application for stage 1.
19. Design all roads in accordance with the provisions of Complete Streets, the Redlands Planning Scheme Infrastructure Works Code, Planning Scheme Policy 9 – Infrastructure Works and Schedule 6 – Movement Network and Road Design, unless otherwise stated as part of a specific condition of this approval.	Prior to Council approval of the Survey Plan
20. Provide traffic calming consistent with the provisions of Complete Streets, the Redlands Planning Scheme Infrastructure Works Code, Planning Scheme Policy 9 – Infrastructure Works and Schedule 6 – Movement Network and Road Design. Traffic calming design must not affect the intended drainage function of the road.	Prior to Council approval of the Survey Plan.
21. Construct footpaths for the development as follows: • Minimum 2.0m wide concrete shared use footpaths along all roads designated as Residential Collector Street on the approved *Road Hierarchy Layout Plan,* reference 7968-A version 8 dated Nov'17 prepared by Sheehy & Partners consulting engineers; • Minimum 2.0m wide concrete pedestrian footpath for the full length frontage of Clay Gully Road and connection path to Barcrest Drive; • Minimum 1.5m wide concrete pedestrian path within the proposed connection adjoining the eastern boundary of proposed lots 1001 and 1002; and • Minimum 1.5m wide concrete pedestrian path on one side of the streets shown on concept drawing "Pedestrian Movement Plan" ref.: 05, revision F, prepared by Place Design Group.	Prior to Council approval of the Survey Plan for each stage.
22. Remove all redundant vehicle crossovers and reinstate kerb and channel, road pavement, service and footpaths as specified in accordance with the standards in the Redlands Planning Scheme Policy 9 – Infrastructure Works.	Prior to Council approval of the Survey Plan.
23. Submit to Council, and gain approval for, a road naming plan, in accordance with Council's road naming guidelines, detailing specific road names and designations for all existing and proposed new public roads within the site. Use original road names on all new roads to avoid duplication of any existing road names in the City.	Prior to preparing your Survey Plan for each stage.
24. Provide roads in accordance with the following standards which are	Prior to Council approval

in accordance with the Redlands Planning Scheme, Standard drawing R-RSC-15, "Road Types and Minimum Road Widths", the approved ROL plan and Road Hierarchy Layout Plan: a) For roads identified as Residential Collector Street – Bus Route": i. Minimum 25 metre wide road reserve; ii. Minimum 14 metre wide carriageway (lip to lip); and iii. 5.5 metre wide verge; b) For roads identified as "Residential Access Place and Access Street": i. Minimum 15 metre wide road reserve; ii. Minimum 6 metre wide carriageway (lip to lip); and iii. Minimum 2 metre wide verge, where the verge adjoins a proposed lot which is to be dedicated as stormwater or open space (12.5m wide road reserve); and iv. Minimum 4.5 metre verge, where iii) does not apply.	of the Survey Plan.
Stormwater Management	
25. Convey roof water and surface water in accordance with the Redlands Planning Scheme Policy 9 Chapter 6 – Stormwater Management to: • To a lawful point of discharge being the proposed detention basin, proposed bio basin and proposed stormwater management areas as shown on the approved ROL Plan.	Prior to on maintenance or Council approval of the Survey Plan, whichever is the sooner. Ongoing condition.
26. Manage stormwater discharge from the site in accordance with the Redlands Planning Scheme Policy 9 Chapter 6 – Stormwater Management, so as to not cause an actionable nuisance to adjoining properties.	Prior to on maintenance or Council approval of the Survey Plan, whichever is the sooner. Ongoing condition.
27. Submit to Council, and receive Operational Works approval for, a stormwater assessment that is generally in accordance with the approved Site Based Stormwater Management Plan, version V01 prepared by Water Technology dated November 2017, concept design of "Services Layout Plan" set of drawings (7968-C-D-F-G and H) and addresses both quality and quantity in accordance with the Redlands Planning Scheme Policy 9 Chapter 6 – Stormwater Management, and the following: • Design of allotment drainage. • Detailed drawings of the proposed stormwater quality treatment systems and any associated works. The drawings must include longitudinal and cross sections as well as details of treatment media and any associated vegetation. • An electronic copy of the MUSIC model. • A maintenance plan including estimates of asset and maintenance costs (for stormwater quality treatment only).	As part of the application for Operational Works or prior to Council approval of the Survey Plan, whichever is the sooner.
Waste Management	
28. Provide a plan detailing the location of bin service bays for the placement of waste and recycling bins awaiting collection only (not for storage of bins) to serve lots that take access via a shared driveway and do not have a road frontage. Each bin bay will be required to be constructed of stamped concrete in accordance with the following: • 2m long x 1m wide on the road frontage adjacent to each lot. • Located so that the length is parallel to the road edge without impeding any swale drainage or existing/proposed driveway. • Marked 'bin service bay' in letters of 200mm height.	As part of the application for Operational Works or prior to Council approval of the Survey Plan for each stage, whichever is the sooner.
Water and Wastewater	
29. Connect all lots to the existing reticulated sewerage and reticulated water systems, generally in accordance with the concept design of "Services Layout Plan" set of drawings (7968-C-D-F-G and H). Submit to Council, and obtain Operational Works for the design of the reticulated sewerage and water systems associated with the	Prior to Council approval of the Survey Plan.

reconfiguration. The plan must show the proposed works are in accordance with the SEQ Water Supply and Sewerage Design and Construction Code and the Redlands Planning Scheme Policy 9 – Infrastructure Works.	
30. Construct external sewerage works in accordance with the following drawings: "External Sewer Layout", Ref: 7968-AD, version C, and "External Sewer Long Section, Sheet 1 and 2", Ref.: 7968-AE and AF, version 3, dated 26 August 2016. Submit to Council for approval an application for Operational Works showing the works are in accordance with the SEQ Water Supply and Sewerage Design and Construction Code and the Redlands Planning Scheme Policy 9 – Infrastructure Works.	Prior to Council approval of the Survey Plan for Stage 3.
31. Construct external water supply works, including a 150mm water main and hydrants, valves and fittings between nodes J1058 and J956 in accordance with drawing "Recommended Water Service Strategy Layout Plan", prepared by H2ONE, dated 6 June 2017. Submit to Council for approval an application for Operational Works showing the works are in accordance with the SEQ Water Supply and Sewerage Design and Construction Code and the Redlands Planning Scheme Policy 9 – Infrastructure Works.	Prior to Council approval of the Survey Plan.
32. Remove any redundant sewerage connections and sewerage systems within the site or servicing the development and provide documentary evidence to Council or its delegate that this has occurred.	Prior to Council approval of the Survey Plan for each stage.
Excavation and Fill	
33. Apply to Council and obtain Operational Works approval for earthworks associated with the reconfiguration generally in accordance with the concept design of "Earthworks Layout Plan" set of drawings (7968-J-K-L-M-N-P and Q) and the following condition of this approval.	As part of the application for Operational Works for each stage.
34. Design and construct all retaining structures in accordance with the Australian Standard 4678-2002 (as amended) *Earth-retaining Structures,* and the following: • All retaining structures, including footings, must be located wholly within the property boundary where the works are occurring, with drainage discharging to the road drainage system; • All retaining structures must be constructed of high quality, durable materials; • All retaining structures must be designed to a 60 year design life; • Retaining structures are to be limited to 1.5m in height unless otherwise approved as part of Operational Works approval; • For all tiered retaining structures, the tiered part of the structure must be contained within the property boundary on the low side of the wall; • All retaining structures with a total height in excess of 1.0m must be designed and certified by a Registered Professional Engineer Queensland (RPEQ); and • All retaining walls facing publically owned land (including road reserve and parkland) must not exceed a total height of 1.5m and must not be constructed of timber. *Note: For the purpose of this condition the total height of a retaining structure is taken to be the total height of all parts of the structure, including all tiered parts but excluding the boundary fence.*	Prior to site works commencing and ongoing.
Sediment and Erosion Control	
35. Install erosion and sediment control measures to minimise the export of silts, sediment, soils and associated pollutants from the site. Design, install and maintain the above measures in accordance with the Redlands Planning Scheme Policy 9 – Infrastructure Works, Chapter 4 and the Institute of Engineers' Erosion and Sediment Control Guidelines.	Prior to commencement of civil works, earthworks and construction phases of the development.

Dust Control	
36. Implement dust control measures at each phase of site development and operation in accordance with IECA (2008) Best Practice Erosion and Sediment Control.	During any site works and construction phase.
Landscaping Works	
37. Submit a Landscape Plan, prepared in accordance with the Redlands Planning Scheme Policy 9 – Infrastructure Works Chapters 2, 10 and 11, to Council for Operational Works approval. Include the following items in addition to the requirements of the Policy: a) Designs that are generally in accordance with Landscape Master Plan & Design Intent by Place Design Group. b) Details of street tree planting in accordance with the Landscape Code with species selected from Schedule 9 of the Redlands Planning Scheme, unless otherwise approved as part of the Operational Works approval. c) Details of all rehabilitation planting to the open space area. d) Details of any proposed entry statements. e) Details of water bubbler/fountain, in accordance with the RPS Part 7 Division 11 – Reconfiguration, P1.4 and must be consistent with the Outdoor Equipment and Public Facilities in Section 9.10.7 of Planning Scheme Policy 9, Chapter 10. f) Details of bollards provided along all roads that adjoin parkland, plus metal slide rail/folding bollards in the vicinity of park open space/stormwater facility areas to allow access for maintenance vehicles.	As part of the application for Operational Works.
38. Submit to Council for Operational Works approval a Parks Maintenance Plan (PMP) identifying how all landscaping will be maintained for the entire On-Maintenance period (minimum 12 months). The Plan must be prepared in accordance with the following work sections in the AUS-SPEC Urban and Open Spaces package: • Classification No. TG401 – Guide to Parks and Recreation Areas Maintenance Management Model and Documentation; • Classification No. TG402 – Guide to Adapting Asset Delivery Documentation to Parks and Recreation Areas Maintenance; and • Classification No. 0164 – Parks and Recreation Area Management Plan.	As part of the application for Operational Works.
39. Remove all weed species, as identified in Part B of Council's Pest Management Plan 2012-2016.	Prior to on maintenance or Council approval of the Survey Plan, whichever is the sooner.
Survey Control Information	
40. The survey plan must include connections to at least two separate corners from two control marks with a valid DNRM Order or Horizontal Positional Uncertainty. These marks must be shown on the face of the Survey Plan within the Reference Mark or Permanent Survey Mark Tables. The mark number and coordinates should be listed in the cover letter.	As part of the request for assessment of the Survey Plan for each stage.
41. Supply a completed Form 6 (Permanent Survey Mark Sketch and Data Sheet) with the Survey Plan for any new Permanent Survey Marks (PSMs) placed. Where new PSMs are placed the requirements of the Redlands Planning Scheme Part 11 Policy 9 (with particular reference to 9.2.7.2 and 9.2.7.4) must be met. Ensure the Form 6 includes: • the mark's AHD Reduced Level (RL); • the vertical origin mark number; • the RL of the vertical origin mark adopted; • the mark's MGA coordinates (easting and northing); • the horizontal and vertical accuracy to which the mark has been fixed; and • the method by which the mark has been fixed in height and position.	As part of the request for assessment of the Survey Plan for each stage.

42. Comply with the requirements of the *Survey and Mapping Infrastructure Act 2003*.	As part of the request for assessment of the Survey Plan for each stage.
Environmental Management	
43. Submit to Council, and receive Operational Work approval for a Vegetation Management Plan which includes the following: • Details of rehabilitation and revegetation works – plantings should facilitate fauna movement. • Details of bio-basins/stormwater treatment devices and existing trees/vegetation. Location of devices should avoid significant vegetation where possible; • Details of weed control and maintenance over the site; • Details of mulching/top soil; • Details of tree protection fencing. Fencing is to be in accordance with AS4970-2009 • Location of proposed sewer, water and electricity lines.	As a part of Operational Works
44. Provide an 40m wide ecological corridor (that will form part of 80m ultimate corridor) in accordance with the approved plans; and receive Operational Works approval for an Ecological Corridor Management Plan (which also incorporates the north/south corridor) and which includes the following: • A fully rehabilitated/revegetated habitat corridor, which will ultimately provide: a) a comprehensive vertical structure, i.e. a layered habitat comprising tree canopy, and ground cover. b) a denser habitat structure (tree canopy and small tree/shrub layer understory) within the central "core spine" of the corridor, being a minimum of 30m in width in total (15m within the development site itself). c) a floristic palette which is consistent with that described for Regional Ecosystems (as described by Queensland Herbarium Pre-clear regional ecosystem mapping) of the surrounding landscape. • Provide a walking/cycling path within the road verge along the northern boundary, adjacent to the ecological corridor. • Provide plantings that incorporate suitable edge sealing species (e.g. dense foliage and low branches) that are a minimum of 5m in width.	As a part of Operational Works
45. Submit to Council and receive Operational Works approval for a detailed report on how dam removal will be managed. Include details on: • How the dam will be dewatered • Removal of any sediment/unwanted material • How fauna/aquatic animals will be handled • Installation of sediment and erosion controls • Any staging of the removal. *Note: One of the dams proposed to be removed is partially located on an adjoining property. To ensure full Operational Works approval for the filling can be issued it is recommended that the application be made over both affected lots.*	As a part of Operational Works
46. Submit to Council and receive Operational Works approval for a revised assessment against the SEQ Koala Conservation SPRP. Include details on: • A survey accurate tree plot of all NJKHT to be retained/removed in relation to the approved layout plan. • An adjusted assessment against the priority koala assessable development area under the SEQ Koala Conservation SPRP. • Offset any residual impact of clearing at the rate calculated under the Environmental Offsets Act 2014.	As a part of Operational Works

Acoustic Requirements	
47. Construct, and maintain, a 2.0m high acoustic barrier as follows: • Along the northern boundary of lots 24-28 with 2.0m returns on lots 24, 25 and 28. Construct the acoustic barrier to achieve a minimum standard that attains a superficial mass of not less than 12.5kg/m2 and total leakage of less than 1% of the total area. Guidance on the design of the barriers is provided in the Redlands Planning Scheme Policy 5 – Environmental Emissions. The barriers must be a fence and constructed in accordance with Diagrams 3/4/5 – of Redlands Planning Scheme Policy 5 - Environmental Emissions.	Prior to Council approval of the Survey Plan for the relevant stage and ongoing.
48. Incorporate acoustic attenuation into the development as specified in section 6.0 a) item 3 and 6.0 b) of Clay Gully Road Estate, Victoria Point, Reverse Amenity Issue response dated 9 November 2017 Ref: RB/16-720.R01.Rev2	Prior to a future use commencing and ongoing.
Air Quality Requirements	
49. Development of stages 8 on the southern portion of the site must not commence (as per guidance in report Ausbuild Reverse Amenity Assessment, ref: Job ID08784, dated 27 Nov 2014) until the poultry farm use has ceased on Lot 1 RP86773.	Prior to Council approval of the Survey Plan for the affected stages.
50. Provide evidence that the poultry use has ceased on Lot 1 on RP86773, this includes: • Written evidence that the Environmental Authority for the use that is registered with the Department of Agriculture and Fisheries has been surrendered; OR • A Statutory Declaration from the owner/operator of the poultry farm, confirming that the use has ceased.	Prior to Council approval of the Survey Plan for stages 8.
51. Implement the air quality recommendations into the development as specified in section 7 of Ausbuild Reverse Amenity Assessment, ref: Job ID08784, dated 27 Nov 2014.	Prior to Council approval of the Survey Plan for Stage 1.
52. Plant a minimum 20 metre wide vegetative buffer on the southern side of the development site in accordance with figure 5.2 of Ausbuild Reverse Amenity Assessment, ref: Job ID08784, dated 27 Nov 2014. *Note: Guidance on the vegetative buffer can be found in Appendix 2 of Planning Guidelines: Separating Agricultural and Residential Land Uses.*	Prior to Council approval of the Survey Plan for Stage 1.

ADDITIONAL APPROVALS

The following further Development Permits and Compliance Permits are necessary to allow the development to be carried out.

- Operational Works approval is required for the following works as detailed in the conditions of this approval:
  - Excavation and Fill
  - Erosion and Sediment Control
  - Water and Sewer Reticulation
  - Roads and Path Design
  - Stormwater management
  - Electricity Reticulation and Street Lighting
  - Telecommunication
  - Landscaping
  - Parks Maintenance
  - Vegetation Management
  - Ecological Corridor Management
  - Dam Removal
  - Koala tree removal
- Building works – demolition:
  - Provide evidence to Council that a Demolition Permit has been issued for structures that are required to be removed and/or demolished from the site in association with this development. Referral Agency Assessment through Redland City Council is required to undertake the removal works.

Further approvals, other than a Development Permit are also required for your development. This

includes, but is not limited to, the following:

- Compliance assessment as detailed in condition 3 and table 2 of the conditions.
- Capping of Sewer – for demolition of existing buildings on site.
- Road Opening Permit – for any works proposed within an existing road reserve.

REFERRAL AGENCY CONDITIONS

- Queensland Department of Infrastructure, Local Government and Planning (DILGP)

Refer to the attached correspondence from the DILGP dated 22 November 2017 (DILGP reference SDA-0415-019880).

ASSESSMENT MANAGER ADVICE

- Infrastructure Charges
  Infrastructure charges apply to the development in accordance with the State Planning Regulatory Provisions (adopted charges) levied by way of an Infrastructure Charges Notice. The infrastructure charges are contained in the attached Redland City Council Infrastructure Charges Notice.
- Live Connections
  Redland Water is responsible for all live water and wastewater connections. Contact must be made with Redland Water to arrange live works associated with the development.
  Further information can be obtained from Redland Water on 07 3829 8999.
- Coastal Processes and Sea Level Rise
  Please be aware that development approvals issued by Redland City Council are based upon current lawful planning provisions which do not necessarily respond immediately to new and developing information on coastal processes and sea level rise. Independent advice about this issue should be sought.
- Hours of Construction
  Please be aware that you are required to comply with the Environmental Protection Act in regards to noise standards and hours of construction.
- Performance Bonding
  Security bonds may be required in accordance with the Redlands Planning Scheme Policy 3 Chapter 4 – Security Bonding. Bond amounts are determined as part of an Operational Works approvals and will be required to be paid prior to the pre-start meeting or the development works commencing, whichever is the sooner.
- Survey and As-constructed Information
  Redland City Council will be transitioning to ADAC XML submissions for all asset infrastructure once the Redlands draft City Plan has been adopted. While current Redland Planning Scheme Policies do not mandate its use, RCC encourages the utilisation of this methodology for submissions.
- Services Installation
  It is recommended that where the installation of services and infrastructure will impact on the location of existing vegetation identified for retention, an experienced and qualified arborist that is a member of the Australian Arborist Association or equivalent association, be commissioned to provide impact reports and on site supervision for these works.
- Fire Ants
  Areas within Redland City have been identified as having an infestation of the Red Imported Fire Ant (RIFA). It is recommended that you seek advice from the Department of Agriculture, Fisheries and Forestry (DAFF) RIFA Movement Controls in regards to the movement of extracted or waste soil, retaining soil, turf, pot plants, plant material, baled hay/straw, mulch or green waste/fuel into, within and/or out of the City from a property inside a restricted area. Further information can be obtained from the DAFF website www.daff.qld.gov.au
- Cultural Heritage
  Should any aboriginal, archaeological or historic sites, items or places be identified, located or exposed during the course or construction or operation of the development, the Aboriginal and Cultural Heritage Act 2003 requires all activities to cease. For indigenous cultural heritage, contact the Department of Aboriginal and Torres Strait Islander Partnerships.
- Fauna Protection
  It is recommended an accurate inspection of all potential wildlife habitats be undertaken prior to removal of any vegetation on site. Wildlife habitat includes trees (canopies and lower trunk) whether living or dead, other living vegetation, piles of discarded vegetation, boulders, disturbed ground surfaces, etc. It is recommended that you seek advice from the Queensland Parks and Wildlife Service if evidence of wildlife is found.
- Environment Protection and Biodiversity Conservation Act
  Under the Commonwealth Government's Environment Protection and Biodiversity

Conservation Act (the EPBC Act), a person must not take an action that is likely to have a significant impact on a matter of national environmental significance without Commonwealth approval. Please be aware that the listing of the Koala as vulnerable under this Act may affect your proposal. Penalties for taking such an action without approval are significant. If you think your proposal may have a significant impact on a matter of national environmental significance, or if you are unsure, please contact Environment Australia on 1800 803 772. Further information is available from Environment Australia's website at www.ea.gov.au/epbc

Please note that Commonwealth approval under the EPBC Act is independent of, and will not affect, your application to Council.

- Release of Water Contaminants
  Please be aware that prescribed water contaminants must not be released to waters, a roadside gutter, stormwater drainage or into another place so that contaminants could reasonably be expected to move into these areas. Refer to the *Environmental Protection Act 1994* for further information on the release of prescribed water contaminants.
- Dams
  Please be aware that dam dewatering is required to comply with the *Environmental Protection Act 1994* and must not be released to waters, a roadside gutter, stormwater drainage or into another place so that contaminants could reasonably be expected to move into these areas. It is recommended that all water discharged from dams should be discharged onto a vegetated or well grassed area and all necessary measures must be taken to comply with the Environmental Protection Act 1994.
- Asbestos Management & Removal
  Please be aware that where asbestos related materials are to be removed on a development site, appropriate measures must be taken to not cause a public health risk under the Public Health Act 2005. A suitably qualified asbestos removalist that holds a current Workplace Health & Safety A or B class asbestos removal licence must be engaged to remove more than 10m² of non-friable asbestos. The removal of friable asbestos must be undertaken by a business that holds a current Class A asbestos removal licence. For further information on asbestos visit the Queensland Government website www.deir.qld.gov.au/asbestos. For licensing enquiries please contact Workplace Health and Safety Queensland on 1300 362 128 or www.worksafe.qld.gov.au/injury-prevention-safety/asbestos.
- Contaminated Land
  Council's Red E Map system identifies that the proposed development site may have potential contaminated land. It is recommended that the appropriate investigation and potential testing of the site is undertaken prior to construction work to ensure its suitability for residential development. For further information on contaminated land visit the Queensland Government website: https://www.qld.gov.au/environment/pollution/management/contaminated-land/
- Adjoining Vegetation
  The concept earthworks plans identify significant earthworks within close proximity of vegetation on adjoining lots. Please note that any damage caused to vegetation on adjoining lots as a result of exercising this development approval may result in civil action.

PROCEDURAL MOTION

Moved by: Cr L Hewlett

That Council resolves that the application is deferred until a Council led Structure Plan is completed for the whole emerging community zone situated between Bunker Road, Double Jump Road, Brendan Way and Clay Gully Road, specifically, the Victoria Point Local Development Area.

CARRIED 8/1

Crs Boglary, Gollè, Hewlett, Edwards, Huges, Talty, Gleeson, Bishop and voted FOR the motion.

Cr Elliott voted AGAINST the motion

Cr Mitchell was absent from the meeting

Cr Williams was not present when the motion was put.

ROL005912 – Attachment 1 – Locality Plan

ROL005912 – Attachment 2 – Site aerial photo

YIELD AND MIX													
													TOTAL
Average width	12.5m		14m		16m		14m		16m		20-25m	Vendor Lots	
Average depth	29-31m		29-31m		29-31m		28m		28m		31-42m		
Average size	401sqm		435sqm		505sqm		411sqm		459sqm		725sqm	2949sqm	
STAGE 1	1	3%	7	18%	3	8%	11	28%	6	15%	8	20%	4	10%	40
STAGE 2	7	15%	21	0%	9	19%	6	13%	2	4%	0	0%	2	4%	47
STAGE 3	2	6%	4	12%	4	12%	4	12%	10	29%	10	29%	0	0%	34
STAGE 4	5	14%	11	31%	17	49%	0	0%	1	3%	1	3%	0	0%	35
STAGE 5	6	17%	10	28%	5	14%	8	22%	6	17%	1	3%	0	0%	36
STAGE 6	0	0%	16	47%	10	29%	7	21%	1	3%	0	0%	0	0%	34
STAGE 7	10	59%	4	24%	2	12%	0	0%	0	0%	0	0%	1	6%	17
STAGE 8	7	26%	3	11%	4	15%	7	26%	5	19%	1	4%	0	0%	27
YIELD	**38**	14%	**76**	28%	**54**	20%	**43**	16%	**31**	11%	**21**	8%	**7**	3%	**270**

place design group.

BRISBANE
131 Robertson Street
PO Box 419
FORTITUDE VALLEY, QLD, 4006
P: +61 7 3852 3922
F: +61 7 3852 4766

PROJECT

CLAY GULLY ROAD

CLIENT

AUSBUILD

KEY PLAN / NOTES

- SITE BOUNDARY
- STAGING BOUNDARY
- OPEN SPACE/PARK/ STORMWATER
- EXISTING ACCESS EASEMENT
- PROPOSED ACCESS EASEMENT
- PROPOSED COVENANT FOR OPEN SPACE CORRIDOR

NOT FOR CONSTRUCTION

ISSUE	CODE	ISSUE DESCRIPTION	BY	CHK	DATE
A	PRE	PRELIMINARY ROL PLAN	CA	LM	25-03-2015
B	PRE	PRELIMINARY ROL PLAN	CA	LM	29-07-2015
C	PRE	PRELIMINARY ROL PLAN	CA	LM	11-08-2015
D	PRE	PRELIMINARY ROL PLAN	CA	LM	12-12-2015
E	PRE	PRELIMINARY ROL PLAN	JB	CA	21-01-2016
F	PRE	PRELIMINARY ROL PLAN	JB	CA	01-03-2016
G	PRE	PRELIMINARY ROL PLAN	JB	CA	02-03-2016
H	PRE	PRELIMINARY ROL PLAN	JB	CA	07-03-2016
I	PRE	PRELIMINARY ROL PLAN	EM	CA	24-03-2016
J	PRE	PRELIMINARY ROL PLAN	EM	CA	26-09-2017
K	PRE	PRELIMINARY ROL PLAN	JW	CA	06-11-2017

PRE - Preliminary | CA - Council Approval | T - Tender | CON - Construction

DRAWING TITLE

ROL PLAN

DESIGN : CA
DOCUMENT : CA
PROJECT : ASB32

NORTH

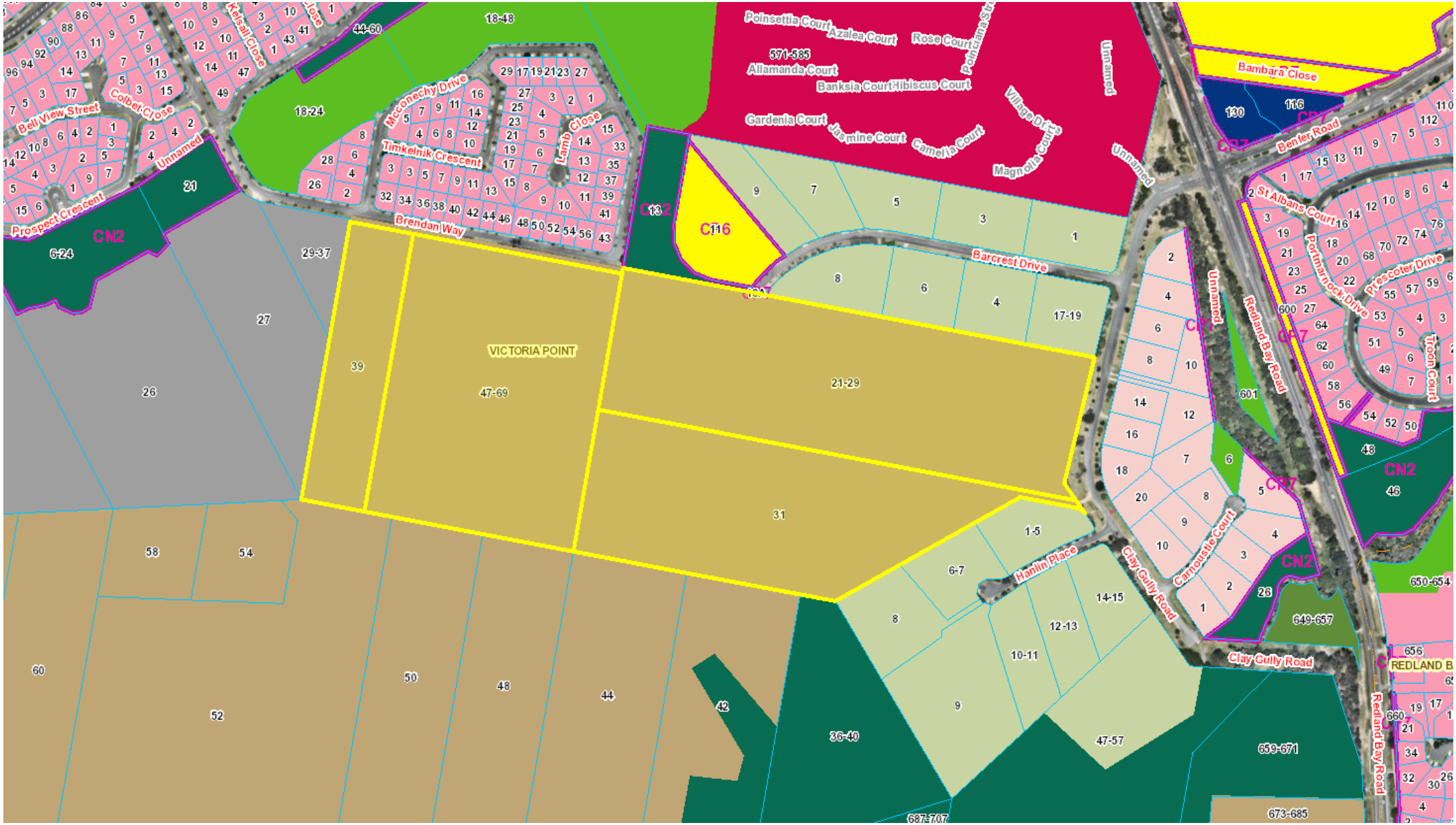
15 0 15 30 45 60 75 metres

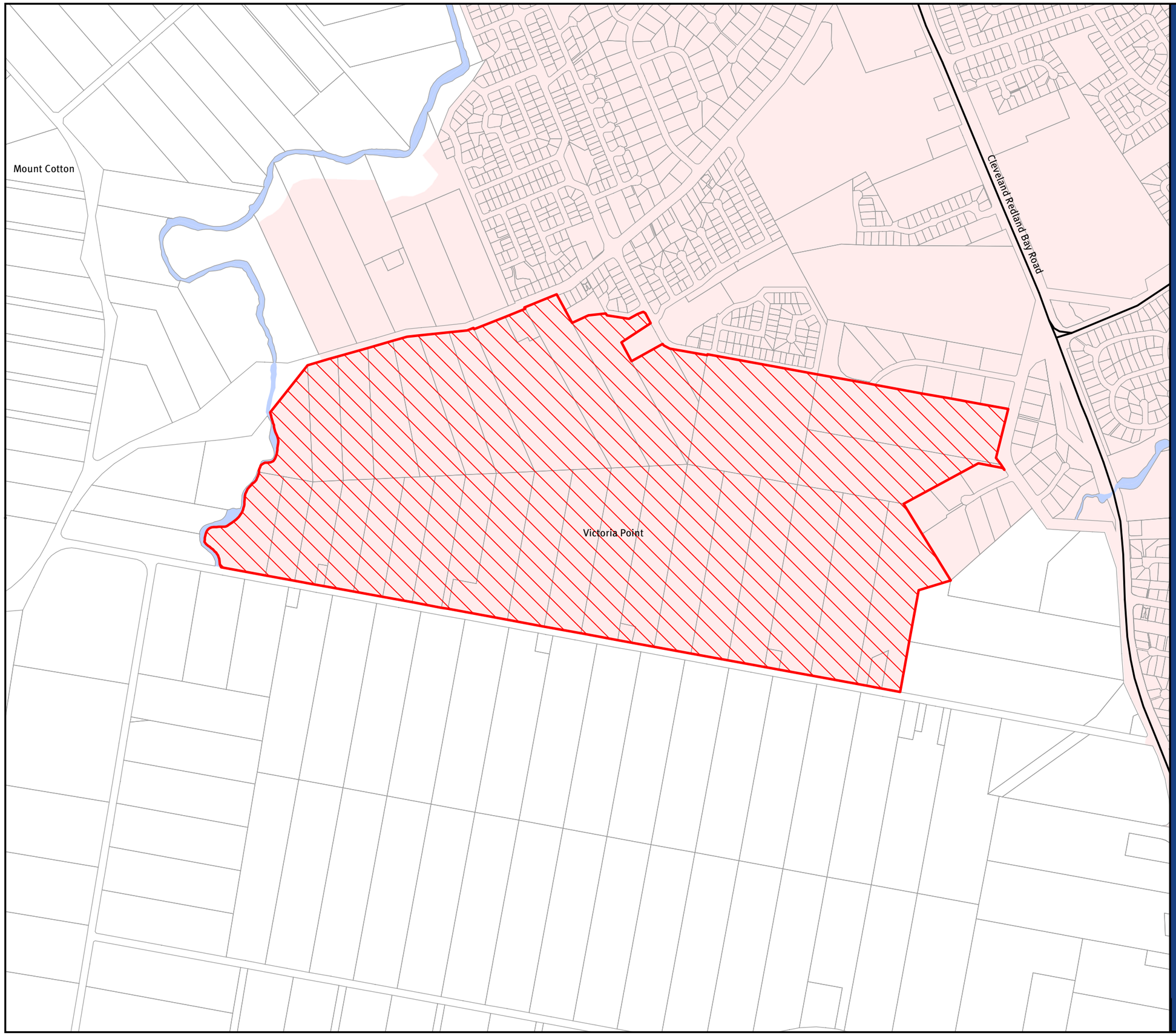
SCALE 1:1500 @ A1 1:3000 @ A3

SHEET NUMBER ASB32-SK01

REVISION K

ROL005912 – Attachment 4 – RPS zoning map





SEQ Regional Plan 2009-2031
State Planning Regulatory Provisions

Local & Regional Development Areas
Redland City Council

Map No: RD3 - Victoria Point

Gazetted: July 2009

Key

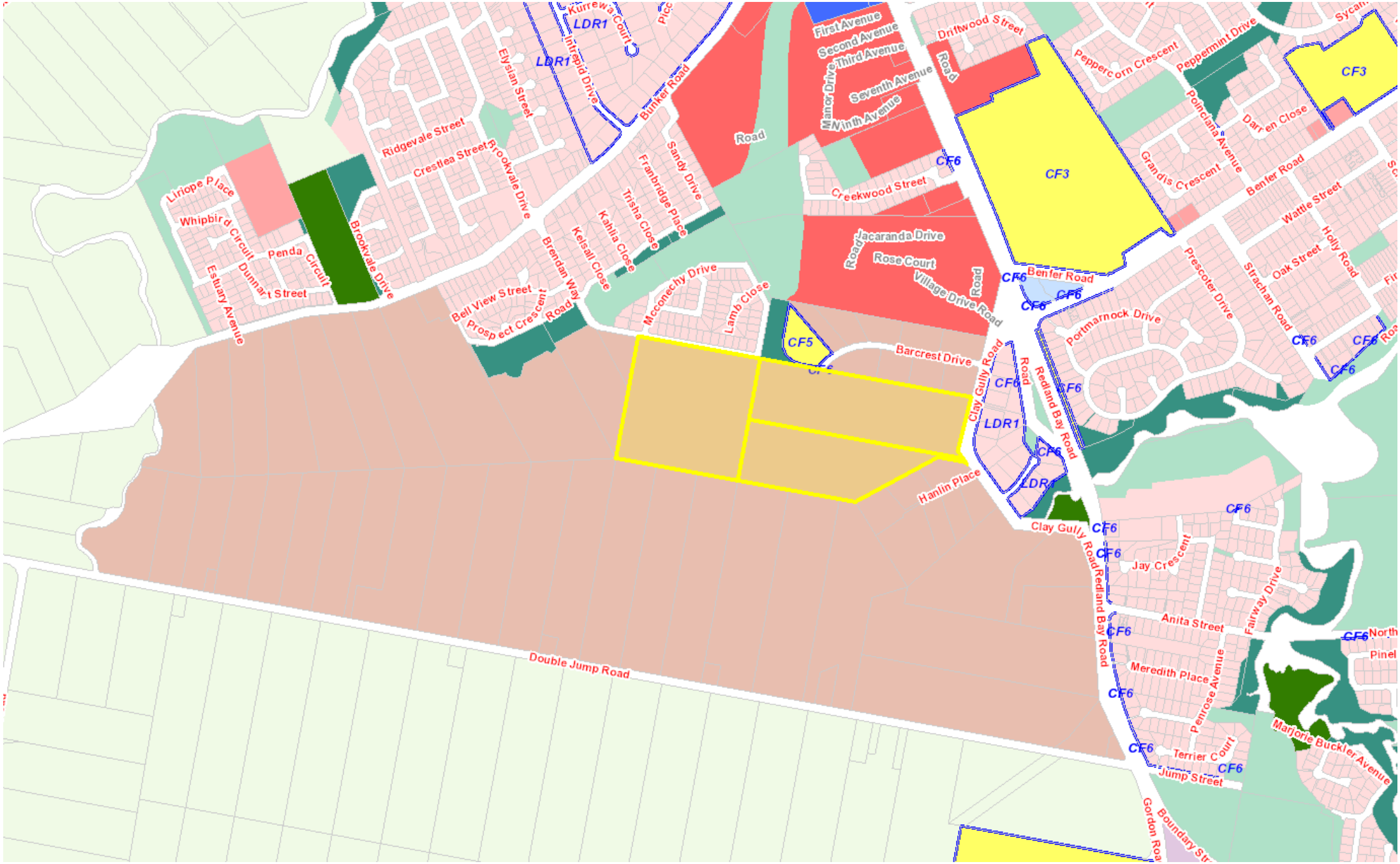
- Development Area
- Urban Footprint
- Rural Living Area
- Regional Landscape and Rural Production Area
- Cadastral parcels
- Freeways/Motorways
- Highways
- Secondary Roads
- Railway lines
- Waterbodies and waterways

