



Redland
CITY COUNCIL

MINUTES

GENERAL MEETING

Wednesday, 3 April 2019

The Council Chambers
91 - 93 Bloomfield Street
CLEVELAND QLD

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GENERAL MEETING
HELD AT THE COUNCIL CHAMBERS, 91 - 93 BLOOMFIELD STREET, CLEVELAND QLD
ON WEDNESDAY, 3 APRIL 2019 AT 9.30AM

1 DECLARATION OF OPENING

The Mayor declared the meeting open at 9.32am 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 Karen Williams (Mayor), Cr Wendy Boglary (Division 1), Cr Peter Mitchell (Division 2), Cr Paul Gollè (Division 3), Cr Lance Hewlett (Deputy Mayor and Division 4), Cr Mark Edwards (Division 5), Cr Julie Talty (Division 6), Cr Murray Elliott (Division 7), Cr Tracey Huges (Division 8), Cr Paul Gleeson (Division 9), Cr Paul Bishop (Division 10)

LEAVE OF ABSENCE: Nil

EXECUTIVE LEADERSHIP TEAM: Andrew Chesterman (Chief Executive Officer), John Oberhardt (General Manager Organisational Services), Louise Rusan (General Manager Community & Customer Services), Deborah Corbett-Hall (Chief Financial Officer), Andrew Ross (General Counsel), Peter Best (General Manager Infrastructure & Operations)

MINUTES: Danielle Bugeja (Corporate Meetings & Registers Coordinator)

COUNCILLOR ABSENCES DURING THE MEETING

Councillor Lance Hewlett entered the meeting at 9.32am (during Item 1)

Councillor Tracey Huges entered the meeting at 9.32am (during Item 1)

Councillor Paul Bishop entered the meeting at 9.41am (during Item 4)

Councillor Murray Elliott entered the meeting at 9.42am (during Item 4)

Councillor Julie Talty left the meeting at 10.52am and returned at 10.55am (during Item 14.1)

Councillor Murray Elliott left the meeting at 11.07am and returned at 11.09am (during Item 14.2)

Councillor Paul Gollè left the meeting at 12.10pm and returned at 12.12pm (during Item 19.3)

Councillor Murray Elliott left the meeting at 12.13pm and returned at 12.17pm (during Item 19.3)

Councillor Paul Gollè left the meeting at 12.45pm and returned at 12.46pm (during Item 19.3)

Councillor Lance Hewlett left the meeting at 12.50pm and returned at 12.51pm (after Item 19.5).

3 DEVOTIONAL SEGMENT

Pastor Peter Smale from the Uniting Church Cleveland, also a member of the Minister's Fellowship led Council in a brief Devotional segment.

4 DECLARATION OF MATERIAL PERSONAL INTEREST OR CONFLICT OF INTEREST ON ANY ITEMS OF BUSINESS**4.1 CONFLICT OF INTEREST COUNCILLOR HEWLETT**

Cr Lance Hewlett declared a conflict of interest in Item 19.5 *Palacio Property Group Pty Ltd v Redland City Council - Planning and Environment Court Appeal 894 of 2018* (see item for details).

4.2 CONFLICT OF INTEREST COUNCILLOR MITCHELL

Cr Peter Mitchell declared a conflict of interest in Item 19.5 *Palacio Property Group Pty Ltd v Redland City Council - Planning and Environment Court Appeal 894 of 2018* (see item for details).

COUNCIL RESOLUTION 2019/108

Moved by: Cr Paul Gollè

Seconded by: Cr Wendy Boglary

That Cr Peter Mitchell has a conflict of interest in Item 19.5 *Palacio Property Group Pty Ltd v Redland City Council - Planning and Environment Court Appeal 894 of 2018*.

CARRIED 9/1

Crs Karen Williams, Wendy Boglary, Paul Gollè, Lance Hewlett, Mark Edwards, Julie Talty, Murray Elliott, Tracey Huges and Paul Bishop voted FOR the motion.

Cr Mitchell did not participate in the vote.

Cr Paul Gleeson voted AGAINST the motion.

COUNCIL RESOLUTION 2019/109

Moved by: Cr Wendy Boglary

Seconded by: Cr Paul Gollè

That Cr Peter Mitchell may participate in the meeting in relation to the matter, to which he has a perceived conflict of interest, including voting on the matter.

CARRIED 10/0

Crs Karen Williams, Wendy Boglary, Paul Gollè, Lance Hewlett, Mark Edwards, Julie Talty, Murray Elliott, Tracey Huges, Cr Paul Gleeson and Paul Bishop voted FOR the motion.

Cr Mitchell did not participate in the vote.

5 RECOGNITION OF ACHIEVEMENT**5.1 ALIESHA SNEESBY**

Mayor Williams acknowledged Special Olympian Aliesha Sneesby for winning gold in the butterfly event at the Special Olympics in Abu Dhabi in March and presented Aliesha with a certificate of recognition.

I'm pleased to welcome Aliessa who is with us again today, Aliessa is certainly no stranger to these Council Chambers. Councillors and members of the public in the gallery, Aliessa is one of our inspirational Redlands Coast residents who recently returned from an exciting trip to Abu Dhabi. Aliessa was in the Special Olympics where she did herself, her family and Redlands Coast proud by winning gold in the 100m butterfly event. She has also won a bronze medal as a member of the 4x200m relay team. Aliessa, for her young age is really an old hand at international competition, she has been a very competitive swimmer at world level for many years and has broken multiple records.

We are here to acknowledge Aliessa's wonderful achievements. Aliessa has trained very hard for the Special Olympics and Aliessa your dedication to your sport is nothing short of outstanding. I'm sure your parents and your family feel the same way. You are certainly an inspiration to all of us and a reminder that with hard work, persistence and focus any goal can be achieved. On behalf of Redland City Council and Redlands Coast community I'd like to present you with another certificate of recognition to join all those medals around your neck. I'd also like to acknowledge that Cr Lance Hewlett wanted to make a particular mention because today's recognition section is dedicated to the division that he represents, Division 4. Cr Lance Hewlett is also very proud of you as is his community of Victoria Point, so with that I am going to ask you to come forward and I am going to present you with a certificate and thank you so much for helping put Redlands Coast on the world map again.

5.2 LUKE HARVEY

Mayor Williams acknowledged World Champion Triathlete Luke Harvey for winning the 2017 ITU Triathlon World Finals in Rotterdam and the 2018 ITU Triathlon World Finals on the Gold Coast. Mayor Karen Williams presented Luke with two certificates of recognition.

We are a very talented bunch here on the Redlands Coast and we have another special visitor who is also not a stranger to these chambers, Luke Harvey. Luke is a member of the Sharks Triathlon Club and local resident who is also helping once again to take Redlands Coast to the rest of the world. Luke is the triathlete who won the 2017 ITU Triathlon World Finals in Rotterdam for his age group and then successfully defended his title at 2018 ITU Triathlon World Finals on the Gold Coast, crossing the finish line ahead of more than 1000 competitors and bettering the time that he achieved in Rotterdam.

Luke, Redlands Coast is extremely proud of your achievements in your short life already the commitment required to not only qualify for, but then go on to win 'twice' a world level event is absolutely enormous and incredibly outstanding. We wish you all the best in your future endeavors in your sport, you are a fantastic ambassador for our Redlands Coast and we are very proud to call you one of our own. Once again Councillor Hewlett would like to pass on his pride, to the fact that you live in his part of the world, it's not the only place we produce talent just today it happens to feature.

On behalf of Redland City Council and our community of Redlands Coast we would like to present you with these certificates and recognition for your two world final wins, once again like Aliessa you are an inspiration to people who live on our Redlands Coast, we are very proud of you and thank you for putting Redlands Coast on the map.

5.3 MAYOR KAREN WILLIAMS

Deputy Mayor Lance Hewlett acknowledged Mayor Karen Williams celebrating her 15 years of service to Council.

I'd like to on behalf of Council and all my fellow Councillors congratulate you on 15 years of wonderful service to the Redlands Coast, Redland City Council and as a Shire, eight years as a Divisional Councillor and the last seven years as Mayor, congratulations.

6 RECEIPT AND CONFIRMATION OF MINUTES

COUNCIL RESOLUTION 2019/110

Moved by: Cr Paul Gollè

Seconded by: Cr Paul Gleeson

That the minutes of the General Meeting held on 20 March 2019 be confirmed.

CARRIED 11/0

Crs Karen Williams, Wendy Boglary, Peter Mitchell, Paul Gollè, Lance Hewlett, Mark Edwards, Julie Talty, Murray Elliott, Tracey Huges, Paul Gleeson and Paul Bishop voted FOR the motion.

7 MATTERS OUTSTANDING FROM PREVIOUS COUNCIL MEETING MINUTES

7.1 OPPORTUNITY TO PARTICIPATE IN A JOINT LOCAL GOVERNMENT ACTIVITY – REGIONAL APPROACH TO WASTE AND RESOURCE MANAGEMENT

At the General Meeting 12 December 2018 (Item 19.8 refers), Council resolved as follows:

That Council resolves as follows:

1. *In accordance with section 228 2(b) of the Local Government Regulation 2012 to invite Expressions of Interest for the provision of waste disposal services, including the use of alternative waste disposal and recycling technologies, to service the needs of the Redland City Council (Council) Local Government Area, or as part of a regional arrangement, joint government entity or joint local government with other Councils in South East Queensland.*
2. *To record its reasons for making the resolution, as detailed in Clause 1 above, as follows:*
 - a) *A regional waste management solution may make alternative waste technologies feasible and economical where those technologies would not otherwise be viable options for Council due to the relatively small volume of waste disposed of by Council each year;*
 - b) *A regional waste management solution may enable Council to implement an advanced solution to waste disposal not seen before in Queensland or Australia and be at the forefront of advanced alternative waste technology in Australia;*
 - c) *Redland City Council and the SEQ-West region of councils are each involved in the management of recyclables and residual waste in their respective local government area;*
 - d) *Redland City Council recognises that some existing methods of waste treatment and disposal including landfill disposal may not be sustainable in the long term;*
 - e) *Redland City Council wishes to understand and compare all available options for long term treatment and/or disposal solution(s) for residual waste under their management;*
 - f) *Redland City Council wishes to be positioned to benefit from and respond to developments in Queensland's new Waste Strategy and associated regulatory frameworks*

and local industry developments. Notably, the recently announced landfill levy (to be introduced in July 2019) may provide direct or indirect incentives for resource recovery projects; and

g) Redland City Council believes that it is in its interests and its community's interests to investigate a regional approach to waste treatment and disposal, consider alternative waste treatment technologies and solutions, including energy from waste solutions, and derive the benefits from greater waste volumes. Noting that this investigation opportunity does not preclude RCC from pursuing or participating in other market based waste collection and disposal service delivery options and/or maintaining an active engagement with BCC, to understand future waste disposal contract opportunities and costs that may be offered by BCC.

- 3. To delegate to the Chief Executive Officer under s.257 (1)(b) of the Local Government Act 2009, the authority to prepare and adopt a Tender Consideration Plan in accordance with section 230 of the Local Government Regulation 2012 outlining how Redland City Council can proceed to implement a local solution if required following the EOI process;*
- 4. To delegate to the Chief Executive Officer under s.257 (1)(b) of the Local Government Act 2009, the authority to execute any agreements between councils participating in the Expression of Interest process, as detailed in Clauses 1 and 3 above; and*
- 5. The Group Manager Water and Waste Infrastructure be requested to submit a report to a future meeting detailing the outcomes of the Expressions of Interest, as detailed in Clause 1 and 3 above.*

A report will be presented to Council at the end of the year.

7.2 URGENT BUSINESS - LAND AT ORMISTON

At the General Meeting 20 March 2019 (Item 19.4 refers), Council resolved as follows:

That a report be tabled at a future General Meeting outlining all possible options to secure the best environmental outcomes for land at Ormiston.

A report will be presented to Council at a future meeting.

8 PUBLIC PARTICIPATION**MOTION TO ADJOURN MEETING AT 9.58AM****COUNCIL RESOLUTION 2019/111**

Moved by: Cr Paul Gollè

Seconded by: Cr Paul Bishop

That Council adjourn the meeting for a 15 minute public participation segment.

CARRIED 11/0

Crs Karen Williams, Wendy Boglary, Peter Mitchell, Paul Gollè, Lance Hewlett, Mark Edwards, Julie Talty, Murray Elliott, Tracey Huges, Paul Gleeson and Paul Bishop voted FOR the motion.

1. Ms Adelia Berridge, resident of Thorneside addressed Council regarding new information about Redlands koala health.
2. Mr Bill Giles, resident of Dunwich addressed Council regarding The Dunwich Master Plan.

MOTION TO RESUME MEETING AT 10.13AM**COUNCIL RESOLUTION 2019/112**

Moved by: Cr Paul Gollè

Seconded by: Cr Lance Hewlett

A motion was moved that Council resume standing orders.

CARRIED 11/0

Crs Karen Williams, Wendy Boglary, Peter Mitchell, Paul Gollè, Lance Hewlett, Mark Edwards, Julie Talty, Murray Elliott, Tracey Huges, Paul Gleeson and Paul Bishop voted FOR the motion.

9 PETITIONS AND PRESENTATIONS**9.1 PETITION CR GOLLÈ – RESIDENTS OF THORNLANDS REQUEST COUNCIL INVESTIGATE THE IMPACT OF BAT COLONY AT LOTUS CLOSE, THORNLANDS****COUNCIL RESOLUTION 2019/113**

Moved by: Cr Paul Gollè

Seconded by: Cr Mark Edwards

That the petition is of an operational nature and be received and referred to the Chief Executive Officer for consideration.

CARRIED 11/0

Crs Karen Williams, Wendy Boglary, Peter Mitchell, Paul Gollè, Lance Hewlett, Mark Edwards, Julie Talty, Murray Elliott, Tracey Huges, Paul Gleeson and Paul Bishop voted FOR the motion.

10 MOTION TO ALTER THE ORDER OF BUSINESS**MOTION TO ACCEPT A LATE ITEM****COUNCIL RESOLUTION 2019/114**

Moved by: Cr Wendy Boglary

Seconded by: Cr Peter Mitchell

That a late confidential Item be accepted to the Agenda (*Palacio Property Group Pty Ltd v Redland City Council - Planning and Environment Court Appeal 894 of 2018*) and discussed as Item 19.5.

CARRIED 10/1

Crs Karen Williams, Wendy Boglary, Peter Mitchell, Paul Gollè, Lance Hewlett, Mark Edwards, Murray Elliott, Tracey Huges, Paul Gleeson and Paul Bishop voted FOR the motion.

Cr Julie Talty voted AGAINST the motion.

11 REPORTS FROM THE OFFICE OF THE CEO

There were no reports from the Office of the CEO.

12 REPORTS FROM ORGANISATIONAL SERVICES**12.1 APPOINTMENT OF DEPUTY MAYOR****Objective Reference:** A3717722**Authorising Officer:** John Oberhardt, General Manager Organisational Services**Responsible Officer:** John Oberhardt, General Manager Organisational Services**Report Author:** Marita West, Governance Service Manager**Attachments:** Nil**PURPOSE**

The purpose of this report is to:

1. declare, by resolution, the position of Deputy Mayor of Redland City Council as vacant, in order to enact the Council resolution of 18 April 2018, and
2. to appoint a Councillor to the position of Deputy Mayor of Redland City Council.

BACKGROUND

The Deputy Mayor acts for the Mayor during the absence or temporary incapacity of the Mayor, or a vacancy in the office of Mayor (*section 165 Local Government Act 2009*).

At the Council Meeting held on 18 April 2018, Council resolved the following:

That Council resolves as follows:

1. *That in accordance with Council's resolution made at the General Meeting on 10 May 2017 that Councillor Wendy Boglary be appointed as Deputy Mayor for a period of one year and in order to conduct a review of the position of Deputy Mayor; Council declares the position of Deputy Mayor of Redland City Council to be vacant;*
2. *That Council appoints Councillor Lance Hewlett, as Deputy Mayor of Redland City Council for a period of one year; and*
3. *That Councillor Boglary remains as chairperson for the completion of the meeting.*

ISSUES

For Council to enact its Resolution of 18 April 2018, it must first declare by resolution that the office of Deputy Mayor is vacant. The resolution may be passed only if written notice of the resolution has been given to the Councillors, at least 14 days before the meeting. If a local government declares that the office of Deputy Mayor is vacant, it must immediately appoint another Deputy Mayor from its Councillors.

In accordance with the *Local Government Act 2009*, written notice of the meeting to review and resolve the position of Deputy Mayor of Redland City Council was provided to Councillors on 26 February 2019.

STRATEGIC IMPLICATIONS**Legislative Requirements**

This report is in accordance with Council's strategic direction to appoint the position of Deputy Mayor for a limited term.

Risk Management

Potential risks are managed by conducting the process in accordance with the requirements of the *Local Government Act 2009*.

Financial

There are no specific financial implications associated with this report.

People

The position of the Deputy Mayor of Redland City Council plays an important role for Councillors, Council officers and the community.

Environmental

There are no specific environmental implications associated with this report.

Social

The position of the Deputy Mayor of Redland City Council plays an important role for Redland's community.

Alignment with Council's Policy and Plans

This report aligns with Council's policy and plans.

CONSULTATION

Consulted	Consultation Date	Comments/Actions
Chief Executive Officer	25 February 2019	Supported. Email sent Councillors to advise of appointment
General Manager Organisational Services	25 February 2019	Supported.
Group Manager Corporate Governance	25 February 2019	Supported.

OPTIONS**Option One**

In accordance with Council's resolution 11.1.5 made at the General Meeting on 18 April 2018, Council resolves the following:

1. Council declares the Office of Deputy Mayor of Redland City Council to be vacant; and
2. Council appoints a Deputy Mayor of Redland City Council from its Councillors.

Option Two

This is not applicable as Council resolved to appoint a Deputy Mayor for the period of one year (refer Item 11.1.5 of General Meeting 18 April 2018).

OFFICER'S RECOMMENDATION

In accordance with Council's resolution 11.1.5 made at the General Meeting on 18 April 2018, Council resolves the following:

1. Council declares the Office of Deputy Mayor of Redland City Council to be vacant; and
2. Council appoints a Deputy Mayor of Redland City Council from its Councillors.

COUNCIL RESOLUTION 2019/115

Moved by: Cr Wendy Boglary

Seconded by: Cr Paul Bishop

In accordance with Council's resolution 11.1.5 made at the General Meeting on 18 April 2018, Council resolves the following:

1. Council declares the Office of Deputy Mayor of Redland City Council to be vacant; and
2. Council appoints Councillor Lance Hewlett as Deputy Mayor of Redland City Council.

CARRIED 9/2

Crs Karen Williams, Wendy Boglary, Peter Mitchell, Paul Gollè, Lance Hewlett, Mark Edwards, Murray Elliott, Tracey Huges and Paul Bishop voted FOR the motion.

Crs Julie Talty and Paul Gleeson voted AGAINST the motion.

12.2 MAKING LOCAL LAW AND SUBORDINATE LOCAL LAW NO. 4 (LOCAL GOVERNMENT CONTROLLED AREAS, FACILITIES AND ROADS) 2015

Objective Reference: A3717721

Authorising Officer: John Oberhardt, General Manager Organisational Services

Responsible Officer: Tony Beynon, Group Manager Corporate Governance

Report Author: Kristene Viller, Policy and Local Laws Coordinator

- Attachments:**
1. [Community Consultation Submission Review](#) ↓
 2. [Local Law No. 4 \(Local Government Controlled Areas, Facilities and Roads\) 2015](#) ↓
 3. [Amending Local Law No. 3 \(Local Law No. 4 \(Local Government Controlled Areas, Facilities and Roads\) 2015\) 2019](#) ↓
 4. [Subordinate Local Law No.4 \(Local Government Controlled Areas, Facilities and Roads\) 2015](#) ↓
 5. [Amending Subordinate Local Law No.2 \(Subordinate Local Law No. 4 \(Local Government Controlled Areas, Facilities and Roads\) 2015\) 2019](#) ↓
 6. [State Interest Check Report](#) ↓

PURPOSE

The purpose of this report is to:

1. Present the results of the community consultation process that was undertaken for *Local Law No. 4 (Local Government Controlled Areas, Facilities and Roads) 2015*.
2. Present the results of the community consultation process that was undertaken for *Subordinate Local Law No. 4 (Local Government Controlled Areas, Facilities and Roads) 2015*.
3. Proceed with making of *Amending Local Law No. 3 (Local Law No. 4 (Local Government Controlled Areas, Facilities and Roads) 2015) 2019*.
4. Proceed with making of *Amending Subordinate Local Law No. 2 (Subordinate Local Law No. 4 (Local Government Controlled Areas, Facilities and Roads) 2015) 2019*.

BACKGROUND

At the General Meeting on 10 October 2018 Council made a resolution to commence the process for amending *Local Law No. 4 (Local Government Controlled Areas, Facilities and Roads) 2015*. The amendments include:

- Introduction of the concept of a bona fide user to assist to reduce the anti-social behaviour in parks and reserves;
- Inclusion of provision prohibiting use of roads in reserves as thoroughfares; and
- Inclusion of provision prohibiting cars in reserves after hours.

At the General Meeting on 6 March 2019 Council made a further resolution to commence a community consultation process, inviting submissions on the proposed local law.

The amendments to *Local Law No. 4 (Local Government Controlled Areas, Facilities and Roads) 2015* are detailed in the amending instrument (Attachment 3).

Please note that in the consolidated version of *Local Law No. 4 (Local Government Controlled Areas, Facilities and Roads) 2015* (Attachment 2) the only changes made were to:

Section	Amendment
Part 4	Renumbered to Part 5
Section 12	Renumbered to section 13
Part 4	New section Enforcement
Section 12	New section compliance directions

At the General Meeting on 12 December 2018 Council made a resolution to commence the process for amending *Subordinate Local Law No. 4 (Local Government Controlled Areas, Facilities and Roads) 2015*. The amendments include:

- New prohibited activities to ensure appropriate use of parks and reserves;
- Creation of new category: canoe/kayak pontoons
- Addition of the canoe/kayak pontoon at Raby Bay Esplanade Park to the schedule of canoe/kayak ramps;
- New prohibited and restricted activities for canoe/kayak ramps.

At the General Meeting on 6 March 2019 Council made a further resolution to commence a community consultation process, inviting submissions on the proposed local law.

The amendments to *Subordinate Local Law No. 4 (Local Government Controlled Areas, Facilities and Roads) 2015* are detailed in the amending instrument (Attachment 5).

Please note that in the consolidated version of *Subordinate Local Law No. 4 (Local Government Controlled Areas, Facilities and Roads) 2015 (Attachment 4)* the only changes made were to:

Section	Amendment
Schedule 1, Item 5, Column 2	Insert a nuisance after 'cause fear'
Schedule 1, Item 5, Column 2	Insert new provisions (r), (s) and (t)
Schedule 1, items 8 to 15	Renumbered as items 9 to 16
Schedule 1, Item 8	New section for canoe/kayak pontoons
Schedule 2, items 7 to 10	Renumbered as items 8 to 11
Schedule 2, Item 7	New section for canoe/kayak pontoons
Schedule 4, Item 1, Column 1	Insert canoe/kayak pontoons after "All"
Schedule 4, Item 1, Column 2	Insert new provision for part use after 'daily'
Schedule 6, Table 1	Removal of the following jetties Jetty, Fixed Platform – Elizabeth St Harbour Jetty, Fixed Platform – Banana St Harbour
Schedule 6, Table 1	Inclusion of new jetties: Jetty, Pontoon – Elizabeth St Harbour Jetty, Pontoon – Master Avenue Harbour Jetty, Pontoon – Yabby Street
Schedule 6, Table 1, Item 19, Column 1	Insert Marina after 'Jetty Pontoon' for the Banana St Harbour Pontoon
Schedule 6, Table 2	Inclusion of new ramps: Ramp, Barge – Masters Ave Harbour Ramp, Boat – William St North Ramp, Boat – Masters Ave Harbour
Schedule 6, Table 2	Inclusion of new floating walkways: Floating Walkway – Colburn Ave Floating Walkway – William St
Schedule 6, Table 2, Item 7, Column 1	Replace Barge with Boat
Schedule 6, Table 2, Item 9, Column 2	Insert Moores Road to the Location Description

Section	Amendment
Schedule 6, Table 2, Item 22, Column 1	Reworded description from Boat Ramp – William Street to Ramp, Boat – William Street South
Schedule 6, Table 2	Removal of Ramp, Combined – Masters Ave Harbour
Schedule 6, Table 3	Insertion of new table canoe/kayak pontoons which includes: Pontoon – canoe/kayak – Mainland Ormiston
Schedule 7	Insert definition for bona fide user
Schedule 7	Insert definition for canoe/kayak pontoon
Schedule 7	Amend definition of landing to exclude canoe/kayak pontoons

ISSUES

State Interest Checks

In accordance with Council's adopted local law making process a state interest check was completed on *Local Law No. 4 (Local Government Controlled Areas, Facilities and Roads) 2015*.

All relevant State Government Departments were invited to provide comments on the draft local law. State Departments' comments and Council's response are identified in Attachment 6.

Public Interest Review

The *Local Government Act 2009* (the Act) requires that any local law made with anti-competitive provisions is to comply with the procedures prescribed under a regulation for the review of the anti-competitive provisions. Review of the attached local laws found that no anti-competitive provisions were present.

Community Consultation

In accordance with Council's adopted local law making process and Council resolution of 6 March 2019, community consultation was undertaken to allow the community the opportunity to provide comment on the proposed local law. Submissions were invited from 7 March to 28 March 2019. All properly made submissions were considered. The report detailing the community feedback is provided in Attachment 1.

No proposed amendments were identified from the community consultation.

Local Law Implementation

Should Council make the amending local laws attached to this report, notice must be given to the public within one month, through publication in the Queensland Government Gazette and on Council's website. The law comes into effect on either the date published in the gazette or a date nominated by Council in the gazettal notice.

STRATEGIC IMPLICATIONS

Legislative Requirements

The *Local Government Act 2009* Chapter 3, Part 1, provides power for local governments to make and enforce local laws and sets the framework that the local governments must adhere to. Council has adopted a Local Law Making Process that is consistent with the *Local Government Act 2009* provisions. This process has been followed in the making of the local law attached to this report.

The local laws have been drafted by Council's external solicitors in accordance with the *Local Government Act 2009*, the Guidelines for Drafting Local Laws issued by the Parliamentary Counsel and the principles under the *Legislative Standards Act 1992*.

Part D of Council's adopted Local Law Making Process (adopted 20 March 2019) sets out the required steps for making the Amending Instrument. The first 6 steps in the Local Law Making Process involve making the Amending Instrument and steps 7 to 10 relate to notifying the public and Minister about the Amending Instrument.

Risk Management

The risks associated with making the local law has been managed by:

- a) ensuring the process to make the local laws is in accordance with legislative standards and the adopted Redland City Council Local Law Making Process;
- b) comprehensive internal stakeholder engagement to ensure the local laws will promote effective governance to the community;
- c) utilising external solicitors to draft the local laws to ensure the legislative principles are followed in the drafting; and
- d) conducting a review of the identified anti-competitive provisions to ensure adherence to the National Competition Policy Guidelines.

Financial

The cost of drafting the local law is funded through existing budget allocations within the Legal Services Unit.

People

The local law will have an impact on the resourcing within the Compliance Services Unit, who will take on the responsibility for enforcement provisions in the local laws. It is anticipated that this work will be absorbed by current resourcing.

Environmental

There are no environmental implications.

Social

Local Government provides for the good governance of the local government area through their local laws. *Local Law No. 4 (Local Government Controlled Areas, Facilities and Roads) 2015* and *Subordinate Local Law No. 4 (Local Government Controlled Areas, Facilities and Roads) 2015* attached to this report has the potential to impact all members of the Redlands Community.

Community consultation provided the opportunity for community members to have their say on the proposal through providing a submission. The attached Community Consultation Report details the outcome of this consultation period.

Alignment with Council's Policy and Plans

The process for making the proposed local laws is in accordance with Council's adopted practice for making local laws.

This process is in keeping with Council's Corporate Plan Priority 8, Inclusive and Ethical Governance for deep engagement, quality leadership at all levels, transparent and accountable democratic processes and a spirit of partnership between the community and Council.

CONSULTATION

Consulted	Consultation Date	Comments/Actions
Senior Engineer Marine and Water Assets	February 2019 – March 2019	Advised of the community consultation plan. Date the paper would be presented to Council for adoption of the amended

Consulted	Consultation Date	Comments/Actions
		local law provided. Submission requiring additional information provided for feedback.
Service Manager Compliance Services	February 2019 – March 2019	Advised of the community consultation plan. . Date the paper would be presented to Council for adoption of the amended local law provided. Submission requiring additional information provided for feedback.
Senior Advisor Strategic Communication and Community Engagement	February 2019 – March 2019	Preparation of community consultation material, management of yoursay site and data collation. Provided input to analysis of responses.
Senior Advisor Community Engagement	February 2019 – March 2019	Preparation of community consultation material, management of yoursay site and data collation. Provided input to analysis of responses.
Governance Service Manager	February 2019 – March 2019	Reviewed the community consultation results and the final report requesting adoption of the amending local laws.
Policy and Local Laws Coordinator	February 2019 – March 2019	Prepared community consultation report, facilitated the drafting of amending instruments and conducted state interest checking process.
External Solicitors	February 2019 – March 2019	Prepared amending instruments.
Elected Representatives	February 2019 – March 2019	Divisional Councillor provided details on the community consultation process – dates of each activity.

OPTIONS

Option One

In accordance with Council's Local Law Making Process adopted on 19 April 2017, pursuant to section 29 of the *Local Government Act 2009*, Council resolves to:

1. receive and note the Community Consultation in the attached report Community Consultation Submission Review (Attachment 1) and to implement the recommendations of this report;
2. receive and note the attached State Interest Check report (Attachment 6);
3. proceed:
 - a. as advertised, with the making of *Amending Local Law No. 3 (Local Law No. 4 (Local Government Controlled Areas, Facilities and Roads) 2015) 2019*;
 - b. to make *Amending Local Law No. 3 (Local Law No. 4 (Local Government Controlled Areas, Facilities and Roads) 2015) 2019* as advertised;
 - c. to adopt the consolidated version of *Local Law No. 4 (Local Government Controlled Areas, Facilities and Roads) 2015*;
 - d. to give notice of the making and commencement of *Amending Local Law No. 3 (Local Law No. 4 (Local Government Controlled Areas, Facilities and Roads) 2015) 2019* by publication in the Queensland Government Gazette.
4. proceed:
 - a. as advertised, with the making of *Amending Subordinate Local Law No. 2 (Subordinate Local Law No. 4 (Local Government Controlled Areas, Facilities and Roads) 2015) 2019*;
 - b. to make *Amending Subordinate Local Law No. 2 (Subordinate Local Law No. 4 (Local Government Controlled Areas, Facilities and Roads) 2015) 2019* as advertised;

- c. to adopt the consolidated version of *Subordinate Local Law No. 4 (Local Government Controlled Areas, Facilities and Roads) 2015*;
 - d. to give notice of the making and commencement of *Amending Subordinate Local Law No. 2 (Subordinate Local Law No. 4 (Local Government Controlled Areas, Facilities and Roads) 2015) 2019* by publication in the Queensland Government Gazette.
5. Authorise the Chief Executive Officer to make any necessary administrative and formatting amendments prior to gazettal.

Option Two

That Council resolves not to make *Amending Local Law No. 3 (Local Law No. 4 (Local Government Controlled Areas, Facilities and Roads) 2015) 2019* and *Amending Subordinate Local Law No. 2 (Subordinate Local Law No. 4 (Local Government Controlled Areas, Facilities and Roads) 2015) 2019*.

COUNCIL RESOLUTION 2019/116

Moved by: Cr Wendy Boglary

Seconded by: Cr Paul Bishop

In accordance with Council's Local Law Making Process adopted on 19 April 2017, pursuant to section 29 of the Local Government Act 2009, Council resolves to:

1. receive and note the Community Consultation in the attached report Community Consultation Submission Review (Attachment 1) and to implement the recommendations of this report;
2. receive and note the attached State Interest Check report (Attachment 6);
3. proceed:
 - e. as advertised, with the making of Amending Local Law No. 3 (Local Law No. 4 (Local Government Controlled Areas, Facilities and Roads) 2015) 2019;
 - f. to make Amending Local Law No. 3 (Local Law No. 4 (Local Government Controlled Areas, Facilities and Roads) 2015) 2019 as advertised;
 - g. to adopt the consolidated version of Local Law No. 4 (Local Government Controlled Areas, Facilities and Roads) 2015;
 - h. to give notice of the making and commencement of Amending Local Law No. 3 (Local Law No. 4 (Local Government Controlled Areas, Facilities and Roads) 2015) 2019 by publication in the Queensland Government Gazette.
4. proceed:
 - e. as advertised, with the making of Amending Subordinate Local Law No. 2 (Subordinate Local Law No. 4 (Local Government Controlled Areas, Facilities and Roads) 2015) 2019;
 - f. to make Amending Subordinate Local Law No. 2 (Subordinate Local Law No. 4 (Local Government Controlled Areas, Facilities and Roads) 2015) 2019 as advertised;
 - g. to adopt the consolidated version of Subordinate Local Law No. 4 (Local Government Controlled Areas, Facilities and Roads) 2015;
 - h. to give notice of the making and commencement of Amending Subordinate Local Law No. 2 (Subordinate Local Law No. 4 (Local Government Controlled Areas, Facilities and Roads) 2015) 2019 by publication in the Queensland Government Gazette.
5. Authorise the Chief Executive Officer to make any necessary administrative and formatting amendments prior to gazettal.

CARRIED 10/1

Crs Karen Williams, Wendy Boglary, Peter Mitchell, Paul Gollè, Lance Hewlett, Mark Edwards, Julie Talty, Murray Elliott, Tracey Huges and Paul Bishop voted FOR the motion.

Cr Paul Gleeson voted AGAINST the motion.

Local Law 4 and Subordinate Local Law 4 (Local Government Controlled Areas, Facilities and Roads) 2015 Community Consultation Report

Prepared by Corporate Governance
March 2019





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Background

To improve recreational access to the bay, Council constructed a canoe and kayak launching pontoon at Raby Esplanade Park, Ormiston. Raby Esplanade Park was identified through the Redlands Open Space Strategy, a separate park Master Planning process and a petition (signed by 152 petitioners) as an ideal site for the facility.

It was identified in October 2018 that the Local Laws required to support the enforcement of unlawful or anti-social behaviour at the pontoon were not in place. In addition it was noted that a minor amendment to the local law was required to manage similar behaviour in Council’s parks and reserves.

In October 2018, Council resolved to commence the Local Law Making Process for Local Law No. 4 (Local Government Controlled Areas, Facilities and Roads) 2015 and in December 2018 resolved to commence the process for Subordinate Local Law No. 4 (Local Government Controlled Areas, Facilities and Roads) 2015. The amendments proposed provide Council with the ability to regulate the use of canoe/kayak pontoons and parks and reserves for lawful purposes.

Community Consultation Summary

Community consultation opened on 7 March 2019 and closed 28 March 2019.

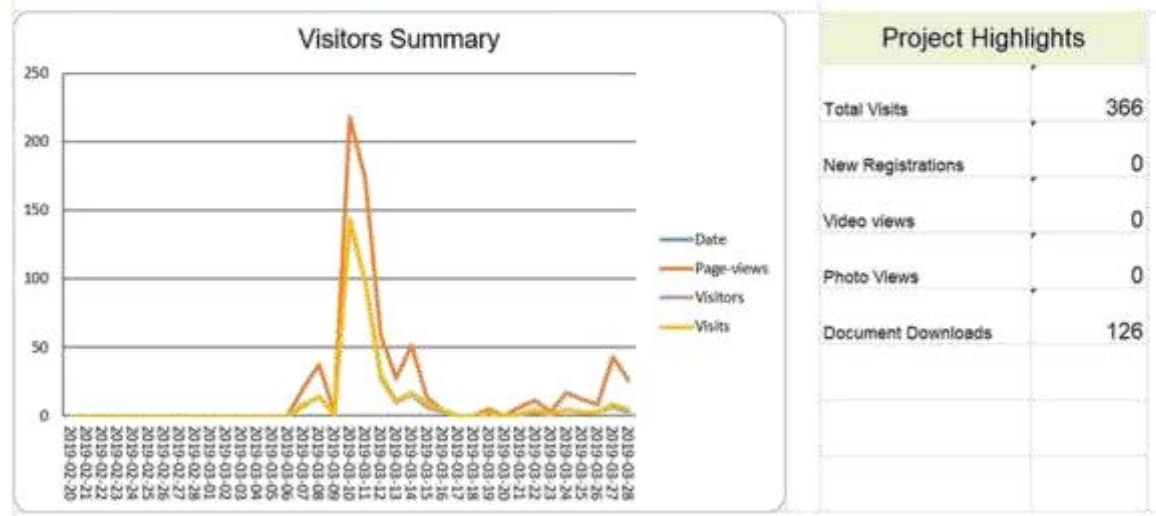
The community consultation was conducted using the IAP2’s Public Participation Spectrum. The spectrum is designed to assist with the selection of the level of participation that defines the public’s role in any community engagement program. This community engagement was conducted using the ‘Inform’ level of participation with the goal being to provide the public with balanced and objective information to assist them in understanding the problem, solution and obligations for use of canoe/kayak pontoons in Redlands.

Consultation was promoted through newspaper advertising, social media, signage at the pontoon and a letterbox drop to immediate neighbours. To encourage participation across all stakeholder groups, a variety of feedback mechanisms were provided, including online (through the yoursay page), in person at Council customer service centres and via email to the corporate email address.

A total of 22 submissions were received.



Summary of Visitors to the Yoursay site



ENGAGED PARTICIPANTS				14		INFORMED PARTICIPANTS		114		AWARE PARTICIPANTS		318	
Engaged Actions Performed	Registered	Unverified	Anonymous	Informed Actions Performed	Participants	Aware Actions Performed	Participants						
Contributed on Forums	0	0	0	Viewed a video	0	Visited at least one Page	318						
Participated in Surveys	0	0	14	Viewed a photo	0								
Contributed to Newsfeeds	0	0	0	Downloaded a document	104								
Participated in Quick Polls	0	0	0	Visited the Key Dates page	3								
Posted on Guestbooks	0	0	0	Visited an FAQ list Page	0								
Contributed to Stories	0	0	0	Visited Instagram Page	0								
Asked Questions	0	0	0	Visited Multiple Project Pages	99								
Placed Pins on Places	0	0	0	Contributed to a tool (engaged)	14								
Contributed to Ideas	0	0	0										

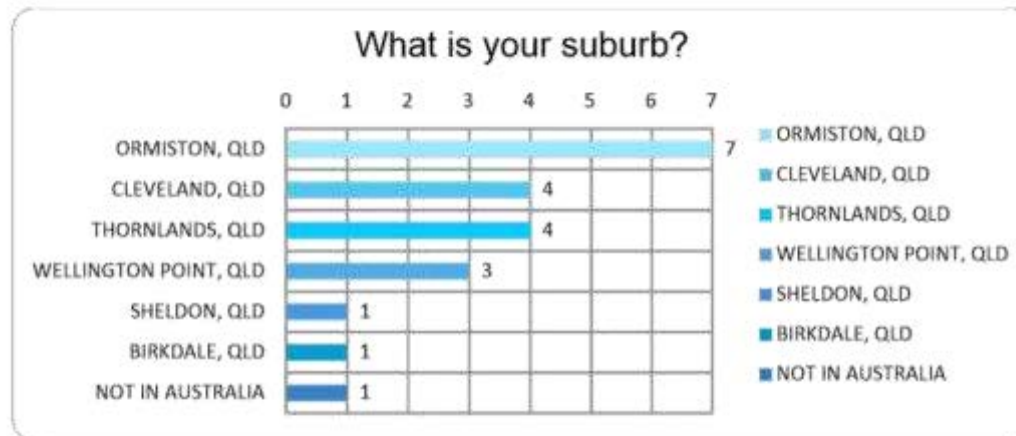
Community Consultation Metrics

Awareness and participation from the community was strong however submission numbers were low. Low submissions with this level of awareness indicate the community was interested in the changes and reasonably happy with the proposed amendments.

Community Consultation Metrics	
Activities Driving Awareness	Metrics
Facebook Post reach (RCC)	7383
Bulletin Advertisement	1
Letterbox drop to neighbouring residents (Councillor Boglary)	50

Community Consultation Metrics	
Participation Activities	
Facebook post shares, likes and reactions (RCC)	56
Yoursay page visits	366
Yoursay documents views and downloads	126
Participants Providing Feedback	
Yoursay contributions	21
Emails	1

Respondents were required to identify themselves for online submissions, the below graphic represents the suburbs that contributors reside in.

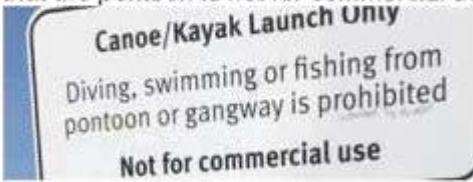


Data Review

The engagement provided the community with the opportunity to provide feedback on the proposed amendments to the local laws. In this case the amendments included:

1. Establishing Prohibitions on the use of canoe/kayak pontoons;
2. Establishing restrictions on the use of canoe/kayak pontoons;
3. Updating the schedule of opening hours of parks and reserves to include canoe/kayak pontoons; and
4. Establish an enforcement provision which allows other than Council officers to move people on from parks and reserves if they are using the areas for other than the intended use.

A summary of that feedback is below.

Facts and Circumstances	Council Response
<i>The amendments make good sense.</i>	<i>No change to local law</i>
<i>I fail to see how prohibited activities F, G, K and O are any more detrimental to health and safety if done at a kayak pontoon than from any other location along a creek, lake or the sea.</i>	<i>No Change. The prohibited activities are in place to ensure the health and safety of pontoon users. These same prohibited activities exists for boat ramps and landings in the Redlands.</i>
<i>The Local Law appears adequate. The issue now is does the Council have the ability to implement the Local Law and manage the facility.</i>	<i>No change. This new provision of the Local Law will be enforced once gazetted</i>
<i>I approve of the amendment. Council needs authority to police the canoe pontoon at Raby Esplanade Park. It has caused a great deal of disturbance to residents with a lot of people using it for swimming and fishing and loud noises at night.</i>	<i>No change. This new provision of the Local Law will be enforced once gazetted</i>
<i>I agree with the proposal. It is vital Council has the authority to enforce its policy of prohibited activities. The pontoon at Raby Esplanade Park is being used extensively for prohibited activities which impacts severely on residents in the area.</i>	<i>No change. This new provision of the Local Law will be enforced once gazetted</i>
<i>What's the point of having a pontoon if you are going to restrict its use to just kayakers/canoe paddlers? Paddlers are happy to share the space as long as their entry and exit points are not obstructed.</i>	<i>No change. The pontoon at Raby Esplanade Park has been purpose built for the use of kayaks and canoes. The restrictions Council has in place are to ensure the unobstructed enjoyment of the facility by those users.</i>
<i>I agree with the amendments. We would have not have agreed for Council to build the pontoon if you were going to allow fishing, swimming, diving, mooring on this pontoon.</i>	<i>No change.</i>
<i>I agree with the amendments. You told us when you built it it was for Canoes and Kayaks only. Were you lying? Why are you asking us again?</i>	<i>No change. The original community consultation undertaken in February 2017 related to the construction of the facility. This engagement is in relation to the local law and the restricted and prohibited activities that apply to the pontoon now that it is constructed.</i>
<i>I agree with the amendments.</i>	<i>No Change</i>
<i>Please clarify "in the water around" on both page 1 and 2. This could be anywhere from the pontoon edge to the next legal boundary on the other side of the canal. You should also include prohibition of commercial activities on and around the pontoon.</i>	<i>No change. Current signage at the pontoon indicates that the pontoon is not for commercial use.</i> 

Facts and Circumstances	Council Response
	<p><i>The language in the water around is used throughout the local law not just in relation to canoe/kayak pontoons. To place a distance in the Local Law may restrict usage of areas where there is no actual impact to the use and enjoyment of the pontoon. The local law provides for response to issues in the event of an obstruction to the use of the pontoon.</i></p>
<p><i>Items (l) and (m) should include the words "except in an emergency"</i></p>	<p><i>No change. Consideration of this will be made at the time an offence is detected.</i></p>
<p><i>I would like to advise that it is good to have a Local Law for the use of the kayak and canoe pontoon at Raby Bay Esplanade but as we live in the area we have continually noticed that there are not many kayak and canoes (we have seen 2) using the pontoon but it is regularly used for fishing and diving and jumping even though there is a sign at the entrance stating these are prohibited.</i></p> <p><i>Will this be policed and infringement notices issued? or will it just be allowed to happen?</i></p> <p><i>We walked past it this morning (Saturday) and there were 2 people fishing off the pontoon and walkway.</i></p>	<p><i>No change. This new provision of the Local Law will be enforced once gazetted</i></p>
<p><i>These laws are essential however signage stating laws is proving ineffective in controlling misuse of Ormiston Canoe/Kayak Launch. More research needs to be done on demographic and location prior to installation of a facility not after to control misuse.</i></p>	<p><i>No change. This new provision of the Local Law will be enforced once gazetted</i></p>
<p><i>What about prohibiting smoking and littering on the pontoon, also it looks as though actually kayaking or canoeing from the pontoon is restricted, what does that mean?</i></p>	<p><i>No Change. The only restriction of canoe or kayak use at the pontoon is if the activity obstructs another person's use of the pontoon. If there is not obstruction than there is no restriction.</i></p>
<p><i>To prevent (if we can) antisocial and dangerous use of the pontoon, a gate could be fitted and locked at sundown and open at sunrise. It should be designed so that while it is effective, it does not look unsightly. Amend the law to prohibit night time use.</i></p>	<p><i>No change. The opening hours of the pontoon are from 4am to 10pm, night time use is prohibited.</i></p>

Other feedback received outside of the question surveyed

The community consultation sought to understand the communities position on the proposed local law changes to *Local Law No. 4 (Local Government Controlled Areas, Facilities and Roads) 2015* and *Subordinate Local Law No. 4 (Local Government Controlled Areas, Facilities and Roads) 2015*. The below feedback was also received during the consultation period, this does not related to the local law amendment but has been recorded and provided to the Marine Infrastructure Asset Management Unit for consideration.

1. *Let kids have fun, jump off & enjoy these platforms. Ensure the water depth at these locations allow this for safety. Help kids get outside enjoying activities instead of sitting behind computers inside, hanging around shopping centres or doing drugs.*
2. *Severely Miss-used asset, could think of plenty of better places for it to have been installed/moved to.*
3. *It is in the wrong spot and no one uses it for its intended purpose and needs it be moved.*
4. *Raby Bay Kayak pontoon is in the wrong place. We pass it often and have not once seen kayaks being used on it, rather boats moored against it or people fishing off it.*
5. *Severely miss-used council asset. Never once seen a kayak on it. Much better places for it to be.*
6. *Never once seen a kayak launched off the Raby Bay Kayak Pontoon, rather people fishing and causing trouble. Please move the pontoon to an alternative location.*
7. *The pontoon is in the wrong location it needs to be moved as soon as possible, it is not being used for its intended use. It is in the wrong spot. Nobody uses it for kayak launching. Move it to the beach beside the VMR base end of Williams street. NOW.*
8. *One question needs answering what is the councils position given the pontoon was not constructed as advertised.*
9. *The pontoon needs a gate to be locked every night to stop people partying, playing loud music and excessive noise and fishing and leaving a mess.*
10. *The pontoon needs a gate to be locked at night time to reduce the misuse.*

Recommendation

Following an analysis of the data received it is recommended that Council adopt the changes to *Local Law No. 4 (Local Government Controlled Areas, Facilities and Roads) 2015* and *Subordinate Local Law No. 4 (Local Government Controlled Areas, Facilities and Roads) 2015*.

Appendix 1 – Facebook Post Data

Post Details
✕

Redland City Council

Published by Jane Dyson [?] · 10 March at 19:30 · 🌐

👍 Like Page

📖 Learn about the new local laws designed to regulate the safe use of kayak and canoe pontoons across Redlands Coast.
To find out more and to have your say visit: redlind.cc/2SN2K31

🍀 **Get more likes, comments and shares**
Boost this post for \$43 to reach up to 22,000 people.

7,383
People reached

681
Engagements

[Boost Post](#)

👤 Craig Russell, Wendy Boglary and 17 others · 23 Comments · 8 shares

👍 Like
💬 Comment
➦ Share
⋮

Performance for your post

7,383 People Reached

56 Reactions, comments & shares

19 👍 Like	19 On post	0 On shares
1 😂 Haha	0 On post	1 On shares
27 Comments	24 On Post	3 On Shares
9 Shares	8 On Post	1 On Shares

625 Post Clicks

40 Photo views	233 Link clicks	352 Other Clicks
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NEGATIVE FEEDBACK

4 Hide Post	0 Hide All Posts
0 Report as Spam	0 Unlike Page

Reported stats may be delayed from what appears on posts

Appendix 2 - Photographs of Prohibited and Restricted Activities taking place at Pontoon



Jumping and Diving



Riding Bikes



Mooring Boats

Fishing



Rope Swing





Redland City Council

**Local Law No. 4 (Local Government
Controlled Areas, Facilities and Roads)
2015**

It is hereby certified that this a true and correct copy of Local Law No. 4 (Local Government Controlled Areas, Facilities and Roads) 2015 made, in accordance with the Local Government Act 2009, by the Council of the City of Redland, by resolution dated 3 April 2019.

A. Chesterman
Chief Executive Officer



Redland City Council

Local Law No. 4 (Local Government Controlled Areas, Facilities and Roads) 2015

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Part 1 Preliminary

1 Short title

This local law may be cited as *Local Law No. 4 (Local Government Controlled Areas, Facilities and Roads) 2015*.

2 Purpose and how it is to be achieved

- (1) The purpose of this local law is to—
 - (a) protect the health and safety of persons using local government controlled land, facilities, infrastructure and roads; and
 - (b) preserve features of the natural and built environment and other aspects of the amenity of local government controlled land, facilities, infrastructure and roads.
- (2) The purpose is to be achieved by providing for—
 - (a) the regulation of access to local government controlled areas; and
 - (b) the prohibition or restriction of particular activities on local government controlled areas or roads; and
 - (c) miscellaneous matters affecting roads.

3 Definitions—the dictionary

The dictionary in the schedule defines particular words used in this local law.

4 Relationship with other laws¹

This local law is—

- (a) in addition to and does not derogate from laws² regulating the use of trust land and roads; and
- (b) to be read with *Local Law No. 1 (Administration) 2015*.

¹ This local law and any subordinate local law made under it do not apply to the extent of any inconsistency with a law of the State or the Commonwealth. See the Act, section 27.

² Other legislation that may be relevant in the application of this local law includes the *Land Act 1994*, the *Land Regulation 2009* and the *Land Protection (Pest and Stock Route Management) Act 2002*.

Part 2 Use of local government controlled areas, facilities and roads³

5 Prohibited and restricted activities

- (1) The local government may, under a subordinate local law, declare an activity to be—
- (a) prohibited in a local government controlled area or road (a *prohibited activity*); or
 - (b) restricted in a local government controlled area or road (a *restricted activity*).

Example for paragraph (a)—

The local government may declare that the lighting of fires is a prohibited activity in all local government controlled areas, in a particular local government controlled area or in a part of a local government controlled area.

Example for paragraph (b)—

The local government may declare that the playing of sport generally, or the playing of certain sports, is a restricted activity in that it is restricted to particular times of the day, week, month or year in all local government controlled areas, in a particular local government controlled area or in a part of a local government controlled area.

- (2) The local government must take reasonable steps to provide notice to members of the public regarding restricted activities declared for local government controlled areas or roads.
- (3) In this section—
- reasonable steps* may include the display of a notice at a prominent place within each local government controlled area for which a declaration under subsection (1)(b) has been made, stating—
- (a) if the declaration relates to the whole area—the restricted activities for the area; and
 - (b) if the declaration relates to a part of the area—the restricted activities and a description of the part of the area to which the declaration applies; and
 - (c) in general terms, the provisions of subsection (4).
- (4) A person must not engage in a prohibited activity or a restricted activity.
- Maximum penalty—20 penalty units

6 Motor vehicle access to local government controlled areas

- (1) A motor vehicle access area is an area within a local government controlled area that is—

³ *Local Law No. 1 (Administration) 2015* deals with activities on local government controlled areas and roads that require the local government's approval, such as commercial use of local government controlled areas and roads, alterations or improvements to local government controlled areas, and other miscellaneous regulated activities.

- (a) a car park or roadway for which there is no sign or traffic control device indicating that vehicles owned by members of the public are excluded; or
 - (b) declared under a subordinate local law for this paragraph as a motor vehicle access area.
- (2) For the purposes of *Local Law No.1 (Administration) 2015*, section 5(b), it is a prescribed activity⁴ to bring a motor vehicle onto or drive a motor vehicle on any part of a local government controlled area that is not a motor vehicle access area.
- (3) The local government may, by subordinate local law, declare a specific type of motor vehicle (a *prohibited vehicle*) as prohibited in a specified motor vehicle access area.
- (4) For the purposes of *Local Law No.1 (Administration) 2015*, section 5(b), it is a prescribed activity⁵ to bring a prohibited vehicle onto or drive a prohibited vehicle on the specified motor vehicle access area.
- (5) However, subsections (2) and (4) do not apply for an emergency vehicle.
- (6) The local government must take reasonable steps to provide notice to members of the public regarding—
- (a) declarations of motor vehicle access areas under subsection (1)(b); and
 - (b) declarations of prohibited vehicles under subsection (3).
- (7) In this section—
- emergency vehicle* includes the following—
- (a) an ambulance;
 - (b) a fire-appliance;
 - (c) a police vehicle;
 - (d) another vehicle, including a tow truck, helicopter or mobile crane, if used in circumstances of an emergency.
- reasonable steps* include, as a minimum, the display of a notice at a prominent place within each declared motor vehicle access area stating—
- (a) a description of the declared motor vehicle access area; and
 - (b) a description of prohibited vehicles for the area; and
 - (c) in general terms, the provisions of subsections (2) and (4).

7 Opening hours of local government controlled areas

- (1) The local government may, by subordinate local law, declare the times when a

⁴ *Local Law No.1 (Administration) 2015*, section 6, creates an offence for a person to undertake a prescribed activity without a current approval granted by the local government. Section 7 requires that the approval be obtained under part 2 of that local law.

⁵ See footnote 3.

local government controlled area is open to the public (the *opening hours*).

- (2) A person must not enter or remain in a local government controlled area outside the opening hours unless the person is authorised to do so by the chief executive officer⁶.

Maximum penalty for subsection (2)—20 penalty units.

- (3) If the local government declares the opening hours for a local government controlled area under subsection (1), it must place a notice showing the opening hours at each public entrance to the area.

8 Power of closure of local government controlled areas

- (1) The local government may, by resolution, temporarily close a local government controlled area to public access—
- (a) to carry out construction, maintenance, repair or restoration work; or
 - (b) to protect the health and safety of a person or the security of a person's property; or
 - (c) because of a fire or other natural disaster; or
 - (d) to conserve or protect the cultural or natural resources of the area or native wildlife.
- (2) A resolution under subsection (1)—
- (a) must state a period, not greater than 6 months, during which the area will be closed; and
 - (b) must be revoked by the local government as soon as practicable after the local government becomes satisfied that the reason for making the resolution no longer exists.
- (3) The local government may, by subordinate local law, permanently close a local government controlled area to public access for any of the following reasons—
- (a) the conservation of the cultural or natural resources of the area, including, for example—
 - (i) to protect significant cultural or natural resources; or
 - (ii) to enable the restoration or rehabilitation of the area; or
 - (iii) to protect a breeding area for native wildlife; or
 - (iv) to manage a significant Aboriginal area in the area in a way that is consistent with Aboriginal tradition; or
 - (v) to manage a significant Torres Strait Islander area in the area in a way that is consistent with Island custom;
 - (b) protection of the health and safety of members of the public;
 - (c) protection of a facility or service in the area, including, for example, infrastructure, water supply facilities or power generating equipment;

⁶ See definition of *chief executive officer* in the Act, schedule 4.

- (d) protection of the amenity of an area adjacent to the area;
 - (e) the orderly or proper management of the area.
- (4) If the local government closes a local government controlled area under subsections (1) or (3), it must place at each public entrance to the area a notice of the closure, including a statement of the duration of the closure.

Example—

If the local government closes an area that is part of a wider local government controlled area, it must place notices at each public entrance to the closed area.

- (5) A person must not enter or remain in a local government controlled area while it is closed to public access under this section, unless the person is authorised to do so by the chief executive officer.

Maximum penalty for subsection (5)—20 penalty units.

- (6) In this section—

significant Aboriginal area see the *Aboriginal Cultural Heritage Act 2003*, section 9.

significant Torres Strait Islander area see the *Torres Strait Islander Cultural Heritage Act 2003*, section 9.

Part 3 Matters affecting roads

9 Power to require owner of land adjoining road to fence land

- (1) This section applies if, in the local government's opinion, it is necessary for land adjoining a road to be fenced to prevent the risk of—
- (a) animals escaping from the land onto the road; or
 - (b) interference with the safe movement of traffic or the safe use of the road.
- (2) The local government may, by giving a compliance notice⁷ to the owner—
- (a) if the land is not currently fenced—require the owner to fence the land; or
 - (b) if a current fence on the land is in disrepair—require the owner to repair or replace the fence.
- (3) The local government may, by subordinate local law, set out the minimum standards with which the fence must comply.
- (4) In this section—

animal does not include a native animal, feral animal or pest animal.

feral animal see *Animal Care and Protection Act 2001*, section 42.

pest animal see *Animal Care and Protection Act 2001*, section 42.

⁷ See *Local Law No.1 (Administration) 2015*, section 28, regarding the requirements for compliance notices.

10 Numbering of premises and allotments adjoining a road⁸

- (1) An owner of land must not adopt a number for a building or allotment that is inconsistent with a numbering system adopted by the local government under this section.
Maximum penalty for subsection (1)—10 penalty units.
- (2) An owner of land (other than vacant land) must display the number allocated so as to be easily identified from the adjoining road.
Maximum penalty for subsection (2)—10 penalty units.

11 Compliance notice about a road or footpath crossing

The local government may give a compliance notice to—

- (a) the owner of land adjoining or adjacent to a road to perform work on the land or the road if the work to be carried out is required as a direct result of the actions of the owner or occupier of the land or will confer a direct benefit on the owner or occupier and, in the opinion of an authorised person, the work should be performed to—
- (i) protect public health, safety or amenity; or
 - (ii) prevent environmental harm or environmental nuisance; or
 - (iii) prevent interference with the safe movement of traffic or the safe use of a road; or
- (b) the owner of land adjoining or adjacent to a road to—
- (i) construct a vehicle crossing to provide vehicular access between the road and the land to a standard specified by the local government in the compliance notice; or
 - (ii) maintain or repair a vehicle crossing which provides vehicular access between the road and the land to a standard specified by the local government in the compliance notice if, in the opinion of an authorised person, the vehicle crossing—
 - (A) is not effective for its intended purpose; or
 - (B) is causing a nuisance or poses a risk of a nuisance; or
 - (C) constitutes an actual or potential safety hazard; or
 - (iii) alter a vehicle crossing, or construct a new or modified vehicle crossing to a standard specified by the local government in the compliance notice if, in the opinion of an authorised person, the vehicle crossing is no longer adequate having regard to—
 - (A) the volume or nature of traffic using the vehicle crossing; or
 - (B) the manner in which the vehicle crossing is used by traffic; or

⁸ See the Act, section 60, regarding control of roads by a local government.

- (C) changes in the use of the land to which the vehicle crossing provides access; or
- (D) changes in the usual or expected standard of vehicle crossing provision in the relevant locality.

Part 4 Enforcement

12 Compliance directions

- (1) If a person engages in conduct that is, or is preparatory to, a contravention of this local law, an authorised person may orally direct the person to do 1 or more of the following—
 - (a) stop the conduct;
 - (b) take specified action to remedy the contravention.
- (2) A person must comply with a direction given under subsection (1), unless the person has a reasonable excuse.
Maximum penalty—50 penalty units.

Part 5 Miscellaneous

13 Subordinate local laws

The local government may make subordinate local laws about—

- (a) the declaration of prohibited activities or restricted activities;⁹ or
- (b) the declaration of motor vehicle access areas;¹⁰ or
- (c) the declaration of prohibited vehicles;¹¹ or
- (d) the opening hours for a local government controlled area;¹² or
- (e) closing a local government controlled area to public access;¹³ or
- (f) minimum standards for fences on land adjoining a road.¹⁴

⁹ See section 5(1).

¹⁰ See section 6(1).

¹¹ See section 6(3).

¹² See section 7(1).

¹³ See section 8(3).

¹⁴ See section 9(3).

Schedule Dictionary

Section 3

environmental nuisance see *Environmental Protection Act 1994*, schedule 4.

land see *Local Government Act 2009*, schedule 4.

local government controlled area see *Local Law No.1 (Administration) 2015*, schedule 1.

occupier see *Local Government Act 2009*, schedule 4.

owner see *Local Government Act 2009*, schedule 4.

road see *Local Law No.1 (Administration) 2015*, schedule 1.

vehicle crossing means facilities provided for the purpose of vehicles making entry or exit at, or substantially at, right angles between a road and land adjoining or adjacent to the road and may include an invert, pipe or driveway at, or adjacent to, the boundary of the land.



**Amending Local Law No. 3
(Local Law No. 4 (Local Government
Controlled Areas, Facilities and Roads)
2015) 2019**

*It is hereby certified that this a true and correct copy of Amending
Local Law No. 3 (Local Law No. 4 (Local Government Controlled Areas, Facilities and Roads) 2015) 2019
made, in accordance with the Local Government Act 2009, by the Council of the City of Redland,
by resolution dated 3 April 2019*

A. Chesterman
Chief Executive Officer



Redland City Council

Amending Local Law No. 3 (Local Law No. 4 (Local Government Controlled Areas, Facilities and Roads) 2015) 2019

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Redland City Council
Amending Local Law No. 3
(Local Law No. 4 (Local Government Controlled Areas, Facilities and Roads) 2015) 2019

**Redland City Council
Amending Local Law No. 3 (Local Law No. 4 (Local
Government Controlled Areas, Facilities and Roads) 2015)
2019**

Part 1 Preliminary

1 Short title

This amending local law may be cited as *Amending Local Law No. 3 (Local Law No. 4 (Local Government Controlled Areas, Facilities and Roads) 2015) 2019*.

2 Object

The object of this amending local law is to amend *Local Law No. 4 (Local Government Controlled Areas, Facilities and Roads) 2015* to allow an authorised person to give a compliance direction to a person who contravenes, or prepares to contravene, *Local Law No. 4 (Local Government Controlled Areas, Facilities and Roads) 2015*.

3 Commencement

This amending local law commences on the date of publication of the notice of the making of *Amending Local Law No. 3 (Local Law No. 4 (Local Government Controlled Areas, Facilities and Roads) 2015) 2019* in the gazette.

**Part 2 Amendment of Local Law No. 4 (Local
Government Controlled Areas, Facilities and
Roads) 2015**

4 Local Law amended

This part amends the *Local Law No. 4 (Local Government Controlled Areas, Facilities and Roads) 2015*.

5 Amendment of pt 2 (Use of local government controlled areas, facilities and roads)

- (1) Section 6 (7) (b), 'fire engine' —

omit, insert—

fire appliance

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 Redland City Council
 Amending Local Law No. 3
 (Local Law No. 4 (Local Government Controlled Areas, Facilities and Roads) 2015) 2019

6 Renumbering of pt 4 (Miscellaneous) and s 12 (Subordinate local laws)

- (1) Part 4—
renumber as part 5.
- (2) Section 12—
renumber as section 13.

7 Insertion of new pt 4 (Enforcement)

- (1) After section 11—
insert—

Part 4 Enforcement

12 Compliance directions

- (1) If a person engages in conduct that is, or is preparatory to, a contravention of this local law, an authorised person may orally direct the person to do 1 or more of the following—
- (a) stop the conduct;
- (b) take specified action to remedy the contravention.
- (2) A person must comply with a direction given under subsection (1), unless the person has reasonable excuse.

Maximum penalty—50 units.



Redland City Council

Subordinate Local Law No. 4 (Local Government Controlled Areas, Facilities and Roads) 2015

It is hereby certified that this a true and correct copy of *Subordinate Local Law No. 4 (Local Government Controlled Areas, Facilities and Roads) 2015* made, in accordance with the *Local Government Act 2009*, by the Council of the City of Redland, by resolution dated 3 April 2019.

A. Chesterman
Chief Executive Officer

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Redland City Council

Subordinate Local Law No. 4 (Local Government Controlled Areas, Facilities and Roads) 2015

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Part 1 Preliminary

1 Short title

This subordinate local law may be cited as *Subordinate Local Law No. 4 (Local Government Controlled Areas, Facilities and Roads) 2015*.

2 Purpose and how it is to be achieved

- (1) The purpose of this subordinate local law is to supplement *Local Law No.4 (Local Government Controlled Areas, Facilities and Roads) 2015* in order to protect the health and safety of persons using local government controlled land, facilities, infrastructure and roads and preserve features of the natural and built environment and other aspects of the amenity of local government controlled land, facilities, infrastructure and roads.
- (2) The purpose is to be achieved by providing for—
 - (a) the regulation of access to local government controlled areas; and
 - (b) the prohibition or restriction of particular activities in local government controlled areas or roads.

3 Authorising local law

The making of the provisions in this subordinate local law is authorised by *Local Law No.4 (Local Government Controlled Areas, Facilities and Roads) 2015* (the *authorising local law*).

4 Definitions

- (1) Particular words used in this subordinate local law have the same meaning as provided for in the authorising local law.
- (2) The dictionary in schedule 7 defines particular words used in this subordinate local law.

Part 2 Use of local government controlled areas, facilities and roads

5 Prohibited and restricted activities—Authorising local law, s 5(1)

- (1) For section 5(1)(a) of the authorising local law, the activities prescribed in column 2 of schedule 1 are declared to be prohibited in the corresponding local government controlled area or road (or part thereof) mentioned in column 1 of schedule 1.
- (2) For section 5(1)(b) of the authorising local law, the activities prescribed in column 2 of schedule 2 are declared to be restricted in the corresponding local government controlled area or road (or part thereof) mentioned in column 1 of schedule 2, to the extent described in column 3 of schedule 2.

- 6 Motor vehicle access in local government controlled areas—Authorising local law, s 6(1)(b)**
For section 6(1)(b) of the authorising local law, the areas prescribed in column 1 of schedule 3 are declared to be motor vehicle access areas.
- 7 Prohibited vehicles—Authorising local law, s 6(3)**
For section 6(3) of the authorising local law, the specific types of motor vehicle prescribed in column 2 of schedule 3 are declared to be prohibited vehicles in the corresponding specified motor vehicle access area in column 1 of schedule 3.
- 8 Opening hours for local government controlled areas—Authorising local law, s 7(1)**
- (1) For section 7(1) of the authorising local law, the times prescribed in column 2 of schedule 4 are declared to be the opening hours for the local government controlled areas mentioned in column 1 of schedule 4.
 - (2) However, the local government may, from time to time, by resolution, declare other times when a local government controlled area is open to the public.
- 9 Permanent closure of local government controlled area—Authorising local law, s 8(3)**
For section 8(3) of the authorising local law, the local government controlled areas described in schedule 5 are permanently closed to public access.

Part 3 Matters affecting roads

- 10 Notice requiring owner of land adjoining road to fence land—Authorising local law, s 9(3)**
For section 9(3) of the authorising local law, the minimum standards for a fence that is the subject of a compliance notice under section 9(2) of the authorising local law are as follows—
- (a) the fence must be constructed of materials which are of sufficient strength to—
 - (i) restrain the types of animals to be contained in the area adjacent to the fence; and
 - (ii) stop the animals from escaping over, under or through the fence; and
 - (b) the height of the fence must be sufficient to restrain the types of animals to be contained in the area adjacent to the fence from jumping or climbing over the fence; and
 - (c) if an animal to be contained in the area adjacent to the fence has the ability to dig — the fence must include a barrier installed directly below the fence to prevent the animal digging its way underneath the fence; and

*Redland City Council Subordinate Local Law No. 4 (Local Government Controlled Areas,
Facilities and Roads) 2015*

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- (d) if the fence includes a gate — the gate must be kept closed and latched except when in immediate use by a person entering or leaving the area adjacent to the fence.

Schedule 1 Prohibited activities for local government controlled areas or roads

Section 5(1)

	<p align="center">Column 1 Local government controlled area or road</p>	<p align="center">Column 2 Prohibited activity</p>
<p>1</p>	<p>All local government controlled areas within the local government area</p>	<ul style="list-style-type: none"> (a) Riotous, disorderly, indecent, offensive, threatening or insulting behaviour; (b) Carrying or displaying a placard or other sign bearing an offensive or threatening message or image; (c) Injuring, misusing, defacing, marking or otherwise damaging a building or structure; (d) Entering or interfering with a building or structure associated with the water supply system, stormwater drain system or sewerage system of the local government unless the person entering or interfering with the building or structure is an emergency services officer entering or interfering with the building or structure in the course of his or her duties as an emergency services officer; (e) Camping, sleeping, occupying or remaining overnight unless the local government controlled area is a park or reserve; (f) Parking or standing a vehicle bearing a sign or advertisement that the vehicle is offered for sale or hire; (g) Parking or leave standing, an unregistered vehicle.

