

Redland
CITY COUNCIL

MINUTES

SPECIAL MEETING

Tuesday, 7 January 2020

The Council Chambers
91 - 93 Bloomfield Street
CLEVELAND QLD

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**SPECIAL MEETING
HELD AT THE COUNCIL CHAMBERS, 91 - 93 BLOOMFIELD STREET, CLEVELAND QLD
ON TUESDAY, 7 JANUARY 2020 AT 9.30AM**

1 DECLARATION OF OPENING

The Mayor declared the meeting open at 9.30am 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)

EXECUTIVE LEADERSHIP TEAM: Andrew Chesterman (Chief Executive Officer), Louise Rusan (General Manager Community & Customer Services), Deborah Corbett-Hall (Chief Financial Officer), Andrew Ross (General Counsel), Peter Best (General Manager Infrastructure & Operations), Tony Beynon (Group Manager Corporate Governance)

MINUTES: Debra Weeks Corporate Meetings & Registers Supervisor (Acting)

COUNCILLOR ABSENCES DURING THE MEETING

There were no Councillor absences during the meeting.

3 DECLARATION OF MATERIAL PERSONAL INTEREST OR CONFLICT OF INTEREST ON ANY ITEMS OF BUSINESS**3.1 CONFLICT OF INTEREST - CR WENDY BOGLARY**

Cr Wendy Boglary declared a Perceived Conflict of Interest in Item 4.1 *MCU 19/035 Material Change of Use for Multiple Dwelling at 18 Chermside Street, Wellington Point* stating that she believes a business associate of the applicant involved in 'Go 2 Your Room', which is associated with this application, is a potential candidate in the 2020 Local Government Election for Division 1.

Cr Boglary considered her position and was firmly of the opinion that she could participate in the debate and vote on the matter in the public interest.

COUNCIL RESOLUTION 2020/1

Moved by: Cr Paul Bishop

Seconded by: Cr Paul Gleeson

That Cr Wendy Boglary has a Perceived Conflict of Interest in Item 4.1 *MCU 19/035 Material Change of Use for Multiple Dwelling at 18 Chermside Street, Wellington Point.*

CARRIED 9/1

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

Cr Lance Hewlett voted AGAINST the motion.

Cr Wendy Boglary did not participate in the vote.

The motion that Cr Boglary had a Perceived Conflict of Interest was CARRIED.

Another vote was taken to determine if Cr Boglary could remain in the room and vote on the matter in the public interest.

COUNCIL RESOLUTION 2020/2

Moved by: Cr Paul Bishop

Seconded by: Cr Peter Mitchell

That Cr Wendy Boglary can remain in the room and participate in the debate and vote on the matter in the public interest.

CARRIED 7/3

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

Crs Mark Edwards, Julie Talty and Paul Gleeson voted AGAINST the motion.

Cr Wendy Boglary did not participate in the vote.

The motion that Cr Boglary could remain in the room was CARRIED.

Cr Boglary remained in the room for the item and voted FOR the motion.

3.2 ANOTHER COUNCILLOR'S CONFLICT OF INTEREST – CR JULIE TALTY

Cr Julie Talty declared that she reasonably believed or suspected that Cr Wendy Boglary had a Real Conflict of Interest in Item 4.1 *MCU 19/035 Material Change of Use for Multiple Dwelling at 18 Chermside Street, Wellington Point* stating that the applicant was also a candidate in the forthcoming Local Government Election and that she had telephoned the applicant on the advice of an officer, confirming that he was both a candidate in Division 1 and an owner with financial loss likely to impact should the proposal by the Division 1 Councillor to refuse gain support. Cr Talty stated that she believed such financial impact on an opposition candidate reflects a real conflict in Cr Boglary's role.

Cr Talty proposed that Cr Boglary leave the meeting while the matter was debated and the vote was taken.

A motion was put forward and voted on as follows:

COUNCIL RESOLUTION 2020/3

Moved by: Cr Julie Talty

Seconded by: Cr Paul Gleeson

That Cr Wendy Boglary has a Real Conflict of Interest in Item 4.1 *MCU 19/035 Material Change of Use for Multiple Dwelling at 18 Chermside Street, Wellington Point.*

LOST 3/7

Crs Mark Edwards, Julie Talty and Paul Gleeson voted FOR the motion.

Crs Karen Williams, Peter Mitchell, Paul Gollè, Lance Hewlett, Murray Elliott, Tracey Huges and Paul Bishop voted AGAINST the motion.

Cr Wendy Boglary did not participate in the vote.

The motion that Cr Boglary had a Real Conflict of Interest was LOST.

Cr Boglary remained in the room for the item and voted FOR the motion.

3.3 CONFLICT OF INTEREST – CR MARK EDWARDS

Cr Mark Edwards declared a Perceived Conflict of Interest in Item 4.1 *MCU 19/035 Material Change of Use for Multiple Dwelling at 18 Chermside Street, Wellington Point* stating that in his role as a Councillor and Redlands resident, Todd Reinke has contacted him on several occasions regarding his building interests in Division 5. The plans presented in Item 4.1 are under the name of 'Go 2 Your Room'. Mr Reinke is a director of this company. Mr Reinke has announced he will be a candidate the next Council Election. Cr Edwards stated that he believed that could be perceived as a Conflict of Interest for councillors.

Cr Edwards considered his position and was firmly of the opinion that he could participate in the debate and vote on the matter in the public interest.