0 50 100 200 300 400 500 600

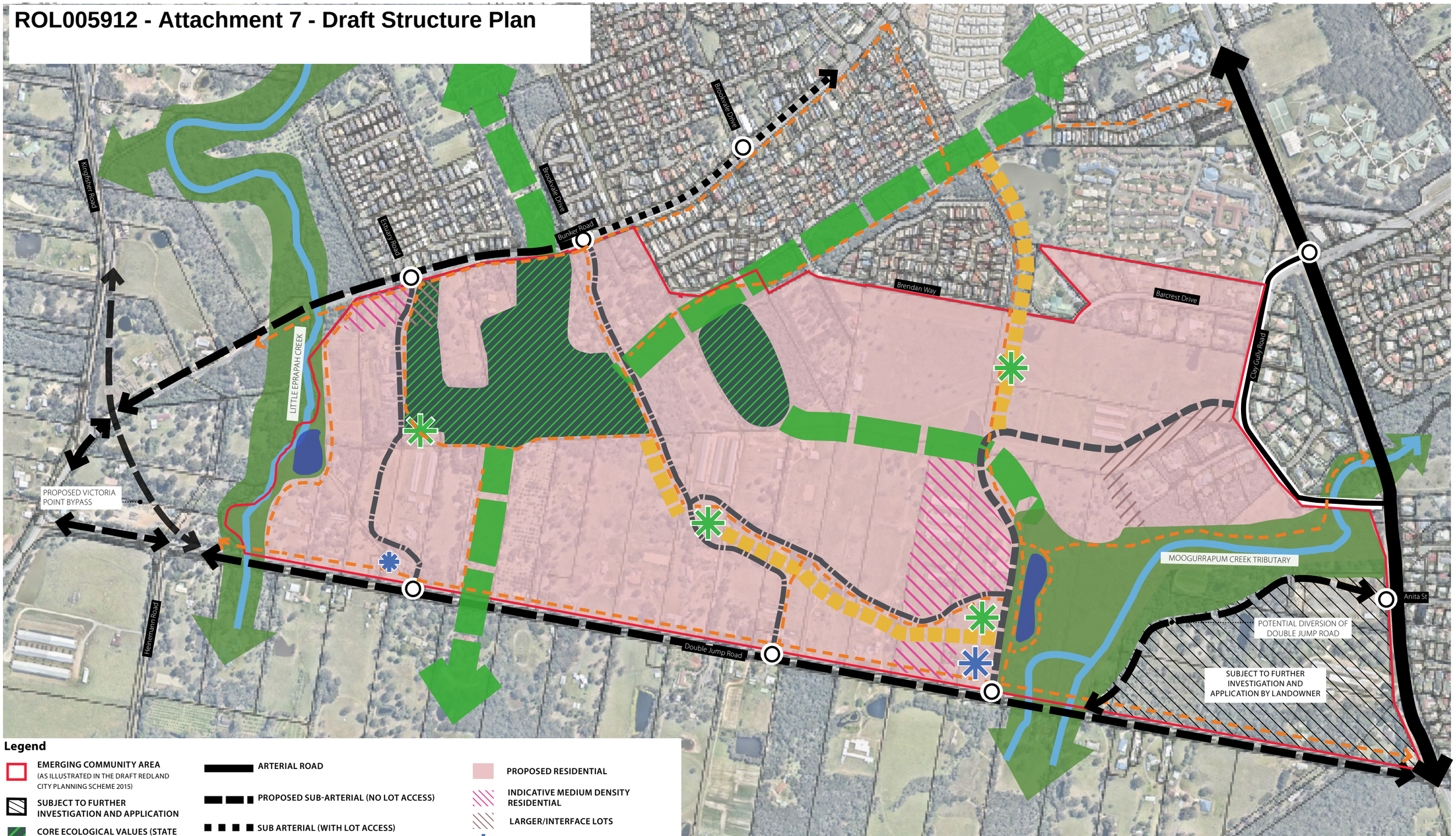
Metres

Queensland Government
Department of Infrastructure and Planning

ROL005912 – Attachment 6 – Draft City Plan zoning



ROL005912 - Attachment 7 - Draft Structure Plan



Legend

- EMERGING COMMUNITY AREA (AS ILLUSTRATED IN THE DRAFT REDLAND CITY PLANNING SCHEME 2015)
- SUBJECT TO FURTHER INVESTIGATION AND APPLICATION
- CORE ECOLOGICAL VALUES (STATE MAPPING)
- PRIMARY (ECOLGICAL) CORRIDOR
- SECONDARY (LINKAGE) CORRIDOR
- LOCAL PARK
- AESTHETIC/MULTI-FUCTION SPINE (AESTHETIC PEDESTRIAN/CYCLE & STORMWATER FUNCTION)
- ARTERIAL ROAD
- PROPOSED SUB-ARTERIAL (NO LOT ACCESS)
- SUB ARTERIAL (WITH LOT ACCESS)
- PROPOSED RESIDENTIAL COLLECTOR WITH BUS ROUTE
- PROPOSED RESIDENTIAL COLLECTOR
- SHARED CYCLE/PEDESTRIAN NETWORK
- EXISTING OR PROPOSED INTERSECTION
- PROPOSED RESIDENTIAL
- INDICATIVE MEDIUM DENSITY RESIDENTIAL
- LARGER/INTERFACE LOTS
- PROPOSED NEIGHBOURHOOD CENTRE
- PROPOSED SERVICE STATION
- CREEKS
- REGIONAL STORMWATER DEVICE

0 75 150 375m

FITENI HOMES

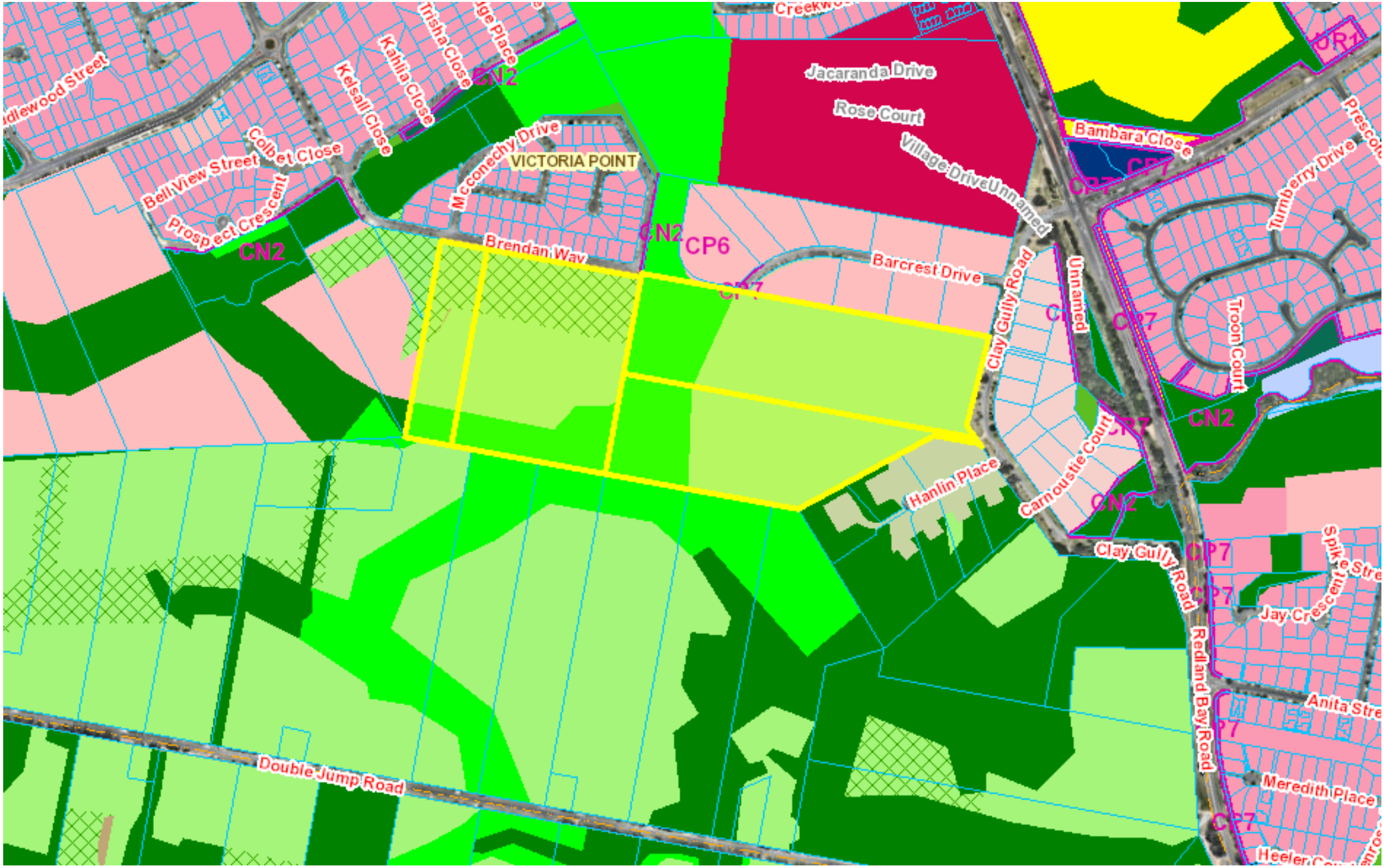
VICTORIA POINT LOCAL DEVELOPMENT AREA STRUCTURE PLAN

Fiteni Homes - Double Jump Road

PROJ_DRG NO 0715-0859-00 -D004 REV 27 DRWN MH CHKD SG DATE 25.10.2017

Tract

ROL005912 – Attachment 8 – Mapped Ecological Corridor



Queensland Government

Department of Infrastructure, Local Government and Planning

Our reference: SDA-0415-019880
Your reference: ROL005912

22 November 2017

Chief Executive Officer
Redland City Council
PO Box 21
CLEVELAND QLD 4163

Via email: DAmailbox@redland.qld.gov.au

Dear Sir/Madam

Amended concurrence agency response – with conditions
21-29 and 31 Clay Gully Road and 39 Brendan Way, Victoria Point QLD 4165 – Lot 4 on RP57455, Lot 1 on RP95513 and Lot 1 on RP726635
(Related to section 290(1)(b) of the *Sustainable Planning Act 2009*)

The Department of Infrastructure, Local Government and Planning (the department) issued a concurrence agency response under section 285 of the *Sustainable Planning Act 2009* (the Act) on 15 December 2016. On 13 November 2017, the department received representations from the applicant requesting that the department amend its concurrence agency response under section 290(1)(b)(i) of the Act.

The department has considered the written representations and agrees to issue the following amended concurrence agency response.

Applicant details

Applicant name:	Ausbuild Pty Ltd
Applicant contact details:	c/- Place Design Group Ptd Ltd PO Box 419 FORTITUDE VALLEY QLD 4006 catherine.a@placedesigngroup,com

Site details

Street address:	21-29 and 31 Clay Gully Road and 39 Brendan Way, Victoria Point QLD 4165
Lot on plan:	Lot 4 on RP57455, Lot 1 on RP95513 and Lot 1 on RP726635

Planning and Development Services (SEQ South)
PO Box 3290
Australia Fair, QLD 4215

Local government area: Redland City Council

Application details

Proposed development: Development Permit for a Reconfiguration of a Lot by Standard Format Plan (three lots into 263 lots)

Referral triggers

The development application was referred to the department under the following provisions of the Sustainable Planning Regulation 2009:

Referral triggers: Schedule 7, Table 2, Item 39—Regional Plan

Schedule 7, Table 3, Item 2—State-transport Infrastructure

Previous Concurrence Agency Response details

Date of original response: 15 December 2016

Original response details: Approved subject to conditions

Date of previous amended response: 13 August 2017

Previous amended response details: Amended response issued (revised plan references)

Nature of the changes

The nature of the change agreed to in the current request are:

- Amendment to the Reconfiguration of a Lot Plan

An amended concurrence agency response for this request is attached. The applicant has provided written agreement to this amended concurrence agency response, as attached.

For further information, please contact Alice Davis, Acting Principal Planning Officer on (07) 5644 3223 or via email GCSARA@dilgp.qld.gov.au who will be pleased to assist.

Yours sincerely

Adam Norris
A/Manager, Planning and Development Services (SEQ South)

cc: Ausbuild Pty Ltd C/- Place Design Group Pty Ltd, catherine.a@placedesigngroup,com
enc: Attachment 1—Amended conditions to be imposed
Attachment 2—Reasons for decision to impose amended conditions
Attachment 3—Amended further advice
Attachment 4—Approved Plans and Specifications
Attachment 5—Applicant written agreement to amended concurrence agency response

Our reference: SDA-0415-019880
Your reference: ROL005912

Amended concurrence agency response
(Given under section 290 of the *Sustainable Planning Act 2009*)

Site details

Street address:	21-29 and 31 Clay Gully Road and 39 Brendan Way, Victoria Point QLD 4165
Lot on plan:	Lot 4 on RP57455, Lot 1 on RP95513 and Lot 1 on RP726635
Local government area:	Redland City Council

Application details

Proposed development:	Development Permit for a Reconfiguration of a Lot by Standard Format Plan (three lots into 270 lots)

Referral triggers

The development application was referred to the department under the following provisions of the Sustainable Planning Regulation 2009:

Referral triggers:	Schedule 7, Table 2, Item 39—Regional Plan
	Schedule 7, Table 3, Item 2—State-transport Infrastructure

Amended Conditions

Under section 287(1)(a) of the Act, the conditions set out in Attachment 1 must be attached to any development approval.

Reasons for decision to impose conditions

Under section 289(1) of the Act, the department must set out the reasons for the decision to impose conditions. These reasons are set out in Attachment 2.

Further advice

Under section 287(6) of the Act, the department offers advice about the application to the assessment manager—see Attachment 3.

Approved plans and specifications

The department requires that the following plans and specifications set out below and in Attachment 4 must be attached to any development approval.

Drawing/Report Title	Prepared by	Date	Reference no.	Version/Issue
Aspect of development: Reconfiguring a Lot				
Intersection upgrade	Lambert & Rehbein	15 December 2015	B14112-SK-001	-
ROL Plan (as amended in red by SARA on 22 November 2017)	Place Design Group	6-11-2017	ASB32-SK01	K

Our reference: SDA-0415-019880
Your reference: ROL005912

Attachment 1 — Amended conditions to be imposed

No.	Conditions of Development Approval	Condition Timing
Development Permit - Reconfiguring a Lot (3 lots into 270 lots)		
Schedule 7, Table 3, Item 2—Pursuant to section 255D of the *Sustainable Planning Act 2009*, the chief executive administering the Act nominates the Director-General of the Department of Transport and Main Roads to be the assessing authority for the development to which this development approval relates for the administration and enforcement of any matter relating to the following conditions:		
1	(a) Road works comprising: • a 'Keep Clear' zone pavement marking in Clay Gully Road opposite the entry to the existing Retirement Facility near Cleveland-Redland Bay Road; and • a (high entry angle) left turn slip lane from Clay Gully Road approach into Cleveland-Redland Bay Road (north); must be provided generally in accordance with Intersection Upgrade prepared by Lambert & Rehbein dated 15 December 2015, reference B14112-SK-001 as amended in blue by the SARA on 22 November 2017 to widen the proposed left turn lane to a minimum of 4.6 metres width. (b) The road works must be designed and constructed in accordance with the current version of the Department of Transport and Main Roads Road Planning and Design Manual.	Prior to submitting the Plan of Survey to the local government for approval.
2	The ROL Plan prepared by Place Design Group Pty Ltd dated 6-11-2017, reference ASB32-SK01 and revision K, as amended in red to illustrate the future potential bus route by SARA on 22 November 2017 must be designed and constructed by the applicant to be in accordance with the Schedule – Code for IDAS, Part 2 – Development Standards of the *Transport Planning and Coordination Regulation 2005* to accommodate a single unit rigid bus of 12.5m in length.	Prior to submitting the Plan of Survey to the local government for approval for the relevant stage.
3	The development must be carried out generally in accordance with the following plans: • ROL Plan prepared by Place Design Group Pty Ltd dated 6-11-2017, reference ASB32-SK01 and revision K, as amended in red to illustrate the future potential bus route by SARA on 22 November 2017.	Prior to submitting the final Plan of Survey to the local government for approval and to be maintained at all times.
Development Permit - Reconfiguring a Lot (3 lots into 270 lots)		

Schedule 7, Table 2, Item 39—Pursuant to section 255D of the *Sustainable Planning Act 2009*, the chief executive administering the Act nominates the Director-General of the Department of Infrastructure, Local Government and Planning to be the assessing authority for the development to which this development approval relates for the administration and enforcement of any matter relating to the following condition:		
4	The development must be carried out generally in accordance with the following plans: • ROL Plan prepared by Place Design Group Pty Ltd dated 6-11-2017, reference ASB32-SK01 and revision K, as amended in red to illustrate the future potential bus route by SARA on 22 November 2017.	Prior to submitting the final Plan of Survey to the local government for approval and to be maintained at all times.

Our reference: SDA-0415-019880
Your reference: ROL005912

Attachment 2 — Reasons for decision to impose amended conditions

The reasons for this decision are:

- To ensure the road works on, or associated with, the state-controlled road network are undertaken in accordance with applicable standards.
- To provide, as far as practicable, public passenger transport infrastructure to support public passenger services.
- To ensure the development is carried out generally in accordance with the plans of development submitted with the application

Our reference: SDA-0415-019880
Your reference: ROL005912

Attachment 3 — Amended further advice

General advice	
Ref.	**Public Passenger Transport**
1.	**Potential future bus route** The development is reliant on access to the external road network via Clay Gully Road and Cleveland Redland bay Road, which will be a critical link as part of a potential future bus route through the development. Clay Gully Road and proposed left turning lane into Cleveland Redland Bay Road must be designed and constructed in accordance with the Schedule – Code for IDAS, Part 2 – Development Standards of the *Transport Planning and Coordination Regulation 2005* to accommodate a single unit rigid bus of 12.5m in length. In particular, the proposed left turning lane from Clay Gully Road into Cleveland Redland bay Road needs to demonstrate that a bus can effectively negotiate the left turn and then enter the indented bus bay. Please ensure that a 12.5m bus as a design vehicle can stop parallel to the edge of the bus bay. Traffic calming devices should not be incorporated into the design and construction of potential future bus routes in accordance with Chapter 2 - Planning and Design, Section 2.3.2 Bus Route Infrastructure (page 6) of the Department of Transport and Main Roads *Public Transport Infrastructure Manual, 2015*. The Department of Transport and Main Roads' TransLink *Public Transport Infrastructure Manual 2015* is available at: http://translink.com.au/about-translink/reports-and-publications
2.	**Existing bus stop** The development includes upgrade works to the Clay Gully Road and Cleveland-Redland Bay Road intersection, which may impact on the existing bus stop 'Redland Bay Rd at Victoria Point High School, Victoria Point', TransLink Number: 400028, Hastus ID: 311167. This bus stop must be able to function and pedestrian access to this facility must be maintained during the works. Accordingly, if any temporary bus stop and pedestrian access arrangements are required, the applicant must reach agreement on suitable arrangements with the Department of Transport and Main Roads' TransLink Division (07 3851 8700 or at bus_stops@translink.com.au) prior to any construction or works commencing.
3.	**Urban Bus Stops on a State-controlled road** In accordance with Section 50(2) and Schedule 6 of the *Transport Infrastructure Act 1994* (TIA) and Part 5 and Schedule 1 of the *Transport Infrastructure (State-Controlled roads) Regulation 2006*, you must have written approval to carry out ancillary works and encroachments on a state-controlled road. These development conditions do not constitute such an approval. You will need to contact the Department of Transport and Main Roads on 3066 5834 to make an application for a Road Corridor Permit under section 50(2) of the TIA to carry out ancillary works and encroachments. Ancillary works and encroachments include but are not limited to advertising signs or other advertising devices, paths or bikeways, buildings/shelters, vegetation clearing, landscaping and planting.

	The Department of Transport and Main Roads' technical standards and publications can be accessed at http://www.tmr.qld.gov.au/Business-industry/Technical-standards-publications.aspx.
Further development permits, compliance permits or compliance certificates	
Ref.	**State-controlled roads**
4.	**Road works approval**: Under section 33 of the *Transport Infrastructure Act 1994,* written approval is required from the Department of Transport and Main Roads to carry out road works on a state-controlled road. Please contact the Department of Transport and Main Roads on metropolitan.IDAS@tmr.qld.gov.au to make an application for road works approval. This approval must be obtained prior to commencing any works on the state-controlled road reserve. The approval process may require the approval of engineering designs of the proposed works, certified by a Registered Professional Engineer of Queensland (RPEQ). Please contact the Department of Transport and Main Roads as soon as possible to ensure that gaining approval does not delay construction.
5.	**Compliance**: Pursuant to section 255D of the *Sustainable Planning Act* 2009, the Department of Transport and Main Roads has been nominated by the Chief Executive of the Department of Infrastructure Local Government and Planning as the entity responsible for the administration and enforcement of concurrence agency conditions within TMR's area of interest (e.g development impacting on State-controlled roads). The Department of Infrastructure Local Government and Planning wishes to advise Redland City Council that any matter regarding compliance with the concurrence agency conditions (including compliance with certain conditions before the Plan of Survey has been submitted to Council for approval), that they must be addressed to the District Director (Metropolitan District) in the Department of Transport and Main Roads. If Council has any questions or wish to further discuss this matter, please contact the Metropolitan office at the Department of Transport and Main Roads on Metropolitan.IDAS@tmr.qld.gov.au.
***South East Queensland Regional Plan 2009-2031* (SEQ Regional Plan)**	
6.	The SEQ Regional Plan sets out a clear policy direction under Desired Regional Outcome 8.1 Compact development that any new residential development in Development Areas must achieve a minimum dwelling yield of 15 dwellings per hectare net. Please note that the local and regional development areas under the former SEQ Regional Plan are no longer considered development areas for the purposes of the Planning Regulation 2017. As such, it will be the responsibility of the local government to ensure that land is developed efficiently and at a density that will enable the dwelling targets under the *South East Queensland Regional Plan 2017* (ShapingSEQ) to be met.

Our reference: SDA-0415-019880
Your reference: ROL005912

Attachment 4 — Approved plans and specifications

YIELD AND MIX													
													TOTAL
Average width	12.5m		14m		16m		14m		16m		20-25m	Vendor Lots	
Average depth	29-31m		29-31m		29-31m		28m		28m		31-42m		
Average size	401sqm		435sqm		505sqm		411sqm		459sqm		725sqm	2949sqm	
STAGE 1	1	3%	7	18%	3	8%	11	28%	6	15%	8	20%	4	10%	40
STAGE 2	7	15%	21	0%	9	19%	6	13%	2	4%	0	0%	2	4%	47
STAGE 3	2	6%	4	12%	4	12%	4	12%	10	29%	10	29%	0	0%	34
STAGE 4	5	14%	11	31%	17	49%	0	0%	1	3%	1	3%	0	0%	35
STAGE 5	6	17%	10	28%	5	14%	8	22%	6	17%	1	3%	0	0%	36
STAGE 6	0	0%	16	47%	10	29%	7	21%	1	3%	0	0%	0	0%	34
STAGE 7	10	59%	4	24%	2	12%	0	0%	0	0%	0	0%	1	6%	17
STAGE 8	7	26%	3	11%	4	15%	7	26%	5	19%	1	4%	0	0%	27
YIELD	**38**	14%	**76**	28%	**54**	20%	**43**	16%	**31**	11%	**21**	8%	**7**	3%	**270**

Amended in red by SARA on

22 November 2017

PLANS AND DOCUMENTS referred to in the REFERRAL AGENCY RESPONSE

Queensland Government

SARA ref: SDA-0415-019880

Date: 22 November 2017

place design group.

BRISBANE
131 Robertson Street
PO Box 419
FORTITUDE VALLEY, QLD, 4006
P: +61 7 3852 3922
F: +61 7 3852 4766

PROJECT

CLAY GULLY ROAD

CLIENT

AUSBUILD

KEY PLAN / NOTES

- SITE BOUNDARY
- STAGING BOUNDARY
- OPEN SPACE/PARK/ STORMWATER
- EXISTING ACCESS EASEMENT
- PROPOSED ACCESS EASEMENT
- PROPOSED COVENANT FOR OPEN SPACE CORRIDOR

NOT FOR CONSTRUCTION

ISSUE	CODE	ISSUE DESCRIPTION	BY	CHK	DATE
A	PRE	PRELIMINARY ROL PLAN	CA	LM	25-03-2015
B	PRE	PRELIMINARY ROL PLAN	CA	LM	29-07-2015
C	PRE	PRELIMINARY ROL PLAN	CA	LM	11-08-2015
D	PRE	PRELIMINARY ROL PLAN	CA	LM	12-12-2015
E	PRE	PRELIMINARY ROL PLAN	JB	CA	21-01-2016
F	PRE	PRELIMINARY ROL PLAN	JB	CA	01-03-2016
G	PRE	PRELIMINARY ROL PLAN	JB	CA	02-03-2016
H	PRE	PRELIMINARY ROL PLAN	JB	CA	07-03-2016
I	PRE	PRELIMINARY ROL PLAN	EM	CA	24-03-2016
J	PRE	PRELIMINARY ROL PLAN	EM	CA	26-09-2017
K	PRE	PRELIMINARY ROL PLAN	JW	CA	06-11-2017

PRE - Preliminary | CA - Council Approval | T - Tender | CON - Construction

DRAWING TITLE

ROL PLAN

DESIGN : CA
DOCUMENT : CA
PROJECT : ASB32

NORTH

15 0 15 30 45 60 75 metres

SCALE 1:1500 @ A1 1:3000 @ A3

SHEET NUMBER ASB32-SK01

REVISION K

PLANS AND DOCUMENTS referred to in the REFERRAL AGENCY RESPONSE

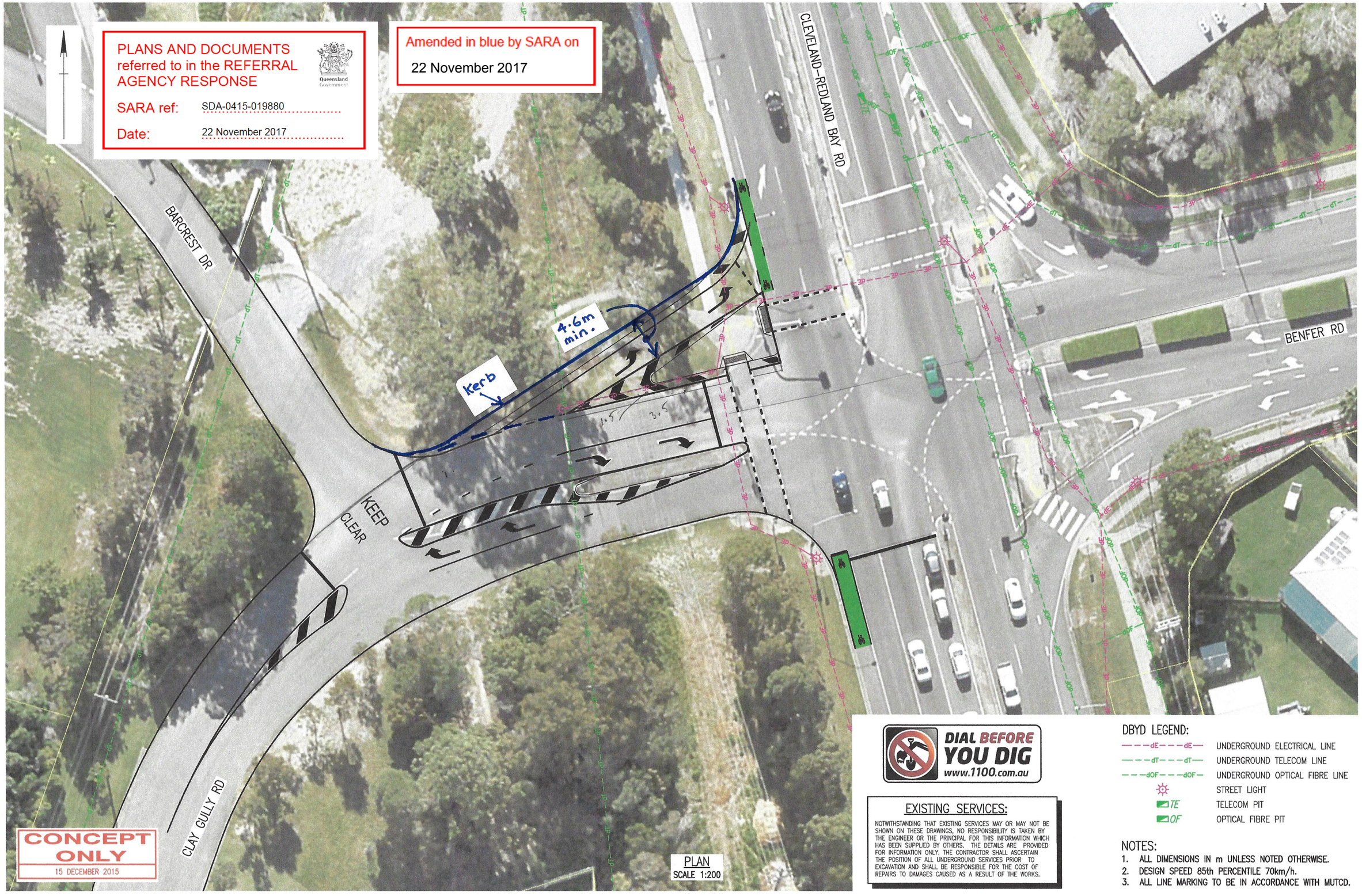
Queensland Government

SARA ref: SDA-0415-019880

Date: 22 November 2017

Amended in blue by SARA on

22 November 2017



CONCEPT ONLY
15 DECEMBER 2015

PLAN
SCALE 1:200

DIAL BEFORE YOU DIG
www.1100.com.au

EXISTING SERVICES:

NOTWITHSTANDING THAT EXISTING SERVICES MAY OR MAY NOT BE SHOWN ON THESE DRAWINGS, NO RESPONSIBILITY IS TAKEN BY THE ENGINEER OR THE PRINCIPAL FOR THIS INFORMATION WHICH HAS BEEN SUPPLIED BY OTHERS. THE DETAILS ARE PROVIDED FOR INFORMATION ONLY. THE CONTRACTOR SHALL ASCERTAIN THE POSITION OF ALL UNDERGROUND SERVICES PRIOR TO EXCAVATION AND SHALL BE RESPONSIBLE FOR THE COST OF REPAIRS TO DAMAGES CAUSED AS A RESULT OF THE WORKS.

DBYD LEGEND:

dE	UNDERGROUND ELECTRICAL LINE
dT	UNDERGROUND TELECOM LINE
dOF	UNDERGROUND OPTICAL FIBRE LINE
	STREET LIGHT
TE	TELECOM PIT
OF	OPTICAL FIBRE PIT

NOTES:

1. ALL DIMENSIONS IN m UNLESS NOTED OTHERWISE.
2. DESIGN SPEED 85th PERCENTILE 70km/h.
3. ALL LINE MARKING TO BE IN ACCORDANCE WITH MUTCD.

0 2 4 6 8m
SCALE 1:200 (A1)

Project:
CLAY GULLY ROAD
RESIDENTIAL

Client:
AUSBUILD

Title:
INTERSECTION UPGRADE
CLAY GULLY RD AND BARCREST DR

LAMBERT & REHBEIN
ENGINEERS • MANAGERS • SCIENTISTS
CBD HOUSE
LEVEL 3, 120 WICKHAM STREET
FORTITUDE VALLEY QLD 4006
P.O. BOX 92 FORTITUDE VALLEY QLD 4006
TELEPHONE (07) 3250 9000
FACSIMILE (07) 3250 9001
EMAIL mail@lar.net.au
A.C.N. 010 451 902

Drawn:	Checked:	Approved:	Rev.	Date
GB		SW		

Figure No: B14112-SK-001
Scale: AS SHOWN
File Ref: SEE BELOW
Sheet Size: A1

F:\Jobs\B14100\B14112\Drawings\Infrastructure\Sketches\B14112-SK-001.dwg

Our reference: SDA-0415-019880
Your reference: ROL005912

Attachment 5 — Applicant written agreement to amended concurrence agency response

Your reference: SDA-0415-019880

Attn: Alice Davis, Acting Principal Planning Officer (SEQ South)

Written agreement for the Department of Infrastructure, Local Government and Planning to amend its concurrence agency response
(Given under section 290(1)(b)(i) of the *Sustainable Planning Act 2009*)

Street address:	21-29 and 31 Clay Gully Road and 39 Brendan Way, Victoria Point QLD 4165
Real property description:	Lot 4 on RP57455, Lot 1 on RP95513 and Lot 1 on RP726635
Assessment manager reference:	ROL005912
Local government area:	Redland City Council

As the applicant of the above development application, I hereby agree to the amended concurrence agency response provided to me in the notice dated 21 November 2017:

Name of applicant: Ausbuild Pty Ltd c/- Place Design Group Pty Ltd

Signature of applicant: Andrews. (PLACE DESIGN GROUP)

Date: 22.11.2017.