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	Column 1 Local government controlled area or road	Column 2 Prohibited activity
2	All roads within the local government area	<ul style="list-style-type: none"> (a) Painting an object other than a vehicle in, on or over a road; (b) Repairing, altering or carrying out maintenance on an object other than a vehicle in, on or over a road; (c) Intentionally or negligently damaging a road or a structure associated with a road; (d) Creating a nuisance on a road; (e) Camping, sleeping, occupying or remaining overnight in a vehicle stopped on a footpath, shared path, water-channel or gutter; (f) Parking or standing a vehicle bearing a sign or advertisement that the vehicle is offered for sale or hire; (g) Parking or leave standing, an unregistered vehicle.
3	All off-street regulated parking areas within the local government area as declared in section 6 of <i>Local Law No. 5 (Parking) 2015</i>	Parking or leave standing, an unregistered vehicle.
4	All local government cemeteries within the local government area	<ul style="list-style-type: none"> (a) Interfering with a funeral or commemorative service lawfully conducted in a local government cemetery; (b) Distributing or putting up any handbill, card, circular or advertisement; (c) Interfering with any tree, shrub or plant; (d) Discharging a firearm, except at a military or police funeral or other recognised type of funeral service ordinarily involving such discharge; (e) Damaging or disturbing or interfering with any memorial,

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	<p align="center">Column 1 Local government controlled area or road</p>	<p align="center">Column 2 Prohibited activity</p>
		<p>inscription plaque, epitaph or inscription, or any flowers or tokens placed on or adjacent to a grave or niche;</p> <p>(f) Riding or driving or permitting to be ridden or driven, any vehicle of any description or any horse otherwise than on a paved roadway or path;</p> <p>(g) Engaging in conduct which is dangerous or creates a risk to the safety of members of the public;</p> <p>(h) Deliberately or recklessly damaging or destroying any building, fence, structure, improvement or other property;</p> <p>(i) Bringing an animal into or allowing an animal to be within a local government cemetery other than—</p> <p style="padding-left: 20px;">(i) for the purposes of a funeral or commemorative service; or</p> <p style="padding-left: 20px;">(ii) a dog which is under effective control as defined in section 11 of <i>Local Law No. 2 (Animal Management) 2015</i>;</p> <p>(j) Entering or being within a local government cemetery except for the purpose of—</p> <p style="padding-left: 20px;">(i) visiting a grave, memorial or interment site; or</p> <p style="padding-left: 20px;">(ii) attending a funeral; or</p> <p style="padding-left: 20px;">(iii) maintaining or repairing a grave, memorial or interment site in accordance with a written authorisation of the chief executive officer;</p> <p>(k) Taking part in any meeting other than a meeting of a religious or commemorative nature.</p>

	<p align="center">Column 1 Local government controlled area or road</p>	<p align="center">Column 2 Prohibited activity</p>
<p>5</p>	<p>All parks and reserves within the local government area</p>	<ul style="list-style-type: none"> (a) Damaging or interfering with vegetation; (b) Discharging or carrying a firearm or other weapon or any kind of explosive device; (c) Throwing a stone, projectile or other missile; (d) Using or carrying a trap, snare or net; (e) Hitting a golf ball; (f) Behaving in a riotous disorderly, indecent, offensive, threatening or insulting manner; (g) Carrying out an activity or behaving in a manner reasonably likely to injure, endanger, obstruct, inconvenience or cause fear, a nuisance or excessive annoyance to another person; (h) Interfering with a plant or any turf, sand, clay, soil or other material; (i) Interfering with any facility or equipment located at the park or reserve; (j) Disposing of any waste of any kind other than in a waste container provided for that purpose; (k) Depositing, storing or abandoning any goods; (l) Bathing in any ornamental pond or lake; (m) Using a boat, canoe, craft, surf ski, surf board or other recreational floating device in an ornamental pond or lake;

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	<p>Column 1 Local government controlled area or road</p>	<p>Column 2 Prohibited activity</p>
		<ul style="list-style-type: none"> (n) Any activity which fouls, litters, pollutes or interferes with a park or reserve or a facility in a park or reserve; (o) Permitting or allowing a water tap in a park or reserve to run water to waste; (p) Removing any timber or wood provided by the local government for use as firewood; (q) Propagating or cultivating any plant, vegetation or vegetative matter; (r) Park or leave standing, a motor vehicle overnight or at any time outside of the opening hours specified in schedule 4 (Opening hours for local government controlled areas) for parks and reserves; (s) Park or leave standing, a motor vehicle if the person is not a bona fide user of the park or reserve; (t) Use a road within a park or reserve for the sole purpose of a thoroughfare, rather than as a means of access to or from the park or reserve as a bona fide user.
<p>6</p>	<p>All local government accommodation parks within the local government area</p>	<ul style="list-style-type: none"> (a) Disposing of liquid waste other than at a drainage point provided for that purpose; (b) Disposing of waste other than in a waste container provided for that purpose; (c) Using facilities in a way that makes them unclean or insanitary; (d) Behaving in a riotous disorderly, indecent, offensive, threatening or insulting manner; (e) Carrying out an activity or behaving in a manner reasonably likely to injure, endanger,

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	<p align="center">Column 1 Local government controlled area or road</p>	<p align="center">Column 2 Prohibited activity</p>
		<p>obstruct, inconvenience or cause fear or excessive annoyance to another person;</p> <p>(f) Interfering with a plant or any turf, sand, clay, soil or other material;</p> <p>(g) Interfering with any facility or equipment located at the local government caravan park.</p>
<p>7</p>	<p>The boat ramps and landings within the local government area identified in schedule 6</p>	<p>(a) Carrying out maintenance or repairs to a ship on a boat ramp;</p> <p>(b) Carrying out maintenance or repairs to a ship in the water around a boat ramp or landing unless the person has a reasonable excuse;</p> <p>(c) Wilfully breaking, destroying, damaging, defacing, disfiguring or writing upon a boat ramp, landing or a notice erected or displayed by the local government at a boat ramp or landing;</p> <p>(d) Wilfully damaging any lighting upon a boat ramp or a landing;</p> <p>(e) Riding an animal on a boat ramp or a landing;</p> <p>(f) Carrying a loaded or cocked spear gun on a boat ramp or a landing;</p> <p>(g) Lighting a fire on a boat ramp or a landing, whether in a container or otherwise;</p> <p>(h) Diving off a boat ramp or a landing;</p> <p>(i) A person causing themselves or any other person or object to fall or be projected into waters surrounding a boat ramp or a landing;</p> <p>(j) Obstructing another person's use of a boat ramp or landing;</p> <p>(k) Using a boat ramp or landing in a</p>

	<p align="center">Column 1 Local government controlled area or road</p>	<p align="center">Column 2 Prohibited activity</p>
		<p>manner which is inconsistent with —</p> <ul style="list-style-type: none"> (i) the safe, secure and efficient operation of the boat ramp or landing; or (ii) the protection of the environment at the boat ramp or landing; or (iii) the maintenance or improvement of the convenience of users of the boat ramp or landing; <ul style="list-style-type: none"> (l) Cleaning or gutting fish or other marine life; (m) Casting or discharging, or causing to be cast or discharged, any material, object or substance from a boat ramp or landing; (n) Occupying a ship or mooring a ship at a boat ramp or landing for the purpose of habitation; (o) While involved in the use of a ship at a boat ramp or landing, casting or discharging, or causing to be cast or discharged, from the ship, any material, object or substance into the waters surrounding the ship; (p) Mooring a ship at a boat ramp or landing except to a bollard or other fastening appliance that is provided for that purpose at the boat ramp or landing; (q) Mooring a ship to any steps or landing place for passengers or cargo at a boat ramp or landing; (r) Permitting a ship to lie alongside a boat ramp or landing, unless it is properly moored; (s) Placing or mooring a ship in the approach fairway to a boat ramp or landing; (t) If a ship is moored at a boat ramp

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	<p align="center">Column 1 Local government controlled area or road</p>	<p align="center">Column 2 Prohibited activity</p>
		<p>or landing—allowing the ship to lie alongside, or remain attached to, the boat ramp or landing, except for the purpose of embarking or disembarking passengers or crew, or loading or unloading cargo, stores or goods from the boat ramp or landing;</p> <p>(u) Operating a ship in a manner that obstructs or interferes with the use of a boat ramp or landing by another ship;</p> <p>(v) If the boat ramp or landing is used by a ship (a <i>ferry service ship</i>) for the purposes of a ferry service—mooring, or allowing a ship to lie alongside the boat ramp or landing in a manner that obstructs or interferes with the use of the boat ramp or landing by a ferry service ship used in the operation of the ferry service.</p>
<p>8</p>	<p>The canoe/kayak pontoons within the local government area identified in schedule 6</p>	<p>(a) Breaking, destroying, damaging, defacing, disfiguring, removing or writing on a canoe/kayak pontoon or a notice erected or displayed by the local government at a canoe/kayak pontoon;</p> <p>(b) Damaging any lighting on a canoe/kayak pontoon;</p> <p>(c) Riding an animal on a canoe/kayak pontoon;</p> <p>(d) Carrying a loaded or cocked spear gun on a canoe/kayak pontoon;</p> <p>(e) Lighting a fire on a canoe/kayak pontoon, whether in a container or otherwise;</p> <p>(f) Diving or jumping off a canoe/kayak pontoon or infrastructure attached to a canoe/kayak pontoon;</p> <p>(g) A person causing themselves or any other person or object to fall or be projected into waters</p>

	<p align="center">Column 1 Local government controlled area or road</p>	<p align="center">Column 2 Prohibited activity</p>
		<p>surrounding a canoe/kayak pontoon;</p> <p>(h) Obstructing another person's use of a canoe/kayak pontoon;</p> <p>(i) Using a canoe/kayak pontoon in a manner that is inconsistent with —</p> <p style="padding-left: 20px;">(i) the safe, secure and efficient operation of the canoe/kayak pontoon; or</p> <p style="padding-left: 20px;">(ii) the protection of the environment at the canoe/kayak pontoon; or</p> <p style="padding-left: 20px;">(iii) the maintenance or improvement of the convenience of users of the canoe/kayak pontoon;</p> <p>(j) Cleaning or gutting fish or other marine life;</p> <p>(k) Casting or discharging, or causing to be cast or discharged, any material, object or substance from a canoe/kayak pontoon;</p> <p>(l) Anchoring, mooring, placing, launching, using, maintaining, repairing or operating a ship, motorised aquatic equipment or non-motorised aquatic equipment, other than a canoe or kayak, in the water around, at or from a canoe/kayak pontoon;</p> <p>(m) Operating a canoe or kayak in a manner that obstructs or interferes with the use of a canoe/kayak pontoon by another user of the canoe/kayak pontoon;</p> <p>(n) Driving, standing, parking or bringing a vehicle onto a canoe/kayak pontoon;</p> <p>(o) Fishing, using a cast net or other bait catching devices or using a crab pot or other device for catching a crustacean on a</p>

	<p align="center">Column 1 Local government controlled area or road</p>	<p align="center">Column 2 Prohibited activity</p>
		<p>canoe/kayak pontoon;</p> <p>(p) Attaching or affixing, whether temporary or permanent, a rope swing, ladder or the like to a canoe/kayak pontoon.</p>
<p>9</p>	<p>All local government swimming pools within the local government area, including each local government swimming pool identified in schedule 6</p>	<p>(a) Bringing any glass or any item made from glass onto the pool deck surrounding the swimming pool or into the swimming pool;</p> <p>(b) Engaging in conduct which is dangerous or which creates a risk to the safety of other users of the swimming pool;</p> <p>(c) Causing wilful damage to the swimming pool or any facilities at the swimming pool;</p> <p>(d) Behaving in a way that endangers the safety of, or causes a nuisance to, other users of the swimming pool;</p> <p>(e) If a person is more than 5 years of age — entering any part of the swimming pool which is set apart for the exclusive use of the opposite sex, other than for the purpose of rendering emergency assistance;</p> <p>(f) Entering the land on which the swimming pool is located whilst intoxicated or under the influence of a stupefying drug;</p> <p>(g) Entering the swimming pool whilst carrying or having possession of any alcohol or a stupefying drug;</p> <p>(h) Disposing of waste other than in a waste container provided by the local government for the purpose of the collection of waste;</p> <p>(i) Entering the water in the swimming pool if the person has an infectious or contagious</p>

	<p align="center">Column 1 Local government controlled area or road</p>	<p align="center">Column 2 Prohibited activity</p>
		<p>disease or illness or a skin complaint;</p> <p>(j) Interfering with the property of another person on the land on which the swimming pool is located other than with the consent of the other person;</p> <p>(k) Entering the land on which the swimming pool is located unless the person has paid the entrance fee prescribed by the local government from time to time for entry to the swimming pool;</p> <p>(l) Using a season ticket for the swimming pool otherwise than in accordance with the rules of the local government for the use of a season ticket for the swimming pool;</p> <p>(m) Behaving in a threatening, abusive or insulting manner to another person at the swimming pool;</p> <p>(n) Leaving a child or children under the age of 10 at the land on which the swimming pool is located otherwise than under the direct supervision of a person who is a parent or guardian of the child or children and at least 16.</p>
<p>10</p>	<p>All local government offices, libraries and depots within the local government area</p>	<p>(a) Obstructing or interfering with a person who is a local government employee or a contractor of the local government in the performance of the duties to be performed by the person at the local government controlled area;</p> <p>(b) Disposing of waste other than in a waste container provided for that purpose;</p> <p>(c) Using facilities in a way that makes them unclean or insanitary;</p> <p>(d) Behaving in a riotous, disorderly, indecent, offensive, threatening or</p>

	<p align="center">Column 1 Local government controlled area or road</p>	<p align="center">Column 2 Prohibited activity</p>
		<p>insulting manner;</p> <p>(e) Carrying out an activity or behaving in a manner reasonably likely to injure, endanger, obstruct, inconvenience or cause fear or excessive annoyance to another person;</p> <p>(f) Interfering with any facility or equipment located at the local government controlled area;</p> <p>(g) Depositing, storing or abandoning any goods;</p> <p>(h) Any activity which fouls, litters, pollutes or interferes with the local government controlled area or a facility in the local government controlled area;</p> <p>(i) Wilfully breaking, destroying, damaging, defacing, disfiguring or writing upon any part of the local government controlled area or a notice erected or displayed by the local government at the local government controlled area;</p> <p>(j) Using any part of the local government controlled area in a manner which is inconsistent with—</p> <p>(i) the safe, secure and efficient operation of the local government controlled area; or</p> <p>(ii) the maintenance or improvement of the convenience of users of the local government controlled area.</p>
<p>11</p>	<p>Footpaths on roads as follows—</p> <p>(a) the footpath on either side of each road within the Cleveland Central Business District bounded by, and including, each of Wynyard, Shore, Waterloo</p>	<p>Riding a bicycle, wheeled recreational device or wheeled toy, as defined in the <i>Transport Operations (Road Use Management) Act 1995</i>.</p>

	Column 1 Local government controlled area or road	Column 2 Prohibited activity
	<p>and Queen Streets;</p> <p>(b) the footpath commonly known as Capalaba Place between Noeleen Street and Capalaba Central Shopping Centre;</p> <p>(c) the footpath on either side of Main Road, Wellington Point, from the intersection with Apsley Street to the intersection with Douro Road.</p>	
12	The public transport waiting points at each boat ramp and landing within the local government area identified in schedule 6	<p>(a) Smoking;</p> <p>(b) Fishing;</p> <p>(c) Using a cast net or other bait collecting device;</p> <p>(d) Using a crab pot or other device for catching a crustacean.</p>
13	The Swan Bay region of Main Beach, North Stradbroke Island	<p>(a) Camping;</p> <p>(b) Bringing onto, or driving a vehicle, including a motor vehicle, on the local government controlled area.</p>
14	Brown Lake, North Stradbroke Island	<p>(a) Using a motorised ship on the local government controlled area;</p> <p>(b) Bringing onto, or driving a vehicle, including a motor vehicle, on the foreshore of the local government controlled area;</p> <p>(c) Washing or cleansing a vehicle on the foreshore, or in the near vicinity of, the local government controlled area.</p>
15	Weinam Creek Commuter Terminal	<p>(a) Obstructing or impeding another person's use of the Terminal;</p> <p>(b) Mooring or fastening a ship to any part of the Terminal, except to a fastening that is provided for that purpose;</p> <p>(c) Carrying out repairs on a jetty at the Terminal whilst moored at the jetty;</p>

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	Column 1 Local government controlled area or road	Column 2 Prohibited activity
		(d) Anchoring or mooring a ship in the approach fairway to a jetty at the Terminal; (e) Swimming or diving into, or allowing any animal under the person's control to swim in, or dive into— (i) any waters at the Terminal; or (ii) any navigational channel at the Terminal; or (iii) any waters within 100m of the edge of a navigational channel at the Terminal.
16	Each area of bathing reserve and foreshore identified in schedule 6	Bringing or driving a motor vehicle on the area of bathing reserve or foreshore.

Schedule 2 Restricted activities for local government controlled areas or roads

Section 5(2)

	Column 1 Local government controlled area or road	Column 2 Restricted activity	Column 3 Extent of restriction
1	All local government controlled areas within the local government area	(a) Busking	(a) Permitted only if authorised under the conditions of an approval for a prescribed activity.
		(b) Depositing, storing, dumping or leaving unattended a shopping trolley.	(b) Permitted only in the area of a shopping centre car park that is open to or used by the public and is developed for, or has as 1 of its main uses, the driving or riding of motor vehicles.
2	All roads within the local government area	(a) The painting, repairing, alteration or maintenance of vehicles on a road' (see s.66(3)(b) of the <i>Transport Operations (Road Use Management) Act 1995</i> , which permits local laws to regulate these activities on roads).	(a) Permitted only if the vehicle is temporarily disabled with a minor fault and the driver of the vehicle stops for no longer than is necessary for the performance of maintenance work limited to the minimum necessary to allow the vehicle to be moved from the road.
		(b) Temporarily closing a road to all traffic, or traffic of a particular class.	(b) Permitted only with the written authorisation of the chief executive officer of the local government.
		(c) Depositing, storing, dumping or leaving unattended a shopping trolley.	(c) Permitted only in the area of a shopping centre car park that is open to or used by the public and is developed for, or has as 1 of its main uses, the driving or riding of motor vehicles.

	Column 1 Local government controlled area or road	Column 2 Restricted activity	Column 3 Extent of restriction
3	All local government cemeteries within the local government area	(a) Carrying out a burial outside the hours during which burials may be performed as fixed by the local government.	(a) Permitted only— (i) between the hours of 9am and 4pm; or (ii) with the written authorisation of the chief executive officer of the local government.
(b) Disposing of human remains in a local government cemetery.		(b) Permitted only with the written authorisation of the chief executive officer of the local government.	
(c) Digging or preparing a grave in a local government cemetery.		(c) Permitted only if the grave is dug or prepared by a person employed by the local government or with the written authorisation of the sexton.	
(d) After a burial — reopening a grave for a further burial.		(d) Permitted only with the written authorisation of the sexton.	
(e) Bringing human remains into a local government cemetery.		(e) Permitted only— (i) with the written authorisation of the chief executive officer of the local government; and (ii) if the remains are enclosed in a coffin or other form of container appropriate to the proposed form of disposal.	
(f) Erecting or installing a memorial to a deceased person in a local government cemetery.		(f) Permitted only with the written authorisation of the chief executive officer of the local government.	

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	Column 1 Local government controlled area or road	Column 2 Restricted activity	Column 3 Extent of restriction
		(g) Reserving a niche or site in a local government cemetery.	(g) Permitted only under the conditions of a written authorisation of the chief executive officer of the local government.
		(h) Carrying out maintenance or repair work on a memorial to a deceased person in a local government cemetery.	(h) Permitted only— (i) by a member of the family of the deceased person, or another person who has a proper interest in the maintenance of the memorial to the deceased person; and (ii) with the written approval of the sexton; and (iii) subject to conditions about how the work is to be carried out as are included in the written authorisation of the sexton.
4	All parks and reserves within the local government area	(a) Lighting or maintaining a fire.	(a) Permitted only if the fire is— (i) lit and maintained in a fireplace established by the local government for the purpose; or (ii) lit and maintained in accordance with the written authorisation of the chief executive officer of the local government.
		(b) Sleeping, occupying or remaining overnight in a park or reserve.	(b) Permitted only with the written authorisation of the chief executive officer of the local government.

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	Column 1 Local government controlled area or road	Column 2 Restricted activity	Column 3 Extent of restriction
		(c) Erecting or installing a building, structure or facility in, on, across or over a park or reserve.	(c) Permitted only if authorised under the conditions of an approval for a prescribed activity.
		(d) Conducting or taking part in an organised sporting activity of regional, State or national significance.	(d) Permitted only if authorised under the conditions of an approval for a prescribed activity.
		(e) Operating a model vehicle or aircraft propelled by a motor.	(e) Permitted only with the written authorisation of the chief executive officer of the local government.
		(f) Using, storing or possessing fireworks.	(f) Permitted only with the written authorisation of the chief executive officer of the local government.
		(g) Displaying a sign or advertisement.	(g) Permitted only if authorised under the conditions of an approval for a prescribed activity.
		(h) Playing golf.	(h) Permitted only with the written authorisation of the chief executive officer of the local government.
		(i) Undertaking the sport of archery.	(i) Permitted only with the written authorisation of the chief executive officer of the local government.
		(j) Using a megaphone, loud speaker, or other similar amplification device.	(j) Permitted only— (i) with the written authorisation of the chief executive officer of the local

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	Column 1 Local government controlled area or road	Column 2 Restricted activity	Column 3 Extent of restriction
			government; or (ii) if authorised under the conditions of an approval for a prescribed activity.
		(k) Public entertainment.	(k) Permitted only— (i) with the written authorisation of the chief executive officer of the local government; or (ii) if authorised under the conditions of an approval for a prescribed activity.

	Column 1 Local government controlled area or road	Column 2 Restricted activity	Column 3 Extent of restriction
		<p>(l) Research.</p> <p><i>Examples of activities which are research for this section—</i></p> <ul style="list-style-type: none"> • <i>The collection of entire fauna or flora specimens.</i> • <i>The collection of portions of fauna or flora specimens (such as cuttings or DNA samples).</i> • <i>The installation of monitoring equipment.</i> 	<p>(l) Permitted only with the written authorisation of the chief executive officer of the local government.</p>
5	All local government accommodation parks within the local government area	<p>(a) Lighting or maintaining a fire in the open.</p>	<p>(a) Permitted only —</p> <ul style="list-style-type: none"> (i) if the fire is in a fireplace or incinerator approved for the purpose by the local government; or (ii) with the written authorisation of an authorised person.
		<p>(b) Camping, sleeping, occupying or remaining overnight in a caravan or complementary accommodation at an accommodation site at a local government accommodation park.</p>	<p>(b) Permitted only if—</p> <ul style="list-style-type: none"> (i) the person undertaking the activity maintains the accommodation site and any caravan or complementary accommodation on the accommodation site in a clean and sanitary condition; and (ii) the person deposits all waste in a waste container, or a waste disposal system.

	<p>Column 1 Local government controlled area or road</p>	<p>Column 2 Restricted activity</p>	<p>Column 3 Extent of restriction</p>
			<p>provided by the local government for the purpose; and</p> <p>(iii) the person does not use facilities at the local government accommodation park in a way that makes them unclean or unsanitary; and</p> <p>(iv) the person who occupies the accommodation site allows onto the site no more persons than the limit fixed under a relevant approval or as notified by notice displayed by the local government at the local government accommodation park; and</p> <p>(v) the person pays all fees for use of the accommodation site in advance to the local government; and</p> <p>(vi) if required by the local government or an Act—the person enters into a written agreement with the local government about undertaking the activity at the local government accommodation park; and</p> <p>(vii) at the end of the period of occupation of the accommodation site</p>

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	<p>Column 1 Local government controlled area or road</p>	<p>Column 2 Restricted activity</p>	<p>Column 3 Extent of restriction</p>
			<p>— the person vacates and leaves the accommodation site in a clean and tidy condition; and</p> <p>(viii) the person ensures that the caravan or complementary accommodation is not let or hired to another person; and</p> <p>(ix) the person ensures that the accommodation site is kept and maintained in good repair and clean, tidy and sanitary condition; and</p> <p>(x) the person ensures that the accommodation site is not left unoccupied for more than 2 days; and</p> <p>(xi) the person ensures that the activity does not cause a nuisance, annoyance, disturbance or inconvenience to other persons using the local government accommodation park.</p>
		<p>(c) Use or operation of a generator in a part of a local government accommodation park that is made available for camping overnight or for a period longer than overnight.</p>	<p>(c) Permitted only—</p> <p>(i) with the written authorisation of an authorised person ; and</p> <p>(ii) in any event (even where written authorisation is granted) not between</p>

	Column 1 Local government controlled area or road	Column 2 Restricted activity	Column 3 Extent of restriction
			the hours of 9:30pm and 7:00am.
6	The boat ramps and landings within the local government area identified in schedule 6	<p>(a) Driving or standing a vehicle on a boat ramp.</p> <p>(b) Launching or retrieving a ship at a boat ramp.</p> <p>(c) Anchoring, mooring or placing a ship in the water around a boat ramp or a landing.</p> <p>(d) Carrying out the rigging of a sailing ship on a boat ramp or landing.</p> <p>(e) Taking or driving a vehicle onto a boat ramp.</p>	<p>(a) Permitted only to launch or retrieve a ship from the boat ramp.</p> <p>(b) Permitted only if the person launching or retrieving the ship does so as quickly as is reasonably possible.</p> <p>(c) Permitted only if the anchoring, mooring or placing of the ship is not likely to obstruct another person's use of the boat ramp or landing.</p> <p>(d) Permitted only if the carrying out of the rigging does not, or is not likely to, impede access to the boat ramp or landing.</p> <p>(e) Permitted only if the mass of the vehicle and its load (if any), together with any trailer that the vehicle is towing and its load (if any), is not more than—</p> <p>(i) 5 tonnes; or</p> <p>(ii) if the local government erects on or near the boat ramp a notice approved by the local government and displaying a</p>

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	Column 1 Local government controlled area or road	Column 2 Restricted activity	Column 3 Extent of restriction
			greater mass—the greater mass.
		(f) Taking or driving a vehicle onto a landing.	(f) Permitted only with the authorisation of an authorised person.
		(g) Taking or driving a vehicle onto a boat ramp or landing.	(g) Permitted only if the vehicle moves on wheels fitted with pneumatic or rubber tyres.
		(h) Fishing on a boat ramp or landing, or a part of a boat ramp or landing, that is not a public transport waiting point.	(h) Permitted only if the activity does not obstruct or interfere with the use of the boat ramp or landing by a ship, vehicle or another person.
		(i) Using a cast net or other bait collecting device on a boat ramp or landing, or a part of a boat ramp or landing, that is not a public transport waiting point.	(i) Permitted only if the activity does not obstruct or interfere with the use of the boat ramp or landing by a ship, vehicle or another person.
		(j) Using a crab pot or other device for catching a crustacean on a boat ramp or landing, or a part of a boat ramp or landing, that is not a public transport waiting point.	(j) Permitted only if the activity does not obstruct or interfere with the use of the boat ramp or landing by a ship, vehicle or another person.
		(k) Using a boat ramp or landing for the purposes of a ferry service, including operating a ferry service from a boat ramp or landing.	(k) Permitted only if authorised under the conditions of an approval for a prescribed activity.

	Column 1 Local government controlled area or road	Column 2 Restricted activity	Column 3 Extent of restriction
		(l) Using a boat ramp or landing for the purposes of a ship charter service, including operating a ship charter service from a boat ramp or landing.	(l) Permitted only if authorised under the conditions of an approval for a prescribed activity.
		(m) Using a boat ramp or landing for a ship hire service, including operating a ship hire service from a boat ramp or landing.	(m) Permitted only if authorised under the conditions of an approval for a prescribed activity.
		(n) Packing or unpacking any goods into or from any case or container on a boat ramp or landing.	(n) Permitted only with the written authorisation of an authorised person.
		(o) Erecting, installing or maintaining any sign board, notice board or other fixture or erection for the exhibition of bills or notices on a boat ramp or landing.	(o) Permitted with the written authorisation of the chief executive officer of the local government.
		(p) Refuelling a ship on a boat ramp or landing.	(p) Permitted only with the written authorisation of an authorised person.
		(q) Exhibiting, affixing or maintaining a bill or notice on a boat ramp or landing.	(q) Permitted with the written authorisation of the chief executive officer of the local government.
		(r) Operating a system of public address or sound amplification on— (i) a boat ramp or landing; or (ii) a ship moored at a boat ramp or	(r) Permitted only with the written authorisation of an authorised person.

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	<p>Column 1 Local government controlled area or road</p>	<p>Column 2 Restricted activity</p>	<p>Column 3 Extent of restriction</p>
		<p>landing.</p> <p>(s) Playing music or a musical instrument at a volume, or in a manner, which interferes with another person's reasonable enjoyment or use of a boat ramp or landing on—</p> <p>(i) the boat ramp or landing; or</p> <p>(ii) any ship moored at the boat ramp or landing.</p>	<p>(s) Permitted only with the written authorisation of an authorised person.</p>
		<p>(t) Carrying out maintenance or repairs to a ship moored at a boat ramp or landing, or on a boat ramp or landing, except in an emergency situation—</p> <p>(i) to permit the ship to leave the boat ramp or landing; or</p> <p>(ii) where to move the ship from its position would involve danger to the ship or a person.</p>	<p>(t) Permitted with the written authorisation of the chief executive officer of the local government.</p>
		<p>(u) Mooring a ship at a boat ramp or landing for longer than 20 minutes.</p>	<p>(u) Permitted only—</p> <p>(i) if authorised under the conditions of an approval for a prescribed activity; or</p> <p>(ii) with the written authorisation of an authorised person; or</p>

	Column 1 Local government controlled area or road	Column 2 Restricted activity	Column 3 Extent of restriction
			(iii) if authorised by a notice displayed by the local government at the boat ramp or landing; or (iv) in an emergency situation as prescribed in item 6(t).
7	The canoe/kayak pontoons within the local government area identified in schedule 6	<p>a) Erecting, installing or maintaining any sign board, notice board or other fixture or erection for the exhibition of bills or notices on a canoe/kayak pontoon.</p> <p>b) Exhibiting, affixing or maintaining a bill or notice on a canoe/kayak pontoon.</p> <p>c) Operating a system of public address or sound amplification on a canoe/kayak pontoon.</p> <p>d) Anchoring, mooring, placing, launching, using, maintaining, repairing or operating a canoe or kayak in the water around, at or from a canoe/kayak pontoon.</p>	<p>a) Permitted only with the written authorisation of the chief executive officer of the local government.</p> <p>b) Permitted only with the written authorisation of the chief executive officer of the local government.</p> <p>c) Permitted only with the written authorisation of an authorised person.</p> <p>d) Permitted only if the anchoring, mooring, placing, launching, using, maintaining, repairing or operating of the canoe or kayak is not likely to obstruct another person's use of the canoe/kayak pontoon.</p>

	Column 1 Local government controlled area or road	Column 2 Restricted activity	Column 3 Extent of restriction
		e) Mooring a canoe or kayak at a canoe/kayak pontoon for longer than 20 minutes.	e) Permitted only— (i) if authorised under the conditions of an approval for a prescribed activity; or (ii) with the written authorisation of an authorised person; or (iii) if authorised by a notice displayed by the local government at the canoe/kayak pontoon.
8	All local government swimming pools within the local government area, including each local government swimming pool identified in schedule 6	(a) Conducting— (i) a swimming club competition or carnival; or (ii) an inter-school or intra-school swimming competition or carnival; or (iii) learn to swim training, lifesaving training or competitive swimming training by a swimming club or school; or (iv) a private function.	(a) Permitted only if authorised under the conditions of an approval for a prescribed activity.
		(b) Bringing an object (including water sports equipment) into a swimming pool if the object is	(b) Permitted only with the written authorisation of an authorised person.

	Column 1 Local government controlled area or road	Column 2 Restricted activity	Column 3 Extent of restriction
		dangerous or may be used in a dangerous way.	
		(c) Bringing a animal onto the land on which the swimming pool is situated.	(c) Permitted only if— (i) the animal is an assistance dog, a guide dog or a hearing dog; and (ii) the person is the handler of the dog.
9	All local government offices, libraries and depots within the local government area.	(a) Bringing an animal onto, or permitting or allowing an animal to remain on, the local government controlled area. (b) Entering or remaining at the local government controlled area or a part of a local government controlled area.	(a) Permitted only if— (i) the animal is an assistance dog, a guide dog or a hearing dog; and (ii) the person is the handler of the dog. (b) Permitted if— (i) the local government controlled area or relevant part of the local government controlled area is a public place; and (ii) if the local government erects on or near the local government controlled area or the relevant part of the local government controlled area, a notice that is approved by the local government which authorises entry to the local government controlled area or the relevant part of the local government controlled area—the

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	Column 1 Local government controlled area or road	Column 2 Restricted activity	Column 3 Extent of restriction
			person complies with the requirements of the notice.
10	Point Halloran Conservation Area Reserve, Orana Street, Victoria Point	Public access	Permitted only on the constructed boardwalk and paths throughout the Conservation Area.
11	Local government bridges and Local government culverts within the local government area.	Fishing on a local government bridge or a local government culvert.	Permitted only if- <ul style="list-style-type: none"> (i) where the activity is on a local government bridge, the activity does not obstruct or interfere with the use of the local government bridge by a vehicle or another person; and (ii) where the activity is on a local government culvert, the activity does not obstruct or interfere with the operation of the local government culvert; and (iii) no sign authorised by the local government is erected on or adjacent to the bridge or culvert indicating that fishing is prohibited.

Schedule 3 Motor vehicle access areas in local government controlled areas

Sections 6 and 7

	Column 1 Motor vehicle access areas	Column 2 Prohibited vehicles
	No motor vehicle access area prescribed.	

Schedule 4 Opening hours for local government controlled areas

Section 8

	Column 1 Local government controlled area	Column 2 Opening hours¹
1	All canoe/kayak pontoons, parks and reserves within the local government area.	4.00a.m. to 10.00p.m. daily unless traversing a park or reserve is necessary and for the purpose of accessing or leaving a boat ramp or landing.
2	All boat ramps and landings within the local government area identified in schedule 6.	All times.

¹Public holidays excepted.

**Schedule 5 Permanent closure of local government
controlled areas**

Section 9

No local government controlled area described.

Schedule 6 Identification of local government controlled areas

schedules 1, 2 and 4

Boat ramps and landings

Description	Location Description
Jetty, Fixed Platform - Banana St Harbour	Mainland Areas - Redland Bay
Jetty, Fixed Platform - Ron Field	Moreton Bay - Macleay Island
Jetty, Fixed Platform - High St Harbour	Moreton Bay - Russell Island
Jetty, Fixed Platform - Brighton Rd Harbour	Macleay Island - Brighton Road
Jetty, Fixed Platform - Masters Ave Harbour	Victoria Point - Masters Avenue
Jetty, Fixed Platform - Yabby Street	Dunwich - Yabby Street
Jetty, Fixed Platform - Junner St Harbour	Dunwich - Junner Street
Jetty, Fixed Platform - Clayton Rd Harbour	Amity - Claytons Road
Jetty, Fixed Platform - Main Rd Boat Haven	Wellington Point - Main Road Foreshore
Jetty, Pontoon - High St Harbour	Russell Island - High Street
Jetty, Pontoon - Lucas Drive Harbour	Lamb Island - Lucas Drive
Jetty, Pontoon - The Esplanade Harbour	Karragarra Island - The Esplanade
Jetty, Pontoon - Brighton Rd Harbour	Macleay Island - Brighton Road
Jetty, Pontoon - Weinam Creek Marine Facility	Mainland Areas - Redland Bay
Jetty, Pontoon - Raby Bay Canals	Cleveland - Raby Bay Harbour Park
Jetty, Pontoon - Elizabeth St Harbour	Coochiemudoo Island - Elizabeth Street
Jetty, Pontoon - Masters Ave Harbour	Victoria Point - Masters Avenue
Jetty, Pontoon - Yabby Street	Dunwich - Yabby Street
Jetty, Pontoon - Marina - Banana St Harbour	Mainland Areas - Redland Bay
Weinam Creek Pontoon Landing Upgrade	

Description	Location Description
Ramp - Main Road, Wellington Point	Wellington Point - Main Road
Ramp - Vnr Cleveland	Cleveland - William Street
Ramp, Barge - Brighton Rd Harbour	Macleay Island - Brighton Road
Ramp, Barge - Junner St Harbour	Dunwich - Junner Street
Ramp, Barge - Masters Ave Harbour	Victoria Point - Masters Avenue
Ramp, Barge - Weinam Street	Redland Bay - Weinam Street
Ramp, Boat - Weinam Street	Redland Bay - Weinam Street
Ramp, Boat - Banana Street	Redland Bay - Weinam Creek Marine Commuter Facility
Ramp, Boat - Boulevard Esplanade	Redland Bay - The Boulevard (Moores Road)
Ramp, Boat - Brighton Rd Harbour	Moreton Bay - Macleay Island
Ramp, Boat - Clayton Rd Harbour	Amity - Claytons Road
Ramp, Boat - Colburn Avenue	Victoria Point - Colburn Avenue
Ramp, Boat - Dalpura Street Road Reserve	Macleay Island - Dalpura Street Road Reserve
Ramp, Boat - Emmett Drive	Cleveland Emmett Drive - Toondah Harbour Carpark
Ramp, Boat - Helen Street	Thorneside - Helen Street
Ramp, Boat - Main Road	Mainland Areas - Wellington Point
Ramp, Boat - Main Road - North Of Jetty	Wellington Point - Main Road Foreshore
Ramp, Boat - Main Road 4 Lane Ramp	Wellington Point - Main Road Foreshore
Ramp, Boat - Toondah Harbour	Cleveland Emmett Drive - Toondah Harbour Carpark
Ramp, Boat - Wahine Drive	Moreton Bay - Russell Island
Ramp, Boat - William Street North	Cleveland - William Street
Ramp, Boat - William Street South	Cleveland - William Street

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Ramp, Boat – Masters Ave Harbour	Victoria Point – Masters Avenue
Ramp, Boat - Yabby Street	Dunwich - Yabby Street
Ramp, Combined - Elizabeth St Harbour	Coochiemudlo Island - Elizabeth Street
Ramp, Combined - High St Harbour	Russell Island - High Street
Ramp, Combined - Lucas Drive Harbour	Lamb Island - Lucas Drive
Ramp, Combined - The Esplanade Harbour	Karragarra Island - The Esplanade
Ramp, Boat - Jock Kennedy Park	Russell Island – Jock Kennedy Park
Ramp, Recreational - Ferry Road	Thorneside - Ferry Road
Floating Walkway – Colburn Ave	Victoria Point – Colburn Avenue
Floating Walkway – William St	Cleveland – William Street

Canoe/kayak pontoons

Description	Location Description
Pontoon – canoe/kayak	Mainland - Ormiston

Local government swimming pools

1. Cleveland Aquatic Centre
2. Russel Island Aquatic Centre

Bathing reserves

Description	Location Description
Main Beach	Coochiemudlo Island
Thompsons Beach	Victoria Point
Cylinder Beach	Point Lookout, North Stradbroke Island
Main Beach	Point Lookout, North Stradbroke island
Amity	Amity, North Stradbroke Island
Wellington Point Beach	Wellington Point Reserve

Foreshore Swimming Enclosures

Description	Location Description
Foreshore Swimming Enclosure	Amity Point - Cabarita Park
Foreshore Swimming Enclosure	Dunwich - Ron Stark Oval
Foreshore Swimming Enclosure	Karragarra Island - Karragarra Island Foreshore (North)
Foreshore Swimming Enclosure	Lamb Island - Pioneer Park
Foreshore Swimming Enclosure	Macleay Island - Pat's Park
Foreshore Swimming Enclosure	Moreton Bay - Russell Island
Foreshore Swimming Enclosure	Redland Bay - Rusters Reserve

Schedule 7 Dictionary

Section 4

accommodation, at a local government accommodation park, means—

- (a) a caravan; or
- (b) a complementary accommodation.

accommodation park means a place for parking and residing in caravans, including a place that provides also for complementary accommodation.

accommodation site, at a local government accommodation park, means a part of the local government accommodation park which is designated for a single accommodation of a particular type.

animal has the meaning given in *Local Law No. 2 (Animal Management) 2015*.

assistance dog has the meaning given in the *Guide, Hearing and Assistance Dogs Act 2009*.

authorised person has the meaning given in *Local Law No. 1 (Administration) 2015*.

barge loading ramp means a ramp or other device or structure which is—

- (a) owned, held in trust or otherwise controlled by the local government; and
- (b) used or capable of use, or designed or intended for use, for the purpose of—
 - (i) loading or unloading goods; or
 - (ii) loading or unloading vehicles between a ship and the barge loading ramp; and
- (c) includes part of a barge loading ramp.

bathing reserve has the meaning given in the *Local Government Regulation 2012*.

boat ramp —

- (a) means a ramp or other device or structure which is—
 - (i) owned, held in trust or otherwise controlled by the local government; and
 - (ii) used or capable of use, or designed or intended for use, for the purpose of launching and retrieving trailerable ships; and
 - (iii) includes a part of a boat ramp; and
- (b) includes a barge loading ramp.

bona fide user, for a park or reserve, means a person who is genuinely using or in the process of using a park or reserve for a lawful purpose relevant to the community purpose of the park or reserve which, for the purpose of this definition, does not include using a park or reserve for the sole purpose of parking or leaving standing a motor vehicle.

Examples of a bona fide user – A person who uses the park for a picnic or barbeque or for swimming in the foreshore.

Examples of someone who is not a bona fide user – A person who parks their vehicle in a park or reserve while they attend to other business or personal affairs outside of the park or reserve.

building has the meaning given in the *Building Act 1975*.

busking means a musical or theatrical performance undertaken by a person—

- (a) to entertain the public; and
- (b) seeking voluntary reward for the performance.

camping, at a place, includes sleeping, occupying or remaining overnight at the place.

canoe/kayak pontoon means a canoe/kayak pontoon identified in schedule 6.

caravan has the meaning given in *Local Law No. 1 (Administration) 2015*.

collection day, for a waste container, means, if the local government has arranged for the collection of waste from a waste container at premises—each day on which the local government has arranged for the collection of waste from the waste container at the premises.

complementary accommodation has the meaning given in *Subordinate Local Law No. 1.8 (Operation of Accommodation Parks) 2015*.

culvert means a structure used to enclose a flowing body of water under a road, with such structure having clear openings at each end.

driver has the meaning given in the *Transport Operations (Road Use Management) Act 1995*.

emergency services officer means—

- (a) an officer of the Queensland Ambulance Service or an Ambulance Service of another State; or
- (b) an officer of the Queensland Fire and Rescue Service or a Fire and Rescue Service of another State; or
- (c) an officer or employee of another entity with the written permission of the Commissioner of the Police Service; or
- (d) an officer of the State Emergency Service or a State Emergency Service of another State; or
- (e) an officer or employee of an authority permitted by law to conduct utility installation or utility maintenance; or
- (f) an officer of Emergency Management Queensland.

ferry has the meaning given in the *Transport Operations (Passenger Transport) Act 1994*.

ferry service has the meaning given in the *Transport Operations (Passenger Transport) Act 1994*.

footpath has the meaning given in the *Transport Operations (Road Use Management) Act 1995*.

foreshore has the meaning given in the *Local Government Regulation 2012*.

goods includes wares, merchandise, chattels, money, stone, timber, metal, fluid and any other article, substance or material whatsoever.

guide dog has the meaning given in the *Guide, Hearing and Assistance Dogs Act 2009*.

handler has the meaning given in the *Guide, Hearing and Assistance Dogs Act 2009*.

hearing dog has the meaning given in the *Guide, Hearing and Assistance Dogs Act 2009*.

interfere means prevent from continuing or being carried out properly, get in the way of, or handle or adjust without permission, and **interference** has a corresponding meaning.

jetty includes—

BNEDOCs Subordinate Local Law No. 4 (Local Government Controlled Areas, Facilities and Roads) 2015.docx

- (a) any jetty, landing place, launching ramp, pier, platform, quay, stage, or like premises which is—
 - (i) owned, held in trust or otherwise controlled by the local government; and
 - (ii) used or capable of use, or designed or intended for use, for the purpose of taking goods or persons to, or removal of goods or persons from, a ship; and
- (b) where necessary, all buildings, railways, tramways and other works on the jetty and the appurtenances of the jetty, and the approaches to the jetty; and
- (c) a part of a jetty.

landing includes jetty, pontoon and wharf, but does not include a canoe/kayak pontoon.

local government accommodation park means an accommodation park under the control of the local government, including an accommodation park located on land owned by the local government or on land for which the local government is the trustee.

local government bridge means a bridge which is under the control of the local government.

local government cemetery has the meaning given in *Local Law No. 1 (Administration) 2015*.

local government culvert means a culvert which is under the control of the local government.

local government employee has the meaning given in the *Local Government Act 2009*.

local government office includes—

- (a) the public office of the local government; and
- (b) each place used by the local government for local government administration or management purposes.

local government swimming pool means a swimming pool under the control of the local government, including a swimming pool located on land owned by the local government or on land for which the local government is the trustee.

memorial includes—

- (a) a headstone; and
- (b) an inscribed plaque or commemorative plate; and
- (c) monumental, ornamental or other structures erected on a grave site; and
- (d) anything else erected or placed to mark the site where human remains have been buried or placed, or to commemorate a deceased person.

motor vehicle has the meaning given in the *Transport Operations (Road Use Management) Act 1995*.

non-public place means—

- (a) the whole or any part of a local government office that is not a public place; and
- (b) the whole or any part of a local government office, including a public place, that is designated as a non-public place by—
 - (i) an authorised person; or
 - (ii) a notice displayed at a prominent place at—
 - (A) if the whole of the local government office is a non-public place—the local government office; or

- (B) if a part of the local government office is a non-public place—the part of the local government office.

park means a public place which the local government has, by resolution, set apart for park, recreational or environmental purposes, and includes land designated as a park in the planning scheme of the local government.

plant has the meaning given in the *Land Protection (Pest and Stock Route Management) Act 2002*.

public office has the meaning given in the *Local Government Act 2009*.

public place —

- (a) has the meaning given in the *Local Government Act 2009*; but
- (b) does not include a non-public place.

public transport waiting point has the meaning given in section 26ZPA of the *Tobacco and Other Smoking Products Act 1998*.

reserve means land dedicated as a reserve, or granted in trust, under the *Land Act 1994* and for which the local government is a trustee under that Act and other land held in trust by the local government which the local government has, by resolution, set apart for recreational or environmental purposes, and includes land designated as a reserve in the planning scheme of the local government.

road has the meaning given in the *Local Law No. 1 (Administration) 2015*.

sewerage system has the meaning given in the *Plumbing and Drainage Act 2002*.

sexton means a person appointed by the local government to act as the sexton of a local government cemetery

ship has the meaning given in the *Transport Operations (Marine Safety) Act 1994*.

shopping trolley means a wheeled basket or frame used for transporting purchases from a supermarket or shop.

stormwater drain has the meaning given in the *Local Government Act 2009*.

structure has the meaning given in the *Local Government Act 2009*.

swimming pool has the meaning given in the *Building Act 1975*.

unregistered, for a vehicle that is required to be registered under the *Transport Operations (Road Use Management – Vehicle Registration) Regulation 2010*, means that a current registration certificate has not been issued by the chief executive for the vehicle.

utility installation means—

- (a) the supply of water, hydraulic power, electricity or gas; or
- (b) the provision of sewerage or drainage services; or
- (c) the provision of telecommunications services.

utility maintenance means the maintenance of—

- (a) water, hydraulic power, electricity or gas services; or
- (b) sewerage or drainage services; or
- (c) telecommunications services.

vegetation means trees, plants and all other organisms of vegetable origin (whether living or dead).

vehicle has the meaning given in the *Transport Operations (Road Use Management) Act 1995*.

waste has the meaning given in the *Environmental Protection Act 1994*.

waste container—

- (a) means a container of a type approved by the local government for storing domestic waste, commercial waste or recyclable waste at premises in the local government's area; but
- (b) does not include a bin placed by the local government in a public place for the purpose of the collection of waste.

water supply system has the meaning given in the *Standard Plumbing and Drainage Regulation 2003*.



**Amending Subordinate Local Law No. 2
(Subordinate Local Law No. 4 (Local
Government Controlled Areas, Facilities
and Roads) 2015) 2019**

It is hereby certified that this a true and correct copy of Amending Subordinate Local Law No. 2 (Subordinate Local Law No. 4 (Local Government Controlled Areas, Facilities and Roads) 2015) 2019 made, in accordance with the Local Government Act 2009, by the Council of the City of Redland, by resolution dated 3 April 2019

A. Chesterman
Chief Executive Officer



Redland City Council

Amending Subordinate Local Law No. 2 (Subordinate Local Law No. 4 (Local Government Controlled Areas, Facilities and Roads) 2015) 2019

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1
Redland City Council
Amending Subordinate Local Law No. 2
(Subordinate Local Law No. 4 (Local Government Controlled Areas, Facilities and Roads) 2015) 2019

**Redland City Council
Amending Subordinate Local Law No. 2 (Subordinate Local
Law No. 4 (Local Government Controlled Areas, Facilities
and Roads) 2015) 2019**

Part 1 Preliminary

1 Short title

This amending subordinate local law may be cited as *Amending Subordinate Local Law No. 2 (Subordinate Local Law No. 4 (Local Government Controlled Areas, Facilities and Roads) 2015) 2019*.

2 Object

The object of this amending subordinate local law is to amend *Subordinate Local Law No. 4 (Local Government Controlled Areas, Facilities and Roads) 2015* to:

- (b) Provide for additional prohibited activities in all parks and reserves within the local government area;
- (c) Add prohibited and restricted activities at canoe/kayak pontoons within the local government area;
- (d) Clarify the opening hours of canoe/kayak pontoons, parks and reserves within the local government area;
- (e) Remove and add local government controlled areas which are subject to the prohibitions, restrictions and opening hours; and
- (f) Add definitions for 'bona fide use' and 'canoe/kayak pontoon' and amend the definition of 'landing'.

3 Commencement

This amending subordinate local law commences on the date of publication of the notice of the making of *Amending Subordinate Local Law No. 2 (Subordinate Local Law No. 4 (Local Government Controlled Areas, Facilities and Roads) 2015) 2019* in the gazette.

2
 Redland City Council
 Amending Subordinate Local Law No. 2
 (Subordinate Local Law No. 4 (Local Government Controlled Areas, Facilities and Roads) 2015) 2019

**Part 2 Amendment of Subordinate Local Law No. 4
 (Local Government Controlled Areas,
 Facilities and Roads) 2015**

4 Subordinate Local Law amended

This part amends the *Subordinate Local Law No. 4 (Local Government Controlled Areas, Facilities and Roads) 2015*.

5 Amendment of sch 1 (Prohibited activities for local government controlled areas or roads)

- (1) Schedule 1, item 5, column 2, subsection (g), after ‘cause fear’—
 insert—
 , a nuisance
- (2) Schedule 1, item 5, column 2, subsection (q), ‘.’—
 omit, insert—
 ;
- (3) Schedule 1, item 5, column 2, after subsection (q)—
 insert—
 - (r) Park or leave standing, a motor vehicle overnight or at any time outside of the opening hours specified in schedule 4 (Opening hours for local government controlled areas) for parks and reserves;
 - (s) Park or leave standing, a motor vehicle if the person is not a bona fide user of the park or reserve;
 - (t) Use a road within a park or reserve for the sole purpose of a thoroughfare, rather than as a means of access to or from the park or reserve as a bona fide user.
- (4) Schedule 1, items 8 to 15—
 renumber as items 9 to 16.
- (5) Schedule 1, after item 7—
 insert—

8	The canoe/kayak pontoons within the local government area identified in schedule 6	(a) Breaking, destroying, damaging, defacing, disfiguring, removing or writing on a canoe/kayak pontoon or a notice erected or
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3
 Redland City Council
 Amending Subordinate Local Law No. 2
 (Subordinate Local Law No. 4 (Local Government Controlled Areas, Facilities and Roads) 2015) 2019

		<p>displayed by the local government at a canoe/kayak pontoon;</p> <p>(b) Damaging any lighting on a canoe/kayak pontoon;</p> <p>(c) Riding an animal on a canoe/kayak pontoon;</p> <p>(d) Carrying a loaded or cocked spear gun on a canoe/kayak pontoon;</p> <p>(e) Lighting a fire on a canoe/kayak pontoon, whether in a container or otherwise;</p> <p>(f) Diving or jumping off a canoe/kayak pontoon or infrastructure attached to a canoe/kayak pontoon;</p> <p>(g) A person causing themselves or any other person or object to fall or be projected into waters surrounding a canoe/kayak pontoon;</p> <p>(h) Obstructing another person's use of a canoe/kayak pontoon;</p> <p>(i) Using a canoe/kayak pontoon in a manner that is inconsistent with—</p> <ul style="list-style-type: none"> (i) the safe, secure and efficient operation of the canoe/kayak pontoon; or (ii) the protection of the environment at the canoe/kayak pontoon; or (iii) the maintenance or improvement of the convenience of users of the canoe/kayak pontoon; <p>(j) Cleaning or gutting fish or other marine life;</p> <p>(k) Casting or discharging, or causing to be cast or discharged, any material, object or substance</p>
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4
 Redland City Council
 Amending Subordinate Local Law No. 2
 (Subordinate Local Law No. 4 (Local Government Controlled Areas, Facilities and Roads) 2015) 2019

		<p>from a canoe/kayak pontoon;</p> <p>(l) Anchoring, mooring, placing, launching, using, maintaining, repairing or operating a ship, motorised aquatic equipment or non-motorised aquatic equipment, other than a canoe or kayak, in the water around, at or from a canoe/kayak pontoon;</p> <p>(m) Operating a canoe or kayak in a manner that obstructs or interferes with the use of a canoe/kayak pontoon by another user of the canoe/kayak pontoon;</p> <p>(n) Driving, standing, parking or bringing a vehicle onto a canoe/kayak pontoon;</p> <p>(o) Fishing, using a cast net or other bait catching devices or using a crab pot or other device for catching a crustacean on a canoe/kayak pontoon;</p> <p>(p) Attaching or affixing, whether temporary or permanent, a rope swing, ladder or the like to a canoe/kayak pontoon.</p>
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6 Amendment of sch 2 (Restricted activities for local government controlled area or roads)

- (1) Schedule 2, items 7 to 10—
renumber as items 8 to 11.
- (2) Schedule 2, after item 6—
insert—

7	The canoe/kayak pontoons within the local government area identified in schedule 6	a) Erecting, installing or maintaining any sign board, notice board or other fixture or erection for the exhibition of	a) Permitted only with the written authorisation of the chief executive officer of the local government.
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5

Redland City Council

Amending Subordinate Local Law No. 2

(Subordinate Local Law No. 4 (Local Government Controlled Areas, Facilities and Roads) 2015) 2019

		bills or notices on a canoe/kayak pontoon.	
		b) Exhibiting, affixing or maintaining a bill or notice on a canoe/kayak pontoon.	b) Permitted only with the written authorisation of the chief executive officer of the local government.
		c) Operating a system of public address or sound amplification on a canoe/kayak pontoon.	c) Permitted only with the written authorisation of an authorised person.
		d) Anchoring, mooring, placing, launching, using, maintaining, repairing or operating a canoe or kayak in the water around, at or from a canoe/kayak pontoon.	d) Permitted only if the anchoring, mooring, placing, launching, using, maintaining, repairing or operating of the canoe or kayak is not likely to obstruct another person's use of the canoe/kayak pontoon.
		e) Mooring a canoe or kayak at a canoe/kayak pontoon for longer than 20 minutes.	e) Permitted only— (i) if authorised under the conditions of an approval for a prescribed activity; or (ii) with the written authorisation of an authorised person; or (iii) if authorised by a notice displayed by the local

6
 Redland City Council
 Amending Subordinate Local Law No. 2
 (Subordinate Local Law No. 4 (Local Government Controlled Areas, Facilities and Roads) 2015) 2019

			government at the canoe/kayak pontoon.
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7 Amendment of sch 4 (Opening hours for local government controlled areas)

- (1) Schedule 4, item 1, column 1, after 'All'—
insert—
 canoe/kayak pontoons,
- (2) Schedule 4, item 1, column 2, after 'daily'—
insert—
 unless traversing a park or reserve is necessary and for the purpose of accessing or leaving a boat ramp or landing.

8 Amendment of sch 6 (Identification of local government controlled areas)

- (1) Schedule 6, below schedule heading, 'Section 5'—
omit, insert—
 schedules 1, 2 and 4
- (2) Schedule 6, first table, item 2, column 1 and column 2,

Jetty, Fixed Platform – Elizabeth St Harbour	Coochiemudlo Island – Elizabeth Street
--	--

—
omit.

- (3) Schedule 6, first table, item 11, column 1 and column 2,

Jetty, Fixed Platform – Banana St Harbour	Mainland Areas – Redland Bay
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—
omit.

- (4) Schedule 6, first table, after item 15—
insert—

Jetty, Pontoon - Elizabeth St Harbour	Coochiemudlo Island - Elizabeth Street
---------------------------------------	--

7
 Redland City Council
 Amending Subordinate Local Law No. 2
 (Subordinate Local Law No. 4 (Local Government Controlled Areas, Facilities and Roads) 2015) 2019

Jetty, Pontoon – Masters Ave Harbour	Victoria Point – Masters Avenue
Jetty Pontoon – Yabby Street	Dunwich – Yabby Street

- (5) Schedule 6, first table, item 19, column 1 for 'Jetty, Pontoon – Banana St Harbour', after 'Jetty, Pontoon –'—
insert—
 Marina –
- (6) Schedule 6, second table, after item 4—
insert—

Ramp, Barge – Masters Ave Harbour	Victoria Point – Masters Avenue
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- (7) Schedule 6, second table, item 7, column 1 for 'Ramp, Barge – Weinam Street', 'Barge'—
omit, insert—
 Boat
- (8) Schedule 6, second table, item 9, column 2 for 'Redland Bay – The Boulevard', after 'Boulevard'—
insert—
 (Moores Road)
- (9) Schedule 6, second table, after item 20—
insert—

Ramp, Boat – William Street North	Cleveland – William Street
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- (10) Schedule 6, second table, item 22, column 1 for 'Boat Ramp – William Street', 'Boat'—
omit.
- (11) Schedule 6, second table, item 22, column 1 for 'Boat Ramp – William Street', after 'Ramp'—
insert—
 , Boat
- (12) Schedule 6, second table, item 22, column 1 for 'Boat Ramp – William Street', after 'Street'—
insert—

8
 Redland City Council
 Amending Subordinate Local Law No. 2
 (Subordinate Local Law No. 4 (Local Government Controlled Areas, Facilities and Roads) 2015) 2019

South

- (13) Schedule 6, second table, after item 22—

Insert—

Ramp, Boat – Masters Ave Harbour	Victoria Point – Masters Avenue
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- (14) Schedule 6, second table, item 28, column 1 and column 2, ‘Ramp, Combined – Masters Ave Harbour Victoria Point – Masters Avenue’—
omit.

- (15) Schedule 6, second table, after last item—

insert—

Floating Walkway – Colburn Ave	Victoria Point – Colburn Avenue
Floating Walkway – William St	Cleveland – William Street

- (16) Schedule 6, after second table—

insert—

Canoe/kayak pontoons

Description	Location Description
Pontoon – canoe/kayak	Mainland - Ormiston

9 Amendment of sch 7 (Dictionary)

- (1) Schedule 7—

insert—

bona fide user, for a park or reserve, means a person who is genuinely using or in the process of using a park or reserve for a lawful purpose relevant to the community purpose of the park or reserve which, for the purpose of this definition, does not include using a park or reserve for the sole purpose of parking or leaving standing a motor vehicle.

Examples of a bona fide user – A person who uses the park for a picnic or barbeque or for swimming in the foreshore.

Examples of someone who is not a bona fide user – A person who parks their vehicle in a park or reserve while they attend to other business or personal affairs outside of the park or reserve.

9

*Redland City Council**Amending Subordinate Local Law No. 2**(Subordinate Local Law No. 4 (Local Government Controlled Areas, Facilities and Roads) 2015) 2019*

canoe/kayak pontoon means a canoe/kayak pontoon identified in schedule 6.

- (2) Schedule 7, definition *landing*, after ‘wharf’—
insert—
, but does not include a canoe/kayak pontoon

State Interest Check Report

Redland City Council				
State Interest Check on Proposed <i>Local Law No. 4 (Local Government Controlled Areas, Facilities and Roads) 2015</i>				
Agency: Queensland Fire and Emergency Services				
Section	Comment Type	Agency Issue	Agency Suggested Action to rectify issue	Local Government proposed response/actions to agency comments
6 (7) (b)		'Fire appliance' represents the diverse range of QFES vehicles.	Replace term 'fire-engine' with 'fire appliance' in section (7) (b).	Section 6, (7) (b) has been updated to reflect fire appliance

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13 REPORTS FROM COMMUNITY & CUSTOMER SERVICES**13.1 DECISIONS MADE UNDER DELEGATED AUTHORITY FOR CATEGORY 1, 2 AND 3 DEVELOPMENT APPLICATIONS****Objective Reference:** A3717718**Authorising Officer:** Louise Rusan, General Manager Community & Customer Services**Responsible Officer:** David Jeanes, Group Manager City Planning & Assessment**Report Author:** Hayley Saharin, Senior Business Support Officer**Attachments:** 1. Decisions Made under Delegated Authority 24.02.19 to 09.03.19 [↓](#)**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 officer's 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 officer's 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 officer's instrument of delegation.

COUNCIL RESOLUTION 2019/117

Moved by: Cr Paul Gleeson

Seconded by: Cr Paul Bishop

That Council resolves to note this report.

CARRIED 10/1

Crs Karen Williams, Wendy Boglary, Peter Mitchell, Paul Gollè, Lance Hewlett, Mark Edwards, Murray Elliott, Tracey Huges, Paul Gleeson and Paul Bishop voted FOR the motion.

Cr Julie Talty voted AGAINST the motion.

Decisions Made under Delegated Authority 24.02.2019 to 02.03.2019

CATEGORY 1

Application Id	Application Full Details	Applicant	Associated Property Address	Primary Category	Decision Date	Negotiated Decision Date	Decision Description	Division
RAL18/0087	Standard Format - 1 Into 2 Lots	Mr Brian P Dickens Mrs Judith A Dickens	165 Shore Street North Cleveland QLD 4163	Code Assessment	28/02/2019	NA	Development Permit	2
RAL18/0137	Standard Format - 1 into 2	Steffan Town Planning	6 Rose Street Ormiston QLD 4160	Code Assessment	25/02/2019	NA	Development Permit	1
MCU18/0277	Dwelling house	Eltham Projects C/ - Bplanned & Surveyed Pty Ltd	10 Sternlight Court Cleveland QLD 4163	Code Assessment	26/02/2019	NA	Development Permit	2
CAR19/0033	Design and Siting - Carport	Bartley Burns Certifiers & Planners	9 Abalone Crescent Thornlands QLD 4164	Referral Agency Response - Planning	26/02/2019	NA	Approved	3
CAR19/0036	Design and Siting - Carport	Easy As Designs	32 Arlington Street Cleveland QLD 4163	Referral Agency Response - Planning	28/02/2019	NA	Approved	3
CAR19/0020	Amenity and Aesthetics - Dwelling	Cornerstone Building Certification	8 Dawn Street Coochiemudlo Island QLD 4184	Referral Agency Response - Planning	25/02/2019	NA	Approved	4
CAR19/0037	Design and Siting - Boatport & Shipping Container	The Certifier Pty Ltd	68 Victoria Parade South Coochiemudlo Island QLD 4184	Referral Agency Response - Planning	27/02/2019	NA	Approved	4
CAR18/0461	Amenity and Aesthetics - Dwelling House <60m ²	Frederick Anthony JAMES	2 Lucy Street Russell Island QLD 4184	Referral Agency Response - Planning	25/02/2019	NA	Approved	5

Decisions Made under Delegated Authority 24.02.2019 to 02.03.2019

CATEGORY1

Application Id	Application Full Details	Applicant	Associated Property Address	Primary Category	Decision Date	Negotiated Decision Date	Decision Description	Division
MCU19/0020	Dwelling house	Mr James B Bienke	32-34 Treasure Island Avenue Karragarra Island QLD 4184	Code Assessment	28/02/2019	NA	Development Permit	5
CAR19/0040	Design and Siting - Dwelling House	Applied Building Approvals	13 Byron Street Russell Island QLD 4184	Referral Agency Response - Planning	25/02/2019	NA	Approved	5
CAR19/0042	Design and Siting - Dwelling and carport and boatport	Geoffrey Allan LISTER	4 Con Street Macleay Island QLD 4184	Referral Agency Response - Planning	27/02/2019	NA	Approved	5
CAR18/0510.01	Change to Development Approval - CAR18/0510 Amenity and Aesthetics - Removable Dwelling	Bryan HORN	14-16 Bimbad Crescent Russell Island QLD 4184	Minor Change to Approval	26/02/2019	NA	Approved	5
CAR19/0047	Design and Siting - Dwelling House	Applied Building Approvals	16 Aranda Street Russell Island QLD 4184	Referral Agency Response - Planning	25/02/2019	NA	Approved	5
DBW18/0090	Domestic Additions	Jeremy Salmon Architect	61 Perulpa Drive Lamb Island QLD 4184	Code Assessment	25/02/2019	NA	Development Permit	5
MCU19/0010	Extension to Currency Period - MCU012435 - Dwelling House	Mr Mark M Torbet Ms Rhonda L Chapman	48 Canaipa Point Drive Russell Island QLD 4184	Minor Change to Approval	27/02/2019	NA	Approved	5
MCU18/0290	Change to Development Approval - Dwelling House	Kerry Ivan VEIVERS The Certifier Pty Ltd	9-11 Teesdale Road Alexandra Hills QLD 4161	Minor Change to Approval	27/02/2019	NA	Refused	7
RAL19/0003	Standard Format - 1 into 2 lots	Mr Helton L Goncalves De Azevedo	24 Macquarie Street Capalaba QLD 4157	Code Assessment	25/02/2019	NA	Development Permit	9

Decisions Made under Delegated Authority 24.02.2019 to 02.03.2019

CATEGORY2

Application Id	Application Full Details	Applicant	Associated Property Address	Primary Category	Decision Date	Negotiated Decision Date	Decision Description	Division
OPW19/0015	Operational Works - 3 into 3 Lots - Rearranging Boundaries	Milanovic Neale Consulting Engineers	70 Sycamore Parade Victoria Point QLD 4165	Code Assessment	28/02/2019	NA	Development Permit	4
OPW19/0006	Operational Works - 1 into 2 Lots	Vaughn Samuel BOWDEN	1 Torquay Road Redland Bay QLD 4165	Code Assessment	28/02/2019	NA	Development Permit	5
OPW19/0007	Change to Development Approval	Has Property Holdings Pty Ltd	108 Old Cleveland Road Capalaba QLD 4157	Minor Change to Approval	28/02/2019	NA	Approved	9

Decisions Made under Delegated Authority 24.02.2019 to 02.03.2019

CATEGORY3

Application Id	Application Full Details	Applicant	Associated Property Address	Primary Category	Decision Date	Negotiated Decision Date	Decision Description	Division
MCU18/0089	Combined Standard Format 2 into 3 lot and Material Change of Use for a Service Station	Mr Neville L Muller Taylor Willis Town Planners	89 Collins Street Redland Bay QLD 4165	Impact Assessment	25/02/2019	NA	Development Permit	6
SPS19/0001	Request to Apply Superseded Planning Scheme - Home Based Business	Mr Kevin A G Delaforce Mrs Julia M Delaforce	394 Woodlands Drive Thornlands QLD 4164	DA apply previous policy/code	27/02/2019	NA	Approved	6

Decisions Made under Delegated Authority 03.03.2019 to 09.03.2019

CATEGORY1

Application Id	Application Full Details	Applicant	Associated Property Address	Primary Category	Decision Date	Negotiated Decision Date	Decision Description	Division
RAL18/0097	Reconfiguring a Lot - Standard Format - 1 into 2 Lots	Mr Robert W Cowan	14-16 Nelson Street Ormiston QLD 4160	Code Assessment	07/03/2019	NA	Development Permit	1
CAR19/0049	Design and Siting - Dwelling	Bay Island Designs	22 Wirralee Street Macleay Island QLD 4184	Referral Agency Response - Planning	05/03/2019	NA	Approved	5
CAR18/0033.01	Change to Development Approval - QCAR18/0033	Building Code Approval Group Pty Ltd	40-48 Gordon Road Redland Bay QLD 4165	Minor Change to Approval	05/03/2019	NA	Approved	6
CAR19/0022	Design and Siting - Dwelling House	A1 Certifier	2 Fawley Court Alexandra Hills QLD 4161	Referral Agency Response - Planning	07/03/2019	NA	Approved	7
RAL18/0094	Reconfiguration of Lot - Standard Format - 1 into 4 lots	Mr Ian B Hamilton Mrs Julie A Hamilton	18 Valantine Road Birkdale QLD 4159	Code Assessment	08/03/2019	NA	Development Permit	8
DBW19/0003	Domestic Additions - Shed	Totalspan (Capalaba)	38 Brewer Street Capalaba QLD 4157	Code Assessment	04/03/2019	NA	Development Permit	9
CAR19/0041	Design and Siting - Carport	Residential Building Approvals	19 Henry Street Thorneside QLD 4158	Referral Agency Response - Planning	04/03/2019	NA	Approved	10

Decisions Made under Delegated Authority 03.03.2019 to 09.03.2019**CATEGORY3**

Application Id	Application Full Details	Applicant	Associated Property Address	Primary Category	Decision Date	Negotiated Decision Date	Decision Description	Division
SPS18/0004	Request to Apply Superseded Planning Scheme - 1 into 50 Lots	East Coast Surveys Pty Ltd	67-85 Kinross Road Thorntlands QLD 4164	DA apply previous policy/code	08/03/2019	NA	Approved	7

13.2 LIST OF DEVELOPMENT AND PLANNING RELATED COURT MATTERS AS AT 13 MARCH 2019

Objective Reference: A3717724

Authorising Officer: Louise Rusan, General Manager Community & Customer Services

Responsible Officer: David Jeanes, Group Manager City Planning & Assessment

Report Author: Christy Englezakis, Senior Appeals Planner

Attachments: Nil

PURPOSE

The purpose of this report is for Council to note the current development and planning related Court 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/services/search-for-a-court-file/search-civil-files-ecourts>
- 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)

The DSDMIP provides a Database of Appeals that may be searched for past appeals and declarations heard by the Planning and Environment Court.
<https://planning.dsdmip.qld.gov.au/planning/spa-system/dispute-resolution-under-spa/planning-and-environment-court/planning-and-environment-court-appeals-database>

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.

4. Department of Housing and Public Works (DHPW)

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

[Http://www.hpw.qld.gov.au/construction/BuildingPlumbing/DisputeResolution/Pages/default.aspx](http://www.hpw.qld.gov.au/construction/BuildingPlumbing/DisputeResolution/Pages/default.aspx)

PLANNING & ENVIRONMENT COURT APPEALS

1.	File Number:	CA11075/17 (MCU013296)
Appellants		Lipoma Pty Ltd
		Lanrex Pty Ltd
		Victoria Point Lakeside Pty Ltd
Co-respondent (Applicant)		Nerinda Pty Ltd
Proposed Development:		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:		Submitter appeal against Council approval
Current Status:		A directions hearing was held on 1 August 2018. A further directions hearing was held on 5 October 2018 to confirm the matters to be determined by the Court. The matter was heard before the Court over four days, commencing 4 March 2019. The Court has reserved its decision.

2.	File Number:	Appeal 4515 of 2017 (ROL006084)
Appellant:		Australian Innovation Centre Pty Ltd
Proposed Development:		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. Mediation was held on 6 March 2018. A review was held on 27 February 2019. A further without prejudice meeting is to be held prior to 12 April 2019. The matter is set down for a further review on 17 April 2019.

3.	File Number:	Appeal 461 of 2018 (MCU013977)
Appellant:		Robyn Edwards & Ronald Edwards
Proposed Development:		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. A Directions Order was set down on 27 April 2018 detailing a timetable for the proceedings. Mediation was held on 31 May 2018. A review was held on 25 January 2019. Council resolved to settle the appeal on 6 February 2019. The Appellant is currently preparing the material required to have the matter listed for final orders, to conclude the appeal.

4.	File Number:	Appeal 894 of 2018 (MCU013921)
Appellant:		Palacio Property Group Pty Ltd
Proposed Development:		Infrastructure conversion application (relating to the Development Permit for a Material Change of Use for Multiple Dwellings (22 units)) 4-8 Rachow Street, Thornlands (Lot 5 on SP149013)
Appeal Details:		Appeal against Council refusal
Current Status:		Appeal filed 9 March 2018. A without prejudice meeting was held on 17 May 2018. Settlement offer went to Council meeting on 10 October 2018. Council resolved to decline the offer. Mediation was held on 3 December 2018. The Joint Expert Report of Town Planners was completed 16 February 2018. A pre-callover review is to be held on 21 March, to set down dates for a hearing. A further without prejudice mediation is to be held on 26 March 2019.