Wed 22/11/2017 10:04 AM

Catherine Andrews <catherine.a@placedesigngroup.com>

RE: 20171121 - Request for applicant agreement - amended concurrence agency response - SDA-0415-019880 - Clay Gully

To Alice Davis

You replied to this message on 22/11/2017 10:05 AM.

Yes, we agree to amendments to the conditions that allow the dates to be updated.

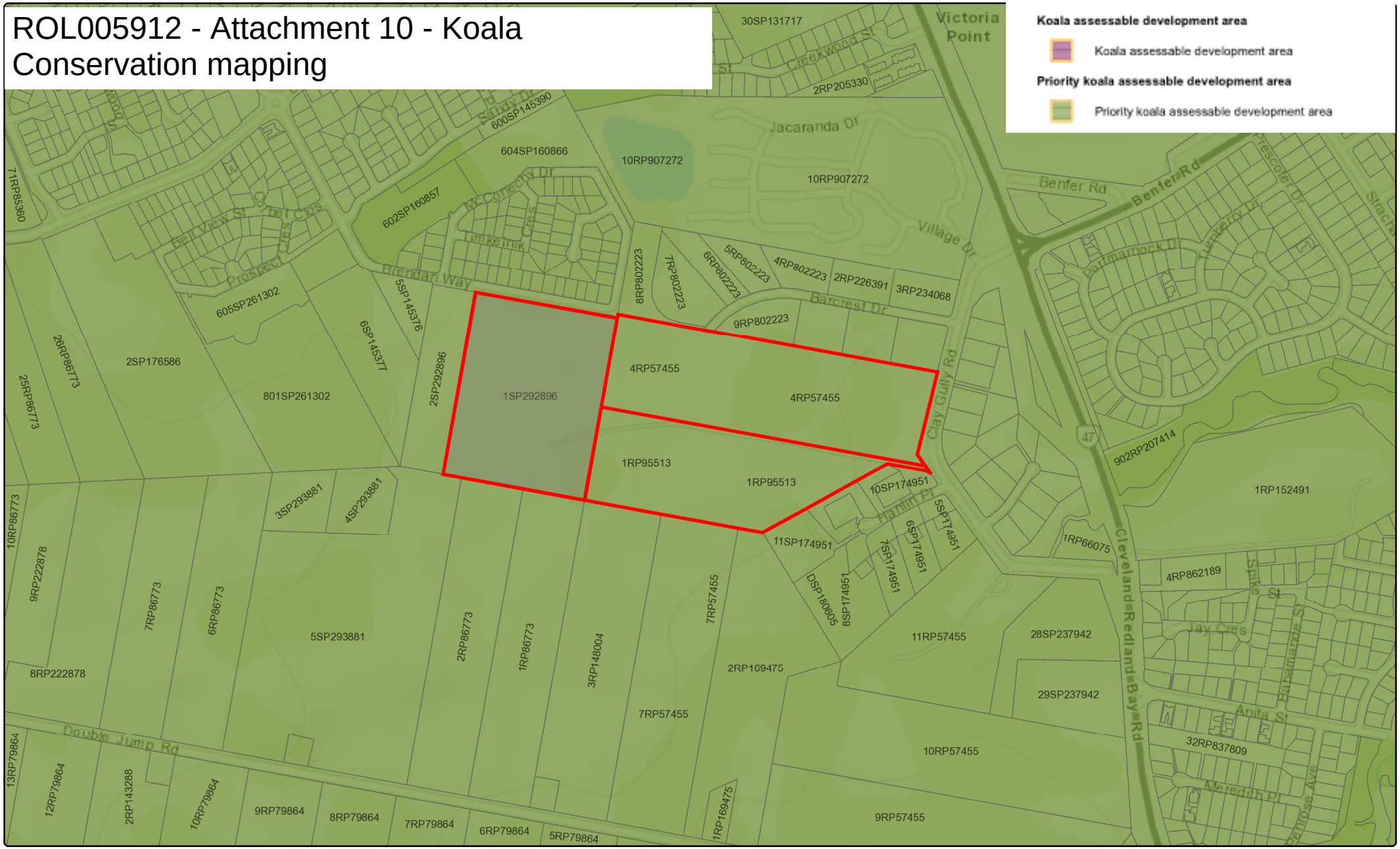
Kind Regards,

Catherine Andrews Senior Town Planner
catherine.a@placedesigngroup.com
M +61 439 797 212

T +61 7 3852 3922
131 Robertson Street
Fortitude Valley 4006 QLD Australia

Twitter / LinkedIn / Instagram / Facebook
placedesigngroup.com

ROL005912 - Attachment 10 - Koala Conservation mapping



DA Mapping System – Print Screen

Department of State Development, Manufacturing, Infrastructure and Planning

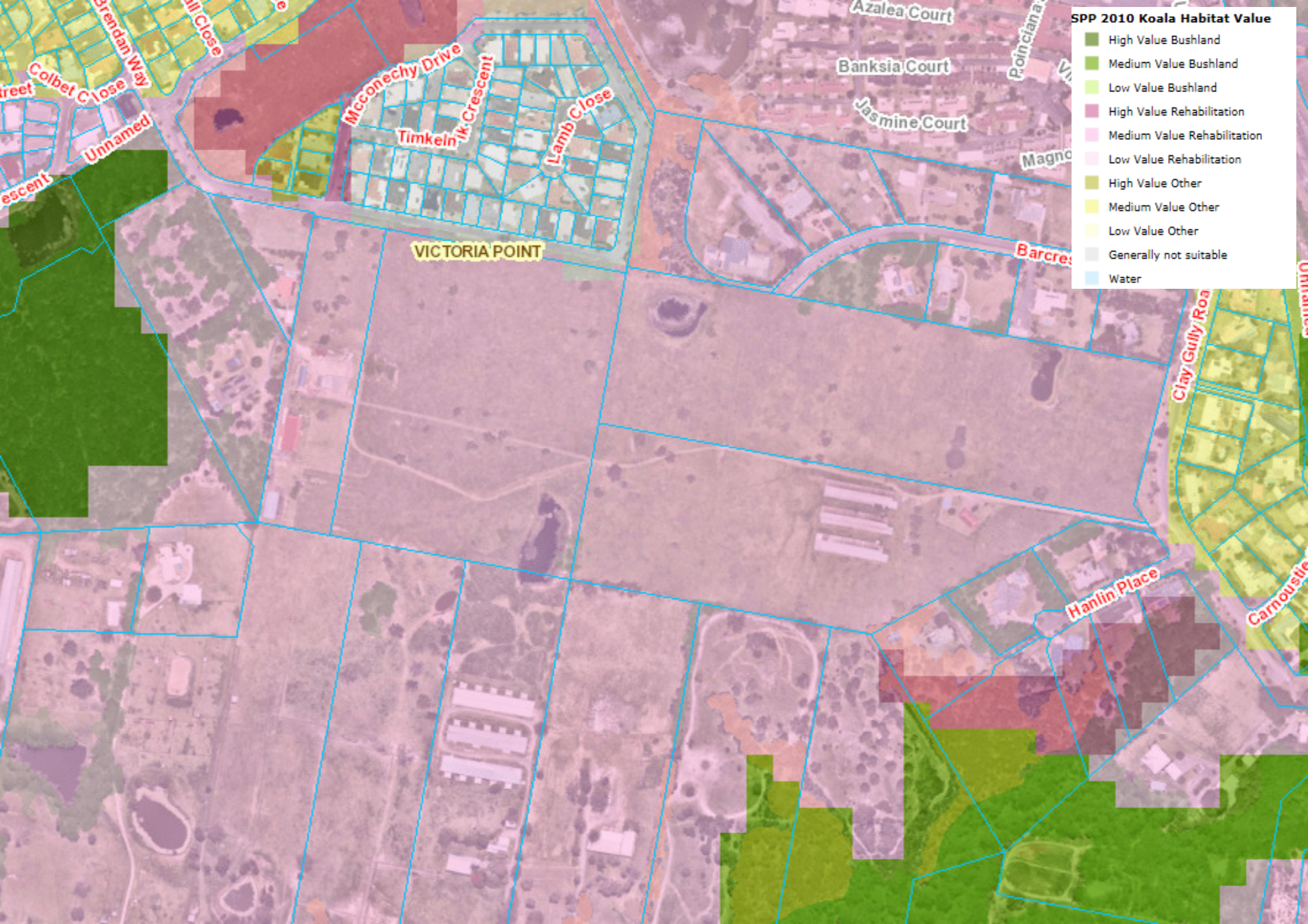
Queensland Government

0 140 280 420 560

Metres

Date: 22/02/2018

N


SPP 2010 Koala Habitat Value
High Value Bushland
Medium Value Bushland
Low Value Bushland
High Value Rehabilitation
Medium Value Rehabilitation
Low Value Rehabilitation
High Value Other
Medium Value Other
Low Value Other
Generally not suitable
Water
Azalea Court
Banksia Court
Jasmine Court
Colbet Close
Unnamed
Mcconechy Drive
Timkeln Crescent
Lamb Close
VICTORIA POINT
Clay Gully Roa
Hanlin Place

Infrastructure Agreement
21-29 and 31 Clay Gully Road and 39 Brendan Way, Victoria Point

AUSBUILD PTY LTD
ACN 010 138 860

and

REDLAND CITY COUNCIL

Table of contents

This Infrastructure Agreement

is made the day of February 2018 between the following parties:

1 **Ausbuild Pty Ltd ACN 010 138 860** of Pittwin Road North, Capalaba, Queensland;
(**Developer**)

AND

2 **Redland City Council** of Corner Bloomfield & Middle Streets, Cleveland, Queensland.
(**Council**)

Recitals

A. The Development Land is to be the subject of the Proposed Development.

B. The Proposed Development of the Development Land requires the provision of Infrastructure Contributions.

C. The Development Obligations require Infrastructure Contributions to be provided before or as part of the Proposed Development so that the Development Obligations are correlated with the Proposed Development.

The parties agree

that in consideration of, among other things, the mutual promises contained in this Agreement:

1 Definitions and Interpretation

1.1 Definitions

In this Agreement:

Agreed Amount means the amount identified in Item 1.1 of the Infrastructure Contributions Schedule;

Agreement means this agreement and includes any annexure, exhibit and schedule to this agreement;

Application means an application for an Approval;

Approval means a consent, permit, licence, certificate, authorisation, registration, membership, allocation or approval under a law and includes a development approval;

Approval Authority means an Authority under a law having the function to decide an Approval;

Authority means a government, semi-government, Local Government, statutory, public, ministerial, civil, administrative, fiscal or judicial body or other entity or body with relevant power or authority;

Business Day has the meaning given to it in the *Acts Interpretation Act 1954* (Qld);

Calendar Day means from one midnight to the following one;

Claim means in relation to a person, an allegation, debt, cause of action, liability, proceeding, suit or demand of any nature at law or otherwise made against the person concerned however it arises, whether present or future, fixed or unascertained, actual or contingent;

Commencement Date means the date on which this Agreement is made as stated in clause 1.6;

Council means Redland City Council;

Developable Lot means the following:

(a) a lot comprising the Development Land at the Commencement Date;

(b) a lot forming part of the Development Land which is not a Developed Lot;

Developed Lot means a lot forming part of the Development Land which:

(a) is provided with the Infrastructure and services necessary to enable its use in accordance with the Development Entitlements; and

(b) is not intended to be the subject of:

(1) an Application for a material change of use; and

(2) a further reconfiguring of a lot;

Developer means the party identified as the Developer in this Agreement and includes the Developer's permitted assigns;

Development Entitlements means the entitlements for the development of the Development Land in a Prescribed Approval;

Development Land means the land stated in Schedule 2;

Development Obligations means those obligations set out in clause 4.1;

Financial Contribution means the provision of a monetary sum for Infrastructure;

Force Majeure means an event:

(a) being a decree of the Commonwealth Government or the State Government, an act of God, industrial disturbance, act of public enemy, war, international blockage, public riot, lightning, flood, earthquake, fire, storm or other event whether of a kind herein specified or otherwise; and

(b) which is not within the reasonable control of the party claiming Force Majeure; and

(c) which could not have been prevented by the exercise by that party of a standard of foresight, care and diligence consistent with that of a prudent and competent person under the circumstances;

GST has the meaning in the GST Act;

GST Act means *A New Tax System (Goods and Services Tax) Act 1999* (Cth);

Infrastructure or Infrastructure Item means water supply, sewerage, waterways, transport and community purposes infrastructure;

Infrastructure Charge means a charge for Infrastructure levied under an Infrastructure Charging Instrument;

Infrastructure Charging Instrument means a law or an instrument made under a law by an Authority for the levying of an Infrastructure Charge;

Infrastructure Contribution means a contribution for Infrastructure which may be in the form of the following:

(a) a Financial Contribution;

(b) a Land Contribution;

(c) a Work Contribution;

(d) a Mixed Contribution;

Infrastructure Contributions Schedule means the schedule of Infrastructure Contributions, if any, in Schedule 2;

Infrastructure Offset means the actual cost of an Infrastructure Contribution which may be offset against the Agreed Amount;

Land Contribution means the provision of land including an easement for Infrastructure;

Mixed Contribution means a contribution for Infrastructure involving a combination of two or more of the following:

(a) a Financial Contribution;

(b) a Land Contribution;

(c) a Work Contribution;

Notice means a document to be given by a party or a person under this Agreement in accordance with clause 5.3;

Owner means the owner of the Development Land for the time being;

Plan of Subdivision means a plan however called for reconfiguring a lot, which under a law requires the Approval in whatever form, of an Approval Authority before it can be registered or otherwise recorded under that law;

Example – A Plan of Subdivision is commonly referred to as a survey plan

Planning Act means the *Planning Act 2016*;

Planning Scheme means Redlands Planning Scheme Version 7.1 adopted on 8 June 2016 (effective as of 17 June 2016);

Practical Completion means that stage in the execution of the Works when:

(a) the works are complete except for minor omissions and minor defects:

(1) which do not prevent the Works from being reasonably capable of being used for their intended purpose; and

(2) which the Council determines the Developer has reasonable grounds for not promptly rectifying; and

(3) rectification for which will not prejudice the convenient use of the Works; and

(b) those tests which are reasonably required to be carried out and passed before the Works reach Practical Completion have been carried out and passed; and

(c) documents and other information reasonably required which, in the opinion of the Council are essential for the use, operation and maintenance of the Works have been supplied;

Prescribed Application means an Application stated in Schedule 2 and includes a document submitted for the Application before the determination of the Application;

Prescribed Approval means the Approval of a Prescribed Application subject to the Prescribed Approval Conditions that takes effect pursuant to section 71 of the Planning Act and includes any changes to the Approval under the Planning Act;

Prescribed Approval Conditions means the conditions for an Approval of a Prescribed Application that takes effect under section 71 of the Planning Act;

Proposed Development means the development and ongoing use of the Development Land provided for in the Development Entitlements;

Road and Bridge Construction Index means the 6427.0 - Producer Price Index; Index Number 3101 Road and Bridge Construction Queensland; Series ID A2333727L, published by the Australian Bureau of Statistics;

Special Conditions means the special conditions in Schedule 1;

Wastewater Financial Contribution see Special Condition 5(a);

Work Contribution means the provision of Works for Infrastructure;

Works means the works described in the Infrastructure Contributions Schedule.

1.2 Undefined word

If a word is not defined in this Agreement, unless the context or subject matter otherwise indicates or requires, the word is to have a meaning given to it by the following:

(a) the Planning Act;

(a) a relevant local planning instrument if the word is not defined in the Planning Act;

(b) the Macquarie Dictionary if the word is not defined in the Planning Act or a relevant local planning instrument.

1.3 Interpretation

In this Agreement, headings and bold type are for convenience only and do not affect the interpretation of this Agreement and, unless the context otherwise requires:

(a) words importing the singular include the plural and vice versa;

(b) words importing a gender include any gender;

(c) other parts of speech and grammatical forms of a word or phrase defined in this Agreement have a corresponding meaning;

(d) an expression importing a natural person includes any company, partnership, joint venture, association, corporation or other body corporate and any Government Agency;

(e) a reference to any thing (including any right) includes a part of that thing but nothing in this clause 1.3(e) implies that performance of part of an obligation constitutes performance of the obligation;

(f) a reference to a clause, party, annexure, exhibit or schedule is a reference to a clause of, and a party, annexure, exhibit and schedule to, this Agreement;

(g) a reference to a statute, regulation, proclamation, ordinance or by-law includes all statutes, regulations, proclamations, ordinances or by-laws amending, consolidating or replacing it, whether passed by the same or another Government Agency with legal power to do so, and a reference to a statute includes all regulations, proclamations, ordinances and by-laws issued under that statute;

(h) a reference to a document (including reference to the Prescribed Approval) includes all amendments or supplements to, or replacements or novations of, that document;

(i) a reference to a party to a document includes that party's successors and permitted assigns;

(j) a reference to an agreement other than this Agreement includes an undertaking, deed, agreement or legally enforceable arrangement in writing;

(k) a reference to a document includes any agreement in writing, or any decision notice, other notice, certificate, instrument or other document of any kind;

(l) a reference to the word sell, includes transfer, dispose of and alienate but excludes a mortgage, licence, grant of an easement and a lease other than a lease for a term including renewal options exceeding 10 years;

(m) all references to "$" and "dollars" are to the lawful currency of Australia;

(n) all references to dates and times are to Brisbane time; and

(o) no provision of this Agreement will be construed adversely to a party solely on the ground that the party was responsible for the preparation of this Agreement or that provision.

1.4 Inclusive expressions

Specifying anything in this Agreement after the words "includes" or "for example" or similar expressions does not limit what else is included unless there is express wording to the contrary.

1.5 Trustee

A party which is a trustee is bound both personally and in its capacity as trustee.

1.6 Date

This Agreement is made on the date when the last party executes this Agreement.

2 Infrastructure Agreement

2.1 Application of Act

This Agreement is intended to constitute an infrastructure agreement pursuant to s.150 of the Planning Act. In particular, this is an agreement about conditions pursuant to s678 of the Planning Act to the extent it is an agreement about conditions for the payment for, or the supply of, Infrastructure.

2.2 Commencement of this Agreement

This Agreement is to be of no effect until the Commencement Date.

2.3 Agreement binding

(a) The Developer consents to the Development Obligations contained in this Agreement attaching to the Development Land so as to bind, under s.155 of the Planning Act, the Owner and the Owner's successors in title.

(b) The Developer warrants that:

(1) it is not the Owner of the Development Land;

(2) it has provided the Council with a document evidencing the consent of the Owner of the Development Land to the Development Obligations being attached to the Development Land.

(c) A Development Obligation is not affected by a change in the ownership of the Development Land or a part of the Development Land other than as expressly provided in clause 6.1 or clause 6.2.

2.4 Relationship to an Approval

(a) This Agreement is not intended to limit the nature or type of condition which an Approval Authority may lawfully impose on an Approval for the Proposed Development.

(b) If this Agreement is inconsistent with an Approval for the Proposed Development, this Agreement prevails to the extent of the inconsistency.

2.5 Termination of the infrastructure agreement

(a) A party may give to each other party a Notice which states that it proposes to terminate this Agreement if one of the following events has occurred:

(1) the Development Entitlements in:

(A) a Prescribed Approval do not take effect under the Planning Act; or

(B) a Prescribed Approval ceases to have effect under the Planning Act where the Proposed Development has not commenced;

(2) the parties agree as follows:

(A) the Development Obligations have been performed and fulfilled;

(B) to terminate this Agreement;

(3) the parties agree as follows:

(A) that the performance and fulfilment of this Agreement has been frustrated by an event outside of the control of the parties;

(B) to terminate this Agreement.

(b) A party may at a date, which is 30 Calendar Days after the giving of the Notice under paragraph (a), give to each other party a Notice which states that this Agreement is terminated.

3 Development Entitlements

3.1 Prescribed Approval

(a) This clause applies to a Prescribed Application.

(b) The Council is to decide the Prescribed Application in a manner which is as timely as is reasonably practicable.

(c) The Developer is not to make a Claim against the Council, other than as a respondent to a claim made by another person, if the Council gives the Prescribed Approval.

3.2 Change of a Prescribed Approval

(a) This clause applies if a party or an Authority proposes to change a Prescribed Approval.

(b) The parties are to in a manner which is as timely as is reasonably practicable:

(1) confer with a view to reaching an agreement as to the effect, if any, the proposed change may have on a Development Entitlement and a Development Obligation;

(2) if the parties agree that a Development Entitlement or Development Obligation may be affected by the proposed change, use their best endeavours to review the Development Obligation, negotiate in good faith and change this Agreement to put the parties in as near as practical a position as they would have been had it not been for the proposed change, having regard to the interest of the parties in entering into this Agreement as stated in the Recitals;

(3) invoke the dispute resolution process set out in Special Condition 10 if an agreement cannot be reached for a matter in sub-paragraphs (1) and (2); and

(4) use their reasonable endeavours to ensure that the proposed change is not made under the Planning Act until sub-paragraphs (1) to (3) are performed and fulfilled.

4 Obligations of parties

4.1 The Developer's obligations

(a) The Developer will, at its own cost:

(1) comply with:

(A) the Prescribed Approval Conditions;

(B) the Special Conditions; and

(C) the Infrastructure Contributions Schedule; and

(2) do the Works; and

(3) otherwise comply with the terms of this Agreement specified as applying to the Developer.

(b) The Developer will pay for the cost of all stamp duty and registration fees payable in respect of the documents required for the purpose of complying with its obligations under the Special Conditions.

4.2 The Council's obligations

(a) The Council will at its own cost, comply with:

(1) the Special Conditions;

(2) the Infrastructure Contributions Schedule; and

(3) the terms of this Agreement specified as applying to the Council.

4.3 Conversions

The Developer is not to take any action under the Planning Act for an Application to convert Infrastructure to be provided by the Developer for the Proposed Development of the Development Land from non-trunk infrastructure to trunk infrastructure.

5 General

5.1 Severance

If any clause or provision of this Agreement is void, illegal or unenforceable for any reason, that clause or provision will be severed from this Agreement and the remaining clauses and provisions will continue in full force and effect.

5.2 Payment of costs

Each party must pay its own costs and outlays, of and incidental to the negotiation, preparation, and execution of this Agreement, all counterparts of it, and any other document or instrument required under this Agreement.

5.3 Notices

(a) Any notice or other communication including any request, demand, consent or approval, to or by a party to this Agreement:

(1) must be in legible writing and in English addressed to:

(A) if to the Developer:

Attention:	**Ausbuild Pty Ltd**
Address:	PO Box 246, Capalaba Qld 4157
Telephone No:	(07) 3245 0600
Facsimile No:	(07) 3245 0671

(B) if to the Council:

Attention:	**General Counsel, Redland City Council**
Address:	Corner Bloomfield & Middle Streets Cleveland QLD 4163
Facsimile No:	(07) 3829 8765

(2) must be signed by an authorised officer of the sender or the solicitors for the sender;

(3) is regarded as being given by the sender and received by the addressee:

(A) in the case of delivery by hand, on the day of delivery if delivered by 5pm on a Business Day, or otherwise on the next Business Day;

(B) if it is sent by electronic mail and no electronic error notification is received by the sender, the date and time the electronic mail indicates it was sent, but if the time of sending is after 5pm on the Business Day that the electronic mail is taken to have been received or is not on a Business Day, on the following Business Day;

(C) in the case of delivery by post, 7 Calendar Days after it is posted or 10 Calendar Days after it is posted if sent to or from a place outside Australia;

(D) in the case of a facsimile, whether or not legibly received, on the day shown on the facsimile transmission report produced by the machine from which the facsimile was sent which indicates that the facsimile was sent in its entirety and error-free to the facsimile number of the addressee notified for the purpose of this clause, but if the time of transmission is after 5pm on the Business Day that the facsimile is taken to have been received or is not on a Business Day, on the following Business Day; and

(4) can be relied upon by the addressee and the addressee is not liable to any other person for any consequence of that reliance if the addressee believes it to be genuine, correct and authorised by the sender.

5.4 Jurisdiction

(a) This Agreement is governed by the laws of Queensland.

(b) Each of the parties irrevocably submits to the exclusive jurisdiction of the Courts of Queensland.

5.5 Waivers

(a) Waiver of any right arising from a breach of this Agreement or of any right, power, authority, discretion or remedy arising upon default under this Agreement must be in writing and signed by the party granting the waiver.

(b) A failure or delay in exercise, or partial exercise, of:

(1) a right arising from a breach of this Agreement; or

(2) a right, power, authority, discretion or remedy created or arising upon default under this Agreement,

does not result in a waiver of that right, power, authority, discretion or remedy.

(c) A party is not entitled to rely on a delay in the exercise or non-exercise of a right, power, authority, discretion or remedy arising from a breach of this Agreement or on a default under this Agreement as constituting a waiver of that right, power, authority, discretion or remedy.

(d) A party may not rely on any conduct of another party as a defence to the exercise of a right, power, authority, discretion or remedy by that other party.

(e) This clause may not itself be waived except by writing.

5.6 Change

(a) The parties may at any time agree to change, review or replace this Agreement.

(b) A change, review or replacement of this Agreement only has effect if the change:

(1) is in the form of a deed executed by the parties; and

(2) complies with the Planning Act and any other relevant law.

5.7 Cumulative rights

The rights, powers, authorities, discretions and remedies arising out of or under this Agreement are cumulative and do not exclude any other right, power, authority, discretion or remedy of a party.

5.8 Further assurances

Each party must do all things and execute all further documents necessary to give full effect to this Agreement.

5.9 Entire agreement

This Agreement supersedes all previous agreements in respect of its subject matter and embodies the entire agreement between the parties in respect of its subject matter.

5.10 Time of the essence

Time is of the essence of this Agreement.

5.11 Extension of time

The parties may agree to extend a time stated in this Agreement by giving to each other a Notice which states the extended time.

5.12 Force Majeure

(a) If a party is unable by reason of Force Majeure to carry out its obligations under this Agreement, that party must give a Notice to the other parties advising that Force Majeure is in existence as soon as it is reasonably practicable after the Force Majeure.

(b) If a party gives a Notice advising of Force Majeure, that party's obligations will be suspended during the period for which the Force Majeure or its effect extends.

5.13 Counterparts

(a) This Agreement may be executed in any number of counterparts with the same effect as if the signatures to each counterpart were on the same instrument.

(b) The parties may exchange counterparts of the Agreement by facsimile or by attaching a scanned copy of the counterpart to an e-mail transmission as a PDF document.

6 Dealing in respect of the Development Land

6.1 Reconfiguring a lot of the Development Land

(a) If the Development Land is subject to a reconfiguring a lot to create a Developed Lot, then a Development Obligation no longer:

(1) remains attached to the Developed Lot; and

(2) binds the Owner and the Owner's successor in title of the Developed Lot.

(b) If the Development Land is subject to a reconfiguring a lot to create a Developable Lot, then a Development Obligation:

(1) remains attached to the Developable Lot; and

(2) binds the Owner and the Owner's successor in title of the Developable Lot.

6.2 Sale of the Development Land

The Developer is not to sell a Developable Lot before the performance and fulfilment of the Developer's Obligations contained in this Agreement except subject to the condition that the purchaser is to enter into a deed with each other party, on terms reasonably acceptable to each other party, whereby the purchaser becomes contractually bound to each other party to perform and fulfil the provisions of this Agreement or such of them as remain unperformed and unfulfilled by the Developer at the time of the sale.

Schedule 1 – Special Conditions

1 Developer's Obligations

1.1 Works

(a) The Developer must do the Works in the Infrastructure Contributions Schedule.

(b) Without limiting the Developer's obligations under this Agreement or otherwise, the Developer warrants that it will carry out the Works (or cause the Works to be carried out):

(1) in a proper and workmanlike manner in accordance with:

(A) legislative requirements;

(B) codes of practice;

(C) Australian and Main Roads standards;

(D) the requirements of the applicable Planning Scheme Policies including Policy 9 – Infrastructure Works – Chapter 5 – Road and Path Design; and

(E) the approved plans and specifications;

(2) with due diligence and without delay;

(3) with the standard of skill, care and diligence in the performance of the Works that would be expected of a provider of work and services of a nature similar of the Works,

and that all registrations, permits, licences, qualifications and other requirements of its trade are in full force and effect at all times.

1.2 Approval of specifications

All designs and specifications for the Works which the Developer is obliged to do (including, without limiting the generality, the specification of all filling, excavation and other earthworks and the final design and specification for the Works) must be prepared by the Developer and submitted for the approval of any authority or instrumentality as required by law. The Developer must not commence the Works before the Developer has obtained all necessary Approvals.

1.3 Final specification of Works

The Works must be done to the satisfaction of the Council, acting reasonably. In the interpretation and application of this clause:

(a) it is recognised that some provisions of this Agreement do provide a particular specification for the Works and, in some cases do show diagrammatically and in an indicative way the location of the Works on plans or diagrams;

(b) a specification or location has been determined on the basis of present knowledge and expectation as to circumstances which will prevail at the time the Works are to be carried out; and

(c) the circumstances actually prevailing at the relevant time may result in it being necessary or appropriate to adopt a different specification or vary the location for the final design or performance of the Works.

Accordingly, the inclusion of a particular specification in this Agreement or the depiction of the location of the Works on a plan within the Agreement does not prevent the Developer from seeking approval to an altered specification or location and does not prevent the Council from giving approval where an alteration is necessary or appropriate having regard to the circumstances prevailing at the relevant time. Such approval shall not be unreasonably withheld or delayed by the Council.

1.4 Notice of completion

Upon effective completion of the Works, the Developer must require inspection and approval of the works by the Council by giving a Notice in that regard.

1.5 On maintenance

(a) Upon the Council being satisfied that Practical Completion of the Works has been achieved, the Council's engineer must notify the Developer in writing that the Works are satisfactorily completed and are accepted "on maintenance" subject to such reasonable conditions as to incomplete work as may be set out in the notification. A maintenance period of twelve (12) months commences to run from the date of such notice. Any defect in the Works advised in writing to the Developer by the Council during the maintenance period must be corrected by the Developer within a reasonable time, such time to be stated in the Notice given by the Council to the Developer. The period of maintenance for remedial works shall commence on the date on which the defects are corrected and expire twelve (12) months after that date unless a lesser period of maintenance is approved by the Council's engineer.

(b) On and from the expiry of the maintenance period the Council is responsible for the maintenance and upkeep of the Works.

1.6 Right of entry

(a) The Developer agrees and acknowledges that the Council and the Council's agent have rights of access to the Works as may be necessary or convenient in connection with the performance by the Council of any obligations or the exercise of any rights at law under this Agreement, or under the Planning Act or the *Local Government Act 2009* or any other act, including for the purpose of:

(1) examining and inspecting the state and condition of any Works, including preparation for work;

(2) ascertaining whether the Developer's obligations are being observed performed and fulfilled; or

(3) performing any works which the Council has agreed or is empowered to perform.

(b) If the Council exercises its powers referred to in this clause it is to be taken to have indemnified the Developer against all claims for or injury to persons or loss or damage to property which may occur whilst the Council officers or agents authorised by the Council are on the Development Land except where such claims arise from or in connection with the Developer's negligence or breach of duty.

1.7 Access to the Council's land

The Council is to, upon the receipt of a Notice given by the Developer to the Council which states that access is requested to land of which the Council is the owner or which is under the control of the Council, permit the Developer to have access to the land for the following:

(a) the performance and fulfilment of a Development Obligation;

(b) the exercise by the Developer of a right.

1.8 Exercise of right of access

(a) A right of access includes the following:

(1) a right to bring machinery, equipment and materials onto the relevant land;

(2) a right to effect and install Work which is required and authorised to be performed and fulfilled.

(b) A party exercising a right of access is:

(1) to exercise reasonable care so as not to cause damage or injury to property or a person;

(2) taken to be an invitee of the owner and the occupier of the relevant land; and

(3) to promptly rectify any damage caused to property.

1.9 No merger on termination

Special Conditions 1.6, 1.7 and 1.8 do not merge on the termination of this Agreement and continue in effect until each party gives to the other party a Notice waiving the benefit of these Special Conditions.

2 Insurance

2.1 Insurances to be effected

The Developer must effect and maintain, or cause to be effected and maintained:

(a) Public and third party liability insurance as follows:

(1) covering claims in respect of:

(A) damage to any real or personal property including property owned by the Council; and

(B) the injury to, or death of, any person,

caused by the carrying out of the Works;

(2) for at least $20 million;

(3) noting the interests of the Council and also protecting all subcontractors and agents engaged in connection with the performance of the Works and the Developer's other Development Obligations under this Agreement;

(4) for the duration of the carrying out of the Works;

(5) on terms and with an insurer approved by the Council, acting reasonably;

(b) insurance of the Works for their full replacement value in the joint names of the Council and the Developer;

(c) Worker's Compensation insurance:

(1) in accordance with all laws; and

(2) for the duration of the carrying out of the Works;

(d) compulsory third party liability insurance for registered vehicles owned or leased by the Developer:

(1) in accordance with the requirements of any compulsory motor vehicle third party legislation;

(2) which provides protection to the Council arising out of the use of the Developer's vehicles in addition to the Developer; and

(3) for the duration of the carrying out of the Works;

(e) property damage liability insurance covering all motor vehicles owned, leased or hired by the Developer:

(1) used in connection with the Works or the Developer's other Development Obligations under this Agreement including the use of unregistered motor vehicles and plant;

(2) with a limit of not less than $20 million; and

(3) for the duration of the carrying out of the Works.

2.2 Requirements of insurance

(a) The Developer must pay all deductibles in relation to the above insurances.

(b) Whenever requested by the Council, the Developer must provide to the Council, evidence to the Council's satisfaction of its compliance with Special Condition 2. Evidence may, if requested by the Council, include a full copy of the insurance policy document.

(c) If the Developer fails to provide evidence of insurance in accordance with paragraph (b), the Council may:

(1) immediately suspend the Developer's right to claim any payment for the Works and may direct the Developer to suspend the Works at its cost; and/or

(2) effect the insurance itself and the cost will be a debt due and owing from the Developer which the Council can deduct from any security.

3 Indemnity

(a) Without limiting any other right or remedy of the Council, the Developer indemnifies the Council against:

(1) any liability or claim by a third party (including the Developer's employees, agents, and contractors); and

(2) all costs (including legal costs), fines, penalties, losses and damages suffered or incurred by the Council,

arising directly or indirectly out of or in connection with any:

(3) breach of this Agreement; or

(4) intentional act or omission; or

(5) negligent act or omission

of the Developer or its employees, agents or contractors but the indemnity in this Special Condition will be reduced proportionately to the extent that an intended or negligent act or omission of the Council contributed to the liability, claim, costs, fines, penalties, losses or damages.

(b) All obligations to indemnify under this Agreement survive termination of this Agreement.

4 Payment of Agreed Amount

The Developer will pay the Agreed Amount to the Council at the time or times specified in the Infrastructure Contributions Schedule.

5 Wastewater Financial Contribution

(a) The value of a Financial Contribution for wastewater Infrastructure for the future upgrade of the Victoria Point Wastewater Treatment Plant is identified in column 3 of item 2.1 of the the Infrastructure Contributions Schedule (**Wastewater Financial Contribution**).