5.	File Number:	Appeal 1506 of 2018 (MCU17/0149)
Appellant:		Barro Group Pty Ltd
Proposed Development:		Request to Extend the Currency Period (relating to the Development Permit for 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)) 1513 and 1515 – 1521 Mount Cotton Road and 163-177 and 195 Gramzow Road, Mount Cotton (Lot 162 on S31962, Lot 238 on SP218968, Lot 370 on S311071, Lot 1 on RP108970, Lot 17 on RP108970, Lot 1 on SP272090, Lot 2 on SP272091, Lot 3 on SP272092 and the land comprising part of Greenhide (California) Creek located between Lot 162 on S31962 and Lot 238 on SP218968, which is the property of the State)
Appeal Details:		Appeal against Council refusal
Current Status:		Appeal filed on 24 April 2018. A without prejudice meeting was held on 29 October 2018. A pre-call over review was held on 20 February 2019. A further review was held on 21 February 2019. The Court requires that the Appellant lodge the Amendment Application by 15 March 2019. A further review is to be held on 21 March 2019.

6.	File Number:	Appeal 2142 of 2018 (MCU013782)
Appellant:		Binnaton Holdings Ltd
Proposed Development:		Material Change of Use for an Apartment Building (39 Units) 7, 9 & 11 Fernbourne Road, Wellington Point (Lots 1 & 2 on RP14166 and Lot 2 on RP14166)
Appeal Details:		Appeal against Council decision to issue a Preliminary Approval
Current Status:		Appeal filed on 11 June 2018. A without prejudice meeting was held on 19 July 2018. Appeal is adjourned until 18 April 2019.

7.	File Number:	Appeal 2171 of 2018 (ROL006209)
Appellant:		Lorette Margaret Wigan
Proposed Development:		Reconfiguring a Lot for 1 into 29 lots and road 84-122 Taylor Road, Thornlands (Lot 1 on RP123222)

Appeal Details:	Appeal against Council decision to issue Preliminary Approval
Current Status:	Appeal filed on 13 June 2018. Mediation was held on 29 June 2018. A second mediation was held on 2 October 2018. A third mediation was held on 22 October 2018. A further mediation scheduled for 13 March 2019 was cancelled and will be rescheduled for late April or early May 2019.

8.	File Number:	Appeal 2519/18 (MCU17/0123)
Appellant:		Wellington Property Management Pty Ltd
Proposed Development:		Material Change of Use for a Child Care Centre 100-102 Collins Street, Redland Bay (Lot 1 on RP190688)
Appeal Details:		Appeal against Council refusal
Current Status:		Appeal filed on 9 July 2018. Mediation was held on 4 October 2018. A second mediation was held on 17 January 2019. A third mediation was held on 25 January 2019. Council resolved to settle the appeal on 20 February 2019. The matter was set down for hearing on 25 February 2019. On Day 1 of the hearing, the appellant made a minor change application to the Court, seeking approval of the plans agreed upon by Council and the Appellant. The Court approved the minor change application. The co-respondent also agreed to settle the appeal with the appellant, resolving the appeal. A review was held on 13 March 2019, and the Court made orders to approve the Development Application, bringing the matter to a close.

9.	File Number:	Appeal 3344/18 (ROL006039)
Appellant:		Harridan Pty Ltd
Proposed Development:		Reconfiguring a Lot for 1 into 7 Lots 14-20 Bonnie Street, Thornlands (Lot 6 on SP164062)
Appeal Details:		Appeal against Council refusal
Current Status:		Appeal filed on 12 December 2018. A directions hearing was held on 28 September 2018. Mediation was held on 8 November 2018. A review was held on 29 January 2019. Council resolved to settle the appeal on 20 February 2019. An adjournment was sought on 22 February 2019 and was approved by the Court. A further review was held on 7 March 2019, at which the Court approved a minor change, based on the amended layout agreed upon by Council and the Appellant. The appellant and Council are currently finalising the conditions package and a further review will be held on 22 March 2019 to seek final orders to bring the matter to a close.

10.	File Number:	Appeal 135/18 (MCU013917)
Appellant:		Maureen Joan Chapman
Proposed Development:		Material Change of Use for a Dwelling House 42 Magnolia Street, Russell Island (Lots 77, 78, 104 & 105 on RP129012)
Appeal Details:		Appeal against Council refusal
Current Status:		Appeal filed on 21 September 2018. Council solicitors corresponded with the Appellant's solicitor on 13 March 2019 to prompt them to take steps to progress or discontinue the appeal.

11.	File Number:	Appeal 4270 of 2018 (MCU013936)
Appellant:		Landmark Homes
Proposed Development:		Material Change of Use for a Dwelling House 10 Water Street, Cleveland (Lot 57 on RP1691)
Appeal Details:		Appeal against Council refusal
Current Status:		Appeal filed on 29 November 2018. A without prejudice meeting was held on 15 January 2019. A directions hearing was held on 27 February 2019, at which the court made orders requiring the parties' experts to produce a joint expert report by 3 April 2019. A further without prejudice meeting is required to be held before 17 April 2019. A further review is scheduled for 24 April 2019.

APPEALS TO THE QUEENSLAND COURT OF APPEAL

12.	File Number:	Appeal 8114/18 (MCU012812) / (QPEC Appeal 3641 of 2015)
Appellant:		Redland City Council
Respondent (applicant):		King of Gifts Pty Ltd and HTC Consulting Pty Ltd
Proposed Development:		Material Change of Use for Service Station (including car wash) and Drive Through Restaurant 604-612 Redland Bay, Road, Alexandra Hills
Appeal Details:		Appeal against the decision of the Planning and Environment Court to allow the appeal and approve the development.
Current Status:		Appeal filed by Council on 30 July 2018. Council's outline of argument was filed on 28 August 2018. The appellant's outline of argument was filed on 20 September 2018. The matter was heard before the Court on 12 March 2019. The Court has reserved its decision.

DEVELOPMENT TRIBUNAL AND OTHER MATTERS

No current Development Tribunal or other matters.

COUNCIL RESOLUTION 2019/118

Moved by: Cr Paul Bishop

Seconded by: Cr Mark Edwards

That Council resolves to note this report.

CARRIED 11/0

Crs Karen Williams, Wendy Boglary, Peter Mitchell, Paul Gollè, Lance Hewlett, Mark Edwards, Julie Talty, Murray Elliott, Tracey Huges, Paul Gleeson and Paul Bishop voted FOR the motion.

13.3 MCU18/0269 - 7 FERNBOURNE ROAD, WELLINGTON POINT**Objective Reference:** A3717719**Authorising Officer:** Louise Rusan, General Manager Community & Customer Services**Responsible Officer:** David Jeanes, Group Manager City Planning & Assessment**Report Author:** Eskinder Ukubamichael, Senior Planner**Attachments:**

1. Plans for Decision [↓](#)
2. Basement Plan [↓](#)
3. Stormwater Management Plan [↓](#)
4. Traffic Engineering Assessment [↓](#)
5. Traffic Impact Report [↓](#)
6. Deed Poll Covenant [↓](#)
7. Landscape Plans [↓](#)
8. Decision Notice Conditions [↓](#)

PURPOSE

Council has received an application seeking a Development Permit for a Material Change of Use (Code Assessment) for a Multiple dwelling (45 units) on an allotment zoned Medium density residential on land at 7, 9 and 11 Fernbourne Road, Wellington Point.

The owner of the subject lot is Clive T Kitchen as Trustee and the applicant is Binnaton Holdings Ltd care of BPlanned Consultants.

The proposal is code assessable as per Table 5.4.3 of the Medium density residential zone – Categories of development assessment. The application was made in accordance with the *Planning Act 2016* (PACT).

The proposal did not require referral to the State or public notification.

Key Issues with the application are summarised below:

- Building Height
- Streetscape
- Open Space
- Environmental Impacts
- Car Parking
- Traffic
- Access

These issues have been addressed in the report. The application has been assessed against the relevant sections of the Redland City Plan (RCP), as well as other applicable planning instruments and is considered to comply with the benchmarks.

Accordingly it is recommended that the application be granted a Development Permit, subject to conditions. The applicant will be required to obtain a number of additional permits prior to construction of the development.

BACKGROUND

The following applications are relevant:

- A previous application proposing a 41 unit Apartment building development was withdrawn by the applicant soon after lodgement on 18/05/2016 (Council ref. MCU013849).
- A Preliminary Approval was granted on 09/05/2018 for a four storey Apartment building comprising 39 units with height of 14.3m (Council ref. MCU013782). The applicant has appealed Council's decision to the Planning and Environment Court (Appeal number 2142/18). The matter is currently adjourned until April 2019.

ISSUES**DEVELOPMENT PROPOSAL & SITE DESCRIPTION****Proposal**

The proposal is for a Multiple dwelling comprising 45 units, in 2 buildings. The proposed building height is 12.5m above natural ground level and will be up to three storeys, plus basement.

The units will provide 2 one bedroom, 27 two bedroom and 16 three bedroom configurations. The specific design parameters are as follows:

Description	Characteristics
Partial Basement Level	Less than 1m above ground level 77 resident car parking spaces 3 motorbike parking spaces Bike store 2 x waste chutes/bin rooms 2 x lifts & 2 x stairs (continues to all levels)
Ground Floor Plan	Main entry/lobby 13 units (7 two bedroom and 6 three bedroom) 4 of the units facing Fernbourne Road has direct pedestrian access to the Road Communal open space BBQ and sitting area 5 visitor car parking spaces
Level 1 Plan	16 units (1 one bedroom, 10 two bedroom and 5 three bedroom) A walkway provides access to the units from the lifts and stairs
Level 2 Plan	16 units (1 one bedroom, 10 two bedroom and 5 three bedroom) A walkway provides access to the units from the lifts and stairs
Height and Storeys	Maximum 12.5m above ground level and 3 Storeys
Setbacks	Front – 4.0m Side – 3.5m to north and south boundaries Rear – 5m Basement setback - 4m to front, 3.5m to sides and 5m to rear boundaries
Site Cover	2,233m ² over 4,219m ² = 52.9%
Open Space	Communal open space - 453m ² Private open space: Ground floor units- a minimum of 25m ² Above ground 1 bedroom units – a minimum of 10m ² Above ground 2 and 3 bedroom units – a minimum of 16m ²
Landscaping	Deep planting areas of 16.5% or 699m ² have been provided Podium planting of 5.52% of the site area or 233m ² of has been proposed, taking the total landscape areas of the site to 22.09% or 932m ²

Table 1 – Proposal Description

Site & Locality

The subject site has an area of 4,219m² over 3 lots. Each lot is currently improved with a dwelling house. The development site has a street frontage of 60.3m and depth of 70m. The adjoining lot to the south is zoned Medium density residential (MDR) and contains a dwelling house. The lot adjoining to the north is also zoned MDR and is currently vacant, although a retirement village (94 single and double storey units) has been approved over this lot and the lots to the rear of the subject site. The land to the rear of the development is zoned Low-medium density residential (LMDR), with some of this land developed with early stages of the retirement village mentioned previously.

The site slopes from a high point in the south-west corner of the site (front boundary) at a height of approximately 12.29m AHD, to a low point at the south-east corner of the site (rear boundary) at a height of approximately 6.58m AHD. The site has moderate vegetation coverage with a mix of native and exotic species.

The site is within 150m of the Wellington Point railway station to the south-west, and approximately 1km from Moreton Bay to the east. The area is an established residential area with mostly detached dwellings on a range of lots sizes. There is also some small lot and multiple dwelling developments nearby.

APPLICATION ASSESSMENT

PACT

The application has been made in accordance with the *PACT Development Assessment Rules* and constitutes an application for Material Change of Use under the RCP. Under section 45 of the PACT, a code assessment is an assessment that must be carried out only:

- (a) *against the assessment benchmarks in a categorising instrument for the development;*
and
- (b) *having regard to any matters prescribed by a regulation.*

These are the applicable RCP codes, which are the assessment benchmarks:

- Medium density residential zone code
- Healthy waters code
- Infrastructure works code
- Landscape code
- Transport, servicing, access and parking code
- Environmental significance overlay code

The applicable Planning Regulation matter is Schedule 11 – Koala habitat area.

Additionally, Section 60(2) of the PACT outlines for a development that require code assessment, the assessment manager, after carrying out the assessment:

- must decide to approve the application to the extent the development complies with all of the assessment benchmarks for the development; and
- may decide to approve the application even if the development does not comply with some of the assessment benchmarks; and
- may impose development conditions on an approval; and
- may, to the extent the development does not comply with some or all the assessment benchmarks, decide to refuse the application only if compliance cannot be achieved by imposing development conditions.

SEQ Regional Plan 2017

The site is located within the Urban Footprint in the SEQ Regional Plan 2017.

State Policy & Regulations

State Policy / Regulation	Applicability to Application
State Planning Policy 2017 (SPP)	Section 2.1 of the RCP states that all state interests in State Planning Policy April 2016, are integrated in the Scheme. There are no changes relevant to the application between the State Planning Policy April 2016 and July 2017.
Koala Habitat Area	<p>The study area is mapped within a Priority Koala Assessable Development Area, such that the project will be subject to provisions of Schedule 11 of the Planning Regulation 2017 in relation to Koala habitat.</p> <p>The site is classified as “Medium Value Other”, which does not require any monetary offsets or replanting. The habitat connectivity for koala movement is incumbent on a number of factors, primarily being the koala habitat type (other areas of habitat value being the lowest order of habitat type which describes an area of habitat other than intact, contiguous native vegetation on a lot less than 0.5 ha in size). Other factors for koala connectivity include:</p> <ul style="list-style-type: none"> • Areas of remnant or regulated regrowth • Areas of ecological significance • Waterways and ecological corridors • Presence of koalas • Condition of habitat • Any factors which diminish the site’s habitat connectivity. <p>Koalas are known to be frequently present in this vicinity however the habitat value of existing vegetation on site is limited and koala movement is generally discouraged from urban consolidation development. Some connectivity can be facilitated through street tree planting, however most movement through the area would most likely occur in the vegetated area to the east of the site. Consequently, there are no requirements under the Regulation.</p> <p>During the construction phase, vegetation clearing will be undertaken under guidance of koala spotter. Recommended conditions of approval address this matter.</p>

RCP

The application has been assessed under the RCP version 1.0.

The application is subject to code assessment and as noted the following codes are applicable to the assessment:

- Medium density residential zone code
- Healthy waters code
- Infrastructure works code
- Landscape code
- Transport, servicing, access and parking code
- Environmental significance overlay code

The subject site is zoned MDR. A Multiple dwelling is a consistent form of development in this zone, subject to Council approval. The proposed development has been assessed against the applicable benchmarks and is considered to comply. The most relevant parts of this assessment are discussed below.

Building Height

Performance outcome PO8 of the Medium density residential code states that building height is up to three storeys in the subject zone. The proposal, which has a maximum building height of 12.5 metres above ground level, meets this performance outcome by adopting the design element in acceptable outcome AO8, which identifies a building height of 13 metres.

Streetscape

Performance outcome PO12 of the Medium density residential code states that design elements contribute to an interesting and attractive streetscape and building through:

- the provision of projections and recesses in the facade which reflect changes of internal functions of buildings, including circulation;
- variations in material and building form;
- modulation in the facade, horizontally or vertically;
- articulation of building entrances and openings; and
- corner treatments to address both street frontages.

The proposal meets PO12 as follows:

- the proposed development incorporates large projections and recesses to the street as well as variation in materials and building form. Balconies are at least 3.2m deep and are provided with 900mm eave overhangs to the gable above each upper floor balcony (Figure 1);
- material selection is consistent with modern “timber and tin” design and will give the appearance of the building being constructed of lightweight materials, thereby reducing the perception of bulk and complementing the existing building materials on the street;
- the front building is divided into three repetitive sections. Additionally, the provision of an entry foyer gives the appearance of the building being broken into two parts. A green wall and planter boxes to each level of the access stair, associated with the entry foyer, further breaks up the building form; and
- a large undercroft area under the southern portion of the front building is provided to further break up the building form. This undercroft comprises a large section of deep planting. This part of the building will read as two storeys when viewed from the street. Significant areas of deep planting, both in width and length, have been provided along the frontage of the site. This will further assist in softening the façade of the building and creating interest along the frontage of the site.



Figure 1. Built form and articulations.

Open Space

Performance outcomes of the Medium density residential code states as follows:

- communal open space (PO3) – Developments involving more than 20 dwellings provide sufficient communal open space to:
 - create usable, flexible spaces suitable for a range of activities; and
 - provide facilities including seating, landscaping and shade.
- private open space (PO4) – Development provides private open space that is:
 - useable in size and shape to meet the needs of a diversity of potential residents;
 - functional and easily accessible from living or common areas to promotes outdoor living as an extension of the dwelling;
 - clearly identified as private open space; and
 - provides a high level of privacy for residents and neighbours.

The proposal complies with the performance outcomes by adopting the design elements in acceptable outcomes AO3.1, AO4.1 and AO4.2, as follows:

- 453m² of communal open space is provided which is 10.7% of the site area;
- all ground level units have a minimum 25m² of private open space;
- all above ground 1 bedroom units have a minimum 10m² and 2/3 bedroom units have a minimum of 16m² of private open space.

Environmental impacts

Nearly half of the site is covered by the overlay as shown below. Performance outcomes PO2-PO4, PO9-11, PO17-18 of the Environmental significance overlay code relevantly state that:

- development does not result in a significant reduction in the level or condition of biodiversity and ecological functions and processes in the locality.
- development does not cause substantial fragmentation of habitat areas.
- connections between habitat areas are retained, so that movement of key species and normal gene flow between populations is not inhibited or made less safe. Connections may include both continuous corridors and “stepping stone” patches and refuges.

- development does not result in the introduction of pest species (plant or animal), that pose a risk to ecological integrity or disturbance to native fauna.
- development minimises alterations to natural landforms, flow regimes, groundwater recharge and surface water drainage patterns.
- development minimises potential for disturbance of wildlife as a result of noise, light, vibration or other source.
- where clearing occurs, it is sequenced and undertaken in a manner that provides opportunities for fauna to vacate affected land.
- where development results in, or is likely to result in, a significant residual impact on matters of local environmental significance, despite all reasonable on-site mitigation measures, the impact will be offset.



Figure 2. Extent of environmental significance overlay.

The proposal seeks to remove all vegetation from the subject property. The proposal is considered to comply with the relevant performance outcomes as follows:

- (1) approximately 26% of the vegetation on site is native vegetation. The native species on the site are not koala food or habitat trees nor do they provide any significant habitat or ecological value. The removal of vegetation will not result in a reduction of ecological function in the local area. There are tracts of bushland to the south east and east of the site that provide biodiversity and ecological functions for the locality.
- (2) removal of all vegetation removes any potential use of the small amount of vegetation on this site as possible “stepping stone” patches. Existing vegetation on the road verge and landscaping could still serve this purpose. The proposed clearing will not result in fragmentation and the site does not contribute substantially to the area’s movement of fauna and ecological functions.
- (3) the provision of appropriate landscaping on the site will be recommended to be conditioned to ensure that no pest species will be introduced.
- (4) the surrounding area is dominated by residential uses. The potential impact for wildlife disturbance for noise, light and vibration will always be there.

- (5) a recommended condition will form part of the approval to ensure that any removed vegetation be inspected for fauna prior to removal.
- (6) as per the Planning Scheme Policy 1 – Environmental significance native vegetation is to be offset at a rate of 3:1. Due to a lack of replanting area on the subject lot the offset will be in the form of a financial settlement.

Car parking

Performance outcome PO8 of the transport, servicing, access and parking code states that on-site vehicle parking:

- (1) is clearly defined, safe and easily accessible;
- (2) accommodates a sufficient number of vehicles, having regard to:
 - the type and size of development;
 - expected resident, employee and customer movements;
 - the location of the use;
 - the capacity of the existing road network to accommodate on-street parking; and
 - access to public transport.
- (3) includes dedicated parking spaces for people with a disability, motor cycles and bicycles.

The proposal complies with the performance outcomes by adopting the design elements in acceptable outcomes AO8.1, AO8.2 and AO8.3, as follows:

- 5 visitor spaces on ground level;
- 77 spaces are provided at basement level;
- 3 motorcycle spaces are provided;
- the car parking design complies with Australian Standard 2890.1.

Traffic

Performance outcome PO3 of the transport, servicing, access and parking code states that development maintains or improves the safe and efficient operation of transport networks having regard to (amongst other things):

- the existing or planned function of the roads affected;
- available sight distances and the location and design of access points;
- accessibility by public transport, pedestrians and cyclists;
- the potential for conflict between vehicles, pedestrians and cyclists;
- the loss or increase of on-street parking;
- the location, construction and maintenance of utility infrastructure; and
- the nature and intensity of traffic and parking generated by the development.

A traffic impact assessment was undertaken by Lambert & Rehbein, which determined that upgrades to local streets are unnecessary, with the existing road network able to accommodate the traffic demand generated by the proposed development. Additionally, the close proximity of the development to a train station will result in an overall reduction of vehicle trips, particularly during peak periods.

Chapter 5 of Planning Scheme Policy (PSP) 9 refers to Queensland Streets, AUSTRROADS and the Department of Main Roads Planning and Design Manual for calculating traffic generation for residential development. Design traffic generation is a maximum of 6 trips per dwelling per day resulting in 234 vehicles per day (VPD). Total peak hour trips are 0.4 trips per dwelling resulting in 16 vehicles per hour at peak times, in accordance with Table 3.5 – Traffic Generation Rates

Residential Dwellings in Chapter 3 of the Department of Main Roads Road Planning and Design Manual.

The catchment associated with Fernbourne Road is small with approximately 30 lots. Based on trip generation rates the existing development in the catchment will generate approximately 243 VPD, and the proposed development 234 VPD for the proposed development, resulting in 477 VPD on the local network. Fernbourne Road has a road reserve width of 20m which is similar to a trunk collector, but is designated as a residential collector street, which has a design capacity of 3,000 VPD. The additional traffic is well within the capacity of a residential collector street, and the traffic that could otherwise gain access directly onto Fernbourne Road via Station and Harris Streets (which include lots zoned MDR but are currently mostly undeveloped for higher density uses), would for the most part travel west via the roundabout at Station Street / Crossley Drive / Main Road, the intersection at Valley Road and Main Road, or where a right turn is required, the signalised intersection one block further north at Roberts Street and Main Road.

With regards to impacts on intersections, the largest impact would be on the Station Street / Main Road / Crossley Drive roundabout, with a total of 14 additional movements during the peak period, resulting in 1 additional vehicle entering the roundabout every 4 minutes, which is considered negligible.

Recommended verge upgrades are applicable to the proposed development that will result in:

- a 5.5m wide verge
- a 4.5m wide carriageway
- kerb and channel to align with the lot to the south; and
- a 2.5m wide footpath.

The proposal has demonstrated to meet the performance outcome described above.

Access

Performance outcome PO16 of the transport, servicing, access and parking code states that site access is located and designed to avoid adverse impact on existing or intended:

- utility infrastructure, such as power poles, street lighting, gully pits and the like;
- bus stops, taxi ranks, traffic control devices; and
- pedestrian and cycle paths and crossings; and
- street trees.

A 6.5m wide access is proposed which accords with Standard Drawing R-RSC-3, with appropriate clearance to the nearby intersections and sight distance as specified in Australian Standard AS2890.1:2004.

The access has been designed to facilitate up to a Heavy Rigid Vehicle (HRV) to enter and exit the site in a forward gear. To enable suitable sightlines for the HRV egressing the site, a condition is recommended for street trees to be located outside of the area shown in blue in Figure 3, or alternatively for a contribution to be taken in lieu of street tree planting given the added limitation of the overhead power lines. There is sufficient landscaping width between the property boundary and development to provide a suitable buffer to development. The proposal has demonstrated to meet the performance outcome described above.



Figure 3 – Driveway Sight Distance Assessment page 17 of Rytenskild Traffic Engineering Assessment.

Stormwater Management

Performance outcome PO3 and PO9 of the healthy water ways code states that:

- the stormwater drainage system maintains the pre-development velocity and quantity of run-off outside of the site and does not otherwise worsen or cause nuisance to adjacent, upstream and downstream land.
- development contributes to the protection of environmental values of receiving waters and does not adversely impact on water quality in Redland's waterways.

A Site Based Stormwater Management Plan has been submitted that demonstrates the site will discharge into stormwater pits which are connected to 300mm diameter stormwater pipe infrastructure, running at a 2% grade to the downstream property. Stormwater quantity modelling indicated the water quantity objectives would be adequately achieved for minor and major storm events. Downstream property discharge rights have been maintained by way of agreement (Deed Poll) which represents a lawful point of discharge. Stormwater Quality objectives are met by the treatment provided by gross pollutant traps and bio-retention.

INFRASTRUCTURE CHARGES

The proposed development is subject to infrastructure charges in accordance with the Adopted Infrastructure Charges Resolution. The total charge applicable to this development is:

Total charge: \$967,338.30

This charge has been calculated as follows in accordance with Council's [Adopted Infrastructure Charges Resolution \(No. 2.3\) August 2016](#).

Residential Component

(16 X Multiple Dwelling - 3 or more bedroom X \$28,692.25)	\$459,076.00
(29 X Multiple Dwelling - 1 or 2 bedroom X \$20,494.45)	\$594,339.05

Residential Demand Credit

(3 X Dwelling House - 3 or more bedroom X \$28,692.25)	\$86,076.75
--	-------------

Total Council Charge:	\$967,338.30
------------------------------	---------------------

Offsets

The following offset applies under Chapter 4 Part 2 of the PACT, calculated in accordance with Redland City Council's Adopted Infrastructure Charges Resolution:

Local Government Infrastructure Plan (LGIP) identified (TRL-166) trunk shared 2.5m wide off-road path to run along the site frontage (approx. 60m) whilst maintaining the existing Jacaranda tree.

Offset value - \$150/linear metre x 60m = \$9,000.00.

Refunds

There are no refunds that apply under Chapter 4 Part 2 of the PACT.

STATE REFERRALS

The application did not trigger any referral requirements.

PUBLIC CONSULTATION

The proposed development is Code assessable and did not require public notification. Therefore no submissions were received.

DEEMED APPROVAL

The approval of this application has not been issued under Section 64 of the PACT.

CONCLUSION

The application has been assessed against the relevant planning instruments and is considered to comply. It is therefore recommended that a development permit be issued subject to conditions.

STRATEGIC IMPLICATIONS**Legislative Requirements**

In accordance with the PACT this development application has been assessed against the RCP V1.0 and other relevant planning instruments. The decision is due on 09 May 2018.

Risk Management

Standard development application risks apply. In accordance with the PACT the applicant may appeal to the Planning and Environment Court against a condition of approval or against a decision to refuse.

Financial

If approved, Council will collect infrastructure contributions in accordance with the Council's Adopted Infrastructure Charges Resolution.

If the development is refused, there is potential that an appeal will be lodged and subsequent legal costs may apply.

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 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. Advice has been received from relevant officers and forms part of the assessment of the application presented in the “issues” section above.

Consulted	Consultation Date	Comments/Actions
Local Councillor	23/11/2018	Application called in for a decision by Council

OPTIONS

Option One

That Council resolves that a Development Permit approval be issued subject to conditions listed in Attachment 8 for the Material Change of Use for a Multiple dwelling (45 units) on land described as Lot 132 on RP14151, and Lots 1 and 2 on RP14166, and situated at 7, 9 and 11 Fernbourne Road, Wellington Point.

Option Two

That Council resolves to issue a development permit without conditions or subject to amended conditions.

Option Three

That Council resolves to issue a preliminary approval subject to additional requirements.

Option Four

That Council resolves to refuse the application.

COUNCIL RESOLUTION 2019/119

Moved by: Cr Julie Talty

Seconded by: Cr Murray Elliott

That Council resolves that a Development Permit approval be issued subject to conditions listed in Attachment 8 for the Material Change of Use for a Multiple dwelling (45 units) on land described as Lot 132 on RP14151, and Lots 1 and 2 on RP14166, and situated at 7, 9 and 11 Fernbourne Road, Wellington Point.

CARRIED 7/4

Crs Karen Williams, Peter Mitchell, Lance Hewlett, Mark Edwards, Murray Elliott, Paul Gleeson and Paul Bishop voted FOR the motion.

Crs Wendy Boglary, Paul Gollè, Julie Talty and Tracey Huges voted AGAINST the motion.

DEVELOPMENT SCHEDULE

SITE	7,911 FERNBOURNE RD
RPD	LOTS 1,2 + 132 RP 14166
SITE AREA	4,219 m ²
SITE COVER 52.92%	2,233 m ²
LANDSCAPE 22.09%	932 m ²
DEEP SOIL (699m ²) 16.56%	
PODIUM PLANTING (233m ²) 5.52%	
COMMUNAL OPEN SPACE 10.73%	453m ²

UNIT TYPE SCHEDULE

LEVEL	1 BED	2 BED	3 BED	TOTAL
BASEMENT	-	-	-	-
LEVEL 1	0	7	6	13
LEVEL 2	1	10	5	16
LEVEL 3	1	10	5	16
TOTAL	2	27	16	45

CARPARKING

1 SPACE/ 1 BED UNIT (2X1)	2.00
1.5 SPACE/ 2 BED UNIT (27X1.5)	40.50
2 SPACE/ 3 BED UNIT (16X2)	32.00
VISITORS 1 SPACE/10 UNITS	4.50
TOTAL REQUIRED	79.00
PROVIDED VISITORS	5.00
PROVIDED RESIDENTS	77.00
TOTAL CARPARKS PROVIDED	82.00

COMPLIANCE SCHEDULE

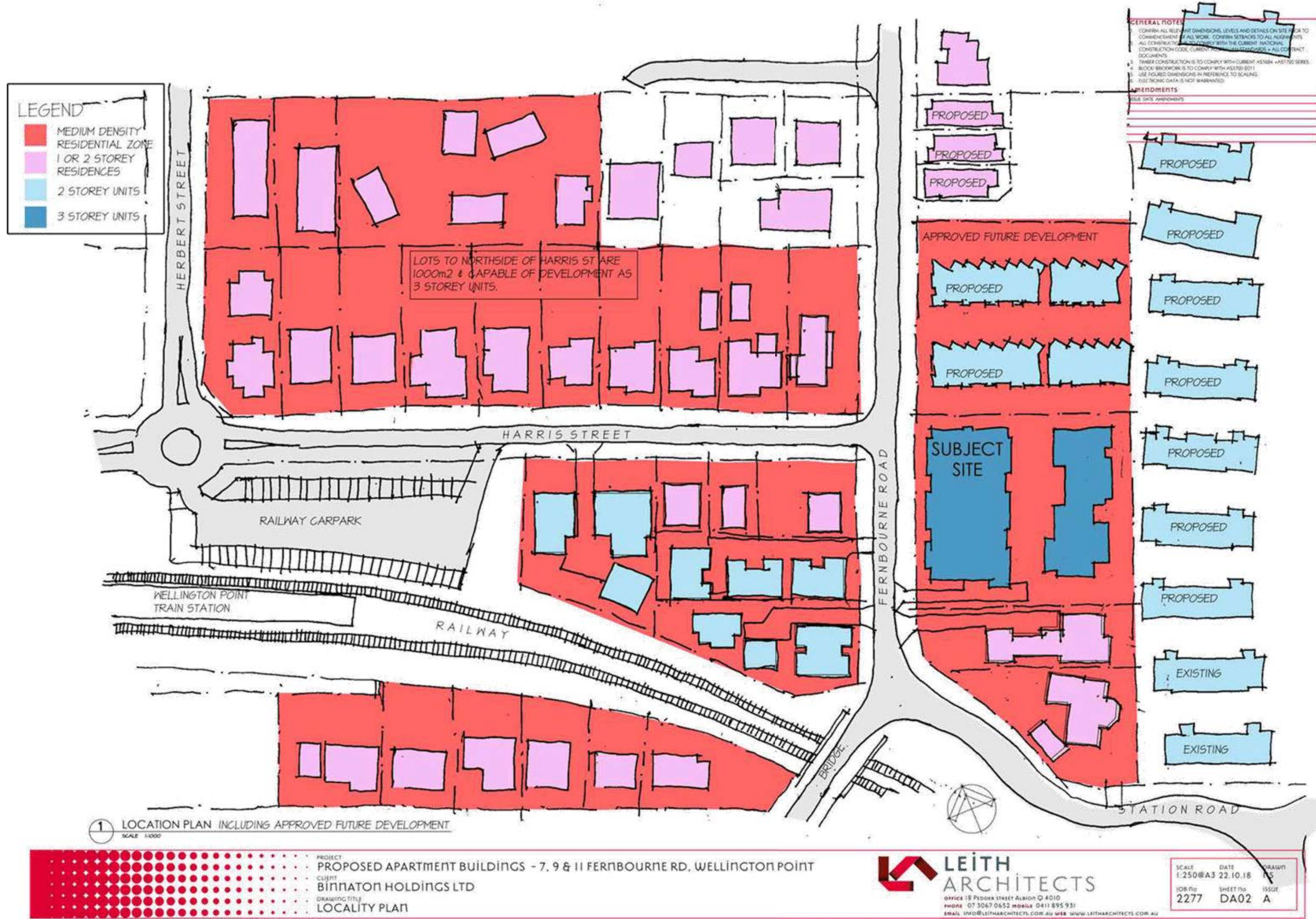
BENCHMARK	REQUIREMENT	ACHIEVED COMPLIANT
A03.1 COMMUNAL OPEN SPACE	5% OF SITE AREA	453m ² 10.7% ✓
P04.1 PRIVATE OPEN SPACE	A04.1 Grd Flr UNITS 25m ² A04.2 ABOVE Grd 1 BED UNITS 10m ² A04.2 ABOVE Grd 2+BED UNITS 16m ² A04.3 CLOTHES DRYING	ALL GF UNITS >25m ² ✓ ALL AG UNITS >10m ² ✓ ALL AG UNITS >16m ² ✓ DRYERS PROVIDED ✓
A05.1 FRONTAGE	MIN FRONTAGE 20m	60.3m ✓
P06 GF UNITS STREET ACCESS	GF UNITS TO HAVE DIRECT ACCESS TO STREET WHERE POSSIBLE	UNITS 1,2,3,4 ✓
A07.1 SITE COVER	MAX 75% FOR BLD HT 43m	2,233m ² 52.9% ✓
A08.1 BUILDING HEIGHT	MAX 13m + 3 STOREYS BASEMENT EXCLUDED WHERE LESS THAN 1m ABOVE GRD.	12.5m + 3 STOREYS ✓ (BASEMENT LESS THAN 1m ABOVE GRD.)
P09 STEPPING BLD OVER 13m	FOR BLD HT 43m	NOT APPLICABLE
P10 BUILDING SETBACKS	A010.1 STREET SETBACK MIN 3m A010.2 SIDE BOUNDARY MIN 3.5m A010.3 REAR BOUNDARY MIN 4m (NO WALLS 13m HIGH)	BALCONY 4.0m ✓ BUILDING 4.8m ✓ NORTH 3.5m ✓ SOUTH FRONT BLD 6.1m ✓ SOUTH BACK BLD 3.5 +10.4m ✓ BALC. 5m + 8.3m ✓ BLD. 8.5m + 11.9m ✓
A011.1 BASEMENT SETBACKS	(1) MIN 2m TO STREET BDY. (2) MIN 2m TO OTHER BDY'S MAXIMISE DEEP PLANTING	4.0m TO STREET ✓ SIDES 3.5m REAR 5.0m ✓ 699m ² 16.56% ✓
P012 STREETScape DESIGN ELEMENTS	(1) FACADE PROJECTIONS AND RECESSES TO REFLECT INTERNAL FUNCTIONS (2) VARIATIONS IN MATERIAL + BLD FORM (3) VERT + HORZ FACADE MODULATION (4) ENTRY ARTICULATION (5) CORNER TREATMENTS REFER TO ELEVATIONS FOR DETAILS	ACHIEVED ✓ ACHIEVED ✓ ACHIEVED ✓ ACHIEVED ✓ NOT APPLICABLE
P013 SUBTROPICAL DESIGN ELEMENTS	(1) DEEP VERANDAH'S DECKS +EAVES (2) INTREGATION OF BUILDINGS WITHIN LANDSCAPE PLANTING	ACHIEVED ✓ ACHIEVED ✓ REFER TO ELEVATIONS FOR DETAILS
P014 ROOF FORM TO REDUCE BUILDING BULK	(1) ARTICULATED INDIVIDUAL BLD'S (2) VARIETY IN PITCH (3) PITCHED ROOFS + GABLES (4) SCREENED PLANT + EQUIP REFER DRAWINGS FOR DETAIL	ACHIEVED ✓ ACHIEVED ✓ ACHIEVED ✓ ACHIEVED ✓
A015 PARKING FACILITIES	PARKING 15 BEHIND FRONT BUILDING ALIGNMENT	PARKING 6.2m BEHIND BLD + 2m BELOW STREET ✓
P016 STREETScape + CRIME PREVENTION THRU DESIGN	A016.1 BALCONIES OVERLOOK STREET AND COMMUNAL OUTDOOR SPACE A016.2 STREET FENCE 1.8 50% TRANSPARENT	ACHIEVED ✓ ACHIEVED ✓
P017 PRIVACY	A017.1 HABITABLE RM TO HABITABLE RM SCREENING A017.2 WINDOWS + BALCONIES TO PRIVATE OPEN SPACE IN ADJ DWELLINGS. A017.3 SCREENING DESIGN REFER DRAWINGS	ACHIEVED ✓ ACHIEVED ✓ ACHIEVED ✓
P018 LANDSCAPING	A018.1 MIN 15% A018.2 MIN 2m TO STREET	932m ² 22.09% ✓ STREET MIN L/S 4.0m WIDE
P019 AMENITY + IMPACTS FOR NEIGHBOURS + OCCUPANTS	REFER TOWN PLANNING REPORT AND SITE ANALYSIS PLAN	ACHIEVED ✓
P020 ACOUSTIC AMENITY + IMPACTS FOR OCCUPANTS	REFER ACOUSTIC REPORT AND SITE ANALYSIS PLAN	ACHIEVED ✓
P021 SUNLIGHT	REFER TO SHADOW DIAGRAMS	ACHIEVED ✓
P022 SERVICING AREAS	NOT VISIBLE FROM ROAD AND SCREENED FROM ADJ RESIDENCES	ACHIEVED ✓
P023 TOPOGRAPHY + NATURAL VALUES + DRAINAGE IMPACT MITIGATION	(1) ECOLOGICAL CORRIDOR AND NATIVE VEGETATION (2) NATURAL TOPOGRAPHY AND DRAINAGE REFER TOWN PLANNING REPORT	ACHIEVED ✓



PROJECT: PROPOSED APARTMENT BUILDINGS - 7, 9 & 11 FERNBOURNE RD, WELLINGTON POINT
 CLIENT: BINNATON HOLDINGS LTD
 DRAWING TITLE: DEVELOPMENT SCHEDULE

LEITH ARCHITECTS
 OFFICE 18 PRINCE STREET AUSTIN QLD 4010
 PHONE 07 3947 6652 MOBILE 0411 995 931
 EMAIL INFO@LEITHARCHITECTS.COM.AU WEB WWW.LEITHARCHITECTS.COM.AU

SCALE	DATE	DRAWN
1:250@A3	22.10.18	PLS
LOG No	SHEET No	ISSUE
2277	DA01	A

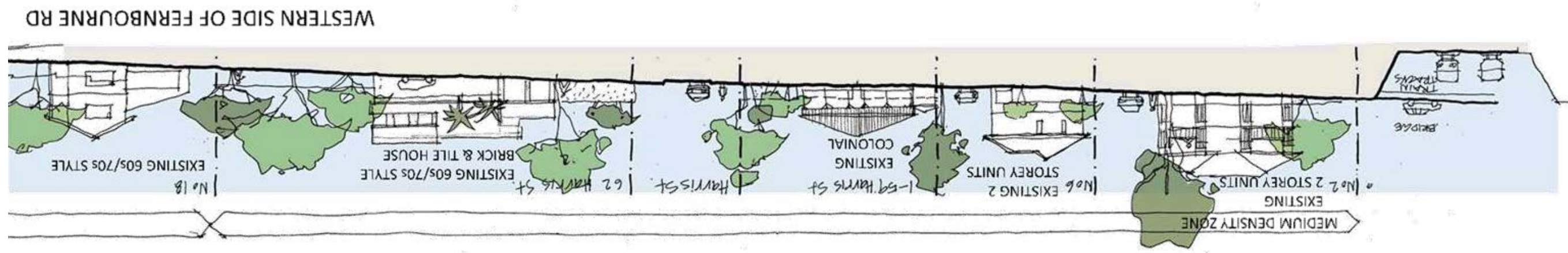
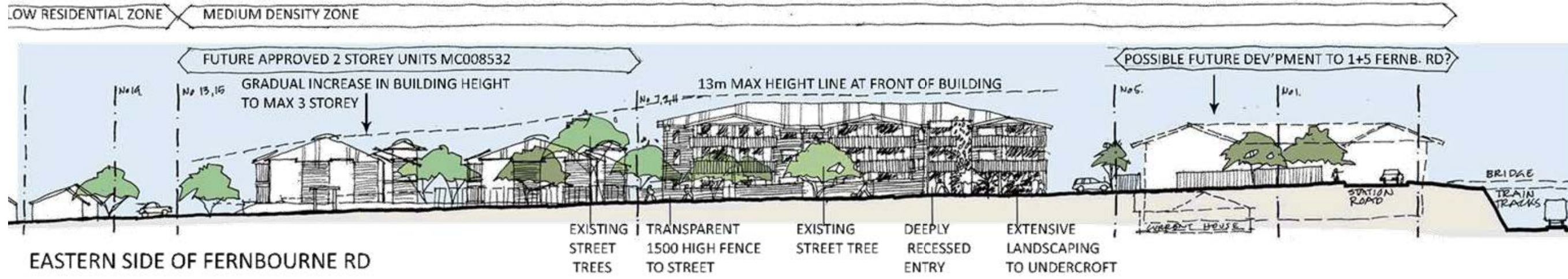


GENERAL NOTES

1. CONFIRM ALL RELEVANT DIMENSIONS, LEVELS AND DETAILS ON SITE PRIOR TO COMMENCEMENT OF ALL WORK. CONFIRM SETBACKS TO ALL ALIGNMENTS.
2. ALL CONSTRUCTION IS TO COMPLY WITH THE CURRENT AUSTRALIAN CONSTRUCTION CODE, CURRENT AUSTRALIAN STANDARDS + ALL CONTRACT DOCUMENTS.
3. TIMBER CONSTRUCTION IS TO COMPLY WITH CURRENT AS1684 - HASTIES SERIES.
4. BLOCK WORKWORK IS TO COMPLY WITH AS2900-2011.
5. USE POURED DIMENSIONS IN PREFERENCE TO SCALING.
6. ELECTRONIC DATA IS NOT WARRANTED.

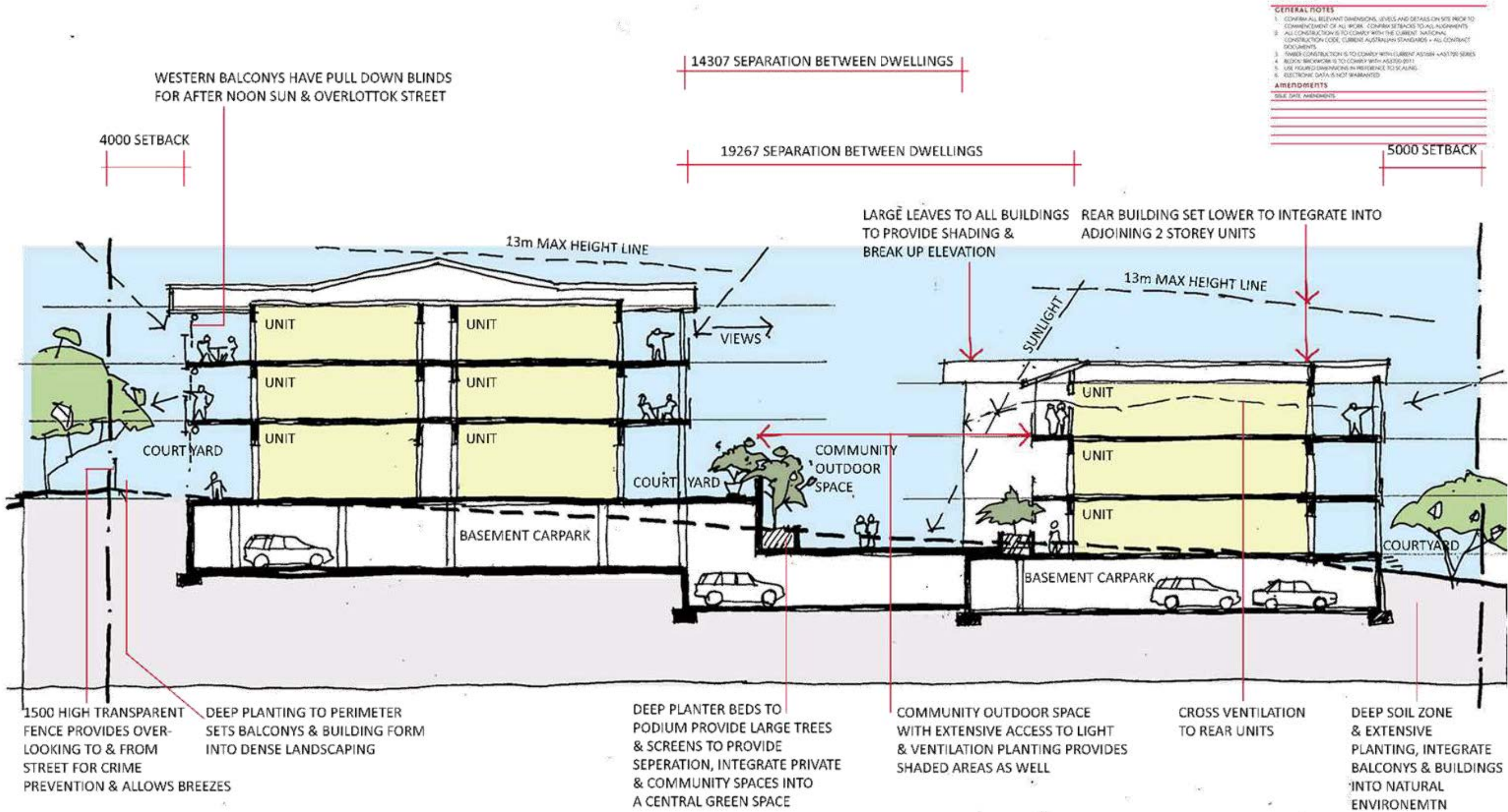
AMENDMENTS

ISSUE DATE	AMENDMENTS



1 STREETScape ON EAST AND WESTERN SIDE OF FERNBourNE ROAD
SCALE: NTS

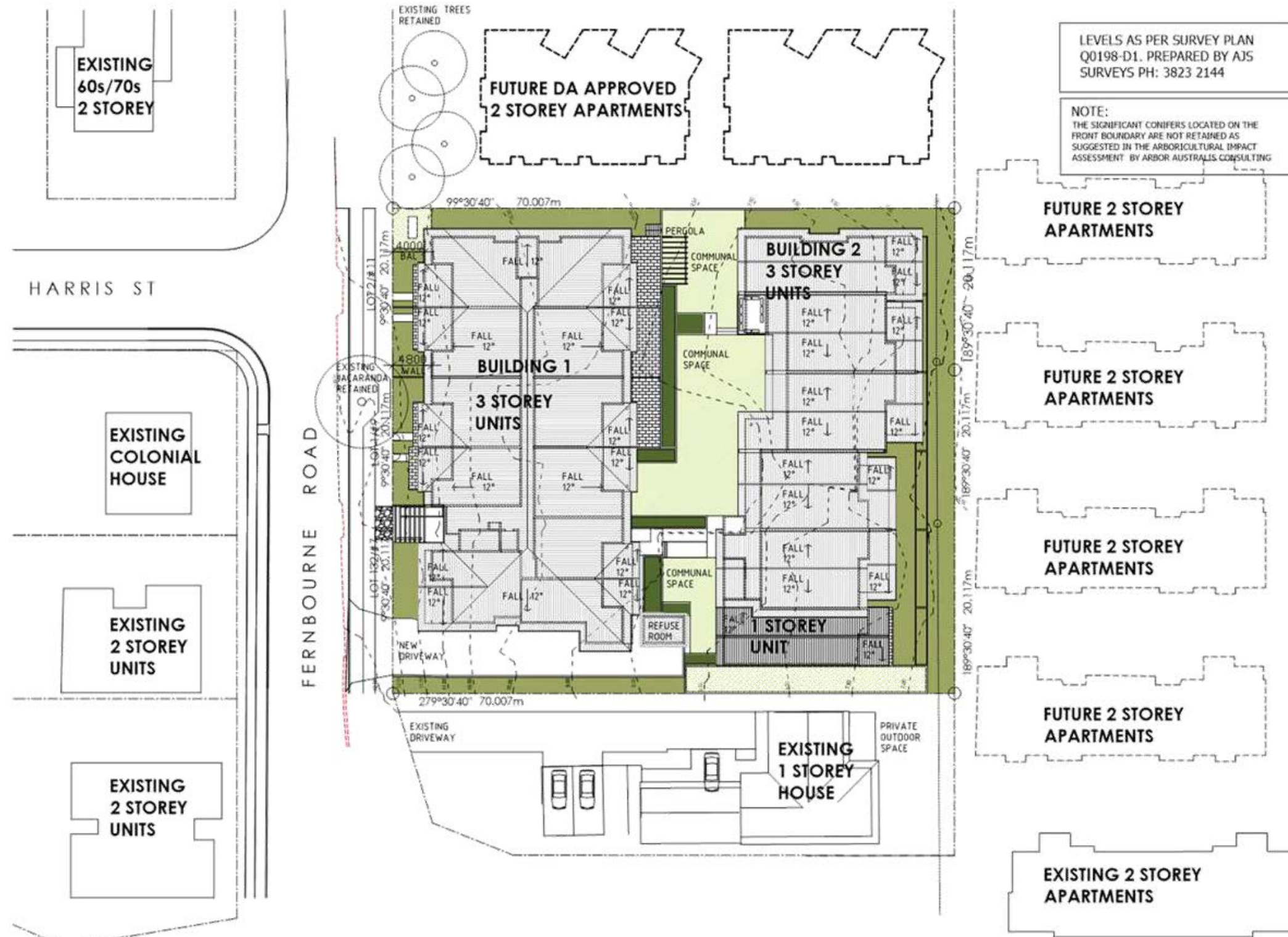
	PROJECT	PROPOSED APARTMENT BUILDINGS - 7/9/11 FERNBourNE RD WELLINGTON POINt	<p>LEITH ARCHITECTS OFFICE 18 PEDDER STREET Aclton Q 4010 PHONE 07 3067 0652 MOBILE 0411 895 931 EMAIL: INFO@LEITHARCHITECTS.COM.AU WEB: WWW.LEITHARCHITECTS.COM.AU</p>	SCALE	DATE	DRAWN	
	CLIENT	BIπATON HOLDINGS PTY LTD		1:200	22.10.18	F15	
	DRAWING TITLE	STREETScape		JOB No	2277	SHEET No	DA03
				ISSUE		A	



- GENERAL NOTES**
1. CONFIRM ALL RELEVANT DIMENSIONS, LEVELS AND DETAILS ON SITE PRIOR TO COMMENCEMENT OF ALL WORK. CONFIRM SETBACKS TO ALL APPLICABLE
 2. ALL CONSTRUCTION IS TO COMPLY WITH THE CURRENT NATIONAL CONSTRUCTION CODE, CURRENT AUSTRALIAN STANDARDS & ALL CONTRACT DOCUMENTS.
 3. TIMBER CONSTRUCTION IS TO COMPLY WITH CURRENT ASTM 44170 SERIES
 4. RECONSTRUCTION IS TO COMPLY WITH AS3000-0111
 5. USE FIGURE DIMENSIONS IN PREFERENCE TO SCALING
 6. ELECTRONIC DATA IS NOT GUARANTEED
- AMENDMENTS**
- | DATE | AMENDMENTS |
|------|------------|
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1 SUBTROPICAL DESGN ANALYSIS
 SCALE NTS RESPONSE TO SUBTROPICAL DESIGN
 IN SOUTHEAST QLD HANDBOOK

	PROJECT	PROPOSED APARTMENT BUILDINGS - 7/9/11 FERNBOURNE RD WELLINGTON POINT	LEITH ARCHITECTS OFFICE 15 PEDDER STREET ALBION Q 4010 PHONE 07 3067 0652 MOBILE 0411 895 931 EMAIL INFO@LEITHARCHITECTS.COM.AU WEB WWW.LEITHARCHITECTS.COM.AU	SCALE	DATE	DRAWN
	CLIENT	BINNATON HOLDINGS PTY LTD		1:200	22.10.18	ITS
	DRAWING TITLE	RESPONSE TO SUBTROPICAL DESIGN		JOB No	SHEET No	ISSUE
				2277	DA04	A



- GENERAL NOTES**
1. CONFORM TO ALL APPLICABLE REGULATORY REQUIREMENTS AND DETAIL ON SITE FROM TO COMMENCEMENT OF ALL WORK. CONFORM TO ALL APPLICABLE REGULATORY REQUIREMENTS.
 2. ALL CONSTRUCTION IS TO CONFORM WITH THE CURRENT AUSTRALIAN CONSTRUCTION CODE CURRENT AUSTRALIAN STANDARDS - ALL CONTRACT DOCUMENTS.
 3. THESE CONSTRUCTION IS TO CONFORM WITH CURRENT AUSTRALIAN STANDARDS.
 4. BLOCK STRUCTURE IS TO CONFORM WITH AS 2891.1.
 5. USE TYPICAL DIMENSIONS IN PARENTS TO SCALE.
 6. ELECTRONIC DATA IS NOT WARRANTED.

AMENDMENTS

NO.	DATE	REVISIONS

UNIT NO:	AREA:	POS:
UNIT 01	76.0m ²	* 4.1.0m ²
UNIT 02	81.0m ²	* 53.0m ²
UNIT 03	81.0m ²	* 54.0m ²
UNIT 04	68.0m ²	* 43.0m ²
UNIT 05	75.0m ²	* 53.0m ²
UNIT 06	81.0m ²	* 52.0m ²
UNIT 07	81.0m ²	* 52.0m ²
UNIT 08	117.0m ²	* 32.0m ²
UNIT 09	121.0m ²	* 44.0m ²
UNIT 10	121.0m ²	* 44.0m ²
UNIT 11	118.0m ²	* 76.0m ²
UNIT 12	118.0m ²	* 76.0m ²
UNIT 13	120.0m ²	* 56.0m ²
UNIT 14	76.0m ²	17.0m ²
UNIT 15	81.0m ²	17.0m ²
UNIT 16	81.0m ²	17.0m ²
UNIT 17	68.0m ²	16.0m ²
UNIT 18	78.0m ²	20.0m ²
UNIT 19	75.0m ²	17.0m ²
UNIT 20	81.0m ²	17.0m ²
UNIT 21	81.0m ²	17.0m ²
UNIT 22	81.0m ²	17.0m ²
UNIT 23	68.0m ²	16.0m ²
UNIT 24	68.0m ²	17.0m ²
UNIT 25	117.0m ²	21.0m ²
UNIT 26	121.0m ²	24.0m ²
UNIT 27	121.0m ²	23.0m ²
UNIT 28	118.0m ²	23.0m ²
UNIT 29	118.0m ²	23.0m ²
UNIT 30	76.0m ²	17.0m ²
UNIT 31	81.0m ²	17.0m ²
UNIT 32	81.0m ²	17.0m ²
UNIT 33	68.0m ²	16.0m ²
UNIT 34	78.0m ²	20.0m ²
UNIT 35	75.0m ²	17.0m ²
UNIT 36	75.0m ²	17.0m ²
UNIT 37	81.0m ²	17.0m ²
UNIT 38	81.0m ²	17.0m ²
UNIT 39	81.0m ²	17.0m ²
UNIT 40	68.0m ²	16.0m ²
UNIT 41	68.0m ²	17.0m ²
UNIT 42	117.0m ²	21.0m ²
UNIT 43	121.0m ²	24.0m ²
UNIT 44	121.0m ²	23.0m ²
UNIT 45	118.0m ²	23.0m ²

* UNITS WITH PRIVATE COURTYARDS

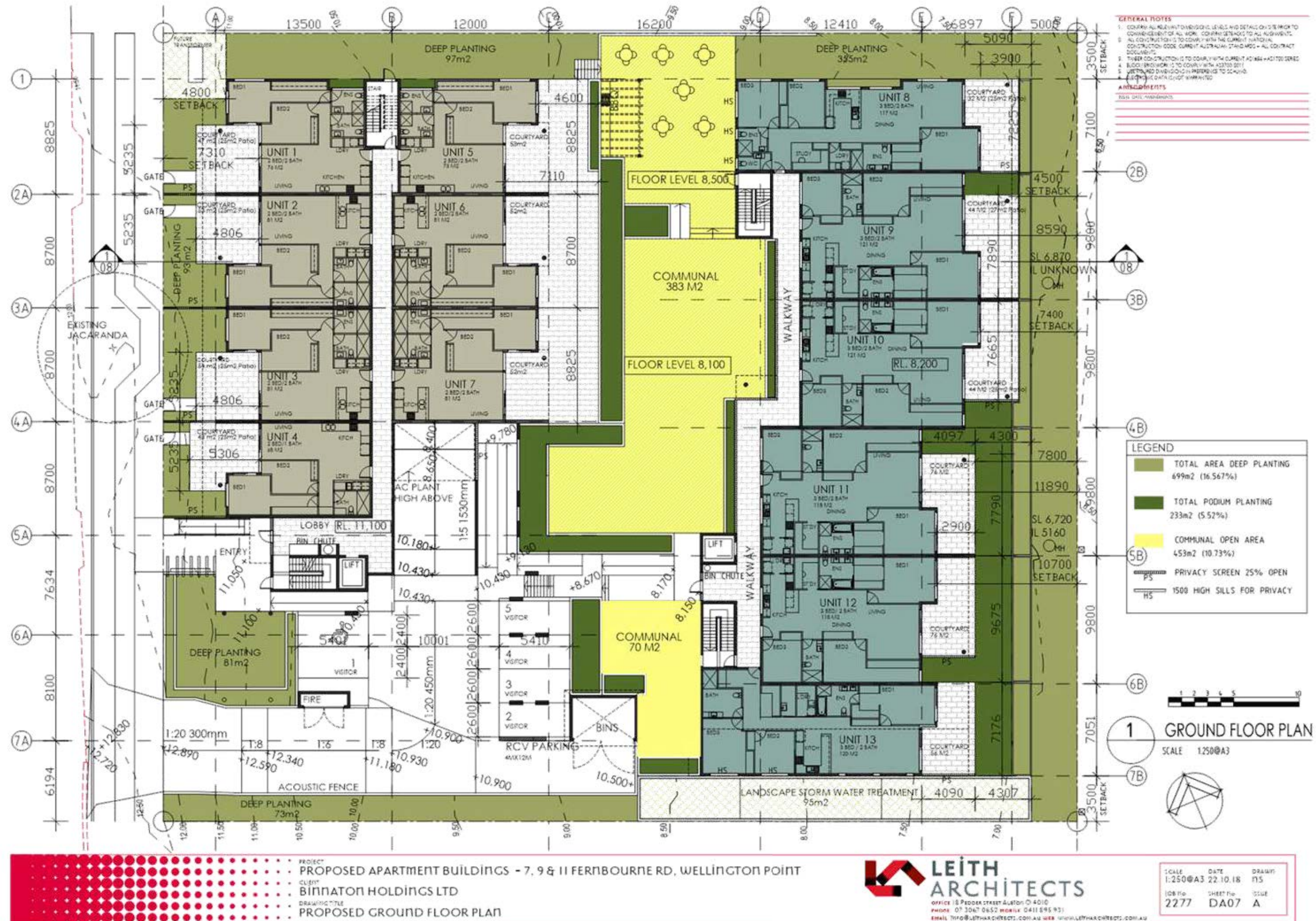
1 SITE/LOCATION PLAN
SCALE 1:500@A3

PROJECT: PROPOSED APARTMENT BUILDINGS - 7, 9 & 11 FERNBOURNE RD, WELLINGTON POINT
CLIENT: BIPNATON HOLDINGS LTD
DRAWING TITLE: PROPOSED SITE PLAN

LEITH ARCHITECTS
OFFICE: 18 PADDER STREET AUSTON QLD 4210
PHONE: 07 3047 0652 MOBILE: 0411 895 931
EMAIL: INFO@LEITHARCHITECTS.COM.AU WEB: WWW.LEITHARCHITECTS.COM.AU

SCALE	DATE	DRAWN
1:500@A3	02.11.2018 P15	
JOB No	SHEET No	ISSUE
2277	DA05	A







- GENERAL NOTES**
1. CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE CURRENT AUSTRALIAN STANDARDS AND ALL CONTRACT DOCUMENTS.
 2. ALL CONSTRUCTION IS TO COMPLY WITH THE CURRENT NATIONAL CONSTRUCTION CODE CURRENT AUSTRALIAN STANDARDS - ALL CONTRACT DOCUMENTS.
 3. THESE CONSTRUCTION TO COMPLY WITH CURRENT AUSTRALIAN STANDARDS.
 4. BLOCK STRUCTURE IS TO COMPLY WITH AS 2885.01.
 5. UNITS AND DIMENSIONS ARE PRELIMINARY TO SCALE.
 6. ELECTRIC DATA IS NOT SHOWN.
- AMENDMENTS**
- | NO. | DATE | DESCRIPTION |
|-----|------|-------------|
| | | |
| | | |
| | | |
| | | |
| | | |

LEGEND

- PS PRIVACY SCREEN 25% OPEN
- HS 1500 HIGH SILLS FOR PRIVACY

1 LEVEL 1 PLAN
SCALE 1:250@A3

10551
7051
3500

PROJECT: PROPOSED APARTMENT BUILDINGS - 7, 9 & 11 FERNBOURNE RD, WELLINGTON POINT
 CLIENT: BIPNATON HOLDINGS LTD
 DRAWING TITLE: PROPOSED FIRST FLOOR PLAN

LEITH ARCHITECTS
 OFFICE: 18 PODDER STREET, AUSTON QLD 4510
 PHONE: 07 3947 0652 MOBILE: 0411 895 931
 EMAIL: INFO@LEITHARCHITECTS.COM.AU WEB: WWW.LEITHARCHITECTS.COM.AU

SCALE	DATE	DRAWN
1:250@A3	22.10.18	FS
JOB No	SHEET No	ISSUE
2277	DA08	A



- GENERAL NOTES**
1. CONFIRM ALL RELEVANT DIMENSIONS, LEVELS AND DETAILS ON SITE FROM TO COMMENCEMENT OF ALL WORK. CORRECT DETAILS TO ALL ALIGNMENTS.
 2. ALL CONSTRUCTION IS TO COMPLY WITH THE CURRENT NATIONAL CONSTRUCTION CODE, CURRENT AUSTRALIAN STANDARDS - ALL CONTRACT DOCUMENTS.
 3. THESE CONSTRUCTIONS TO COMPLY WITH CURRENT AS/NZS 1170 SERIES.
 4. BLOCK STRUCTURE IS TO COMPLY WITH AS 2885 2011.
 5. UNITS AND DIMENSIONS REFERRED TO SCALE.
 6. ALL DIMENSIONS UNLESS OTHERWISE SPECIFIED.
- ASSUMPTIONS**
- 1. ALL DIMENSIONS UNLESS OTHERWISE SPECIFIED.

LEGEND

- PS PRIVACY SCREEN 25% OPEN
- HS 1500 HIGH SILLS FOR PRIVACY

1 LEVEL 2 PLAN
SCALE 1:250@A3

PROJECT: PROPOSED APARTMENT BUILDINGS - 7, 9 & 11 FERNBOURNE RD, WELLINGTON POINT
 CLIENT: BINPATON HOLDINGS LTD
 DRAWING TITLE: PROPOSED SECOND FLOOR PLAN

LEITH ARCHITECTS
 OFFICE: 18 PADDERS STREET AUSTON QLD 4010
 PHONE: 07 3247 0652 MOBILE: 0411 895 931
 EMAIL: INFO@LEITHARCHITECTS.COM.AU WEB: WWW.LEITHARCHITECTS.COM.AU

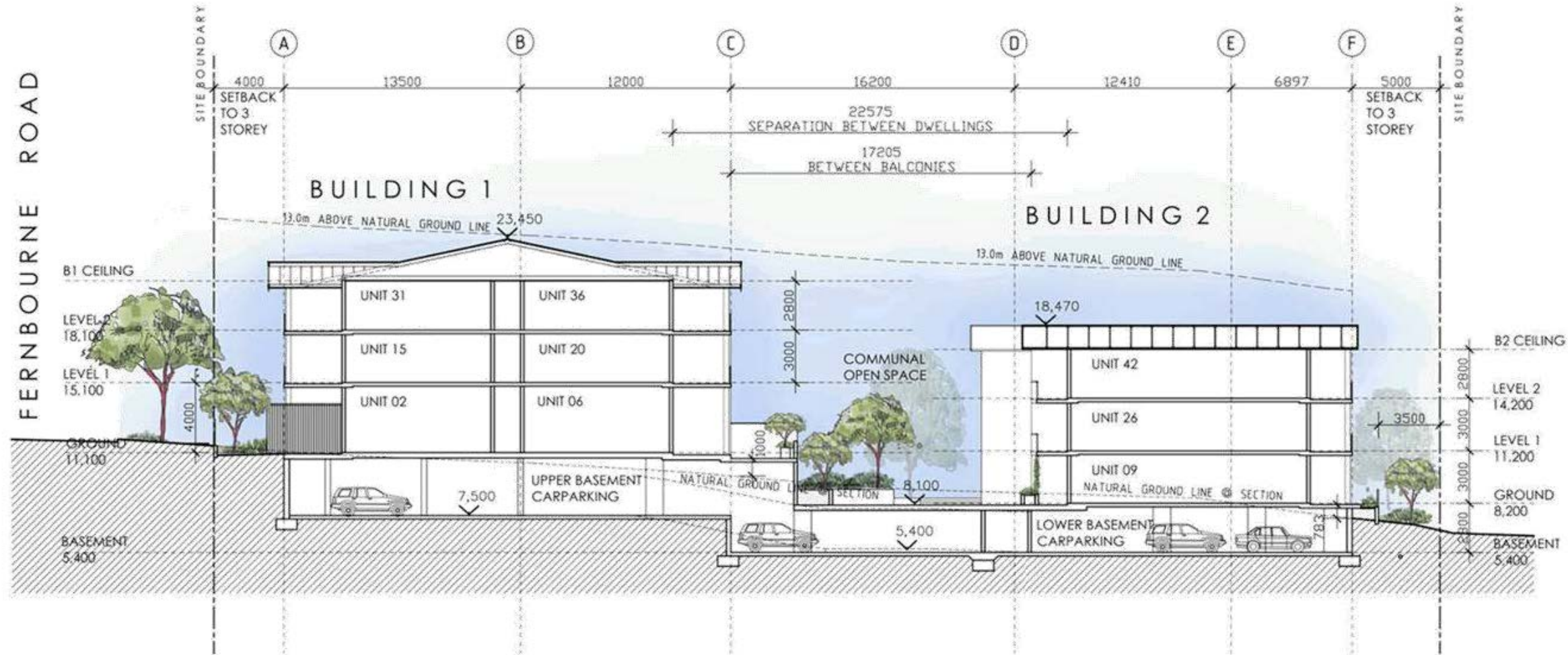
SCALE	DATE	DRAWN
1:250@A3	22.10.18	PLS
JOB No	SHEET No	ISSUE
2277	DA09	A

GENERAL NOTES

1. CONFIRM ALL RELEVANT DIMENSIONS, LEVELS AND DETAILS ON SITE PRIOR TO COMMENCEMENT OF ALL WORK - CONFIRM SETBACKS TO ALL ADJACENTS
2. ALL CONSTRUCTION IS TO COMPLY WITH THE CURRENT NATIONAL CONSTRUCTION CODE, CURRENT AUSTRALIAN STANDARDS + ALL CONTRACT DOCUMENTS
3. SIMPLY CONSTRUCTION IS TO COMPLY WITH CURRENT AS/NZS 4576 SERIES
4. ALL WORK IS TO COMPLY WITH AS1750-2011
5. USE ROUND DIMENSIONS IN REFERENCE TO SCALE
6. ELECTRONIC DATA IS NOT WARRANTED

AMENDMENTS

ISSUE	DATE	AMENDMENT



1 PROPOSED SECTION
SCALE 1:250

PROJECT: PROPOSED APARTMENT BUILDINGS - 7/9/11 FERNBOURNE RD WELLINGTON POINT
 CLIENT: BIPATON HOLDINGS PTY LTD
 DRAWING TITLE: PROPOSED SECTION

LEITH ARCHITECTS
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 PHONE 07 3067 0652 MOBILE 0411 895 931
 EMAIL INFO@LEITHARCHITECTS.COM.AU WEB WWW.LEITHARCHITECTS.COM.AU

SCALE	DATE	DRAWN
1:250@A3	22.10.18	F15
FOR No	SHEET No	ISSUE
2277	DA10	A

LEGEND							
BAL1	1000mm HIGH SOLID BALUSTRADE WITH PAINT FINISH	AW	METAL HOODS	HB	HORIZONTAL PATTERN CLADDING	FE	1800 HIGH 50% TRANSPARENT FENCE
BAL2	1000mm HIGH ALUMINUM VERTICAL BALUSTRADE	GL	ALUMINUM FRAMED GLAZING	VB	VERTICAL PATTERN CLADDING		
CB	COLORBOND ROOF COLOUR TBA	TSC	VERTICAL FIXED SCREEN, ALUMINUM BATTENS WITH MAX 125 SPACING	BW	FEATURE MASONRY WALL		
DP	COLORBOND DOWNPIPES COLOUR TO MATCH WALL	COL1	RENDERED CONCRETE COLUMN	GB	PAINTED FC WITH TIMBER BATTEN TREATMENT		
		COL2	STEEL COLUMN WITH PAINTED FINISH				

GENERAL NOTES	
1.	CONFIRM ALL RELEVANT DIMENSIONAL LEVELS AND DETAILS ON SITE PRIOR TO COMMENCEMENT OF ALL WORK. COORDINATE BACK TO ALL AGREEMENTS.
2.	ALL CONSTRUCTION IS TO COMPLY WITH THE CURRENT NATIONAL CONSTRUCTION CODE, CURRENT AUSTRALIAN STANDARDS - ALL CONTRACT DOCUMENTS.
3.	TIMBER CONSTRUCTION IS TO COMPLY WITH CURRENT AS3601 - ALL TEST SERIES.
4.	BLOCK BRICKWORK IS TO COMPLY WITH AS2700/2011.
5.	USE FINISHED DIMENSIONS IN PREFERENCE TO SCALING.
6.	ELECTRONIC DATA IS NOT WARRANTED.