(b) The Wastewater Financial Contribution is to be indexed by the Road and Bridge Construction Index from the Commencement Date to the date the

Wastewater Financial Contribution is paid in accordance with column 3 of item 2.1 of the Infrastructure Contributions Schedule.

$$IA = A \times \frac{Index\ Number\ (Later\ Period)}{Index\ Number\ (Base\ Period)}$$

Where:

IA is the indexed amount.

A is the Wastewater Financial Contribution.

Index Number (Base Period) is the index number in the Road and Bridge Construction Index that is for the March 2018 quarter.

Index Number (Later Period) is the index number in the Road and Bridge Construction Index that is for the quarter that includes the date that the Wastewater Financial Contribution is paid in accordance with column 3 of item 2.1 of the Infrastructure Contributions Schedule.

6 Infrastructure Offset

6.1 Entitlement to an Infrastructure Offset

The Developer is entitled to an Infrastructure Offset for an Infrastructure Item if the Infrastructure Item is identified in column 6 of the Infrastructure Contributions Schedule as being subject to an Infrastructure Offset.

6.2 Calculation of an Infrastructure Offset

(a) The value of an Infrastructure Offset is identified in column 6 of the Infrastructure Contributions Schedule.

(b) The value of the Infrastructure Offset is to be indexed by the Road and Bridge Construction Index from the date the Infrastructure Offset accrues to the date the Infrastructure Offset is claimed in accordance with Special Condition 6.4.

6.3 Timing of accrual of an Infrastructure Offset

The time at which an Infrastructure Offset accrues is:

(a) for a Work Contribution, unless an alternative time is specified in the Infrastructure Contributions Schedule, the date of completion of the Works; and

(b) for a Land Contribution, unless an alternative time is specified in the Infrastructure Contributions Schedule, the date the land is provided to the Council.

6.4 Claim of Infrastructure Offset

The Developer may by Notice to the Council reduce its liability for an Agreed Amount for the specific stage being developed by the amount of an Infrastructure Offset. Payment will be made by the Council for Infrastructure Offset balances above the Agreed Amount by electronic transfer or bank cheque to the Developer.

7 Proportionate Liability

The Developer indemnifies the Council on demand by the Council for the difference (if any) between:

(a) the amount of any losses suffered or incurred by the Council for which, but for the *Civil Liability Act 2003* (Qld) (**Liability Act**), the Council would have been entitled to recover from the Developer arising out of or in connection with an act or omission of the Developer under this Agreement; and

(b) the liability of the Developer to the Council as determined by the court pursuant to the Liability Act arising out of or in connection with such act or omission of the Developer.

8 Variations

8.1 Variations outside control of Developer

If as a result of any matter outside the control of the Developer it is necessary to make a variation to the designs or specifications of the Works then the costs associated with the variation shall be added to and become part of the value of an Infrastructure Offset identified in column 6 of the Infrastructure Contributions Schedule for that item of Works.

8.2 Estimate

The Developer must as soon as reasonably practical following the Developer becoming aware of the need to undertake a variation of the design or specification of the Works inform the Council of those circumstances and provide the Council an estimate of the costs of the variation. The Council must promptly advise the Developer whether the Council, acting reasonably, accepts the costs of the variation.

8.3 Expert determination

If the Council and the Developer are unable to agree upon the costs of the variation then either party may refer the issue to expert determination under Special Condition 10.

8.4 Rock/poor ground

For the sake of clarity, a circumstance of encountering rock or inferior substratum conditions shall be a matter outside the control of the Developer entitling the

Developer to add the costs associated with the same to the value of an Infrastructure Offset identified in column 6 of the Infrastructure Contributions Schedule for that item of Works.

8.5 Consent not required

Nothing in this clause obliges the Developer to obtain the consent of the Council to undertake a variation prior to undertaking the works but if the Developer does not do so the Developer will have no Claim against the Council in relation to that variation.

9 GST

9.1 Construction of this clause

In this Special Condition 9:

(a) a word has the meaning in the GST Act; and

(b) a reference to GST payable and an input tax credit entitlement include the GST payable by, and the input tax credit entitlement of, the representative member for a GST group of which the entity is a member.

9.2 Payment of GST

(a) If a party or an entity through which that party acts (**Supplier**) is liable to pay GST on a supply made under or in connection with this Agreement, the recipient is to pay to the Supplier an amount equal to the GST payable by the Supplier.

(b) The recipient is to pay the amount stated in paragraph (a) in addition to and at the same time that the consideration for the supply is to be provided under this Agreement.

(c) The Supplier is to deliver a tax invoice or an adjustment note to the recipient before the Supplier is entitled to the payment of the amount stated in paragraph (a).

(d) The recipient may withhold the payment of the amount stated in paragraph (a) until the Supplier provides a tax invoice or an adjustment note, as appropriate.

(e) If an adjustment event arises in respect of a taxable supply made by a Supplier under this Agreement, the amount payable by the recipient is to be recalculated to reflect the adjustment event and a payment is to be made by the recipient to the Supplier or by the Supplier to the recipient as the case requires.

(f) The parties are to do all things including producing a tax invoice and other documents which may be necessary or desirable to enable or help each other party to claim an input tax credit, set-off, rebate or refund for an amount of GST for a supply under this Agreement.

9.3 Reimbursable cost

If a party is required to pay for a cost of any other party (**Reimbursable Cost**), the amount to be paid is the amount of the Reimbursable Cost net of an input tax credit or reduced input tax credit to which the other party is entitled for the Reimbursable Cost.

9.4 Indemnified cost

If a party has the benefit of an indemnity for a cost (**Indemnified Cost**), the indemnity is for the Indemnified Cost net of an input tax credit or reduced input tax credit to which that party is entitled for the Indemnified Cost.

9.5 Stated amount

An amount stated in this Agreement is exclusive of GST unless otherwise expressly stated.

9.6 No merger on termination

Clause 9 does not merge on the termination of this Agreement and continues in effect until each party gives to each other party a Notice waiving the benefit of the clause.

10 Dispute Resolution

10.1 Reference of dispute

If the parties have any dispute or difference as to the performance of this Agreement, or arising out of this Agreement, that dispute or difference must be referred by a party for determination by a person (**Determinator**) under Special Conditions 10.2 to 10.4.

10.2 First Determination Notice

When a party decides to refer any dispute or difference for determination it must do so by Notice (**First Determination Notice**) to the other party.

10.3 Contents of First Determination Notice

The First Determination Notice must specify the following:

(a) the name, address and occupation of a Determinator nominated by the party giving the First Determination Notice (**Nominated Determinator**); and

(b) a nomination of a specified class of Determinators, being one of the classes specified in the left column of the paragraphs in Special Condition 10.7; and

(c) complete particulars of the dispute or difference to ensure that all expert determinations under this Agreement, can be expeditiously and fully completed.

10.4 Second Determination Notice

Unless within 14 Calendar Days of receipt of the First Determination Notice, the other party gives Notice (**Second Determination Notice**) to the party giving the First Determination Notice, the Nominated Determinator must be the Determinator.

10.5 Default appointment

The Second Determination Notice may reject the Nominated Determinator but accept the specific class of determinator specified in the First Determination Notice, in which event the Determinator must be:

(a) a member of the class of persons specified in the First Determination Notice; and

(b) appointed by the president of the appropriate institute or association in accordance with the relevant part of Special Condition 10.7.

10.6 President to appoint

If the Second Determination Notice rejects the specific class of Determinator specified in the First Determination Notice, the question of the appropriate class of Determinator must be referred, at the request of any party, to a mediator appointed by the President for the time being of the Queensland Law Society Inc., whose decision as to the class of persons from which the Determinator will be appointed, must be final and binding upon the parties, and either party may request the president of the appropriate institute or association to appoint the Determinator.

10.7 Classes of Determinator

Failing agreement to the contrary, where any dispute or difference is referred for determination, the Determinator must be appointed by one of the following institutes or associations as is appropriate in the circumstances:

(a)	if an architect:	by the President for the time being of the Australian Institute of Architects, Queensland Chapter; or
(b)	if a real estate agent:	by the President for the time being of the Real Estate Institute of Queensland; or
(c)	if a quantity surveyor:	by the President for the time being of the Institute of Engineers, Australia, Queensland Chapter; or
(d)	if an engineer:	by the President for the time being of the Institution of Engineers, Australia, Queensland Chapter; or
(e)	if a mediator:	by the President for the time being of the Institute of Arbitrators Australia, Queensland Chapter; or
(f)	if an accountant:	by the President for the time being of the Institute of Chartered Accountants, Queensland Division; or
(g)	if an actuary:	by the President for the time being of the Actuaries Institute of Australia, Queensland Division; or

(h) if a valuer: by the President for the time being of the Australian Property Institute, Queensland Division,

10.8 Parties to use best endeavours

When any dispute or difference has been referred for determination, the parties must each:

(a) use their best endeavours to make available to the Determinator all facts and circumstances which the Determinator requires in order to settle or determine the dispute or difference; and

(b) ensure that their respective employees, agents or consultants are available to appear at any hearing or enquiry called for, by the Determinator.

10.9 Right to be heard

The parties each have the right to:

(a) make submissions to; and

(b) be heard by,

the Determinator.

10.10 Determinator's decision

The decision of the Determinator must be made and delivered to the parties within a period of 5 Business Days (or such other period as the parties may agree, or the Determinator may determine) after the date of submission of the dispute or difference to the Determinator.

10.11 Determinator may appoint other expert to assist

The Determinator may with the consent of the parties (and must if required by a party) appoint any other expert (being a member of an institute or association specified in Special Condition 10.7) to consult with, assist and advise the Determinator. The cost of such other expert is deemed to form part of the determination costs and expenses.

10.12 Determinator to act as an expert

The Determinator must act as an expert, not as an arbitrator, and the Determinator's decision will be final and binding upon the parties.

10.13 Costs of determination

The Determinator must also determine:

(a) the amount of costs and expenses of, and relating to, the reference of any dispute or difference to the Determinator; and

(b) which party or parties must bear the costs and expenses, and in what shares, and in making the determination, the Determinator must take into account the reasonableness of the parties leading up to the expert determination.

10.14 Conduct pending expert determination

In the event of any dispute being referred for the decision of a Determinator as provided under Special Condition 10:

(a) if it is possible to do so, the construction of the Works must proceed pending the decision; and

(b) if either party is challenging any payment claimed by the other:

(1) so much of that payment (as is admitted to owing) must be paid immediately, and

(2) an appropriate adjustment must be made within 14 Calendar Days of the Determinator's decision.

Schedule 2 – Development Details

1 Development Details

1.1 Prescribed Application

Description	Council Project Number
Development application for reconfiguring a lot (3 into 270 standard format lots, road, stormwater management lots and park over 8 stages)	ROL 005912

1.2 Development Land

Address	Lot	Plan Number	Area (Ha)	No of proposed lots
21-29 and 31 Clay Gully Road and 39 Brendan Way, Victoria Point Qld 4165	4	RP57455	22.793 hectares	270 residential lots
	1	RP9513		
	1	RP72635		

1.3 Infrastructure Contributions Schedule

Column 1 Item Number	Column 2 Infrastructure Contribution	Column 3 Desired Standards for provision of the Infrastructure Contribution	Column 4 Timing of provision of the Infrastructure Contribution	Column 5 Provider of the Infrastructure Contribution	Column 6 Infrastructure Offset
1	**Financial Contribution**				
1.1	Financial Contribution for the Proposed Development in the Agreed Amount.	The Agreed Amount is to be calculated in accordance with the Infrastructure Charging Instrument applicable at the time of payment.	Prior to the Approval of a Plan of Subdivision or the commencement of the use of each stage of the Proposed Development, whichever comes first.	Developer	This Infrastructure Contribution is not subject to an Infrastructure Offset.
2	**Wastewater Infrastructure**				
2.1	Financial Contribution for wastewater Infrastructure for the future upgrade of the Victoria Point Wastewater Treatment Plant.	The Financial Contribution is to comprise the provision of $1,348.00 per lot for wastewater Infrastructure for the future upgrade of the Victoria Point Wastewater Treatment Plant.	The Financial Contribution is to be paid on a pro rata basis equal to the number of lots depicted on a Plan of Subdivision, prior to the Approval of a Subdivision Plan for each stage of the Development.	Developer	This Infrastructure Contribution is not subject to an Infrastructure Offset.

Column 1 Item Number	Column 2 Infrastructure Contribution	Column 3 Desired Standards for provision of the Infrastructure Contribution	Column 4 Timing of provision of the Infrastructure Contribution	Column 5 Provider of the Infrastructure Contribution	Column 6 Infrastructure Offset
			Number of lots on a Plan of Subdivision x $1,348.00 = Financial Contribution		
2.2	Work Contribution for wastewater Infrastructure being the design and construction of a sewer gravity main from point A to point B on the plan titled "External Sewer Layout RCC Proposal to Abandon SPS 118", drawing number 7968-AD, prepared by Sheehy & Partners in Schedule 3 with capability to decommission the existing pump station PS118 in the Priority Infrastructure Plan (on map S5) in the Planning Scheme and the Council's Adopted Infrastructure Charges Resolution (No. 2.3) 2016.	The Work Contribution is to comprise the provision of work for the following wastewater Infrastructure: (a) a 300mm diameter sewer gravity main from point A to point B on the plan titled "External Sewer Layout RCC Proposal to Abandon SPS 118", drawing number 7968-AD, prepared by Sheehy & Partners in Schedule 3 with capability to decommission the existing pump station PS118 in the Priority Infrastructure Plan (on map S5) in the Planning Scheme and the Council's Adopted Infrastructure Charges Resolution (No. 2.3)	Prior to the Approval of a Plan of Subdivision or the commencement of the use of Stage 3 of the Proposed Development, whichever comes first.	Developer	This Infrastructure Contribution is not subject to an Infrastructure Offset.

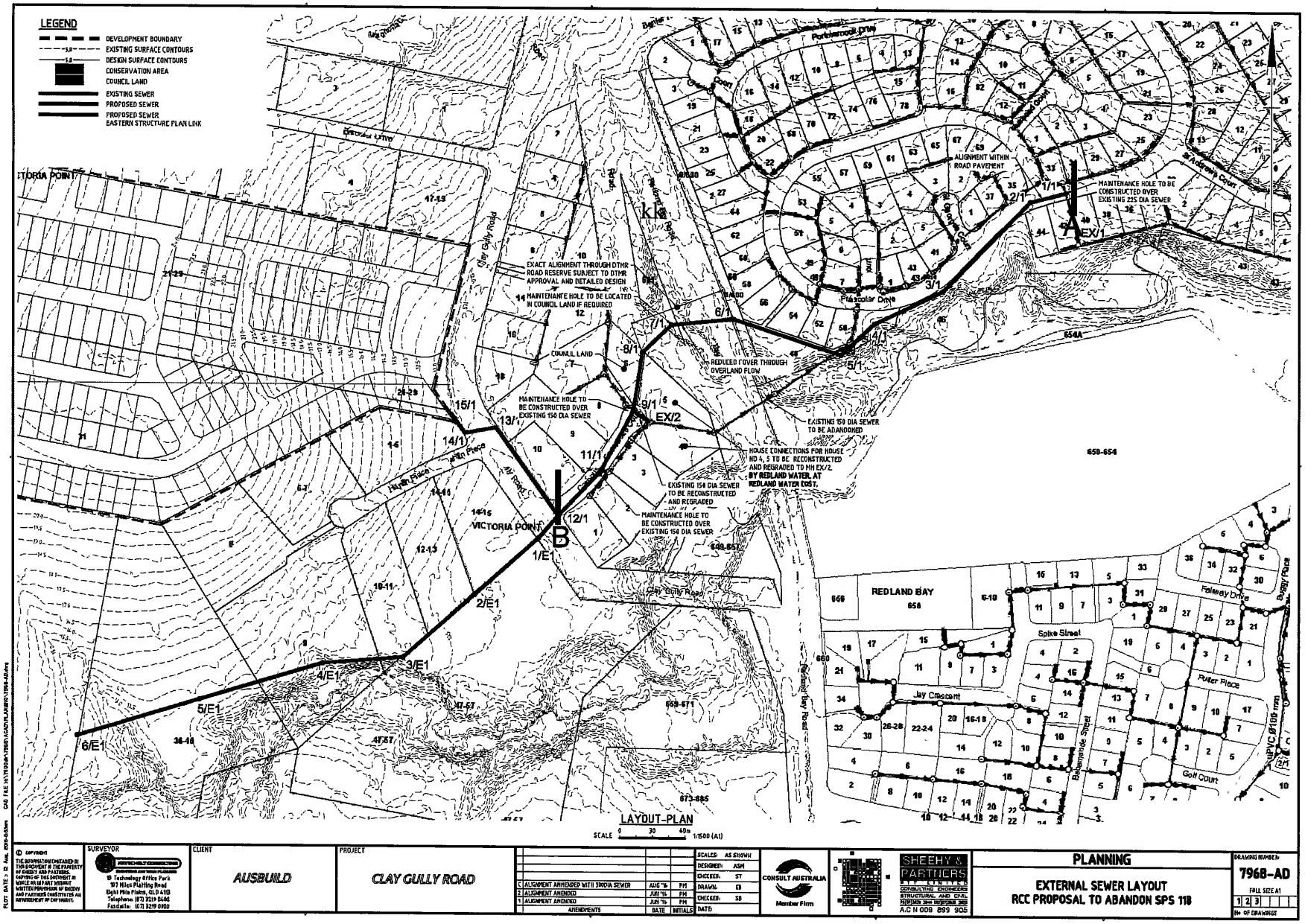
Column 1 Item Number	Column 2 Infrastructure Contribution	Column 3 Desired Standards for provision of the Infrastructure Contribution	Column 4 Timing of provision of the Infrastructure Contribution	Column 5 Provider of the Infrastructure Contribution	Column 6 Infrastructure Offset
		2016; (b) pipes, valves and connections and temporary power supply and all other works necessary to operate the sewer gravity main.			
2.3	Land Contribution for wastewater Infrastructure being a sewer gravity main from point A to point B on the plan titled "External Sewer Layout RCC Proposal to Abandon SPS 118", drawing number 7968-AD, prepared by Sheehy & Partners in Schedule 3.	The Land Contribution is to comprise the provision of land for an easement of a minimum width of 4 metres for wastewater Infrastructure being a sewer gravity main from point A to point B on the plan titled "External Sewer Layout RCC Proposal to Abandon SPS 118", drawing number 7968-AD, prepared by Sheehy & Partners in Schedule 3.	Prior to the Approval of a Plan of Subdivision or the commencement of the use of Stage 3 of the Proposed Development, whichever comes first.	Developer	This Infrastructure Contribution is not subject to an Infrastructure Offset.
3	**Road crossing treatments**				
3.1	Work Contribution for road crossing treatments to facilitate safe fauna movement opportunities, in	The Work Contribution is to comprise the provision of road crossing treatments to be generally in accordance with the following	Prior to the Approval of a Plan of Subdivision or the commencement of the use of Stage 8 of the	Developer	This Infrastructure Contribution is not subject to an Infrastructure

Column 1 Item Number	Column 2 Infrastructure Contribution	Column 3 Desired Standards for provision of the Infrastructure Contribution	Column 4 Timing of provision of the Infrastructure Contribution	Column 5 Provider of the Infrastructure Contribution	Column 6 Infrastructure Offset
	accordance with a detailed road crossing treatment plan to be submitted to the Council as a part of an Application for an Approval for operational work for Stage 8 of the Proposed Development.	requirements: (a) design and construct a dedicated grade separated road crossing treatment that comprises either: i. the design of two sub-road spaces, e.g. culverts of a minimum size of 2.4m high by 3m wide and the construction of one of these sub-road spaces on the Development Land ("underpass"). *Note: only one of these sub-road spaces is required to be provided by the Proposed Development;* or ii. a single bebo arch (minimum size of 6m wide by 2.4m in height); (c) set the underpass within the central part of the ultimate 80m corridor width; (d) incorporate within the underpass a dedicated koala	Proposed Development, whichever comes first.		Offset.

Column 1 Item Number	Column 2 Infrastructure Contribution	Column 3 Desired Standards for provision of the Infrastructure Contribution	Column 4 Timing of provision of the Infrastructure Contribution	Column 5 Provider of the Infrastructure Contribution	Column 6 Infrastructure Offset
		"boardwalk", i.e. a line of raised interconnecting logs which mirrors the length of the underpass to reduce the threat of predation; (e) establish vegetation to provide some protective cover on the approach and exit of the underpass, which does not obstruct access to or the view of the underpass entrance; (f) include in the underpass an earthen or gravel floor (preferred) or a concrete floor, which are designed to be well drained (avoid water pooling); (g) install koala refuge poles at strategic locations near the approach and exit points of the underpass and maintain until suitable tree cover develops; (h) establish directional (exclusion) fencing on either side of the underpass; (i) establish fauna movement awareness signs and other			

Column 1 Item Number	Column 2 Infrastructure Contribution	Column 3 Desired Standards for provision of the Infrastructure Contribution	Column 4 Timing of provision of the Infrastructure Contribution	Column 5 Provider of the Infrastructure Contribution	Column 6 Infrastructure Offset
		awareness heightening treatments such as the use of cat's eye road reflectors; (j) design all roads adjacent to or crossing the vegetated habitat corridor to support speed limits no greater than 50 kph (posted speed limit); (k) incorporate speed reduction or other traffic calming devices (e.g. speed bumps, roundabouts, and chicanes) within the design of roads adjacent to, or crossing the vegetated habitat corridor.			

Schedule 3 – Drawings



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SURVEYOR
19 Technology Office Park
197 Nilet Platting Road
Eight Mile Plains, QLD 4113
Telephone: (07) 3219 0466
Facsimile: (07) 3219 0900

CLIENT
AUSBUILD

PROJECT
CLAY GULLY ROAD

3	ALIGNMENT AMENDED WITH 300DIA SEWER	AUG '16	PM
2	ALIGNMENT AMENDED	JUN '16	PM
1	ALIGNMENT AMENDED	JUN '16	PM
	AMENDMENTS	DATE	INITIALS

SCALES:	AS SHOWN
DESIGNED:	ASH
CHECKED:	ST
DRAWN:	EB
CHECKED:	SS
DATE:	

CONSULT AUSTRALIA Member Firm

SHEEHY & PARTNERS
CONSULTING ENGINEERS
STRUCTURAL AND CIVIL
A.C.N 009 899 905

PLANNING

EXTERNAL SEWER LAYOUT
RCC PROPOSAL TO ABANDON SPS 118

DRAWING NUMBER
7968-AD
FULL SIZE A1
1 2 3
No OF DRAWINGS

Executed as an agreement:

Signed by **Ausbuild Pty Ltd**
ACN 010 138 860
in accordance with s.127
Corporations Act 2001

) _____
) Signature
) MATTHEW ROBERT LONEY
) _____
) Insert Name & Director / Secretary

In the presence of:-

) _____
) Signature
) MICHAEL GREGORY LONEY
) Insert Name & Authority

Date:- 16 February 2018

Signed for and on behalf of:-
Redland City Council

) _____
) Signature
) Group Manager City Planning
) and Assessment.
) Insert Name & Authority

In the presence of:-

) _____
) Signature
) EMMA MARTIN
) Insert Name & Authority

Date:- 7 MARCH 2018

DATED February 2018

AUSBUILD PTY LTD
ACN 010 138 860

and

REDLAND CITY COUNCIL

A G R E E M E N T

11.2 ORGANISATIONAL SERVICES

11.2.1 FEBRUARY 2018 MONTHLY FINANCIAL REPORT

Objective Reference: **A2910538**
Reports and Attachments (Archives)

Attachment: **February 2018 Monthly Financial Report**

Authorising/Responsible Officer: **Deborah Corbett-Hall**
Chief Financial Officer

Report Author: **Udaya Panambala Arachchilage**
Corporate Financial Reporting Manager

Quasir Nasir
Corporate Accountant

PURPOSE

The purpose of this report is to note the year to date financial results as at 28 February 2018.

BACKGROUND

Council adopts an annual budget and then reports on performance against the budget on a monthly basis. This is not only a legal requirement but enables the organisation to periodically review its financial performance and position and respond to changes in community requirements, market forces or other outside influences.

Issues

Canal and Lake Charges Refunds

The process for issuing refunds for the reserve balances quarantined for maintenance and repairs since 2011-12, has been worked through and as at end of February 2018 Council has processed 95% of the refunds. The remaining refunds are for non-current property owners and Council is trying to identify these owners to on-forward the refund amount.

Interim audit for financial year 2017-18

The Queensland Audit Office (QAO) is commencing the 2017-18 interim external audit on 12 March 2018. As per previous years, the interim visit ordinarily focuses on the purchases and payments (including tenders), revenue and receivables and payroll processes and controls. This also includes a review of transactions in each of these cycles and includes a review of journals and preparation of the financial statements.

Strategic Implications

Council continued to report a strong financial position and favourable operating result at the end of February 2018.

Council has either achieved or favourably exceeded the following key financial stability and sustainability ratios as at the end of February 2018:

- Operating surplus ratio
- Net financial liabilities

- Level of dependence on general rate revenue
- Ability to pay our bills – current ratio
- Ability to repay our debt – debt servicing ratio
- Cash balance
- Cash balances – cash capacity in months
- Longer term financial stability – debt to asset ratio
- Operating performance
- Interest coverage ratio

The asset sustainability ratio did not meet the target at the end of February 2018 and continues to be a stretch target for Council with renewal spend of $18.21M and depreciation expense of $36.63M year to date on infrastructure assets. This ratio is an indication of how Council currently maintains, replaces and renews its existing infrastructure assets as they reach the end of their useful life. Capital spend on non-renewal projects increase the asset base and therefore increases depreciation expense, resulting in a lower asset sustainability ratio. The upward revaluation of infrastructure assets increases the asset base correspondingly increasing the depreciation expense that results in a lower ratio.

Council's Capital Works Prioritisation Policy (POL-3131) demonstrates its commitment to maintaining existing infrastructure and the adoption of a renewal strategy for its existing assets ahead of 'upgrade' and/or 'new' works.

Legislative Requirements

The February 2018 financial results are presented in accordance with the legislative requirement of section 204(2) of the *Local Government Regulation 2012*, requiring the Chief Executive Officer to present the financial report to a monthly Council meeting.

Risk Management

The February 2018 financial results have been noted by the Executive Leadership Team and relevant officers who can provide further clarification and advice around actual to budget variances.

Financial

There is no direct financial impact to Council as a result of this report; however it provides an indication of financial outcomes at the end of February 2018.

People

Nil impact expected as the purpose of the attached report is to provide financial information to Council based upon actual versus budgeted financial activity.

Environmental

Nil impact expected as the purpose of the attached report is to provide financial information to Council based upon actual versus budgeted financial activity.

Social

Nil impact expected as the purpose of the attached report is to provide financial information to Council based upon actual versus budgeted financial activity.

Alignment with Council's Policy and Plans

This report has a relationship with the following items of the 2015-20 Corporate Plan:

8. Inclusive and ethical governance

Deep engagement, quality leadership at all levels, transparent and accountable democratic processes and a spirit of partnership between the community and Council will enrich residents' participation in local decision-making to achieve the community's Redlands 2030 vision and goals.

8.2 Council produces and delivers against sustainable financial forecasts as a result of best practice Capital and Asset Management Plans that guide project planning and service delivery across the city.

Consultation

Council departmental officers, Financial Services Group officers and the Executive Leadership Team are consulted on financial results and outcomes throughout the period.

OPTIONS

1. That Council resolves to note the financial position, results and ratios for February 2018 as presented in the attached Monthly Financial Report.
2. That Council requests additional information.

OFFICER'S RECOMMENDATION/ COUNCIL RESOLUTION

Moved by: **Cr W Boglary**
Seconded by: **Cr M Edwards**

That Council resolves to note the financial position, results and ratios for February 2018 as presented in the attached Monthly Financial Report.

CARRIED 10/0

Crs Boglary, Gollè, Hewlett, Edwards, Elliott, Huges, Talty, Gleeson, Bishop and Williams voted FOR the motion.

Cr Mitchell was absent from the meeting.

Monthly Financial Report

February 2018

MAKE A
DIFFERENCE
MAKE IT
COUNT

Redland
CITY COUNCIL

CONTENTS

1. EXECUTIVE SUMMARY

This monthly report illustrates the financial performance and position of Redland City Council compared to its adopted budget at an organisational level for the period ended 28 February 2018. The year to date and annual revised budget referred to in this report incorporates the changes from the budget capital carryovers adopted by Council on 23 August 2017.

Key Financial Highlights and Overview

Key Financial Results ($000)	Annual Revised Budget	YTD Revised Budget	YTD Actual	YTD Variance	YTD Variance %	Status Favourable ✓ Unfavourable ✖
Operating Surplus / (Deficit)	(11,136)	4,585	**6,960**	2,375	52%	✓
Recurrent Revenue	261,639	180,345	**180,861**	516	0%	✓
Recurrent Expenditure	272,775	175,760	**173,901**	(1,859)	-1%	✓
Capital Works Expenditure	94,860	47,703	**41,134**	(6,569)	-14%	✓
Closing Cash & Cash Equivalents	140,234	165,396	**152,533**	(12,863)	-8%	✖

Council reported an operating surplus for the month of $6.96M. The income generated from the third quarter general rates levy is partially offset by $605K in credits held, representing rates received in advance in previous periods. Operating grants and subsidies income is above budget by $901K mainly due to timing of grant monies received for Macleay Island boat ramp ($394K) and unbudgeted tropical cyclone Debbie ($189K).

The favourable variance in recurrent expenditure is primarily due to underspend in consultant and contractor costs. The unfavourable variance in depreciation expense is due to higher opening asset balances for 2017/2018 which include the results from the 2016/2017 asset revaluations, as well as the recognition of developer contributed assets. These end of year adjustments influenced the increase in depreciation expense.

Capital grants, subsidies and contributions are below budget mainly due to timing of developer cash contributions. Additionally, non-cash contributions are below budget due to timing of developer non-cash contributions. Loss on disposal of non-current assets is mainly due to sale of fleet assets and infrastructure asset replacement.

Council's capital works expenditure is below budget by $6.57M due to timing of works for a number of infrastructure projects, timing of capital acquisitions and fleet replacement.

Council's cash balance is below budget due to higher than anticipated payments to suppliers which includes $7.85M for canal and lake special charges refund and below budget receipt of capital grants, subsidies and contributions. This is partially offset by below budget expenditure for property, plant and equipment and above budget operating grants. Constrained cash reserves represent 61% of the cash balance.

2. KEY PERFORMANCE INDICATORS

Key Performance Indicators

Financial Stability Ratios and Measures of Sustainability	Status Achieved ✓ Not achieved ✖	Annual Revised Budget	YTD February 2018	Target
Operating Surplus Ratio (%)	✓	-4.26%	**3.85%**	Between 0% and 10% (on average over the long-term)
Asset Sustainability Ratio (%)^	✖	70.92%	**49.72%**	Greater than 90% (on average over the long-term)
Net Financial Liabilities (%)*	✓	-23.95%	**-57.96%**	Less than 60% (on average over the long-term)
Level of Dependence on General Rate Revenue (%)	✓	33.93%	**36.43%**	Less than 37.5%
Ability to Pay Our Bills - Current Ratio	✓	2.74	**3.93**	Between 1.1 & 4.1
Ability to Repay Our Debt - Debt Servicing Ratio (%)	✓	2.99%	**4.34%**	Less than or equal to 10%
Cash Balance $M	✓	$140.234M	**$152.533M**	Greater than or equal to $50M
Cash Balances - Cash Capacity in Months	✓	7.87	**7.94**	Greater than 3 months
Longer Term Financial Stability - Debt to Asset Ratio (%)	✓	1.47%	**1.42%**	Less than or equal to 10%
Operating Performance (%)	✓	17.65%	**18.13%**	Greater than or equal to 15%
Interest Coverage Ratio (%)**	✓	-0.59%	**-0.59%**	Less than 5%

* The net financial liabilities ratio exceeds the target range when current assets are greater than total liabilities (and the ratio is negative)
** The interest coverage ratio exceeds the target range when interest revenue is greater than interest expense (and the ratio is negative)

The annual revised budgeted balances for 2017/2018 include the changes from the budget carryovers adopted by Council on 23 August 2017. The differences between the carryover budget figures and those published are due to the actual opening balances on 1 July 2017, which are now finalised following end of year accounts finalisation.

3. STATEMENT OF COMPREHENSIVE INCOME

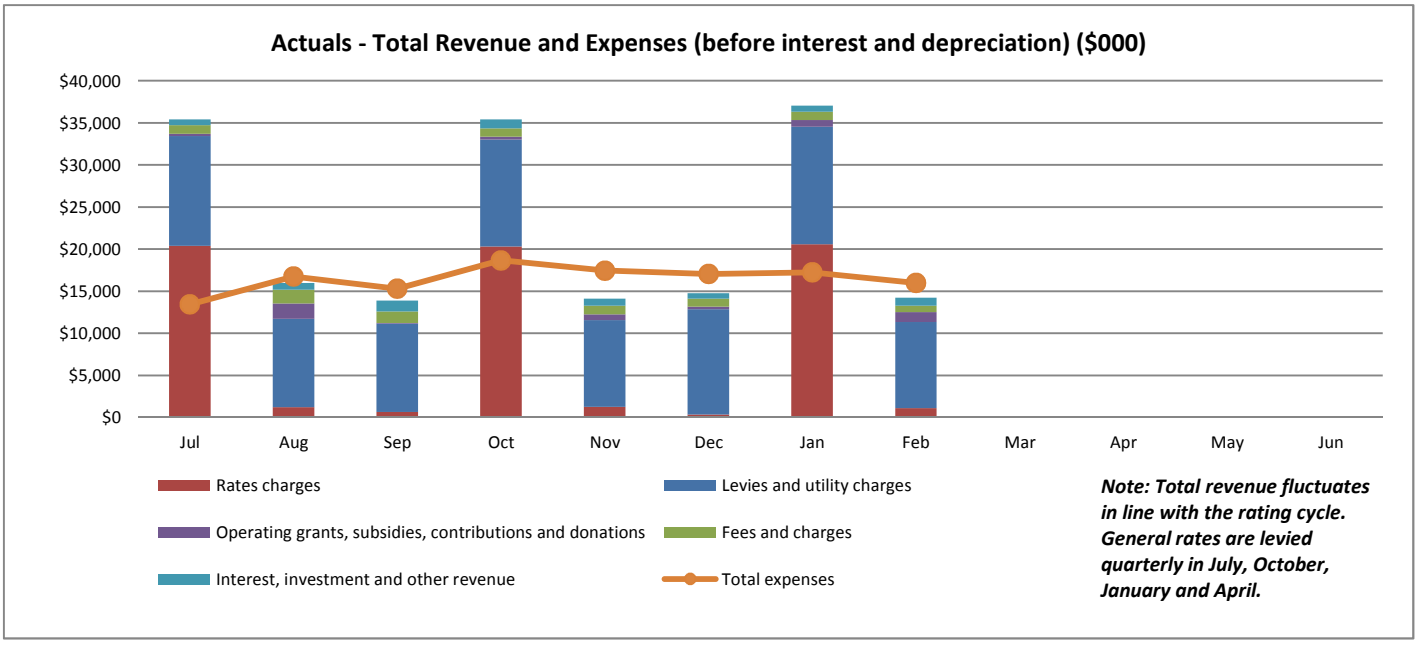
STATEMENT OF COMPREHENSIVE INCOME
For the period ending 28 February 2018

	Annual Original Budget $000	Annual Revised Budget $000	YTD Revised Budget $000	YTD **Actual $000**	YTD Variance $000
Recurrent revenue					
Rates, levies and charges	227,186	227,186	159,920	**159,640**	(280)
Fees and charges	13,048	13,048	8,893	**8,696**	(197)
Rental income	839	839	541	**809**	268
Interest received	4,361	4,361	2,892	**2,944**	52
Investment returns	2,200	2,200	500	**500**	-
Sales revenue	3,823	3,823	2,356	**2,119**	(237)
Other income	684	684	469	**657**	188
Grants, subsidies and contributions	9,497	9,497	4,774	**5,496**	722
Total recurrent revenue	261,639	261,639	180,345	**180,861**	516
Capital revenue					
Grants, subsidies and contributions	33,013	33,035	16,685	**11,075**	(5,610)
Non-cash contributions	3,213	3,213	2,161	**134**	(2,027)
Total capital revenue	36,226	36,248	18,846	**11,209**	(7,637)
TOTAL INCOME	**297,865**	**297,887**	**199,191**	**192,070**	**(7,121)**
Recurrent expenses					
Employee benefits	85,677	85,677	56,581	**56,080**	(501)
Materials and services	125,787	125,787	78,293	**75,542**	(2,751)
Finance costs	3,112	3,112	2,086	**2,151**	65
Depreciation and amortisation	58,200	58,200	38,800	**40,128**	1,328
Total recurrent expenses	272,775	272,775	175,760	**173,901**	(1,859)
Capital expenses					
(Gain) / loss on disposal of non-current assets	289	36	(664)	**782**	1,446
Total capital expenses	289	36	(664)	**782**	1,446
TOTAL EXPENSES	**273,064**	**272,811**	**175,096**	**174,683**	**(413)**
NET RESULT	**24,801**	**25,076**	**24,095**	**17,387**	**(6,708)**
Other comprehensive income / (loss)					
Items that will not be reclassified to a net result					
Revaluation of property, plant and equipment	-	-	-	**(67)**	(67)
TOTAL COMPREHENSIVE INCOME	**24,801**	**25,076**	**24,095**	**17,320**	**(6,775)**

4. OPERATING STATEMENT

OPERATING STATEMENT
For the period ending 28 February 2018

	Annual Original Budget $000	Annual Revised Budget $000	YTD Revised Budget $000	YTD **Actual $000**	YTD Variance $000
Revenue					
Rates charges	91,688	91,688	68,766	**68,028**	(738)
Levies and utility charges	138,824	138,824	93,628	**94,058**	430
Less: Pensioner remissions and rebates	(3,325)	(3,325)	(2,474)	**(2,446)**	28
Fees and charges	13,048	13,048	8,893	**8,696**	(197)
Operating grants and subsidies	8,795	8,795	4,375	**5,276**	901
Operating contributions and donations	702	702	399	**220**	(179)
Interest external	4,361	4,361	2,892	**2,944**	52
Investment returns	2,200	2,200	500	**500**	-
Other revenue	5,347	5,347	3,366	**3,585**	219
Total revenue	**261,639**	**261,639**	**180,345**	**180,861**	**516**
Expenses					
Employee benefits	85,677	85,677	56,581	**56,080**	(501)
Materials and services	126,040	126,040	78,470	**75,432**	(3,038)
Finance costs other	303	303	216	**266**	50
Other expenditure	489	489	316	**602**	286
Net internal costs	(741)	(741)	(493)	**(492)**	1
Total expenses	**211,767**	**211,767**	**135,090**	**131,888**	**(3,202)**
Earnings before interest, tax and depreciation (EBITD)	**49,872**	**49,872**	**45,255**	**48,973**	**3,718**
Interest expense	2,809	2,809	1,870	**1,885**	15
Depreciation and amortisation	58,200	58,200	38,800	**40,128**	1,328
OPERATING SURPLUS / (DEFICIT)	**(11,136)**	**(11,136)**	**4,585**	**6,960**	**2,375**



4. OPERATING STATEMENT - CONTINUED

LEVIES AND UTILITY CHARGES ANALYSIS
For the period ending 28 February 2018

	Annual Original Budget $000	Annual Revised Budget $000	YTD Revised Budget $000	YTD **Actual $000**	YTD Variance $000
Levies and utility charges					
Refuse collection rate charge	21,663	21,663	14,401	**14,459**	58
Special charges	4,083	4,083	3,062	**3,054**	(8)
SES separate charge	339	339	254	**255**	1
Environment separate charge	7,568	7,568	5,676	**5,712**	36
Separate charge landfill remediation	2,911	2,911	1,941	**1,953**	12
Wastewater charges	43,647	43,647	29,098	**28,941**	(157)
Water access charges	18,296	18,296	12,197	**12,250**	53
Water consumption charges	40,317	40,317	26,999	**27,434**	435
Total levies and utility charges	**138,824**	**138,824**	**93,628**	**94,058**	**430**

MATERIALS AND SERVICES ANALYSIS
For the period ending 28 February 2018

	Annual Original Budget $000	Annual Revised Budget $000	YTD Revised Budget $000	YTD **Actual $000**	YTD Variance $000
Materials and services					
Contractors	34,121	34,456	20,244	**18,330**	(1,914)
Consultants	4,465	4,249	2,046	**904**	(1,142)
Other Council outsourcing costs*	17,355	17,498	11,124	**11,526**	402
Purchase of materials	44,300	44,090	28,776	**29,015**	239
Office administration costs	7,949	8,071	5,254	**5,135**	(119)
Electricity charges	5,751	5,729	3,794	**3,538**	(256)
Plant operations	4,466	4,480	2,787	**2,757**	(30)
Information technology resources	2,811	2,647	1,544	**1,453**	(91)
General insurance	1,363	1,363	912	**891**	(21)
Community assistance**	1,619	1,623	954	**879**	(75)
Other material and service expenses	1,840	1,834	1,035	**1,004**	(31)
Total materials and services	**126,040**	**126,040**	**78,470**	**75,432**	**(3,038)**

** Other Council outsourcing costs are various outsourced costs including refuse collection and disposal, waste disposal, legal services, traffic control, external training, valuation fees, etc.*

*** Community assistance costs represent community related costs including community grants, exhibitions & awards, donations and sponsorships.*

EMPLOYEE BENEFITS AND FULL TIME EQUIVALENTS (FTE)
For the period ending 28 February 2018

	FTE (Council employees and Councillors)*	Total staff wages and salaries (including Councillors) $000	Annual leave and long service leave entitlements $000	Superannuation (including Councillors) $000	Other employee related expenses (including agency costs) $000	Less: capitalised employee expenses $000	**Total operating employee benefits $000**
Month							
July	900	5,324	626	647	333	481	**6,449**
August	899	5,992	702	698	627	520	**7,499**
September	902	5,213	617	653	597	471	**6,609**
October	906	6,080	724	722	525	531	**7,520**
November	914	5,961	698	703	598	383	**7,577**
December	919	5,508	650	674	452	389	**6,895**
January	921	5,496	646	713	560	414	**7,001**
February	922	5,416	646	637	469	638	**6,530**
Total employee benefits YTD		**44,990**	**5,309**	**5,447**	**4,161**	**3,827**	**56,080**

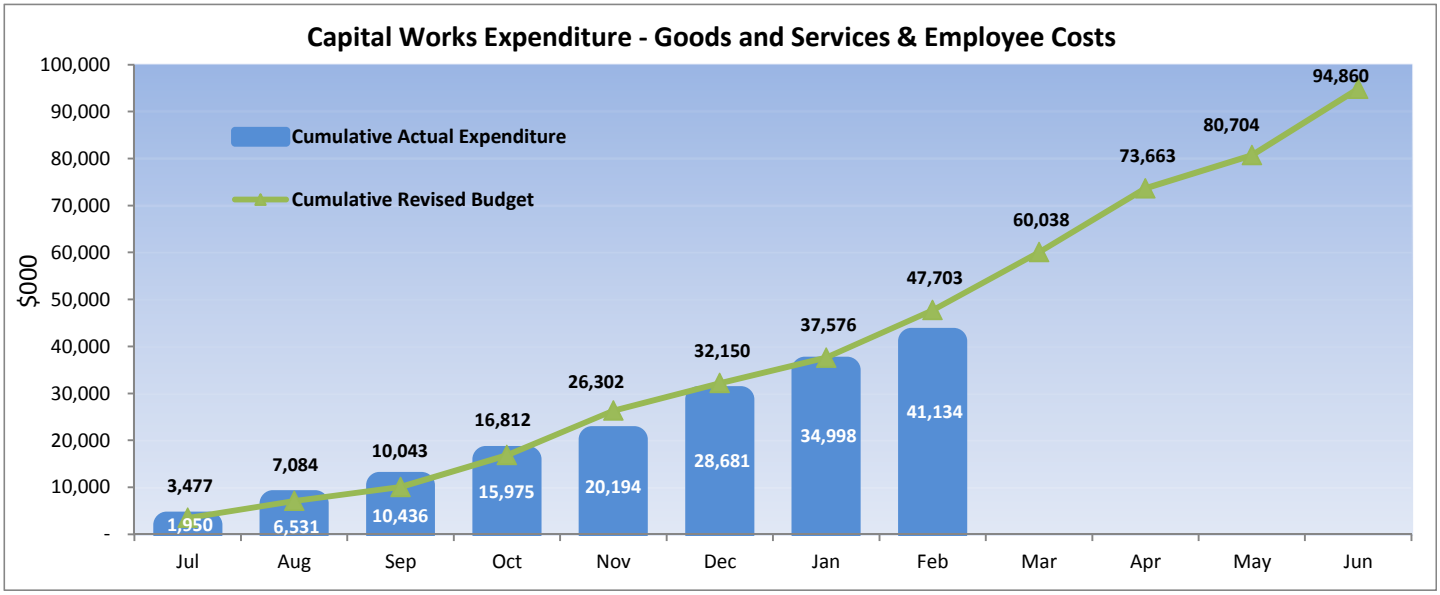
** Refer to page 14 for further information on FTE and headcount.*

5. CAPITAL FUNDING STATEMENT

CAPITAL FUNDING STATEMENT
For the period ending 28 February 2018

	Annual Original Budget $000	Annual Revised Budget $000	YTD Revised Budget $000	YTD **Actual $000**	YTD Variance $000
Sources of capital funding					
Capital contributions and donations	29,250	29,250	14,055	**9,634**	(4,421)
Capital grants and subsidies	3,763	3,785	2,630	**1,441**	(1,189)
Proceeds on disposal of non-current assets	1,180	1,433	1,064	**687**	(377)
Capital transfers (to) / from reserves	(14,106)	(13,493)	(11,430)	**(5,883)**	5,547
Non-cash contributions	3,213	3,213	2,161	**134**	(2,027)
New loans	867	867	-	**-**	-
Funding from general revenue	66,106	78,028	47,333	**41,214**	(6,119)
Total sources of capital funding	**90,272**	**103,082**	**55,813**	**47,227**	**(8,586)**
Application of capital funds					
Contributed assets	3,213	3,213	2,161	**134**	(2,027)
Capitalised goods and services*	74,965	87,599	44,181	**37,307**	(6,874)
Capitalised employee costs*	7,085	7,261	3,522	**3,827**	305
Loan redemption	5,010	5,010	5,949	**5,959**	10
Total application of capital funds	**90,272**	**103,082**	**55,813**	**47,227**	**(8,586)**
Other budgeted items					
Transfers to constrained operating reserves	(13,268)	(13,268)	(7,698)	**(9,731)**	(2,033)
Transfers from constrained operating reserves	11,565	11,565	7,329	**12,374**	5,045
Written down value (WDV) of assets disposed	1,468	1,468	400	**1,469**	1,069

** Total capital works expenditure depicted in the graph below is the total of capitalised goods and services and capitalised employee costs.*



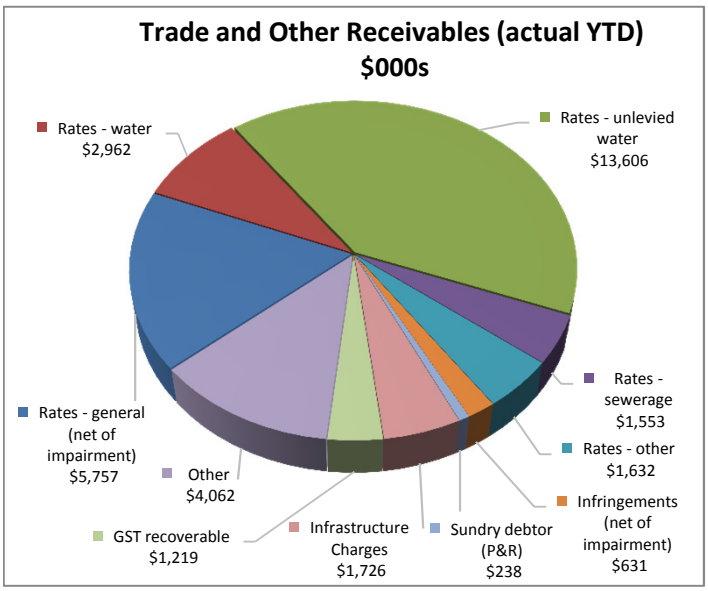
6. STATEMENT OF FINANCIAL POSITION

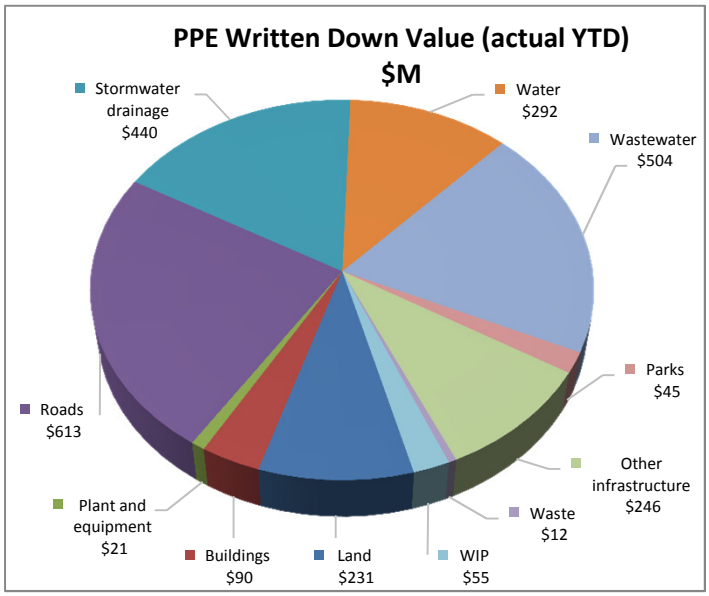
STATEMENT OF FINANCIAL POSITION
As at 28 February 2018

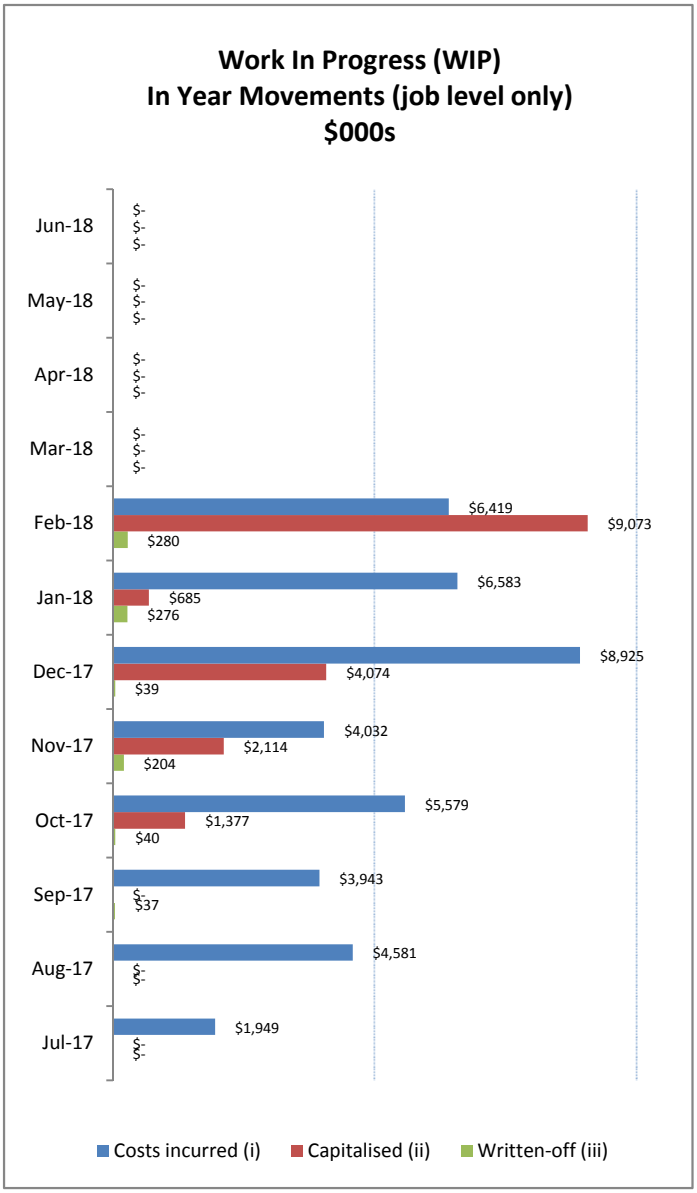
	Annual Original Budget $000	Annual Revised Budget $000	YTD Revised Budget $000	YTD **Actual Balance $000**
CURRENT ASSETS				
Cash and cash equivalents	133,650	140,234	165,396	**152,533**
Trade and other receivables	25,805	27,273	28,075	**33,386**
Inventories	678	556	556	**1,259**
Non-current assets held for sale	4,278	262	262	**11,203**
Other current assets	2,122	2,073	2,073	**2,430**
Total current assets	**166,533**	**170,398**	**196,362**	**200,811**
NON-CURRENT ASSETS				
Investment property	1,054	1,091	1,091	**1,091**
Property, plant and equipment	2,483,228	2,598,914	2,570,839	**2,548,618**
Intangible assets	1,215	1,845	2,179	**2,230**
Other financial assets	73	73	73	**73**
Investment in other entities	5,961	14,712	14,712	**14,712**
Total non-current assets	**2,491,531**	**2,616,635**	**2,588,894**	**2,566,724**
TOTAL ASSETS	**2,658,064**	**2,787,033**	**2,785,256**	**2,767,535**
CURRENT LIABILITIES				
Trade and other payables	21,411	39,792	39,576	**21,951**
Borrowings	7,701	7,713	7,713	**7,713**
Provisions	13,126	13,014	12,777	**10,359**
Other current liabilities	1,755	1,747	3,217	**11,123**
Total current liabilities	**43,993**	**62,266**	**63,283**	**51,146**
NON-CURRENT LIABILITIES				
Borrowings	33,461	33,343	31,538	**31,528**
Provisions	12,356	12,115	12,108	**13,311**
Total non-current liabilities	**45,817**	**45,458**	**43,646**	**44,839**
TOTAL LIABILITIES	**89,811**	**107,724**	**106,929**	**95,985**
NET COMMUNITY ASSETS	**2,568,254**	**2,679,309**	**2,678,327**	**2,671,550**
COMMUNITY EQUITY				
Asset revaluation surplus	963,349	1,070,838	1,070,838	**1,070,771**
Retained surplus	1,498,727	1,503,632	1,506,046	**1,507,895**
Constrained cash reserves	106,178	104,839	101,443	**92,884**
TOTAL COMMUNITY EQUITY	**2,568,254**	**2,679,309**	**2,678,327**	**2,671,550**

The annual revised budgeted balances for 2017/2018 include the changes from the budget carryovers adopted by Council on 23 August 2017. The differences between the carryover budget figures and those published are due to the actual opening balances on 1 July 2017, which are now finalised following end of year accounts finalisation.

6. STATEMENT OF FINANCIAL POSITION - CONTINUED







(i) Costs incurred: costs transferred into WIP for the construction or acquisition of fixed assets and at this point are non-depreciating.
(ii) Assets registered: additions to the asset register which includes unwinding of 2016/2017 accruals and new capitalisations.
(iii) Written-off: costs transferred from WIP to operational expenditure. These costs are operational in nature and therefore will not be capitalised.

PROPERTY, PLANT AND EQUIPMENT (PPE) MOVEMENT*
For the period ending 28 February 2018

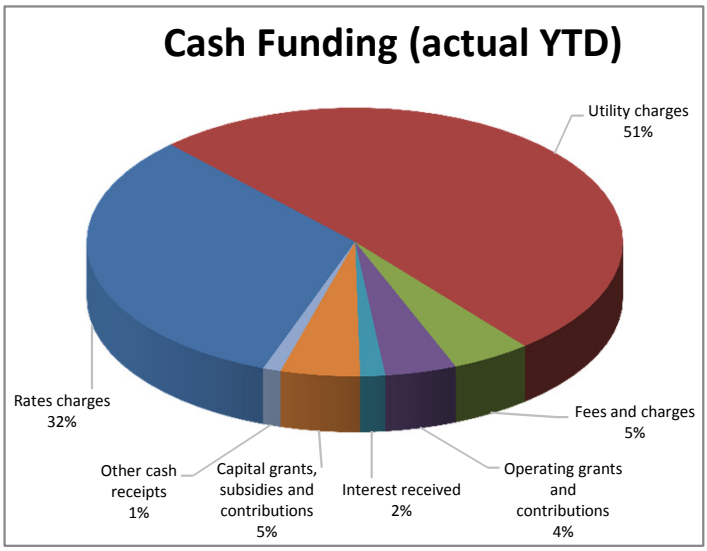
	Annual Original Budget $000	Annual Revised Budget $000	YTD Revised Budget $000	YTD **Actual Balance $000**
PPE movement				
Opening balance (includes WIP from previous years)	2,456,540	2,559,417	2,559,417	**2,559,417**
Acquisitions and WIP in year movement	85,217	98,026	49,864	**41,292**
Depreciation in year	(57,061)	(57,061)	(38,041)	**(39,498)**
Disposals	(1,468)	(1,468)	(401)	**(1,305)**
Other adjustments**	-	-	-	**(11,288)**
Closing balance	**2,483,228**	**2,598,914**	**2,570,839**	**2,548,618**

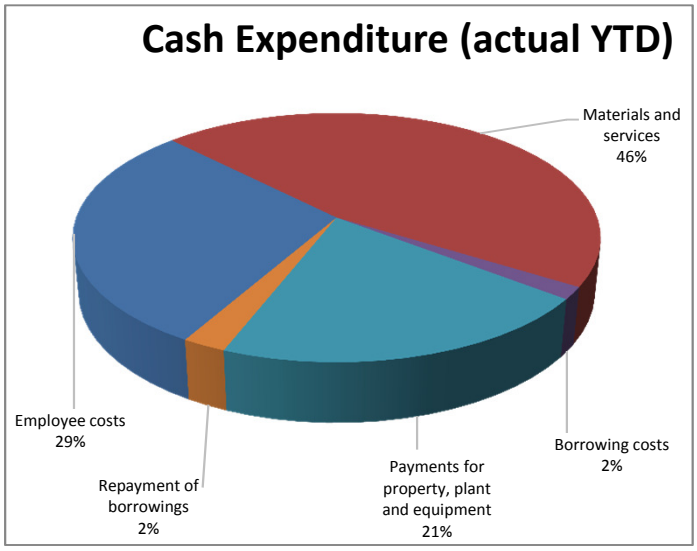
** This table includes movement relating to property, plant and equipment only and is exclusive of intangible assets.*
*** Other adjustments include transfers between asset classes, revaluation adjustments, prior period adjustments and depreciation thereon. Includes reclassification of $11.05M from property, plant and equipment to non-current assets held for sale.*

7. STATEMENT OF CASH FLOWS

STATEMENT OF CASH FLOWS
For the period ending 28 February 2018

	Annual Original Budget $000	Annual Revised Budget $000	YTD Revised Budget $000	YTD **Actual $000**
CASH FLOWS FROM OPERATING ACTIVITIES				
Receipts from customers	244,741	244,741	175,331	**175,560**
Payments to suppliers and employees	(210,402)	(210,527)	(134,309)	**(150,539)**
	34,340	**34,215**	**41,022**	**25,021**
Interest received	4,361	4,361	2,892	**2,944**
Rental income	839	839	541	**809**
Non-capital grants and contributions	9,547	9,547	4,774	**8,446**
Borrowing costs	(3,175)	(3,175)	(3,175)	**(3,187)**
Net cash inflow / (outflow) from operating activities	**45,912**	**45,787**	**46,054**	**34,033**
CASH FLOWS FROM INVESTING ACTIVITIES				
Payments for property, plant and equipment	(82,005)	(94,815)	(47,703)	**(41,158)**
Payments for intangible assets	(45)	(45)	-	**24**
Proceeds from sale of property, plant and equipment	1,180	1,433	1,064	**687**
Capital grants, subsidies and contributions	33,013	33,035	16,685	**9,349**
Other cash flows from investing activities	2,200	2,200	(2,475)	**(2,160)**
Net cash inflow / (outflow) from investing activities	**(45,656)**	**(58,192)**	**(32,429)**	**(33,258)**
CASH FLOWS FROM FINANCING ACTIVITIES				
Proceeds of borrowings	867	867	-	**-**
Repayment of borrowings	(4,644)	(4,644)	(4,644)	**(4,657)**
Net cash inflow / (outflow) from financing activities	**(3,777)**	**(3,777)**	**(4,644)**	**(4,657)**
Net increase / (decrease) in cash held	**(3,521)**	**(16,181)**	**8,981**	**(3,882)**
Cash and cash equivalents at the beginning of the year	137,171	156,415	156,415	**156,415**
Cash and cash equivalents at the end of the financial year / period	**133,650**	**140,234**	**165,396**	**152,533**





Total Cash Funding (Actual YTD)	**195,635**
Total Cash Funding (Annual Revised Budget)	297,023
% of Budget Achieved YTD	66%

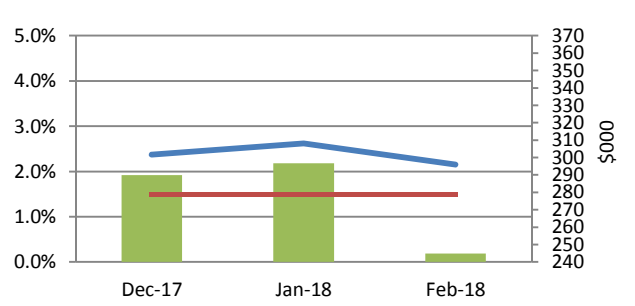
Total Cash Expenditure (Actual YTD)	**199,517**
Total Cash Expenditure (Annual Revised Budget)	313,204
% of Budget Achieved YTD	64%

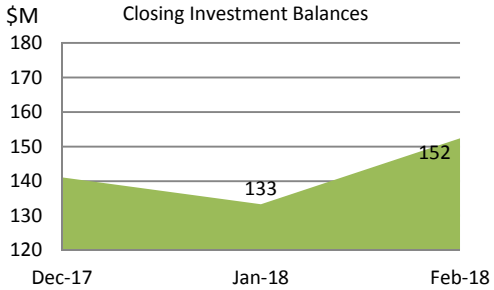
The annual revised budgeted balances for 2017/2018 include the changes from the budget carryovers adopted by Council on 23 August 2017. The differences between the carryover budget figures and those published are due to the actual opening balances on 1 July 2017, which are now finalised following end of year accounts finalisation.

8. INVESTMENT & BORROWINGS REPORT

For the period ending 28 February 2018

INVESTMENT RETURNS - QUEENSLAND TREASURY CORPORATION (QTC)





Total Investment at End of Month was $152.40M

All Council investments are currently held in the Capital Guaranteed Cash Fund, which is a fund operated by the Queensland Treasury Corporation (QTC).

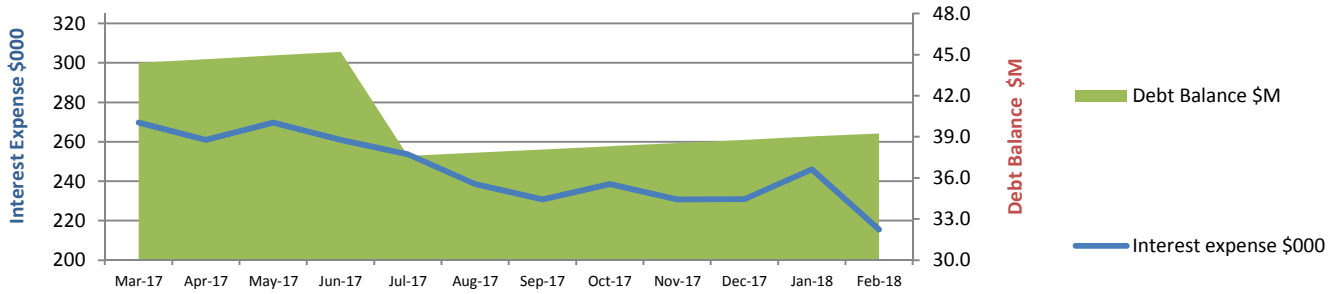
The movement in interest earned is indicative of both the interest rate and the surplus cash balances held, the latter of which is affected by business cash flow requirements on a monthly basis as well as the rating cycle.

Note: the Reserve Bank reduced the cash rate down to 1.5% in the August 2016 sitting - this has not changed in subsequent months.

On a daily basis, cash surplus to requirements is deposited with QTC to earn higher interest as QTC is offering a higher rate than what is achieved from Council's transactional bank accounts. The current annual effective interest rate paid by QTC of 2.15% exceeds the Bloomberg AusBond Bank Bill Index (previously the UBS Bank Bill Index) of 1.75% as at the end of February 2018 in accordance with Corporate POL-3013. Term deposit rates are being monitored to identify investment opportunities to ensure Council maximises its interest earnings.

Council adopted its revised Investment Policy (POL-3013) in May 2017 for the 2017/2018 financial year

BORROWINGS AND BORROWING COSTS



The existing loan accounts were converted to fixed rate loans on 1 April 2016 following a QTC restructure of loans and policies. In line with Council's debt policy, the principal debt repayment has been made *annually* in advance for 2017/2018 which will result in the loans being repaid approximately one year earlier.

The debt balance shows a decrease as the Annual Debt Service Payment (ADSP) was made during July 2017. Interest will accrue monthly on a daily balance until next ADSP in July 18 which is reflected in the increasing debt balance. Interest expense for February 2018 shows a decrease due to days in calendar month.

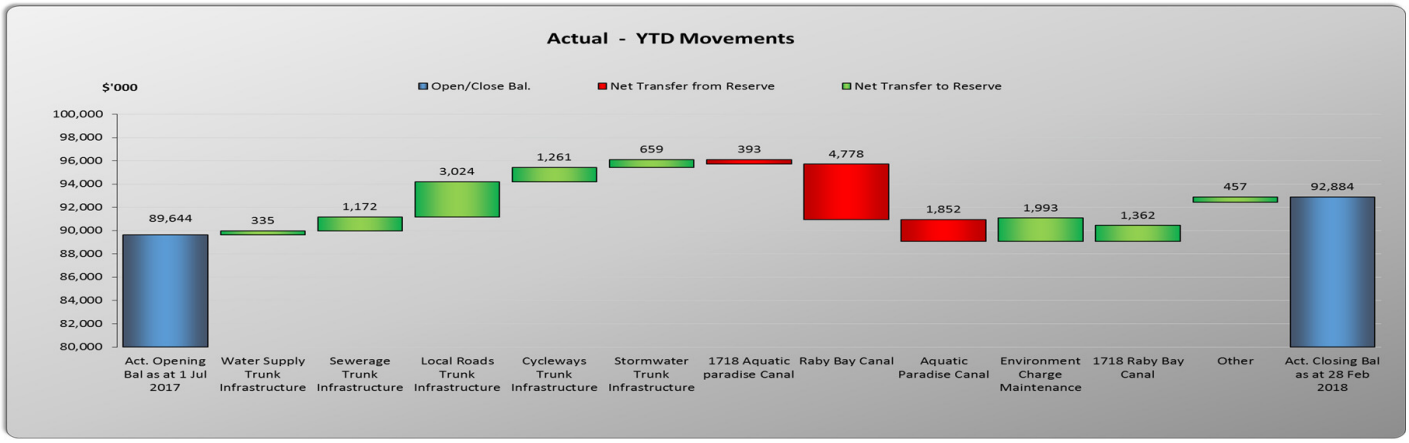
Total Borrowings at End of Month were $39.24M

General pool allocated to capital works is 99.27% and 0.73% is attributable to RedWaste.

Council adopted its revised Debt Policy (POL-1838) in June 2017 for the 2017/2018 financial year

9. CONSTRAINED CASH RESERVES

Reserves as at 28 February 2018	Opening Balance	To Reserve	From Reserve	Closing Balance
	$000	$000	$000	$000
Special Projects Reserve:				
Weinam Creek Reserve	3,075	290	(24)	3,341
Red Art Gallery Commissions & Donations Reserve	4	-	-	4
	3,079	**290**	**(24)**	**3,345**
Constrained Works Reserve:				
Public Parks Trunk Infrastructure Reserve	8,693	1,714	(1,756)	8,651
Land for Community Facilities Trunk Infrastructure Reserve	1,675	270	-	1,945
Water Supply Trunk Infrastructure Reserve	9,478	335	-	9,813
Sewerage Trunk Infrastructure Reserve	6,573	1,604	(432)	7,745
Constrained Works Reserve-Capital Grants & Contributions	1,154	-	(108)	1,046
Local Roads Trunk Infrastructure Reserve	30,570	3,334	(310)	33,594
Cycleways Trunk Infrastructure Reserve	8,343	1,349	(88)	9,604
Stormwater Trunk Infrastructure Reserve	7,553	659	-	8,212
Constrained Works Reserve-Operating Grants & Contributions	2,667	-	(171)	2,496
Tree Planting Reserve	86	27	-	113
	76,792	**9,292**	**(2,865)**	**83,219**
Separate Charge Reserve - Environment:				
Environment Charge Acquisition Reserve	618	-	(77)	541
Environment Charge Maintenance Reserve	1,387	5,712	(3,719)	3,380
	2,005	**5,712**	**(3,796)**	**3,921**
Special Charge Reserve - Other:				
Bay Island Rural Fire Levy Reserve	-	168	(115)	53
SMBI Translink Reserve	(6)	712	(475)	231
	(6)	**880**	**(590)**	**284**
Special Charge Reserve - Canals:				
Raby Bay Canal Reserve	4,778	15	(4,793)	-
Aquatic Paradise Canal Reserve	2,592	13	(1,865)	740
Sovereign Waters Lake Reserve	404	4	12	420
1718 Raby Bay Canal Reserve	-	2,097	(735)	1,362
1718 Aquatic Paradise Canal Reserve	-	653	(1,046)	(393)
1718 Sovereign Waters Lake Reserve	-	39	(53)	(14)
	7,774	**2,821**	**(8,480)**	**2,115**
TOTALS	**89,644**	**18,995**	**(15,755)**	**92,884**
	Closing cash and cash equivalents			**152,533**
	Reserves as percentage of cash balance			**61%**



Total Reserves decreased by $788K during the month. YTD growth in developer cash contributions totalled $9.29M with drawdowns of $2.59M. Increases are predominantly from developments in Cleveland, Victoria Point, Thornlands, Ormiston, Capalaba and Birkdale. YTD growth in other reserves totalled $9.70M, with drawdowns totalling $13.17M. $2.82M of the increase in reserves is attributed to canals and lakes. The process for issuing refunds for the reserve balances quarantined for maintenance and repairs since 2011-12, has been worked through and as at end of February, Council has processed 95% of the refunds. New 2017/2018 canal and lake reserves reflect the current year program for revenue and expenditure. $1.99M movement in the Environment Charge Maintenance Reserve is associated with the Environment Separate Charge (which is recognised in line with the rating cycle), offset by YTD spending on designated projects.