AMENDMENTS	
ISSUE DATE	AMENDMENT



1 WEST ELEVATION - BUILDING 1 - FERNBOURNE RD
SCALE 1:200

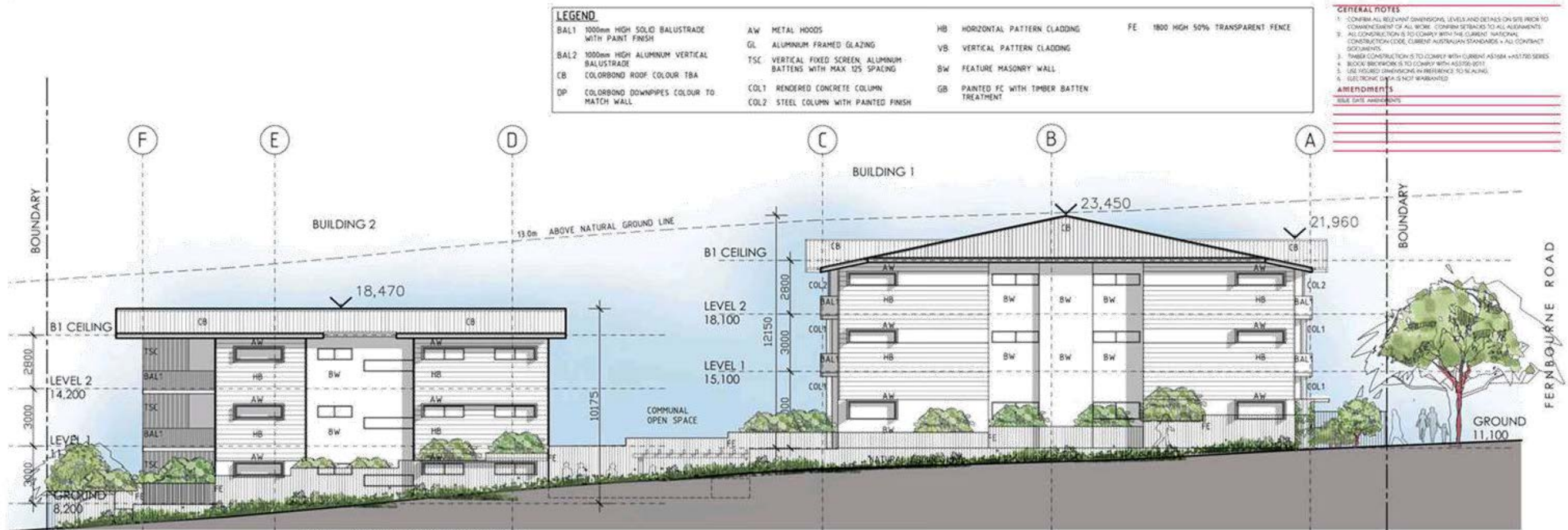


1 INTERNAL WEST ELEVATION - BUILDING 2
SCALE 1:200

PROJECT: PROPOSED APARTMENT BUILDINGS - 7/9/11 FERNBOURNE RD WELLINGTON POINT
 CLIENT: BIPNATON HOLDINGS PTY LTD
 DRAWING TITLE: WEST ELEVATION & INTERNAL WEST ELEVATION

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1 NORTH ELEVATION

SCALE 1:200



2 SOUTH ELEVATION

SCALE 1:200

PROJECT: PROPOSED APARTMENT BUILDINGS - 7/9/11 FERNBURNE RD WELLINGTON POINT
 CLIENT: BINNATON HOLDINGS PTY LTD
 DRAWING TITLE: NORTH & SOUTH ELEVATION

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LEGEND		
BAL1 100mm HIGH SOLID BALUSTRADE WITH PAINT FINISH	AW METAL HOODS	HB HORIZONTAL PATTERN CLADDING
BAL2 100mm HIGH ALUMINUM VERTICAL BALUSTRADE	GL ALUMINUM FRAMED GLAZING	VB VERTICAL PATTERN CLADDING
CB COLORBOND ROOF COLOUR TBA	TSC VERTICAL FIXED SCREEN, ALUMINUM BATTENS WITH MAX 125 SPACING	BW FEATURE MASONRY WALL
DP COLORBOND DOWNPIPES COLOUR TO MATCH WALL	COL1 RENDERED CONCRETE COLUMN	GB PAINTED FC WITH TIMBER BATTEN TREATMENT
	COL2 STEEL COLUMN WITH PAINTED FINISH	
		FE 1800 HIGH 50% TRANSPARENT FENCE

GENERAL NOTES	
1	CONFIRM ALL RELEVANT DIMENSIONS, LEVELS AND DETAILS ON SITE PRIOR TO COMMENCEMENT OF ALL WORK. CONFIRM SETBACKS TO ALL ALIGNMENTS.
2	ALL CONSTRUCTION IS TO COMPLY WITH THE CURRENT BUILDING CONSTRUCTION CODE, CURRENT AUSTRALIAN STANDARDS + ALL CONTRACT DOCUMENTS.
3	TIMBER CONSTRUCTION IS TO COMPLY WITH CURRENT AS/NZS 4451.90 SERIES.
4	BLOCK WORK IS TO COMPLY WITH AS/NZS 9001.
5	USE SI-METRIC DIMENSIONS IN REFERENCE TO SI-METRIC.
6	ELECTRONIC DATA IS NOT WARRANTED.

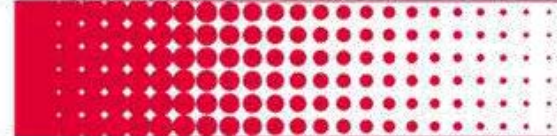
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ISSUE DATE	REVISIONS



1 INTERNAL EAST ELEVATION - BUILDING 1
SCALE 1:200



2 EAST ELEVATION
SCALE 1:200



PROJECT: PROPOSED APARTMENT BUILDINGS - 7/9/11 FERNBOURNE RD WELLINGTON POINT
 CLIENT: ΒΙΠΠΑΤΟΝ HOLDINGS PTY LTD
 DRAWING TITLE: EAST ELEVATIONS

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GENERAL NOTES

1. CONFIRM ALL RELEVANT DIMENSIONS, LEVELS AND DETAILS ON SITE WORK TO COMMENCEMENT OF ALL WORK. CONFIRM DETAILS TO ALL ALIGNMENTS.
2. ALL CONSTRUCTION IS TO COMPLY WITH THE CURRENT NATIONAL CONSTRUCTION CODE, CURRENT AUSTRALIAN STANDARDS + ALL CONTRACT DOCUMENTS.
3. TIMBER CONSTRUCTION IS TO COMPLY WITH CURRENT AS1684 + AS1720 SERIES.
4. BLOCK AND WORK IS TO COMPLY WITH AS2903 2011.
5. USE ROUND DIMENSIONS IN REFERENCE TO SCAFFOLD.
6. ELECTRIC DATA IS NOT WARRANTED.

AMENDMENTS

ISSUE DATE	AMENDMENT



1 FERNBOURNE ROAD PERSPECTIVE
SCALE: NTS

PROJECT: PROPOSED APARTMENT BUILDINGS - 7/9/11 FERNBOURNE RD WELLINGTON POINT
 CLIENT: ΒΙΠΠΑΤΟΠ HOLDINGS PTY LTD
 DRAWING TITLE: PROPOSED DESIGN RENDERS 1

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2277	DA14	A

GENERAL NOTES

1. CONFIRM ALL RELEVANT DIMENSIONS, LEVELS AND DETAILS ON SITE PRIOR TO COMMENCEMENT OF ALL WORK. CONFIRM SEPARATE TO ALL ALIGNMENTS.
2. ALL CONSTRUCTION TO COMPLY WITH THE CURRENT NATIONAL CONSTRUCTION CODE, CURRENT AUSTRALIAN STANDARDS + ALL CONTRACT DOCUMENTS.
3. TRAFFIC CONSTRUCTION TO COMPLY WITH CURRENT AS1841 + AS1750 SERIES.
4. BLOCK SPEC WORK TO COMPLY WITH AS1750.001.
5. USE FOUR DECIMALS IN PREFERENCE TO SCALE(S).
6. ELECTRIC DATA IS NOT WARRANTED.

AMENDMENTS

ISSUE DATE	AMENDMENTS



1 EAST PERSPECTIVE
SCALE NTS

	PROJECT PROPOSED APARTMENT BUILDINGS - 7/9/11 FERNBOURNE RD WELLINGTON POINT CLIENT ΒΙΠΠΑΤΟΝ HOLDINGS PTY LTD DRAWING TITLE PROPOSED DESIGN RENDERS 3	 <p>LEITH ARCHITECTS OFFICE 18 PEGARA STREET AUSTIN QLD 4310 PHONE 07 3267 0452 MOBILE 0411 895 931 EMAIL INFO@LEITHARCHITECTS.COM.AU WEB WWW.LEITHARCHITECTS.COM.AU</p>	<table border="0"> <tr> <td>SCALE</td> <td>DATE</td> <td>DRAWN</td> </tr> <tr> <td>1:200</td> <td>22.10.18</td> <td>PTS</td> </tr> <tr> <td>JOB No</td> <td>SHEET No</td> <td>ISSUE</td> </tr> <tr> <td>2277</td> <td>DAI6</td> <td>A</td> </tr> </table>	SCALE	DATE	DRAWN	1:200	22.10.18	PTS	JOB No	SHEET No	ISSUE	2277	DAI6	A
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GENERAL NOTES

1. CONFIRM ALL HEIGHT DIMENSIONS, LEVELS AND DETAILS ON SITE WORK TO COMMENCEMENT OF ALL WORK. CONFIRM SETBACKS TO ALL ADJACENTS.
2. ALL CONSTRUCTION IS TO COMPLY WITH THE CURRENT NATIONAL CONSTRUCTION CODE, CURRENT AUSTRALIAN STANDARDS + ALL CONTRACT DOCUMENTS.
3. THICK CONSTRUCTION IS TO COMPLY WITH CURRENT AS1684 + AS1750 SERIES.
4. BLOCK SPACING IS TO COMPLY WITH AS2903 S01.
5. USE ROUND DIMENSIONS IN PREFERENCE TO DECIMALS.
6. ELECTRIC DATA IS NOT WARRANTED.

APPROVED BY:

ISSUE DATE:

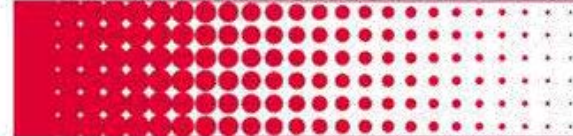
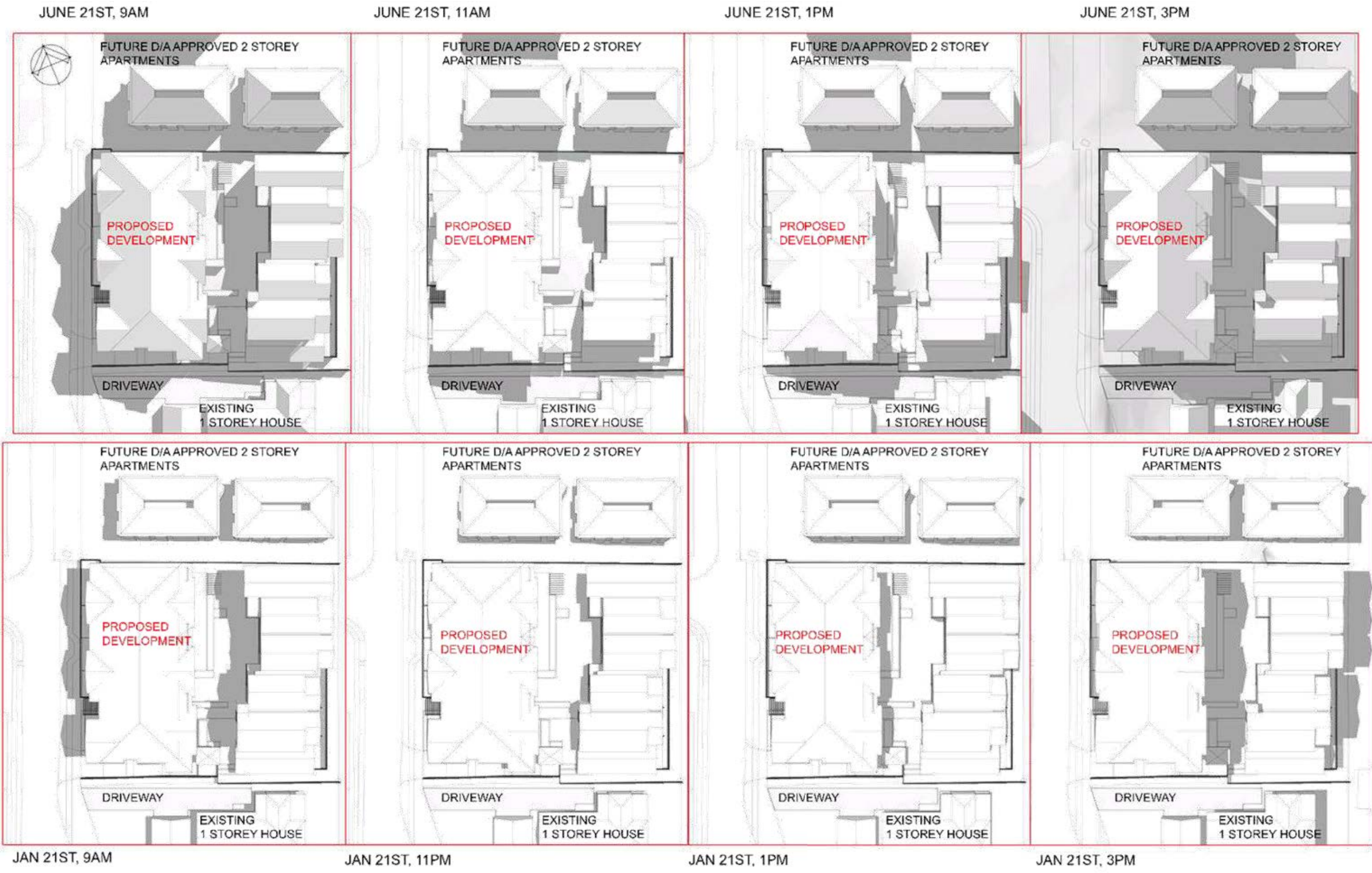


1 FERNBOURNE ROAD PERSPECTIVE
SCALE: NTS

PROJECT: PROPOSED APARTMENT BUILDINGS - 7/9/11 FERNBOURNE RD WELLINGTON POINT
 CLIENT: ΒΙΠΠΑΤΟΠ HOLDINGS PTY LTD
 DRAWING TITLE: PROPOSED DESIGN RENDERS **2**

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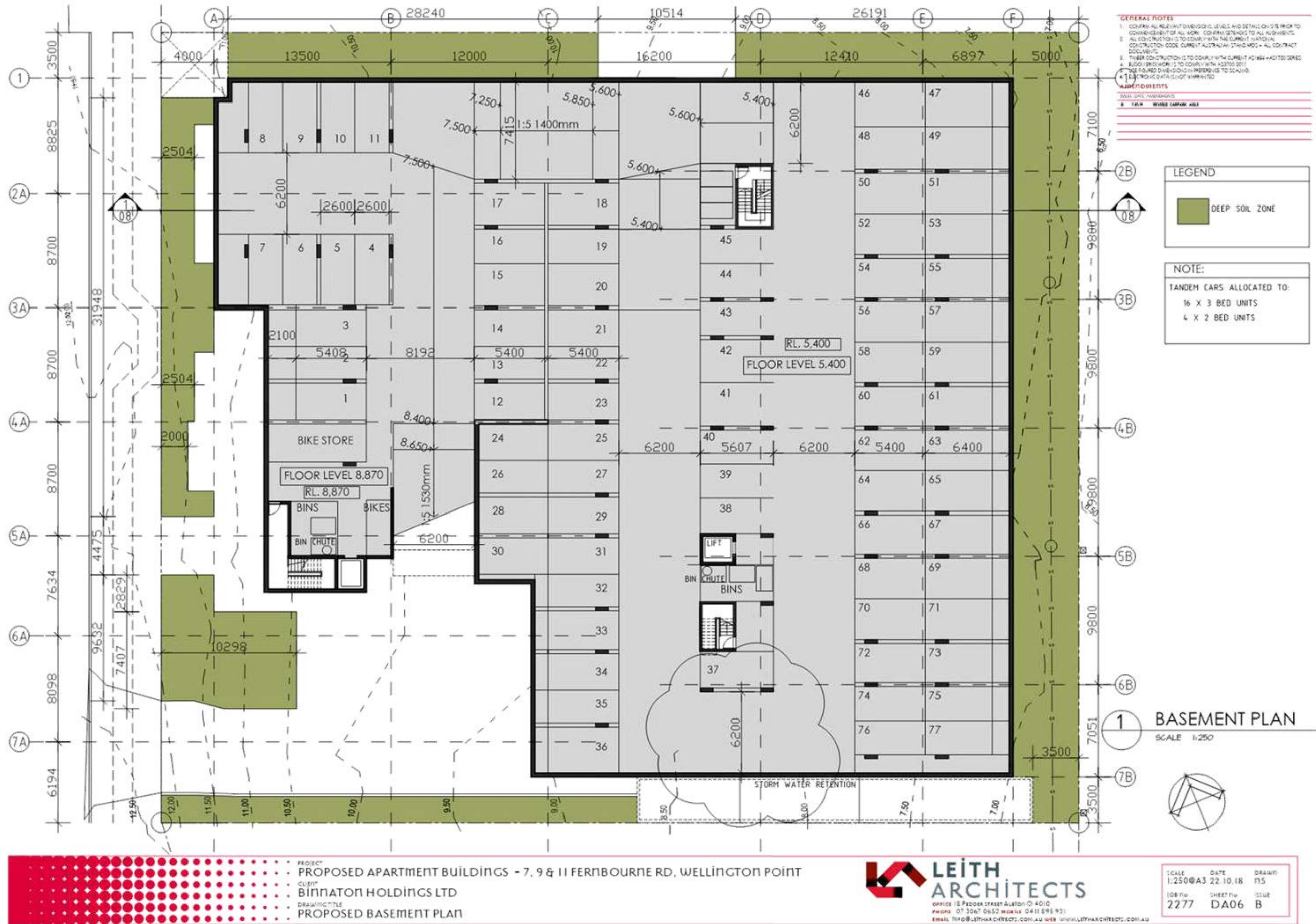
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JOB No	SHEET No	ISSUE
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PROJECT: PROPOSED APARTMENT BUILDINGS - 7, 9 & 11 FERNBOURNE RD, WELLINGTON POINT
 CLIENT: ΒΙΠΑΠΑΤΟΝ HOLDINGS LTD
 DRAWING TITLE: SUN STUDY DIAGRAMS

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Site Based Stormwater Management Plan

Project Reference: 15-281 Revision B
Prepared for: Leith Architects Pty Ltd
2/46 Berwick Street
FORTITUDE VALLEY 4006
Prepared by: J. N. McKenzie (B.E. (Civil), M.I.E. Aust.)
RPEQ 2097 NPER 3

Dated: February 2019
Site Address: 7-11 Fernburne Road

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SUMMARY

The following Site Based Stormwater Management Plan addresses the stormwater drainage issues associated with the development of Lot 132 on RP 14151 and Lots 1 & 2 on RP 14166 known as 7, 9 and 11 Fernbourne Road, Wellington Point. The site is presently three separate residential dwellings and measures 4219m² in total

The proposed development can be summarized as a three storey apartment building incorporating 45 dwellings with a basement carpark.

There is a 7% slope towards the rear of the property. From an environmental perspective, there are no clear environmental values associated with the site as there are no waterways or remnant vegetation.

The moderate slope of the site minimizes the potential for erosion. More specific information about the soil will be obtained from a geotechnical investigation prior to the operational works stage. Erosion control measures will comply with best management practices.

There will be an increase in impervious surface area but the increase in peak flow and runoff volume are mitigated by a stormwater management strategy that for some rain events reduces the impact compared with existing drainage conditions.

Achieving the water quality objectives is an important aspect of the development application.

Redland City Council recommends using design standards as described in "State Planning Policy 4/10 Healthy Waters" and "Queensland Urban Drainage Manual" which in turn references "Water Sensitive Urban Design for South East Queensland".

1. PROPOSED DEVELOPMENT

1.1 PROPOSED DEVELOPMENT

This Stormwater Management Plan has been prepared by Neil McKenzie & Associates Pty Ltd on behalf of Leith Architects with respect to the proposed Multi-Storey Apartment Building to be located at 7-11 Fernbourne Road, Wellington Point.

The project involves the demolition of the existing dwellings and construction of 45 apartments over three levels.

The development will increase the amount of impervious area and decrease the time of concentration, increasing the amount of runoff.

With a site area exceeding 2500m², at 4219m² Stormwater Quality and Quantity management will be required.

ii

2. SITE CHARACTERISTICS & TOPOGRAPHY

2.1 LOCATION

The existing site covers Lot 132 on RP 14151 and Lots 1 & 2 on RP 14166 and will be redeveloped. A Locality Plan indicating the proposed development site is shown below. The site is currently three separate residential dwellings.



Figure 1 – Locality Plan
(courtesy Nearmap)

2.2 TOPOGRAPHY

The total area of the site is 4219m²

The site falls from the Fernbourne Road boundary (maximum level 12mAHD) towards the rear (minimum level 7m AHD), a fall of approximately 7%.

A Detailed Survey in Appendix B (AJS Surveys Drawing Q0198-D1)

///

3. SEDIMENT & EROSION CONTROL

3.1 EROSION POTENTIAL

The overall grade across the site limits the potential for erosion. This is true pre and post development with the only real potential for minor erosion being during the construction phase.

3.2 EROSION CONTROL MEASURES

During the construction phase, erosion and sediment control will adhere to best management practices. This may include:

- Diversion of stormwater runoff around disturbed areas;
- Silt fences placed downstream of disturbed areas;
- Protection placed around existing inlet pits; and
- Construction of sediment basins.

An erosion sediment control management plan can be found in Appendix C
Neil McKenzie & Associates Pty Ltd Drawing Q15-281-C01 revision A

4. CONCEPT STORMWATER MANAGEMENT LAYOUT

Our proposal is to drain the roof water and the water from paved areas via gross pollutant traps to a bio-retention basin located in the south east corner of the development .

It is proposed to use the existing stormwater gully on the south east corner of lot 132 as the lawful point of discharge. *Drains* modelling was used to check the adequacy of the existing stormwater infrastructure and has been found adequate. Refer to Appendix E, Deeds of Consent agreements with adjoining neighbours.

The stormwater gully was provided as part of the downstream development to cater for the respective flow from Lot 132 and Lots 1 & 2. A site inspection on 6/2/19 has confirmed the diameter of the outlet pipe from the gully to be 300Ø.

Increased runoff from the site will be mitigated by the incorporation of the bio- detention tank.

Our proposed Stormwater Layout is illustrated in Appendix D (Neil McKenzie & Associates Drawing Number Q15-281-C02 Revision C).

v

4.1 WATER QUANTITY

Redland City Council recommends using design standards as described in "State Planning Policy 4/10 Healthy Waters" and "Queensland Urban Drainage Manual" which in turn references "Water Sensitive Urban Design for South East Queensland".

Stormwater from this site has been calculated using the Rational Method as described in the Queensland Urban Drainage Manual (QUDM) except as amended by CSC. The Rational Method is the most commonly used method for drainage design in Queensland and uses the Rational Formula:

$$Q_y = C_y \cdot I_y \cdot A / 360$$

where

Q_y = peak flow rate (m³/s) for average recurrence interval (ARI) of 'y' years

C_y = coefficient of discharge (dimensionless) for ARI of 'y' years

A = area of catchment (ha)

I_y = average rainfall intensity (mm/h) for a design duration of 't' hours and an ARI of 'y' years.

The ARI is defined as the average or expected values of the period between exceedances of a given discharge. The ARI for the design storm for both the major and minor system depends on the current and potential land use, convenience and safety for pedestrians and vehicular traffic.

4.1.1 PRE-DEVELOPMENT

Total Catchment includes:

Lot 132 on RP14151	1406m ²
Lot 1 on RP14166	1406m ²
Lot 2 on RP14166	<u>1407m²</u>
	4219m ²

Existing Impervious areas, from existing dwellings, pool and concrete driveway are deemed to give a Fraction Impervious of 30%

The Time of Concentration for Urban Residential Load, with an average slope of 7° is 10 minutes.

Assuming a Fraction Impervious of 30% and Intensity range of 65-69mm/hour for I_{10} a Coefficient of Runoff $C_{10} = 0.735$ has been adopted.

vi

Therefore, pre-development flows will be as shown in Table 1 below.

ARI	Rainfall Intensity (mm/hr)	Flow (m ³ /second)
1	93	0.06
2	118	0.09
5	146	0.12
10	162	0.14
20	184	0.17
50	212	0.21
100	234	0.24

Table 1 – 10min Rainfall Intensity – Pre Development Flows

4.1.2 POST DEVELOPMENT

DEVELOPED UNMITIGATED CONDITIONS

The total area of the site is 4219m² comprising 932m² Gardens and Landscaping (therefore 22% Pervious) and 3166m² Buildings and Pavements (therefore 78% Impervious).

Fraction Impervious 78%, therefore C¹⁰ = 0.85

As the Fraction Impervious has increased and the Time of Concentration decreased to 5 minutes, the Post Development Unmitigated flows will be greater.

ARI	Rainfall Intensity (mm/hr)	Flow (m ³ /second)
1	122	0.10
2	154	0.13
5	190	0.18
10	210	0.21
20	238	0.25
50	274	0.31
100	301	0.36

Table 2 – 5 Minute Rainfall Intensity - Post-Development – Unmitigated

vii

DEVELOPED MITIGATED SOLUTION

As the runoff from the post development site has increased, mitigation measures will be required to reduce runoff. It is proposed to provide a bio-retention basin as part of the mitigation.

Drains has been used to model the basin using the Extended Rational Method. Results of the analysis for the minor storm (Q_{10}), assuming all stormwater is carried by the piped stormwater infrastructure, resulted in a basin size of $95m^2 \times 1m$ deep being required.

The stormwater from this development is discharged into 2 stormwater pits located in the neighbouring property as part of a previous development condition. These pits are constructed to a 300Ø UPVC stormwater pipe infrastructure.

The 300Ø UPVC stormwater pipework as found to be capable of carrying a flow of $0.2m^3/s$ with pipe running full at the 2% grade. This is suitable to carry the discharge from the mitigated runoff.

Please refer to Appendix D (Neil McKenzie & Associates Drawing number Q15-281-C02 (Revision C)) for details of the stormwater infrastructure. Results of the drains output for the post development flows are summarized as follows:

ARI	Mitigated Post Development Flows m^3/s
1	0.01
2	0.03
5	0.08
10	0.128
20	0.144
50	0.173
100	0.199

Table 3 – Post Development Mitigated Flows

With the addition of detention storage and re-modelling we can compare the results pre and post development and determine that increases in flows post-development are adequately mitigated.

ARI	Pre Development Flows m ³ /s	Post Development Flows m ³ /s
1	0.06	0.01
2	0.09	0.03
5	0.12	0.08
10	0.14	0.128
20	0.17	0.144
50	0.21	0.173
100	0.24	0.199

Table 4 - Pre & Post Development Comparison

The detention storage incorporated into the bio-retention basin mitigates the increased flow due to the development.

4.2 WATER QUALITY

Stormwater quality load reduction objectives in accordance with Redland City Council's performance criteria and current Queensland State Planning Policy 4/10 Healthy Waters best practice environmental management guidelines for the SEQ region. These are:

POLLUTANT TYPE	OBJECTIVE
Total Suspended Solids	80% reduction in average annual load of pollutants leaving the development unmitigated scenario compared to the developed mitigated scenario (In other words, compare what the site would be like, after development, with and without stormwater quality treatment)
Total Phosphorus	60% reduction in average annual load of pollutants leaving the developed unmitigated scenario, compared to the developed mitigated scenario
Total Nitrogen	45% reduction in annual load of pollutants leaving the developed unmitigated scenario, compared to the developed mitigated scenario
Gross Pollutants	90% reduction in annual load of pollutants leaving the developed unmitigated scenario, compared to the developed mitigated scenario

Table 5- Stormwater Pollutant Objectives

4.2.1 CONCEPT STORMWATER TREATMENT TRAIN

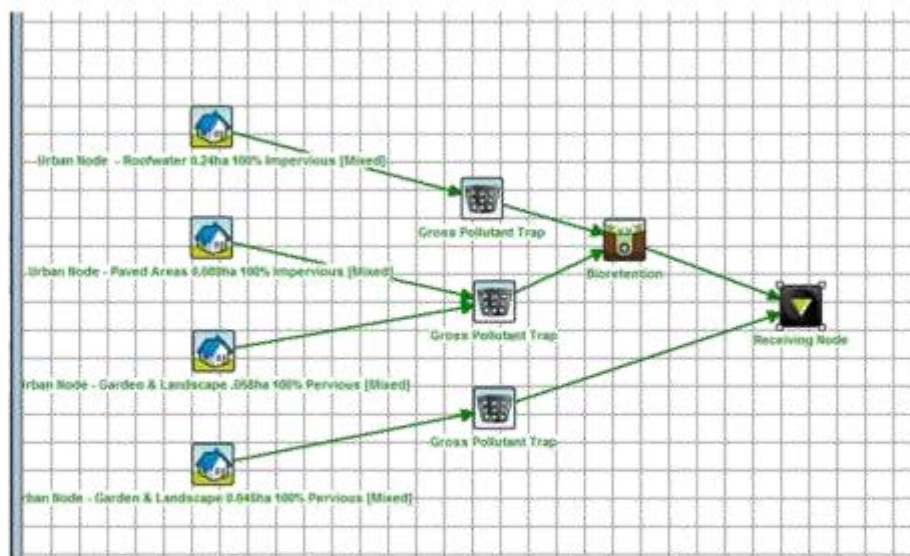


Figure 2 - Proposed Stormwater Treatment Train

X

4.2.2 MODELLING POLLUTANT REMOVAL EFFECTIVENESS

The modelling for the subject catchment with and without the proposed treatment system has been carried out using *Model for Urban Stormwater Conceptualisation (MUSIC)* software. The catchment was modelled in music in accordance with the following guidelines & parameters:

- Music version 6
- “Guidelines for Pollutant Export Modelling in Brisbane Version 7 – Draft”, Brisbane City Council (October 2003)
- “MUSIC Modelling Guidelines Version 1.0 - 2010”, Water By Design (2010)
- Rainfall Station 40223 BRISBANE (east), 6 minute time step 1990
- Water By Design MUSIC Modelling Guidelines Source Nodes (Split) utilizing modified % impervious area, rainfall threshold, soil properties & pollutant concentration
- No drainage routing between nodes.

4.2.3 DEVELOPED MITIGATED SCENARIO

The outputs of the model for this scenario are shown in figure 3 following.

	Sources	Residual Load	% Reduction
Flow (ML/yr)	4.68	4.44	5
Total Suspended Solids (kg/yr)	910	40.4	95.6
Total Phosphorus (kg/yr)	1.87	0.693	63
Total Nitrogen (kg/yr)	13.3	3.75	71.9
Gross Pollutants (kg/yr)	88	0	100

Figure 3- Pollutants-Developed Mitigated Scenario & Treatment Train Effectiveness

xj

Table 5 Demonstrates that the stormwater quality load reduction objectives have been achieved.

	Source	Residual Load	Reduction %	BCC WQOs %
Total Suspended Solids (kg/yr)	910	40.4	95.6	80
Total Phosphorus (kg/yr)	1.87	0.693	63	60
Total Nitrogen (kg/yr)	13.3	3.75	71.9	45
Gross Pollutants	88	0	100	90

Table 6- Treatment Effectiveness of Proposed Treatment Train

The following screen shots of MUSIC outputs show the discharged water is within the required limits prescribed.

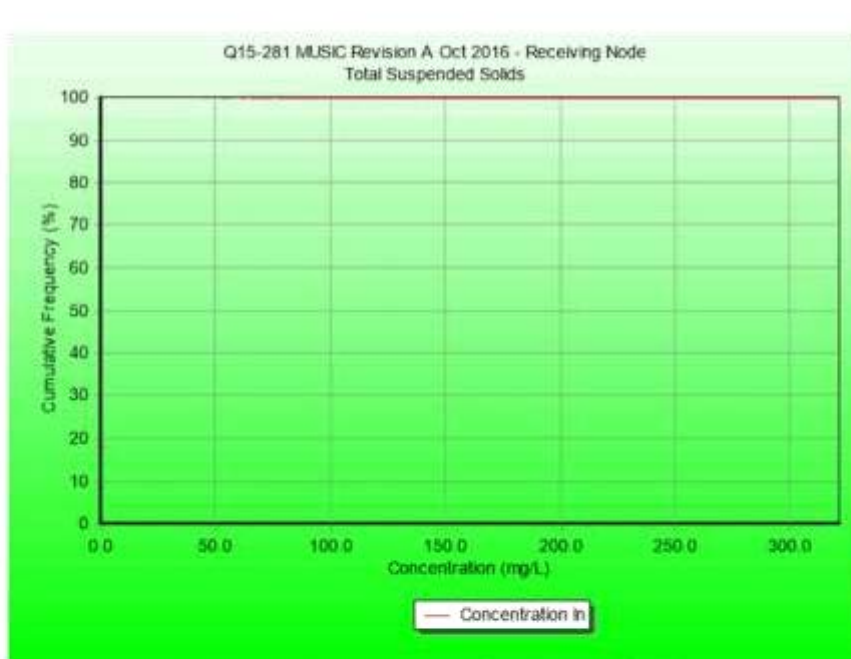


Figure 4 - Cumulative Frequency Graph Total Suspended Solids

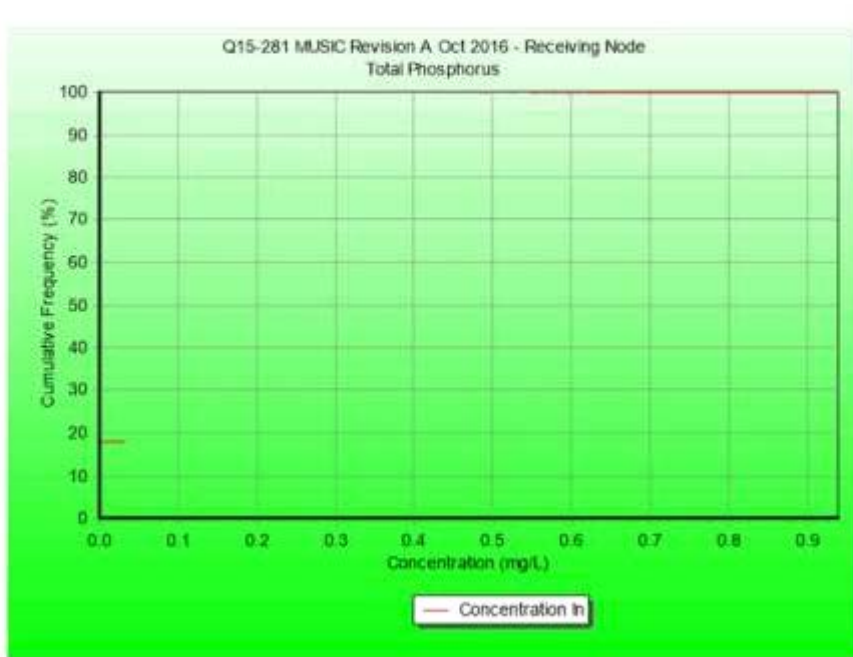


Figure 5 - Cumulative Frequency Graph Total Phosphorus



Figure 6 Cumulative Frequency Graph Total Nitrogen

5. INSPECTION AND MAINTENANCE

The most important time for regular inspection and maintenance of a bioretention system is in the first two years when plants are becoming established. Regular watering, weeding and replanting may be necessary but this also coincides with the establishment of landscaping areas and can be performed concurrently.

Removal of debris, sediment or litter should be done regularly and the system checked for additional blockages following a storm event.

Water Sensitive Urban Design gives an example of a maintenance checklist which is included in Appendix F.

6. CONCLUSIONS & RECOMMENDATIONS

Aspects relating to stormwater management across the proposed development have been described and we recommend approval based on the following:

- Erosion potential is only considered a relevant issue during the construction phase. Best management practices will be applied to erosion control on the site and a plan has been prepared
- Stormwater quantity modelling was completed and the outcome from *Drains* indicated the water quantity objectives would be adequately achieved for minor and major storm events.
- Stormwater Quality objectives are met by the treatment provided by gross pollutant traps and bio-retention

8. APPENDICES

Appendix A – Leith Architects Drawings Job #2271 Development Approval Issue

Appendix B - AJS Surveys Drawing Q0198-D1

Appendix C – Neil McKenzie & Associates Pty Ltd Drawing Q15-281-C01 Revision A

Appendix D – Neil McKenzie & Associates Pty Ltd Drawing Q15-281-C02 Revision

C Appendix E – Deed Poll of Covenant

Appendix F – Biorention Basin Maintenance Checklist.



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Site Based Stormwater Management Plan Appendix A

Leith Architects Drawings Job #2271 Development Approval Issue

DEVELOPMENT SCHEDULE

SITE	7,911 FERNBOURNE RD
RPD	LOTS 1,2 + 132 RP 14166
SITE AREA	4,219 m ²
SITE COVER 52.92%	2,233 m ²
LANDSCAPE 22.09%	932 m ²
DEEP SOIL (649m ²) 16.56%	
PODIUM PLANTING (233m ²) 5.52%	
COMMUNAL OPEN SPACE 10.73%	453m ²

UNIT TYPE SCHEDULE

LEVEL	1 BED	2 BED	3 BED	TOTAL
BASEMENT	-	-	-	-
LEVEL 1	0	7	6	13
LEVEL 2	1	10	5	16
LEVEL 3	1	10	5	16
TOTAL	2	27	16	45

CARPARKING

1 SPACE/ 1 BED UNIT (2X1)	2.00
1.5 SPACE/ 2 BED UNIT (27X1.5)	40.50
2 SPACE/ 3 BED UNIT (16X2)	32.00
VISITORS 1 SPACE/10 UNITS	4.50
TOTAL REQUIRED	79.00
PROVIDED VISITORS	5.00
PROVIDED RESIDENTS	77.00
TOTAL CARPARKS PROVIDED	82.00

COMPLIANCE SCHEDULE

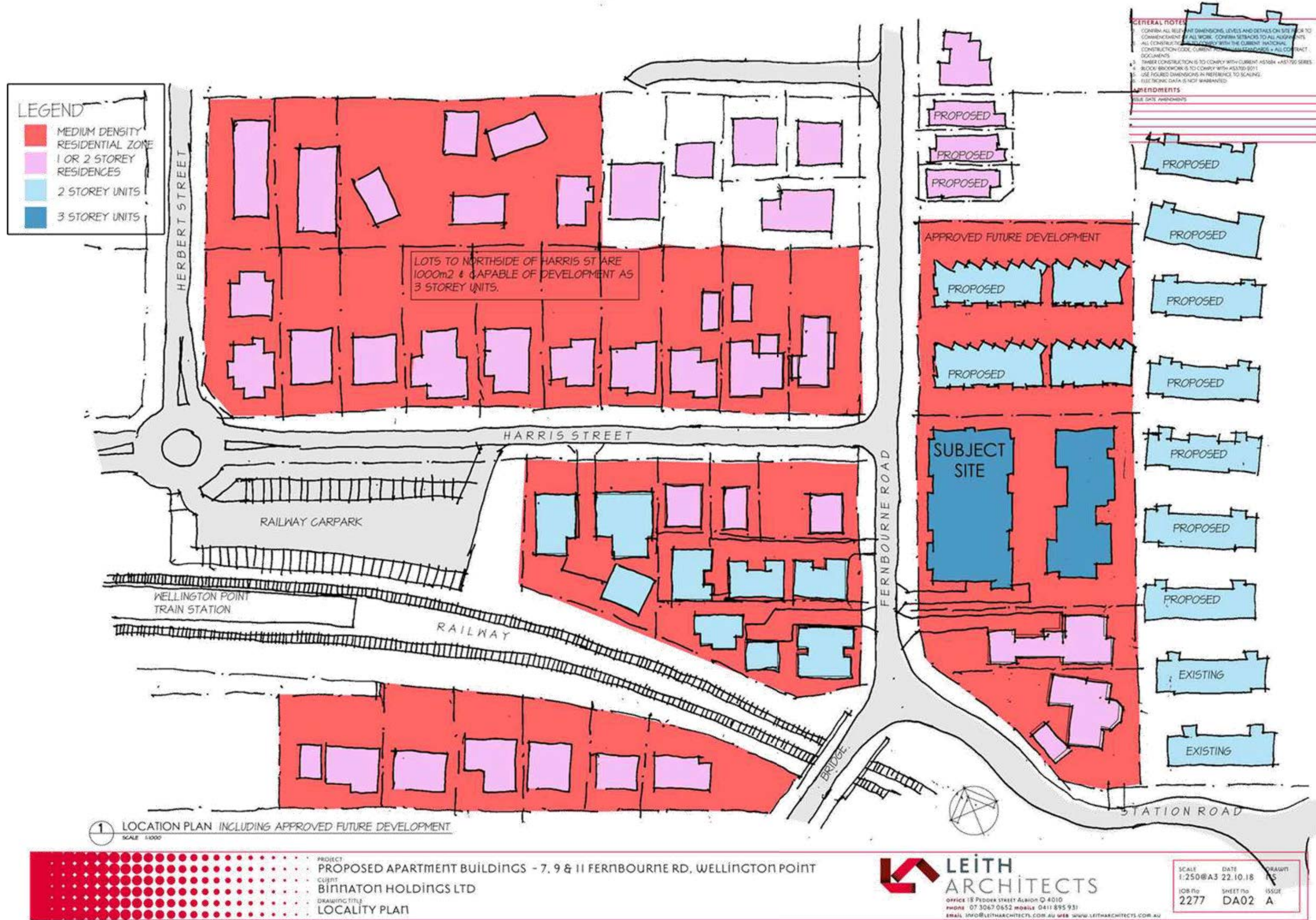
BENCHMARK	REQUIREMENT	ACHIEVED COMPLIANT
A03.1 COMMUNAL OPEN SPACE	5% OF SITE AREA	453m ² 10.7% ✓
P04.1 PRIVATE OPEN SPACE	A04.1 Grd Flr UNITS 25m ² A04.2 ABOVE Grd 1 BED UNITS 10m ² A04.2 ABOVE Grd 2+BED UNITS 16m ² A04.3 CLOTHES DRYING	ALL GF UNITS >25m ² ✓ ALL AG UNITS >10m ² ✓ ALL AG UNITS >16m ² ✓ DRYERS PROVIDED ✓
A05.1 FRONTAGE	MIN FRONTAGE 20m	60.3m ✓
P06 GF UNITS STREET ACCESS	GF UNITS TO HAVE DIRECT ACCESS TO STREET WHERE POSSIBLE	UNITS 1,2,3,4 ✓
A07.1 SITE COVER	MAX 75% FOR BLD HT 13m	2,233m ² 52.9% ✓
A08.1 BUILDING HEIGHT	MAX 13m + 3 STOREYS BASEMENT EXCLUDED WHERE LESS THAN 1m ABOVE GRD.	12.5m + 3 STOREYS ✓ (BASEMENT LESS THAN 1m ABOVE GRD.)
P09 STEPPING BLD OVER 13m	FOR BLD HT 13m	NOT APPLICABLE
P10 BUILDING SETBACKS	A010.1 STREET SETBACK MIN 3m A010.2 SIDE BOUNDARY MIN 3.5m A010.3 REAR BOUNDARY MIN 4m (NO WALLS 13m HIGH)	BALCONY 4.0m ✓ BUILDING 4.8m ✓ NORTH 3.5m ✓ SOUTH FRONT BLD 6.1m ✓ SOUTH BACK BLD 3.5 + 0.4m ✓ BALC. 5m + 8.3m ✓ BLD. 8.5m + 11.9m ✓
A011.1 BASEMENT SETBACKS	(1) MIN 2m TO STREET BDY. (2) MIN 2m TO OTHER BDY.S MAXIMISE DEEP PLANTING	4.0m TO STREET ✓ SIDES 3.5m REAR 5.0m ✓ 649m ² 16.56% ✓
P012 STREETSCAPE DESIGN ELEMENTS	(1) FACADE PROJECTIONS AND RECESSES TO REFLECT INTERNAL FUNCTIONS (2) VARIATIONS IN MATERIAL + BLD FORM (3) VERT + HORZ FACADE MODULATION (4) ENTRY ARTICULATION (5) CORNER TREATMENTS REFER TO ELEVATIONS FOR DETAILS	ACHIEVED ✓ ACHIEVED ✓ ACHIEVED ✓ ACHIEVED ✓ NOT APPLICABLE
P013 SUBTROPICAL DESIGN ELEMENTS	(1) DEEP VERANDAH'S DECKS + LEAVES (2) INTREGATION OF BUILDINGS WITHIN LANDSCAPE PLANTING	ACHIEVED ✓ ACHIEVED ✓ REFER TO ELEVATIONS FOR DETAILS
P014 ROOF FORM TO REDUCE BUILDING BULK	(1) ARTICULATED INDIVIDUAL BLD.S (2) VARIETY IN PITCH (3) PITCHED ROOFS + GABLES (4) SCREENED PLANT + EQUIP REFER DRAWINGS FOR DETAIL	ACHIEVED ✓ ACHIEVED ✓ ACHIEVED ✓ ACHIEVED ✓
A015 PARKING FACILITIES	PARKING 15 BEHIND FRONT BUILDING ALIGNMENT	PARKING 6.2m BEHIND BLD + 2m BELOW STREET ✓
P016 STREETSCAPE + CRIME PREVENTION THRU DESIGN	A016.1 BALCONIES OVERLOOK STREET AND COMMUNAL OUTDOOR SPACE A016.2 STREET FENCE 1.8 50% TRANSPARENT	ACHIEVED ✓ ACHIEVED ✓
P017 PRIVACY	A017.1 HABITABLE RM TO HABITABLE RM SCREENING A017.2 WINDOWS + BALCONIES TO PRIVATE OPEN SPACE IN ADJ DWELLINGS. A017.3 SCREENING DESIGN REFER DRAWINGS	ACHIEVED ✓ ACHIEVED ✓ ACHIEVED ✓
P018 LANDSCAPING	A018.1 MIN 15% A018.2 MIN 2m TO STREET	932m ² 22.09% ✓ STREET MIN L/S 4.0m WIDE
P019 AMENITY + IMPACTS FOR NEIGHBOURS + OCCUPANTS	REFER TOWN PLANNING REPORT AND SITE ANALYSIS PLAN	ACHIEVED ✓
P020 ACOUSTIC AMENITY + IMPACTS FOR OCCUPANTS	REFER ACOUSTIC REPORT AND SITE ANALYSIS PLAN	ACHIEVED ✓
P021 SUNLIGHT	REFER TO SHADOW DIAGRAMS	ACHIEVED ✓
P022 SERVICING AREAS	NOT VISIBLE FROM ROAD AND SCREENED FROM ADJ RESIDENCES	ACHIEVED ✓
P023 TOPOGRAPHY + NATURAL VALUES + DRAINAGE IMPACT MITIGATION	(1) ECOLOGICAL CORRIDOR AND NATIVE VEGETATION (2) NATURAL TOPOGRAPHY AND DRAINAGE REFER TOWN PLANNING REPORT	ACHIEVED ✓



PROJECT: PROPOSED APARTMENT BUILDINGS - 7, 9 & 11 FERNBOURNE RD, WELLINGTON POINT
 CLIENT: BINNATON HOLDINGS LTD
 DRAWING TITLE: DEVELOPMENT SCHEDULE

LEITH ARCHITECTS
 OFFICE 18 PROCTOR STREET ALTON Q 4010
 PHONE 07 3947 9652 WORKING 0411 895 931
 EMAIL INFO@LEITHARCHITECTS.COM.AU WEB WWW.LEITHARCHITECTS.COM.AU

SCALE	DATE	DRAWN
1:250@A3	22.10.18	PLS
LOG No	SHEET No	ISSUE
2277	DA01	A

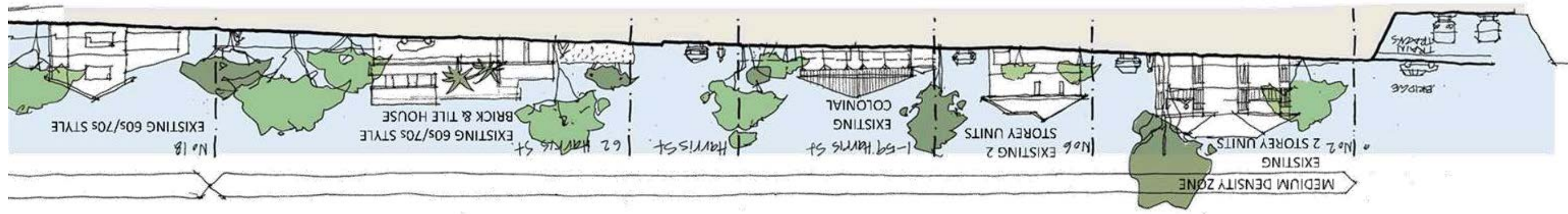
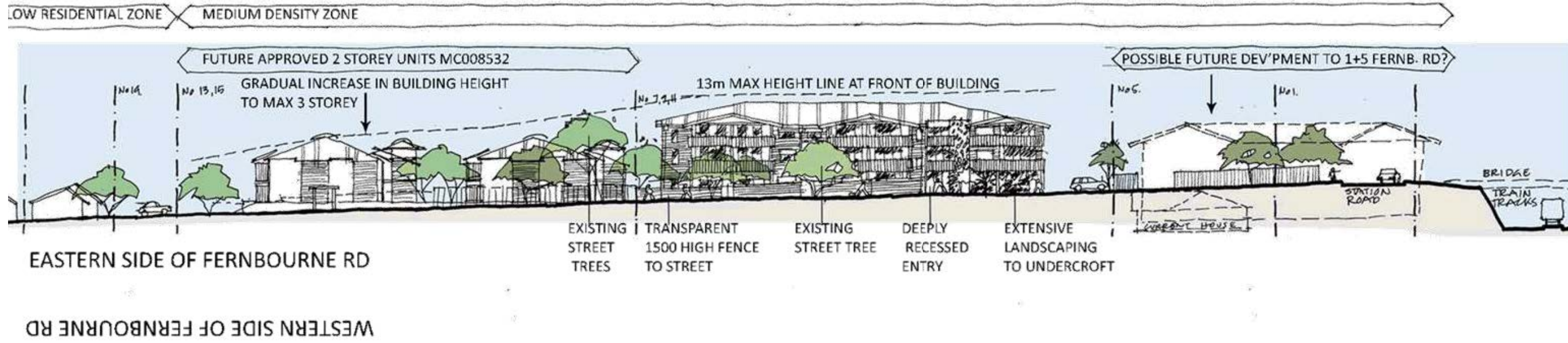


GENERAL NOTES

1. CONFIRM ALL RELEVANT DIMENSIONS, LEVELS AND DETAILS ON SITE PRIOR TO COMMENCEMENT OF ALL WORK. CONFIRM SETBACKS TO ALL ALIGNMENTS.
2. ALL CONSTRUCTION IS TO COMPLY WITH THE CURRENT AUSTRALIAN CONSTRUCTION CODE, CURRENT AUSTRALIAN STANDARDS + ALL CONTRACT DOCUMENTS.
3. TIMBER CONSTRUCTION IS TO COMPLY WITH CURRENT AS1684 - HASTERS SERIES.
4. BLOCK WORKWORK IS TO COMPLY WITH AS2300-2011.
5. USE POURED DIMENSIONS IN PREFERENCE TO SCALING.
6. ELECTRONIC DATA IS NOT WARRANTED.

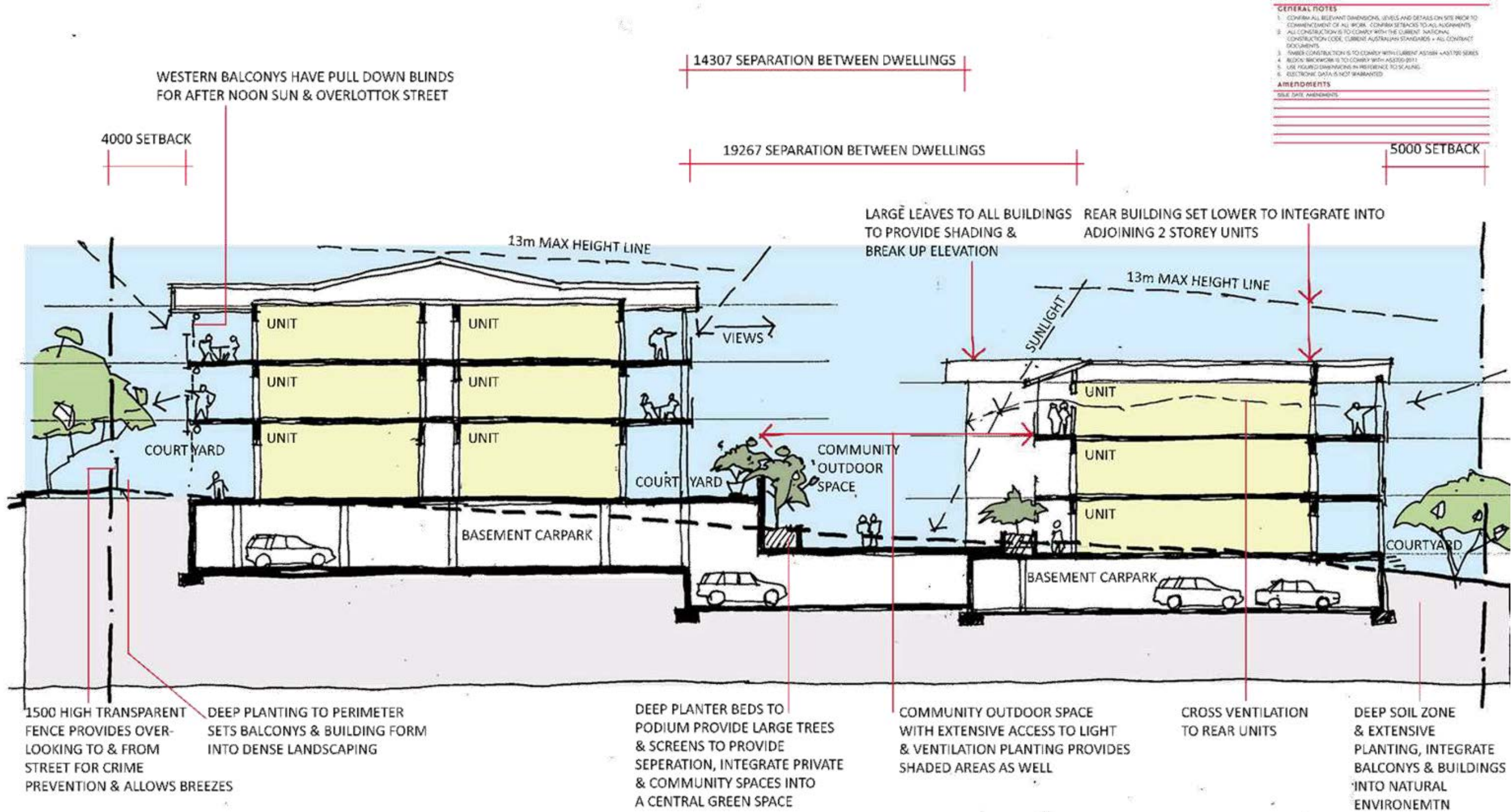
AMENDMENTS

ISSUE DATE	AMENDMENTS



1 STREETScape ON EAST AND WESTERN SIDE OF FERNBORNE ROAD
SCALE: NTS

	PROJECT	PROPOSED APARTMENT BUILDINGS - 7/9/11 FERNBORNE RD WELLINGTON POINT	<p>LEITH ARCHITECTS OFFICE 18 PEDDER STREET ADELAIDE SA 5010 PHONE 07 3067 0652 MOBILE 0411 895 931 EMAIL INFO@LEITHARCHITECTS.COM.AU WEB WWW.LEITHARCHITECTS.COM.AU</p>	SCALE	DATE	DRAWN
	CLIENT	BIPNATON HOLDINGS PTY LTD		1:200	22.10.18	F15
	DRAWING TITLE	STREETScape		JOB No	SHEET No	ISSUE
				2277	DA03	A

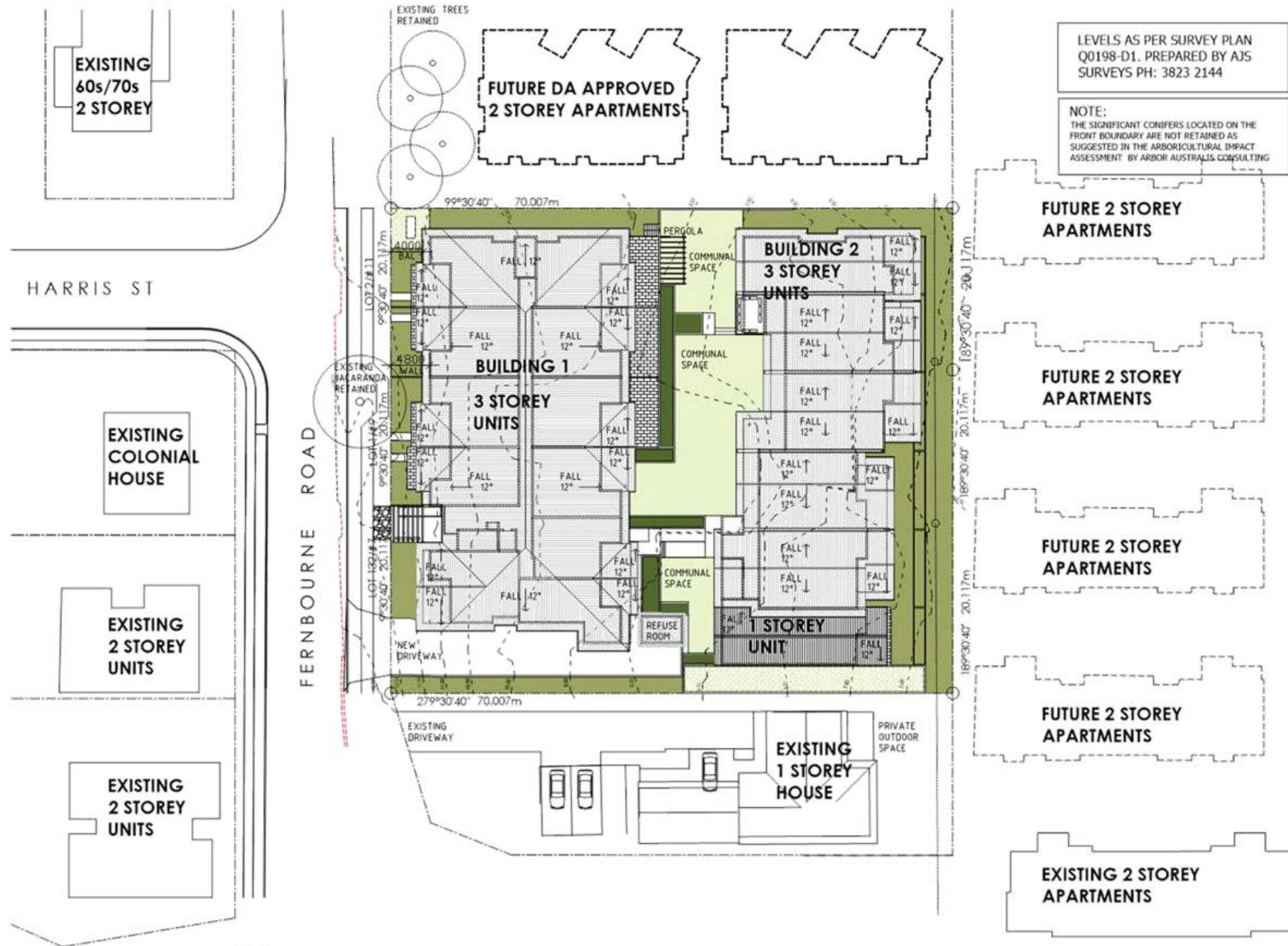


1 SUBTROPICAL DESGN ANALYSIS
SCALE NTS RESPONSE TO SUBTROPICAL DESIGN
IN SOUTHEAST QLD HANDBOOK

PROJECT: PROPOSED APARTMENT BUILDINGS - 7/9/11 FERNBOURNE RD WELLINGTON POINT
CLIENT: BINNATON HOLDINGS PTY LTD
DRAWING TITLE: RESPONSE TO SUBTROPICAL DESIGN

LEITH ARCHITECTS
OFFICE 15 PEDDER STREET ALBION Q 4010
PHONE 07 3067 0652 MOBILE 0411 895 931
EMAIL INFO@LEITHARCHITECTS.COM.AU WEB WWW.LEITHARCHITECTS.COM.AU

SCALE	DATE	DRAWN
1:200	22.10.18	RTS
JOB No	SHEET No	ISSUE
2277	DA04	A



LEVELS AS PER SURVEY PLAN Q0198-D1. PREPARED BY AJS SURVEYS PH: 3823 2144

NOTE:
THE SIGNIFICANT CONIFERS LOCATED ON THE FRONT BOUNDARY ARE NOT RETAINED AS SUGGESTED IN THE ARBORICULTURAL IMPACT ASSESSMENT BY ARBOR AUSTRALIS CONSULTING

- GENERAL NOTES**
1. CONTRACTOR TO VERIFY DIMENSIONS, LEVELS AND DETAILS ON SITE PRIOR TO COMMENCEMENT OF ALL WORK. CORRECT ANY ERRORS TO ALL AGREEMENTS.
 2. ALL CONSTRUCTION IS TO COMPLY WITH THE CURRENT NATIONAL CONSTRUCTION CODE CURRENT AUSTRALIAN STANDARDS - ALL CONTRACT DOCUMENTS.
 3. THESE CONSTRUCTIONS TO COMPLY WITH CURRENT AS/NZS 1170:2011.
 4. BLOCK STRUCTURES TO COMPLY WITH AS 2871:2011.
 5. USE TYPED DIMENSIONS IN PREFERRED TO SCALE.
 6. ELECTRONIC DATA IS NOT WARRANTED.
- AMENDMENTS**
- | NO. | DATE | REVISIONS |
|-----|------|-----------|
| | | |
| | | |
| | | |
| | | |
| | | |

UNIT NO:	AREA:	POS:
UNIT 01	76.0m2	* 41.0m2
UNIT 02	81.0m2	* 53.0m2
UNIT 03	81.0m2	* 54.0m2
UNIT 04	68.0m2	* 43.0m2
UNIT 05	75.0m2	* 53.0m2
UNIT 06	81.0m2	* 52.0m2
UNIT 07	81.0m2	* 52.0m2
UNIT 08	117.0m2	* 32.0m2
UNIT 09	121.0m2	* 44.0m2
UNIT 10	121.0m2	* 44.0m2
UNIT 11	118.0m2	* 76.0m2
UNIT 12	118.0m2	* 76.0m2
UNIT 13	120.0m2	* 56.0m2
UNIT 14	76.0m2	17.0m2
UNIT 15	81.0m2	17.0m2
UNIT 16	81.0m2	17.0m2
UNIT 17	68.0m2	16.0m2
UNIT 18	78.0m2	20.0m2
UNIT 19	75.0m2	17.0m2
UNIT 20	81.0m2	17.0m2
UNIT 21	81.0m2	17.0m2
UNIT 22	81.0m2	17.0m2
UNIT 23	68.0m2	16.0m2
UNIT 24	68.0m2	17.0m2
UNIT 25	117.0m2	21.0m2
UNIT 26	121.0m2	24.0m2
UNIT 27	121.0m2	23.0m2
UNIT 28	118.0m2	23.0m2
UNIT 29	118.0m2	23.0m2
UNIT 30	76.0m2	17.0m2
UNIT 31	81.0m2	17.0m2
UNIT 32	81.0m2	17.0m2
UNIT 33	68.0m2	16.0m2
UNIT 34	78.0m2	20.0m2
UNIT 35	75.0m2	17.0m2
UNIT 36	75.0m2	17.0m2
UNIT 37	81.0m2	17.0m2
UNIT 38	81.0m2	17.0m2
UNIT 39	81.0m2	17.0m2
UNIT 40	68.0m2	16.0m2
UNIT 41	68.0m2	17.0m2
UNIT 42	117.0m2	21.0m2
UNIT 43	121.0m2	24.0m2
UNIT 44	121.0m2	23.0m2
UNIT 45	118.0m2	23.0m2

* UNITS WITH PRIVATE COURTYARDS

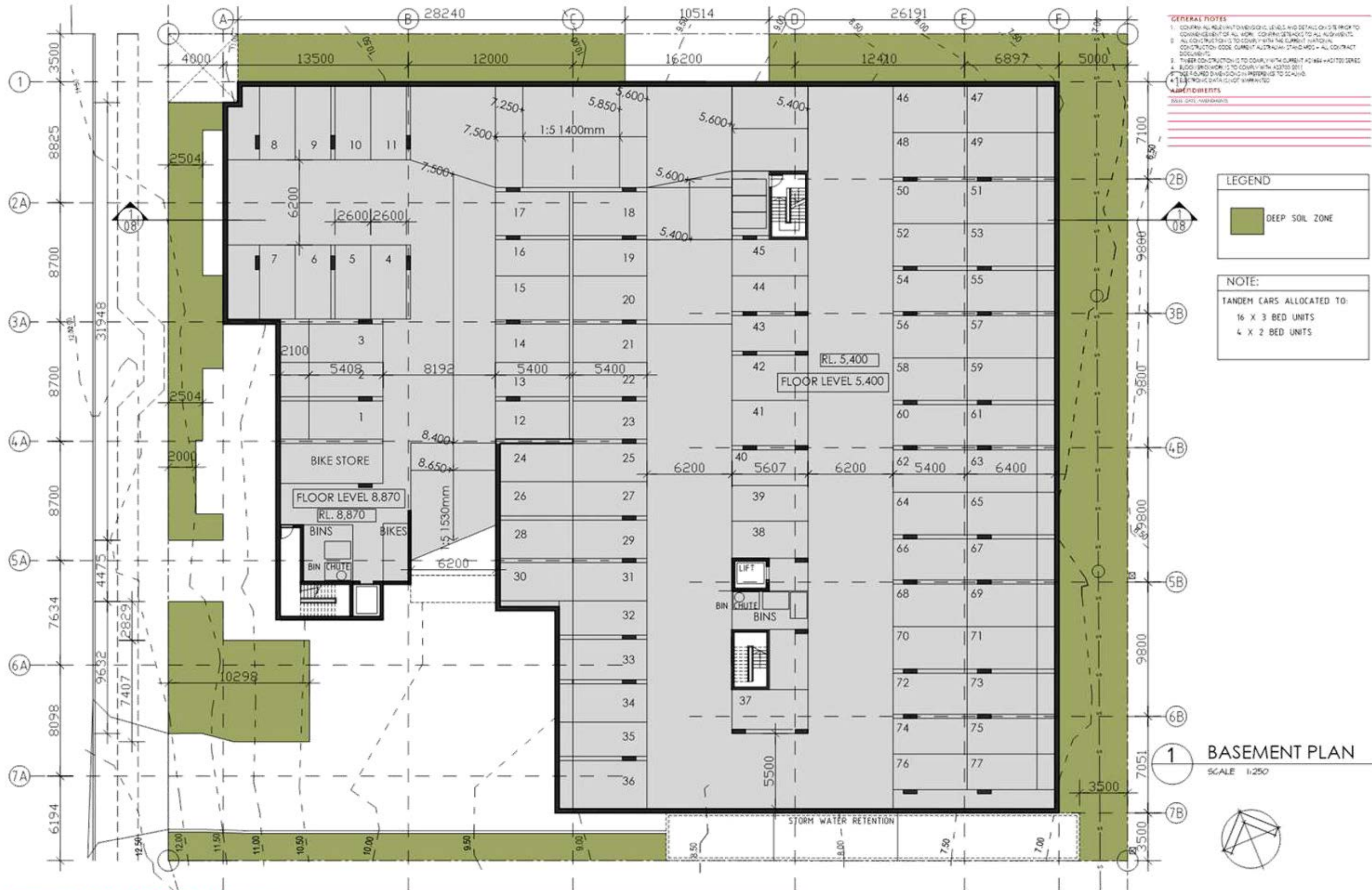
1 SITE/LOCATION PLAN
SCALE 1:500@A3



PROJECT: PROPOSED APARTMENT BUILDINGS - 7, 9 & 11 FERNBOURNE RD, WELLINGTON POINT
 CLIENT: BIPNATON HOLDINGS LTD
 DRAWING TITLE: PROPOSED SITE PLAN

LEITH ARCHITECTS
 OFFICE: 18 PADDER STREET AUSTON QLD 4310
 PHONE: 07 3947 0652 MOBILE: 0411 895 931
 EMAIL: INFO@LEITHARCHITECTS.COM.AU WEB: WWW.LEITHARCHITECTS.COM.AU

SCALE	DATE	DRAWN
1:500@A3	02.11.2018 P15	
JOB No	SHEET No	ISSUE
2277	DA05	A



GENERAL NOTES

1. CONFIRM ALL HEIGHTS/LEVELS/LEVELS AND DETAILS ON THE PROJECT TO COMMENCEMENT OF ALL WORK. CONFORM SETBACKS TO ALL APPLICABLE REGULATIONS.
2. ALL CONSTRUCTION IS TO COMPLY WITH THE CURRENT NATIONAL CONSTRUCTION CODE CURRENT AUSTRALIAN STANDARDS - ALL CONTRACT DOCUMENTS.
3. THESE CONSTRUCTION TO COMPLY WITH CURRENT APPLICABLE STANDARDS.
4. BLOCK STRUCTURE IS TO COMPLY WITH AS1085.2011.
5. USE FOUND DIMENSIONS UNLESS OTHERWISE SPECIFIED TO SCALE.
6. ALL DIMENSIONS ARE TO FACE UNLESS OTHERWISE SPECIFIED.