10. REDLAND WATER STATEMENTS

REDLAND WATER SUMMARY OPERATING STATEMENT
For the period ending 28 February 2018

	Annual Original Budget $000	Annual Revised Budget $000	YTD Revised Budget $000	YTD **Actual $000**	YTD Variance $000
Total revenue	105,147	105,147	70,020	**70,118**	98
Total expenses	59,688	59,688	39,248	**38,719**	(529)
Earnings before interest, tax and depreciation (EBITD)	45,459	45,459	30,772	**31,399**	627
Interest expense	18,265	18,265	12,177	**12,177**	-
Depreciation	18,457	18,457	12,305	**14,703**	2,398
Operating surplus / (deficit)	**8,737**	**8,737**	**6,290**	**4,519**	**(1,771)**

REDLAND WATER CAPITAL FUNDING STATEMENT
For the period ending 28 February 2018

	Annual Original Budget $000	Annual Revised Budget $000	YTD Revised Budget $000	YTD **Actual $000**	YTD Variance $000
Capital contributions, donations, grants and subsidies	6,631	6,631	1,864	**2,350**	486
Net transfer (to) / from constrained capital reserves	(3,120)	(3,117)	(3,781)	**(1,507)**	2,274
Non-cash contributions	3,131	3,131	2,087	**-**	(2,087)
Funding from utility revenue	4,675	6,186	6,615	**2,602**	(4,013)
Total sources of capital funding	**11,316**	**12,830**	**6,785**	**3,445**	**(3,340)**
Contributed assets	3,131	3,131	2,087	**-**	(2,087)
Capitalised expenditure	8,185	9,699	4,698	**3,445**	(1,253)
Total application of capital funds	**11,316**	**12,830**	**6,785**	**3,445**	**(3,340)**

11. REDWASTE STATEMENTS

REDWASTE OPERATING STATEMENT
For the period ending 28 February 2018

	Annual Original Budget $000	Annual Revised Budget $000	YTD Revised Budget $000	YTD **Actual $000**	YTD Variance $000
Total revenue	24,532	24,532	16,313	**16,898**	585
Total expenses	17,480	17,480	11,653	**12,797**	1,144
Earnings before interest, tax and depreciation (EBITD)	7,052	7,052	4,660	**4,101**	(559)
Interest expense	33	33	22	**22**	-
Depreciation	307	307	205	**110**	(95)
Operating surplus / (deficit)	**6,712**	**6,712**	**4,433**	**3,969**	**(464)**

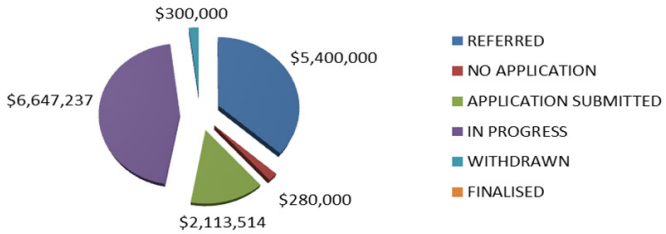
REDWASTE CAPITAL FUNDING STATEMENT
For the period ending 28 February 2018

	Annual Original Budget $000	Annual Revised Budget $000	YTD Revised Budget $000	YTD **Actual $000**	YTD Variance $000
Non-cash contributions	-	-	-	**-**	-
Funding from utility revenue	317	333	262	**324**	62
Total sources of capital funding	**317**	**333**	**262**	**324**	**62**
Capitalised expenditure	240	249	168	**230**	62
Loan redemption	77	83	94	**94**	-
Total application of capital funds	**317**	**333**	**262**	**324**	**62**

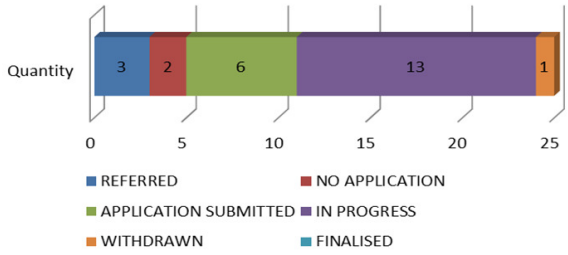
12. APPENDIX: ADDITIONAL AND NON-FINANCIAL INFORMATION

External Funding Summary

Value of External Grant Applications by Status (YTD)



Number of External Grant Applications by Status (YTD)



February 2018 Progress

GRANTS REFERRED:
- Applications open for Heavy Vehicle and Productivity Program, work is now underway on concept design for Woodlands Drive Culvert Upgrades as potential bid
- Transport Infrastructure Development Scheme and Passenger Transport Accessible Infrastructure Fund expressions of interest are now open, programs are now being finalised for applications due by end of March

APPLICATION SUBMITTED:
- Application for Coochiemudlo Island War Memorial reflection space and connecting pathway submitted under last round of Lasting Legacies Grant for completion in 2018/2019, $32,200

UPCOMING GRANTS:
- Natural Disaster Resilience Program (NDRP) due to open shortly, projects ready for application include evacuation centre upgrades and flood warning signs

Successful Funding Submissions YTD 2017/2018

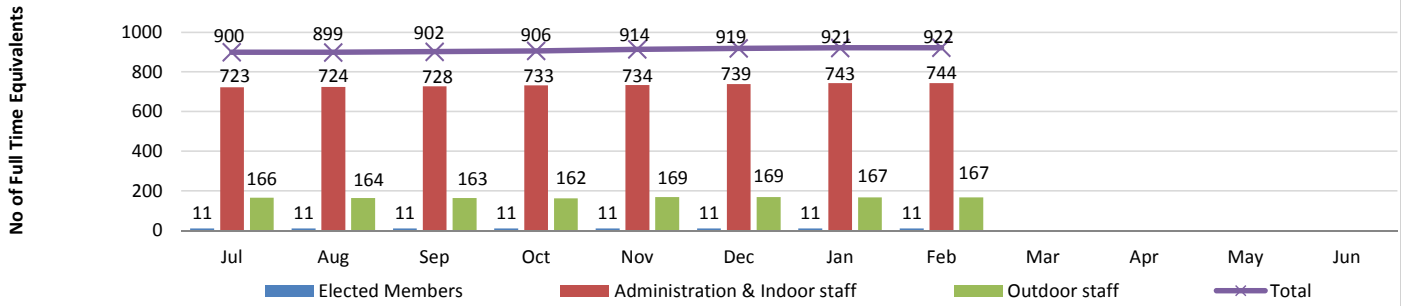
Environment:
- $6,977 for revegetation of the Coolnwynpin Creek Corridor Koala Refuge under the Nature Refuge Landholder Grant to be completed in late 2017/2018

Roads and Active Transport:
- $875,000 for two Road Alliance projects to be completed in 2017/2018
- $456,000 for City wide Bus Shelter Renewals to be completed in 2017/2018

Economic Development:
- $500,000 between 2017-2019 as part of the Advancing Regional Innovation Program (multiple partners including Logan City Council and Griffith University)
- $916,137 between 2017-2019 for Indigiscapes Expansion Stage 2 under the Local Government Grants and Subsidies Program

Workforce Reporting

Full Time Equivalent Employees 2017/2018



Workforce reporting - February 2018: Headcount	Employee Type							
Department Level	Casual	Contract of Service	Perm Full	Perm Part	Temp Full	Temp Part	Councillors	Total
Office of CEO	8	2	31	4	7	0		52
Organisational Services	7	7	164	15	25	6		224
Community and Customer Service	27	5	235	66	37	10		380
Infrastructure and Operations	8	5	303	10	15	2		343
Elected members							11	11
Total	50	19	733	95	84	18	11	1010

Note: Full Time Equivalent Employees includes all full time employees at a value of 1 and all other employees, at a value less than 1. The table above demonstrates the headcount by department (excluding agency staff) and does not include a workload weighting. Commencing February 2018 elected members were included in the head count to be consistent with the FTE reporting. It includes casual staff in their non-substantive roles as at the end of the period where relevant. Due to a change in the reporting structure in August 2017, Finance and Legal Services (including Procurement) moved from the Office of CEO to join Organisational Services.

13. GLOSSARY

Key Terms

Written Down Value:

This is the value of an asset after accounting for depreciation or amortisation, and it is also called book value or net book value.

Work In Progress:

This represents an unfinished project that costs are still being added to. When a project is completed, the costs will be either capitalised (allocated to relevant asset class) or written off.

Definition of Ratios

Operating Surplus Ratio*: *This is an indicator of the extent to which revenues raised cover operational expenses only or are available for capital funding purposes*	Net Operating Surplus / Total Operating Revenue
Asset Sustainability Ratio*: *This ratio indicates whether Council is renewing or replacing existing non-financial assets at the same rate that its overall stock of assets is wearing out*	Capital Expenditure on Replacement of Infrastructure Assets (Renewals) / Depreciation Expenditure on Infrastructure Assets
Net Financial Liabilities*: *This is an indicator of the extent to which the net financial liabilities of Council can be serviced by operating revenues*	Total Liabilities - Current Assets / Total Operating Revenue
Level of Dependence on General Rate Revenue: *This ratio measures Council's reliance on operating revenue from general rates (excludes utility revenues)*	General Rates - Pensioner Remissions / Total Operating Revenue - Gain on Sale of Developed Land
Current Ratio: *This measures the extent to which Council has liquid assets available to meet short term financial obligations*	Current Assets / Current Liabilities
Debt Servicing Ratio: *This indicates Council's ability to meet current debt instalments with recurrent revenue*	Interest Expense + Loan Redemption / Total Operating Revenue - Gain on Sale of Developed Land
Cash Balance - $M: *Cash balance include cash on hand, cash at bank and other short term investments.*	Cash Held at Period End
Cash Capacity in Months: *This provides an indication as to the number of months cash held at period end would cover operating cash outflows*	Cash Held at Period End / [[Cash Operating Costs + Interest Expense] / Period in Year]
Longer Term Financial Stability - Debt to Asset Ratio: *This is total debt as a percentage of total assets, i.e. to what extent will our long term debt be covered by total assets*	Current and Non-current loans / Total Assets
Operating Performance: *This ratio provides an indication of Redland City Council's cash flow capabilities*	Net Cash from Operations + Interest Revenue and Expense / Cash Operating Revenue + Interest Revenue
Interest Coverage Ratio: *This ratio demonstrates the extent which operating revenues are being used to meet the financing charges*	Net Interest Expense on Debt Service / Total Operating Revenue

* These targets are set to be achieved on average over the longer term and therefore are not necessarily expected to be met on a monthly basis.

11.2.2 APPROVAL FOR MAYOR TO ATTEND WORLD INDIGENOUS TOURISM SUMMIT

Objective Reference:	**A2922120** **Reports and Attachments (Archives)**
Authorising Officer:	**John Oberhardt** **General Manager Organisational Services**
Responsible Officer:	**Glynn Henderson** **Group Manager Corporate Governance**
Report Author:	**Allan McNeil** **Executive Officer – Office of the Mayor**

PURPOSE

This report is to seek approval for the Mayor to attend this year's World Indigenous Tourism Summit and post tourism familiarisation tour in New Zealand in April 2018.

BACKGROUND

The World Indigenous Tourism Summit brings together indigenous tourism operators and government representitives to discuss economic, environmental, social and political advances and challenges in Indigenous tourism. This year's summit will be held on 15-18 April in Waitangi, Bay of Islands, Northland New Zealand. The theme of this year's summit is *"Man comes and goes, but the land remains".*

The Quandamooka Yoolooburrabee Aboriginal Corporation (QYAC) are investigating a number of indigenous tourism opportunities in the Redlands and will be attending the summit. QYAC has also been working with Brisbane Marketing on a post-summit tour of key tourism locations across New Zealand that offer opportunities to expand their indigenous tourism offerings. QYAC has also been in discussions with Brisbane Marketing, Council and the State Government on a strategy to help develop an investment prospectus to attract new tourism opportunities in the Redlands. The World Indigenous Tourism Sumit will play a key role in developing this prospectus, as will a proposed vision workshop to be held in the Redlands after the summit. This workshop and the prospectus are yet to be confirmed, with details to be based on the outcomes from the World Indigenous Summit.

ISSUES

As the Registered Prescribed Body Corporate (PBC) created under the *Native Title Act 1993,* the Quandamooka Yoolooburrabee Aboriginal Corporation (QYAC) will play a significant role in the future of tourism in the Redlands. The World Indigenous Tourism Summit provides an opportunity for QYAC and Council to see firsthand the benefits of indigenous tourism and develop an investment prospectus to attract new tourism opportunities in the Redlands.

STRATEGIC IMPLICATIONS

Legislative Requirements

Gaining approval for international travel is covered under Council Policy *POL-3076 Expenses Reimbursement and Provision of Facilities for Councillors.* This policy

states that Councillors require Council approval for international travel except where the international travel is for the purposes of undertaking core or industry specific training.
In line with this policy, this report seeks Council approval.

Risk Management

Attendance at this year's World Indigenous Tourism Summit and post tourism familiarisation tour in New Zealand provides significant oportunities for Redland City. This includes developing long term strategic relationships with key indigenous tourism organisations with the potential to deliver local tourism capabilities and investment.

Financial

All flights to transport attendees to and from the World Indigenous Tourism Summit are being paid for by Air New Zealand under a sponsorship arrangement. A small budget is required for accommodation and meals as per Council Policy *POL-3076 Expenses Reimbursement and Provision of Facilities for Councillors*.

People

There are no specific implications to people associated with this report.

Environmental

There are no specific environmental implications associated with this report.

Social

There are no specific social implications associated with this report.

Alignment with Council's Policy and Plans

Attendance at this year's World Indigenous Tourism Summit and post tourism familiarisation tour aligns with a number of Council plans, strategies and policies including:

- Redland City Council Corporate Plan 2015-2020:

VISION	RELEVANT OUTCOMES	RELEVANT COMMITTMENTS
Quandamooka Country	Council works with the Quandamooka Traditional Owners to help them achieve their goal of establishing North Stradbroke Island (Minjerribah) as a global eco-cultural tourism destination.	Engage with Traditional Owners regarding tourism opportunities through the State Government's North Stradbroke Island Economic Transition Group and Redland City's Economic Development Framework.
Supportive and vibrant economy	Council supports infrastructure that encourages business and tourism growth. Council's involvement in the State Government's North Stradbroke Island Economic Transition Committee supports and aligns with Council's strategic objectives, which help deliver long-term economic sustainability for North Stradbroke Island (Minjerribah).	Develop a new tourism strategy for the city, including marketing and communication activities, education for operators and visitor services. Continue to work with Quandamooka Yoolooburrabee Aboriginal Corporation (QYAC), local business groups and relevant government agencies to deliver on priority issues.

- Redland City Tourism Strategy and Action Plan 2015-2020

Aligns with a number of key objectives of Council's Tourism Strategy and Action Plan 2015-2020, including;

- Council will work closely with Quandamooka Yoolooburrabee Aboriginal Corporation to maximise Indigenous cultural tourism opportunities that will benefit the Redlands; and

- Leverage off Council's involvement in the North Stradbroke Island Economic Transition Group to support long-term economic sustainability for the island that aligns with Council's strategic objectives.

Corporate POL-2586 International Policy – Strategic Economic and Community Relationships

Corporate Policy POL-2641 Tourism Development

Economic Development Framework 2014-2041

CONSULTATION

In preparing this report consultation has occurred with the following Council officers:

- Group Manager Communication Engagement and Tourism
- Group Manager Corporate Governance
- General Manager Organisational Services

OPTIONS

1. That Council resolves to approve the Mayor's attendance at this year's World Indigenous Tourism Summit and post tourism familiarisation tour.
2. That Council resolves to not approve the Mayor's attendance at this year's World Indigenous Tourism Summit and post tourism familiarisation tour.

OFFICER'S RECOMMENDATION

Moved by: Cr T Huges
Seconded by: Cr W Boglary

That Council resolves to approve the Mayor's attendance at this year's World Indigenous Tourism Summit and post tourism familiarisation tour.

AMENDMENT MOTION

Moved by: Cr P Bishop
Seconded by: Cr J Talty

That the words 'and Division 2 Councillor's' be added to the motion.

CARRIED 9/0

Crs Boglary, Hewlett, Edwards, Elliott, Huges, Talty, Gleeson, Bishop and Williams voted FOR the motion.

Cr Mitchell was absent from the meeting.

Cr Gollè was not present when the motion was put.

The motion with the amendment became the motion and was put as follows:

COUNCIL RESOLUTION

Moved by: **Cr T Huges**
Seconded by: **Cr W Boglary**

That Council resolves to approve the Mayor's and Division 2 Councillor's attendance at this year's World Indigenous Tourism Summit and post tourism familiarisation tour.

CARRIED 8/1

Crs Boglary, Hewlett, Edwards, Huges, Talty, Gleeson, Bishop and Williams voted FOR the motion.

Cr Elliott voted AGAINST the motion.

Cr Mitchell was absent from the meeting.

Cr Gollè was not present when the motion was put.

11.3 COMMUNITY & CUSTOMER SERVICES

11.3.1 DECISIONS MADE UNDER DELEGATED AUTHORITY FOR CATEGORY 1, 2, & 3 DEVELOPMENT APPLICATIONS

Objective Reference:	**A2908590** **Reports and Attachments (Archives)**
Attachment:	**Decisions Made Under Delegated Authority for 18.02.2018 to 03.03.2018**
Authorising Officer:	**Louise Rusan** **General Manager Community & Customer Services**
Responsible Officer:	**David Jeanes** **Group Manager City Planning & Assessment**
Report Author:	**Debra Weeks** **Senior Business Support Officer**

PURPOSE

The purpose of this report is for Council to note that the decisions listed below were made under delegated authority for Category 1, 2 and 3 development applications only.

This information is provided for public interest.

BACKGROUND

At the General Meeting of 21 June 2017, Council resolved that development assessments be classified into the following four categories:

Category 1 – minor code and referral agency assessments;
Category 2 – moderately complex code and impact assessments;
Category 3 – complex code and impact assessments; and
Category 4 – major assessments (not included in this report)

The applications detailed in this report have been assessed under:-

Category 1 - Minor code assessable applications, concurrence agency referral, minor operational works and minor compliance works; minor change requests and extension to currency period where the original application was Category 1 procedural delegations for limited and standard planning certificates.

Delegation Level: Chief Executive Officer, General Manager, Group Managers, Service Managers, Team Leaders and Principal Planners as identified in the officers instrument of delegation.

Category 2 - In addition to Category 1, moderately complex code assessable applications, including operational works and compliance works and impact assessable applications without objecting submissions; other change requests and variation requests where the original application was Category 1, 2, 3 or 4*. Procedural delegations including approval of works on and off maintenance, release of bonds and full planning certificates.

** Provided the requests do not affect the reason(s) for the call in by the Councillor (or that there is agreement from the Councillor that it can be dealt with under delegation).*

Delegation Level: Chief Executive Officer, General Manager, Group Managers and Service Managers as identified in the officers instrument of delegation.

Category 3 - In addition to Category 1 and 2, applications for code or impact assessment with a higher level of complexity. They may have minor level aspects outside a stated policy position that are subject to discretionary provisions of the planning scheme. Impact applications may involve submissions objecting to the proposal readily addressable by reasonable and relevant conditions. Assessing superseded planning scheme requests and approving a plan of subdivision.

Delegation Level**:** Chief Executive Officer, General Manager and Group Managers as identified in the officers instrument of delegation.

OFFICER'S RECOMMENDATION/ COUNCIL RESOLUTION

Moved by: **Cr W Boglary**
Seconded by: **Cr M Edwards**

That Council resolves to note this report.

CARRIED 9/0

Crs Boglary, Hewlett, Edwards, Elliott, Huges, Talty, Gleeson, Bishop and Williams voted FOR the motion.

Cr Mitchell was absent from the meeting.

Cr Gollè was not present when the motion was put.

Decisions Made Under Delegated Authority 18.02.2018 to 24.02.2018

CATEGORY1

Application Id	Application Full Details	Applicant	Associated Property Address	Primary Category	Decision Date	Negotiated Decision Date	Decision Description	Division
CAR18/0030	Design and Siting - Carport and Patio	The Certifier Pty Ltd	539 Main Road Wellington Point QLD 4160	Referral Agency Response - Planning	07/02/2018	N/A	Approved	1
MCU17/0126	Dwelling House, Pool and Pool Fence	Munro Project Builders Pty Ltd	13 Compass Court Cleveland QLD 4163	Code Assessment	19/02/2018	N/A	Development Permit	2
OPW002243	Operational Works - 105 Townhouses	Bornhorst & Ward	11 Rachow Street Thornlands QLD 4164	SPA - 15 Day Compliance Assessment	23/02/2018	NA	Compliance Certificate Approved	3
CAR18/0038	Design and Siting - Patio	Professional Certification Group Pty Ltd	14 Base Street Victoria Point QLD 4165	Referral Agency Response - Planning	19/02/2018	N/A	Approved	4
OPW18/0006	Operational Works - Domestic Driveway Crossover	Kathryn Maree GRAY Paul Barry Hamilton GRAY	6 Seagrass Place Redland Bay QLD 4165	Code Assessment	23/02/2018	N/A	Development Permit	5
CAR18/0033	Design and Siting - Dwelling House by 99	Building Code Approval Group Pty Ltd	40-48 Gordon Road Redland Bay QLD 4165	Referral Agency Response - Planning	21/02/2018	N/A	Approved	6
CAR18/0034	Build Over Sewer	Building Approvals & Advice	5 Cordia Close Redland Bay QLD 4165	Referral Agency Response - Engineering	09/02/2018	N/A	Approved	6
DBW17/0040	Domestic Outbuildings x 6	The Certifier Pty Ltd	85-91 Warren Street Mount Cotton QLD 4165	Code Assessment	22/02/2018	N/A	Development Permit	6
CAR17/0246	Design and Siting - Dwellings x 51	68 Kinross Land Pty Ltd As Trustee	68-70 Kinross Road Thornlands QLD 4164	Referral Agency Response - Planning	20/02/2018	N/A	Approved	7

Decisions Made Under Delegated Authority 18.02.2018 to 24.02.2018

CATEGORY1

Application Id	Application Full Details	Applicant	Associated Property Address	Primary Category	Decision Date	Negotiated Decision Date	Decision Description	Division
CAR18/0002	Build Over or Near Relevant Infrastructure - Dwelling (ROL006009)	Bartley Burns Certifiers & Planners	13 Leven Street Thornlands QLD 4164	Referral Agency Response - Engineering	01/02/2018	N/A	Approved	7
CAR18/0032	Design and Siting - Dwelling	Professional Certification Group Pty Ltd	13 Daughtrey Street Thornlands QLD 4164	Referral Agency Response - Planning	21/02/2018	N/A	Approved	7
CAR18/0036	Design and Siting - Dwellling	Professional Certification Group Pty Ltd	15 Bygraves Street Thornlands QLD 4164	Referral Agency Response - Planning	21/02/2018	N/A	Approved	7
CAR18/0051	Combined Design and Siting and Build Over or Near Underground Infrastructure -- Domestic Outbuilding	Gary Phillip BAIN	8 Folkestone Court Wellington Point QLD 4160	Referral Agency Response - Planning	22/02/2018	N/A	Approved	8
CAR18/0052	Design and Siting - Dwelling	Bartley Burns Certifiers & Planners	2 Parnell Street Ormiston QLD 4160	Referral Agency Response - Planning	21/02/2018	N/A	Approved	8
CAR18/0041	Design and Siting - Outbuilding	All Approvals Pty Ltd	6 Shepherdson Street Capalaba QLD 4157	Referral Agency Response - Planning	21/02/2018	N/A	Approved	9
CAR18/0025	Design and Siting - Dwelling	Bartley Burns Certifiers & Planners	24A Agnes Street Birkdale QLD 4159	Referral Agency Response - Planning	05/02/2018	N/A	Approved	10
CAR18/0045	Design and Siting - Dwelling	Professional Certification Group Pty Ltd	2-4 Hugh Street Thorneside QLD 4158	Referral Agency Response - Planning	19/02/2018	N/A	Approved	10

Decisions Made Under Delegated Authority 18.02.2018 to 24.02.2018

CATEGORY2

Application Id	Application Full Details	Applicant	Associated Property Address	Primary Category	Decision Date	Negotiated Decision Date	Decision Description	Division
OPW002255	Landscape Works - Commercial - Display Sales Activity & Warehouse (MCU013978 & OPW002235)	Bax Investments Pty Ltd	12-16 Wellington Street Cleveland QLD 4163	SPA - 15 Day Compliance Assessment	19/02/2018	NA	Compliance Certificate Approved	2
OPW17/0050	Prescribed Tidal Works - Pontoon	Aqua Pontoons Pty Ltd	24 Caravel Court Cleveland QLD 4163	Code Assessment	21/02/2018	N/A	Development Permit	2
ROL006194	Reconfiguring a Lot - Standard Format - 1 into 5 Lots and Reserve Lot	Morada Group 2 Pty Ltd C/ Property Projects Australia Pty Ltd	3 South Street Cleveland QLD 4163	Code Assessment	25/09/2017	23/02/18	Development Permit	3
CAR18/0009	Build Over or Near Relevant Infrastructure - Dwelling (ROL006009)	Bartley Burns Certifiers & Planners	23 Leven Street Thornlands QLD 4164	Referral Agency Response - Engineering	12/02/2018	N/A	Approved	7

Decisions Made Under Delegated Authority 25.02.2018 to 03.03.2018

CATEGORY1

Application Id	Application Full Details	Applicant	Associated Property Address	Primary Category	Decision Date	Negotiated Decision Date	Decision Description	Division
CAR18/0021	Design and Siting- Domestic Outbuilding	Amanda Lee BURNETT Mark Richard BURNETT	4 Mackenzie Street Ormiston QLD 4160	Referral Agency Response - Planning	05/03/2018	NA	Approved	1
CAR18/0055	Design & Siting - Additions to existing dwelling	Steve Bartley & Associates Pty Ltd	14 Bee Street Ormiston QLD 4160	Referral Agency Response - Planning	23/02/2018	NA	Approved	1
CAR18/0042	Design and Siting - Dwelling	The Certifier Pty Ltd	2 Karen Street Cleveland QLD 4163	Referral Agency Response - Planning	28/02/2018	NA	Approved	2
CAR18/0057	Design and Siting - Dwelling	Architectural Design & Drafting	31B Coburg Street East Cleveland QLD 4163	Referral Agency Response - Planning	27/02/2018	NA	Approved	2
CAR18/0062	Design and Siting - Carport	Fastrack Building Certification	12 Barrique Court Thornlands QLD 4164	Referral Agency Response - Planning	28/02/2018	NA	Approved	3
CAR18/0028	Design and Siting - Secondary Dwelling	Peter Anthony RING	52 Hibiscus Drive Mount Cotton QLD 4165	Referral Agency Response - Planning	16/02/2018	NA	Approved	6
CAR18/0040	Design and Siting - Shed	Sean Andrew MORTON	2 Lincoln Close Alexandra Hills QLD 4161	Referral Agency Response - Planning	28/02/2018	NA	Approved	8

Decisions Made Under Delegated Authority 25.02.2018 to 03.03.2018

CATEGORY1

Application Id	Application Full Details	Applicant	Associated Property Address	Primary Category	Decision Date	Negotiated Decision Date	Decision Description	Division
CAR18/0061	Design and Siting - 2 Carports, Shed and Patio Cover	The Certifier Pty Ltd	12 Tomaszewski Circuit Alexandra Hills QLD 4161	Referral Agency Response - Planning	26/02/2018	NA	Approved	8
CAR18/0037	Design and Siting - Carport	The Certifier Pty Ltd	1 Timothy Court Capalaba QLD 4157	Referral Agency Response - Planning	26/02/2018	NA	Approved	9
CAR18/0070	Design and Siting - Dwelling Extension	Melissa Rayleen WHITE	96 Creek Road Birkdale QLD 4159	Referral Agency Response - Planning	28/02/2018	NA	Approved	10

CATEGORY2

Application Id	Application Full Details	Applicant	Associated Property Address	Primary Category	Decision Date	Negotiated Decision Date	Decision Description	Division
OPW17/0053	Operational Works - Prescribed Tidal Works - Pontoon	Aqua Pontoons Pty Ltd	24A Caravel Court Cleveland QLD 4163	Code Assessment	26/02/2018	NA	Development Permit	2
OPW002234	Operational Works - Apartment Building x 14 - Toondah Outlook	Javica Property Solutions	222 Middle Street Cleveland QLD 4163	SPA - 15 Day Compliance Assessment	01/03/2018	NA	Compliance Certificate Approved	2
OPW002259	Landscape Works - Multiple dwelling x 14 (MCU01866, Civil - OPW002228)	Bluewood Homes East Brisbane Pty Ltd	100 Sturgeon Street Ormiston QLD 4160	SPA - 15 Day Compliance Assessment	26/02/2018	NA	Compliance Certificate Approved	8
MCU17/0125	Extension to Currency Period MC011384 (Multiple dwellings x 8)	Ken Drew Town Planning Pty Ltd	105-107 Mount Cotton Road Capalaba QLD 4157	Minor Change to Approval	01/03/2018	NA	Approved	9

11.3.2 PLANNING & ENVIRONMENT COURT MATTERS AS AT 7 MARCH 2018

Objective Reference:	**A2907010** **Reports and Attachments (Archives)**
Authorising Officer:	**Louise Rusan** **General Manager Community and Customer Services**
Responsible Officer:	**David Jeanes** **Group Manager City Planning & Assessment**
Report Author:	**Emma Martin** **Senior Appeals Planner**

PURPOSE

The purpose of this report is for Council to note the current development and planning related appeals and other related matters/proceedings.

BACKGROUND

Information on appeals may be found as follows:

1. **Planning and Environment Court**

   a) Information on current appeals and declarations with the Planning and Environment Court involving Redland City Council can be found at the District Court web site using the "Search civil files (eCourts) Party Search" service: http://www.courts.qld.gov.au/esearching/party.asp

   b) Judgments of the Planning and Environment Court can be viewed via the Supreme Court of Queensland Library web site under the Planning and Environment Court link: http://www.sclqld.org.au/qjudgment/

2. **Court of Appeal**
   Information on the process and how to search for a copy of Court of Appeal documents can be found at the Supreme Court (Court of Appeal) website: http://www.courts.qld.gov.au/courts/court-of-appeal/the-appeal-process

3. **Department of State Development, Manufacturing, Infrastructure and Planning (DSDMIP)[1]**

   The Department provides a Database of Appeals (http://www.dlg.qld.gov.au/resources/tools/planning-and-environment-court-appeals-database.html) that may be searched for past appeals and declarations heard by the Planning and Environment Court.

   The database contains:

   a) A consolidated list of all appeals and declarations lodged in the Planning and Environment Courts across Queensland of which the Chief Executive has been notified.

   b) Information about the appeal or declaration, including the appeal number, name and year, the site address and local government.

[1] Formerly the Department of Infrastructure, Local Government and Planning (DILGP)

4. Department of Housing and Public Works (DHPW)

Information on the process and remit of development tribunals can be found at the DHPW website:

http://www.hpw.qld.gov.au/construction/BuildingPlumbing/DisputeResolution/Pages/default.aspx

PLANNING & ENVIRONMENT COURT APPEALS

1.	**File Number:**	Appeal 3641 of 2015 (MCU012812)
Applicant:		**King of Gifts Pty Ltd and HTC Consulting Pty Ltd**
Application Details:		Material Change of Use for Combined Service Station (including car wash) and Drive Through Restaurant 604-612 Redland Bay, Road, Alexandra Hills
Appeal Details:		Applicant appeal against refusal.
Current Status:		Appeal filed in Court on 16 September 2015. Trial held 1-3 August 2017. Judgment handed down on 6 November 2017. Appeal allowed subject to finalising conditions. Draft conditions provided to the appellant in December 2017. The next Court review is 11 April 2018.

2.	**File Number:**	Appeal 4515 of 2017 (ROL006084)
Applicant:		**Australian Innovation Centre Pty Ltd**
Application Details:		Reconfiguring a Lot (1 into 22 lots and park) at 289-301 Redland Bay Road, Thornlands (Lot 5 on RP14839)
Appeal Details:		Deemed refusal appeal
Current Status:		Appeal filed 23 November 2017. On 31 January 2018 Council solicitors notified the parties that it opposed the proposed development. A mediation was held on 6 March 2018 with a review of the matter scheduled for 27 April 2018.

3.	**File Number:**	Appeal 218 of 2018 (ROL005949)
Applicant:		**The Young Men's Christian Association of Brisbane**
Application Details:		Reconfiguring a Lot (2 into 2 lot boundary realignment) and Material Change of Use for Multiple Dwellings (48 units) at 124 and 126-128 Link Road, Victoria Point (Lot 10 on SP268336 and Lot 2 on SP157564)
Appeal Details:		Appeal filed 22 January 2018.
Current Status:		Appeal discontinued on 2 March 2018.

4.	**File Number:**	Appeal 339 of 18 (MCU013949)
Applicant:		**Hosgood Company 3 Pty Ltd & DPK Injection Pty Ltd**
Application Details:		Material Change of Use for a Dual Occupancy at 2 Starkey Street, Wellington Point (Lot 11 on SP284567)
Appeal Details:		Appeal against Council refusal
Current Status:		Appeal filed 30 January 2018.

5.	**File Number:**	Appeal 461 of 2018 (MCU013977)
Applicant:		**Robyn Edwards and Ronald Edwards**
Application Details:		Material Change of Use for an Undefined Use (Rooming Accommodation) at 41 Ziegenfusz Road, Thornlands (Lot 291 on RP801793)
Appeal Details:		Appeal against Council refusal
Current Status:		Appeal filed 8 February 2018.

APPEALS TO THE QUEENSLAND COURT OF APPEAL

6.	**File Number:**	CA11075/17 (MCU013296)
Applicant:		**Nerinda Pty Ltd**
Application Details:		Preliminary Approval for Material Change of Use for Mixed Use Development and Development Permit for Reconfiguring a Lot (1 into 2 lots) 128-144 Boundary Road, Thornlands (Lot 3 on SP117065)
Appeal Details:		Co-respondent appeal against decision of the P&E Court
Current Status:		Application for leave to appeal filed 23 October 2017. All parties have filed Outlines and these are being reviewed. Hearing has been set down for May 2018.

DEVELOPMENT TRIBUNAL APPEALS AND OTHER MATTERS

7.	**File Number:**	CAR17/058
Applicant:		**Sean and Jane Carroll**
Application Details:		Development application to construct a carport at 22 Sommersea Court, Cleveland (Lot 666 on CP853643)
Appeal Details:		Appeal against Council's Referral Agency response that the application should be refused
Current Status:		Notice of appeal received on 27 November 2017.Tribunal hearing was held on 13 February 2018. Revised plans due 9 March 2018. Council response to revised plans due 16 March 2018.

OFFICER'S RECOMMENDATION/ COUNCIL RESOLUTION

Moved by: **Cr T Huges**
Seconded by: **Cr P Gleeson**

That Council resolves to note this report.

CARRIED 9/0

Crs Boglary, Hewlett, Edwards, Elliott, Huges, Talty, Gleeson, Bishop and Williams voted FOR the motion.