APPENDICES

APPENDIX A - GEOTECHNICAL DATA (NOT SHOWN)

LEGEND

DEEP SOIL ZONE

NOTE:

TANDEM CARS ALLOCATED TO:

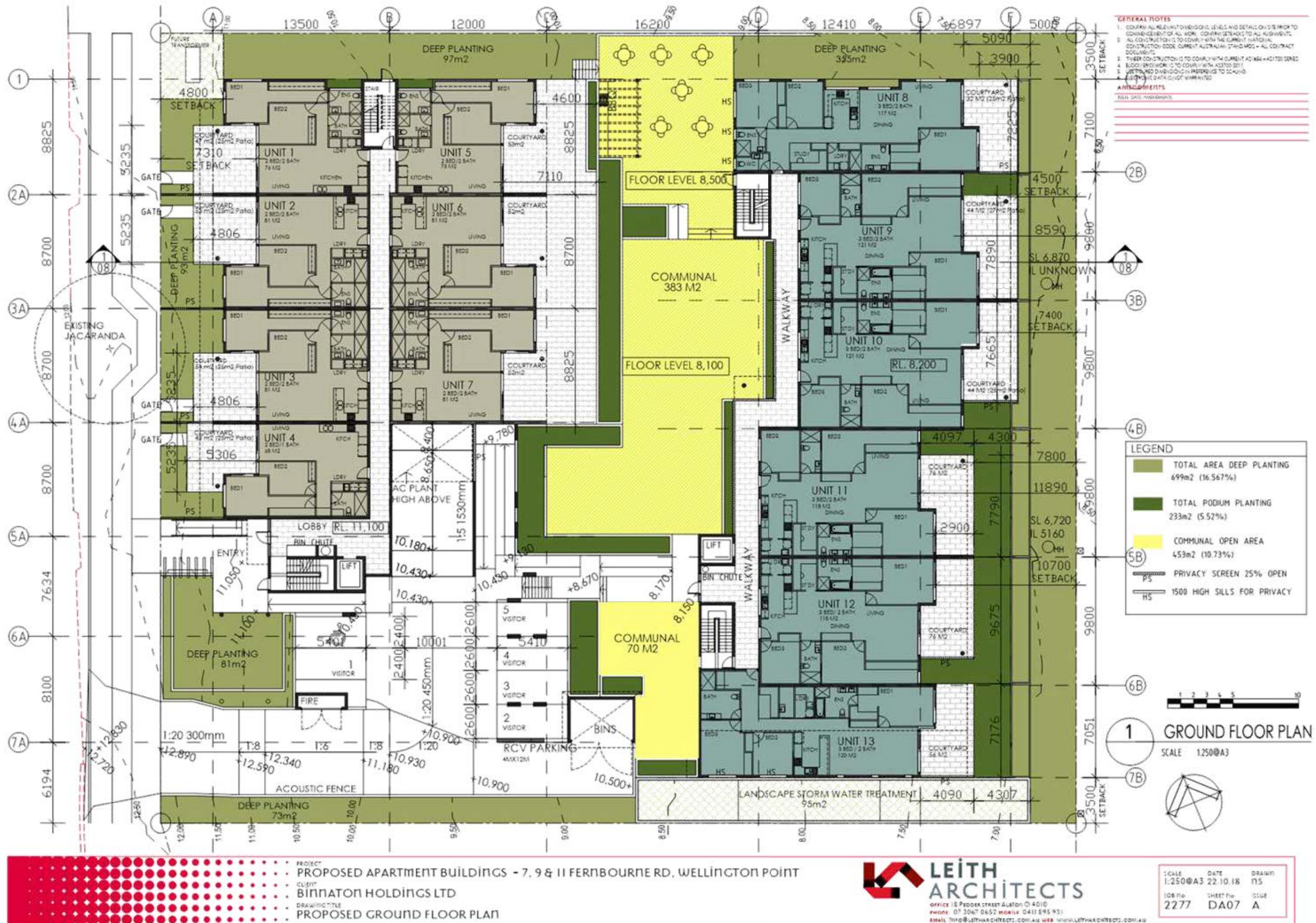
- 16 X 3 BED UNITS
- 4 X 2 BED UNITS

1 BASEMENT PLAN
SCALE 1:250

PROJECT: PROPOSED APARTMENT BUILDINGS - 7, 9 & 11 FERNBOURNE RD, WELLINGTON POINT
 CLIENT: BIPNATON HOLDINGS LTD
 DRAWING TITLE: PROPOSED BASEMENT PLAN

LEITH ARCHITECTS
 OFFICE: 18 PADDERS STREET AUSTON QLD 4202
 PHONE: 07 3947 0652 MOBILE: 0411 895 931
 EMAIL: INFO@LEITHARCHITECTS.COM.AU WEB: WWW.LEITHARCHITECTS.COM.AU

SCALE: 1:250 @ A3 DATE: 22.10.18 DRAWN: P15
 JOB No: 2277 SHEET No: DA06 ISSUE: A





GENERAL NOTES

1. CONFIRM ALL RELEVANT DIMENSIONS, LEVELS AND DETAILS ON THE PROJECT TO COMMENCEMENT OF ALL WORK. CORRECTING UTILITY TO ALL AGREEMENTS.
2. ALL CONSTRUCTION IS TO COMPLY WITH THE CURRENT NATIONAL CONSTRUCTION CODE, CURRENT AUSTRALIAN STANDARDS - ALL CONTRACT DOCUMENTS.
3. THESE CONSTRUCTIONS TO COMPLY WITH CURRENT ADHMA-HADITW SERIES.
4. BLOCK STRUCTURE IS TO COMPLY WITH AS3700:2011.
5. VERTICAL DIMENSIONS REFER TO SCANS.
6. ELECTRIC DATA NOT SHOWN.

AMENDMENTS

LEGEND

- PS PRIVACY SCREEN 25% OPEN
- HS 1500 HIGH SILLS FOR PRIVACY

1 LEVEL 1 PLAN
SCALE 1:250@A3

10551
7051
3500

PROJECT: PROPOSED APARTMENT BUILDINGS - 7, 9 & 11 FERNBOURNE RD, WELLINGTON POINT
 CLIENT: BIPNATON HOLDINGS LTD
 DRAWING TITLE: PROPOSED FIRST FLOOR PLAN

LEITH ARCHITECTS
 OFFICE: 13 PODOUR STREET, AUSTON QLD 4202
 PHONE: 07 32947 0652 MOBILE: 0411 895 931
 EMAIL: INFO@LEITHARCHITECTS.COM.AU WEB: WWW.LEITHARCHITECTS.COM.AU

SCALE	DATE	DRAWN
1:250@A3	22.10.18	PT5
JOB No	SHEET No	ISSUE
2277	DA08	A



- GENERAL NOTES**
1. CONFORM TO ALL RELEVANT REGULATORY LEVELS AND DETAIL ON SITE PRIOR TO COMMENCEMENT OF ALL WORK. CORRECTING STRUCKS TO ALL ALIGNMENTS.
 2. ALL CONSTRUCTION IS TO COMPLY WITH THE CURRENT NATIONAL CONSTRUCTION CODE CURRENT AUSTRALIAN STANDARDS - ALL CONTRACT DOCUMENTS.
 3. THESE CONSTRUCTIONS TO COMPLY WITH CURRENT ADHHS - ADHHS SERIES.
 4. BLOCK STRUCTURE IS TO COMPLY WITH AS2301 2011.
 5. ALL STRUCTURAL DIMENSIONS IN METERS TO SCALE UNLESS SPECIFIED OTHERWISE.
- ASSUMPTIONS**
- 1. ALL DIMENSIONS ARE TO FACE UNLESS SPECIFIED OTHERWISE.

LEGEND

- PS PRIVACY SCREEN 25% OPEN
- HS 1500 HIGH SILLS FOR PRIVACY

1 LEVEL 2 PLAN
SCALE 1:250@A3

PROJECT: PROPOSED APARTMENT BUILDINGS - 7, 9 & 11 FERNSBORNE RD, WELLINGTON POINT
 CLIENT: BINPATON HOLDINGS LTD
 DRAWING TITLE: PROPOSED SECOND FLOOR PLAN

LEITH ARCHITECTS
 OFFICE: 18 PADDER STREET AUSTON QLD 4510
 PHONE: 07 3047 0652 MOBILE: 0411 895 931
 EMAIL: INFO@LEITHARCHITECTS.COM.AU WEB: WWW.LEITHARCHITECTS.COM.AU

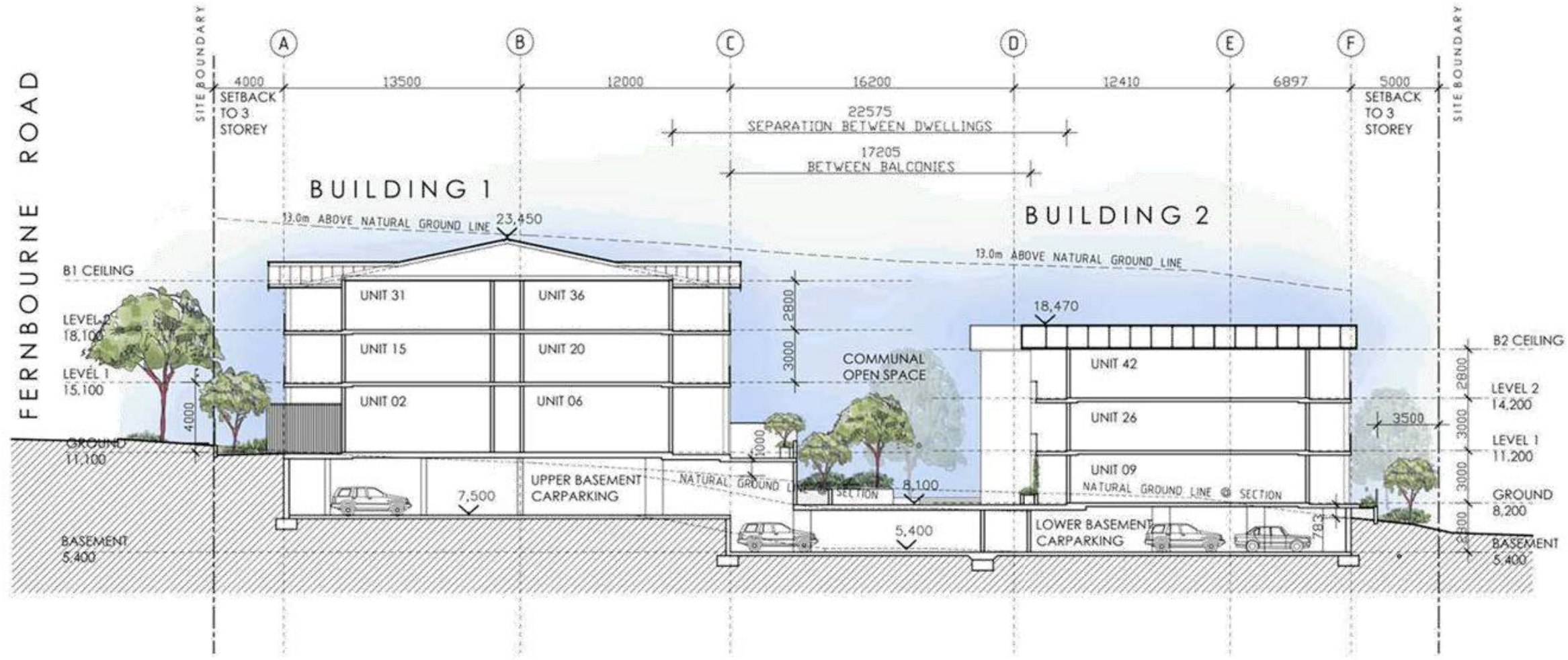
SCALE	DATE	DRAWN
1:250@A3	22.10.18	115
JOB No	SHEET No	ISSUE
2277	DA09	A

GENERAL NOTES

1. CONFIRM ALL RELEVANT DIMENSIONS, LEVELS AND DETAILS ON SITE PRIOR TO COMMENCEMENT OF ALL WORK - CONFIRM SETBACKS TO ALL ADJACENTS
2. ALL CONSTRUCTION IS TO COMPLY WITH THE CURRENT NATIONAL CONSTRUCTION CODE, CURRENT AUSTRALIAN STANDARDS + ALL CONTRACT DOCUMENTS
3. SIMPLY CONSTRUCTION IS TO COMPLY WITH CURRENT AS/NZS 1170 SERIES
4. BLOCK WORKWORK IS TO COMPLY WITH AS1053:2011
5. USE ROUND DIMENSIONS IN REFERENCE TO SCALARS
6. ELECTRONIC DATA IS NOT WARRANTIES

AMENDMENTS

ISSUE	DATE	AMENDMENT



1 PROPOSED SECTION
SCALE: 1:250

PROJECT: PROPOSED APARTMENT BUILDINGS - 7/9/11 FERNBOURNE RD WELLINGTON POINT
 CLIENT: ΒΙΠΠΑΤΟΝ HOLDINGS PTY LTD
 DRAWING TITLE: PROPOSED SECTION

LEITH ARCHITECTS
 OFFICE: 18 PEDDER STREET ACHIN O 4010
 PHONE: 07 3067 0452 MOBILE: 0411 895 931
 EMAIL: INFO@LEITHARCHITECTS.COM.AU WEB: WWW.LEITHARCHITECTS.COM.AU

SCALE	DATE	DRAWN
1:250@A3	22.10.18	F15
JOB No	SHEET No.	ISSUE
2277	DA10	A

LEGEND		
BAL1 1000mm HIGH SOLID BALUSTRADE WITH PAINT FINISH	AW METAL HOODS	HB HORIZONTAL PATTERN CLADDING
BAL2 1000mm HIGH ALUMINUM VERTICAL BALUSTRADE	GL ALUMINUM FRAMED GLAZING	VB VERTICAL PATTERN CLADDING
CB COLORBOND ROOF COLOUR TBA	TSC VERTICAL FIXED SCREEN, ALUMINUM BATTENS WITH MAX 125 SPACING	BW FEATURE MASONRY WALL
DP COLORBOND DOWNPIPES COLOUR TO MATCH WALL	COL1 RENDERED CONCRETE COLUMN	GB PAINTED FC WITH TIMBER BATTEN TREATMENT
	COL2 STEEL COLUMN WITH PAINTED FINISH	
		FE 1800 HIGH 50% TRANSPARENT FENCE

GENERAL NOTES

- CONFIRM ALL RELEVANT DIMENSIONAL LEVELS AND DETAILS ON SITE PRIOR TO COMMENCEMENT OF ALL WORK. CORRECTIVE MEASURES TO ALL AGREEMENTS.
- ALL CONSTRUCTION IS TO COMPLY WITH THE CURRENT NATIONAL CONSTRUCTION CODE, CURRENT AUSTRALIAN STANDARDS + ALL CONTRACT DOCUMENTS.
- TIMBER CONSTRUCTION IS TO COMPLY WITH CURRENT AS3601 - ALL TREATED SERIES.
- BLOCK AND BRICKWORK IS TO COMPLY WITH AS2500-2011.
- USE FINISHED DIMENSIONS UNLESS OTHERWISE SPECIFIED.
- ELECTRONIC DATA IS NOT WARRANTED.

AMENDMENTS

NO.	DATE	DESCRIPTION



1 WEST ELEVATION - BUILDING 1 - FERNBOURNE RD
SCALE 1:200



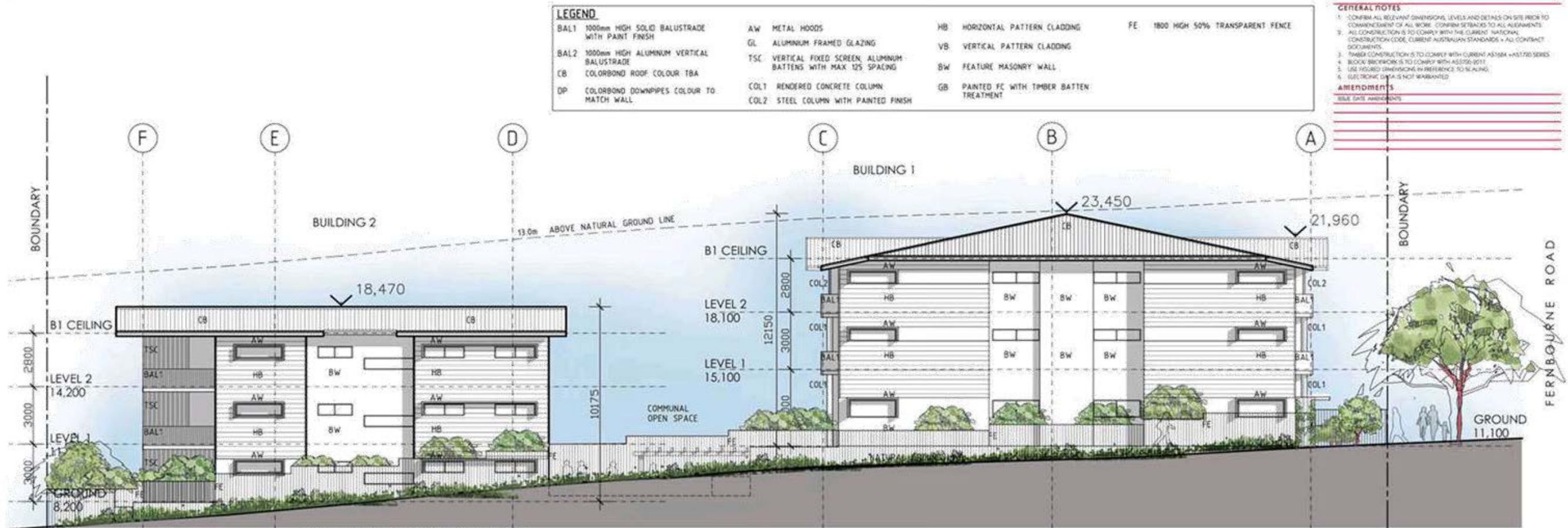
1 INTERNAL WEST ELEVATION - BUILDING 2
SCALE 1:200



PROJECT: PROPOSED APARTMENT BUILDINGS - 7/9/11 FERNBOURNE RD WELLINGTON POINT
 CLIENT: BIPNATON HOLDINGS PTY LTD
 DRAWING TITLE: WEST ELEVATION & INTERNAL WEST ELEVATION

LEITH ARCHITECTS
 OFFICE 18 PEDDER STREET ALBION Q 4010
 PHONE 07 3067 0652 MOBILE 0411 895 931
 EMAIL INFO@LEITHARCHITECTS.COM.AU WEB WWW.LEITHARCHITECTS.COM.AU

SCALE	DATE	DRAWN
1:200	22.10.18	RIS
JOB No	SHEET No	ISSUE
2277	DA11	A



1 NORTH ELEVATION

SCALE 1:200



2 SOUTH ELEVATION

SCALE 1:200

PROJECT: PROPOSED APARTMENT BUILDINGS - 7/9/11 FERNBORNE RD WELLINGTON POINT
 CLIENT: BINNATON HOLDINGS PTY LTD
 DRAWING TITLE: NORTH & SOUTH ELEVATION

LEITH ARCHITECTS
 OFFICE 18 PEDDER STREET AUSTIN QLD 4010
 PHONE 07 3067 0652 MOBILE 0411 895 931
 EMAIL INFO@LEITHARCHITECTS.COM.AU WEB WWW.LEITHARCHITECTS.COM.AU

SCALE	DATE	DRAWN
1:200	22.10.18	F15
JOB No.	SHEET No.	ISSUE
2277	DA12	A



1 INTERNAL EAST ELEVATION - BUILDING 1
SCALE 1:200



2 EAST ELEVATION
SCALE 1:200

	PROJECT	PROPOSED APARTMENT BUILDINGS - 7/9/11 FERNBOURNE RD WELLINGTON POINT	LEITH ARCHITECTS OFFICE 18 PEDDER STREET ADELAIDE Q 4010 PHONE 07 3067 0652 MOBILE 0411 895 931 EMAIL INFO@LEITHARCHITECTS.COM.AU WEB WWW.LEITHARCHITECTS.COM.AU	SCALE	DATE	DRAWN
	CLIENT	BIPPARON HOLDINGS PTY LTD		JOB No	SHEET No	ISSUE
	DRAWING TITLE	EAST ELEVATIONS		2277	DA13	A

GENERAL NOTES

1. CONFIRM ALL MEASUREMENTS, LEVELS AND DETAILS ON SITE WORK TO COMMENCEMENT OF ALL WORK. CONFIRM DETAILS TO ALL ALIGNMENTS.
2. ALL CONSTRUCTION IS TO COMPLY WITH THE CURRENT NATIONAL CONSTRUCTION CODE, CURRENT AUSTRALIAN STANDARDS + ALL CONTRACT DOCUMENTS.
3. TRIMMER CONSTRUCTION IS TO COMPLY WITH CURRENT AS1684 + AS1750 SERIES.
4. BLOCK AND WORK IS TO COMPLY WITH AS2903.2011.
5. USE ROUND DIMENSIONS IN PREFERENCE TO SCALES.
6. ELECTRIC DATA IS NOT WARRANTED.

AMENDMENTS

ISSUE DATE	AMENDMENT



1 FERNBOURNE ROAD PERSPECTIVE
SCALE: NTS

1	PROJECT	PROPOSED APARTMENT BUILDINGS - 7/9/11 FERNBOURNE RD WELLINGTON POINT
	CLIENT	ΒΙΠΠΑΤΟΠ HOLDINGS PTY LTD
	DRAWING TITLE	PROPOSED DESIGN RENDERS

LEITH ARCHITECTS
 OFFICE: 15 PEDDAR STREET AUSTON QLD 4310
 PHONE: 07 3347 0452 MOBILE: 0411 895 931
 EMAIL: INFO@LEITHARCHITECTS.COM.AU WEB: WWW.LEITHARCHITECTS.COM.AU

SCALE	DATE	DRAWN
1:200	22.10.18	JTS
JOB No	SHEET No	ISSUE
2277	DA14	A

GENERAL NOTES

1. CONFIRM ALL RELEVANT DIMENSIONS, LEVELS AND DETAILS ON SITE PRIOR TO COMMENCEMENT OF ALL WORK. CONFIRM SETBACKS TO ALL ADJACENTS.
2. ALL CONSTRUCTION IS TO COMPLY WITH THE CURRENT NATIONAL CONSTRUCTION CODE, CURRENT AUSTRALIAN STANDARDS + ALL CONTRACT DOCUMENTS.
3. TRIMMER CONSTRUCTION IS TO COMPLY WITH CURRENT AS1684 + AS1700 SERIES.
4. BLOCK WORK IS TO COMPLY WITH AS2900 S011.
5. USE FOURED DIMENSIONS IN PREFERENCE TO SCALING.
6. ELECTRONIC DATA IS NOT WARRANTED.

AMENDMENTS

ISSUE DATE	AMENDMENTS



1 EAST PERSPECTIVE
SCALE NTS

	PROJECT	PROPOSED APARTMENT BUILDINGS - 7/9/11 FERNBOURNE RD WELLINGTON POINT	 LEITH ARCHITECTS <small>OFFICE 18 PEPPER STREET AUSTIN QLD 4310 PHONE 07 3247 0452 MOBILE 0411 895 931 EMAIL INFO@LEITHARCHITECTS.COM.AU WEB WWW.LEITHARCHITECTS.COM.AU</small>		
	CLIENT	ΒΙΠΠΑΤΟΠ HOLDINGS PTY LTD			
	DRAWING TITLE	PROPOSED DESIGN RENDERS			
	SCALE	1:200		DATE	22.10.18
JOB No	2277	SHEET No	DA16	ISSUE	A

GENERAL NOTES

1. CONFIRM ALL RELEVANT DIMENSIONAL LEVELS AND DETAILS ON SITE WORK TO COMMENCEMENT OF ALL WORK. CONFIRM SEPARATE TO ALL ALIGNMENTS.
2. ALL CONSTRUCTION TO COMPLY WITH THE CURRENT NATIONAL CONSTRUCTION CODE, CURRENT AUSTRALIAN STANDARDS + ALL CONTRACT DOCUMENTS.
3. TRAFFIC CONSTRUCTION TO COMPLY WITH CURRENT AS1684 + A1189 SERIES.
4. BLOCK AND WORK TO COMPLY WITH ACCESS 5011.
5. USE FOUR DECIMALS IN PREFERENCE TO SCALE(S).
6. ELECTRIC DATA IS NOT WARRANTED.

APPROVED BY:

DATE:

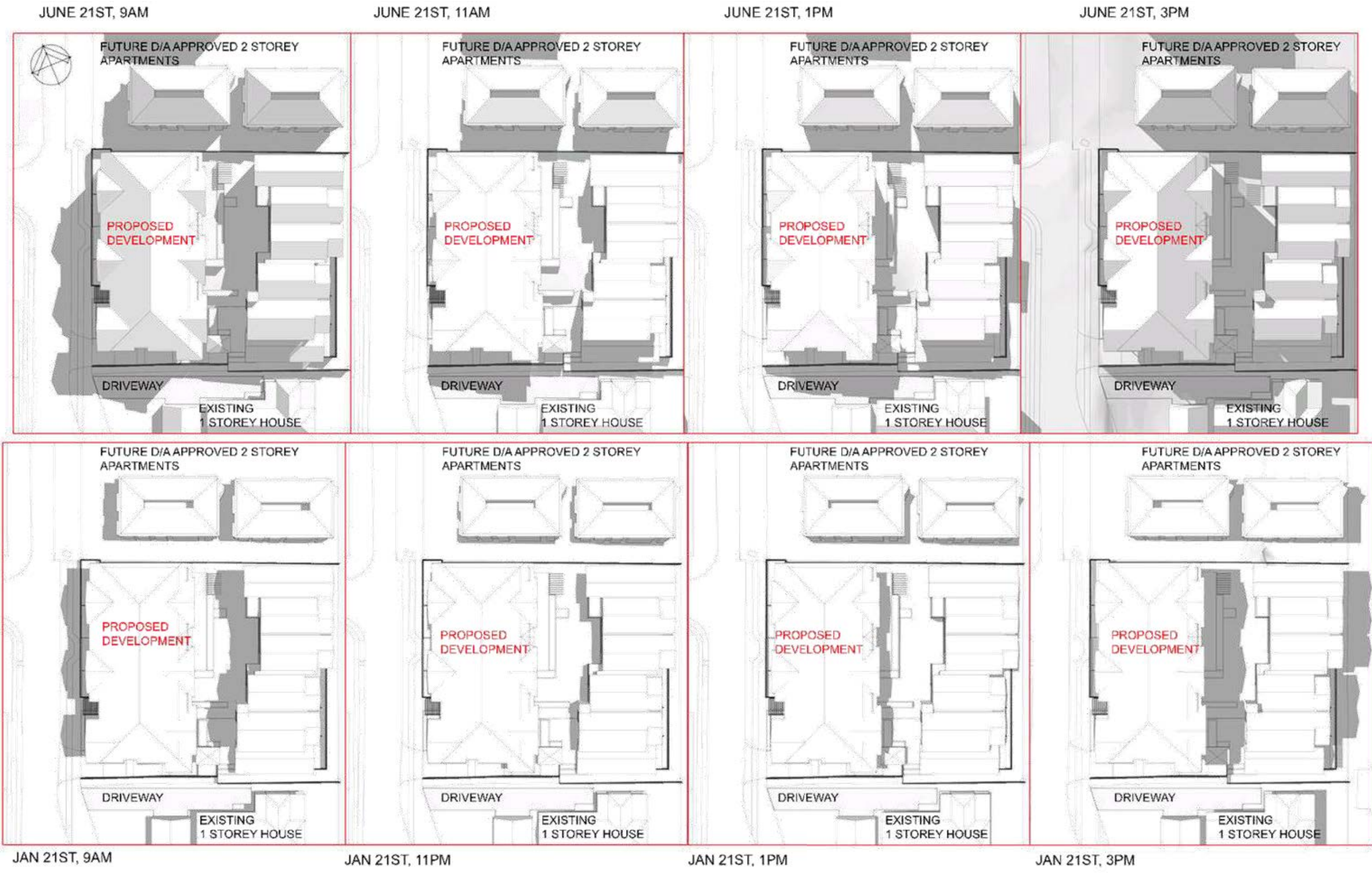


1 FERNBOURNE ROAD PERSPECTIVE
SCALE: NTS

PROJECT: PROPOSED APARTMENT BUILDINGS - 7/9/11 FERNBOURNE RD WELLINGTON POINT
 CLIENT: ΒΙΠΠΑΤΟΝ HOLDINGS PTY LTD
 DRAWING TITLE: PROPOSED DESIGN RENDERS

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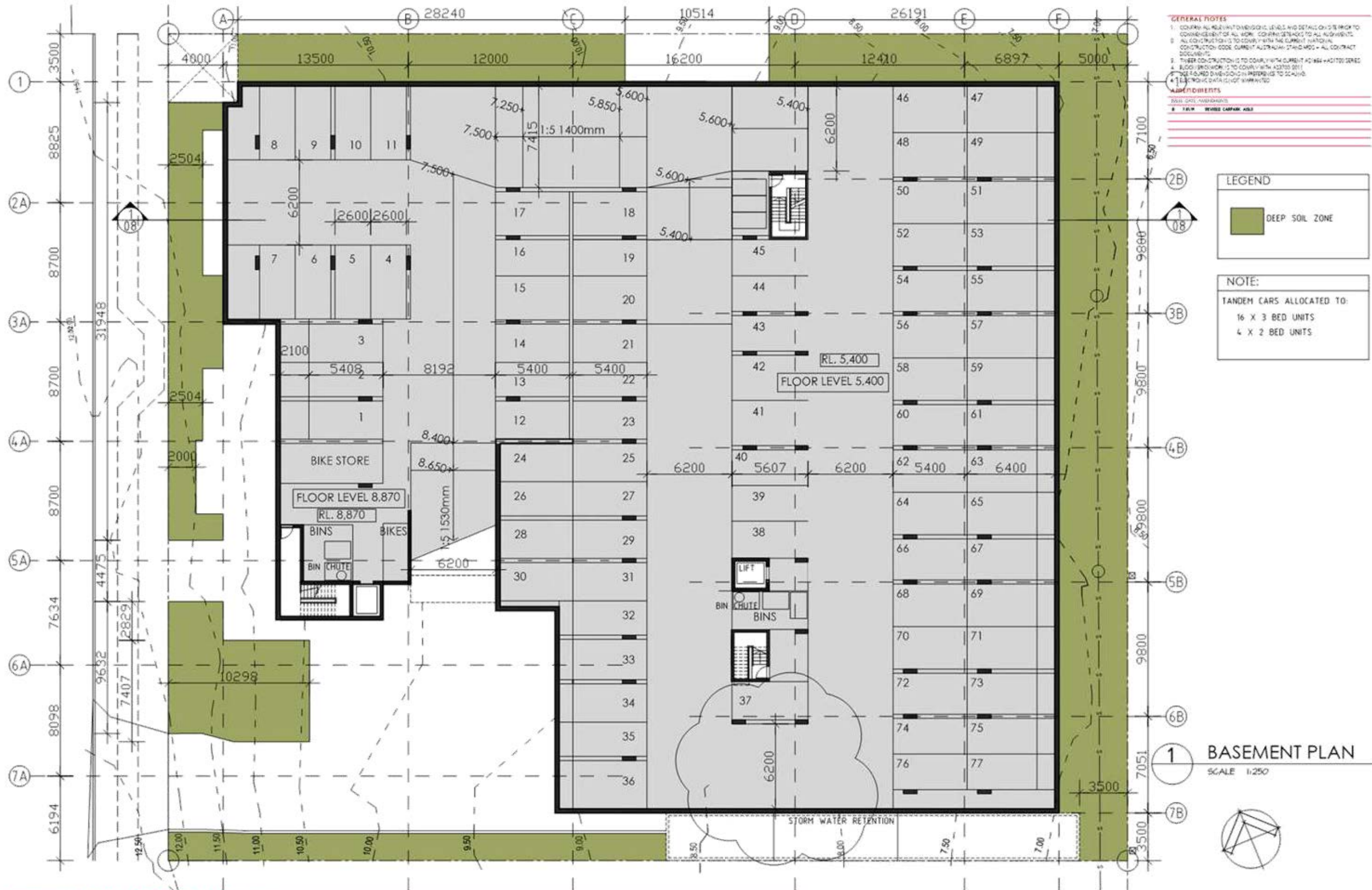
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1:200	22.10.18	ITS
DWG No	SHEET No	ISSUE
2277	DA15	A



PROJECT: PROPOSED APARTMENT BUILDINGS - 7, 9 & 11 FERNBOURNE RD, WELLINGTON POINT
 CLIENT: BIPARTON HOLDINGS LTD
 DRAWING TITLE: SUN STUDY DIAGRAMS

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SCALE 1:15	DATE 22.10.18	DRAWN FIS
JOB No. 2277	SHEET No. DA17	ISSUE A



GENERAL NOTES

1. CONFIRM ALL HEIGHTS/LEVELS/LEVELS AND DETAILS ON THE DRAWING TO COMMENCEMENT OF ALL WORK. CONFORM SETBACKS TO ALL APPLICABLE REGULATIONS.
2. ALL CONSTRUCTION IS TO COMPLY WITH THE CURRENT NATIONAL CONSTRUCTION CODE CURRENT AUSTRALIAN STANDARDS - ALL CONTRACT DOCUMENTS.
3. THESE CONSTRUCTION TO COMPLY WITH CURRENT AS/NZS 4576:2012 SERIES.
4. BLOCK STRUCTURE IS TO COMPLY WITH AS 2870:2011.
5. USE FOUNDATION DIMENSIONS IN PREFERRED TO SCALE.
6. ALL DIMENSIONS ARE UNLESS OTHERWISE SPECIFIED.

APPENDICES

APPENDIX 1: MEMORANDUM

APPENDIX 2: TALK - REVISION CAMPAIN A&L

LEGEND

DEEP SOIL ZONE

NOTE:

TANDEM CARS ALLOCATED TO:

- 16 X 3 BED UNITS
- 4 X 2 BED UNITS

PROJECT: PROPOSED APARTMENT BUILDINGS - 7, 9 & 11 FERNSBOURNE RD, WELLINGTON POINT
 CLIENT: BIPNATON HOLDINGS LTD
 DRAWING TITLE: PROPOSED BASEMENT PLAN

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SCALE: 1:250@A3 DATE: 22.10.18 DRAWN: P15
 JOB No: 2277 SHEET No: DA06 ISSUE: B

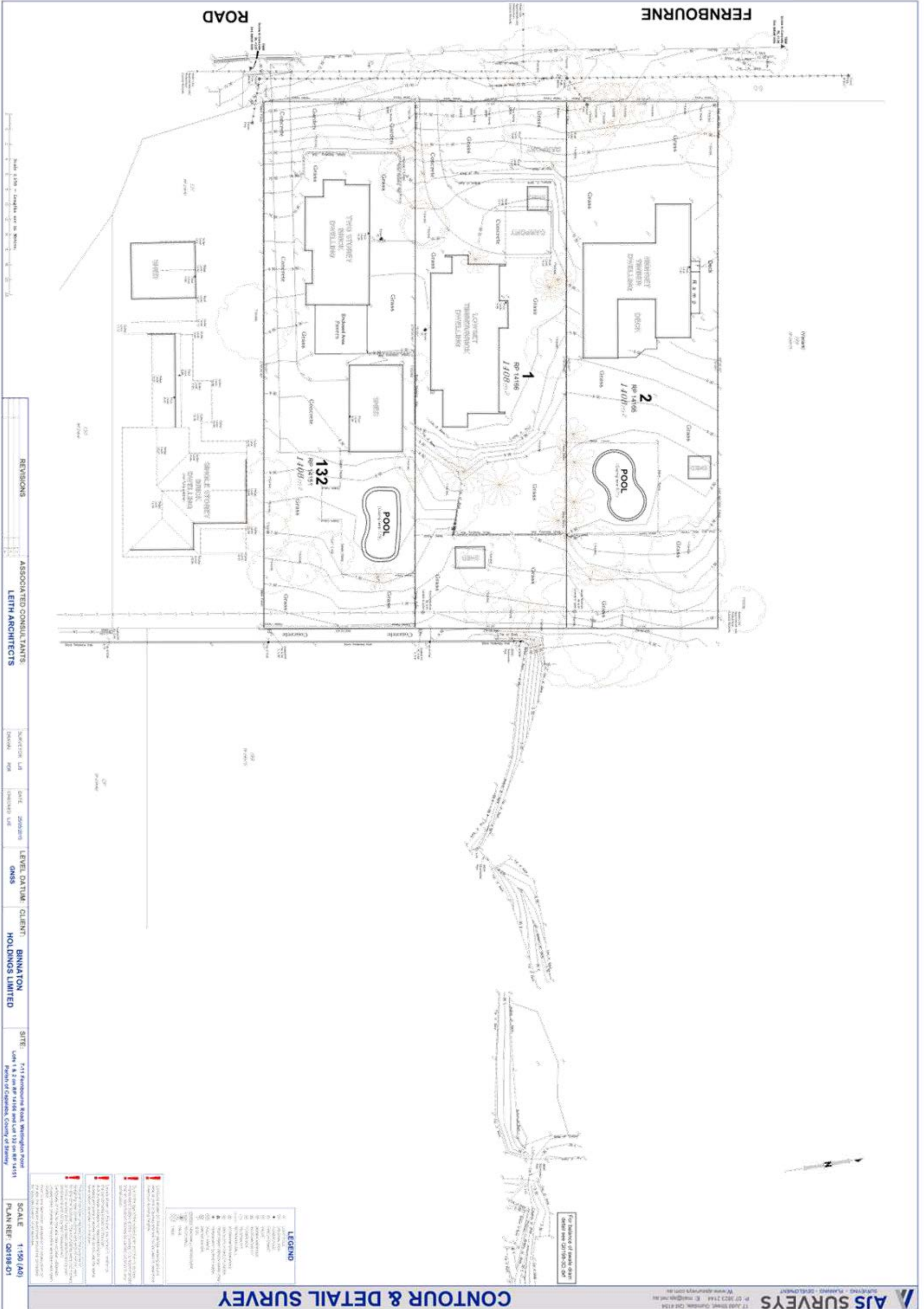


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Site Based Stormwater Management Plan Appendix B

AJS Surveys Drawing Q0198-D1



REVISIONS No. Description 1.		ASSOCIATED CONSULTANTS: LEITH ARCHITECTS	SUPERVISOR: LA DESIGN: JWG	DATE: 28/03/19 CHECKED: LWF	LEVEL DATUM: CLIENT GNS	CLIENT: BINNATION HOLDINGS LIMITED	SITE: 7-11 Fernbourne Road, Wellington Point Lots 1 & 2 in RP 14166 and Lot 132 in RP 14151 Parish of Coorparoo, County of Sutterly	SCALE: 1:150 (A0) PLAN REF: C0198-01
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CONTOUR & DETAIL SURVEY

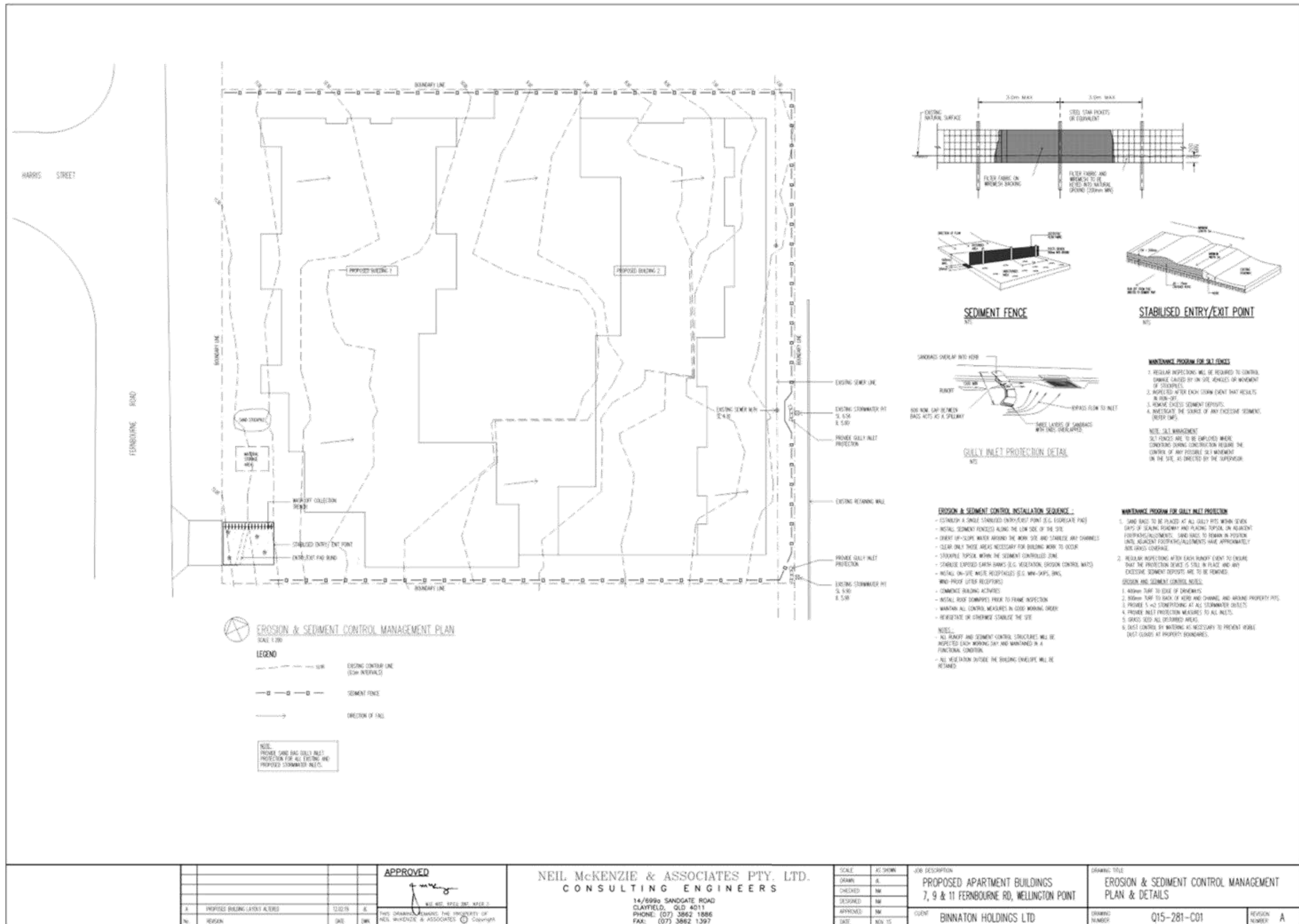
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Site Based Stormwater Management Plan Appendix C

Neil McKenzie & Associates Pty Ltd Drawing Q15-281-C01



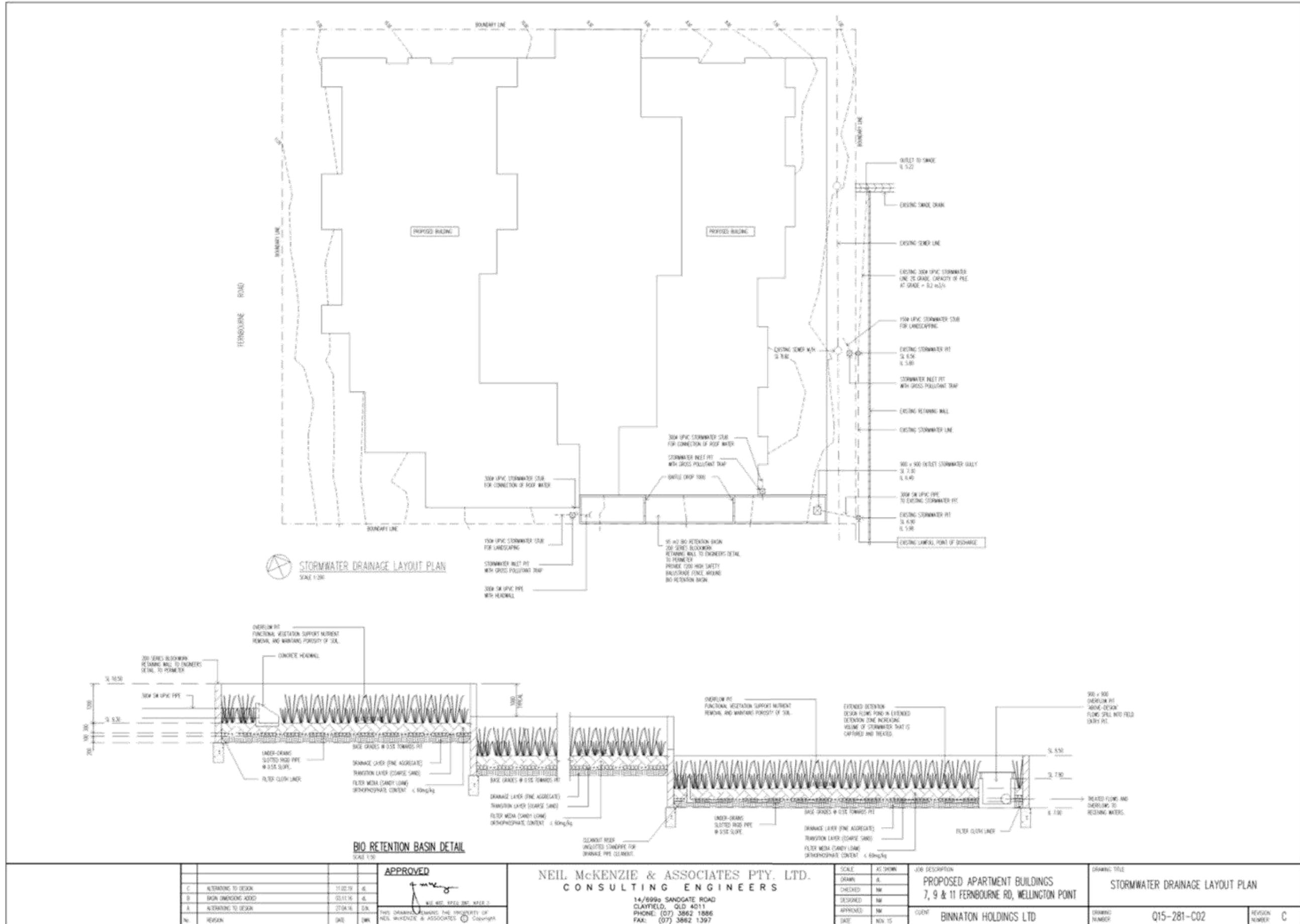


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Site Based Stormwater Management Plan Appendix D

Neil McKenzie & Associates Pty Ltd Drawing Q15-281-C02





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Site Based Stormwater Management Plan Appendix E

Deed Poll of Covenant

Deed poll of covenant

Lawyers **McCullough
Robertson**

Dated 4 September 2018

By

Buyer Edgarange Pty Ltd ACN 010 272 849

of 88A Old Cleveland Road, Capalaba West, Queensland 4157

In favour of

Binnaton Binnaton Holdings Ltd ACN 115 080 843

of 6/58 Metroplex Avenue, Murarrie, Queensland 4172

Background

- A Pretirement Villages Pty Ltd ACN 105 654 475 as trustee for the Pretirement Villages Unit Trust entered into a deed of consent with Binnaton dated 20 May 2015 (**Deed of Consent**) in relation to the land described as Lot 199 on SP 240173 Title Reference 50924480 (**Land**).
- B Pretirement Villages Pty Ltd ACN 105 654 475 (Receivers and Managers Appointed) (In Liquidation) as trustee for the Pretirement Villages Unit Trust has entered into a contract to transfer the Land to the Buyer (**Contract**).
- C Clause 4.1 of the Deed of Consent requires that Pretirement Villages Pty Ltd ACN 105 654 475 as trustee for the Pretirement Villages Unit Trust obtain a deed from the Buyer in which it covenants in favour of Binnaton on the same terms as set out in the Deed of Consent, including the obligation to obtain a similar deed from any further purchaser, transferee or disponee of the Land.

Agreed Terms

The Buyer covenants for the benefit of Binnaton and Pretirement Villages Pty Ltd ACN 105 654 475 (Receivers and Managers Appointed) (In Liquidation) as trustee for the Pretirement Villages Unit Trust severally as follows:

- 1. that it will, on and from the completion of the Contract, abide by the terms of the Deed of Consent and comply with all of the obligations as if it were the original party to the Deed of Consent in place of Pretirement Villages Pty Ltd ACN 105 654 475 as trustee for the Pretirement Villages Unit Trust; and
- 2. that it will not sell, transfer or otherwise dispose of the Land unless it obtains from the further purchaser, transferee or disponee a deed of covenant in favour of Binnaton, in terms similar to this deed, including this clause.

Executed as a deed poll

Signed, sealed and delivered by Edgarange Pty Ltd ACN 010 272 849 by its attorney, Philip Brian Dowling under Power of Attorney registered dealing number 718867606, who certifies he has no notice of revocation of the Power of Attorney, and in the presence of:

Melanie Louise Mitchell
A Witness

Philip Brian Dowling
A Philip Brian Dowling

Melanie Louise Mitchell
A Full name of witness Melanie Louise Mitchell

50235320v2 | Deed poll of covenant



Neil McKenzie & Associates
Civil & Structural Consulting Engineers

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Site Based Stormwater Management Plan Appendix F

Bioretention Basin Maintenance Checklist.

Chapter 5 – Bioretention Basins

BIORETENTION BASIN MAINTENANCE CHECKLIST			
Inspection Frequency:	1 to 6 monthly	Date of Visit:	
Location:			
Description:			
Asset I.D.:			
Site Visit by:			
INSPECTION ITEMS:	Y	N	Action Required (details)
Sediment accumulation at inflow points?			
Litter within basin?			
Erosion at inlet or other key structures?			
Traffic damage present?			
Evidence of dumping (e.g. building waste)?			
Vegetation condition satisfactory (density, weeds etc)?			
Watering of vegetation required?			
Replanting required?			
Mowing/bleaching required?			
Clogging of drainage points (sediment or debris)?			
Evidence of ponding?			
Damage/vandalism to structures present?			
Surface clogging visible?			
Drainage system inspected?			
Resetting of system required?			
COMMENTS			





TRAFFIC ENGINEERING ASSESSMENT

PROPOSED MULTIPLE UNIT DEVELOPMENT
7, 9 & 11 FERNBOURNE ROAD, WELLINGTON POINT
LOTS 1, 2 & 132 RP14166

Prepared for
BINNATON HOLDINGS LTD

6 APRIL 2016



DOCUMENT REGISTER

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 Certified:

A handwritten signature in black ink, appearing to read 'L. Rytenskild'.

Luke Rytenskild
 BEng (Civil) RPEQ # 6293

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COMPANY INFORMATION

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1.0 INTRODUCTION

Rytenskild Traffic Group (RTG) has been engaged by Binnaton Holdings Ltd to prepare a Traffic Engineering Assessment of its proposed multiple unit development in Wellington Point.

This report forms part of a Development Application to be lodged with the Redland City Council. The following issues have been assessed during the study:

- Car parking supply and design;
- Cyclist provision;
- Access arrangements;
- Servicing provisions.

2.0 SUBJECT SITE

As shown in Figure 2.1, the subject site is located on the eastern side of Fernbourn Road, directly opposite the Fernbourn Road / Harris Street intersection. As shown, the site consists of three individual lots which are identified as Lots 1, 2 and 132 on RP14166. The site is currently occupied by three detached dwellings, with each located on a single lot. The site has a total area of approximately 4,219m².



FIGURE 2.1 - LOCATION OF SUBJECT SITE



3.0 EXISTING LOCAL ROAD NETWORK

3.1 Local Road Network

At the frontage of the subject site Fernbourne Road is a two way divided roadway with an approximate pavement width of 8.5 metres. Further to the north Fernbourne Road doesn't provide connection to the external road network and narrows to approximately 6 metres. To the south Fernbourne Road provides direct connection to Main Street via Station Road. In the vicinity of the site Fernbourne Road has a posted speed limit of 40km / hr, and intersects with Harris Street.

The Fernbourne Road / Harris Street intersection is a priority controlled tee intersection with Fernbourne Road functioning as the major movement. Harris Street is the main access route to the Wellington Point train station and provides a pedestrian footpath on the southern side of the road. Between the Fernbourne Road intersection and the roundabout with Herbert Road, Harris Street provides a pavement width of 11 metres and allow on-street car parking on either side of the road. Images of the local road network are shown in Figures 3.1 and 3.2.



FIGURE 3.1 – IMAGES OF THE LOCAL ROAD NETWORK



FIGURE 3.2 – AERIAL IMAGE OF THE LOCAL ROAD NETWORK



3.2 Public Transport Services

As shown in Figure 3.3, the proposed development is located in close proximity to the Welling Point train station and is within comfortable walking distance (550 metres) to Main Street. Main Street is a public transport corridor and provides several of bus stops which service buses travelling to and from the surrounding suburbs. As shown in Figure 3.4, the subject site provides 120 metres walking distance from the Welling Point train station.

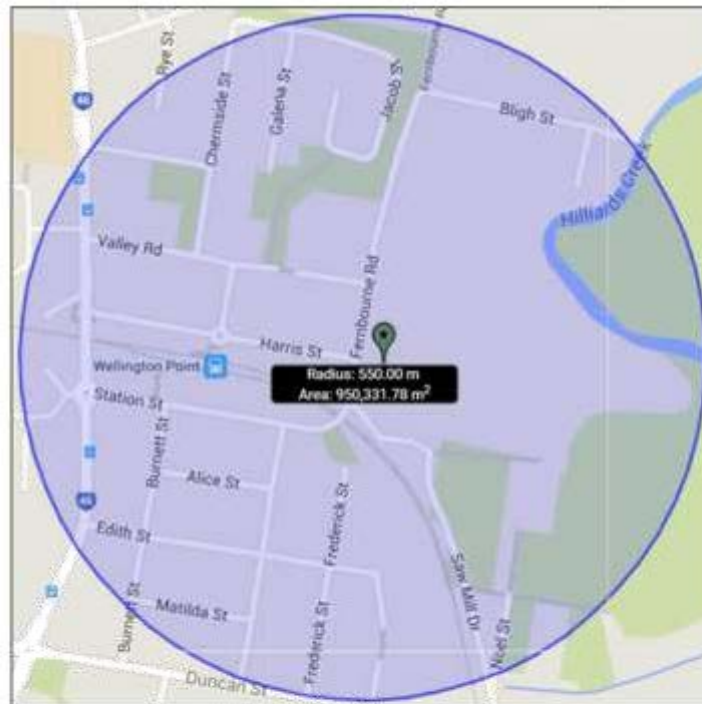


FIGURE 3.3 – LOCATION OF PUBLIC TRANSPORT SERVICES



FIGURE 3.4 – PROXIMITY TO THE WELLINGTON POINT TRAIN STATION



4.0 DEVELOPMENT PROPOSAL

The proposed plan of development is for a multiple unit residential development comprising of 2 x 4-storey buildings, with a combined total of 41 units, as follows:

<u>Building One (20 units)</u>	
One Bedroom	1 unit
Two bedroom	19 units
<u>Building Two (21 units)</u>	
Three bedroom	21 units
Total	41 units

Vehicular access is proposed to be gained via a standard Council crossover off Fernbourne Road. The location of the proposed crossover provides maximum separation to the Fernbourne Road / Harris Street intersection. Pedestrians will gain access to the site via a separate entrance off Fernbourne Road.

The proposal provides a total of 69 car parking spaces allocated throughout the ground and basement levels, as follows:

<u>Ground Level (8 spaces)</u>	
Visitor parking	8 spaces
<u>Basement Level (61 spaces)</u>	
Resident parking	59 spaces (16 tandem bays)
Visitor parking	2 spaces
Total:	69 spaces

The proposed ground and basement floor plans are shown in Figures 4.1 and 4.2, respectively.



FIGURE 4.1 – PROPOSED GROUND FLOOR PLAN

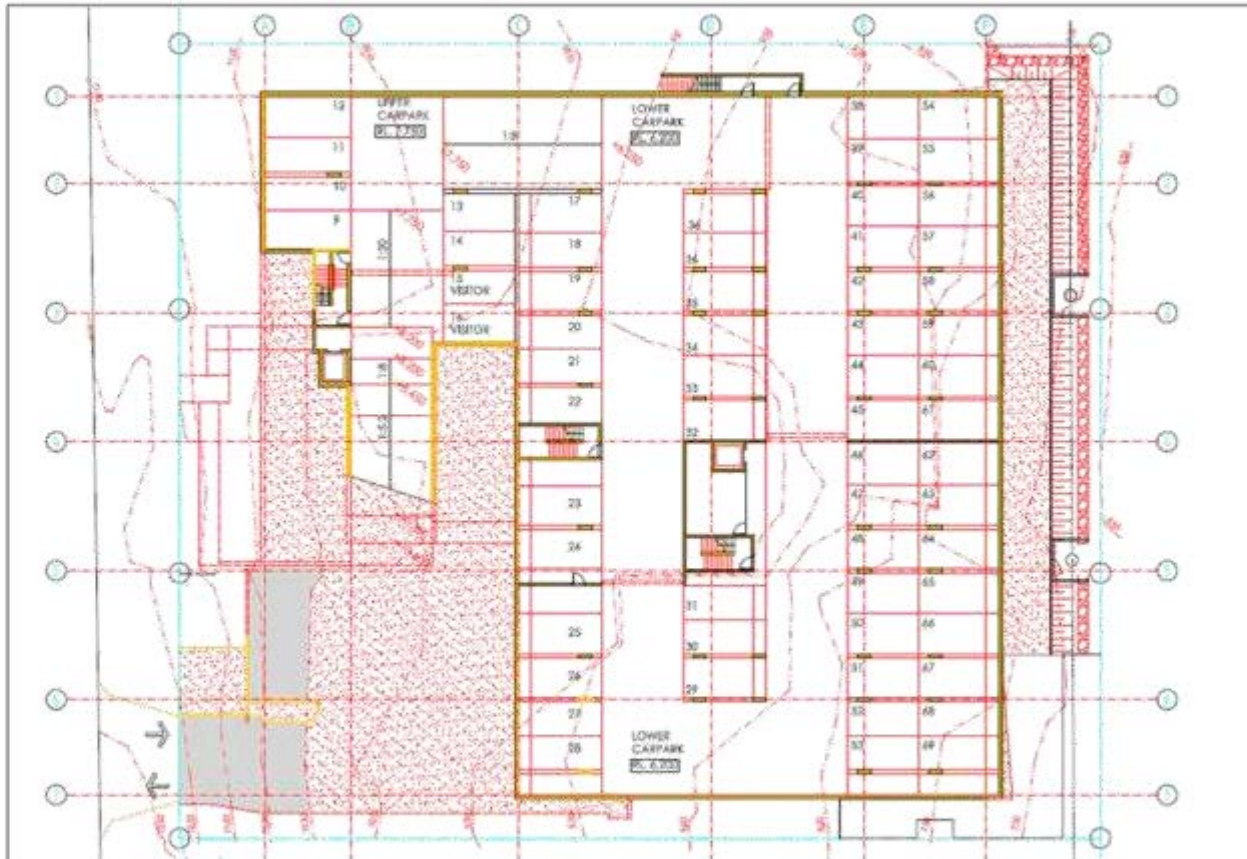


FIGURE 4.2 – PROPOSED BASEMENT FLOOR PLAN



5.0 CAR PARKING

5.1 Car Parking Supply

In accordance with the Redland Planning Scheme, *Part 8 – General Codes, Division 1 – Access and Parking, Table 1 – Minimum On-Site Vehicle Parking Requirements*, the following rates are specified for multi-unit developments:

Dwelling Unit size or number of rooms	Car parking spaces per dwelling unit	
	A	B
Small (<75m ²) or 1 bedroom	1.0	1.5
Other	1.0	2
Visitor spaces	0.25	0.5
Dwelling Unit location -		
A = Any part of the site is within 800 metres of a		

The proposal is located within 800 metres of a railway station and therefore criteria A is applicable to the development. Application of the above rate, the proposed development yields a minimum car parking requirement of 52 spaces as follows:

Table 5.1 – Redland City Car Parking Requirement

Component	Minimum Car Parking Spaces Required
One bedroom unit - 1 unit	1 space
Other (two and three bedroom units) – 40 units	40 spaces
Visitor (41 units)	11 spaces
Total	52 spaces

The proposal provides a total of 69 car parking spaces and therefore satisfies Council’s minimum requirement. A total of 13 of the car parking spaces are organized in a tandem arrangement and will be allocated as a secondary car park for the respective unit occupying the space behind the tandem bay. Ten car parking spaces will be provided outside the secured basement area and will be freely accessible for visitors to the site.



5.2 Car Parking Design

The geometric layout of the proposed parking facilities has generally been designed to comply with the relevant requirements specified in the Australian Standards publication *AS2890.1:2004 – Off-Street Car Parking*. The proposed car park has been provided with the following minimum characteristics:

Resident car parking:	2.6 metres × 5.4 metres
Resident Tandem car parking:	2.6 metres × 10.5 metres
Visitor car parking:	2.6 metres × 5.4 metres
Disabled car parking:	2.4 metres × 5.4 metres; plus 2.4 metres × 5.4 metres shared zone
Aisle width:	6.2 metres
Aisle extension:	8.0 metre reversing aisle

It is noted that visitor space 10 will need to provide an additional 300 millimetre clearance to the wall and 1 metre aisle extension to the security gate to allow adequate manoeuvring to and from the proposed space. This design change is considered to be minor and will be implemented in the detailed design stage.

RTG has undertaken a swept path analysis of the proposed car park using an 85th percentile vehicle (i.e. Ford Falcon). The analysis has been undertaken to demonstrate that such vehicles can satisfactorily negotiate the proposed car parking arrangement. Swept paths for a representative number of car parking bays are shown in Figures 5.1 – 5.3.

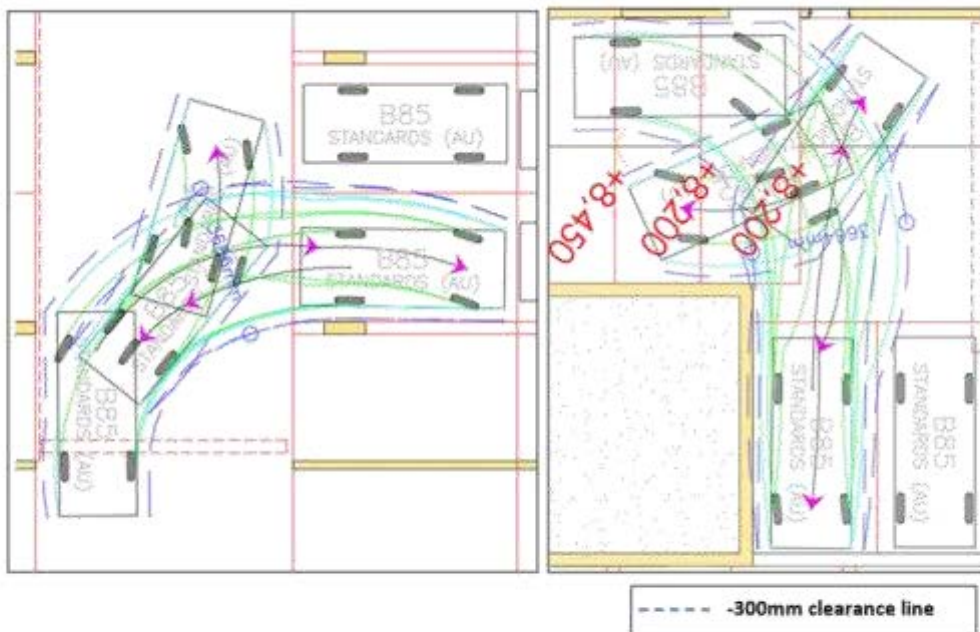


FIGURE 5.1 – 85TH PERCENTILE VEHICLE MANOEUVRING

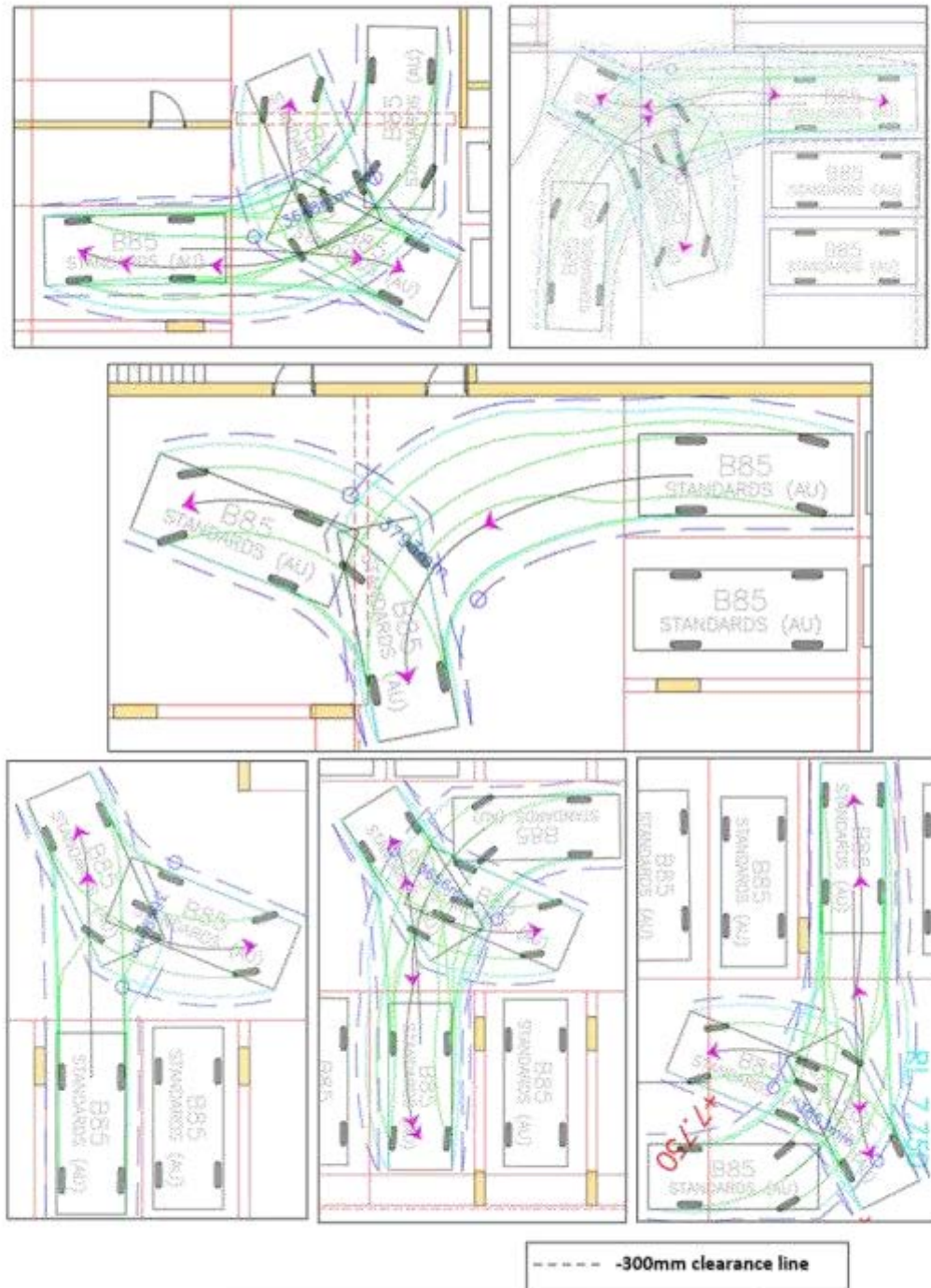


FIGURE 5.2 – 85TH PERCENTILE VEHICLE MANOEUVRING

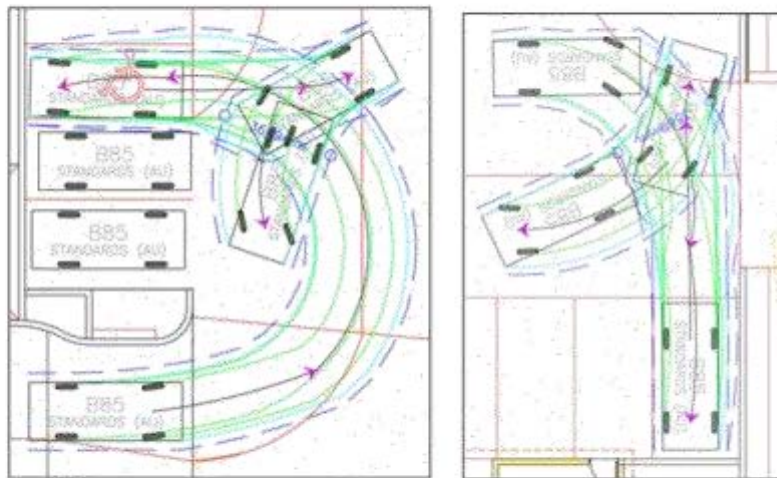


FIGURE 5.3 – 85TH PERCENTILE VEHICLE MANOEUVRING

5.3 Ramp Design

The proposed basement ramp has been designed in accordance with AS2890.1:2004, providing a maximum grade of 1:5 (20%) with 1:8 (12.5%) transitions at either end of the maximum grade. A minimum two way ramp width of 6.2 metres has been provided, allowing two vehicles to pass at all times. A swept path assessment for two vehicles (85th and 99th percentile vehicles) passing at the proposed ramp arrangement is presented in Figure 5.4.

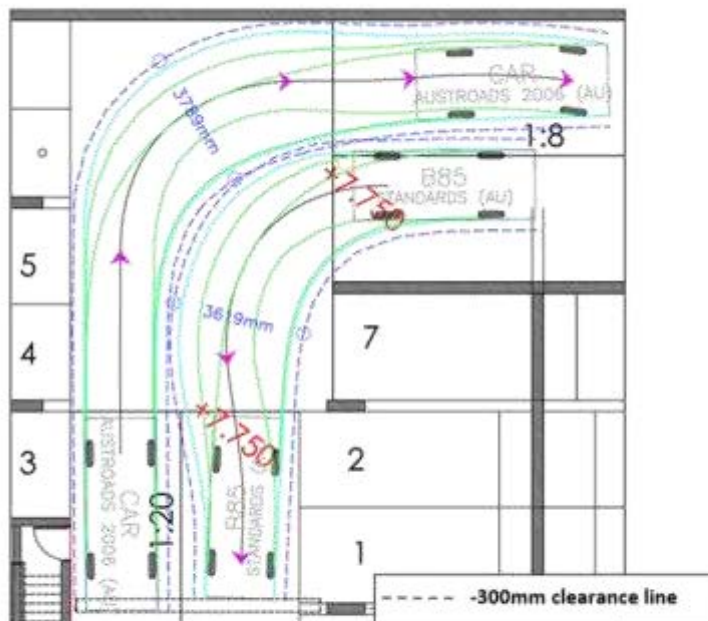


FIGURE 5.4 – BASEMENT RAMP MANOEUVRING (B85 AND B99)



6.0 PROVISION FOR CYCLISTS

In accordance with Table 10-1 in Austroads Part 14 – Bicycles, the proposal should provide a minimum of 13 bicycle spaces, as follows:

Resident – 1 bicycle space per 4 units	11 spaces
Visitor – 1 bicycle space per 16 units	3 spaces

The proposal provides a secured storage unit at the end the resident car parking bays where the owner will be able to store their bicycle. Suitable bicycle rails will also be provided at the entrance of the site allowing visitors to secure their bikes outside the basement. The propose bicycle facilities are therefore considered to be satisfactory for the operational use of the site.

7.0 ACCESS ARRANGEMENTS

Vehicular access onto the development is proposed to be gained via a 6.5 metre crossover designed in accordance with Redland Standard Drawing R-RSC-3. As shown in Figure 7.1, the proposed crossover is fully contained at the frontage of the site and provides a pedestrian sight splay in accordance with Figure 3.3 of AS2890.1:2004.

As shown in Figure 7.2, the proposed crossover is located on the southern corner of the Fernbourne Road frontage and provides adequate separation to the Fernbourne Road / Harris Street and Fernbourne Road / Station Street intersections. As shown in Figure 7.3, the location of the proposed crossover satisfies the desirable sight distance criteria specified in AS2890.1: 2004, for a design speed of 50km / hr. The location and design of the proposed crossover is therefore considered to be acceptable and satisfies Council’s requirements.

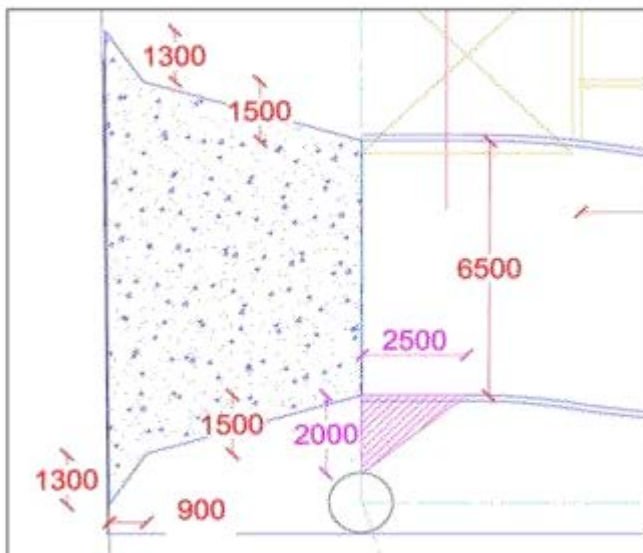


FIGURE 7.1 – PROPOSED ACCESS ARRANGEMENTS



FIGURE 7.2 – DRIVEWAY PROXIMITY TO NEARBY INTERSECTION



FIGURE 7.3 – DRIVEWAY SIGHT DISTANCE ASSESSMENT

8.0 SERVICING PROVISIONS

In accordance with the Redland City Planning Scheme, the proposal should provide access for a 12.5 metre Heavy Rigid Vehicle (HRV). As shown in Figure 8.1, the proposed loading arrangement has been designed appropriately to allow the HRV to manoeuvre into loading position.

Given the use of the proposed development, it is unlikely that a HRV will be used for regular servicing of the site. Refuse collection and furniture removal trucks used for this scale of development are typically of the size of a Medium Rigid Vehicle (MRV). As shown in Figure 8.2, a 9.8 metre rear lift Refuse Collection Vehicle (RCV) can satisfactorily enter and exit the site in a forward gear whilst maintaining adequate clearance to obstructions as all times. The proposed servicing arrangement is therefore considered to be acceptable, allowing sufficient access for regular servicing of the site.



FIGURE 8.1 – 12.5 METRE HRV MANOEUVRING

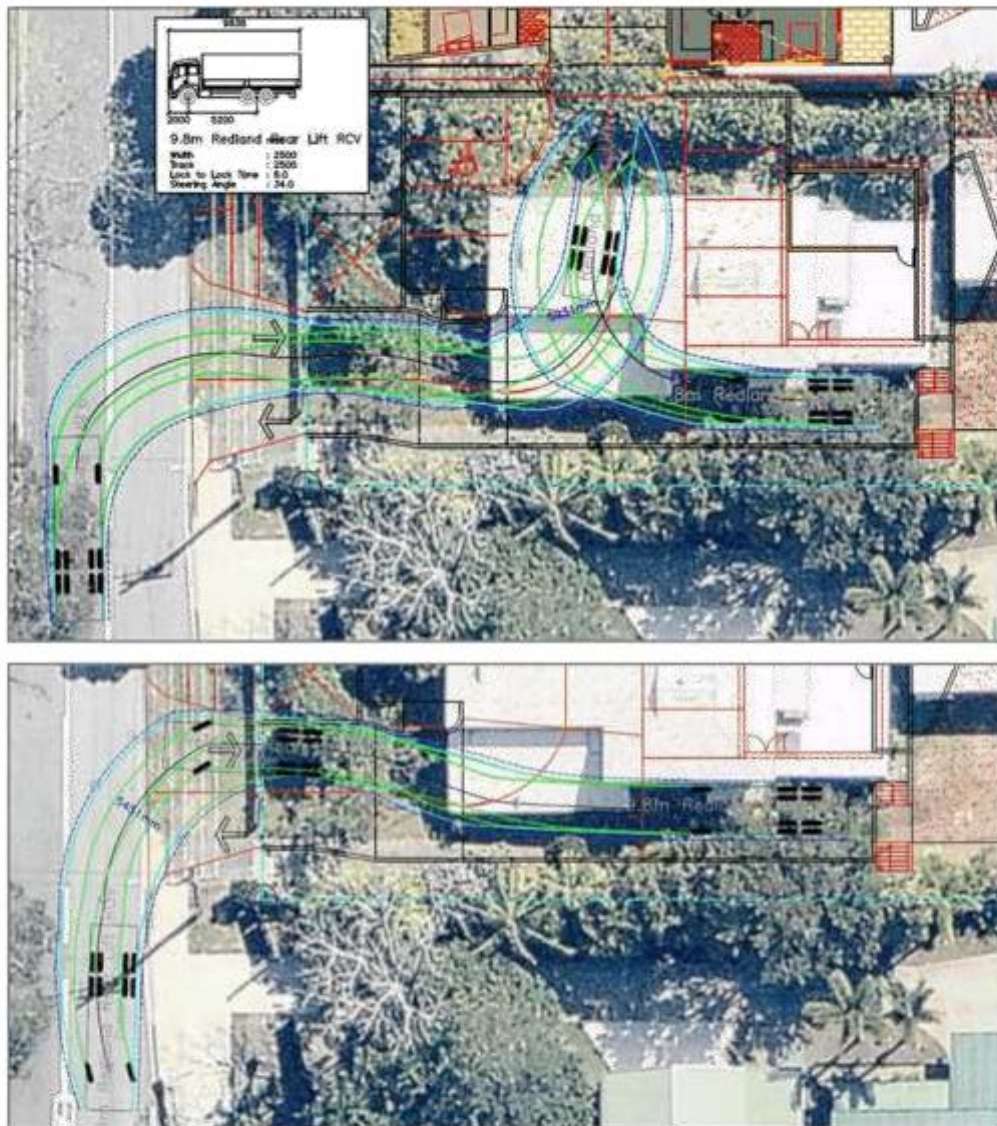


FIGURE 8.2 – 9.8 METRE REAR LIFT RCV MANOEUVRING



9.0 SUMMARY OF CONCLUSIONS & RECOMMENDATIONS

- The subject site is located on the eastern side of Fernbourne Road, directly opposite the Fernbourne Road / Harris Street intersection. The site consists of three separate lots and is currently occupied by a single dwelling on each of the respective lot.
- The proposal is for a multiple unit residential development consisting two four storey buildings, with a total of 41 units. Vehicular access to the site will be gained on the southern corner of the Fernbourne Road frontage, via a standard 6.5 metre Council crossover. The proposal provides a total of 69 car parking spaces allocated throughout the ground and basement level car parks.
- In accordance with the Redland City Planning Scheme, the proposal yields a minimum car parking requirement of 52 spaces. The proposal provides a total of 69 spaces and therefore satisfies Council's minimum requirement.
- The geometric layout of the proposed parking facilities has generally been designed to comply with the relevant requirement specified in the Australian Standards publication AS2890.1:2004. As discussed in Section 5.2, some minor changes will be implemented in the detailed design stage to allow adequate access to all car parks.
- The proposed ramp has been designed in accordance with AS2890.1:2004, providing a maximum grade of 1:5 (20%) with 1:8 (12.5%) transitions at either end of the maximum grade. The width of the proposed ramp allows for two vehicles to pass at all times.
- As discussed in Section 6, appropriate bicycle facilities have been provided to satisfy the operational use of the site.
- Vehicular access on to the proposed development has been located and designed appropriately to satisfy Council's minimum requirements. The location of the access crossover allow adequate separation to surrounding intersection and provides sufficient pedestrian and vehicle sight lines in accordance with AS2890.1:2004.
- As discussed in Section 8, the proposed servicing arrangement has been designed appropriately to allow regular access for a medium size furniture truck and a rear loading refuse collection vehicle.



DATE 3 November, 2016

CONTACT TOBY GILMOUR

7, 9 & 11 Fernbourne Road, Wellington Point
Proposed Residential Development - Traffic Impact Report
For **Binnaton Holding Ltd, c/- bplanned Pty Ltd**



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APPENDIX A

SITE LAYOUT

Document Control Page

Revision	Date	Description	Author	Verifier	Approver	Signature
A	3/11/2016	Final	I Weligamage	T Gilmour	T Gilmour RPEQ 12785	
B	16/11/2016	Final Updated Plan	J Cavalli	T Gilmour	T Gilmour RPEQ 12785	<i>Toby Lister</i>



1.0 INTRODUCTION

Lambert & Rehbein has been commissioned by Binnaton Holding Ltd, on behalf of bplanned Pty Ltd, to undertake a traffic impact assessment regarding a proposed residential development at 7, 9 & 11 Fernbourne Road, Wellington Point described as Lots 1, 2 and 132 on RP14166.

The proposed development consists of 41 new dwelling units and is proposed to gain access from Fernbourne Road. The proposed site layout is included in **Appendix A**.

Subsequent to the development application, Redland City Council has issued a request for information, dated 22 August 2016, with the following traffic item;

"Provide a traffic impact assessment demonstrating that the development will not have an adverse impact on surrounding networks, in accordance with Planning Scheme Policy 9 – Infrastructure Works Chapter 5, Section 9.5.6.3."

To address the Council RFI the report includes an assessment of the potential impact that the development could have on the surrounding external road network.

The report has been compiled in a clear and concise manner and is set out as follows:

Section 2 discusses the existing land use and traffic arrangements in the vicinity of the proposed development site.

Section 3 displays the calculations and assumptions used to estimate the generation, distribution and impact of the proposed development traffic.

Section 4 summarises the key outcomes of the traffic investigations.

This report has been prepared on behalf of and exclusive use of the Client, and is subject to and issued in connection with the provisions of the agreement between Lambert & Rehbein and the client. Lambert & Rehbein accepts no liability or responsibility whatsoever for or in respect of any use of or reliance upon this report by any third party.

2.0 CONTEXT OF THE DEVELOPMENT

This section of the report describes the context of the proposed development and includes a description of the existing road network and adjacent land uses.

2.1 DEVELOPMENT SITE

The subject site is located at 7, 9 & 11 Fernbourne Road, Wellington Point described as Lots 1, 2 and 132 on RP14166. The site is expected to have frontage to Fernbourne Road with access solely onto Fernbourne Road. The surrounding area is primarily composed of residential properties and empty lots.

The proposed development consists of two 4 storey multi-unit residential buildings which includes 41 new residential units and 69 parking spaces. The proposed site provides access via a single access driveway with direct access to Fernbourne Road as demonstrated in the site plan included in Appendix A.

Figure 2-1 below shows the proposed development site in the context of the surrounding road network and the linkages to the external network.



Figure 2-1 Development Site Location

Source: www.maps.google.com.au

2.2 EXISTING ROAD NETWORK

The western boundary of the site has frontage to Fernbourne Road, which is currently designated as a local street under Redland City Council's Road Hierarchy, and was observed to have the following characteristics along the site frontage:

- Two way, line divided road;
- Posted speed limit of 40 km/hr;
- Kerb and channel on western side;
- Footpath available on western side; and
- Road width of approximately 7m.

Fernbourne Road intersects with Harris Street as the major approach of a priority controlled T-intersection to the north of the development access. Harris Street is expected to connect vehicle movements from the proposed site to Valley Road and the north via Main Road. The form of the Fernbourne Road / Harris Street intersection can be observed in **Figure 2-2**.

Vehicles travelling north-east are expected to utilise the Valley Road / Main Road intersection which is in the form of a priority controlled T-intersection with Main Road as the major approach. Aerial imagery of the intersection is shown in **Figure 2-3**.

Vehicles travelling south are expected to travel along Station Street and through the Station Street / Main Road / Crossley Drive roundabout. Aerial imagery of the intersection is shown in **Figure 2-4**.



Figure 2-2 Fernbourne Road / Harris Street Intersection



Figure 2-3 Valley Road / Main Road Intersection



Figure 2-4 Station Street / Main Road / Crossley Drive Roundabout



2.3 PROPOSED ROAD UPGRADES

A review of the Redland City Council Priority Infrastructure Plan indicates that no upgrades are planned for Fernbourne Road or Harris Street.

2.4 PUBLIC TRANSPORT SERVICES

The development is well serviced by public transport with Wellington Point train station situated within walking distance, less than 200m from the site. Wellington Point train station is serviced by the Cleveland line which operates from Cleveland, through the Brisbane CBD and onto Shorncliffe.

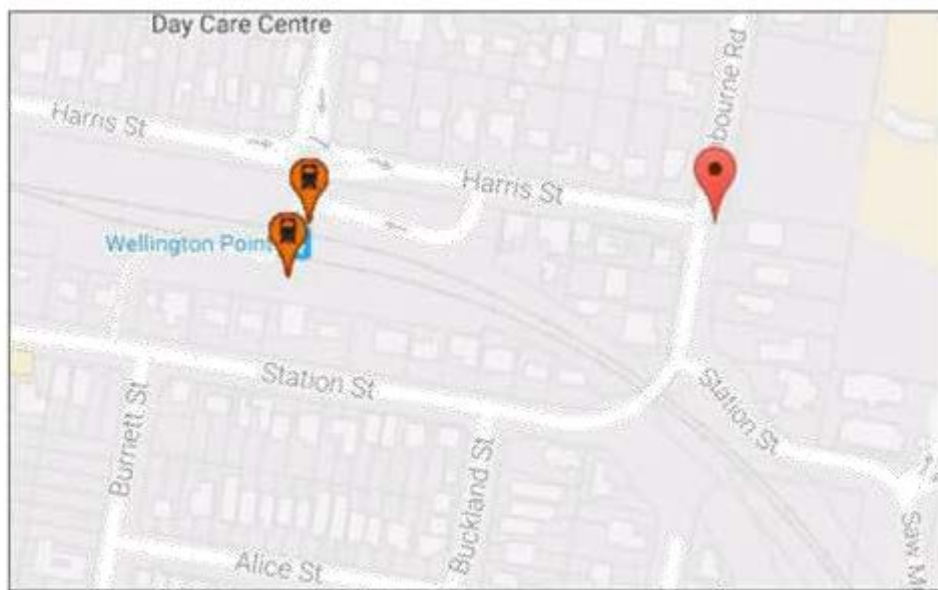


Figure 2-5 Public Transport Services



2.5 ACTIVE TRANSPORT FACILITIES

Concrete pathways are currently provided on Ferbourne Road opposite the subject site and part of the site frontage. The shared pedestrian and bicycle path follows Ferbourne Road and connects to Station Street and Harris Street. As observed in Figure 2-6 in orange, the paths connect further to the wider network and allows for movements in all directions.

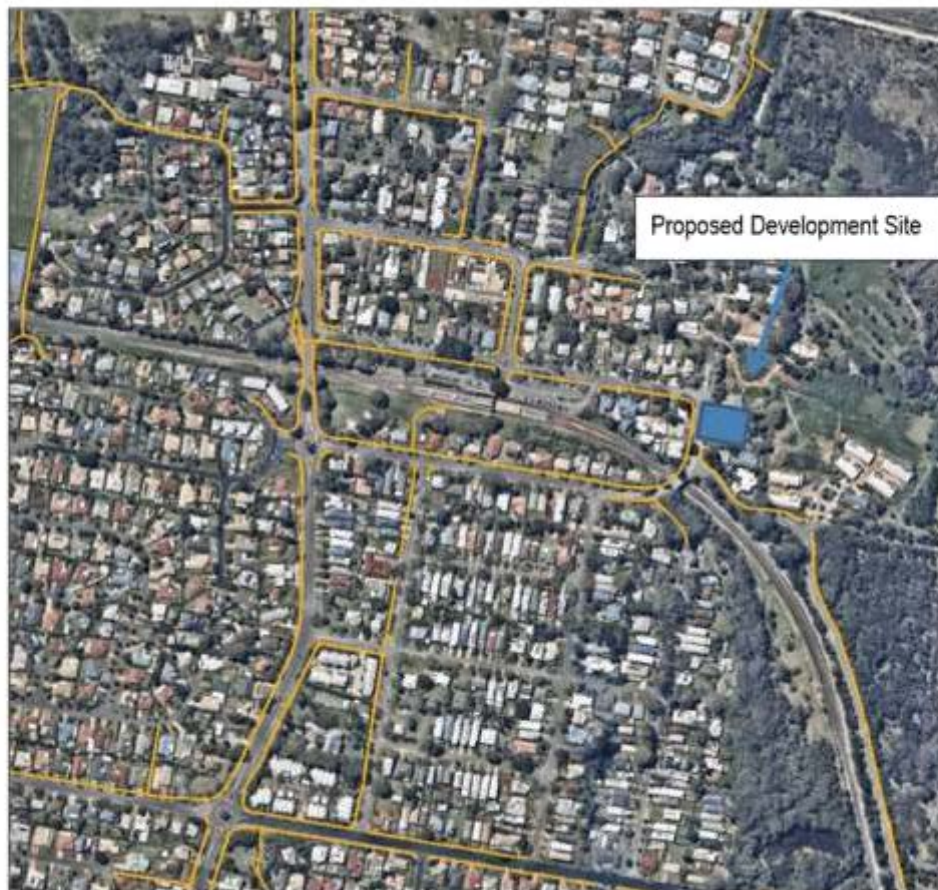


Figure 2-6 Redland City Council Cycle Network



3.0 TRAFFIC IMPACT ASSESSMENT

3.1 TRIP GENERATION

The proposed development is in the order of 41 dwelling units. Utilising the traffic generation rates taken from the RTA's – *Guide to Traffic Generating Developments*, the traffic generation associated with the subject land is estimated conservatively, as shown below.

- Total Daily Trips
 - Design Traffic Generation - 5 trips/dwelling/day for two bedroom and lower units and 6.5 trips/dwelling/day for three bedroom units
 - Traffic Generation - 236.5 vehicles/day
- Total Peak Hour Trips
 - Design Traffic Generation - 0.5 trips/dwelling for two bedroom and lower units and 0.65 trips/dwelling for three bedroom units
 - Traffic Generation - 23.65 vehicles per hour

A total traffic generation of 237 vehicles per day and a total traffic generation of 24 vehicles in the peak hour has been assumed for the proposed development.

The traffic directionality movements adopted for this analysis are shown below in **Table 3-1**.

Table 3-1 Directionality Rates

Period	Directionality (%)	
	In	Out
AM Peak	15	85
PM Peak	80	20

As such the estimated traffic generated by the proposed development during the peak hours are:

Table 3-2 Development Traffic Generation

Land Use		AM(In)	AM (Out)	PM (In)	PM (Out)
Medium Density Residential	41 dwellings	4	20	19	5
Total Trips per Peak		24		24	



3.2 TRIP DISTRIBUTION

As Fernbourne Road terminates to the north it is assumed all traffic will travel to and from Main Road, located to the west of the site. Traffic can exit Main Road and travel toward to the site via Harris Street and Station Street. It is assumed that 40% of the site generated traffic will travel to and from the north towards Birkdale Road, which ultimately connects to Wynnum Road and the Gateway Motorway to facilitate a route to the city or the north. The remaining 60% of traffic is assumed to be associated with trips to/from the south towards Cleveland and Old Cleveland Road.

The assumed distribution of the site generated traffic is demonstrated in Figure 3-1 below.

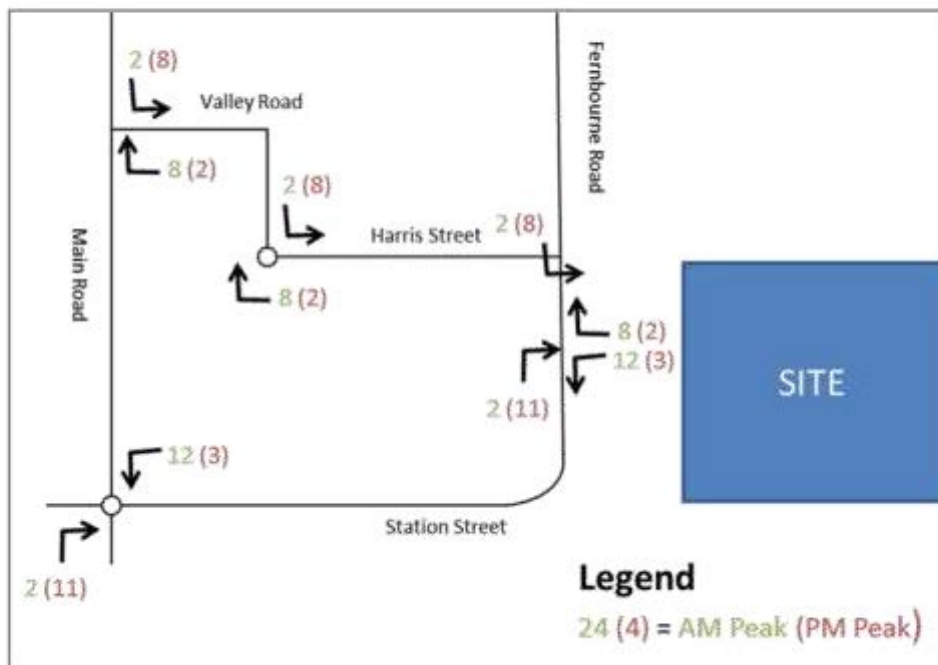


Figure 3-1 Development Trip Generation and Distribution

As observed in Figure 3-1, the proposed development will have the largest impact on the Station Street / Main Road / Crossley Drive roundabout, with a total of 14 additional movements during the peak hour. This additional traffic results in less than one additional vehicle entering the intersection every 4 minutes which is considered to be negligible and would not warrant the requirement for a detailed intersection assessment. Therefore it is considered that the development will not have a significant impact on the road network and will not require additional upgrades to maintain an efficient road network.



4.0 SUMMARY AND CONCLUSION

Lambert & Rehbein has been commissioned by Binnaton Holding Ltd, on behalf of bplanned Pty Ltd, to undertake a traffic impact assessment regarding a proposed residential development at 7, 9 & 11 Fernbourne Road, Wellington Point described as Lots 1, 2 and 132 on RP14166.

The proposed development consists of 41 new dwelling units and is proposed to connect with Fernbourne Road. The proposed site layout is included in **Appendix A**.

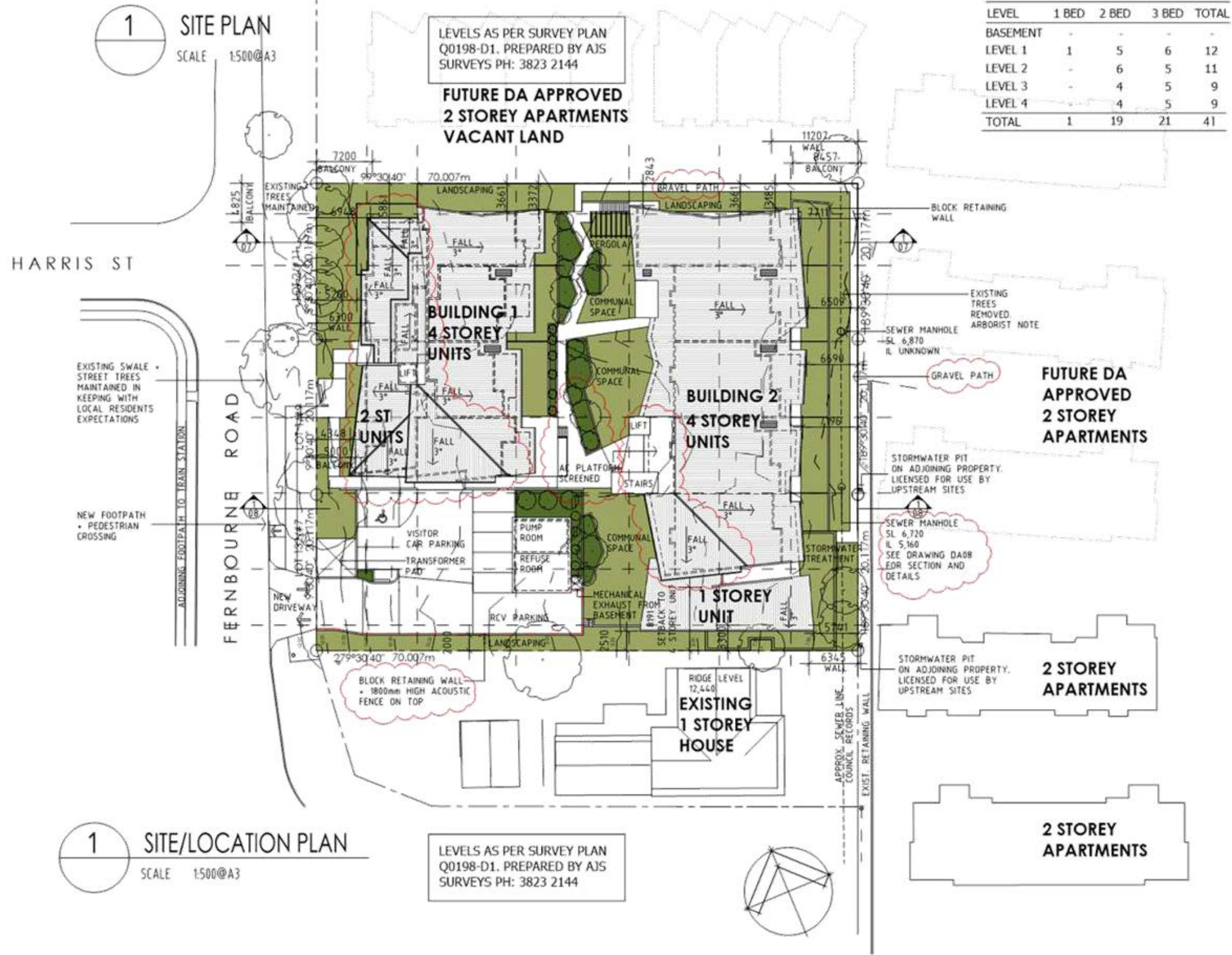
The existing road infrastructure at the frontage of the site is considered to be adequate to accommodate the traffic demand as a result of the proposed development. The development is expected to generate an insignificant volume of traffic, and therefore will have a negligible impact on the operation of the surrounding road network.

No traffic and transport engineering matters have been identified that should preclude approval of the proposed residential development at this location.



APPENDIX A

SITE LAYOUT



UNIT TYPE SCHEDULE

LEVEL	1 BED	2 BED	3 BED	TOTAL
BASEMENT	-	-	-	-
LEVEL 1	1	5	6	12
LEVEL 2	-	6	5	11
LEVEL 3	-	4	5	9
LEVEL 4	-	4	5	9
TOTAL	1	19	21	41

- GENERAL NOTES**
1. COORDINATE ALL RELEVANT DIMENSIONS, LEVELS AND DETAILS ON SITE PRIOR TO COMMENCEMENT OF ALL WORK. COORDINATE TO ALL ADJOINING PROPERTIES.
 2. ALL CONSTRUCTION IS TO COMPLY WITH BUILDING ACT 1975, STANDARD BUILDING REGULATIONS 1983, THE BUILDING CODE OF AUSTRALIA, CURRENT AUSTRALIAN STANDARDS + ALL CONTRACT DOCUMENTS.
 3. THREE CONSTRUCTION STAGES TO COMPLY WITH AS 4841 IN 4-1999.
 4. ALL CONSTRUCTION IS TO COMPLY WITH AS 2539.001.
 5. USE FOUNDED DIMENSIONS IN PREFERENCE TO SCAFFOLD.
 6. ELECTRIC DATA IS NOT WARRANTED.
- AMENDMENTS**
- | NO. | DATE | DESCRIPTION |
|-----|----------|--------------|
| A | 10-03-16 | DA ISSUE |
| B | 22-03-16 | DA REVISIONS |
| C | 04-10-16 | RFI RESPONSE |

DEVELOPMENT SCHEDULE

SITE	7,9,11 FERNBORNE RD
RPD	LOTS 1,2 + 132 RP 14166
SITE AREA	4,219 m ²
SITE COVER	44.68% 1,885 m ²
LANDSCAPE	22.15% 934 m ²
DEEP SOIL (1752m ²)	17.82%
COMMUNAL OPEN SPACE	13.8% 583m ²
1 AREA	135m ²
41 UNITS TOTAL	

UNIT NO:	AREA:	POS:
UNIT 1-01	72.0m ²	* 31.0m ²
UNIT 1-02	83.0m ²	* 33.0m ²
UNIT 1-03	80.0m ²	* 68.0m ²
UNIT 1-04	76.0m ²	* 65.0m ²
UNIT 1-05	58.0m ²	25.0m ²
UNIT 1-06	77.0m ²	* 22.0m ²
UNIT 1-07	72.0m ²	14.0m ²
UNIT 1-08	83.0m ²	13.0m ²
UNIT 1-09	80.0m ²	15.0m ²
UNIT 1-10	76.0m ²	16.0m ²
UNIT 1-11	87.0m ²	16.0m ²
UNIT 1-12	74.0m ²	15.0m ²
UNIT 1-13	83.0m ²	13.0m ²
UNIT 1-14	80.0m ²	15.0m ²
UNIT 1-15	76.0m ²	16.0m ²
UNIT 1-16	87.0m ²	16.0m ²
UNIT 1-17	83.0m ²	20.0m ²
UNIT 1-18	80.0m ²	15.0m ²
UNIT 1-19	76.0m ²	16.0m ²
UNIT 1-20	87.0m ²	23.0m ²
UNIT 2-01	114.0m ²	* 55.0m ²
UNIT 2-02	118.0m ²	* 71.0m ²
UNIT 2-03	118.0m ²	* 72.0m ²
UNIT 2-04	118.0m ²	* 71.0m ²
UNIT 2-05	118.0m ²	* 51.0m ²
UNIT 2-06	123.0m ²	23.0m ²
UNIT 2-07	114.0m ²	16.0m ²
UNIT 2-08	118.0m ²	19.0m ²
UNIT 2-09	118.0m ²	20.0m ²
UNIT 2-10	118.0m ²	17.0m ²
UNIT 2-11	139.0m ²	22.0m ²
UNIT 2-12	114.0m ²	16.0m ²
UNIT 2-13	118.0m ²	19.0m ²
UNIT 2-14	118.0m ²	20.0m ²
UNIT 2-15	118.0m ²	17.0m ²
UNIT 2-16	139.0m ²	22.0m ²
UNIT 2-17	114.0m ²	16.0m ²
UNIT 2-18	118.0m ²	19.0m ²
UNIT 2-19	118.0m ²	20.0m ²
UNIT 2-20	118.0m ²	17.0m ²
UNIT 2-21	141.0m ²	21.0m ²

* UNITS WITH PRIVATE COURTYARDS

CARS REQUIRED - 1 PER UNIT 41
 VISITORS REQUIRED 0.25/UNIT 10.25

TOTAL REQUIRED (51.25) 52

PROVIDED VISITORS 10
 PROVIDED RESIDENTS(EXC TANDEM) 43
 PROVIDED RESIDENTS(INC TANDEM) 59

PROJECT: PROPOSED APARTMENT BUILDINGS - 7, 9 & 11 FERNBORNE RD, WELLINGTON POINT
 CLIENT: BIPATON HOLDINGS LTD
 DRAWING TITLE: PROPOSED SITE PLAN

LEITH ARCHITECTS
 OFFICE: 34 BIRCHWOOD ST, CLAYTON VIC 3168
 MOBILE: 0418 779 344
 EMAIL: INFO@LEITHARCHITECTS.COM.AU WEB: WWW.LEITHARCHITECTS.COM.AU

SCALE	DATE	DRAWN
1:500@A3	08.03.16	TLS
JOB No	SHEET No	ISSUE
2277	DA01	C



- GENERAL NOTES**
1. CONFIRM ALL RELEVANT DIMENSIONS, LEVELS AND DETAILS ON SITE PRIOR TO COMMENCEMENT OF ALL WORK. CONFORM TO ALL APPLICABLE REGULATIONS.
 2. ALL CONSTRUCTION IS TO COMPLY WITH BUILDING ACT 1976 (2 AUGUST BUILDING REGULATIONS 1983), THE BUILDING CODE OF AUSTRALIA (CURRENT AUSTRALIAN STANDARDS) + ALL CONTRACT DOCUMENTS.
 3. THESE CONSTRUCTIONS TO COMPLY WITH AS 4841 IN 4:1999.
 4. BLOCK WORK WORK IS TO COMPLY WITH AS 2509:2001.
 5. USE FOUND DIMENSIONS UNLESS OTHERWISE STATED.
 6. ELECTRIC DATA IS NOT WARRANTED.
- 1. AMENDMENTS**
- | NO. | DATE | ISSUE |
|-----|----------|------------------------------|
| A | 10-03-18 | DA ISSUE |
| B | 22-03-18 | DA REVISIONS |
| C | 15-11-18 | RFI RESPONSE |
| D | 15-11-18 | RFI RESPONSE-DRIVEWAY LEVELS |

2. LEGEND

FENCE 1	1200mm HIGH ALUMINIUM FENCING "POOL TYPE"
FENCE 2	1200mm HIGH TIMBER FENCING
FENCE 3	1800mm HIGH TIMBER FENCING
FENCE 4	1000mm BLOCK RET. WALL WITH MAX. 1m HIGH ALUMINIUM FENCE ABOVE
FENCE 5	BLOCK RETAINING WALL WITH MIN 1800MM HIGH ACOUSTIC FENCE
TURF	ARTIFICIAL TURF ON SLAB WITH FALLS TO FLOOR WASTES

COMMUNAL OPEN SPACE

TOTAL	689m ²
-------	-------------------

PLANTING AREA HATCH

TOTAL AREA DEEP PLANTING	794m ² (18.82%)
TOTAL PLANTER BOX PLANTING	122m ² (2.892%)

SEWER MANHOLE
SL 6.720
RL 5.160
SEE DRAWING DA08 FOR SECTION AND DETAILS

1 LEVEL 1 PLANS
SCALE 1:250@A3

PROJECT: PROPOSED APARTMENT BUILDINGS - 7, 9 & 11 FERNBORNE RD, WELLINGTON POINT
CLIENT: BIPNATON HOLDINGS LTD
DRAWING TITLE: PROPOSED LEVEL 1 PLAN

LEITH ARCHITECTS
OFFICE: 14 BUCKLEBURY ST CLAYTON VIC 3168
MOBILE: 0418 779 344
EMAIL: TOP@LEITHARCHITECTS.COM.AU WEB: WWW.LEITHARCHITECTS.COM.AU

SCALE	DATE	DRAWN
1:250@A3	08.03.16	T15
JOB No	SHEET No	ISSUE
2277	DA03	D



- GENERAL NOTES**
1. CONFIRM ALL RELEVANT DIMENSIONS, LEVELS AND DETAILS ON SITE PRIOR TO COMMENCEMENT OF ALL WORK. CONFIRM STRIKES TO ALL ALIGNMENTS.
 2. ALL CONSTRUCTION IS TO COMPLY WITH BUILDING ACT 1976 STANDARD BUILDING REGULATIONS 1993, THE BUILDING CODE OF AUSTRALIA CURRENT AUSTRALIAN STANDARDS + ALL CONTRACT DOCUMENTS.
 3. THESE CONSTRUCTIONS TO COMPLY WITH AS/NZS 1164:1999.
 4. BLOCK WORK WORKING TO COMPLY WITH AS/NZS 2201.
 5. USE FOUNDATION DIMENSIONS IN PREFERENCE TO SCAFFOLD.
 6. ELECTRIC DATA IS NOT SHOWN.
- 1. AMENDMENTS**
- | NO. | DATE | ISSUE |
|-----|----------|----------------------------------|
| A | 20-03-18 | DA ISSUE |
| B | 22-03-18 | DA REVISIONS |
| C | 15-11-18 | RFI RESPONSE |
| D | 15-11-18 | RFI RESPONSE - ACCESS RAMP LEVEL |

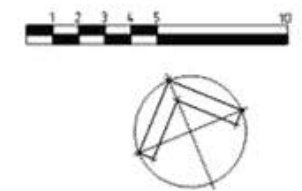
LEGEND

ST STORAGE SPACE

□ FILL

■ CUT - INCLUDE BASEMENT

1 BASEMENT PLAN
SCALE 1:250@A3



PROJECT: PROPOSED APARTMENT BUILDINGS - 7, 9 & 11 FERNBURNE RD, WELLINGTON POINT
 CLIENT: BIPNATON HOLDINGS LTD
 DRAWING TITLE: PROPOSED BASEMENT PLAN



SCALE	DATE	DRAWN
1:250@A3	08.03.18	F15
JOB No	SHEET No	ISSUE
2277	DA02	D

Deed poll of covenant

Lawyers **McCullough
Robertson**

Dated *4 September 2018*

By

Buyer Edgarange Pty Ltd ACN 010 272 849

of 88A Old Cleveland Road, Capalaba West, Queensland 4157

In favour of

Binnaton Binnaton Holdings Ltd ACN 115 080 843

of 6/58 Metroplex Avenue, Murarrie, Queensland 4172

Background

- A Pretirement Villages Pty Ltd ACN 105 654 475 as trustee for the Pretirement Villages Unit Trust entered into a deed of consent with Binnaton dated 20 May 2015 (**Deed of Consent**) in relation to the land described as Lot 199 on SP 240173 Title Reference 50924480 (**Land**).
- B Pretirement Villages Pty Ltd ACN 105 654 475 (Receivers and Managers Appointed) (In Liquidation) as trustee for the Pretirement Villages Unit Trust has entered into a contract to transfer the Land to the Buyer (**Contract**).
- C Clause 4.1 of the Deed of Consent requires that Pretirement Villages Pty Ltd ACN 105 654 475 as trustee for the Pretirement Villages Unit Trust obtain a deed from the Buyer in which it covenants in favour of Binnaton on the same terms as set out in the Deed of Consent, including the obligation to obtain a similar deed from any further purchaser, transferee or disponee of the Land.

Agreed Terms

The Buyer covenants for the benefit of Binnaton and Pretirement Villages Pty Ltd ACN 105 654 475 (Receivers and Managers Appointed) (In Liquidation) as trustee for the Pretirement Villages Unit Trust severally as follows:

- 1. that it will, on and from the completion of the Contract, abide by the terms of the Deed of Consent and comply with all of the obligations as if it were the original party to the Deed of Consent in place of Pretirement Villages Pty Ltd ACN 105 654 475 as trustee for the Pretirement Villages Unit Trust; and
- 2. that it will not sell, transfer or otherwise dispose of the Land unless it obtains from the further purchaser, transferee or disponee a deed of covenant in favour of Binnaton, in terms similar to this deed, including this clause.

Executed as a deed poll

Signed, sealed and delivered by Edgarange Pty Ltd ACN 010 272 849 by its attorney, Philip Brian Dowling under Power of Attorney registered dealing number 718867606, who certifies he has no notice of revocation of the Power of Attorney, and in the presence of:

Melanie Louise Mitchell
A Witness

Philip Brian Dowling
A Philip Brian Dowling

Melanie Louise Mitchell
A Full name of witness *Melanie Louise Mitchell*
50235320v2 | Deed poll of covenant



GENERAL

All works to be performed by a licensed Contractor familiar with landscape construction of this nature. The Contractor shall verify the location of utilities on site prior to the commencement of construction, and ensure that they will not have an effect on the works. The Landscape Contractor is advised to visit the site to satisfy themselves as to local conditions, accessibility, storage space, the full extent and character of the works and the site, the nature of the ground, the supply of materials and water and the execution of the contract generally. No claim will be allowed for any alleged inadequacy of the description herein. Should there be any conflict, the Contractor shall notify the Landscape Architect immediately.

Establish exact locations of services, drains, sewers and water supply lines and points prior to commencing works and ensure their protection during the works.

Figured dimensions shall take precedence over scale measurements and large scale drawings over small scale. Unless otherwise specified the Drawings and Specification shall include everything reasonable for the proper and entire completion of the work.

Verify discrepancies between Specification and Drawings with the Landscape Architect before proceeding with the particular work. Failure to do so will not be taken as a reason to claim for extra work.

Convey soils, earth, sand, loose debris and the like to or from the site in a manner that will prevent dropping of materials on streets, public and private areas. Ensure that the wheels, tracks and body surfaces of all vehicles and plant leaving the site are free of mud and that mud is not carried onto adjacent paved streets or other areas. Restrict dust caused by the Works to a minimum. Take all practicable steps to minimise noise resulting from the Works.

Check all delivery tickets, labels, identification marks and the goods themselves to ensure that all products comply with the project documents. Where different types of any product are specified, check to ensure that the correct type is being used in each location. In particular, check that: All stock has been adequately protected for loading and in transit. The sources, types, qualities, finishes and colours are correct, and match any approved samples. The correct species, cultivars, pot sizes, plant height, girth or spread have been supplied for each consignment from the supplier. All materials should be clean, undamaged and otherwise in good condition.

Ensure adequate provision is made for the protection and storage of deliveries. In particular ensure that: Materials which may deteriorate with storage must not be stockpiled on site. Adequate and appropriate provision is made for storage prior to deliveries arriving on site. ALL materials in storage are to be suitably protected from physical damage and extremes of weather. Keep storage areas neat and tidy.

Unless otherwise specified, reinstate all existing surfaces, items, structures and anything disturbed or damaged by the performance of the works, to its condition at the commencement of the Contract, other than that forming part of or directly modified by the new work. Remove and cart away debris, spoil and surplus building materials from the site and buildings, with the exception of those works associated with others prior to practical completion.

Fire Ant Control:
The Landscape Subcontractor is to allow to carry out all necessary measures, inspections and safeguards to ensure Fire Ants do not enter the site via equipment, machinery, materials and plant stock.



EXCAVATION AND EARTHWORKS

Inspect the site and ascertain the nature of excavation required and the working conditions that will be encountered prior to the commencement of work. The location of topsoil stockpiles, roadway and cut embankment profiles and water connection points must be taken into account.

Surface drainage shall be diverted clear of excavations and covers shall be provided where necessary for safety. Ensure that run-off is not concentrated onto adjoining properties and does not cause a nuisance thereto. Finished surfaces shall be graded in accordance with Construction Plans.

Erect barriers as required to prevent excavated material and rocks from intruding onto adjoining properties.

CULTIVATION & SUBSURFACE DRAINAGE

The Landscape Subcontractor is to provide for sufficient surface and sub-surface drainage to garden and grass areas to ensure adequately drained soft landscaped areas free from surface ponding water and heavy/ waterlogged soils. Surface and sub-surface drainage is to aid in the healthy growth and continued thriving of all plant stock and grass areas.

Comply with the relevant Australian Standards to the extent that they are relevant and not over-ridden by the specification.

Cultivate sub-grade to a minimum depth of 150mm prior to placing topsoil to all planting and turf areas on ground.

FINISHED LEVELS & GRADES

Minimum cross falls of 1:50 on planting and pathways to drainage collection points and overflow points. Planting areas should not exceed 1:3.



FILL & TOPSOIL

Fill and subsoil material used to make up levels shall be re-used from previous earthworks operations on site where possible which is composed of natural site subsoils but free from stones, sticks, roots, rubbish and material toxic to plant growth.

Supply and install imported topsoil where necessary that complies with Australian Standards to all turf (100mm) and garden (300mm) areas as shown on drawings unless otherwise specified. Ensure modified site soil is free from stones, sticks, roots, rubbish and material toxic to plant growth. Modified topsoil shall have a friable structure with good drainage and high organic content.

EROSION AND SEDIMENT CONTROL

The Landscape Contractor shall ensure measures to minimise erosion and sedimentation of the site, surrounding areas, water and drainage systems, in accordance with the Environmental Protection (Water) Policy 1997.

Methods of protection shall include but not be limited to the following:

- Construction of temporary surface swales;
- Diversion and dispersal of concentrated flows to point where the water can pass through the site without damage;
- Construction and maintenance of silt traps (eg hay bales) to prevent the discharge of scoured materials to downstream areas;
- Progressive restoration of disturbed areas;
- Construction of temporary siltation fencing.

Any erosion damage reinstatement or cleanup as a result of the contractor not adequately protecting the site, materials or the works shall be the responsibility of the landscape contractor.

Remove temporary erosion control measures when they are no longer required.



PLANT SUPPLY

The Landscape Contractor shall supply plants as specified in the planting schedule. Plants shall be delivered on site true to pot size, species and type, and free of weeds, disease and fungal infection. Substitutes will not be made without prior consent of the Landscape Architect.

Ensure that trunks and branches are free of dieback, cavities, sunburn and secretions. Trunk and branches are to be evenly tapered and textured typical of the species. Plant material is to be matured enough to support themselves without staking.

EXISTING TREES

Protect all existing vegetation unless otherwise specified. All vegetation and weed removal is to be carried out using industry standard accepted safety procedures and equipment to ensure personal and environmental protection. Avoid damage to nearby trees and surroundings.

Grub out stumps and roots over 75mm diameter to a minimum depth of 500mm below sub-grade. Stumps less than 75mm diameter shall be cut off at ground level and treated to prevent regrowth.

Completely remove woody weeds within the extent of works.

ENVIRONMENTAL PROTECTION

The Landscape Contractor should consider in every instance whether the use of chemicals is strictly necessary before application, and assess the product, site conditions and species to ensure minimum risk to his employees, other users of the site and the environment, and take appropriate safety precautions in accordance with all current statutory regulations.



TURFING

Supply and install A-grade turf (variety specified on drawings) to areas shown on drawings. Finishing levels should be flush with adjacent surfaces unless otherwise detailed. Spread topsoil and grade surface to ensure a level finished surface, which drains to nominated field gullies.

Turf to be free from nutgrass or other noxious weeds or any other material deleterious to plant growth.

Deliver the turf within 24 hours of cutting, and lay it within 36 hours of cutting. Prevent it from drying out between cutting and laying.



MAINTENANCE/ESTABLISHMENT PERIOD

Maintenance of all landscape works is to be carried out by the Contractor until completion of the landscape works. Maintenance includes replacement of dead and/or diseased plant stock, removal of weeds and rubbish, weed spraying and mowing.

MULCH

Supply and install organic mulch to a minimum of 100mm and gravel mulch to a minimum of 50mm. Ensure mulch meets Australian Standards and is free from deleterious matter, fungi and disease. Mulch shall finish 25mm below adjacent surfaces.

FERTILISER

Provide proprietary fertilisers, delivered to the site in sealed bags marked to show manufacturer or vendor, weight, fertiliser type, N:P:K ratio, recommended uses and application rates. Store in a dry secure environment. Apply according to manufacturer's recommendations (rate/reapplication/watering).

CLIENT
**binnaton
holdings limited**

PROJECT
180717
7-11 fernbourne road
wellington point qld 4150

DRAWING
specifications
drawing no: 180717 03
sheet: ps
scale: na

DATE: August 2018
ISSUE: 3

communal open space palette

Communal and Private open space is an important component of residential development, providing private places for residents and common areas for neighbours in multi-unit developments, for entertaining, play and relaxation. The proposed development has an excess of open space for its tenants (approx 1/3 of the site).

Facilities suggested include BBQ cooking provisions under shade structures, accompanied with table and seating for dining. Two areas to opposite sides of the communal space allow multiple groups to enjoy the space simultaneously.

Exercise equipment give tenants an opportunity to maintain physical and mental health within the building complex. The benefits of physical exercise have long been known to increase the well being. The area boasts many local parks nearby with running/walking tracks to couple with the on-site equipment for a healthy lifestyle.

Seating throughout the COS allow for multiple passive recreational activities, such as reading under shade trees (many shade trees to the space will provide passive cooling to the internal courtyard and reduce thermal heat-sinking) or kicking the football on the turfed areas.

Large Deep Planting areas offer a leafy outlook and shade spaces within the site, that allows the development to site gently within the surrounding parklands. This passive cooling to the buildings help reduce the environmental footprint.

The location of the development allows tenants many close external activities to enjoy. Hilliards Creek, Bayside Green and Geoff Skinner Wetlands offer bird-watching or bushwalking opportunities, along with Duncan Street Refuge and Schonrock Street Nature Reserve.

EGW Wood Sportsground offers many sporting options. Tennis, swimming, cricket are a few to mention.

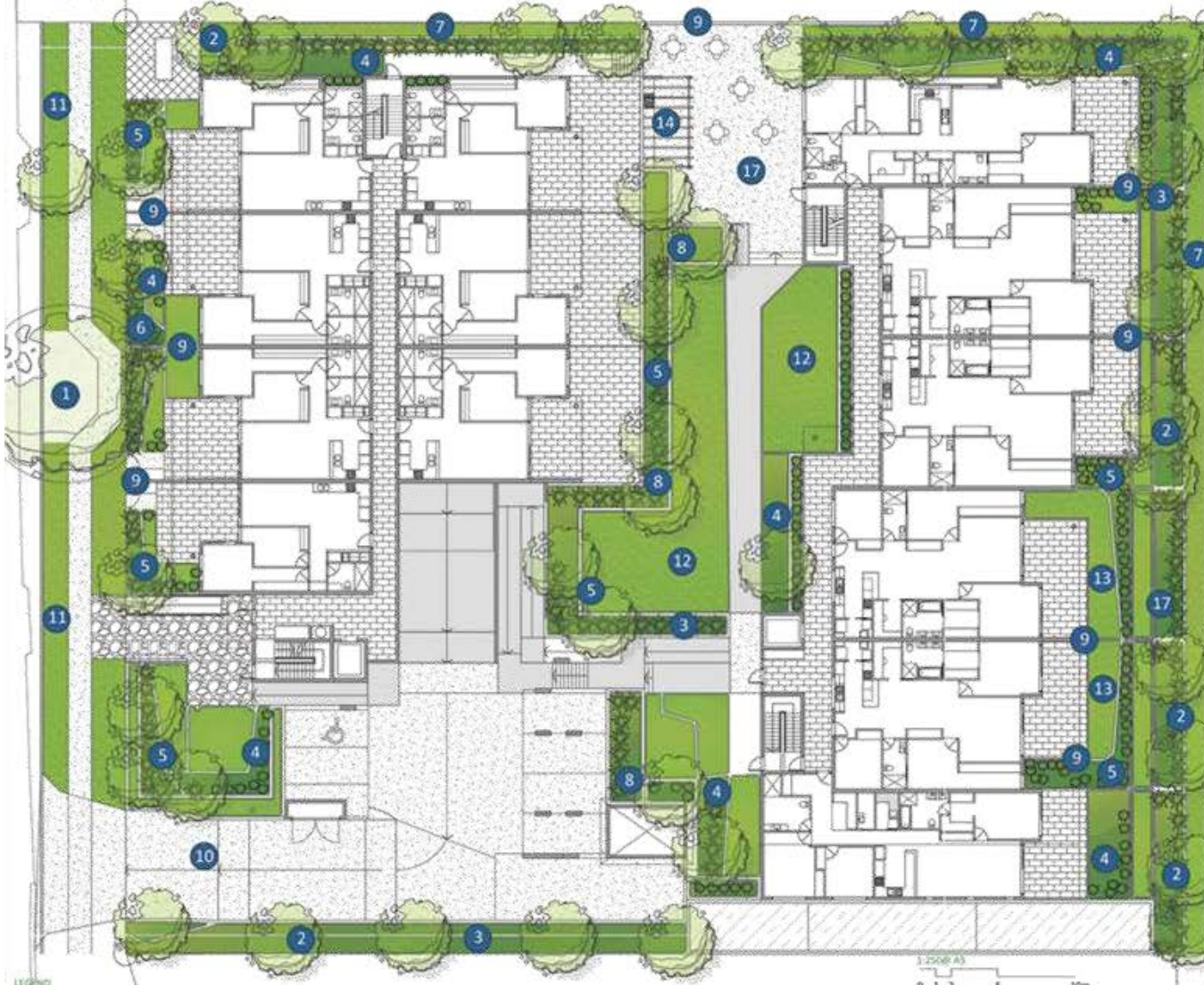


CLIENT
binnaton
holdings limited

PROJECT
180717
7-11 fernbourne road
wellington point qld 4160

DRAWING
COS palette
drawing no 180717 04
drawn by ps
scale na
date august 2018
page b

concept plan



- 1. STREET TREE
Retain existing Jacaranda species street tree, Large canopy tree species, and protect as per Council Guidelines and AS4970
- 2. SHADE TREES
Subtropical trees around property boundary to provide deep shade zones for the comfort and enjoyment of residents
- 3. SCREEN PLANTING
Shrubs and trees to screen fence and provide privacy for neighbours
- 4. GARDEN PLANTING
Native and drought tolerant planting for environmental responsible practice, 300mm cultivated garden soil to beds
- 5. FEATURE PLANTING
Focal planting species to create vegetative diversity and additional aesthetic value
- 6. ORGANIC MULCH
75mm deep organic Tea tree mulch to all garden beds unless otherwise stated
- 7. EASEMENT ACCESS
Turf to easement access as per requirements
- 8. PODIUM SOIL MIX
ECO-Environment Biogenic Earth-Podium and Container Blends (or like product) to all raised planters; must conform to AS3743
- 9. TIMBER FENCE
1800mm timber paling fence to architects details: to rear and side boundaries (100mm gap at base to allow free movement of overland flow)
- 10. CONCRETE DRIVEWAY
Standard entry driveway, Standard Council crossover; all necessary council approvals to be in place prior to constructing driveway or crossover
- 11. TURFED VERGE AREA
Install A-Grade Green Couch Turf over council verge
- 12. TURFED AREA
Install A-Grade Green Couch Turf to common open space for passive recreation for unit tenants
- 13. TURFED AREA
Install A-Grade Green Couch Turf
- 14. BBQ AREA
Cooking and seating facilities to open communal space for passive recreation for tenants
- 15. EXERCISE EQUIPMENT
Exercise equipment for tenants private use for a healthy lifestyle
- 16. FEATURE STONE WALL
Stone wall to vehicular entry to screen services
- 17. SEATING
Seating zones to open communal space with open turfed play zone

GENERAL NOTES:
DRAINAGE
 All paths and garden beds to fall away from proposed building and excess storm water to be collected in stormwater pits where available

WATER CONSERVATION
 Stormwater harvesting within landscape design optimized, to reduce strain on stormwater system whilst ensuring overland flow paths are unimpeded

IRRIGATION
 Reticulated irrigation provided to all shared landscape and recreation areas with access to one hose cock to all private and communal open space

- LEGEND**
- existing tree
 - shrub 2-3m high
 - screening tree (8-10m)
 - shrub 0.5-2m high
 - feature tree (>15m)
 - feature planting
 - groundcovers/grasses
 - turfed areas
 - pedestrian pavement
 - driveway



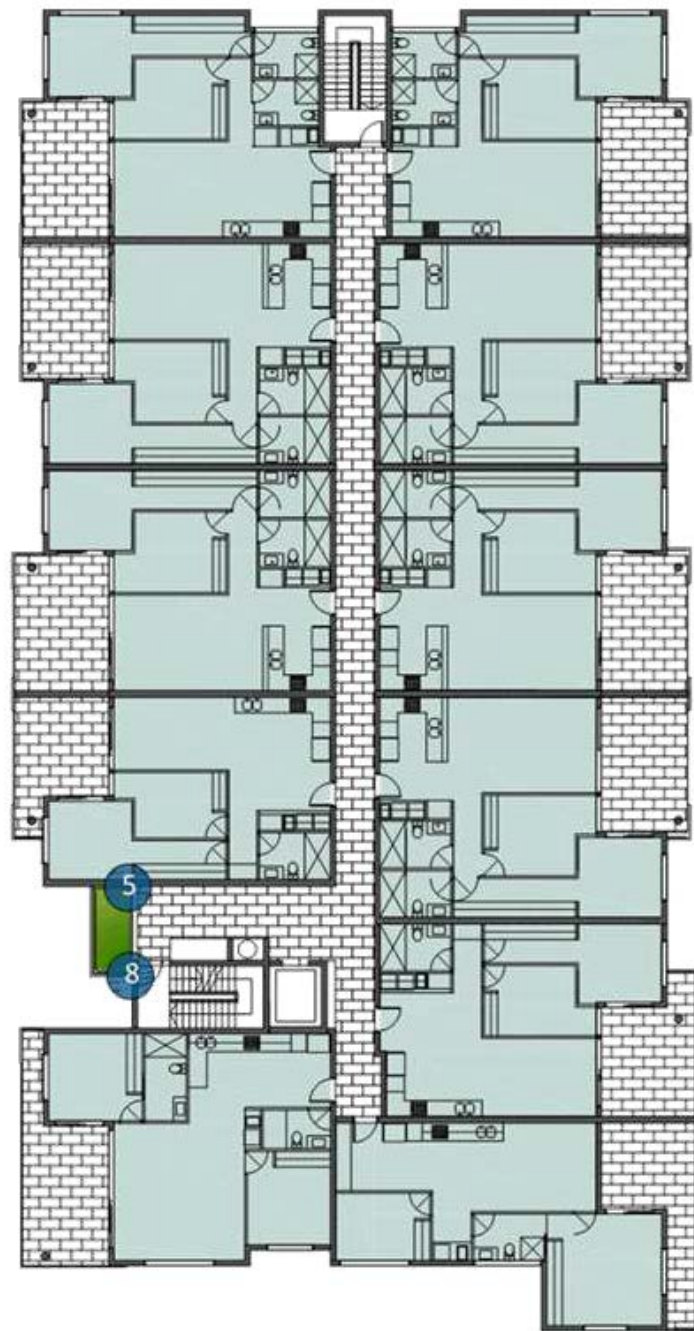
CLIENT
**binnaton
 holdings limited**

PROJECT
180717
 7-11 Fernbourne road
 Wellington, north island 4100

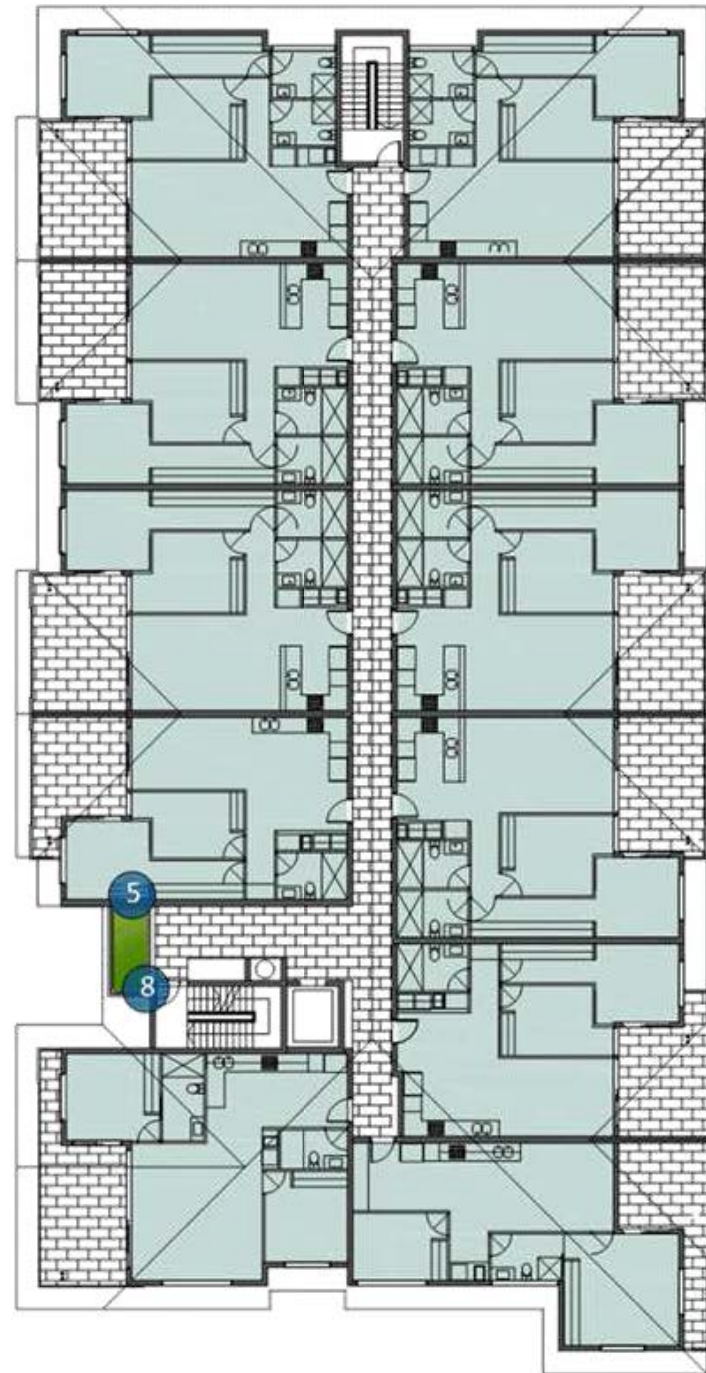
DRAWING
concept plan
 drawing no: 180717_05
 date: 13/06/18
 scale: 1:200 @ A3
 sheet: 05 of 05
 date: November 16, 2018



concept plan



Level 1
scale 1:250 @ A3



Level 2
scale 1:250 @ A3

- 1. STREET TREE**
Retain existing Jacaranda species street tree, Large canopy tree species, and protect as per Council Guidelines and AS4970
 - 2. SHADE TREES**
Subtropical trees around property boundary to provide deep shade zones for the comfort and enjoyment of residents
 - 3. SCREEN PLANTING:**
Shrubs and trees to screen fence and provide privacy for neighbours
 - 4. GARDEN PLANTING:**
Native and drought tolerant planting for environmental responsible practice, 300mm cultivated garden soil to beds
 - 5. FEATURE PLANTING:**
Focal planting species to create vegetative diversity and additional aesthetic value
 - 6. ORGANIC MULCH:**
75mm deep organic Tea tree mulch to all garden beds unless otherwise stated
 - 7. EASEMENT ACCESS:**
Turf to easement access as per requirements
 - 8. PODIUM SOIL MIX:**
ECO-Environment Biogonic Earth - Podium and Container Blends (or like product) to all raised planters; must conform to AS3743
 - 9. TIMBER FENCE**
1800mm timber paling fence to architects details; to rear and side boundaries (100mm gap at base to allow free movement of overland flow)
 - 10. CONCRETE DRIVEWAY**
Standard entry driveway, Standard Council crossover; all necessary council approvals to be in place prior to constructing driveway or crossover
 - 11. TURFED VERGE AREA**
Install A-Grade Green Couch Turf over council verge
 - 12. TURFED AREA**
Install A-Grade Green Couch Turf to common open space for passive recreation for unit tenants
 - 13. TURFED AREA**
Install A-Grade Green Couch Turf
 - 14. BBQ AREA**
Cooking and seating facilities to open communal space for passive recreation for tenants
 - 15. EXERCISE EQUIPMENT**
Exercise equipment for tenants private use for a healthy lifestyle
 - 16. FEATURE STONE WALL**
Stone wall to vehicular entry to screen services
 - 17. SEATING**
Seating zones to open communal space with open turfed play zone
- GENERAL NOTES:**
- DRAINAGE**
All paths and garden beds to fall away from proposed building and excess storm water to be collected in stormwater pits where available
 - WATER CONSERVATION**
Stormwater harvesting within landscape design optimized, to reduce strain on stormwater system whilst ensuring overland flow paths are unimpeded
 - IRRIGATION**
Reticulated irrigation provided to all shared landscape and recreation areas with access to one hose cock to all private and communal open space

- LEGEND**
- existing tree
 - screening tree (8-10m)
 - feature tree (>15m)
 - groundcovers/grasses
 - driveway
 - shrubs 2-3m high
 - shrubs 0.5-2m high
 - feature planting
 - turf areas
 - pedestrian pavement

CLIENT
binnaton
holdings limited

PROJECT
180717
7-11 fernbourne road
wellington point qld 4160

DRAWING
concept plan
drawing no 180717_06
drawn ps
scale 1:250@A3

date Nov 2018
iss a

planting palette

TREE SPECIES

01	<i>ELAEOCARPUS grandis</i>	Blue Quandong	100Lt
02	<i>CUPANIOPSIS anacardioides</i>	Tuckeroo	100Lt
03	<i>LOPHOSTEMON confertus</i>	Brush Box	100Lt
04	<i>ELAEOCARPUS eumundi</i>	Eumundi Quandong	45Lt
05	<i>STRELITZIA nicolii</i>	Giant Bird of Paradise	45Lt
06	<i>HIBISCUS 'Rubra'</i>	Bronze Cottonwood	45Lt
07	<i>LICUALA ramsayi</i>	Australian Fan Palm	45Lt

SCREENING SPECIES

08	<i>HELICONIA kawauchi</i>	Heliconia	300mm
09	<i>ALPINIA 'Red Back'</i>	Red Native Ginger	200mm
10	<i>ALOCASIA brisbanensis</i>	Cunjevoi	200mm
11	<i>SYZYGUIM cascade</i>	Weeping Lily Pilly	140mm
12	<i>SYZYGUIM Narrow Leaf</i>	Lily Pilly	140mm
13	<i>DORYANTHES excelsa</i>	Gymea Lily	140mm
14	<i>METROSIDEROS 'Fiji Fire'</i>	Fiji Fire	140mm

GROUNDCOVER SPECIES

15	<i>LIRIOPE 'Evergreen Giant'</i>	Giant Mondo	140mm
16	<i>PHILODENDRON 'xanadu'</i>	Xanadu	140mm
17	<i>MYOPORUM ellipticum</i>	Creeping Boobialla	140mm
18	<i>ZOYSIA tenuifolia</i>	Velvet Grass	140mm
19	<i>CISSUS antartica</i>	Kangaroo Vine	140mm
20	<i>ALPINIA zerumbet Variegata</i>	Shell Ginger	140mm
21	<i>LOMADRA confertifolia</i>	Dwarf Matrush	140mm
22	<i>FICUS pumila</i>	Climbing Fig	140mm

Native species/cultivars



CLIENT
binnaton
holdings limited

PROJECT
180717
7-11 fernbourne road
wellington point qld 4160

DRAWING
planting palette
drawing no 180717 07
drawn ps
scale na

date august 2018
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DECISION NOTICE CONDITIONS**OFFICERS RECOMMENDATION**

That Council resolves that a Development Permit approval be issued subject to conditions for the Material Change of Use for a Multiple dwelling (45 units) on land described as Lot 132 on RP14151, and Lots 1 and 2 on RP14166, and situated at 7, 9 and 11 Fernbourne Road, Wellington Point, subject to the following conditions listed in attachment 8.

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 the use commencing and ongoing.

Plan/Document Title	Reference Number	Prepared By	Plan/Doc. Date
Development Schedule	Sheet No. DA01/A	Leith Architects	22/10/2018
Locality Plan	Sheet No. DA02/A	Leith Architects	22/10/2018
Streetscape	Sheet No. DA03/A	Leith Architects	22/10/2018
Subtropical Design	Sheet No. DA04/A	Leith Architects	22/10/2018
Site Plan	Sheet No. DA05/A	Leith Architects	02/11/2018
Basement Plan	Sheet No. DA06/D	Leith Architects	14/03/2019
Ground Floor Plan	Sheet No. DA07/A	Leith Architects	22/10/2018
First Floor Plan	Sheet No. DA08/A	Leith Architects	22/10/2018
Second Floor Plan	Sheet No. DA09/A	Leith Architects	22/10/2018
Section	Sheet No. DA10/A	Leith Architects	22/10/2018
West & Internal West Elevations	Sheet No. DA11/A	Leith Architects	22/10/2018
North and South Elevation	Sheet No. DA12/A	Leith Architects	22/10/2018
East Elevation	Sheet No. DA13/A	Leith Architects	22/10/2018
Design Renders - 1	Sheet No. DA14/A	Leith Architects	22/10/2018
Design Renders - 2	Sheet No. DA15/A	Leith Architects	22/10/2018
Design Renders - 3	Sheet No. DA16/A	Leith Architects	22/10/2018
Sun Study Diagram	Sheet No. DA17/A	Leith Architects	22/10/2018
Site Based Stormwater Management Plan	15-281 Revision B	Neil McKenzie & Associates	February 2019
Traffic Engineering Assessment	15185, Version 1	Rytenskiid Traffic Group	6/04/2016
Traffic Impact Report	B16419TR001, Rev. B	Lambert & Rehbein	16/11/2016
Deed Poll of Covenant	50235320v2	McCullough Robertson Layers	4/09/2018
Landscape Specifications Plan	180717 03 Issue A	SEED Landscape Design	August 2018
Landscape COS Palette	180717 04 Issue B	SEED Landscape Design	August 2018

Landscape Concept Plan	180717 05 Issue C	SEED Landscape Design	16/11/2018
Landscape Concept Plan	180717 06 Issue A	SEED Landscape Design	November 2018
Landscape Planting Pallet	180717 07	SEED Landscape Design	August 2018

Table 1: Approved Plans and Documents

Design	
<p>3. Locate, design and install outdoor lighting, where required, to minimise the potential for light spillage to cause nuisance to neighbours.</p> <p>4. Submit certification to Council from a licensed surveyor, at the stages of building construction listed below, that floor levels and maximum overall height of the building are in accordance with the development approval. All levels must be provided to Australian Height Datum (AHD).</p> <p>a) After completion of the construction of the building but prior to the issue of the Certificate of Classification or Final Building Approval to demonstrate that the highest point of the building complies with the approval.</p>	<p>Prior to the use commencing and ongoing.</p> <p>At the building stages specified in the condition.</p>
Easements	
<p>5. Grant easements for the following and submit the relevant easement documentation to Council for approval. Once approved by Council, register and retain the easements on the property title.</p> <p>a) Stormwater drainage purposes along 16.5m of the western boundary of Lot 199 SP240173 and along the entire western boundary of Lot 0 SP234162 in favour of the upstream property owner (i.e.: Lot 132, RP14151, Lot 1 RP14166 and Lot 2 RP14166).</p>	<p>Prior to the use commencing.</p>
Parking	
<p>6. Provide 82 car parks in accordance with approved plan. The total number of car parks must include:</p> <ul style="list-style-type: none"> • 77 resident/owner parking spaces • 5 visitor parking spaces • 3 motorcycle parking spaces • 2 bike store areas <p>Access to car, motorcycle, bicycle parking spaces, bin bays and driveways must remain unobstructed and available for their intended purpose.</p>	<p>Prior to the use commencing and ongoing.</p>

Vegetation	
7. Replace removed native vegetation at a rate of 3:1 as per Section 1.4 of the Environmental Offsets Policy of the City Plan. Provide Council with details of what native trees are located within the MLES mapped areas of the subject site and how they will be offset in compliance with PO18 of the Environmental Significance Overlay and associated Policy 1 of the City Plan.	As a part of Conditioned Works Assessment Works.
Conditioned Works Assessment	
8. Submit to Council, and receive approval for, Conditioned Works Assessment for the documents and works referred to in Table 2:	Prior to site works commencing.

Document or Works Item	Assessment Criteria
Landscape Plan	<ul style="list-style-type: none"> • City Plan Part 9 Development Codes – Landscape Code • City Plan Part 6 Zones – Medium Density Residential Zone Code • City Plan Planning Scheme Policy 2 – Infrastructure Works – 8.5 Landscaping - Tree Species List • City Plan Planning Scheme Policy 2 – Infrastructure Works – 7.0 Bonding • City Plan Planning Scheme Policy 2 – Infrastructure Works - 4.0 Landscaping & 5.0 Parks • City Plan Planning Scheme Policy 2 – Infrastructure Works – 4.0 Landscaping – Arborist Reports • City Plan Planning Scheme Policy 2 – Infrastructure Works – 4.0 Landscaping - Tree Management Plans
Stormwater	<ul style="list-style-type: none"> • City Planning Healthy Waters Code • City Plan Infrastructure Works Code • City Plan Transport, Servicing, Access and Parking Code • City Plan Planning Scheme Policy 2 – Infrastructure Works • Water Sensitive Urban Design Technical Guidelines for South East Queensland • Queensland Urban Drainage Manual
Access and Parking	<ul style="list-style-type: none"> • City Plan Infrastructure Works Code • City Plan Transport, Servicing, Access and Parking Code • City Plan Planning Scheme Policy 2 – Infrastructure Works • Australian Standard 2890:2009 – Parking Facilities Set
Roadworks	<ul style="list-style-type: none"> • City Plan Healthy Waters Code • City Plan Infrastructure Works Code • City Plan Transport, Servicing, Access and Parking Code • City Plan Planning Scheme Policy 2 – Infrastructure Works
Sediment and Erosion Control Plan/Program	<ul style="list-style-type: none"> • City Plan Healthy Waters Code • City Plan Infrastructure Works Code • City Plan Planning Scheme Policy 2 – Infrastructure Works • International Erosion Control Association Best Practice Erosion and Sediment Control document

Table 2: Conditioned Works Assessment

9. Comply with all conditions and approved plans in the Conditioned Works Approval.	Prior to the use commencing.
Bonds	

10. Lodge with Council the bonds listed in Table 3:

Prior to requesting a pre-start meeting or works commencing, whichever is the sooner.