Cr Mitchell was absent from the meeting.

Cr Gollè was not present when the motion was put.

11.3.3 BIRKDALE SCHOOL OF ARTS HALL AND SURROUNDING AREA

Objective Reference:	**A2840911** **Reports and Attachments (Archives)**
Attachment:	**General Meeting Resolution Advice Item 14.1.1 NOM Cr Bishop - Area Surrounding Birkdale School of Arts Hall (A2584748)**
Authorising Officer:	**Louise Rusan** **General Manager Community and Customer Services**
Responsible Officer:	**Kim Kerwin** **Group Manager Economic Sustainability and Major Projects**
Report Author:	**James O'Reilly** **Strategic Advisor Social Planning** **Economic Sustainability and Major Projects**

PURPOSE

This report has been prepared in response to a Notice of Motion raised by Councillor Bishop and carried at Council's general meeting on 6 September 2017.

> "**That Council resolves that the Chief Executive Officer be requested to prepare a report on the future of the area surrounding the Birkdale School of Arts Hall in relation to the Birkdale Community Hub, as identified in the Redlands Social Infrastructure Strategy 2009: Building Strong Communities."**

BACKGROUND

Councillor Bishop provided the following information in relation to the Notice of Motion.

> '*In 2009, Council adopted the Redlands Social Infrastructure Strategy, as a vital piece of work aimed at securing the facilities, services and networks that will underpin the well-being of our communities over the next 20 years.*
>
> *The strategy acknowledges the critical role of social infrastructure in developing economically, socially and environmentally sustainable communities….I encourage elected representatives to support an officer report requesting a revision of the Birkdale place making project, to enable a participatory process for civic and community place-making to consider the future planning and use of the area identified.*'

ISSUES

Site context and occupancy of Birkdale School of Arts Hall

Situated at 101 Birkdale Road, the Birkdale School of Arts Hall was built by the local community in the early 1920's. It is a high set, double gable roofed building with a later addition to one side and meeting space underneath. In the 2012/2013 financial year, the Birkdale School of Arts Hall had the 5th highest occupancy ranking of

Redland's halls. The hall has been predominately used for martial arts, theatrical practice and events, and playgroup.

In the 2016/2017 financial year, the Birkdale School of Arts Hall was ranked 12th out of 17 Redland's Halls for occupancy. In the current financial year, two regular hirers have withdrawn from booking the facility. This will result in predicted (hourly) booking of 877 hours over the year for the hall in 2017/2018, 400 hours less than in the previous financial year.

Redlands Social Infrastructure Strategy 2009: Building Strong Communities

It is important to clarify Redland City Council's strategic land use intent in relation to the Birkdale School of Arts Hall and surrounding area. The notice of motion refers to "*the Birkdale Community Hub, as identified in the Redlands Social Infrastructure Strategy 2009: Building Strong Communities*".

The Birkdale Place-making Project (Local Project 3) as stated in the Redlands Social Infrastructure Strategy entailed undertaking community engagement to create a sense of place by improving streetscape amenity and providing civic space. More specifically, this local project was geographically identified over the Birkdale Fair local shopping centre and the adjacent civic spaces in the Redlands Social Infrastructure Strategy.

Local project 3 refers to '*improving streetscape amenity and connections between the commercial centre, schools, rail station, parklands, and adjoining residential areas.*' The strategy did not identify or encompass the subject (Birkdale School of Arts Hall) site.

Notwithstanding the above, the Redlands Social Infrastructure Strategy does support the formation of community hubs in place of stand-alone community facilities. The strategy supports the creation of multi-purpose facilities and revitalisation of existing halls and centres to create community hubs that are used for meetings, activities, community development programs, service delivery and other purposes depending on further community engagement.

Whilst the Redlands Social Infrastructure Strategy 2009 is currently being reviewed by the Strengthening Communities unit, the overarching policy direction regarding a hub model for community facilities is not anticipated to change.

Current and future land use intent

Under the current Redlands Planning scheme, the (Hall) site is included in the Community Purpose Zone (sub area 2). This sub zone is intended for a specific range of uses that will meet the needs of Redland's existing and future community by providing for community facilities such as halls, community health and training centres.

The future use of this site remains unchanged as per the intent of the Community Facilities Zone in the Draft Redland City Plan. This site will retain the intent for community uses, community care facilities and child care centres and adjoins land zoned open space and recreation (north) and medium and low density residential zones (south), and is located opposite a neighbourhood centre zone in Birkdale Road.

It is noted that in June 2017, 105 Birkdale Road was listed for sale. This property directly abuts the northern boundary of the Birkdale School of Arts Hall. Whilst this may have had potential for community-like uses to locate alongside the hall, there would be no justifiable need to acquire the land.

The broader catchment is serviced by four similar facilities in near proximity: Birkdale State School Hall (700m from site), Birkdale South State School Hall (1.5km from site), Wellington Point State School Hall (1.9km from site) and Mooroondu Hall (1.5km from site). All of these facilities are available for public use.

The listed school facilities are used regularly by community groups, but do have excess capacity to service other uses. As an example, Birkdale State School indicated capacity to support play groups and other community uses, providing onsite support and resourcing including venue. As a comparative indicator, Council's highest occupancy rate for a hall in the current financial year is 44% (Redlands Memorial Hall). The average occupancy rate for all halls is 20%. Birkdale School of Arts Hall has a current occupancy rate of 13% for the financial year 2017/2018.

The demographics report supporting the current Redland transitional Local Government Infrastructure Plan (LGIP) projected Birkdale to grow by approximately 590 people between 2011 and 2016 subject to a number of sites zoned for medium density development. The report indicated Birkdale to reach a population of 16052 by 2021 (medium series). Minimal growth has been projected in Thorneside over the same period.

Demographic data from the 2016 census provides that Birkdale's growth has been less than anticipated, growing by 400 people between 2012 and 2016. Thorneside has grown by 170 people between 2012 and 2016. A continuation of current growth rates will result in a lower than projected (medium series) population in 2021 for the Birkdale and Thorneside catchments.

The proposed new LGIP does not identify any future new community infrastructure in the subject catchment. Apart from the Cleveland Community Hub, all new community infrastructure projects are directed to the south of the City where the deficit in community infrastructure is highest.

The proposed new LGIP indicates the 2016 population of Birkdale and Thorneside to be 15,483 and 3,950 respectively. At an ultimate development scenario (in 2031), Birkdale and Thorneside will reach populations of 17,780 and 4,127 respectively.

Halls Transition Project 2013

The Community Halls Transition Project reviewed and revised the status of the halls portfolio and provided recommendations on the future use of three specific halls, one of which was the Birkdale School of Arts Hall. Council conducted an engagement process with current and potential users of the Birkdale School of Arts Hall. Community groups were invited to comment on whether the Hall was being utilised in the best way to meet current and future community needs.

In summary, the report provided the following as a preferred option:

> *Given the projected population growth in Birkdale, with increases in medium density residential accommodation, the use of the Hall by the community is likely to increase and it will continue to fulfil an important social and educational function in the local area. It is suggested that it be retained as is and promoted as a boutique hall.*

In December 2013, Council resolved to adopt this recommendation. The report had provided two other options for the Hall being either a long-term lease to a community organisation or to a commercial group. As noted in previous sections of this report, the occupancy rate of the Birkdale School of Arts Hall has declined since Council's decision in 2013.

Strengthening Communities Framework

Council's Strengthening Communities unit is currently in the planning phase of developing a framework to guide future work. The foundation of this framework is an evidence base determining needs in the community. This is predominantly derived from Census and State agency data, and quantified through community engagement. The result is a validated basis to guide future community programs, projects and strategies.

Whilst the framework is currently in a planning phase, the evidence base is in a sufficient state of advancement to provide validated community needs. It is valuable to draw from this data regarding how the subject hall could be used in the future to support community needs as per the objective of Council's Social Infrastructure Policy:

> *The provision of a high quality, well-functioning network of social infrastructure will support community health and well-being and assist in meeting the needs and aspirations of the Redland community* (POL-3088).

In the development of the evidence base, the Strengthening Communities unit received several expressions of interest from community organisations seeking space due to servicing greater demands. Several of these expressions came from the same service focus, domestic and sexual violence support, as well as from services offering mental health and wellbeing services and programs.

The early intervention gap in Redland's local service sector regarding domestic and sexual violence support has been reiterated by local networks (Redlands Interagency Network, and Bayside Housing Network). Moreover, Queensland Police data (rate of crime) provides that breaches in domestic violence protection orders have had a sustained increase in particular Redland suburbs since 2013.

This is a valid and justified community need demonstrated through demographic data and reiterated by the service sector. In alignment with Council's Social Infrastructure Policy objectives, and actualising highest and best use of land principles, these needs should be supported through underutilised community facilities and centres. However, the current structural format of the Birkdale School of Arts Hall precludes the functionality of the space.

Enabling a community hub model

Establishing a long term lease over this hall to support the above uses could not occur without structural upgrades. The hall does not have air-conditioning, smaller private meeting rooms, internet, or sufficient storage space. Notwithstanding, Council does have capital infrastructure community grants to support upgrades to community facilities.

Capital Infrastructure grants are available to assist eligible organisations build, renovate or refurbish facilities, including hard-wired technology upgrades. This grants category aims to improve community facilities in the Redlands. Applicants for these grants must make financial cash contribution toward respective capital infrastructure projects to be eligible for the grant.

By updating the structural fit-out of the hall in partnership with community organisations, and establishing a sustainable community organisation tenant, Council can facilitate operational and capital savings, whilst enhancing local capacity to service validated community needs. This could also be achieved through a consortium of organisations working from the same space in a hub model.

However, a hub scenario like the above example would come at a partial loss of space in the hall to facilitate larger uses. Notwithstanding, any organisation granted a lease tenancy would be required to retain and administer space for the community to use, to support continuity of the space for casual/hire users.

STRATEGIC IMPLICATIONS

Legislative Requirements

This report does not require reference to legislative or statutory documentation. Policies relevant to this report are stipulated in the section *'Alignment with Council's Policy and Plans'.'*

Risk Management

85% of the current use of Birkdale School of Arts Hall comes from regular hirers (i.e. MATES Theatre, Tae Kwon Do, yoga). Establishing more permanent forms of community tenure (and structural upgrade) over the hall may come at a partial loss of space in the hall to facilitate these larger uses.

In contrast, the current structural format of the Birkdale School of Arts Hall will continue to preclude higher use of the space given lack of supporting amenities, and serve to cater for uses with large functional open space requirements.

Financial

The financial implications of allowing the Birkdale School of Arts Hall to continue under its current model (for hire) would result in an ongoing fiscal deficit.

Since 2013, the hall has generated annual (average) revenue of $14,357 whilst the average operating expenditure (cleaning, power, item renewal) costs $28,810. On average the maintenance of the Birkdale School of Arts Hall costs $8000 per year. The Asset and Service Management Plan for the hall indicates a capital expenditure of $40,000 in 2021/2022 financial year.

Below is a predictive cost summary for the hall over the next ten years (2018-2028) assuming a continuation of the current model of operation, average revenue, and average costs.

- $143,570 through hire fees (revenue)
- $91,000 through operational asset plan maintenance activities (cost)
- $40,000 capital upgrades (cost)
- $8,000 conditional assessment maintenance response (cost)
- $288,100 cleaning and renewal of articles (cost)

Between 2018 and 2028, the Birkdale School of Arts Hall would generate an approximate net cost of $283,530.

It is important to note that the community value these halls and centres provide do override an operating financial deficit. However, there is also the opportunity for some of these expenses to be shared if a lease model is established.

A lease model will support community organisations to partner with Council in refurbishing the premises with Community Capital Infrastructure Grants, and supports lowering the operational and maintenance costs of the Birkdale School of Arts Hall. This will also support optimising the halls use for known community needs.

People

Council should note the community needs that have been presented through engagement with community organisations and networks.

Environmental

There are no identified impacts on the environment.

Social

Potential social impacts have been identified through engagement in the preparation of this report. Validated community needs have been expressed by several organisations requesting support in securing availability of space for their operational activities.

With regard to the future planning and use of the Birkdale School of Arts Hall, Council could consider establishing a lease over this facility, in support of creating arrangements for community groups with more permanent and suitable space to provide services. This would allow expressions of interest over the facility, and allow the community sector a better platform to service community needs, and actualise Council's policy and operational planning objectives.

Alignment with Council's Policy and Plans

Corporate plan

7.0 Our health, wellbeing and strong community spirit will be supported by a full range of services, programs, organisations and facilities, and our values of caring and respect will extend to people of all ages, cultures, abilities and needs.

7.2 Council maximises community benefit from the use of its parklands and facilities by improving access to, and the quality and shared use of, public spaces and facilities by groups for sporting, recreational and community activities.

7.3 Council's assessment of community issues and needs provides timely opportunities to pursue grants and partnerships that realise long-term benefits.

Community Halls and Precincts Policy (POL-3115) – under review

Council is committed to adapting existing halls into multi-purpose community hubs or more specialised facilities, including disaster recovery facilities, to support targeted responses to local disadvantage and vulnerable communities.

Social Infrastructure Policy (POL-3088) - current

Council is committed to the provision of a high quality, well-functioning network of social infrastructure which will support community health and well-being and assist in meeting the needs and aspirations of the Redland community.

CONSULTATION

Internal engagement has occurred with the following officers:

- Service Manager City Sport and Venues – Infrastructure and Operations
- Community Venues Coordinator - Infrastructure and Operations
- Service Manager Strengthening Communities – Community and Customer Services
- Service Manager Creative Arts – Community and Customer Services

- Senior Asset Management Business Analyst - Organisational Services
- Councillor Paul Bishop – Division 10
- Emerging Precincts Program Manager – Infrastructure and Operations
- Service Manager Facility Services – Infrastructure and Operations
- Finance Manager – Organisational Services
- Community Land and Facilities Panel
- Community Grants Coordinator – Strengthening Communities Unit

Internal engagement highlighted that Council does not actively promote community centres and halls to the full extent possible. Council has not exercised an expression of interest to community groups for the use of halls or centres.

Although some groups and individuals who were contacted did not respond, the following community groups and organisations provided feedback into the future planning and use of the Birkdale School of Arts Hall.

- Coordinator - Redland Community Centre
- Chair - Aquatic Paradise Residents Association
- Coordinator – Mooroondu Football Club
- Coordinator - Frank Street Bushcare Group
- Coordinator - Mary Street Bushcare Group
- Queensland Police Services – Volunteers In Policing
- Chair and Committee - MATES Theatre Group
- Group Leader - Birkdale Scouts
- Principal - Birkdale State School
- Principal – University of the Third Age
- President and Manager - Donald Simpson Centre
- Administration -Thorneside Uniting Church
- Group Leader – St. James Park Neighbourhood Watch
- President - Redland District Committee on the Ageing
- Volunteering Redlands
- Interagency meeting - Bayside Housing Network
- Coordinator - Bayside Initiatives Group
- Coordinator - Redlands Centre for Women
- Coordinator and Team – Logan City Council Community Development
- Secretary - Brisbane Southside Petanque Club
- Secretary - Wellington Point Wildcats Cricket
- Coach - Thorneside Tennis Association
- Coordinator – Montessori School
- Coordinator – Volunteering Redlands

External Engagement Summary

The majority of external community feedback provided nominal interest in regard to the future planning and use of the site. Most groups operate from other premises, some providing their own facilities for hire.

Some groups did display an interest in using the hall for outreach programs. These include the Donald Simpson Centre, University of the Third Age and Redland District Committee on the Ageing for the purposes of elderly activities and seniors education. MATES Theatre Group is a regular hirer of the facility and has identified that it is

rapidly outgrowing its storage facilities. It intends to build more storage on site, and long term, see the hall transition into a full theatre. Aside from the MATES theatre group there was little local interest in seeing additional community activities delivered from this space.

Importantly the Redlands Centre for Women, Centre Against Sexual Violence, Redland Community Centre, and the Bayside Initiatives Group have all expressed interest in availability of space for outreach and support to the community. All of these organisations have validated community needs in their sectors, which has also been reflected in Queensland Police statistics for the Southern District.

OPTIONS

This report has established that the Redland's Social Infrastructure Strategy (Local Project 3) Birkdale Place-making Project did not include the Birkdale School of Arts Hall site. Notwithstanding, the following options are presented to Council as a result of community engagement considering the future planning and use of the Birkdale School of Arts Hall.

The options presented are prioritised with regard to Council's Corporate Plan, supporting policy objectives, and community need.

Option 1

That Council resolves to facilitate an Expression of Interest (EOI) for the lease of the Birkdale School of Arts Hall to a community organisation/s that would include the management and maintenance of the hall.

The EOI would be evaluated on the basis of highest and best use of the facility to support community needs. This option carries the advantage of actualising Council's Corporate Plan, and supporting policy objectives in relation to community infrastructure. Subject to a successful EOI, this option will enhance service provision to the community to address known needs.

This option may potentially result in the loss of some functional/open community theatre space. However, shared space arrangements will be retained allowing space to be used by the community, at the administration of an anchor lessee.

This option will enable organisations to partner with Council in refurbishing the premises with Community Capital Infrastructure Grants. This will support lowering the operational and maintenance costs of The Birkdale School of Arts Hall, and modernise the space for other shared uses.

Option 2

That Council resolves to note the report and continue with business as usual which is to retain the current boutique status of the Birkdale School of Arts Hall, and promote the facility for hire arrangements.

This option adopts a business as usual approach. The hall will continue to function under its existing operational arrangements with regular hirers, administered by Council at an annual fiscal deficit of approximately $16,000 (depending on extra revenue generated).

This will restrict the potential opportunity of the hall to support permanency in service provision for known community needs. The current structural format of the Birkdale School of Arts Hall will continue to preclude higher use of the space given lack of supporting amenities, and serve to cater for uses with large functional open space requirements.

Actively promoting the facility to the broader community may also increase its utilisation. However, there are several similar community and private facility offerings in the area. Further promotion may have negligible impact on occupancy.

OFFICER'S RECOMMENDATION

That Council resolves to facilitate an Expression of Interest (EOI) for the lease of the Birkdale School of Arts Hall to a community organisation/s that would include the management and maintenance of the hall.

COUNCIL RESOLUTION

Moved by: **Cr P Bishop**
Seconded by: **Cr W Boglary**

That Council resolves as follows:

1. **That Council's review of the Redlands Social Infrastructure Strategy 2009 incorporates consideration of the future use of the Birkdale School of Arts Hall and surrounding area in relation to place making for communities and community building; and**
2. **Following Council's review of the Redlands Social Infrastructure Strategy 2009, and considering any advice received from the community relating to asset based community development, that Council considers an Expression of Interest (EOI) in the 2019 calendar year for the lease of the Birkdale School of Arts Hall to a community organisation/s that would include the management and maintenance of the hall to ensure highest and best use of the facility to support community needs.**

CARRIED 10/0

Crs Boglary, Gollè, Hewlett, Edwards, Elliott, Huges, Talty, Gleeson, Bishop and Williams voted FOR the motion.

Cr Mitchell was absent from the meeting.

14 NOTICES OF MOTION

14.1 NOTICE OF MOTION – CR BISHOP

14.1.1 AREA SURROUNDING BIRKDALE SCHOOL OF ARTS HALL

In accordance with s.3(4) POL-3127 *Council Meeting Standing Orders*, Cr Bishop moved as follows:

COUNCIL RESOLUTION

Moved by: **Cr P Bishop**
Seconded by: **Cr T Huges**

That Council resolves that the Chief Executive Officer be requested to prepare a report on the future of the area surrounding the Birkdale School of Arts Hall in relation to the Birkdale Community Hub, as identified in the Redlands Social Infrastructure Strategy 2009: Building Strong Communities.

CARRIED 9/1

Crs Mitchell, Gollè, Hewlett, Edwards, Elliott, Huges, Talty, Bishop and Boglary voted FOR the motion

Cr Gleeson voted AGAINST the motion.

Mayor Williams was absent from the meeting.

BACKGROUND

The Redlands Social Infrastructure Strategy 2009 identifies new approaches to social infrastructure, including:

- the creation of hubs
- a use of partnerships and alliances to deliver infrastructure as well as a move to sustainability and thinking locally
- child friendly communities
- valuing young people

And preparing for the impact of changing global forces including economic downturn and the need for an emphasis on community development as our social and service system endure unprecedented disruption.

One of the projects identified was LP3 - Birkdale Place making project.

This paper calls on Council officers to investigate the potential future use of such a hub in the area around the Birkdale School of Arts Hall.

At present, regular hall users have bookings that prevent general community use and there are growing needs in the area that may be supported by the establishment of a hub.

As part of future strategic planning for community needs and social infrastructure provision, it would be useful to consider options for the establishment of a hub on this site or within the surrounding region.

11.3.4 MCU17/0149 – EXTENSION TO CURRENCY PERIOD – MATERIAL CHANGE OF USE FOR EXTRACTIVE INDUSTRY AND ENVIRONMENTALLY RELEVANT ACTIVITIES 8, 16 AND 21 AT 1513 & 1515-1521 MOUNT COTTON ROAD AND 163-177 & 196 GRAMZOW ROAD, MOUNT COTTON

Objective Reference:	**A2854868** **Report and Attachments (Archives)**
Attachment:	**Approved Plans**
Authorising Officer:	**Louise Rusan** **General Manager Community & Customer Services**
Responsible Officer:	**David Jeanes** **Group Manager City Planning & Assessment**
Report Author:	**Sharee Shaw** **Planning Officer**

PURPOSE

This report is referred to Council for a decision on an extension application, being an application to extend the currency period of the development approval described below.

Following a call-in by the Planning Minister (the Minister), a Development Permit was granted on 20 December 2013 for a Material Change of Use for Extractive Industry and Environmentally Relevant Activities 8 (Chemical Storage), 16 (Extractive and Screening) and 21 (Motor Vehicle Workshop Operation) on the subject site at 1513 and 1515-1521 Mt Cotton Road, 163-177 and 196 Gramzow Road, Mt Cotton.

Council has now received an application seeking an extension to the development permit's currency period for an additional three (3) years.

The extension application is to be assessed in accordance with section 87 of the *Planning Act 2016*. The assessment set out in this report has considered relevant matters, including the consistency of the development approval with the current Redlands Planning Scheme and other applicable planning instruments. It is recommended that the extension application be approved.

BACKGROUND

Original application

The existing quartzite quarry was established in the 1960s. A planning application to extend the quarry was lodged in 2006 and was refused by Council on 20 November 2007. An appeal against this decision was filed in the Planning and Environment Court by the applicant (Appeal No. 3438 of 2007). The appeal was struck out on 12 June 2009, as it was determined by the Court that the application was not "properly made", as it did not contain resource entitlement for use of Gramzow Road, which bisects the site.

Approved development

Council refused a further application to extend the quarry on 12 June 2013. An appeal against the refusal was filed with the Planning and Environment Court. However, prior to progressing the matter, on 8 August 2013 the Minister issued a proposed call in notice and sought representations. After considering the representations the Minister called in the application on 26 September 2013. The Minister then issued a Development Permit for a Material Change of Use - Extractive Industry and Environmentally Relevant Activities, on 20 December 2013.

The approved development is a Material Change of Use for Extractive Industry and Environmentally Relevant Activities 8 (Chemical Storage), 16 (Extractive and Screening Activities) and 21 (Motor Vehicle Workshop Operation). The application involved significantly expanding the existing quarrying activities on the site to the south-west of the existing quarry pit. The new quarry area will extract meta-greywacke resource, which is processed to produce various materials extensively used in the building and construction industries.

The existing quarry pit currently contains the processing plant (crushing, screening and blending operations) and administration buildings. These components will continue to be used as part of the current extension proposal. The processing plant will be reconfigured to handle the new meta-greywacke material, and will also be enclosed to improve the function of the plant, by reducing the noise and air quality impacts. The material extracted from the new quarry area will be sent to a newly proposed crushing and loading plant and then transported to the existing processing plant via a new conveyor line. The existing processing plant will crush, screen and blend the meta-greywacke resource to produce material of varying sizes. Material will be stockpiled within the processing plant area in the existing quarry pit, and will be transported from the site via trucks, as need demands.

The quarry will be developed in four stages:

- Stage 1A – Construction of crushing and loading plant, conveyor line to processing plant, new access road to extraction site and stormwater management features;
- Stage 1B – First stage of quarry development (producing estimated 10 million tonnes of resource);
- Stage 2 – Expansion of the new quarry further to the west (producing estimated 7 million tonnes of resource);
- Stage 3 – Expansion of the new quarry further to the west (producing estimated 12 million tonnes of resource); and
- Stage 4 – Expansion of the new quarry further to the west (producing estimated 13.5 million tonnes of resource).

At present, approximately 14 hectares of the site are disturbed by the existing quarrying operation. The proposed quarry will disturb an additional 52 hectares of the site, leaving a balance of approximately 175 hectares of land.

The quarry pit will be developed to a depth of –5mAHD. The finished base level will be achieved at Stage 1B, with the subsequent stages involving pushing the pit further to the west, using the same base level.

The rate of production will depend on market demand, which is greatly influenced by construction activity; however the application proposes a maximum rate of 1 million tonnes per annum. The application does identify that the average production rate

would likely be closer to 500,000 tonnes per annum, which is the approximate production rate of the existing quarry. Based on these levels of production, it can be assumed that the proposed quarry will have a total lifespan of approximately 60 to 70 years.

The development also proposes associated works for stormwater management and rehabilitation of the site to offset losses of koala habitat and remnant vegetation within the quarry area.

Permissible changes to approval

A subsequent Permissible Change request was submitted to the Minister on 13 October 2015 to address condition wording and timing specifically relating to subsequent operational works. These provisions were subsequently replaced with compliance assessment requirements. The Permissible Change request was approved by the Minister on 18 December 2015.

More recently, in October 2017, the applicant requested a change to a number of the Minister's conditions. The changes included amendments to landscaping (visual screening) and access (State-controlled road) conditions. The State referred this application to Council for their advice as an 'affected entity'. Council officers provided advice to the State government regarding the proposed changes to the landscaping condition, which sought to provide a fence/gate along an electricity easement in place of vegetated screening in order to screen the development from an adjoining residential property. Council officers advised that there was insufficient information provided by the applicant to complete a proper assessment of the requested changes, and that further information should be requested to clarify the visual impacts of the requested change.

No further information has been provided by the applicant addressing the visual impact and the Minister's office has advised that a decision on the permissible change is likely to be made on or around 19 March 2018.

ISSUES

Site and Surrounding Area

The subject site comprises five lots and is located on the western side of Mount Cotton Road. The site is bisected by the unformed road reserve of Gramzow Road, which follows the natural Mount Cotton ridge line. This ridge line supports the quartzite resource that has been quarried extensively at both the Barro Group and Karreman quarries in the past.

The north-eastern portion of the site contains the existing quarry pit and processing plant. The balance of the site is predominantly covered by native vegetation, with a cleared area towards the middle and southern part of the site. This cleared area is currently used for intermittent grazing activities. Greenhide (California) Creek, which is part of the California Creek catchment and a tributary of the Logan River, runs through the middle of the site, draining to the south.

The locality is predominantly rural in nature with a mixture of rural uses, dwelling houses on conservation lots, extractive industry and rural industry. Generally the site is adjoined by large rural residential sized lots with extensive vegetation.

The Golden Cockerel poultry processing plant is located approximately 500 metres to the north of the site. The residential community of Mount Cotton village is located approximately 600 metres to the east of the site. The Karreman quarry is located approximately 2.5 kilometres to the north-west of the site.

Proposal

The applicant has applied for an extension to the currency period of the development approval. The currency period would have lapsed on or around 20 December 2017 had this extension application not been made before that date. The lapsing of currency period is stayed until Council decides the extension application. The extension application seeks approval of an extension to the currency period of an additional three (3) years.

Application Assessment

Planning Act 2016

This application has been made in accordance with section 86 of the *Planning Act 2016* and constitutes an extension application under the *Planning Act 2016*.

Section 87 of the *Planning Act 2016* states that the Assessment Manager may consider any matter that it considers relevant in assessing the application. This is not limited to matters that were relevant to the assessment of the development application for which the development approval was given.

Council officers have identified that the relevant matters to be considered should include:

(a) the consistency of the approval, including its conditions, with the current laws and policies applying to the development, including the amount and type of infrastructure contributions, or infrastructure charges; and

(b) the community's current awareness of the development approval (for example, whether there are new residents who did not have an opportunity to know about, or make a submission about, the original proposal where public notification was required).

The relevant matters are discussed below.

Consistency of Approval with Current Laws and Policies

State planning instruments

At the time of approval the following State planning instruments were in force:

- South East Queensland Regional Plan 2009-2031;
- South East Queensland Koala Conservation State Planning Regulatory Provision (SPRP);
- State Planning Policies –
  - SPP 2/07 Protection of Extractive Resources and Guideline
  - SPP5/10 – Air, Noise and Hazardous Materials
  - SPP2/10 – SEQ Koala Conservation
  - SPP 1/03 – Mitigating the Adverse Impacts of Flood, Bushfire and Landslide

Additionally, the following legislative policies were in place and were relevant to the assessment of the Environmental Relevant Activities that formed part of the approval:

- Environmental Protection (Air) Policy 2008; and
- Environmental Protection (Noise) Policy 2008.

The following State planning instruments now apply to the development application, and their effect to the assessment is discussed below:

- South East Queensland Regional Plan 2017 – the site remains within the Regional Landscape and Rural Production Area. There is no expansion of the urban footprint closer to the subject site.
- State Planning Policy (SPP) 2017 –
  - Mining and extractive resources – The SPP still identifies the site as Key Resource Area (KRA No. 71) and includes the same extent of area as under the previous SPP 2/07.
  - Natural hazards, risk and resilience – bushfire hazard – As it is not possible to avoid the natural hazard area, the development must mitigate the risks to an acceptable or tolerable level. The existing fire trails and roads ensure acceptable buffers as noted in the original Environmental Management Plan and access for fire fighting purposes.
  - Water quality – The water quality assessment criteria were introduced after the original approval was given. However, the approved development meets these new criteria.
- *Planning Regulation 2017* (Schedule 10, Part 10) – The Koala SPRP has been translated into the *Planning Regulation 2017*. The provisions relating to extractive industries remain the same as in the Koala SPRP, and therefore the development complies with Schedule 10, Part 10 of the Regulation.
- Environmental Protection (Air) Policy 2008 – Council's Health and Environment team have advised that air quality objectives relevant to the quarry are unchanged as per the policy in place at the time of approval.
- Environmental Protection (Noise) Policy 2008 – Council's Health and Environment team have advised that noise nuisance objectives are unchanged as per the policy in place at the time of approval.

Redlands Planning Scheme

It is noted that the original application was assessed under Version 3.1 of the Redlands Planning Scheme (RPS). Version 7.1 of the RPS is currently in place.

The zoning and overlays affecting the site remain the same in both versions of the planning scheme. The assessment provisions associated with these zone and overlay codes remain the same.

Conclusion:

In view of the above, there have been no changes to the RPS or State planning instruments, which specifically affect this development. Accordingly, it is considered that there is no basis to not approve this extension application on the grounds of changed laws or policies.

Community Awareness:

The development application that led to the approval (MCU012421) was publicly notified from 25 May 2012 to 11 July 2012. Approximately 1,139 properly made submissions were received during the notification period. There were approximately 85 not properly made submissions. These submissions raised a large number of issues that were considered in the assessment of the development application.

If the extension application was refused and a new Material Change of Use application was to be lodged, it is likely that a large number of submissions would be

received, as was the case with the original application. In this regard, it should be noted that:

- It is considered unlikely that further submissions would raise any new issues, given the large number of submissions made on the original application, and the absence of any relevant changes in laws or policies that could provide a basis for raising new submission issues;
- The application was approved only four years ago and the approval is understood to be well-known in the local area, particularly due to local newspaper coverage and community interest at the time of the development application and approval;
- Some new residents in the area may not have been aware of, or had the opportunity to make a submission in relation to, the original application. However, given the absence of any relevant changes in laws or policies, this must be balanced against the fact that, objectively, it can reasonably be expected that development of the kind approved may occur in the area; and
- There is little utility in forcing the applicant to re-lodge essentially the same application, which is considered to be consistent with current laws and policies.

These considerations are consistent with the Planning and Environment Court's decision in *Cleveland Power Pty Ltd v Redland Shire Council* [2013] QPELR 406 (Appeal No. 5192 of 2011), and subsequent decisions. However, it is noted that those cases concerned earlier legislation, which, unlike the current *Planning Act 2016*, specifically identified, and limited, the matters that Council could consider in assessing a proposed extension.

Concurrence Agencies

Section 86 of the *Planning Act 2016*, sets out the process for making an extension application. Under that section, there is no requirement for the applicant to provide a copy of the extension application to any referral agency.

STRATEGIC IMPLICATIONS

Legislative Requirements

Under the *Planning Act 2016*, in assessing this extension application, Council may consider any matter that Council considers relevant, even if not relevant to the assessment of the development application.

Risk Management

Similar risks to those applying to a normal development application apply. In accordance with the *Planning Act 2016* the applicant, or any concurrence agency for the development application, may appeal to the Planning and Environment Court against Council's decision on the extension application.

Financial

If the extension applied for is not approved, or a concurrence agency for the original development application is dissatisfied with Council's decision on the extension application, there is a potential that an appeal will be lodged and subsequent legal costs may apply. It is also possible that a third party (e.g. a community member who opposes the extension) could commence a declaratory proceeding challenging the lawfulness of Council's decision, even if they would not otherwise have appeal rights.

People

Not applicable. There are no implications for staff.

Environmental

Environmental impacts were assessed as part of the original application and considered to be acceptable, subject to conditions. Relevant planning instruments have not changed in this regard, as discussed in the "issues" section of this report.

Social

There are no known social impacts as a result of this report.

Alignment with Council's Policy and Plans

The assessment and officer's recommendation align with Council's policies and plans as described within the "issues" section of this report.

CONSULTATION

The assessment manager has consulted with other internal assessment teams where appropriate. Advice has been received from relevant officers and forms part of the assessment of the application. General Counsel was consulted on the content of this report.

OPTIONS

In accordance with the *Planning Act 2016*, the extension application has been assessed with consideration of matters considered to be relevant, as outlined in the "issues" section of this report, including the current Redlands Planning Scheme and other applicable planning instruments.

Option 1

That Council resolves as follows:

1. That the application to extend the currency period of the Development Permit granted on 20 December 2013 for Material Change of Use for Extractive Industry and Environmentally Relevant Activities 8, 16 and 21 on the land known as 1513 & 1515-1521 Mount Cotton Road and 163-177 & 195 Gramzow Road, Mount Cotton (MCU012421) be approved; and
2. That the currency period be extended for an additional three (3) years (giving a total relevant period of seven (7) years) starting the day the approval took effect.

Option 2

That Council resolves that the application to extend the currency period of the Development Permit granted on 20 December 2013 for Material Change of Use for Extractive Industry and Environmentally Relevant Activities 8, 16 and 21 on the land known as 1513 & 1515-1521 Mount Cotton Road and 163-177 & 195 Gramzow Road, Mount Cotton (MCU012421) be approved, but for a different timeframe to the 3 years applied for.

Option 3

That Council resolves to refuse to extend the currency period of the Development Permit granted on 20 December 2013 for Material Change of Use for Extractive Industry and Environmentally Relevant Activities 8, 16 and 21 on the land known as 1513 & 1515-1521 Mount Cotton Road and 163-177 & 195 Gramzow Road, Mount Cotton (MCU012421).