Bond Item	Amount	Returned
Road Cleaning Bond	\$ 2,000	When works accepted on maintenance by Council,
Road Opening Approval Bond	\$ 5,000	When works accepted on maintenance by Council,
TOTAL	\$ 7,000	

Table 3: Bonds

<p>11. Lodge a Maintenance Bond to the greater value of either;</p> <p>a) 5% of the agreed value of the contributed assets; or</p> <p>b) \$2,500.</p> <p>This bond shall be returned after formal acceptance by the Council of the works off maintenance and the transfer of the applicable works to Council.</p>	<p>Prior to works being accepted on maintenance by Council or the issue of a Certificate of Classification, whichever is the sooner.</p>
General	
<p>12. Provide details to Council of the nominated Principal Contractor, including copies of the Principal Contractor's workcover and public liability currency certificates. The public liability insurance policy must be a minimum of ten million dollars and must indemnify Redland City Council.</p>	<p>Prior to requesting a pre-start meeting or works commencing, whichever is the sooner.</p>
<p>13. Provide temporary drainage during the building construction phase such that discharge from all constructed roofs and paved areas is disposed of to a lawful point of discharge in accordance with the Queensland Urban Drainage Manual (QUDM). Maintain the temporary system for the duration of the building works.</p>	<p>During construction.</p>
<p>14. Rectify, in consultation with Council, any damage to Council infrastructure as a result of construction activities, at no cost to Council.</p>	<p>During the construction phase.</p>
<p>15. Provide written certification from a Registered Professional Engineer Queensland (RPEQ) certifying that all civil works have been completed in accordance with the approved drawings and specifications and to the applicable Australian Standards.</p>	<p>Prior to on maintenance or the issue of a Certificate of Classification, whichever is the sooner.</p>
<p>16. Undertake the development works so that there is no risk to public safety at any time on the site, adjacent public land, road reserve or</p>	<p>During the construction phase.</p>

private property. Should the site be unattended or abandoned, public safety must still be maintained.	
17. Rectify any damage done to the road verge during construction, including topsoiling and re-turfing.	Prior to the issue of a Certificate of Classification.
18. Maintain all contributed assets for a minimum period of 12 months from the date the works are accepted on maintenance by Council. The works will be accepted off maintenance only where the works have been suitably maintained to any manufacturer's specifications and Council standards and are fit for purpose.	During the on maintenance period.
Roadworks	
19. Submit to Council for approval, engineering plans and details showing the following frontage works are in accordance with the assessment criteria listed in Table 2: Conditioned Works Assessment of this approval: <ul style="list-style-type: none"> a) Road construction including concrete kerb and channel and road pavement according to approved plans; b) Footpath earthworks, topsoiling and turfing of all disturbed footpath areas; c) Reinstatement of concrete kerb and channel where required; d) Removal of all redundant vehicle crossovers; e) Entry treatment/access to the site; f) LGIP identified (TRL-166) trunk shared 2.5m wide off-road path to run along the site frontage (approximately 60m) whilst maintaining the existing Jacaranda tree; g) Adjustment and relocations necessary to public utility services resulting from these works; h) A minimum 7m wide type A permanent vehicular crossover to the Fernbourne Road frontage of the site, according to standard drawing R-RCC-2. 	As part of the request for conditioned works assessment.
20. Submit and have approved by Council a Road Opening Approval for any works being undertaken within the road reserve. Provide the following to Council as part of the application: <ul style="list-style-type: none"> a) A completed application form and associated fee, at the rate applicable at the time of payment. The current rate for the 2018/2019 Financial Year is: <ul style="list-style-type: none"> • \$5,394 – this incorporates a refundable bond of \$5,000 and a non-refundable administration fee of \$394 b) A copy of the contractor's Workcover insurance currency certificate. 	Prior to requesting a pre-start meeting or works commencing, whichever is the sooner.

<p>c) A copy of the contractor’s Public Liability insurance currency certificate. The public liability insurance policy must be a minimum of ten million dollars and must indemnify Redland City Council.</p> <p>d) Submission of a Traffic Management Plan (TMP) and/or a Traffic Guidance Scheme (TGS) that is prepared and authorised by a person who holds a current DTMR ‘Open Level’ Traffic Management Design Certification for the road widening, construction of the crossover and footpath, including proposed haul routes for construction vehicles associated with the works, as applicable.</p>	
<p><u>Stormwater Management</u></p>	
<p>21. Convey roof water and surface water to the inter-lot stormwater system along the rear properties in accordance with the City Plan Planning Scheme Policy 2 – Infrastructure Works.</p>	<p>Prior to the issue of a Certificate of Classification and ongoing.</p>
<p>22. Manage stormwater discharge from the site in accordance with the City Plan Planning Scheme Policy 2 – Infrastructure Works, so as to not cause an actionable nuisance to adjoining properties.</p>	<p>Prior to the issue of a Certificate of Classification and ongoing.</p>
<p>23. Submit to Council, and receive Conditioned Works approval for, a stormwater plan and report that is generally in accordance with the approved plans and addresses both quality and quantity in accordance with the City Plan Planning Scheme Policy 2 – Infrastructure Works, and the following:</p> <ul style="list-style-type: none"> • Verify capacity of the piped system and overland flows in the existing inter-lot drainage and adapt the discharge to that capacity, otherwise upgrade the system. • Detailed design of allotment drainage, including calculation table, longitudinal section and overland flows paths. • Detailed design of the minor and major system for the development and stormwater treatment proposed. • Detailed design drawings for the proposed bio retention basin. • Detailed design of the proposed GPTs (Gross Pollutant Traps proposed to be implemented as part of the treatment train. This is to comply with PO9-PO15 of the Healthy Waters Code of the City Plan. 	<p>As part of request for conditioned works assessment.</p>
<p>24. Maintain all internal stormwater management devices for the life of the development in accordance with approved documentation and to manufacturer’s specifications.</p>	<p>Ongoing condition.</p>
<p><u>Utilities</u></p>	

25. 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 at the time the works occur in accordance with the terms of any cost estimate provided to perform the works, or prior to plumbing final or the use commencing, whichever is the sooner.	At the time of works occurring.
26. Connect the development to external reticulated sewer, external reticulated water and underground electricity supply.	Prior to the issue of a Certificate of Classification.
Services	
27. Remove any redundant sewerage connections within the site or servicing the development and provide documentary evidence to Council or its delegate that this has occurred.	Prior to site works commencing.
28. Provide water connections and water meters in accordance with Council's Standard Drawings. Provide details to Council of the water meters and their locations.	Prior to on maintenance or issue of a Certificate of Classification, whichever is the sooner.
Waste Management	
29. Install waste storage areas, located as indicated in the approved plans, for the storage of a minimum of 3 bulk bins of 1.5m ³ (or 4 bulk bins of 1.1m ³) for waste and 4 bulk bins of 1.5m ³ (or 6 bulk bins of 1.1m ³) for recycle. The storage area must be impervious, well drained, provided with a hose cock, enclosed and illuminated for night time use.	Prior to the issue of a Certificate of Classification and ongoing.
30. Provide waste chute to transport waste for each floor to a waste storage point. Also, provide recycle chutes or recycle bins located on each floor adjacent to the waste chute to transport recyclables for each floor to the waste storage point, according Table 7: In-building waste removal system; refers to Planning Scheme Policy 2 – Infrastructure Works. Additionally, provide waste carting for bulk bins to transport bins between the bin storage and service point.	Prior to the issue of a Certificate of Classification and ongoing.
Erosion and Sediment Control	
31. Submit to Council, and receive Conditioned Works approval for an erosion and sediment control plan, in accordance with IECA (2008) Best Practice Erosion and Sediment Control.	As part of request for conditioned works assessment.
32. Provide a stabilised construction exit at each exit point for the site. Maintain this area so that no loose debris is deposited on to adjoining roadways. Remove any material brought onto the road as soon as possible.	During construction phase.

33. Implement dust control measures at each phase of site development and operation in accordance with IECA (2008) Best Practice Erosion and Sediment Control.	During construction phase.
<u>Survey and As Constructed Information</u>	
34. Submit as constructed drawings and documentation for all works that are to be transferred into public ownership, including internal stormwater system, prepared in accordance with the City Plan Planning Scheme Policy 2 – Infrastructure Works. Include surveyed as constructed data showing works completed (digital and hard copies) and amended design plan data showing construction deviation from design plans (digital and hard copies). The digital data and the design data must be endorsed by a RPEQ and Landscape Architect holding AILA (Australian Institute of Landscape Architecture) membership and a registered surveyor using the certification clauses contained in Planning Scheme Policy 2 – Infrastructure Works.	As soon as all works are completed and prior to the request for on maintenance or the issue of a Certificate of Classification, whichever is the sooner.
<u>Landscaping Works</u>	
35. Submit detailed Landscape Plans, specification notes and documentation to Council for approval in accordance with the assessment criteria listed in Table 2: Conditioned Works Assessment of this approval. Include the following items: <ul style="list-style-type: none"> • Designs that are generally in accordance with the approved landscape concept plans. • A maintenance plan for the entire landscaping component of the development. • Details of lighting to driveways, car parks and footpaths within the site. • Retention of existing Jacaranda tree on the road verges. • Landscaping and street tree designs that are generally in accordance with the Driveway Sight Distance Assessment in the Traffic Engineering Assessment by Rytenskild Traffic Group dated 6/04/2016. 	As part of request for conditioned works assessment.
36. Rectify any damage to Council infrastructure as a result of construction activities, at no cost to Council.	Prior to a Compliance Inspection or the use commencing, whichever is the sooner.
37. Turf all areas of disturbance within the road verge with turf cut from a weed free source. Remove all weed species from the site, as identified in Part B of Council's Pest Management Plan 2012-2016.	Prior to a Compliance Inspection or the use commencing, whichever is the

	sooner.
38. Design and construct front boundary fences and walls to: <ul style="list-style-type: none"> • Be located behind the 2m landscaping strip if the fence/wall is of solid construction; or • Provide openings or materials that make the fence/wall a minimum of 50% transparent if the fence/wall is located in front of 2m landscaping strip. 	Prior to the use commencing and ongoing.

Tree Removal

39. Engage a qualified Fauna Spotter / Wildlife Consultant to undertake the management of fauna on the development site. They are to inspect vegetation approved for removal and advise contractors when it is appropriate to commence works. An accredited Fauna Spotter / Wildlife Consultant is a person or company holding a current Rehabilitation Permit – Spotter Catcher issued by the Department of Environment and Science under the Nature Conservation (Administration) Regulation 2017. <i>Note: There are specialised requirements and restrictions regarding Koalas, including relocation of any that are injured or sick. Consult with the Department of Environment and Science for further information.</i>	Prior to the removal of any vegetation associated with the development and during the construction phase.
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Contributions

40. Pay to Council a monetary contribution for street tree for five (5) street trees. The contribution must be calculated in accordance with the City Plan Planning Scheme Policy 2 – Infrastructure Works and must be paid at the rate current at the time of payment under Council’s Fees and Charges Schedule. The current rate is \$177 per tree (2018/2019 Financial Year).	Prior to a Compliance Inspection or the use commencing, whichever is the sooner.
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Inspections

41. Arrange with Council for the following inspections to be carried out at the relevant time in accordance with Table 4: Inspections below.

Inspection	Timing
Prestart	Prior to any civil or landscaping works commencing.
Driveway Crossover/Footpath	Box inspection to be undertaken with reinforcing mesh in place and supported on bar chairs prior to the concrete being poured.
Roadworks	At subgrade after boxing out of the road is completed.
	At 280mm below the finished AC surface level where the depth of the pavement exceeds 400mm.
	At pre-seal, prior to asphalt being placed.
On Maintenance	On completion of all civil and landscaping works as required by this approval and its conditions and prior to the commencement of the 12 months maintenance period.

Compliance Inspection	On completion of the development in accordance with the approval and its conditions.
Off Maintenance	At the end of the minimum 12 months maintenance period.

Table 4: Inspections

For the pre-start, on maintenance/compliance and off maintenance inspections, at least five (5) business days notice must be given to Council. For all other inspections, a minimum of 24 hours notice must be given to Council.

The contributed assets must be accepted on maintenance and the development must pass a Compliance Inspection before the issue of a Certificate of Classification.

Advice Note: The Civil Consulting Engineer should inspect the works and satisfy themselves that the works are satisfactory prior to booking the respective inspections. In instances where Council's representative(s) fails an inspection, Council will charge a re-inspection fee prior to re-visiting the site. The cost of this re-inspection is identified in Council's Register of Fees and is reviewed each financial year.

ADDITIONAL APPROVALS

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

- Building Works approval.
- 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.

Further approvals, other than a Development Permit, are also required for your development. This includes, but is not limited to, the following:

- Conditioned Works Assessment as detailed in Table 2 of the conditions.
- Plumbing and drainage works.
- Capping of Sewer – for demolition of existing buildings on site.
- Road Opening Permit – for any works proposed within an existing road reserve.

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.
- Damage to Council Infrastructure

Notify Council (07 3829 8999) within 24hrs, any damage to Council infrastructure as a result of construction activities.

- 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.

- Survey and As-constructed Information

Upon request, the following information can be supplied by Council to assist survey and engineering consultants to meet the survey requirements:

- a) A map detailing coordinated and/or levelled PSMs adjacent to the site.
- b) A listing of Council (RCC) coordinates for some adjacent coordinated PSMs.
- c) An extract from Department of Natural Resources and Mines SCDM database for each PSM.
- d) Permanent Survey Mark sketch plan copies.

This information can be supplied without charge once Council received a signed declaration from the consultant agreeing to Council's terms and conditions in relation to the use of the supplied information.

Where specific areas within a lot are being set aside for a special purpose, such as building sites or environmental areas, these areas should be defined by covenants. Covenants are registered against the title as per Division 4A of the *Land Title Act 1994*.

- 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). Biosecurity Queensland should be notified on 13 25 23 of proposed development(s) occurring in the Fire Ant Restricted Area before earthworks commence. It should be noted that works involving movements of soil associated with earthworks may be subject to movement controls and failure to obtain necessary approvals from Biosecurity Queensland is an offence. It is a legal obligation to report any sighting or suspicion of fire ants within 24 hours to Biosecurity Queensland on 13 25 23. The Fire Ant Restricted Area as well as general information can be viewed on the Department of Agriculture and Fisheries (DAF) website www.daf.qld.gov.au/fireants.

- 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.

- 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.

NOTICE ABOUT DECISION – STATEMENT OF REASONS

Assessment Benchmarks:	<p>The proposed development was assessed against the following assessment benchmarks:</p> <ul style="list-style-type: none">• Redland City Plan :<ul style="list-style-type: none">▪ Medium density residential zone code▪ Healthy waters code▪ Infrastructure works code▪ Landscaping code▪ Transport, servicing, access and parking code▪ Environmental Significance Overlay• Planning Regulation:<ul style="list-style-type: none">▪ Schedule 11 – Koala habitat area
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The development application is approved as it complies with all of the relevant assessment benchmarks, or can be made to comply through the imposition of conditions on the approval.

14 REPORTS FROM INFRASTRUCTURE & OPERATIONS**14.1 REDLAND CITY COUNCIL RESPONSE TO DRAFT STATE WASTE MANAGEMENT AND RESOURCE RECOVERY STRATEGY****Objective Reference:** A3717723**Authorising Officer:** Peter Best, General Manager Infrastructure & Operations**Responsible Officer:** Kevin McGuire, Group Manager Water & Waste Operations**Report Author:** Paula Kemplay, Principal Waste Planner**Attachments:**

1. RCC Response to Draft State Waste Management and Resource Recovery Strategy [↓](#)
2. Draft Waste Management and Resource Recovery Strategy [↓](#)
3. Community Summary [↓](#)

PURPOSE

The purpose of this report is to provide:

- Background information and a draft Redland City Council (Council) letter response to the Queensland State Government (the State) relating to the State's Draft Waste Management and Resource Recovery Strategy (the Strategy), which was issued for public consultation on 14 February 2019. Noting that public consultation closes at 5pm on 5 April 2019.
- Approval for the Chief Executive Officer to finalise and submit a letter to the State, outlining Council's comments on the Strategy. A copy of the draft letter is detailed in Attachment One.

BACKGROUND

The State is setting a new direction for waste management with the view for Queensland to become a zero-waste society. The Strategy communicates this vision, strategic priorities and future waste targets to 2050. A copy of the draft Strategy is detailed in Attachment Two. A consultation Community Summary which provides specific actions for Queenslanders to complement the draft Strategy has also been released. A copy of this Community Summary is provided at Attachment Three.

ISSUES

Once the draft Strategy is finalised, Council will need to conduct a statutory review of its own adopted Waste Reduction and Recycling Plan 2015-2020 to align with the State Strategy. Therefore, the draft Council submission letter is seeking clarity to enable Council to more effectively scope and fund engagement with the Redlands Coast community on future waste and resource management, as part of the Council waste strategy review.

The Strategy is drafted as a high level document. A key concern is the unknown timeframe for when detailed action plans will be developed, the level of consultation the State will undertake to produce these action plans and whether these will be published documents. The targets for waste avoidance and recycling are noted by the State to be ambitious.

There are targets set at 2025, 2030, 2040 and 2050. By 2050 it is targeted that 25% of municipal solid waste will be avoided, 70% will be recycled, 25% having additional resource /energy recovery and only 5% will be sent to landfill. Council is seeking more understanding of how the modelling and timing of these targets was derived and how these targets will be measured determine the level of waste avoidance.

The development of a circular economy for waste and resources will be a key requirement for this Strategy to succeed. The concept of a circular economy can be described as products and materials keep circulating within the economy as long as possible at their highest value through remanufacturing, reuse and recycling. However, an overarching policy and funding plan for this area of work is required to effectively scope, clarify and prioritise resultant actions.

Changing regulatory requirements have the ability to increase costs to the community. Therefore, Council has an interest in ensuring the draft Strategy has realistic targets and schedules, is implemented in a collaborative way with all relevant stakeholders, is appropriately funded and has transparency around complementary measures. Also, Council will highlight the need to manage implementation action priorities, roles and responsibilities and timeframes to minimise upwards pressure on rates.

Six recommendations have been identified in the draft letter. These recommendations request more detail and priority work from the State for Council waste management functions as follows:

- Recommendation 1 – that the State considers the best structure and priority for action plans and Strategy governance, in particular how local government will be invited to regularly contribute effectively to understand roles and responsibilities and other collaboration opportunities.
- Recommendation 2 – that as part of the identified enablers of change, the State commits to development and funding of an enhanced model of behavioural change, education and a knowledge platform for the whole community, in partnership with local government for the duration of the Strategy.
- Recommendation 3 - that the State includes waste avoidance targets for all waste types, including the State as lead agency for change, show how the quantum of the target was derived and the methodology and baseline data that will be used to measure and report on progress of these targets.
- Recommendation 4 - that the State includes more detail regarding the scope of the Plastic Pollution Plan and opportunities for better management of existing waste plastics, and consider enhancing the existing littering and illegal dumping program to achieve a self-regulated society where littering and/or dumping is unacceptable behaviour.
- Recommendation 5 - that the State considers developing a more detailed stand-alone circular economy policy in consultation with local government.
- Recommendation 6 - that the State prioritises a sustainable procurement framework and market development for existing recycling processes such as kerbside recycling, and also new emerging recycling processes, particularly around food organics.

STRATEGIC IMPLICATIONS

Legislative Requirements

Council will need to comply with the *Waste Reduction and Recycling (Waste Levy) Amendment Act 2019* and subordinate Regulation in implementing the waste strategy requirements.

Risk Management

The Strategy targets create an opportunity for Council to be more sustainable in its use of waste and resources. Any new infrastructure to increase recycling and avoid landfill is expected to take several years to implement. Council will need to manage the expiry and renewal of relevant waste management contracts and carefully assess all relevant risks and resultant solution funding requirements.

Financial

Budget has been requested for development of a new waste strategy for Council in FY 2019/2020. The long term financial impacts of strategy introduction cannot be quantified at this stage. Any required budget amendments in FY 2019/2020 will be developed based on the final Strategy and associated implementation requirements.

People

Council will need to dedicate staff resources to implementing the Strategy by developing detailed project plans to ensure critical tasks occur as required to meet the State's action plan.

Environmental

The Strategy targets and complementary measures will act to drive innovation and industry investment towards reduced generation of waste, increased recycling rates and more advanced technology to reduce the dependence on landfill.

Social

The draft Strategy has shared responsibility across State, local government, community and industry sectors, to shape the transition towards a zero waste society. Council is advocating for an enhanced model of behavioural change, education and knowledge platforms for the whole community, in partnership with other local government areas for the duration of the Strategy.

Alignment with Council's Policy and Plans

Statement 5 of the Council Green Living Policy notes that Council is committed to: "Provide recycling and associated waste services, community information and engagement to comply with published Queensland waste minimisation and resource recovery targets".

The adopted Council Waste Reduction and Recycling Plan 2015-2020 will need to be reviewed in FY 2019/2020 to align with future State and Federal government directives relevant to waste management.

CONSULTATION

Consulted	Consultation Date	Comments/Actions
RedWaste Service Manager	8 March 2019	Supports the draft submission
Compliance Services Manager	8 March 2019	Included comments around litter and illegal dumping compliance matters into the draft submission.

OPTIONS

Option One

That Council resolves to:

1. note the information contained within this report; and
2. request the Chief Executive Officer writes to the State Department of Environment and Science, outlining Council's response to the Queensland Government Draft Waste Management and Resource Recovery Strategy, before 5pm 5 April 2019.

Option Two

That Council resolves not to make a written submission.

COUNCIL RESOLUTION 2019/120

Moved by: Cr Tracey Huges

Seconded by: Cr Paul Bishop

That Council resolves to:

1. note the information contained within this report; and
2. request the Chief Executive Officer writes to the State Department of Environment and Science, outlining Council's response to the Queensland Government Draft Waste Management and Resource Recovery Strategy, before 5pm 5 April 2019.

CARRIED 11/0

Crs Karen Williams, Wendy Boglary, Peter Mitchell, Paul Gollè, Lance Hewlett, Mark Edwards, Julie Talty, Murray Elliott, Tracey Huges, Paul Gleeson and Paul Bishop voted FOR the motion.



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13 March 2019

Your Ref: WM&RR Strategy
 Our Ref: 1A175635
 File No: **A3104436**
 Contact: Paula Kemplay

Office of Resource Recovery
 Department of Environment and Science
 GPO Box 2454
 Brisbane QLD 4001

By email: wastepolicy@des.qld.gov.au

Dear Waste Policy team

RE: Draft Waste Management and Resource Recovery Strategy (Strategy)

I refer to the public consultation opportunity on the above Strategy which closes at 5.00 pm on the 5th April 2019. Please find documented below, the response on behalf of Redland City Council (RCC).

1. Introduction

Redland City is an area of 537 square kilometres located in south-east Queensland, about 26 kilometres south-east of the Brisbane City with a population of around 155,000. RCC, like other local government authorities, is directly responsible for the collection of household waste and operation of public waste transfer stations. It offers community education programs, multiple recyclable services for resource recovery, and contracts waste disposal arrangements for residual waste. It also manages the clean-up of littering and illegal dumping activities around the Redlands Coast area. Whilst RCC has a good resource recovery rate of 46% for municipal solid waste (MSW), it recognises the opportunity to seek more value from recovering more resources away from landfill.

2. General

Overall, RCC understands that the intent of the draft Strategy is quite broad and high level to communicate a vision, strategic priorities and future targets out to 2050. Once this draft Strategy is finalised, RCC will need to conduct a statutory review of its own adopted Waste Reduction and Recycling Plan 2015-2020 to align with the State Strategy. Therefore, RCC has compiled some points of clarity and recommendations within this submission to enable it to more effectively scope, and fund, its own review, for further engagement with its community on future waste and resource management.

RCC supports both the need for change, and shared responsibility across the Queensland Government, local government, community and industry sectors to shape the transition towards a zero waste society. RCC appreciates that the Queensland Government is taking the lead in changing how waste is to be managed and as such

has produced a consultation Community Summary to provide specific actions for Queenslanders, to complement the draft Strategy. As RCC are within the tier of government closest to the community, both Elected Members and Officers are closely involved in responding to impacts felt by the community regarding external changes.

Changing regulatory requirements have the ability to increase costs to the community. Therefore RCC has an interest in ensuring the draft Strategy is well paced and realistic in its targets, is implemented in a collaborative way with all relevant stakeholders, is appropriately funded and has transparency around complementary measures. RCC highlights the need to manage carefully the implementation action priorities, roles and responsibilities and timeframes to minimise upwards pressure on the rates.

3. Governance of the Strategy Implementation

Recognising that the Strategy is appropriate to be a high level document, RCC supports a detailed action plan being produced to be the key reference point for implementing the Strategy, having agreed timeframes and well-defined roles and responsibilities.

A key concern for RCC is the unknown timeframe for when detailed action plans will be developed, the level of consultation the State will undertake to produce these action plans and whether these will be published documents. This consultation may need to extend beyond the use of the existing Stakeholder Advisory Group particularly where the impact of change will be high for Councils. RCC would advocate for a single master action plan to be developed with immediate priorities, rather than a series of action plans for each strategic priority. This action plan should have performance measures established and more regular review periods than required for a Strategy review.

The strategy nominates some foundation measures and future policy work that the Queensland Government has already initiated, or will undertake. RCC understands that key complementary measures will evolve over time, however advocates for integration of all related enabling measures development work into the master action plan, so that there is a single point of reference and associated transparency and accountability for all relevant work package components. This should include the role of local government waste plans and clearer mapping to the work being undertaken across the 14 strategies within the 2018 National Waste Policy to translate national measures across the State.

Recommendation 1 – that the State consider the best structure and priority for action plans and Strategy governance, in particular how local government will be invited to regularly contribute effectively to understand roles and responsibilities and other collaboration opportunities.

4. Long term State-wide communications and behaviour change campaign to support Strategy Implementation

The implementation of this Strategy and associated measures to achieve the ambitious targets will require major behaviour changes and community education for the next three decades and beyond. It has long been recognised that consistency in relaying key community waste education messages and getting significant reach across all community sectors, is of critical importance to successful participation by the community in waste avoidance and recycling services. There has been significant media attention to the topical waste issues over the past year, and there needs to be continuous effort made to inform the community of new developments and initiatives, to buy in greater levels of ownership and confidence that progress is being made towards meeting these future challenges.

The Strategy acknowledges that the circular economy will be driven by the purchasing behaviour of consumers. The five key action messages in the Community Summary around reducing food waste, sustainable consumption, more reuse, using the recycle bins correctly and reducing littering are a starting point to reinforce key focus areas and consistent with existing community education messages offered by RCC.

There is however an opportunity for greater impact, more collaboration and sharing of demonstrable and proven social marketing and community behaviour change case studies and targeted campaigns across the State, if the QLD Government officially led such a program, and partnered with Councils and others. A central sustainability and waste knowledge centre and program, appropriately branded and managed by the State, underpinned by specialist behaviour change and social marketing expertise would be welcomed by RCC. This should have common key messages, be regularly updated as new developments come on line, contain links to national waste projects, information resources and tools together with upcoming funded campaigns and grants. Such a system would reduce duplication and free up Council staff to deliver the education programs and campaigns locally. If Councils were left to run this separately there could be multiple different branding exercises, un-co-ordinated timing of programs and different focus points leading to mixed messages and confusion.

Recommendation 2 – that as part of the identified enablers of change, the State commit to development and funding of an enhanced model of behavioural change, education and a knowledge platform for the whole community, in partnership with local government for the duration of the Strategy.

5. Vision and Targets

RCC supports a more sustainable approach to waste management and stronger targets to achieve a vision for zero waste to landfill. RCC notes that waste avoidance targets have only been set for MSW. Other waste types for example commercial and industrial (C&I) and construction and demolition (C&D) are excluded due to reported other macro-economic conditions. MSW waste generation is also driven by a number of factors, including economic activity, population growth, climatic conditions and consumer behaviour. It is noted that there are no waste avoidance targets for the Queensland Government.

RCC believes that all waste types should have waste avoidance targets as this would be consistent with key principles of a circular economy which aims for waste minimisation through better design and use of products and materials. In addition, the waste hierarchy is still the adopted framework guiding the preference for managing waste. The hierarchy has avoidance and reduction of waste as a first priority yet a futuristic and ambitious Queensland strategy excludes targets for 2 key waste streams. It is acknowledged that reducing the generation of other waste types may require a sector by sector approach or a focus on changing procurement methods for selected types of materials, however there should be an attempt to address this, for example avoiding food waste in the hospitality industry.

The Strategy states that targets will be measured using the 2017-18 baseline data. The QLD State Recycling and Waste in Queensland 2018 report does not have a baseline waste generation rate per capita for MSW. RCC lacks clarity on how this target will be calculated each year.

RCC considers that the target reduction of 25% MSW waste avoidance by 2050 may be overly ambitious, require additional resourcing and risks lacking credibility. To ensure that waste avoidance targets are realistic and that local government can learn from others, RCC would like to see knowledge on case studies of jurisdictions that have

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successfully reduced MSW waste generation on a quantifiable similar scale, and timeframe to that nominated in the Strategy. Also RCC would like to understand what positive impact the State may have modelled from its proposed work with the Australian Packaging Covenant Organisation to reduce excessive product packaging.

Recommendation 3 - that the State include waste avoidance targets for all waste types, including the State as lead agency for change, show how the quantum of the target was derived and the methodology and baseline data that will be used to measure and report on progress of these targets.

To achieve greater recycling and landfill diversion rates, RCC acknowledges that new infrastructure and potentially changes to kerbside collection services will be required. Therefore RCC fully supports the proposed State wide infrastructure plan and the commitment by the Queensland Government to work with local governments to develop region specific plans to deliver recycling and resource recovery facilities. This would be considered high priority work, and include tonnage modelling, mapping existing contractual arrangements and nominating realistic deliverability timescales on the appropriate infrastructure configurations required to deliver on the targets. The 2025 target may therefore prove to be overly ambitious for MSW. Furthermore, the infrastructure plan should model optimised transport and distribution networks from existing waste generation sources and include the best locations and timing for bulk waste transfer facilities for the benefit of the region. Minimising transport costs and distance travelled between facilities, will have positive impacts to communities and also contribute to reduced greenhouse gas emissions. This would also achieve more efficient asset management planning outcomes for local government.

In addition, RCC believes that financial incentives can provide an additional driving force for change, and Local Government require certainty on the future direction of the Levy advance payment for MSW in order to plan and invest in new resource recovery initiatives and infrastructure.

6. Strategic Priority 1 - Reducing the impact of waste on the environment

RCC agrees with the focus points in action for Queenslanders and emphasises reducing contamination in kerbside recycling in light of recent international policy decisions, food waste minimisation opportunities and reducing littering and illegal dumping in view of RCC concerns about scavenging in bins to retrieve eligible containers under the Container Refund Scheme, and potential impacts of the introduction of the Queensland Government Waste Levy from 1 July 2019.

There are growing community requests for more information on how to recycle hard plastics and other problematic marine plastic waste (such as glow sticks used within the fishing industry). Further detailed content on the Plastic Pollution Plan scope and rollout as a high priority item within the action plan would be welcomed by RCC, particularly as it is a coastal council.

Regarding littering and illegal dumping, it would be beneficial to explore targeted compliance programs, which could encompass education, volunteer programs, behaviour change, and consideration of possible increased penalty values for both littering and illegal dumping to aide in deterring the behaviour. Consideration for additional funding to support the establishment of a taskforce of sorts to achieve a holistic approach underpinned by a 'zero tolerance' attitude to illegal dumping/littering activities. The long term intent would be to aim for a self-regulated society where littering and/or dumping is unacceptable behaviour. This program would involve

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landowners, business owners, visitors, residents and so on and include a school education component.

Recommendation 4 - that the State include more detail regarding the scope of the Plastic Pollution Plan and opportunities for better management of existing waste plastics, and consider enhancing the existing littering and illegal dumping program to achieve a self-regulated society where littering and/or dumping is unacceptable behaviour.

It is noted that the Queensland Government will develop an education strategy to integrate waste and recycling behaviours into the education system. There is an opportunity to clarify whether this is limited to the curriculum or actual delivery of education within schools and consider the benefits of extending this education strategy to other community sectors to reach all Queenslanders and ultimately a broader overarching education and behaviour campaign as described in point 4 above.

7. Strategic Priority 2 – Transitioning to a Circular Economy for Waste

RCC supports the principles of moving towards a circular economy and in particular the management of waste as a valuable resource. The Strategy describes some key waste streams that require improved performance, with further action required on material flows, supply and demand for recycled content and associated market development plans. There could be further work undertaken to assess the ability to take additional action early in the materials life cycle, to reduce the waste at source in particular the design and manufacturing phase for example to reduce the planned obsolescence of certain products and to improve durability or ease of repair. There may also be further policy and legislative work required to encourage the use of waste derived materials and build confidence in recycled products across the supply chain.

RCC would be interested in any research to encourage repair and refurbish bulky household items, furniture and treated timber as part of the programs focusing on the building environment waste, electrical equipment and textiles.

An energy and fuel from waste policy is supported for the purposes of both environmental safety and public health safety. The emphasis of the strategy is on recycling with target settings that by 2050 there will be a recycling rate of MSW of 70%, and assumed 25% energy recovery. To reduce the risks of emerging energy from waste infrastructure consuming resources that are designed for better use for recycling or recovery within a circular economy it is suggested that a new circular economy policy be developed as a suitable good counter-balance and allow the 2 policy objectives to complement each other.

RCC is interested in further information from the State regarding the action to optimise waste collection services. For example what the State considers an optimal collection service and the associated rationale. There is no discussion on this action within the draft Strategy.

Recommendation 5 - that the State consider developing a more detailed stand-alone circular economy policy in consultation with local government.

8. Strategic Priority 8 – Building economic opportunity

RCC supports the industry growth in this Strategic Priority and suggests there could be a target set at 2025, 2030, 2040 and 2050 for new recycling and resource recovery jobs and/or growth as a way of measuring the outcomes. Local market development and job growth is also important and RCC would like to explore how all councils within a region specific infrastructure plan could gain benefits for their community.

It is acknowledged that sustainable procurement practices by business and government will drive demand for recovered materials and reusable products. RCC welcomes the action by the Queensland Government to lead the development of procurement and new technical standards to stimulate demand for recovered materials. In particular new markets for materials processed from kerbside recycling systems are seen as a high priority to reduce the need for offshore markets.

Recommendation 6 - that the State prioritise a sustainable procurement framework and market development for existing recycling processes such as kerbside recycling, and also new emerging recycling processes, particularly around food organics.

9. Summary

Overall, RCC is supportive of the draft Strategy intent and the need for major change within the waste industry towards a circular economy. RCC recognises the Strategy will have complementary measures and supporting documents, and emphasises the need for more clarity on timeframes, actions and roles and responsibilities to be produced with an ongoing mechanism for local government to be consulted on specific details. Continuing information flow and engagement with all stakeholders is critical for local government to manage budget planning, future contracts and scope, and communication with its community.

RCC calls on the Queensland Government to implement high priority work on infrastructure modelling and local market development as soon as possible so that both the existing recycling industry and new emerging recycling processes, are functional and stable in the long term. RCC also calls for certainty around the longevity of the advance levy payment to assist in the investment of new waste and resource recovery infrastructure.

If you have any questions please contact Paula Kemplay on (07) 3829 8999.

Yours sincerely

Andrew Chesterman
Chief Executive Officer

Version 1.1

Draft Waste Management and Resource Recovery Strategy





Minister's foreword

Queensland is waging a war on waste.

Waste and what we do with it is a major concern for our state as the impacts of waste continue to put at risk our enviable lifestyle and environment.

Queensland is a growing and dynamic state, now home to more than five million people, however we are a poor performer in waste recovery and littering compared to other Australian states and territories.

Our vision is for Queensland to become a zero-waste society, where waste is avoided, and the waste we do produce is reused and recycled.

Not managing our waste better is a lost opportunity for not only our environment and our communities, but also our economy.

The Queensland Government's new Draft Waste Management and Resource Recovery Strategy (draft Waste Strategy) aims to minimise the waste we create, maximise the value of the resources we use, cut greenhouse gas emissions and leave our environment in a better condition for generations to come.

To achieve this, we must move away from our current 'take, make, use, dispose' approach, and move to a more circular economy where we keep resources in use for longer while extracting the maximum value from them.

Everyone has an important role to play. Individuals, businesses, industry and government must work together to create sustainable solutions that deliver lasting economic benefits to Queensland, while also protecting our environment from the impacts of littering and illegal dumping.

We also want to see strategic investment in diverse and innovative resource recovery technologies and markets to produce high-value products and generate economic benefits for the state. To help realise this vision, the draft Waste Strategy is underpinned by a levy on waste going to landfill, which will commence on 1 July 2019.

The levy will not only align Queensland with other states and territories, but it will encourage sustainable alternatives to landfill. It will also provide vital funding for infrastructure investment, research and development into new technologies and demonstration projects that bolster our recycling and resource recovery industries.

To kick-start the transition, the Queensland Government is investing \$100 million over the next three years for new and expanded resource recovery facilities in Queensland—tailored to our unique regional waste management challenges.

This investment will be complemented by a suite of education and support programs funded under the Queensland Government's commitment to devote over 70 percent of levy proceeds to resource recovery and other programs that reduce the impact of waste and protect our environment and our local communities. This is an unprecedented commitment in Australia, which will be a huge catalyst to drive co-investment through the private sector.

This investment will also help build resilience to international policy decisions and market fluctuations like China's ban on the import of highly contaminated recyclable material, which has affected the commercial viability of kerbside recycling in Queensland.

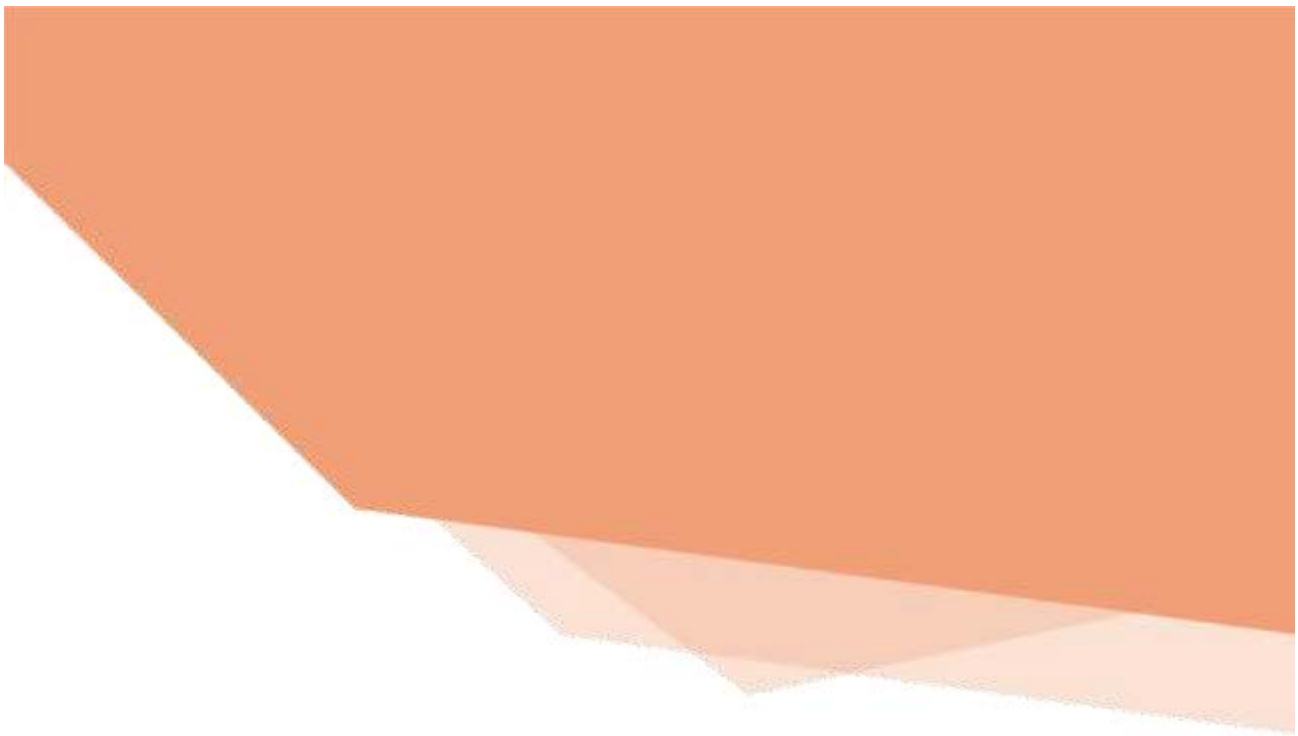
Queensland has already taken some huge steps in better managing waste with the ban on the supply of single-use lightweight plastic bags and the introduction of the hugely popular container refund scheme, Containers for Change.

These two changes have shown that Queenslanders have an outstanding willingness to change how we manage waste and we want to keep building on this momentum.

We want to create a brighter future for Queensland—one where we are creating less waste going to landfill, and instead converting this waste into new, more sustainable products and materials and create the jobs and new industries of the future.

I encourage all Queenslanders, business and industry representatives to have their say on the draft Waste Strategy and help us create the best future for resource recovery in Queensland, while also protecting our precious environment and the unique lifestyle we all enjoy.

Leeanne Enoch MP
Minister for Environment and the Great Barrier Reef
Minister for Science and Minister for the Arts



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Introduction

The draft Waste Management and Resource Recovery Strategy for Queensland (the draft Strategy) presents a plan for a better way of managing waste in Queensland. It will provide benefits in the form of economic growth and jobs by recovering more materials and gaining more value from those recovered materials.

There is significant potential for economic growth in the waste management and resource recovery sector in Queensland. For every 10,000 tonnes of waste that goes to landfill, it is estimated that fewer than three jobs are supported, but where that waste is reused or recycled, it is estimated that there are more than nine jobs created¹. We can all do more to extract more value from our waste and protect the environment through reducing waste generated, improving recovery facilities and reducing litter. The Queensland Government intends to take the lead in growing the Queensland recycling and resource recovery sector.

Background

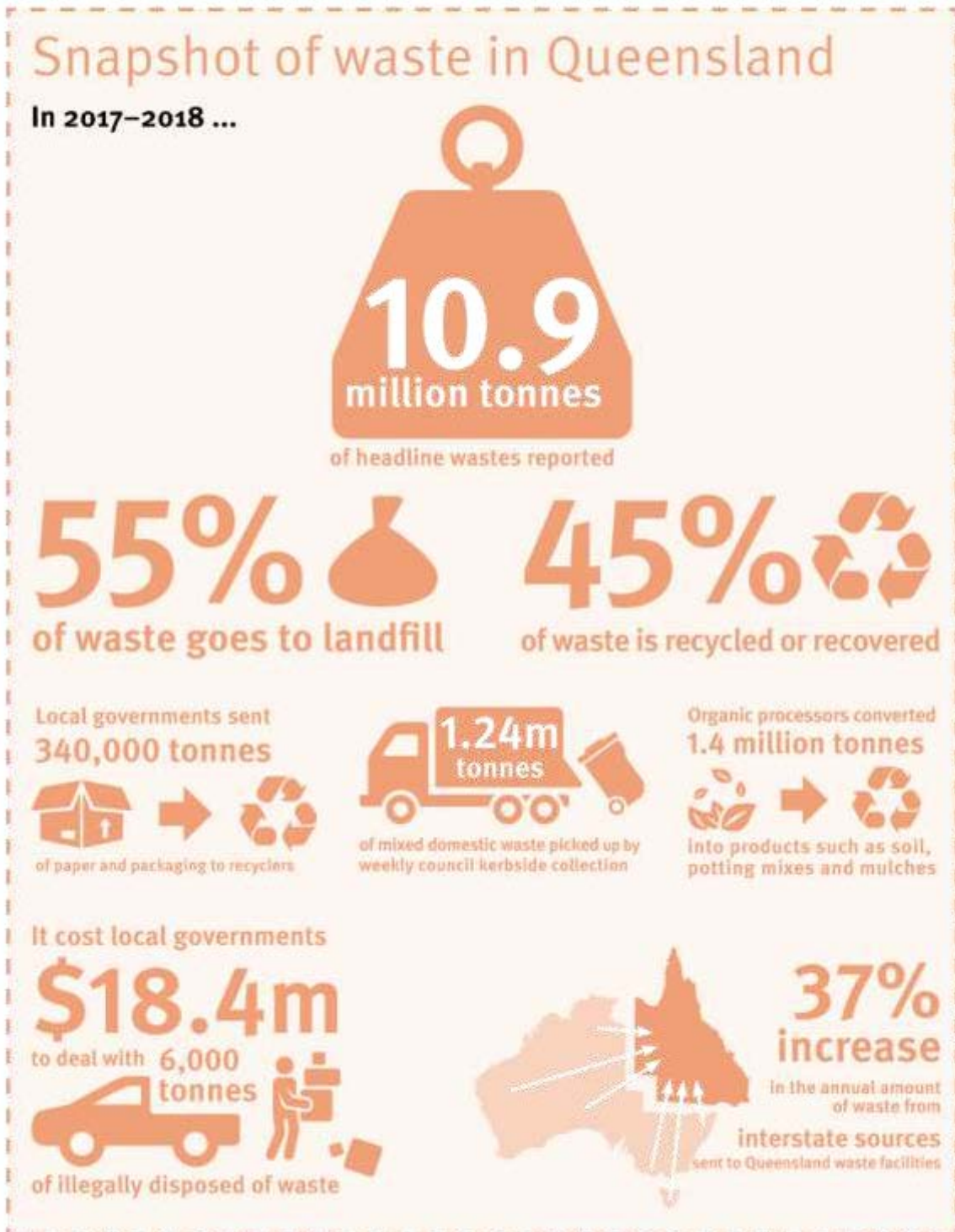
In 2017–18, Queensland produced nearly 11 million tonnes of waste, with the increase in waste generated over the last decade outstripping population growth by 19 per cent. This extra growth can be partly explained by increased consumption and partly attributed to the growing volume of interstate waste transported to Queensland for disposal due to low landfill gate prices and the absence of a waste levy.

In 2017–18, the amount of resources recovered or recycled was 4.9 million tonnes, or around 45 per cent of waste generated. This is below the national average of resource recovery performance across all Australian jurisdictions, and well below those states with the highest recycling rates. Over the past 10 years the amount of waste being sent to landfill in Queensland has increased while the recycling rate has remained steady. Local governments also continue to clean up significant amounts of littered and illegally dumped waste at a cost of over \$18 million each year.

The Queensland Government is working with the Commonwealth Government and other states and territories to update the National Waste Policy to guide the actions for states and territories to build resilience to international market fluctuations and drive improved recovery. For example, to provide a solution to the ban on the import of recycled material with higher levels of contamination into China which has affected the commercial viability of kerbside recycling in Queensland.

An absence of policy certainty and strategic direction has inhibited investment in the recycling and resource industry in Queensland. In particular, insufficient investment in recycling and resource recovery infrastructure has restricted Queensland's ability to improve waste recovery performance. Diminishing landfill capacity is placing increasing pressure on the resource recovery sector to separate and process materials in lieu of disposal; and an important export market for recyclable mixed plastic materials and paper/cardboard has been restricted. As a result, improved on-shore reprocessing capacity will be needed to contend with a growing stock of recyclable materials.

¹ Deloitte Access Economics, *Employment in waste management and recycling*, 2009.



The need for change

These challenges have brought about a clear need for the Queensland Government, local governments, and the waste management and resource recovery sector to help households, communities, businesses and industry to reduce waste generation and to seek more value from recovered resources.

The waste management and resource recovery sector is well established in Queensland, and well placed to expand operations to further reprocess and recycle material. This transition will be supported by the strategy and a policy and regulatory framework that is designed to facilitate sustainable waste management practices.

The next decade will bring significant change in the way waste is managed, but will also provide opportunities for growth in employment and expansion in the sector.

Foundation measures

The Queensland Government has already implemented a number of initiatives to reduce waste generation, increase resource recovery and eliminate littering including:

- the introduction of a ban on the supply of single-use lightweight plastic shopping bags from 1 July 2018
- the introduction of a Container Refund Scheme to improve recycling of beverage containers from 1 November 2018
- regulatory reform of the regulated waste and environmentally relevant activity frameworks
- the development of strategic partnerships to improve the management of organic wastes
- the development of the Litter and Illegal Dumping: A Plan for Queensland
- the development of a Plastic Pollution Reduction Plan
- the introduction of a waste disposal levy commencing 1 July 2019
- the development of a \$100 million Resource Recovery Industry Development Program
- the announcement of a \$5 million Waste to Bioenergy Fund.

These policy measures provide an important foundation to help Queenslanders reduce waste, gain more value from recovered materials and dispose of materials only where no beneficial use remains inherent in the product. The development and implementation of a new strategic waste management and resource recovery framework will help Queensland benefit from the associated economic and employment opportunities. A progressive, stable policy and regulatory framework is required to underpin industry confidence to invest in the state's resource recovery economy.

The Transforming Queensland's Recycling and Waste Industry—Directions Paper was released for public consultation in June 2018 and feedback from this has helped shape this Strategy. The Strategy's policy direction is also guided by principles set out in the *Queensland Waste Reduction and Recycling Act 2011* and *Environmental Protection Act 1994*, and national policies and strategies.

Strategy overview

The Strategy presents a strategic plan for a better way of managing waste in Queensland, by harnessing the potential value of resources that have traditionally been discarded. The Strategy's three strategic priorities will guide the transition to a more circular economy, reduce the amount of waste disposed of to landfill, or illegally, and provide a more sustainable source of end-of-life products and materials to create new products.

The Strategy will be accompanied by a series of action plans that detail the implementation of the strategic priorities, including timeframes and responsibilities.

Implementation of the Strategy will be led by the Department of Environment and Science (DES) in partnership with the Department of State Development, Manufacturing, Infrastructure and Planning. It will ensure a whole-of-government approach that will help grow the waste recovery sector, attract industry investment and support jobs growth.

Vision

Queensland will become a zero-waste society, where waste is avoided, reused and recycled to the greatest extent possible. Strategic investment in diverse and innovative resource recovery technologies and markets will produce high-value products and generate economic benefits for the state.

Identifying waste as a potential resource provides opportunities for both the economy and the environment. Materials that would otherwise have been sent to landfill can be reprocessed and remanufactured into new products.

The disposal of waste into landfill creates environmental problems for Queensland. Landfills emit additional greenhouse gas emissions (particularly from organic waste) and the need for long-term management of contaminated land can cause a cost burden. Odour and noise emissions from waste facilities can lead to potential land-use conflicts.

Providing an incentive to recover and recycle material can help protect the natural environment and conserve natural resources that would otherwise have been used in new product manufacture.

Ambitious stretch targets, supported by nearer-term interim targets have been developed to support the Strategy's vision.

Targets for 2050

- 25% reduction in household waste
- 10% of all wastes going to landfill
- 75% recycling rates across all waste types

By reducing the amount of waste that goes to landfill, and subsequent greenhouse gas emissions, the Strategy will also directly contribute to the goals of the Queensland Climate Transition Strategy including to:

- achieve zero net emissions by 2050
- reduce emissions by at least 30 per cent below 2005 levels by 2030 (interim target).

The deployment of certain types of energy recovery technology may also contribute to achieving the goal of powering Queensland with 50 per cent renewable energy by 2030.

The Strategy's focus on gaining more value by recycling and recovering materials aligns with the Queensland Government's Advance Queensland initiative to foster innovation and position the state as an attractive destination for investments in new ideas. It will help create a commercial environment that supports investment in new, innovative and expanding businesses.

The collective challenge for households, communities, business, industry and government is to reduce the amount of waste created in the first instance; maintain, reuse and repair products to extend their lives; and maximise the value of materials before energy can be recovered or they must be discarded. The waste hierarchy, enshrined in the *Waste Reduction and Recycling Act 2011*, provides an enduring framework which sets out guidance for managing waste (Figure 1).

What does zero-waste mean? The only waste that goes to landfill is waste for which there is no alternative environmentally, socially or economically viable solution.



Moving towards a circular economy for waste

The global economy is transforming towards a more circular model. Queensland’s economy is predominantly linear, which means that things are typically made from virgin raw materials, used and then thrown away as part of a ‘take-make-use-dispose system’. The majority of these end-of-life products end up in landfill.

In contrast, a circular economy is one in which products and materials keep circulating within the economy at their highest value for as long as possible, through reuse, recycling, remanufacturing, delivering products as services, and sharing (Figure 2).

The waste sector is well placed to take advantage of a transition to the circular economy. A more circular model encourages improved resource efficiency, and can protect businesses from fluctuating and sometimes volatile commodity prices. The circular economy can also provide a more stable operating environment for manufacturers, retailers and consumers.

Businesses operating under the circular economy model create opportunities for new revenue streams and markets and product lines, which help to further economic growth. The process forms a productive cycle that involves collecting discarded materials, sorting and separating them into material types, reprocessing specific materials to become clean feedstock for the manufacture of new products, and the subsequent purchase and use of the new products by consumers.

The circular economy has been shown to have significant benefits through additional revenue opportunities and new jobs in the areas of reuse, remanufacturing and materials innovation.

Creating market demand

Sustained growth of the waste management and resource recovery sector is predicated on the growth of markets for recycled produce, which in turn is dependent on demand. Market demand for products with recycled content will drive increased commercial investment in resource recovery and reprocessing technologies. The circular economy must therefore be driven by the purchasing behaviour of consumers and investment by the resource recovery and manufacturing sectors.

The Queensland Government will play a pivotal role in facilitating the growth of these markets by identifying pathways for industry development. State-wide waste infrastructure planning will be undertaken and the Queensland Government will work with local governments to develop region-specific plans to deliver recycling and resource recovery facilities appropriate to these areas.

To provide a sustained feedstock for the recycling and resource recovery sector, the Queensland Government will pursue landfill disposal bans on selected waste streams. Such bans will be underpinned by economic modelling and market development plans for the diverted material. The Queensland Government recognises the need to give sufficient time for industry to transition and for infrastructure to be built, so a clear implementation timeframe will be provided prior to bans commencing. The applicability of bans on a regional basis will also be considered.

The Queensland Government will continue to explore product stewardship schemes to help drive market development, and will continue to work with the Australian Government to implement them.

In the medium term, there will be some wastes that cannot be recycled, and this provides an opportunity to consider the role of waste to fuel or energy. The Queensland Government will develop a policy for waste to energy that will seek to position it as an alternative to landfill, and not as an alternative to recycling as part of a longer-term solution.

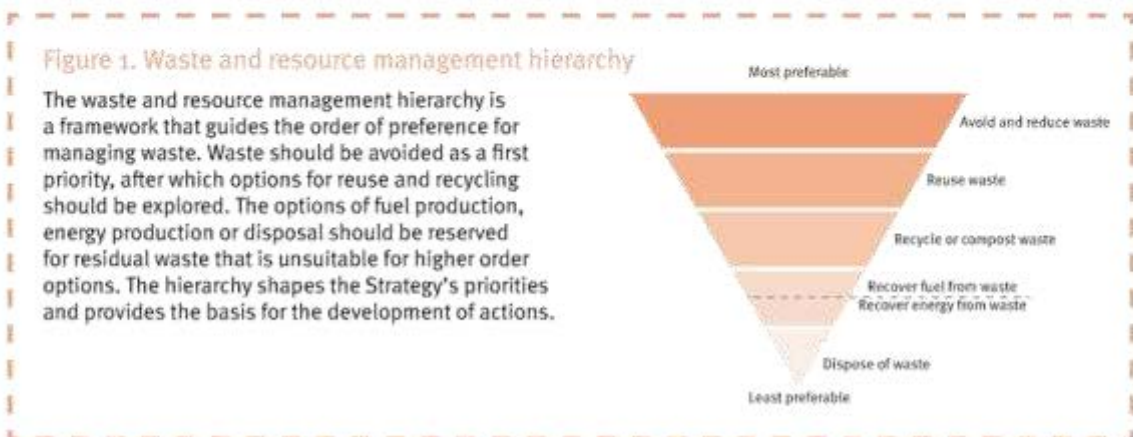
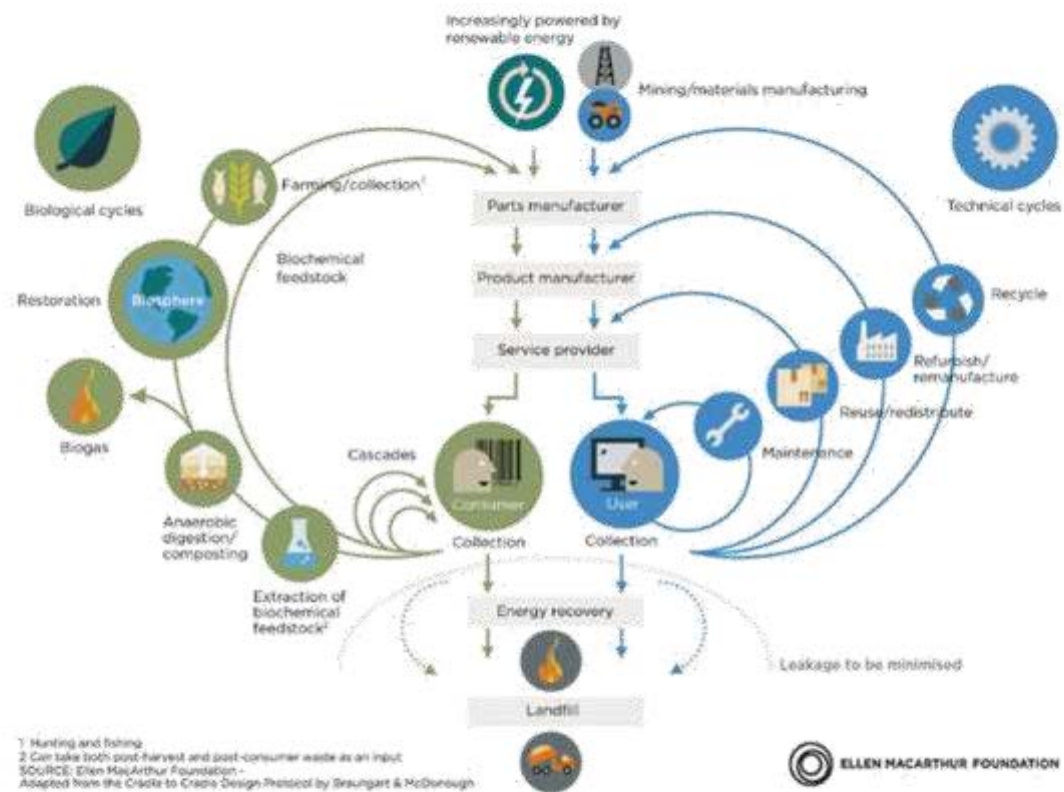


Figure 2. Circular economy principles (Ellen MacArthur Foundation, 2012)

Globally, governments and businesses are moving toward a circular economy model. Adopting circular economy principles presents opportunities for both industry and government to alter the way a substantive part of the economy operates, while creating growth and improved environmental sustainability. Shifting away from the linear 'take-make-use-dispose' model will deliver benefits through reduced waste and improved resource efficiency, can create new economies and build long-term market, environmental and economic resilience.

CIRCULAR ECONOMY - an industrial system that is restorative by design



A circular economy aims to ensure that:

- products and materials are used efficiently to minimise the amount of waste created
- waste that is produced can be recovered and beneficially used to make other products and contribute to the economy
- products and materials keep circulating within the economy at their highest value for as long as possible, through remanufacturing, reuse and recycling.

The following circular economy principles can be applied to waste management and resource recovery sector.

- Generation of waste should be avoided where possible (for example, by eliminating the need for single-use plastic bags).
- Product design should make optimal use of recycled materials, use only materials that are able to be designed for repair, recycled, and strive for efficient disassembly at the end of product life.
- The post-consumer recovery, reprocessing and marketing cycle should be efficient and integrated.

Strategy targets

The Queensland Government has a long-term vision, with corresponding targets that will facilitate sustained growth of the recycling and resource recovery sector, while reducing Queensland's waste footprint. Targets are set for 2025, 2030, 2040 and 2050 to enable ongoing measurement of progress and to recognise that there is potential for significant change in the short to medium term. Performance targets will be measured from the commencement of the Strategy, using baseline data from the 2017–18 financial year.

When setting the Strategy targets, consideration was given to the reasonableness, appropriateness, compatibility and achievability of the targets. This was achieved by undertaking a qualitative assessment which compared the targets against selected Australian and international jurisdictions for reasonableness and appropriateness; and a quantitative assessment which involved high-level modelling of predicted changes to the composition of waste and recycling to assess the compatibility and achievability of the targets.

The following targets have been developed to support the Strategy's vision, drive market growth and deliver the benefits associated with improved waste management.

Targets for 2050

- 25% reduction in household waste
- 10% of all waste going to landfill
- 75% recycling rates across all waste types

Waste avoidance

There are significant opportunities to reduce the amount of waste produced by making informed decisions on purchases. The Queensland Government will support Queensland businesses and households to reduce their waste production further through the delivery of targeted education and information-sharing programs.

The waste avoidance target focuses on the waste produced by households and referred to as municipal solid waste (MSW). In reducing household waste by volume, Queenslanders will see reduced grocery bills as less waste, especially food, is generated.

The waste produced under the commercial and industrial (C&I) and construction and demolition (C&D) streams is often influenced by macro-economic conditions, so these wastes are excluded from the waste avoidance target.

Table 1—Waste reduction targets for households

Stream	2025	2030	2040	2050
MSW	10%	15%	20%	25%

Reduced waste to landfill

In 2017–18, more than 50 per cent of Queensland's waste was sent to landfill. To drive the growth of recycling markets, the Queensland Government will introduce a waste disposal levy in July 2019 to provide a clear price signal to divert valuable material away from landfill. The levy will be accompanied by a series of companion measures that will subsequently create an alternative pathway for these materials to be recycled or recovered. There are a number of wastes, such as asbestos, for which landfill is unavoidable and these have been accounted for in the long-term targets.

Table 2—Amount of waste disposed of to landfill (as a percentage of total waste generated)

Stream	2025	2030	2040	2050
MSW	45%	30%	10%	5%
C&I	30%	20%	10%	5%
C&D	25%	15%	15%	15%
Overall	35%	20%	15%	10%

Increasing recycling rates

Increased recycling rates will be supported by the development of markets and the delivery of infrastructure to meet market demand for recycled material. The role of the Queensland Government will be to work with industry and local government to identify infrastructure needs and support planning for new infrastructure. The percentages in Table 3 relates to waste that is reported as recycled or reused, specifically excluding material from which energy is recovered.

Table 3—Recycling rates (as a percentage of total waste generated)

Stream	2025	2030	2040	2050
MSW	50%	60%	65%	70%
C&I	55%	60%	65%	65%
C&D	75%	80%	85%	85%
Overall	60%	65%	70%	75%



Strategic priorities

Three strategic priorities set out below have been identified to help drive a fundamental shift in the way waste is managed in Queensland and support the transition to a zero-waste society.

- Reducing the impact of waste on the environment and communities.
- Transitioning towards a circular economy for waste.
- Building economic opportunity.

Reducing the impact of waste on the environment and communities

The Queensland Government is committed to reducing the environmental and social impacts of waste. Waste crime, including littering and illegal dumping of waste, can undermine legitimate businesses through reckless or cheap disposal of waste. This can harm the environment, particularly in aquatic settings, where littered items can adversely affect marine life and compromise water quality.

Over time the need for fewer landfill facilities will reduce local air, land and water pollution, and together with the reduction of interstate waste transportation and less organic waste in landfill will contribute to a reduction in greenhouse gas emissions.

The Strategy will guide the development of educational programs to inform consumers about how they can reduce the amount of waste they produce, and to inform businesses about options to improve waste management. The Queensland Government will support this through the implementation of clear and transparent regulatory policy, and enhanced compliance frameworks to provide consistency across the waste management and resource recovery sector and reduce waste crime.

Transitioning to a circular economy for waste

The Queensland Government recognises the benefits of transitioning to a circular economy for waste. It will encourage the community, business and industry to manage waste so that its value is retained in the economy for as long as possible. Value can be gained from material otherwise destined for landfill when there are increased options for reuse, recycling and recovery of resources. All Queenslanders can play a role in this transition by adopting purchasing and consumption behaviours that help reduce waste and increase recycling and resource recovery.

Building economic opportunity

The Queensland Government recognises that the waste management and resource recovery sector is already an important contributor to the economy. However, there is further potential to grow the sector. The government will work with local government, business, industry and the recycling and resource recovery sector to expand reuse, recycling and recovery capability so that Queensland becomes a highly competitive centre for the remanufacture of waste materials into new products. Fostering sustained growth of the sector and establishing a progressive, stable policy and regulatory framework will provide business and industry with confidence to invest. It will also create new jobs, provide upskilling opportunities for the workforce, build infrastructure capacity and markets in regional areas, and contribute to sustainable growth in Queensland.

Working together to make the change

The Queensland Government will take a leading role in guiding and facilitating the transition to a zero-waste society to deliver improved environmental protection and better economic prosperity.

Action is also needed by local government and the recycling and resource recovery sector, who are responsible for managing waste services and infrastructure and have a vital leadership role to play in delivering more sustainable waste management. The waste management and resource recovery sector in Queensland is well positioned to grasp the commercial opportunities presented by the transition to a circular economy.

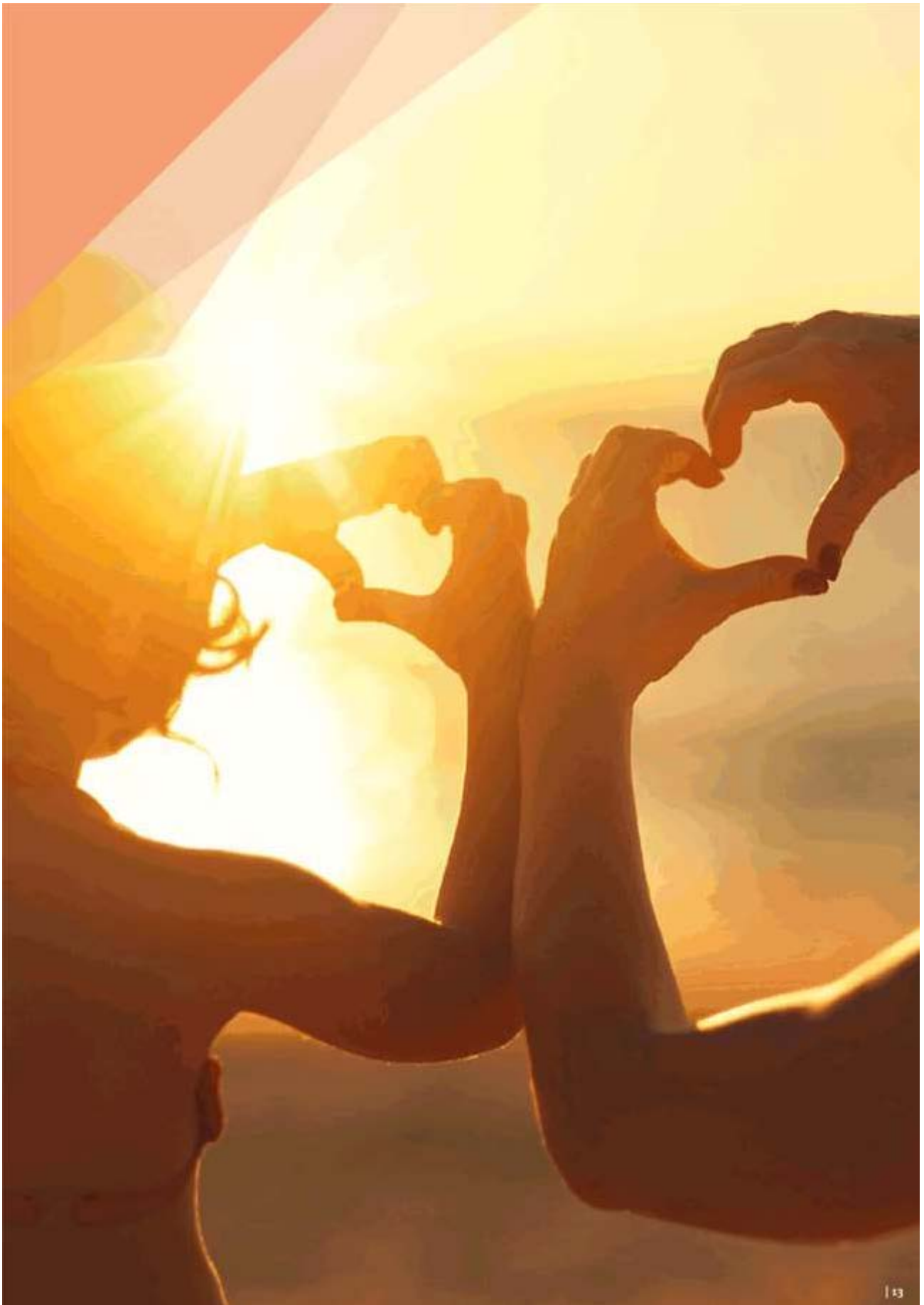
Business and industry, waste generators, product designers, consumers and potential investors in resource recovery and reprocessing technologies and practices have a role to play in rethinking how they innovate and stimulate market demand for recycled content.

Households and the community can also play a vital role in considering what to purchase and what to do with products and materials that have reached the end of their current life cycle, including sorting and segregating wastes at home.

Enabling the change

There are a number of actions that need to be undertaken to facilitate the change required to deliver on the strategic priorities. These were identified through extensive consultation with stakeholders during the development of the draft Strategy.

- ✓ A strong **policy and legislative framework** will provide certainty, consistency and a clear policy direction that industries can use to inform proactive decision-making.
- ✓ Good **governance** will ensure that opportunities and barriers to change can be managed transparently to deliver optimal waste management outcomes.
- ✓ Effective **compliance management** will reduce waste crime and ensure a level playing field across the waste sector that requires and encourages waste management operators to not only comply with the prevailing law, but aspire to best practice.
- ✓ Robust **partnerships and collaboration**, and a sound **knowledge platform**, will drive innovation, investment, information sharing and the uptake of opportunities.
- ✓ A comprehensive **education** program will ensure waste management becomes a priority for communities as well as industries, and will drive changes in consumer expectations, knowledge and behaviour.



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Strategy summary

Vision

Queensland will become a zero-waste society, where waste is avoided, reused and recycled. Strategic investment in diverse and innovative resource recovery technologies and markets will produce high-value products and generate economic benefits for the state.