OFFICER'S RECOMMENDATION

That Council resolves as follows:

1. That the application to extend the currency period of the Development Permit granted on 20 December 2013 for Material Change of Use for Extractive Industry and Environmentally Relevant Activities 8, 16 and 21 on the land known as 1513 & 1515-1521 Mount Cotton Road and 163-177 & 195 Gramzow Road, Mount Cotton (MCU012421) be approved; and
2. That the currency period be extended for an additional three (3) years (giving a total relevant period of seven (7) years) starting the day the approval took effect.

COUNCIL RESOLUTION

Moved by: **Cr J Talty**
Seconded by: **Cr W Boglary**

That Council resolves to refuse the application based on the following grounds:

1. **The proposed extension is actually a new quarry, extracting new material from a different location on the site, with a significantly greater scale than the existing quarry.**
2. **The proposed development is not consistent with the reasonable expectations of the local community, because the proposal is for a completely separate quarry which is of a significant scale and will operate in close proximity to adjoining rural residential properties.**
3. **The applicant has failed to demonstrate that the new quarry can be constructed and operated in such a manner as to protect the amenity of the surrounding sensitive receptors.**
4. **The applicant has failed to adequately define and apply suitable noise criteria to assess protection of amenity for the surrounding sensitive receptors.**
5. **The proposal will not maintain or enhance the rural residential amenity of the surrounding area through the minimisation of environmental nuisance occurring through the operation and construction of the quarry.**
6. **The proposal adversely impacts on and limits the future enhancement of the surrounding economic tourism opportunities.**
7. **A large number of submissions have been received objecting to the proposal, which raise valid planning grounds.**
8. **The proposed development is in conflict with the following provisions of the Redlands Planning Scheme:**
   a. **Part 3.1.4, Desired Environmental Outcome No. 3 – Community Health and Wellbeing;**
   b. **Part 3.1.7, Desired Environmental Outcome No. 6 – Economic Development;**
   c. **Overall Outcomes 2(a)(i) and 2(c) for the Rural Non-Urban Zone;**
   d. **Overall Outcome 2(a)(iv) for the Extractive Industry Code; and**
   e. **Specific Outcomes S2.1 to S2.4 of the Extractive Industry Code.**

9. **There are not sufficient grounds to warrant approval of the proposed development having regard to the nature and extent of the conflict with the Redlands Planning Scheme.**
10. **That the development proposal be immediately referred to the relevant State Minister to assess the proposal, in particular the decision of the State agencies, under the Planning Act 2016.**
11. **The development will have a significant impact on Mount Cotton Road that may affect pedestrian and vehicular safety on this road. This impact is not suitably mitigated by conditions on the original approval.**
12. **That the population of Mount Cotton, its surrounds and Redland City itself has grown significantly since the original application was subject to public notification in 2012. A number of new dwellings and change of ownership in Mount Cotton and surrounds has occurred during this time. Therefore there is fair degree of non-awareness of the development approval within the surrounding community.**

CARRIED 9/1

Crs Boglary, Gollè, Hewlett, Edwards, Huges, Talty, Gleeson, Bishop and Williams voted FOR the motion.

Cr Elliott voted AGAINST the motion.

Cr Mitchell was absent from the meeting.

Legend:
- Cadastral Boundary
- Site Boundary
- Existing Roads/Tracks
- Access Roads

370
S311071

17
RP108970

17
RP108970

Key Resource Area

Key Resource Area

Water Treatment Pond

Processing Plant Area

Existing Access Road

Existing Concrete Plant

Existing Weighbridge and Office

Existing Workshop

Existing Underground Fuel Storage

Internal Access Road

Stockpile Area

Existing Water Treatment Pond

Bund

Retaining Wall

Tip Head

Main Conveyor Corridor

Existing Access Road

Existing Shed

PLANS AND DOCUMENTS
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Potential acoustic screen at edge of ramp

Crushing and Conveyor Loading Plant Area

162
S31962

238
SP218968

25m

Bund

Key Resource Area

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TITLE:
Schematic of Proposed Plant Layout

SCALE: 1:2000 (On A3)
0 40

DATE: 7 July 2010
DRAWING NUMBER: 587.142

DRAWING:
DA2 001

Legend:
- Cadastral Boundary
- Site Boundary
- Existing Roads/Tracks
- Access Roads
- Amenity Bund
- Water Treatment/Storage

PLANS AND DOCUMENTS
Referred to in the
DEVELOPMENT PERMIT
Date 20 DEC 2013
Queensland Government
As amended in red

7 SP115884
8 SP126858
3 RP186560
4 RP186560
1 SP113515
6 RP810073
1 SP143401
2 SP143401
8 RP186559
9 RP186559
1 RP30627
2 RP30611
3 RP209666
370 S311071
2 RP169493
17 RP108970
2 RP108970
3 RP108970
4 RP108970
5 RP108970
6 RP108970
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8 RP108970
22 RP9848595
10 RP108970
11 RP108970
12 RP108970
13 RP108970
14 RP108970
15 RP108970
16 RP108970
1 RP104882
2 RP104882
3 RP104882
162 S31962
238 SP218968
1 RP104645
2 RP104645
3 RP104645
4 RP104645
5 RP104645
6 RP104645
7 RP104645

Existing Access Road
Existing Concrete Plant
Existing Weighbridge & Office
Existing Workshop
Existing Underground Fuel Storage
Existing Plant
Existing Water Treatment Pond
Existing Shed
Site Entrance
Processing Plant Area
Bund
Tip Head
Retaining Wall
Internal Access Road
Main Conveyor Corridor
Crushing and Conveyor Loading Plant Area
Bench Level 40m
Existing Water Storage
Temporary Diversion Bund
Amenity Screen/Bund
Surface water diversion drain
Emergency Spillway
Water Treatment Ponds
Gravel Filter
Sedge Filter
Riser Outlet
Energy Dissipater

6943800mN
6943600mN
6943400mN
6943200mN
6943000mN
6942800mN
6912400mN
6947200mN

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TITLE:
Quarry Development Plan - Stage 1A

SCALE: 1:7500 (On A3)
0 150
DATE: 7 July 2010
DRAWING NUMBER: 967.103
DRAWING: DA2 002

Legend:
- Cadastral Boundary
- Site Boundary
- Existing Roads/Tracks
- Access Roads
- Amenity Bund
- Water Treatment/Storage

PLANS AND DOCUMENTS
Referred to in the
DEVELOPMENT PERMIT
Date 20 DEC 2013
Queensland Government
As amended in red

7 SP115884
8 SP126858
3 RP186560
4 RP186560
1 SP113515
6 RP810073
1 SP143401
2 SP143401
8 RP186559
9 RP186559
1 RP30627
2 RP30611
3 RP209666
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2 RP169493
17 RP108970
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7 RP108970
8 RP108970
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13 RP108970
14 RP108970
15 RP108970
16 RP108970
1 RP104882
2 RP104882
3 RP104882
238 SP218968
162 S31962
1 RP104645
2 RP104645
3 RP104645
4 RP104645
5 RP104645
6 RP104645
7 RP104645

Site Entrance
Existing Access Road
Existing Concrete Plant
Existing Weighbridge and Office
Existing Workshop
Existing Underground Fuel Storage
Processing Plant Area
Stockpile Area
Existing Water Treatment Pond
Existing Shed
Existing Access Road
Crushing and Conveyor Loading Plant Area
Internal Access Road
Main Conveyor Corridor
Bund
Retaining Wall
Tip Head
Existing Water Storage
Floor Level -5m
Temporary Diversion Bund
Surface water diversion drain
Pumped from Sump
Amenity Screen/Bund
Amenity Screen/Bund
Water Treatment Ponds
Gravel Filter
Sedge Filter
Riser Outlet
Energy Dissipater

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TITLE:
Quarry Development Plan - Stage 1B

SCALE: 1:7500 (On A3)
0 150
DATE: 9 July 2010
DRAWING NUMBER: 597 144
DRAWING: DA2 003

Legend:
- Cadastral Boundary
- Site Boundary
- Existing Roads/Tracks
- Access Roads
- Amenity Bund
- Water Treatment/Storage

PLANS AND DOCUMENTS
Referred to in the
DEVELOPMENT PERMIT
20 DEC 2013
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Queensland Government

as amended in red

7 SP115884
8 SP126858
3 RP186560
4 RP186560
1 SP113515
6 RP810073
1 SP143401
2 SP143401
8 RP186559
9 RP186559
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10 RP108970
11 RP108970
12 RP108970
13 RP108970
14 RP108970
15 RP108970
16 RP108970
162 S31962
238 SP218968
1 RP104645
2 RP104645
3 RP104645
4 RP104645
5 RP104645
6 RP104645
7 RP104645
1 RP104882
2 RP104882
3 RP104882

Site Entrance
Existing Access Road
Existing Concrete Plant
Existing Weighbridge and Office
Existing Workshop
Existing Underground Fuel Storage
Processing Plant Area
Stockpile Area
Existing Water Treatment Pond
Existing Shed
Existing Access Road
Crushing and Conveyor Loading Plant Area
Bund
Tip Head
Retaining Wall
Internal Access Road
Main Conveyor Corridor
Existing Water Storage
Floor Level -5m
Sump
Surface water diversion drain
Pumped from Sump
Amenity Screen/Bund
Amenity Screen/Bund
Water Treatment Ponds
Energy Dissipater
Gravel Filter
Sedge Filter
Riser Outlet

6943800mN
6943400mN
6943000mN
6942800mN
6942600mN
6942400mN
6942200mN

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TITLE:
Quarry Development Plan - Stage 2

SCALE: 1:1500 (On A3)
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DATE: 9 June 2010
DRAWING NUMBER: 987 145
DRAWING: DA2 004

Legend:
- Cadastral Boundary
- Site Boundary
- Existing Roads/Tracks
- Access Roads
- Amenity Bund
- Water Treatment/Storage

PLANS AND DOCUMENTS Referred to in the DEVELOPMENT PERMIT
Date 20 DEC 2013
Queensland Government
As amended in red

7 SP115884
1 RP30627
370 S311071
2 RP30611
3 RP209666
8 SP126858
2 RP169493
3 RP186560
17 RP108970
2 RP108970
3 RP108970
4 RP108970
5 RP108970
6 RP108970
7 RP108970
8 RP108970
4 RP186560
370 S311071
17 RP108970
1 SP113515
6 RP810073
1 SP143401
2 SP143401
8 RP186559
9 RP186559
238 SP218968
162 S31962
162 S31962
22 RP98486595
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2 RP104882
3 RP104882
1 RP104645
2 RP104645
3 RP104645
4 RP104645
5 RP104645
6 RP104645
7 RP104645

Site Entrance
Existing Access Road
Existing Concrete Plant
Existing Weighbridge and Office
Existing Workshop
Existing Underground Fuel Storage
Processing Plant Area
Stockpile Area
Existing Water Treatment Pond
Existing Shed
Existing Access Road
Crushing and Conveyor Loading Plant Area
Bund
Tip Head
Retaining Wall
Internal Access Road
Main Conveyor Corridor
Bench Level 55m
Bench Level 40m
Bench Level 25m
Bench Level 10m
Existing Water Storage
Floor Level -5m
Sump
Bench Level 10m
Bench Level 25m
Amenity Screen/Bund
Amenity Screen/Bund
Pumped from Sump
Water Treatment Ponds
Gravel Filter
Sedge Filter
Riser Outlet
Energy Dissipater

6943800mN
6943600mN
6943400mN
6943200mN
6943000mN
6942800mN
6942600mN
6942400mN
6942200mN
6942000mN

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TITLE:
Quarry Development Plan - Stage 3

SCALE: 1:7500 (On A3)
0 150
DATE: 9 June 2010
DRAWING NUMBER: 987.145
DRAWING: DA2 005

Legend:
- Cadastral Boundary
- Site Boundary
- Existing Roads/Tracks
- Access Roads
- Amenity Bund
- Water Treatment/Storage

PLANS AND DOCUMENTS
Referred to in the
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Date 20 DEC 2013
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as amended in red

6943800mN
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6943400mN
6943200mN
6943000mN
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7 SP115884
1 RP30627
370 S311071
2 RP30611
3 RP209666
8 SP126858
2 RP169493
3 RP186560
Site Entrance
17 RP108970
1 RP108970
2 RP108970
3 RP108970
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5 RP108970
6 RP108970
7 RP108970
8 RP108970
4 RP186560
370 S311071
Existing Access Road
Existing Concrete Plant
Existing Weighbridge and Office
Existing Workshop
Existing Underground Fuel Storage
Surface water diversion drain
17 RP108970
Processing Plant Area
Stockpile Area
Existing Water Treatment Pond
Existing Shed
1 SP113515
Bund
Tip Head
Retaining Wall
Internal Access Road
Main Conveyor Corridor
Existing Access Road
Crushing and Conveyor Loading Plant Area
22 RP98405
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11 RP108970
12 RP108970
13 RP108970
14 RP108970
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16 RP108970
6 RP810073
Existing Water Storage
162 S31962
162 S31962
1 SP143401
2 SP143401
238 SP218968
Amenity Screen/Bund
Amenity Screen/Bund
Pumped from Sump
8 RP186559
Surface water diversion drain
Water Treatment Ponds
9 RP186559
Energy Dissipater
Gravel Filter
Sedge Filter
Riser Outlet
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2 RP104645
3 RP104645
4 RP104645
5 RP104645
6 RP104645
7 RP104645
1 RP104882
2 RP104882
3 RP104882

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TITLE:
Quarry Development Plan - Stage 4

SCALE: 1:7500 (On A3)
0 150
DATE: 9 June 2010
DRAWING NUMBER: 567.147
DRAWING: **DA2 006**

CREATED: 19 November 2010 FILE NAME: P:\Jobs\987.310\Drawings\987.310.003.DA - Figure 3 Site Layout And Topography.dwg

REV	DESCRIPTION	DATE	BY

Data Sources:
Photography:
Topography:
Cadastre:
Ecosystem:
Other:

Legend:
- Cadastral Boundary
- Site Boundary
- Stage Boundary

PROJECT: Mt Cotton Quarry

CLIENT: Barro Group

TITLE: Figure 3 - Site Layout and Topography

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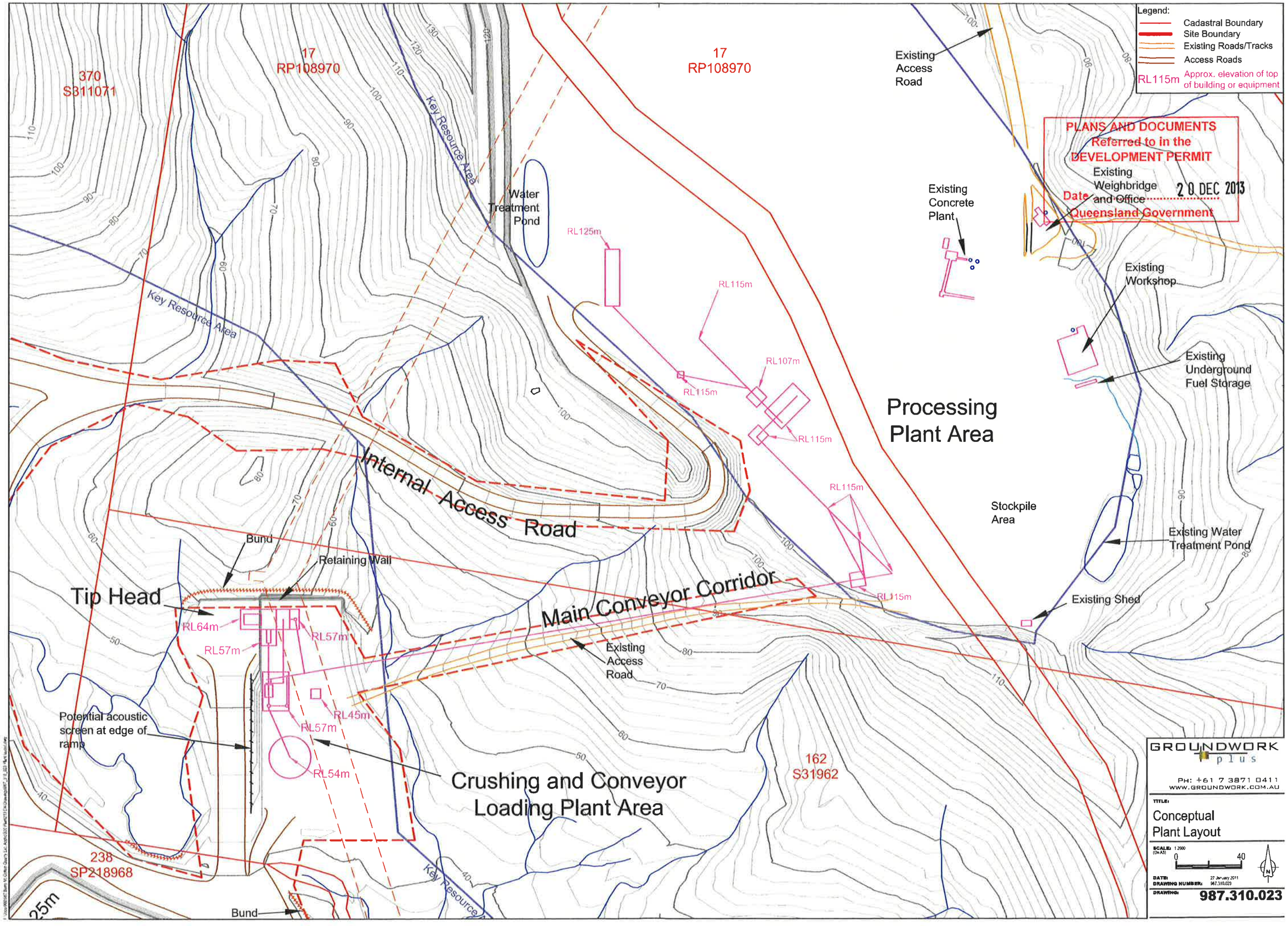
SCALE: 1:8000 When Printed On A3 — 0 — 160

DRAWING NUMBER: 987.310.003

REVISION:

DATE: 24 November 2010 | DRAWN: Llwjg | DATUM: HORIZONTAL / VERTICAL / ZONE

PRINTED: 24 November 2010 | CHECKED:


Legend:
Cadastral Boundary
Site Boundary
Existing Roads/Tracks
Access Roads
RL115m Approx. elevation of top of building or equipment
PLANS AND DOCUMENTS
Referred to in the
DEVELOPMENT PERMIT
Date 20 DEC 2013
Queensland Government
370
S311071
17
RP108970
17
RP108970
Key Resource Area
Key Resource Area
Water Treatment Pond
Existing Access Road
Existing Concrete Plant
Existing Weighbridge and Office
Existing Workshop
Existing Underground Fuel Storage
RL125m
RL115m
RL107m
RL115m
RL115m
RL115m
Processing Plant Area
Stockpile Area
Existing Water Treatment Pond
Existing Shed
Internal Access Road
Bund
Retaining Wall
Tip Head
RL64m
RL57m
RL57m
Main Conveyor Corridor
Existing Access Road
RL45m
RL57m
RL54m
Potential acoustic screen at edge of ramp
Crushing and Conveyor Loading Plant Area
162
S31962
238
SP218968
Bund
Key Resource Area
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PH: +61 7 3871 0411
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TITLE:
Conceptual Plant Layout
SCALE: 1:2000 (On A3)
0 40
DATE: 27 January 2011
DRAWING NUMBER: 987.310.023
DRAWING: 987.310.023

GROUNDWORK plus

Resources, Environment, Land Use Planning

GEOTECHNICAL REPORT

MT COTTON QUARRY EXTENSION

Prepared for:
Barro Group Pty Ltd

Date:
20 December 2010

File Ref:
documents / 987_233

ABN:80 629 145 906
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APPENDICES

Document Control Sheet

Job Details

Ref no.:	987_233
Document Title:	Geotechnical Report
Version	FINAL V1
Principal Author:	Rod Huntley
Client:	Barro

Revision/ Checking History

Version	Date	Issued By	Checked By
FINAL V1	December 2010	RH	

Distribution Record

Destination	Digital or Hardcopy	Number of copies									
		V1	V2	V3	V4	V5	V6	V7	V8	V9	FINAL
BARRO	D/H										1
Redland City Council	D										1
Office Copy	D/H										1

Statement of Competency/Qualification and Responsibility

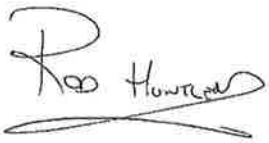
All information in this report relating to Identified Mineral Resources, is based on and accurately reflects information compiled by Groundwork Plus. This report complies with the Mineral Resources and Ore Reserves prepared by The Joint Ore Reserves Committee of The Australasian Institute of Mining and Metallurgy, (AusIMM), effective December 2004.

The Geological and Geotechnical information was logged, compiled and audited by Rod Huntley, Senior Resource Consultant of Groundwork Plus who is a Competent or Qualified Person as defined by *JORC 2004*.

Name: Rod Huntley

Experience: 19 years Mining, Engineering, Geotechnical, Resource and Exploration Geology

Professional Qualifications: B. Sc, M.App.Sc, M .Eng .Sc, MAIG, MIQA



Signature: _____

Executive Summary

Rod Huntley from Groundwork Plus has been engaged by The Barro Group to undertake a review of geotechnical issues for the proposed extension of the existing Mount Cotton Quarry located at 1513 – 1515 Mount Cotton Road, Mount Cotton (Lot 162 on S31962, Lot 238 on S31474, Lot 370 on S311071, Lot 1 on RP108970, Lot 17 on RP108970 and it is understood the development application also includes the unformed road bisecting and adjoining Lot 17, Lot 370 and Lot 162 and part of Greenhide (California) Creek located between Lot 238 and Lot 162, although no physical works are proposed in those areas) ("Site"). The proposed extension to the existing quarry is detailed in the staged Quarry Development Plans included at **ATTACHMENT 1.**

Rod Huntley from Groundwork Plus was engaged as an expert consultant in Planning and Environment Court Appeal No.BD3438 of 2007 related to a previous application for essentially the same development ("Court Appeal"). It is noted that the matter did not proceed to a merits appeal as the respondent raised a preliminary point of law and sought an order that the appeal be struck out on the grounds that the application that was the subject of the Court Appeal was not "properly made" in accordance with the Integrated Planning Act 1997 ("IPA"). The court ruled in favour of the respondent and held that the appeal be struck on the grounds that the application was not properly made.

Whilst the Court appeal was ultimately dismissed, meetings conducted between the expert witnesses representing all parties to the proceedings successfully narrowed and largely resolved any outstanding issues in dispute relating to the merits of the proposal.

The assessment and recommendations made in this report are consistent with that agreed by the geotechnical experts involved in the Court Appeal (Mr Norm Bain of Queensland Geographics Pty Ltd and Mr Rod Huntley of Groundwork Plus). The joint expert witness statements which were concluded by the geotechnical consultants are included as **ATTACHMENT 2**.

Providing the recommendations of this report are implemented, the risk of the proposed extension to quarry activities causing geotechnical issues is considered low pursuant to the Australian Geomechanics Landslide Risk Assessment Guidelines.

1. Introduction

Groundwork Plus has been engaged by The Barro Group to undertake a review of geotechnical issues for the proposed extension of the existing Mount Cotton Quarry located at 1513 – 1515 Mount Cotton Road, Mount Cotton (Lot 162 on S31962, Lot 238 on S31474, Lot 370 on S311071, Lot 1 on RP108970, Lot 17 on RP108970 and it is understood the development application also includes the unformed road bisecting and adjoining Lot 17, Lot 370 and Lot 162 and part of Greenhide (California) Creek located between Lot 238 and Lot 162, although no physical works are proposed in those areas) ("Site"). The proposed extension to the existing quarry is detailed in the staged Quarry Development Plans included at **ATTACHMENT 1.**

The assessment and recommendations in respect of geotechnical issues likely to be associated with the proposed extension to the Mount Cotton Quarry is consistent with the conclusions of the two court appointed geotechnical experts and other geotechnical issues for the Mount Cotton extension area. The joint expert witness statements which were concluded by the geotechnical consultants are included as **ATTACHMENT 2**.

The ensuing procedures for assessment of the geotechnical issues identified by the experts in the Court Appeal and associated with the current proposal to extend the Mount Cotton Quarry were identified.

The conclusions and recommendations made by the expert geotechnical consultants during the Court Appeal can be summarised as follows:

1. Adequately assess the terrain including slopes and spur lines leading into the proposed pit for identification of all instability;

2. Adequately assess the risk to the stability of slopes and spur lines surrounding the quarry from operations conducted by the quarry;

3. Provide sufficient mitigations to be introduced at each proposed stage of the development to manage the risk to slope stability to allow the effect of those proposed mitigations to be assessed;

4. Adequately assess the resulting impacts of the application with the proposed mitigations in measures in place including consideration of slope stability on ecological health and waterway habitat values.

2. Work Completed

2.1 Geotechnical Mapping

Further geotechnical mapping has occurred at Mount Cotton Quarry specifically in the steep terrain to the north and west of the proposed quarry workings and the up slope terrains in the quarry access and haul route area. This mapping has identified one localised area of failure (circular failure) which occurs over an area of approximately 20 metres width by about 50 metres length down slope. The resultant volume of the slip material in the recognised failure is not large with the failure stripping up to two metres of topsoil and regolith off the surface (the average thickness of the failure is around one metre). The primary slip vector was at 195^0. This slip is likely to have resulted due to the effects of previous land clearing and other agricultural pursuits. Several other slips are likely to have occurred in the area, however further inspections would be needed to identity any additional failures. Whilst this slip is not large it needs to be managed as it does have potential to propagate up slope, as commonly occurs, with these types of failures.

Perusal of the contour map would suggest that the identified failure area possesses the steepest topography on site which could possibly interact with the quarry development. The angle of the slope in the failure area ranges between 40-50%.

Additionally perusal of the Stage 3 and Stage 4 revisions of the development proposal is generally beneficial to the overall slope design and stability of the proposal as it moves the quarry development away from the steeper slopes of the northern and western areas and will subsequently encounter more benign geotechnical conditions. Additionally due to the variance in the topography the angle of intersection of the upper bench with the topography will be variable and only in some areas, mainly the north western area, and one 120m long section of the western wall, will the 55-70m AHD bench intersect the 70m contour line.

To mitigate any potential affects of the quarry on the geotechnical stability of the surrounding slopes the following is proposed.

- That the area north of the proposed access area is subject to weed management and habitat rehabilitation on the slopes. This will have the dual effect of increasing conservation values of the land whilst increasing stability due to the increased biological restraining capacity per m^2.

- That the upper batter slope of the northern wall is cut at a terminal batter angle which is equal to or less than the angle of the slope which it intersects. Given that the toe of the slope decreases in total slope angle toward the quarry workings a terminal batter angle of 34^0 is assessed to be stable.

To negate the effect of the quarry encroaching on the vegetated slope area redesign of the final northern wall has been completed. Risk of failure in this slope has been assessed by both numerical modelling using Slide V 5.0, and by risk assessment using the industry standard Australian Geomechanics Landslide Risk Assessment Guidelines.

2.2 Criteria Used for Geotechnical Modelling

Soils/Unconsolidated material.

- Uniaxial compressive Strength of 2.5 Mpa for soil and unconsolidated material
- Moist Density insitu 1.65t/m^3
- Cohesion 5 kN m^2
- phi = 30^0

Weathered Greywacke

- Uniaxial compressive Strength of 75 Mpa
- Density insitu 2.0t/m^3
- Cohesion 27 kN m^2
- phi = 33^0

Slightly weathered and fresh Greywacke

- Uniaxial compressive Strength of 250 Mpa
- Density insitu 2.32t/m^3
- Cohesion 48 kN m^2
- phi = 36^0

Stage 4 Revision3 Geotechnical pit design criteria

- minus 5 to 55m AHD benches 15m width 15m height terminal batter of $70^0$to 85^0
- 55-70m AHD bench distinctly to slightly weathered greywacke 59^0 batter and variable bench height as intersected by 70m AHD contour. Unconsolidated material 34^0 terminal batter, bench height variable as intersected by 70m AHD contour.

Use of these criteria result in stable geotechnical conditions Factor of Safety and a (FOS) >1.5.

Additionally risk assessment of the final slope shows the total risk of failure is low provided that the experts recommendations are implemented. If required ground support and retaining structures could be used to reinforce

local instabilities however it is unlikely that these will be required apart from achieving stability around key pieces of infrastructure i.e. the tip head.

The proposed slopes in the quarry design have been modelled for stability in the program dips to determine potential kinematic failure planes and that this information is then modelled in Slide V5 to determine the Factor of Safety or design criteria of the proposed quarry design. As part of this investigation the terminology is derived from Australian Standard 1726-1993 Geotechnical Site Investigations. In addition the rehabilitation criteria listed in the development proposal report should be strictly adhered to for rehabilitation, safety and stability purposes. The toe restraint that is proposed to be used for rehabilitation has not been modelled however it will improve the overall FOS of the slope.

Additionally the design of stage 4 revision 3 pit shell will need to be slightly altered to incorporate geotechnical design criteria. This is based on revision of the available drill data and perusal of the salient rock characteristics. These design criteria are drawn from drill holes MCP 19 to MCP 23 and MCD-1 MCD-5 which indicate that the thickness of the unconsolidated material in the northern access area is around 3m thick with a maximum identified thickness of 6m. To ensure stability one bench if required should be cut into the unconsolidated material with a batter angle of no greater than 34^0. This will only be required in terminal bench areas which intersect the 70m AHD contour.

The second bench from 50-59m AHD will consist of distinctly to slightly weathered greywacke which has a variable weathering profile. Parameters which affect stability are summarised below Joint weathering was recorded to a depth of approximately 39m AHD with some minor erratic joint weathering occurring below this level. Some infill was recorded on the joints with this material consisting of calcite and chlorite. Total joints sets recognised from review of the core drilling show that there is one pervasive joint set with a spacing of 0.29m with a rough hackly surface. Two additional random sets were recorded. The core was not orientated therefore only general trends for modelling can be drawn from this material, however given the size and scale of the operation and the generally high strength and good quality nature of the rock, this lack of orientated core is not expected have a material impact on the design criteria.

These design criteria will not materially increase the overall footprint of the quarry, it may however require that some internal design parameters are modified slightly. The total slope of the proposed development is 41^0 which is considered conservative in contrast to most actual quarry developments.

That staged geotechnical mapping will be required which is coincident with the various stages of expansion of the quarry and that this information is utilised in the design loop of quarry extension to ensure geotechnical stability in the overall quarry design. This mapping will identify the potential risks to slope stability and amend the design criteria and other salient factors accordingly to ensure that all risks are mitigated.

Redesign of the upper slope has occurred based on the criteria previously mentioned.

In a practical sense the proposed program of slope rehabilitation and revegetation, combined with slope redesign will ensure that the effects of the quarry on the ecological health and waterway habitat values are minimal. Furthermore these measures should mitigate any significant geotechnical risk to the ecological health of the "up slope" vegetated areas by not undercutting the overall slope geometry whilst improving water quality of the runoff by increasing the density, and therefore holding capacity, of the vegetation on the slope.

To reiterate, and in conclusion, it is strongly recommended that the experts recommendations are, if possible, inserted as conditions into the development proposal.

3. Recommendations

It is recommended that the following measures are undertaken in relation to the proposed extension to the Mount Cotton Quarry:

- That the steep slopes, which border the western and northern areas of the proposed quarry, are subject to a program of weed management and subsequently habitat enhancement to increase the stability and holding capacity/strength of the soils and regolith in these areas.

- That staged geotechnical mapping will be required which is coincident with the various stages of expansion of the quarry. This information will then be utilised in the design loop of quarry extension to ensure geotechnical stability in the overall quarry design. This mapping will identify the potential risks to slope stability and amend the design criteria and other salient factors accordingly to ensure that all risks are mitigated.

- That the criteria used in the modelling are adhered to.

- That perimeter blasting techniques are used in areas adjacent to all terminal batters.

- That the proposed stormwater design is cognisant of geotechnical issues and makes allowance for stability issues, as they arise, in relation to the ecological health and habitat values of the waterways on site.

- That the terminal benches below 55m AHD where excavated in unweathered material have a 70^0 to 85^0 batter and a 15m terminal bench width and height. That benches 55-70m AHD where intersecting the 70m AHD contour are split into two and that the lower bench in the distinctly to slightly weathered greywacke has a terminal batter of 59^0 whilst the unconsolidated material should be battered of at 34^0 and revegetated as soon as is practicable.

- That a yearly review of geotechnical stability is completed in conjunction with the annual production review.

- That **FIGURE 8 BATTER TREATMENTS** and **FIGURE 9 SCHEMATIC OF QUARRY BENCH REHABILITATION** (refer **ATTACHMENT 3**) of the Site Environmental Management Plan, Document Number 987_232 is consulted when rehabilitation of the benches occurs and that the general concepts in this figure are followed for rehabilitation purposes in regards to geotechnical stability.

12 MAYORAL MINUTE

In accordance with Section 22 of the Standing Orders:

3. *A Mayoral Minute does not require another Councillor to second it and may be introduced by the Mayor at any time during the meeting.*
4. *A motion comprising the Mayoral Minute, if passed, becomes a resolution of the local government.*

COUNCIL RESOLUTION

Moved by: Cr K Williams

That the Mayor writes to the responsible State Ministers requesting decisions on matters of Key Resource Areas be assessed and decided by the relevant State Department.

CARRIED 10/0

Crs Boglary, Gollè, Hewlett, Edwards, Elliott, Huges, Talty, Gleeson, Bishop and Williams voted FOR the motion.

Cr Mitchell was absent from the meeting.

13 NOTICES OF MOTION TO REPEAL OR AMEND RESOLUTIONS

Nil

14 NOTICES OF MOTION

Nil

15 URGENT BUSINESS WITHOUT NOTICE

Nil

16 CONFIDENTIAL ITEM

16.1 COMMUNITY & CUSTOMER SERVICES

16.1.1 PROVISION OF COUNCIL SERVICES

Objective Reference: **A2562248**
Reports and Attachments (Archives)

Authorising Officer: **Louise Rusan**
General Manager Community and Customer Services

Responsible Officer: **Kim Kerwin**
Group Manager Economic Sustainability and Major Projects

Report Author: **Craig Dickson**
Acting Senior Adviser Community Programs

EXECUTIVE SUMMARY

A confidential report from the General Manager Community & Customer Services was presented to Council for consideration.

OFFICER'S RECOMMENDATION/ COUNCIL RESOLUTION

Moved by: **Cr P Gleeson**
Seconded by: **Cr J Talty**

In accordance with Option 1 and the content of this report, Council resolves to:

1. **Continue negotiations to novate the existing contract as detailed in this report;**
2. **Not renew the existing contract and withdraw services from 30 June 2018;**
3. **Delegate authority to the Chief Executive Officer under s.257(1)(b) *Local Government Act 2009* to take all necessary actions for the implementation of Council's withdrawal from RHAS service delivery, providing the outcome remains consistent with the intent of this resolution; and**
4. **Keep this report and attachment confidential until all contracts and agreements expire on 30 June 2018.**

CARRIED 10/0

Crs Boglary, Gollè, Hewlett, Edwards, Elliott, Huges, Talty, Gleeson, Bishop and Williams voted FOR the motion.

Cr Mitchell was absent from the meeting.

17 MEETING CLOSURE

There being no further business, the Mayor declared the meeting closed at 11.15am.

Signature of Chairperson: _____

Confirmation date: _____