Outcomes

- Reduction in the amount of waste that goes to landfill, is littered or illegally dumped.
- Reduction in waste related greenhouse gas emissions.
- Reduction in the long-distance transport of waste.
- Protecting Queenslanders' lifestyles and the enjoyment of our natural environment.
- Savings for households from avoiding unnecessary waste.
- Reduction in the impact from waste facilities on neighbouring communities and amenity value.

Strategic priority 1

Reducing the impact of waste on the environment

Actions for Queenslanders

- Reduce food waste.
- Buy better to minimise waste.
- Choose to refuse disposable products and reuse more.
- Recycle right and more often.
- Respect other people and the environment by keeping our shared spaces free from rubbish and litter.

For the full list of actions for Queenslanders, see the draft Waste Management and Resource Recovery Strategy, Community Summary.

Government actions

- Implement the Plastic Pollution Reduction Plan.
- Continuously improve the effectiveness of waste sector environmental compliance operations.

- Audit landfills to test the quality of Queensland landfill infrastructure and identify non-compliance.
- Provide assistance for alternative arrangements where landfill facilities are to be progressively closed.
- Develop the Litter and Illegal Dumping: A plan for Queensland.
- Develop an education strategy to integrate waste and recycling behaviours into the education system.

Actions for local government

- Support and contribute to targets and actions under Litter and Illegal Dumping: A plan for Queensland.
- Deliver litter and illegal dumping interventions within local communities and at targeted hotspots.

- Support delivery of waste education through existing networks.
- Improve or close redundant landfill facilities.

Waste sector actions

- Strategically locate facilities in accordance with land use planning guidelines.
- Avoid and minimise the long-distance transport of waste where practicable.
- Continue to educate industry members about the appropriate management actions to take for particular wastes.

Outcomes

- Sound management of waste as a valuable resource.
- Improved data and information sharing on material flows across Queensland.
- Clear standards and guidelines for reuse and recycling.
- Clear position and policy on the role of energy and fuels from waste in Queensland.

Outcomes

- Growth in the economic value of the waste management and resource recovery sector.
- Increased number of jobs in reuse, recycling and recovery.
- Clear and transparent waste and resource recovery infrastructure planning framework.
- Stimulated markets for new and innovative products containing recycled content and demand for recycled material.

Strategic priority 2

Transitioning to a circular economy for waste

Government actions

- Assess the opportunities of the circular economy model for Queensland.
- Collect and amalgamate data to understand material flows across the economy and address knowledge gaps.
- Explore options to expand reporting of waste to build baseline datasets and inform decision making.
- Develop material-specific action plans for problem wastes.
- Deliver community campaigns and education programs that support waste avoidance, re-purposing, reuse and recycling.
- Explore scope for industry leadership in developing a voluntary specification code for minimum recycled content in packaging and products.
- Develop programs to increase business recycling.
- Support and develop extended producer responsibility and product stewardship initiatives.
- Develop an energy from waste policy.
- Work with other governments to develop quality standards for product packaging.

Actions for local government

- Optimise waste collection services.
- Improve community understanding about recycling and waste avoidance.
- Develop consistent messaging in delivery of services between councils.

Waste sector actions

- Inform and educate business clients about options to reduce waste and increase recycling.
- Offer service options that provide clients with choice about the level of recycling they want to adopt.

Strategic priority 3

Building economic opportunity

Government actions

- Develop the Advance Queensland Waste and Resource Recovery Industries Roadmap.
- Continuously improve and reform waste-related legislative frameworks.
- Develop proposals for landfill disposal bans.
- Work with the Commonwealth Government to standardise waste policy, legislation, regulation and messaging.
- Review the land-use planning system to ensure pathways for industry development are supported.
- Promote the development of waste precincts.
- Develop a coherent state-wide waste infrastructure-planning framework and regional infrastructure plans.
- Support the commercialisation of successful recycling and remanufacturing technologies.
- Create market development plans for key waste types and waste sectors.
- Investigate alternative end-uses and markets for recycled materials.
- Stimulate demand by giving preference in procurement contracts for products that use recycled material.
- Develop programs to stimulate the growth of markets for recycled materials.
- Strengthen collaborative partnerships with key organisations in the sector.

Actions for local government

- Collaborate with state government planning on provisions to optimise land use and transport planning.
- Take a regional approach to infrastructure planning and collaboration.
- Collaborate across councils to create economies of scale and meet multiple infrastructure needs.
- Invest in improved infrastructure and standards for council run facilities.
- Rationalise waste facilities.

STRATEGIC PRIORITY 1

Reducing the impact of waste on the environment

A healthy environment creates safe and healthy communities, supports our economy and contributes to our general health and well-being. Which is why it is so important that we protect it for future generations.

Future waste management solutions that increase resource recovery and divert waste from landfill will reduce the impact on Queensland's environment and deliver better outcomes for local communities.

Outcomes

Reducing the impacts caused by waste on the environment will help achieve the following outcomes:

- Reduction in the amount of waste that goes to landfill, is littered or illegally dumped.
- Reduction in waste related greenhouse gas emissions.
- Reduction in the long-distance transport of waste.
- Protecting Queenslanders' lifestyles and the enjoyment of our natural environment.
- Savings for households from avoiding unnecessary waste.
- Reduction in the impact on neighbouring communities and amenity value from waste facilities.



Actions for Queenslanders

Individuals have an important role to play in moving towards a more resourceful, less wasteful future. Queenslanders are encouraged to take up the challenge of reducing their own waste, in any way they can, through five simple actions:

- reducing food waste
- buying better to minimise waste
- choosing to refuse disposable products and reusing more
- recycling right and more often
- respecting other people and the environment by keeping our shared spaces free from rubbish and litter.

For the full list of actions for Queenslanders, see the companion document draft Waste Management and Resource Recovery Strategy, Consultation Summary.

Queensland Government actions

The Queensland Government will continuously review waste sector environmental compliance operations to ensure that monitoring activities effectively reduce litter and illegal dumping and regulate environmental service facilities and operations. The government will also establish a clear environmental regulation and compliance monitoring framework that supports the efficient operation of the market to protect the environment and human health from waste crime, and provide a level playing field for all market participants.

The Queensland Government will work with the waste management and resource recovery sector, and local government to audit and assess the quality of existing landfill infrastructure, and identify facilities that are not compliant with the landfill guidelines and regulations. This information will help inform infrastructure needs assessments, and infrastructure planning and rationalisation of redundant facilities.

The Queensland Government will work with local government to reduce litter and illegal dumping through public education and information programs and capacity building. Continued data collection and research will support compliance and enforcement to support the Litter and Illegal Dumping: A Plan for Queensland. The plan will be supported by information and education programs undertaken by both the Queensland Government and local government about the impacts of litter and illegal dumping.

Local government actions

Local government is at the front line in dealing with the effects of litter and illegal dumping. They are well placed to lead the delivery of on-ground awareness, education and infrastructure with Queensland Government support programs and funding where appropriate. To achieve reductions in litter and illegal dumping across Queensland, local governments are needed to participate in actions that support the actions in the litter and illegal dumping strategy. This will ensure a unified voice and consistent approach to litter and illegal dumping is taken across all jurisdictional boundaries across Queensland.

Waste management and resource recovery sector actions

The sector has an important role to play in protecting the environment by positioning recycling and resource recovery facilities in strategic locations that minimises impacts on communities, taking action to reduce waste disposal that effectively minimises impacts on communities, managing landfill sites and reducing the transport of waste and recycled materials. The sector must also continue to educate its members about appropriate management actions for particular wastes, to ensure proper treatment, recycling and disposal.

STRATEGIC PRIORITY 2

Transitioning to a circular economy for waste

The transition to a circular economy will support higher recycling and recovery rates in Queensland, driven by world-class industry and technological advances.

Outcomes

Transitioning to a circular economy model for the waste management and resource recovery sector will help achieve the following outcomes:

- Management of waste as a valuable resource.
- Improved data and information sharing on material flows across Queensland.
- Clear standards and guidelines for reuse, recycling and recovery.
- A clear position and policy on the role of energy and fuels from waste in Queensland.



Queensland Government actions

The Queensland Government has identified a number of waste streams that require increased action to improve recycling performance. Clear and progressive policy will be complemented by a series of programs to focus on problem wastes including:

- built environment waste, including construction and demolition waste
- food and agricultural waste
- plastics
- waste electrical equipment and batteries
- glass
- paper and cardboard
- tyres
- textiles.

Topic-specific action plans will be developed as part of the Strategy to establish a clear picture of material flows, understand the supply and demand requirements for recycled content and establish market development plans.

Recycling

The Queensland Government will work with the waste contracting sector and local government to reduce the amount of business waste sent directly to landfill through more effective sorting at the source. It will develop a program to overcome the barriers to business waste recycling, and create mandatory conditions for new commercial premises to be designed and constructed with adequate waste disposal recycling systems in place.

The Queensland Government will continue to support and develop national extended producer responsibility initiatives, such as for the recovery and recycling of e-waste. These initiatives will be developed at a state level where there is no prospect of, or case for, a national solution, and where there is evidence that it would be beneficial to Queensland.

Knowledge

The Queensland Government will prioritise programs to improve the understanding of material flows across the economy and address key knowledge gaps. It will explore options to expand reporting of waste flow and recycling statistics across Queensland to build baseline datasets. A knowledge platform will be developed for industry, community and government to encourage innovation and collaboration.

Energy and fuel from waste

The Queensland Government will develop an energy and fuel from waste policy to ensure that environmentally safe technologies are developed for these processes. This will provide potential investment options to develop fuels and recover energy from wastes that cannot be reused or recycled as an alternative to landfill disposal.

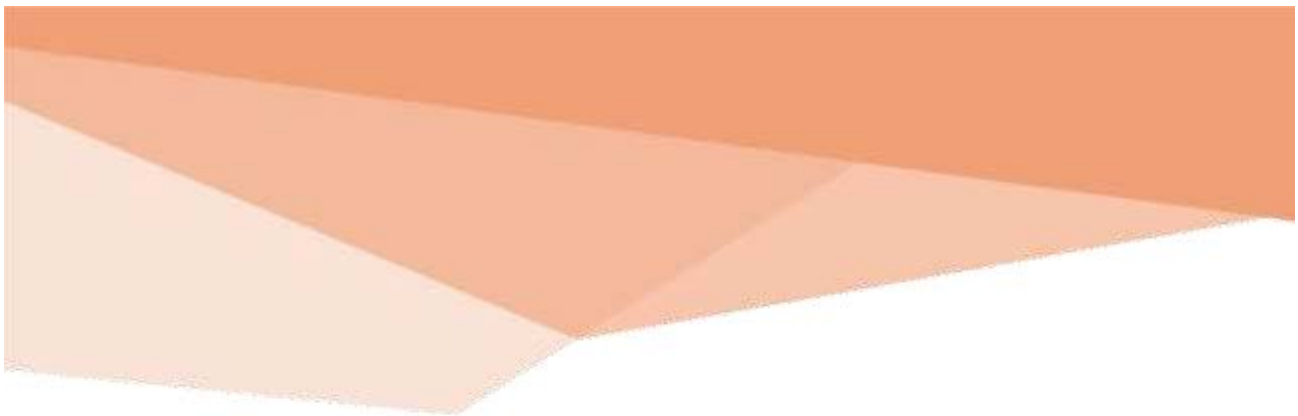
Information and education

The Queensland Government will work with small and medium business, local government and community organisations to deliver information and education programs that support avoidance, reuse, recycling and proper handling (including disposal) of waste. These programs will aim to:

- build understanding of material flows across the economy and demonstrate the value of waste resources and the part that can be played by all Queenslanders to manage resources more efficiently
- connect material supply with demand markets through market planning and intelligence sharing
- develop measures to encourage positive waste behaviour so that all Queenslanders can make informed and active choices about managing waste as a potential resource.

Product standards

The Queensland Government will work with Commonwealth and state and territory governments, and the Australian Packaging Covenant Organisation, to develop nationally consistent quality standards for product packaging and reduce excessive product packaging and the use of composite or non-recyclable packaging. The government will also work with industry to develop a voluntary specification code for minimum recycled content in packaging and relevant products.



Local government actions

Local government has a vital role in managing waste services to communities and local business, and is well placed to contribute to improving community-wide understanding of best recycling practice and behaviour specific to their local area.

Waste management and resource recovery sector actions

The waste management and resource recovery sector as the key waste management provider is well placed to drive the growth and investment required to grow the sector. The industry has a commercial and ethical responsibility to inform and educate its business clients about how to reduce waste and increase recycling and offer service options that provide them with real choice about the level of recycling they want to adopt. The willing participation of the waste management and resource recovery sector, in partnership with the Queensland Government, is vital to the Strategy's success.



STRATEGIC PRIORITY 3

Building economic opportunity

Building economic opportunity will stimulate investment and market development in the waste management and resource recovery sector and support economic and jobs growth.

Outcomes

Building and facilitating economic opportunities for the waste management and resource recovery sector will help achieve the following outcomes.

- Growth in the economic value of the waste management and resource recovery sector.
- Increased number of jobs in reuse, recycling and recovery.
- Clear and transparent waste and resource recovery infrastructure planning framework.
- Stimulated markets for new and innovative products containing recycled content and demand for recycled material.



Queensland Government actions

Legislative and planning frameworks

The Queensland Government will allocate from waste levy revenue funds to facilitate industry development and the expansion and evolution of the state's waste management and resource recovery industry. This will be facilitated in partnership with industry and local government, who can provide certainty of feedstock and be consumers of large volumes of recycled commodities.

The Queensland Government will review and reform the waste-related legislative framework to ensure it facilitates and supports new ways for managing waste—where outputs from initial sorting or material recovery facility processes are recovered as raw materials for further processing.

The Queensland Government will consider how best to ensure appropriately classified wastes from one process can be used as a resource and feedstock for downstream value-adding processing. Such activity could be made more efficient by, for example, being co-located in industrial precincts.

The Queensland Government will continue to work with Commonwealth and state and territory governments to ensure strong alignment on waste policy, legislation and regulation. Working with local government the Queensland Government will seek to identify the type of waste facilities that need to be delivered to achieve the Strategy's outcomes. This includes how land-use planning and other mechanisms can assist in supporting the delivery of these facilities including through 'waste precincts'.

Infrastructure and services

The Queensland Government will work with business, industry and local government stakeholders to develop a coherent whole-of-state and regional infrastructure-plan for waste incorporating requirements for remote, regional and metropolitan areas.

The Queensland Government will work with local government and the waste management and resource recovery sector to develop a consistent procurement contract framework for waste management and resource recovery services.

Innovation

The Queensland Government will support innovative research and development, including the rollout of demonstration projects to assist with the commercialisation of projects to reduce the amount of waste generated, avoid the disposal of waste to landfill, and trial new and innovative recycling technologies.

Market development

The Queensland Government will develop a Resource Recovery Industries Roadmap and Action Plan in collaboration with business, the waste management and resource recovery industry and local government to develop alternative end uses and markets for recycled materials.

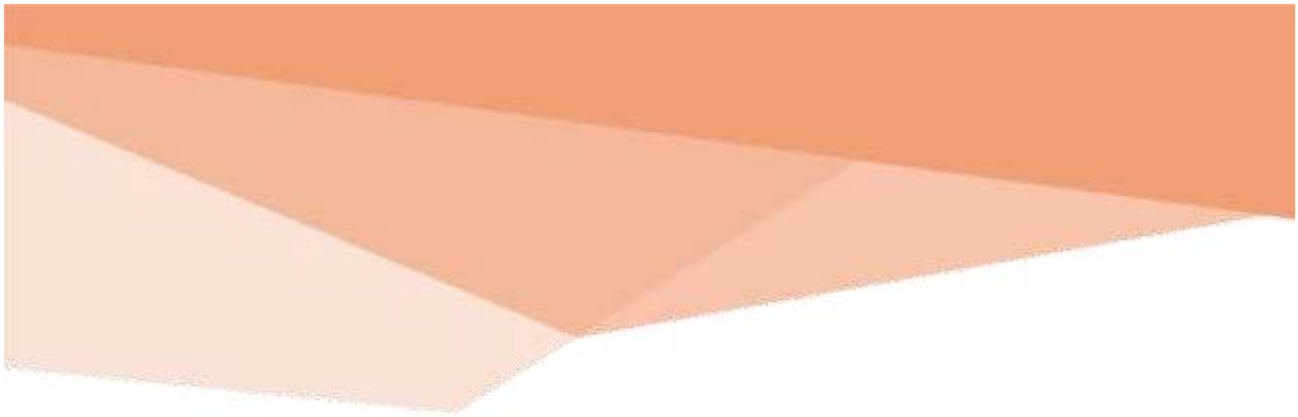
Market development plans will support the marketing of an increase in the availability and quality of recovered resources. Government investment in innovation will help identify commercially viable recovery options and uses to help drive market demand.

The Queensland Government will consider how both state and local government procurement can stimulate demand for recycled material manufactured in Queensland.

Industry support

The Queensland Government will develop a suite of programs to support business and industry using funding from waste levy revenue.

It will develop collaborative partnerships with key organisations in the waste management and resource recovery sector to facilitate business opportunities in resource recovery and remanufacturing.



Local government actions

Local government should work with the Queensland Government to review and plan regional infrastructure to deliver optimal recycling and recovery systems.

Local governments will be encouraged to review local planning provisions to ensure that development applications include adequate provision of waste management and resource recovery services.

Local governments should support the Queensland Government through adopting national or state standards for recycled content in procurement, stimulating demand for products containing recycled materials.

Local governments in regional and remote locations can collaborate to tackle specific challenges brought about by the often significant distance to the nearest reprocessing facility.

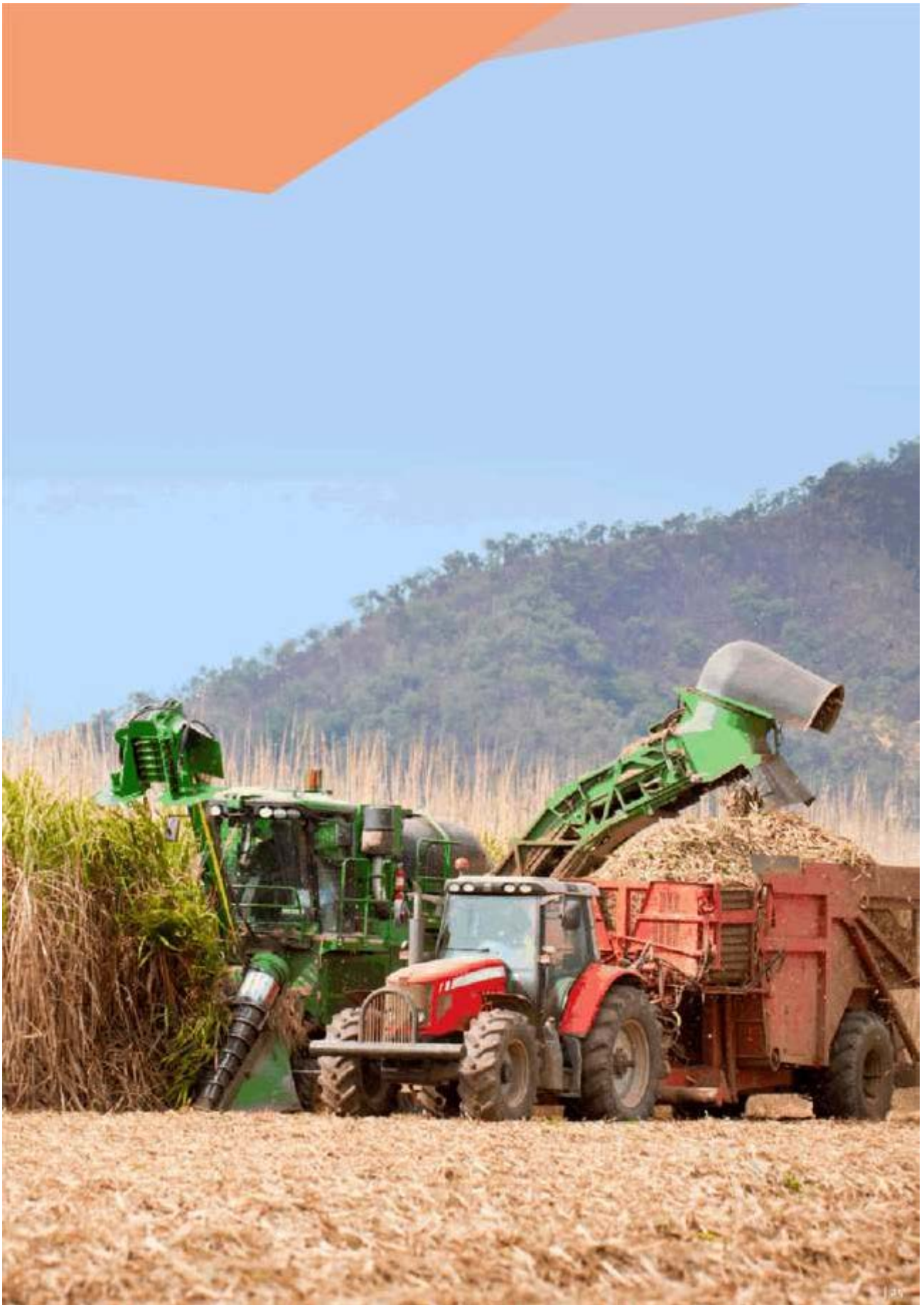
Local governments can give special consideration to alternative local uses for recycled materials—particularly where organic waste can be collected and processed to produce high value bio-extracts or high-quality compost, to be used in agriculture—and where innovative construction methods can be developed to use recycled materials where cost-effective transport is not possible.

Waste management and resource recovery sector actions

The waste management and resource recovery sector should work to identify where the opportunities for economic growth are, and be ready to invest accordingly.

Industry should work with local government to resolve planning issues for existing and new infrastructure.

Industry should also work with government to develop standards and specifications when using recycled material. A consistent approach will give consumers confidence in the quality and safety of these products and help drive market demand.



Have your say

Public submissions are now invited on the draft Waste Management and Resource Recovery Strategy for Queensland (the draft Strategy).

This Strategy has been developed in consultation with the Recycling and Waste Management Stakeholder Advisory Group, which is comprised of representatives from the waste management and resource recovery industry, local government, business and industry. The advisory group was established to provide advice on requirements for improved recycling and waste management infrastructure and practices, including appropriate land-use planning measures and strengthened regulatory provisions and activities.

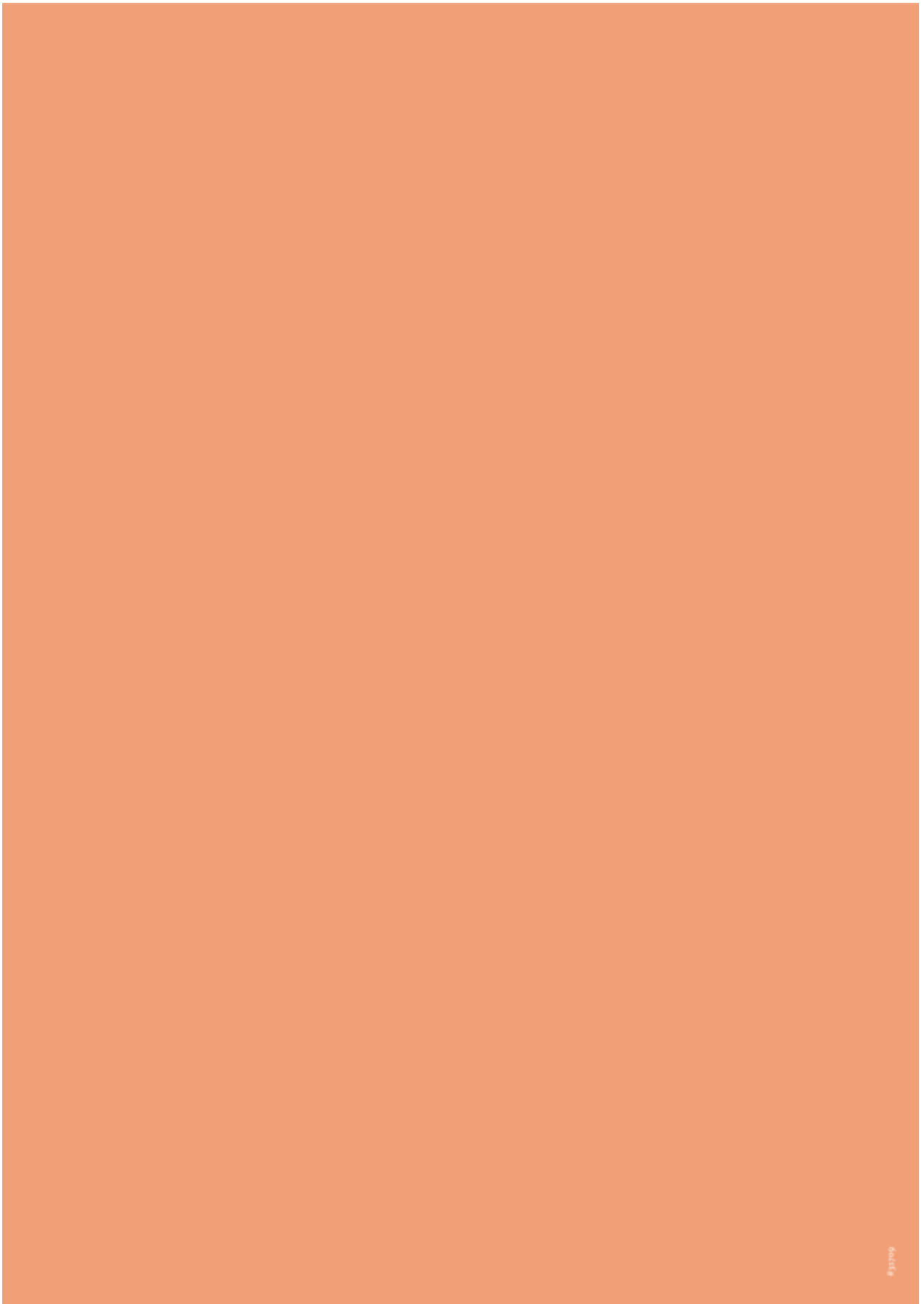
Consultation closes 5.00pm, 5 April 2019

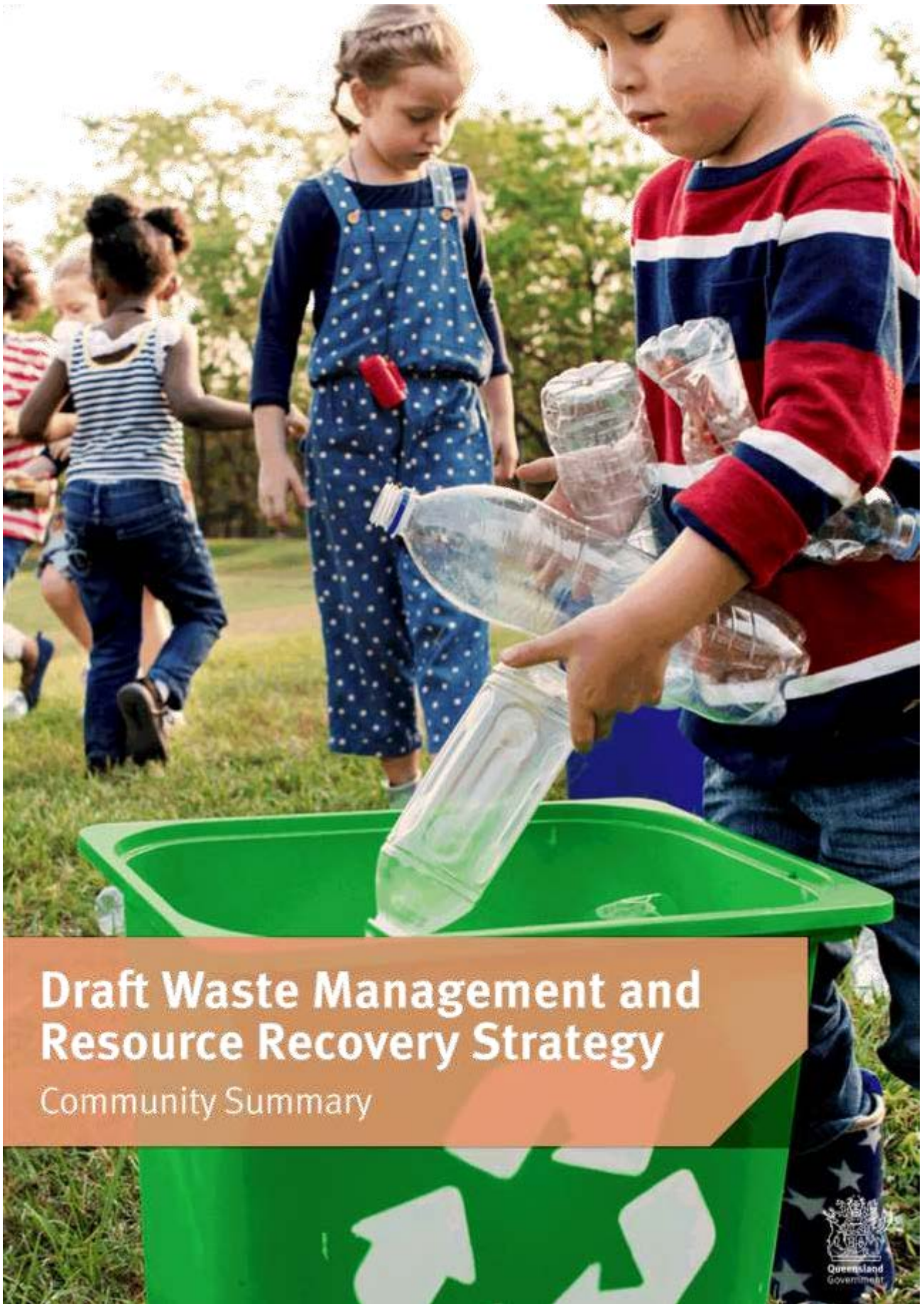
Email: wastepolicy@des.qld.gov.au

Mail: Office of Resource Recovery
Department of Environment and Science
GPO Box 2454
Brisbane QLD 4001









Draft Waste Management and Resource Recovery Strategy

Community Summary



Turning the tide on waste

There is a growing understanding that waste is everyone's issue, and in turn, everyone has a role to play in reducing waste and its impacts on our communities, our environment and our economy.

Queensland is home to more than five million people and the amount of waste we produce is growing faster than our population.

This will have a real impact on the lifestyle we enjoy. More waste means more landfill sites in our communities, more greenhouse gases contributing to climate change, and more litter in our environment.

We have a timely opportunity to turn the tide on waste now, for a better, more sustainable future.

The Queensland Government is setting a new course, towards a zero-waste society where:



the natural environment is protected from the impacts of waste



everyone is responsible for taking action to reduce the amount of waste they produce



new products, jobs and industries are created from waste diverted from landfill

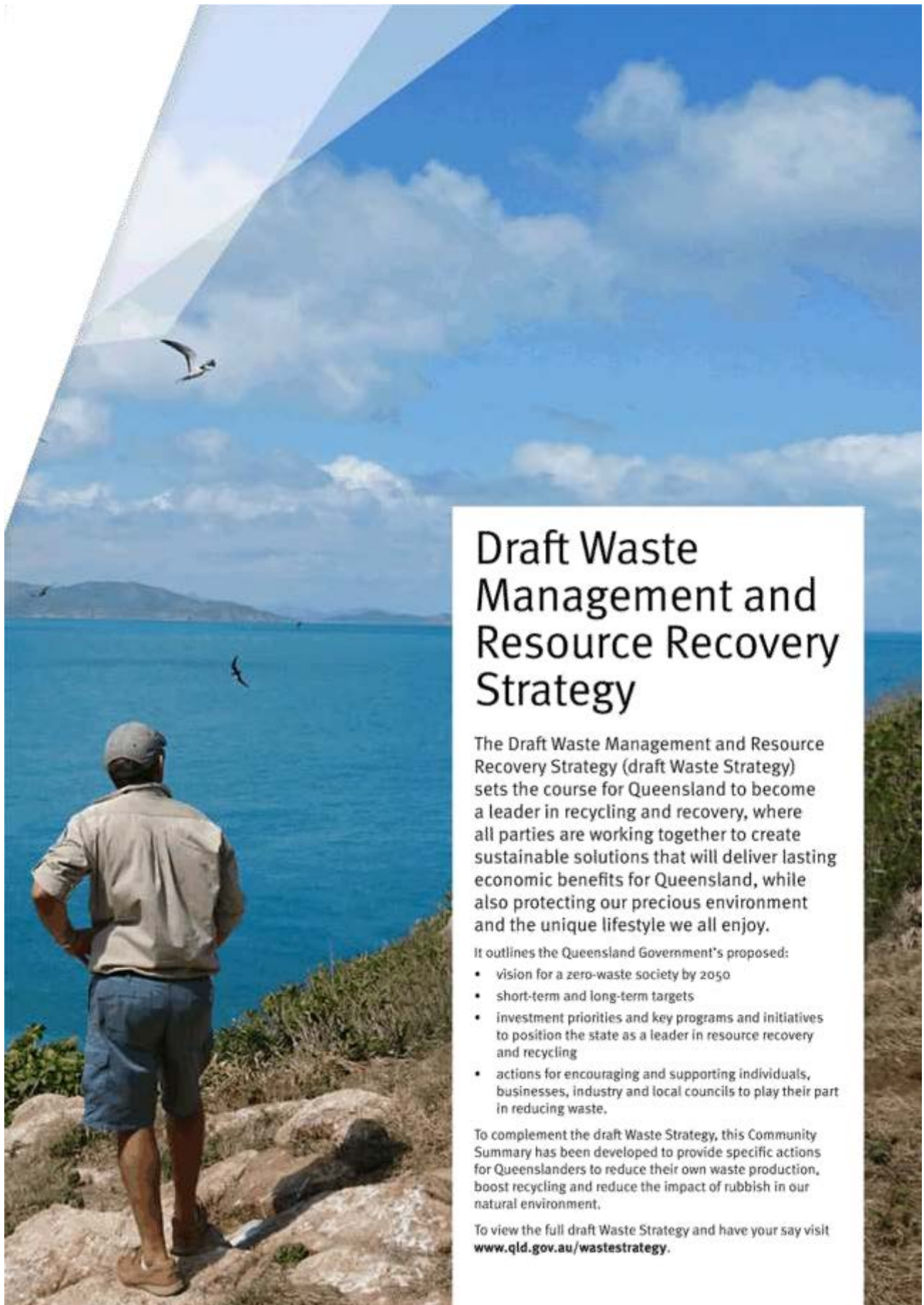
Everyone will have a role to play—business, industry and government, and as our greatest assets, Queenslanders will be pivotal in adopting the sustainable behaviours needed to create a less wasteful, more resourceful future, and to inspire our next generation of waste champions.

Our goal is to maximise the value of the resources we use, minimise the waste we create, cut emissions and pollution, and help create a cleaner, greener, healthier planet.

Every positive action, big or small, will make a difference.



2 | The future of waste management in Queensland



Draft Waste Management and Resource Recovery Strategy

The Draft Waste Management and Resource Recovery Strategy (draft Waste Strategy) sets the course for Queensland to become a leader in recycling and recovery, where all parties are working together to create sustainable solutions that will deliver lasting economic benefits for Queensland, while also protecting our precious environment and the unique lifestyle we all enjoy.

It outlines the Queensland Government's proposed:

- vision for a zero-waste society by 2050
- short-term and long-term targets
- investment priorities and key programs and initiatives to position the state as a leader in resource recovery and recycling
- actions for encouraging and supporting individuals, businesses, industry and local councils to play their part in reducing waste.

To complement the draft Waste Strategy, this Community Summary has been developed to provide specific actions for Queenslanders to reduce their own waste production, boost recycling and reduce the impact of rubbish in our natural environment.

To view the full draft Waste Strategy and have your say visit www.qld.gov.au/wastestrategy.

The challenge— our current waste performance

The draft Waste Strategy provides an opportunity to look at Queensland's current waste performance and how we can improve it.

Key facts



The amount of waste Queensland produces is **growing faster than** our population



While Queensland's recycling rate has improved slightly over recent years, there is certainly more that can be done. By continuing to build on achievements – such as the plastic shopping bag ban and container refund scheme – we can all work together to achieve real change.

The opportunity—our vision for a more resourceful, less wasteful future

Vision

Our vision is for Queensland to become a zero-waste society, where waste is avoided, reused and recycled to the greatest possible extent.

The draft Waste Strategy provides a long-term plan for improving the way waste is managed in Queensland.

Waste reduction targets for 2050

By 2050, the draft Waste Strategy proposes the following targets:



Full details of interim targets between 2025 and 2050 can be found in the full draft Waste Strategy.

Queensland Government action

To support the transition to a zero-waste society, the Queensland Government proposes to take the following key actions:

- Work with councils to raise awareness about recycling options available locally.
- Deliver information and education programs that support waste avoidance, repurposing, reuse, recycling, and litter and illegal dumping prevention.
- Support councils to improve waste and recycling collection services and tackle problem wastes.
- Set minimum recycled-content standards for products.
- Work with businesses to reduce excessive packaging and make packaging waste recyclable.
- Make government purchasing decisions that avoid waste and support products containing recycled materials.
- Support research into new uses and markets for recycled materials.
- Support infrastructure investment in locations to help improve community access to recycling.

For a complete list of the detailed actions that will be delivered to support the community, business, industry and local governments see the full version of the draft Waste Strategy.



What you can do now— five simple actions

With every small action we take individually, we can collectively make a huge difference.

Queenslanders are encouraged to take up the challenge of reducing their own waste, in any way they can, through five simple actions:

1

Reduce your food waste

Nearly half of household waste is organic waste (green waste and food waste) with food waste alone estimated to cost households more than \$2,000 per annum. Here are some simple tips for when you're:

SHOPPING

- look at what you have in the pantry and fridge before you go shopping
- plan your meals ahead
- shop with a list and only buy what you need
- check the use-by-date and use it before it goes off

COOKING

- keep fruit and veg in the fridge so it lasts longer
- cook more and freeze meals and leftovers for later
- freeze food if it's getting close to its use-by date
- get creative with your left-overs

COMPOSTING

- try composting or worm farming at home, even if you live in an apartment
- check local council websites to see if there are home composting programs or options for composting at community gardens



2

Buy better

Take a minute to think before you buy, this simple action can lead to more sustainable choices.

- where possible, buy quality goods that will last or that are easy to repair
- choose products with little or no packaging, like loose fruit and vegetables as opposed to pre-packaged
- choose goods made from recycled materials or with recycled material in them
- take action and tell retailers how you would like things to change

The future of waste management in Queensland



3

Choose to refuse and reuse

Ask yourself, do I really need it or are there more sustainable options?

- avoid disposable items altogether like opting for balloon-free events, or asking for no straw with your drink
- choose reusable over disposable items particularly single-use items such as plates, cutlery, bags, drink bottles, coffee cups etc.
- fix the products you have, instead of buying replacements
- choose products with reusable packaging
- donate your quality goods to charity, or buy and sell second hand goods to keep them in use
- take action and tell businesses how you would like things to change



Recycle right

Recycle as much as you can and make sure you recycle right.

- find out from your local council what is accepted in your kerbside recycling bin
- find out what other options are available in your area for recycling other items (like e-waste, batteries, container refund points, tyres, paint, mattresses etc.) www.recyclingnearyou.com.au www.containersforchange.com.au
- do not put your recyclables into the recycling bin in a plastic bag
- clean out your recycling items to make sure they are accepted for recycling—a quick rinse or a scrape out of left-over food can make all the difference
- fill up a bag each week with soft plastics and drop them into a REDcycle bin at your nearest participating supermarket

4

5

Respect people and the environment

Having an environment free from rubbish and litter makes our great outdoors, cities, towns, public transport and shared spaces much more enjoyable to be in. We should respect that other people, and wildlife, all use and live in these same spaces.

Litter and illegally dumped rubbish ruins our built and natural environment and endangers our waterways, wildlife and public health. Some simple ways to keep it clean:

- hold onto your rubbish until you can put it in a bin
- take larger items to a transfer station or landfill, or use your local council kerbside collections services when they come to your area
- if it's in good condition, donate to charity or take it to a council tip shop
- ensure your donated items go into a charity shop or bin, not left outside to be damaged or end up as litter—costing charities to clean up
- if you see litter, pick it up and put it in a bin
- only use licenced and regulated waste and recycling companies
- report littering from vehicles and vessels, and illegally dumped rubbish at www.qld.gov.au/litter



Community consultation summary | 7

Have your say

To view the full draft Waste Strategy and have your say visit www.qld.gov.au/wastestrategy.

You can provide your feedback on the draft Waste Strategy by:

Email: wastepolicy@des.qld.gov.au

Mail: Office of Resource Recovery
Department of Environment and Science
GPO Box 2454
Brisbane Qld 4001

Consultation closes 5.00pm, 5 April 2019

What do you think?

Community questions

1. Do you agree that there is room for Queensland to improve its waste management performance (reduce the amount sent to landfill and recycle more)?
2. Do you support the draft Waste Strategy's vision of a zero waste society?
3. Do you support the inclusion of targets (including short and long-term targets) in the draft Waste Strategy?
4. Do you think that the five simple actions for Queenslanders (outlined previously) are appropriate?
5. How else can the Queensland Government further support and encourage long-term sustainable waste avoidance and resource recovery practices by individuals and households?



14.2 POL-3030 TEMPORARY COMMERCIAL USE OF PUBLIC OPEN SPACE - NEW POLICY**Objective Reference:** A3717720**Authorising Officer:** Peter Best, General Manager Infrastructure & Operations**Responsible Officer:** Bradley Salton, Group Manager City Infrastructure**Report Author:** Julian Bunting, Senior Advisor Civic & Open Space**Attachments:** 1. Temporary Commercial Use of Public Open Space Policy POL-3030 [↓](#)**PURPOSE**

To seek Redland City Council (Council) approval of a new corporate policy - Temporary Commercial Use of Public Open Space POL-3030 (Attachment 1) and to endorse the preparation of a Land Management Plan (LMP) to include Queensland State Government (State) land reserves.

BACKGROUND

A key recommendation of the Redland Open Space Strategy (OSS) 2026 is to adopt a policy on commercial use of public open space. The policy is required to demonstrate Council's commitment to supporting sustainable levels of commercial activity in public parks and open spaces.

Council currently takes park bookings for a broad range of activities such as personal and fitness trainers, food and beverage vendors, weddings, jumping castles, children's petting zoos, promotions, shows, training group and sporting events. The booking process is undertaken to ensure that a park is suitable and has capacity to accommodate an activity and to avoid conflicts between activities. As part of this broader process Council assesses and issues approval for a range of commercial uses that occur within public parks and open spaces.

Temporary commercial activities are defined as a commercial entity that provides goods and services within identified parks and open spaces that:

- involve a commercial benefit or transaction;
- complements and aligns with the primary functions of the open space;
- are secondary and subservient to the open space;
- primarily serve existing park users;
- are non-permanent and limited to temporary structures; and
- do not constitute assessable development under the *Planning Act 2016*.

Accordingly, temporary commercial activities of open space do not include not-for-profit, community, charity, sporting, cultural or entertainment events, fundraisers, memorial services, film making, roadside or footpath dining.

Benchmarking against similar policies found at Gold Coast City Council, Tweed Shire Council, Randwick City Council, Toowoomba Regional Council and Brisbane City Council has been used to guide the drafting of this policy. These local government areas were chosen based on their policies seeking to facilitate similar commercial activities within parks of varying types, such as foreshore parks and bushland areas.

ISSUES

Policy Intent

The policy intent seeks to activate our parks and open spaces to help create vibrant places and liveable communities. Activation leads to social benefits for the broader community and opportunities for the private sector to create flow-on benefits for the local economy.

The policy also recognises that Council has made significant public investment in open space infrastructure such as nature based play, seating, shade and BBQ facilities, active lifestyle equipment and playgrounds. Temporary commercial activities create the amenity and services that bolster the use and enjoyment of our parks and take full advantage of Council's investment in open space infrastructure.

Land Tenure

Compliance with the *Land Act 1994* in relation to secondary uses of community purpose Trust land where Council is Trustee is an underlying and critical issue. Commercial uses require a LMP for State owned reserves to ensure the type and scale of commercial uses are consistent with the purpose of the reserve and do not overpower or dominate the Trust land. A clear policy position including a LMP will assist in unlocking a diverse range of secondary commercial uses for a number of State owned reserves at key foreshore locations and conservation areas, where Council is the Trustee. The policy will only apply to Council owned parks and open spaces, and when a LMP is approved by the State Government, to Council controlled land (Trust land).

Economic opportunities

Council has issued sixty one (61) certificates of approval and the majority of these (42) relate to personal and fitness trainers. There is potential for Council public open spaces to accommodate a greater number and diversity of commercial activities in a sustainable manner. A clear policy position would encourage the private sector to undertake temporary commercial activities providing flow on benefits for the local economy and potentially enable Indigenous employment opportunities. Providing a greater level of certainty can also promote nature based recreation and eco-tourism that supports the local tourism industry, regional economy and the Redlands Coast as a point of difference tourist destination.

A consistent policy framework

Until now Council officers have been assessing enquiries and informal applications and granting approval for commercial use of open spaces without the support of a consistent policy framework. Over several years this has led to inconsistent approaches to enquiries, approvals, and the application of Council's register of fees. Within the past 12 months multiple requests have been received to undertake commercial activities at various open space locations. A policy that provides a clear direction for temporary commercial activities will provide a streamlined approach for responding to enquiries and processing applications.

Enhancing visitor experience

Providing additional amenities and services in our parks and open spaces provides the opportunity to enhance visitor experience through a greater range of recreation and leisure activities. Enhancing visitor experience is key to attracting a greater number and diversity of people to enjoy and appreciate the natural environment, scenic amenity, cultural and heritage values of our parks and open spaces.

Increasing pressures on public open space

Some commercial activities have grown and expanded at key foreshore locations beyond a reasonable footprint and Council officers have no clear policy to manage the extent of the activity.

In some instances commercial operators have developed an expectation to permanently occupy open space which has led to permanent storage of equipment and in some cases unauthorised expansion of the commercial venture. For example, in some State reserves (foreshore parks) equipment and trailers are permanently stored in car parking areas which is contrary to the requirement for commercial activities to remain secondary and subservient to the primary purpose of the open space. Permanent storage or permanent structures may trigger a material change of use that requires a development permit under the City Plan 2018 and *Planning Act 2016*.

The number of commercial vendors has also grown at popular locations such as Cylinder Beach and the cumulative impacts of these activities has led to wear and tear on grassed areas, erosion and pressure on the natural vegetation. Commercial activities have been primarily controlled through Council's '*Bookable spaces terms and conditions*' which specify a range of conditions such as public liability insurance, hours of operation, minimising noise nuisance, safety, protecting park assets from damage and maintaining public access. This has presented a number of challenges in terms of requiring commercial vendors to adhere to their approved site location and removing equipment and trailers at close of business. A strong policy position will assist in supporting the certificate of approval and any compliance action required to ensure sustainable levels of commercial activity within parks and open spaces.

Impacts on nearby residents and local businesses

Council has received a number of complaints from residents adjacent to temporary commercial activities primarily in relation to adverse noise and visual impacts. Some complaints have been received from local business owners raising concerns in relation to the impact of mobile food and beverage vendors on the trading or viability of their business. The proposed policy provides the opportunity to implement separation distances (buffers) to minimise adverse impacts on the amenity of nearby residents and ongoing viability of local businesses.

Residential and commercial separation distances

It is proposed that temporary commercial activities in parks and open spaces are located 50m (separation distance) from residential lot boundaries. A 50m separation distance will support other policy outcomes that seek to minimise impacts on the residential amenity of the area. A 100m separation distance was considered. However, this was ruled out as it eliminated many parks and open spaces. In particular foreshore parks, that are narrow and not of a size and shape that could accommodate a 100m buffer.

On the mainland it is proposed that temporary food and beverage commercial activities are located 200m (separation distance) from commercial zones. This is designed to encourage commercial activities to serve and support park users rather than a stand-alone commercial vendor where the majority of its customers are not necessarily park users (general public passing by on roads). A 400m separation distance was considered for the mainland. However, this was ruled out as it was too restrictive and removed the majority of the park area from temporary commercial use.

On the islands (North Stradbroke Island, Southern Moreton Bay Islands and Coochiemudlo Island) the 200m buffer for food and beverage temporary commercial activities is measured from the lot boundary of a lawfully approved business offering the same goods or services. This recognises that many popular island foreshore parks and open spaces are in close proximity to local centre zones, or are too narrow and not of a size and shape that can accommodate a 200m buffer. In addition, there are fewer parks on the islands compared to the mainland, which further reduces the opportunity for low impact commercial ventures.

STRATEGIC IMPLICATIONS

Legislative Requirements

The policy reflects Council's statutory obligations in relation to the:

- *Land Act 1994*;
- *Local Government Act 2009*; and
- *Local Government Regulation 2012*.

Risk Management

Adopting a robust policy framework for temporary commercial use will assist in addressing the following medium level risks:

- damage to grassed areas, native vegetation and park infrastructure;
- adverse impacts on nearby residents;
- adverse impacts on the trading of local businesses;
- monopolisation of available parks for commercial use activities;
- unregulated activities that expand beyond the normal recreation and leisure functions that occur within parks and open spaces;
- uncertainty for the private sector in terms of the opportunities for temporary commercial use in our parks and open spaces;
- the community is unclear about expectations for where temporary commercial activities can be located;
- commercial vendors continue to operate without the awareness and understanding of their responsibilities to be good neighbours and to protect the values of the parks and open space system; and
- Council does not meet its statutory obligations under the *Land Act 1994* in regard to preparing a LMP for secondary use of Trust land (State reserves).

Financial

There are no financial implications associated with this new policy. However, as part of the implementation process a separate report will be submitted to Council seeking to amend Council's fee schedule to ensure fees are appropriate to the scale and intensity of potential temporary commercial activities in open space. A one off budget cost of approximately \$15,000 OPEX in FY2019/20 has been requested to undertake the development and consultation associated with a LMP.

People

The policy can be progressed and implemented with existing Council resources.

Environmental

The policy includes objectives and provisions to assist in the protection of the environmental values of parks and open spaces.

Social

Commercial vendors can provide a range of goods and services that complement the recreation and leisure functions that normally occur within parks and open spaces. This leads to a greater

level of activation and passive surveillance of our open space network supporting a socially inclusive and cohesive community.

Alignment with Council's Policy and Plans

Enhancing visitor experience through temporary commercial activities supports Council's Corporate Plan 2018 – 2023 strategic priority to **create strong and connected communities** – *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.*

A strong policy framework for the temporary commercial use of open space supports Council's Corporate Plan 2018 – 2023 strategic priority to create **a healthy and natural environment** – *Visitors experience our natural assets through high standard facilities, trails, interpretation and low impact commercial ventures.*

Supporting local jobs and the tourism industry aligns with Council's Corporate Plan 2018 – 2023 strategic priority - **a supportive vibrant economy** - *businesses that thrive and jobs that grow from opportunities generated by low impact industries, cultural and outdoor lifestyle activities, ecotourism and quality educational experiences.*

A new policy demonstrates Council's commitment in supporting sustainable levels of temporary commercial activity in public parks and open space as outlined in the Open Space Strategy 2026.

Implementation Plan and Consultation Plan

An Implementation Plan, Communications Plan and Corporate Guideline will enable the operationalisation of this policy. These documents will respond to issues and suggestions raised by internal stakeholders during consultation.

CONSULTATION

Consulted	Consultation Date	Comments/Actions
Councillor Briefing	5/3/19	<ul style="list-style-type: none"> • Commercial and residential buffers • Fees are fair and proportional to the size and scale of activity • Measures in place to address complaints where commercial vendors comply with primary separation distance • Temporary commercial activities within sports parks and agreement of lessee • Public liability insurance to protect Council but also reflective of risk • Use of Council provided active lifestyle equipment • Personal trainers and activities – impacts and containment • Wear and tear on parks and open spaces • Frequency of use • Size of designated area • Treatment of existing permit/licence holders to continue operating
Executive Leadership Team (ELT)	4/3/19	<p>ELT briefing and discussions relating to the following matters.</p> <ul style="list-style-type: none"> • Current charges, total revenue and estimate after increasing participation • Public liability insurance and follow up before expiration • Flexibility around current public liability insurance (\$20m is a big number) and might exclude some smaller businesses or ventures

Consulted	Consultation Date	Comments/Actions
		<ul style="list-style-type: none"> • Support preparation of a Land Management Plan to include State reserves • Local law and regulatory head of power • Compliance - cost to the organisation, resourcing impact and timing of introduction, hours of operation • Potential in attracting commercial operators to high focus tourism, economic and strategic priority • Definition of temporary use under the City Plan • Exclusive use arrangement • Past tension with new initiatives and existing operators • Definitions - private weddings, fitness permit and perceived endorsement of trainers • Interaction with events and events team • Governance and protocols for policy and guideline
Office of the CEO	19/2/19	<ul style="list-style-type: none"> • Indigenous landowner employment opportunities • Communications and implementation plan
Department of Natural Resources Mines and Energy (DNRME)	7/2/19	<ul style="list-style-type: none"> • Statutory obligations under the <i>Land Act 1994</i> - LMP to facilitate secondary uses of Trust Land
Economic Sustainability and Major Projects	24/12/18	<ul style="list-style-type: none"> • Refine definitions and scope • Separation distance to existing businesses • Hours of operation • Exemption for pop-up markets and innovative events • Limitation of 3 commercial activities per park • Incentives/benefits to local businesses • Flexibility around fossil fuel generators
Strategic Planning Unit	23/1/19	<ul style="list-style-type: none"> • Interaction with City Plan definitions, material change of use, temporary uses • Reduced separation distances on the islands to commercial zones • Designated area – 20sqm • Permit for personal training involving small groups
Facilities Services Unit	7/1/19	<ul style="list-style-type: none"> • Clarity around hours of operation and how they are different for various categories • Commentary introducing categories of temporary commercial activities within parks and open space
City Operations	19/12/18	<ul style="list-style-type: none"> • Strengthen business opportunities for local business owners • Terminology ('protect' vs. 'minimise') • Integrate concept of visitor experience • Storage of equipment on site • Residential and commercial buffers – may exclude a lot of reserves • Hours may be too restrictive • Designated area of 20sqm • Flexibility on fossil fuel generators • Designated areas for the island context
Health and Environment Unit	10/1/19	<ul style="list-style-type: none"> • Head of power • Extended hours overriding Default Noise Standards under the <i>Environmental Protection reg 1994</i> • Other common noise sources • Entertainment events
City Sports and Venues	7/2/19	<ul style="list-style-type: none"> • Referral of applications where they extend beyond the natural and ordinary consequence of a park • Maintaining access to park and equipment

Consulted	Consultation Date	Comments/Actions
		<ul style="list-style-type: none"> Applicants responsibility for managing the risks associated with the activity
City Planning and Assessment	23/1/19	<ul style="list-style-type: none"> Scale and intensity and what triggers an MCU Provisions allowing for consultation with CPA should an applicant propose a use that extends beyond the natural and ordinary consequence of a park
Compliance Services	11/3/19	<ul style="list-style-type: none"> Complaints on rare occasion for personal trainers early in the morning (talking and car doors) Consider provisions that allow for an alternative park / open space location were activities result in ongoing compliance action

OPTIONS

Option One

That Council resolves to:

- adopt the Temporary Commercial Use of Public Open Space Policy POL-3030;
- endorse the preparation of a Land Management Plan to add State reserves to the mix of parks and open spaces available for temporary commercial activities; and
- note that a future operational budget has been submitted for FY 2019/20 consideration and prioritisation allowing Council to engage a consultant to prepare a Land Management Plan and undertake required consultation.

Option Two

That Council resolves not to adopt the Temporary commercial use of public open space policy POL 3030.

COUNCIL RESOLUTION 2019/121

Moved by: Cr Peter Mitchell

Seconded by: Cr Mark Edwards

That Council resolves to:

- adopt the Temporary Commercial Use of Public Open Space Policy POL-3030;
- endorse the preparation of a Land Management Plan to add State reserves to the mix of parks and open spaces available for temporary commercial activities; and
- note that a future operational budget has been submitted for FY 2019/20 consideration and prioritisation allowing Council to engage a consultant to prepare a Land Management Plan and undertake required consultation.

CARRIED 11/0

Crs Karen Williams, Wendy Boglary, Peter Mitchell, Paul Gollè, Lance Hewlett, Mark Edwards, Julie Talty, Murray Elliott, Tracey Huges, Paul Gleeson and Paul Bishop voted FOR the motion.

policy document



Corporate POL-3030

Temporary commercial use of public open space

Head of Power

The head of power for this policy is Subordinate Local Law No.1.2 (Commercial use of local government controlled areas and roads) 2015.

This policy supports Council's Corporate Plan 2018-2023 strategic priorities for:

A supportive vibrant economy - businesses that thrive and jobs that grow from opportunities generated by low impact industries, cultural and outdoor lifestyle activities, ecotourism and quality educational experiences

Strong and connected communities – 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

A healthy and natural environment - Visitors experience our natural assets through high standard facilities, trails, interpretation and low impact commercial ventures.

Policy Objective

The objective of this policy is to ensure temporary commercial activities:

1. activate public parks and open space to create vibrant places and liveable communities
2. enhance visitor experience through recreation, leisure, and appreciation of the natural environment
3. are secondary and subordinate to the primary recreation and ecological functions of public parks and open space
4. support existing park users and preserve access to park furniture for the enjoyment of all visitors
5. protect the scenic amenity, ecological, social and cultural values of public parks and open space
6. facilitate the equitable and sustainable use of public parks and open space having regard to the size, location, character and capacity of the open space
7. minimise impacts on the ongoing viability of nearby businesses and the amenity of nearby residential properties
8. maintain the safety and amenity of visitors and other park users
9. have a low impact on car parking, open space and other infrastructure.

Policy Statement

Council is committed to:

1. supporting sustainable levels of commercial activity in public parks and open spaces
2. encouraging commercial activities that are temporary in nature and deliver a range of recreational, social, cultural and educational benefits to all visitors

Department: Infrastructure & Operations
 Group: City Infrastructure
 Approved by: General Meeting
 Date of Approval: 3 April 2019

CMR Team use only

Effective date:
 Version: 1
 Review date:
 Page: 1 of 2

policy document



Corporate POL-3030

3. managing the hours of operation and location of temporary commercial activities with regard to separation distances from nearby residential areas and established local businesses
4. ensuring temporary commercial activities that occur on a frequent basis do not create an unreasonable demand on the capacity or performance of existing infrastructure
5. facilitating nature based recreation and eco-tourism to unlock the restorative benefits of the natural environment and for the enjoyment of residents and visitors
6. encouraging commercial uses that complement recreation activities and open space functions
7. supporting Indigenous employment opportunities and giving precedence to requests for traditional access by indigenous landowners
8. managing our statutory obligations and providing a consistent approach to assessment, conditioning, fees and compliance of commercial activities within parks and open spaces
9. ensuring that temporary commercial activities occupy public parks and open spaces as a privilege not a right.

Associated Documents

- *Redland Open Space Strategy 2026*
- *Local Law No.1 (Administration) 2015*
- *Subordinate Local Law 1.2 Commercial use of local government controlled areas and roads*
- *RCC Event Information Kit*
- *POL 2884 Economic Sustainability Policy*
- *POL 3087 Strong Communities Policy*
- *POL 3110 Public Open Space Policy*

Document Control

Only Redland City Council can approve amendments to this policy. Please forward any requests to change the content of this document to the Civic and Open Space Asset Management Unit in the first instance.

Approved documents must be submitted to Corporate Meetings & Registers Team for registration on the Policies, Guidelines and Procedures Register.

Version Information

Version number	Date	Key Changes
1	April 2019	New policy – Temporary commercial use of public open space

Department: Infrastructure & Operations
 Group: City Infrastructure
 Approved by: General Meeting
 Date of Approval: 3 April 2019

CMR Team use only

Effective date:
 Version: 1
 Review date:
 Page: 2 of 2

15 MAYORAL MINUTE**15.1 MAYORAL MINUTE - AMITY POINT SHORELINE EROSION MANAGEMENT PLAN**Background

Significant erosion has occurred along the Amity Point Foreshore over a long period of time which has resulted in the loss of public and private property. As a result, Amity Point is a declared Erosion Prone Area (EPA) under the *Coastal Protection and Management Act 1995*. The shoreline at Amity Point also has a history of active shoreline management and emergency protection and rehabilitation works have been carried out in response to the erosion threat over many years.

Through various Shoreline Erosion Studies, development of Council's Coastal Adaptation Strategy (CAS) for current erosion hazards, and Council's CAS Steering Committee, Council initiated development of a Shoreline Erosion Management Plan (SEMP) for Amity Point, in FY2015-16.

A SEMP is non-statutory planning document prepared by local government that sets out a framework and management strategy to manage and respond to current erosion or potential future erosion problems.

The Amity Point SEMP is the first SEMP produced by Redland City Council. An engineering consultancy, Water Technology, was appointed to engage with stakeholders and produce the SEMP, with development continuing through FY2015-16 and FY2017-18. A Community Reference Group (CRG) was established to guide the development of the SEMP and liaise with the broader Amity community.

The final Draft SEMP report was recently given support by relevant State agencies and tabled at the most recent Community Reference Group meeting. During this meeting the Community Reference Group requested that the report be made publicly available to the community for a period of 2 weeks before it proceeds to formal consideration by Council.

Any comments received on the draft report will be considered prior to the final report being presented to Council for formal endorsement.

In accordance with s.22 of POL-3127 Council Meeting Standing Orders, Mayor Karen Williams moved as follows:

COUNCIL RESOLUTION 2019/122

Moved by: Cr Karen Williams

That Council resolves as follows:

- 1. To release the "Amity Point Shoreline Erosion Management Plan" as a DRAFT for public information; and**
- 2. At the request of the Amity Point SEMP Community Reference Group, make the draft publicly available via the Council Your Say website for a period of 2 weeks to inform residents of its content, prior to progressing formal consideration and endorsement by Council.**

CARRIED 11/0

Crs Karen Williams, Wendy Boglary, Peter Mitchell, Paul Gollè, Lance Hewlett, Mark Edwards, Julie Talty, Murray Elliott, Tracey Huges, Paul Gleeson and Paul Bishop voted FOR the motion.

16 NOTICES OF MOTION TO REPEAL OR AMEND A RESOLUTION

Nil

17 NOTICES OF MOTION

Nil

18 URGENT BUSINESS WITHOUT NOTICE

Nil

19 CONFIDENTIAL ITEMS**COUNCIL RESOLUTION 2019/123**

Moved by: Cr Mark Edwards

Seconded by: Cr Wendy Boglary

That Council considers the confidential report(s) listed below in a meeting closed to the public in accordance with Section 275(1) of the Local Government Regulation 2012:

19.1 Voluntary Transfer of Land Concession

This matter is considered to be confidential under Section 275(1)(h) of the Local Government Regulation 2012, and the Council is satisfied that discussion of this matter in an open meeting would, on balance, be contrary to the public interest as it deals with other business for which a public discussion would be likely to prejudice the interests of the local government or someone else, or enable a person to gain a financial advantage.

19.2 Request to Waive Water Charges

This matter is considered to be confidential under Section 275(1)(h) of the Local Government Regulation 2012, and the Council is satisfied that discussion of this matter in an open meeting would, on balance, be contrary to the public interest as it deals with other business for which a public discussion would be likely to prejudice the interests of the local government or someone else, or enable a person to gain a financial advantage.

19.3 Barro Group Pty Ltd v Redland City Council - Planning & Environment Appeal 1506 of 2018

This matter is considered to be confidential under Section 275(1)(f) of the Local Government Regulation 2012, and the Council is satisfied that discussion of this matter in an open meeting would, on balance, be contrary to the public interest as it deals with starting or defending legal proceedings involving the local government.

19.4 City Plan - Major Amendment Package: State Interest Review

This matter is considered to be confidential under Section 275(1)(h) of the Local Government Regulation 2012, and the Council is satisfied that discussion of this matter in an open meeting would, on balance, be contrary to the public interest as it deals with other business for which a public discussion would be likely to prejudice the interests of the local government or someone else, or enable a person to gain a financial advantage.

19.5 Palacio Property Group Pty Ltd v Redland City Council - Planning and Environment Court Appeal 894 of 2018

This matter is considered to be confidential under Section 275(1)(f) of the Local Government Regulation 2012, and the Council is satisfied that discussion of this matter in an open meeting would, on balance, be contrary to the public interest as it deals with starting or defending legal proceedings involving the local government.

CARRIED 11/0

Crs Karen Williams, Wendy Boglary, Peter Mitchell, Paul Gollè, Lance Hewlett, Mark Edwards, Julie Talty, Murray Elliott, Tracey Huges, Paul Gleeson and Paul Bishop voted FOR the motion.

COUNCIL RESOLUTION 2019/124

Moved by: Cr Murray Elliott
Seconded by: Cr Mark Edwards

That Council moves out of Closed Council into Open Council.

CARRIED 11/0

Crs Karen Williams, Wendy Boglary, Peter Mitchell, Paul Gollè, Lance Hewlett, Mark Edwards, Julie Talty, Murray Elliott, Tracey Huges, Paul Gleeson and Paul Bishop voted FOR the motion.

19.1 VOLUNTARY TRANSFER OF LAND CONCESSION**COUNCIL RESOLUTION 2019/125**

Moved by: Cr Murray Elliott
Seconded by: Cr Mark Edwards

That Council resolves to:

- 1. grant a concession to the stated ratepayers detailed in the attached schedule, VOL March 2019, to accept the transfer of unencumbered land in full payment of the rates and charges, as pursuant to Section 121(c) of the Local Government Regulation 2012;**
- 2. note the due date for payment of the rates and charges is detailed in the attached schedule, VOL March 2019; and**
- 3. maintain the report and attachments as confidential in accordance with sections 171(3) and 200(5) of the Local Government Act 2009 and remain confidential unless Council decides otherwise by resolution, subject to maintaining the confidentiality of legally privileged, private and commercial in confidence information.**

CARRIED 11/0

Crs Karen Williams, Wendy Boglary, Peter Mitchell, Paul Gollè, Lance Hewlett, Mark Edwards, Julie Talty, Murray Elliott, Tracey Huges, Paul Gleeson and Paul Bishop voted FOR the motion.

19.2 REQUEST TO WAIVE WATER CHARGES**COUNCIL RESOLUTION 2019/126**

Moved by: Cr Peter Mitchell

Seconded by: Cr Lance Hewlett

That Council resolves as follows:

1. pursuant to Section 120(1)(c) of the Local Government Regulation 2012, to grant a concession of \$3,812.82 to the stated ratepayer, to waive the disputed water consumption charges;
2. to note the associated costs of creating the easement and completing the works was approximately \$12,401; and
3. the report is treated confidential in accordance with sections 171(3) and 200(5) of the Local Government Act 2009 and remain confidential unless Council decides otherwise by resolution, subject to maintaining the confidentiality of legally privileged, private and commercial in confidence information.

CARRIED 11/0

Crs Karen Williams, Wendy Boglary, Peter Mitchell, Paul Gollè, Lance Hewlett, Mark Edwards, Julie Talty, Murray Elliott, Tracey Huges, Paul Gleeson and Paul Bishop voted FOR the motion.

19.3 BARRO GROUP PTY LTD V REDLAND CITY COUNCIL - PLANNING & ENVIRONMENT APPEAL 1506 OF 2018

OFFICER'S RECOMMENDATION

That Council resolves to:

1. provide a response notice to the Minister and Barro, stating it objects to the change for the reasons outlined in the draft response notice (attachment 4); and
2. maintain this report and attachment 2, as confidential until the conclusion of the appeal, subject to maintaining the confidentiality of legally privileged and commercial in confidence information.

COUNTER MOTION

COUNCIL RESOLUTION 2019/127

Moved by: Cr Julie Talty

Seconded by: Cr Wendy Boglary

That Council resolves to:

1. provide a response notice to the Minister and Barro, stating it objects to the change for the reasons outlined in the draft response notice attachment 4 (as amended); and subject to the following amendments:

Condition 10 and N1 – Amend to ensure testing is taken at the nearest sensitive receptor to the west, south, south-east and east/north east.

Condition A5 – Amend to ensure that the ambient dust noise monitoring program is published.

Condition A4 – Amend to include real time monitoring that is published.

2. maintain this report and attachment 2, as confidential until the conclusion of the appeal, subject to maintaining the confidentiality of legally privileged and commercial in confidence information.

CARRIED 11/0

Crs Karen Williams, Wendy Boglary, Peter Mitchell, Paul Gollè, Lance Hewlett, Mark Edwards, Julie Talty, Murray Elliott, Tracey Huges, Paul Gleeson and Paul Bishop voted FOR the motion.

19.4 CITY PLAN - MAJOR AMENDMENT PACKAGE: STATE INTEREST REVIEW**COUNCIL RESOLUTION 2019/128**

Moved by: Cr Murray Elliott

Seconded by: Cr Tracey Huges

That Council resolves to:

1. respond to the Department of State Development, Manufacturing, Infrastructure and Planning to address requested changes outlined in the 'Notice of advice to response' dated 19 March 2019, as set out in Attachment 2; and
2. maintain this report and attachments as confidential until the proposed amendment package commences public consultation as per the Minister's Guidelines and Rules, subject to maintaining the confidentiality of legally privileged and commercial in confidence information.

CARRIED 11/0

Crs Karen Williams, Wendy Boglary, Peter Mitchell, Paul Gollè, Lance Hewlett, Mark Edwards, Julie Talty, Murray Elliott, Tracey Huges, Paul Gleeson and Paul Bishop voted FOR the motion.

Cr Lance Hewlett declared a conflict of interest in the following item, stating that the company Palacio Group was a sponsor of the Redlands Coast Community Breakfast which was organised by Councillor Hewlett's wife, Sheena Hewlett. Cr Hewlett chose to exclude himself from the meeting while the matter was debated and the vote taken. Councillor Lance Hewlett left the meeting at 12.50pm (before Item 19.5) and returned at 12.51pm (after Item 19.5).

Cr Peter Mitchell declared a conflict of interest in the following item, stating that he works with the owner of Palacio Group on a not for profit group committee namely Redfest also known as Strawberry Festival. Cr Mitchell considered his position and believes he could participate in the debate and vote on this matter in the public interest. A vote was taken (refer Item 4) and it was decided that Cr Mitchell did have a conflict and that he could participate in the meeting, in relation to this item, including voting on the matter.

19.5 PALACIO PROPERTY GROUP PTY LTD V REDLAND CITY COUNCIL - PLANNING AND ENVIRONMENT COURT APPEAL 894 OF 2018

COUNCIL RESOLUTION 2019/129

Moved by: Cr Murray Elliott

Seconded by: Cr Mark Edwards

That Council resolves to:

- 1. instruct its solicitors to decline the settlement offer and take all necessary steps to defend the refusal of the application; and**
- 2. maintain this report and attachment as confidential until the conclusion of the appeal, subject to maintaining the confidentiality of legally privileged and commercial in confidence information.**

CARRIED 9/1

Crs Karen Williams, Wendy Boglary, Peter Mitchell, Mark Edwards, Julie Talty, Murray Elliott, Tracey Huges, Paul Gleeson and Paul Bishop voted FOR the motion.

Cr Paul Gollè voted AGAINST the motion.

Cr Lance Hewlett was not present when the motion was put.

20 MEETING CLOSURE

The Meeting closed at 12.51pm.

The minutes of this meeting were confirmed at the General Meeting held on 8 May 2019.

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CHAIRPERSON