COUNCIL RESOLUTION 2020/4

Moved by: Cr Paul Bishop
Seconded by: Cr Wendy Boglary

That Cr Mark Edwards has a Perceived Conflict of Interest in Item 4.1 *MCU 19/035 Material Change of Use for Multiple Dwelling at 18 Chermside Street, Wellington Point.*

LOST 5/5 By the casting vote of the Chair.

Crs Wendy Boglary, Paul Gollè, Julie Talty, Murray Elliott and Paul Bishop voted FOR the motion.

Crs Karen Williams, Peter Mitchell, Lance Hewlett, Tracey Huges and Paul Gleeson voted AGAINST the motion.

Cr Mark Edwards did not participate in the vote

The motion that Cr Edwards had a Perceived Conflict of Interest was LOST, no further vote was required.

Cr Edwards remained in the room for the item and voted AGAINST the motion.

3.4 CONFLICT OF INTEREST - CR JULIE TALTY

Cr Julie Talty declared a Perceived Conflict of Interest in Item 4.1 *MCU 19/035 Material Change of Use for Multiple Dwelling at 18 Chermside Street, Wellington Point* stating that she has an acquaintance with one of the owners of the applicant company who has declared he is a candidate for another Division in the 2020 Local Government Election.

Cr Talty considered her position and was firmly of the opinion that she could participate in the debate and vote on the matter in the public interest.

OFFICER'S RECOMMENDATION/COUNCIL RESOLUTION 2020/5

Moved by: Cr Paul Bishop
Seconded by: Cr Wendy Boglary

That Cr Julie Talty has a Perceived Conflict in Item 4.1 *MCU 19/035 Material Change of Use for Multiple Dwelling at 18 Chermside Street, Wellington Point.*

LOST 3/7

Crs Wendy Boglary, Paul Gollè and Paul Bishop voted FOR the motion.

Crs Karen Williams, Peter Mitchell, Lance Hewlett, Mark Edwards, Murray Elliott, Tracey Huges and Paul Gleeson voted AGAINST the motion.

Cr Julie Talty did not participate in the vote

The motion that Cr Talty had a Perceived Conflict of Interest was LOST, no further vote was required.

Cr Talty remained in the room for the item and voted AGAINST the motion.

Cr Wendy Boglary declared a Perceived Conflict of Interest in the following item stating that she believes a business associate of the applicant involved in 'Go 2 Your Room', which is associated with this application, is a potential candidate in the 2020 Local Government Election for Division 1.

Cr Boglary remained in the room for the item and voted FOR the motion.

Cr Mark Edwards declared a Perceived Conflict of Interest in the following item stating that in his role as a Councillor and Redlands resident, Todd Reinke has contacted him on several occasions regarding his building interests in Division 5. The plans presented in item 4.1 are under the name of 'Go 2 Your Room'. Mr Reinke is a director of this company. Mr Reinke has announced he will be a candidate in the next Council Election. Cr Edwards believed that could be perceived as a conflict of interest for councillors.

Cr Edwards remained in the room and voted AGAINST the motion.

Cr Julie Talty declared a Perceived Conflict of Interest in the following item stating that she has an acquaintance with one of the owners of the applicant company who has declared he is a candidate for another Division in the 2020 Local Government Election.

Cr Talty remained in the room and voted AGAINST the motion.

4 REPORTS FROM COMMUNITY & CUSTOMER SERVICES

4.1 MCU19/0135 MATERIAL CHANGE OF USE FOR MULTIPLE DWELLING AT 18 CHERMSIDE STREET, WELLINGTON POINT

Objective Reference: A4298191

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

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

Report Author: Chris Vize, Service Manager Planning Assessment

Attachments:

1. **Proposal plan** [↓](#)
2. **Site aerial** [↓](#)
3. **Zoning context** [↓](#)
4. **Conditions of approval** [↓](#)

PURPOSE

This development application is referred to Council for determination.

Council has received an application seeking a development permit for a material change of use (code assessment) for a multiple dwelling (10 units) on an allotment zoned medium density residential, on land at 18 Chermside Street, Wellington Point (Lots 43 and 44 on RP 14168).

The owner of the property is Daln Pty Ltd As Trustee and the applicant is Daln Pty Ltd c/- DTS Group.

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)*.

Key issues in the assessment of the application are:

- streetscape; and

- car parking.

These issues have been addressed in the report. The application has been assessed against the relevant sections of the City Plan 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.

ISSUES

DEVELOPMENT PROPOSAL & SITE DESCRIPTION

Proposal

The proposal is for a multiple dwelling comprising 10 one bedroom units (refer Attachment 1). The proposed building height is 9 metres above natural ground level and will be two storey. The specific design parameters are as follows:

Description	Characteristics
Ground floor	2 units with one bedroom, living area and bathroom 10 resident parking spaces 1 visitor parking space
First Floor Plan	8 units, each with one bedroom, living area, bathroom and balcony facing Chermshire Street
Site Cover	Approximately 462m ² over 810m ² = 57%
Open Space	Private open space: Ground floor units - 52m ² & 44m ² First floor units – 11.6m ² balconies

Site & Locality

The subject site has an area of 810m² and currently accommodates a dwelling house and shed. The lot has a street frontage of approximately 40m to Chermshire Street and 20m to Roberts Street. No significant vegetation exists on the site.

The surrounding land to the north, south and west is zoned medium density residential and contains a mix of dwelling houses and multiple dwellings. Council-owned land containing a number of community uses exists to the south of the site. The land to the east of the site is zoned low density residential and accommodates dwelling houses.

Attachments 2 and 3 of the report shows the subject site in context.

A 150mm diameter reticulated sewer exists on the adjoining property to the north and a sewer manhole is present in the road verge in the north-east corner of the site. Reticulated water supply is available in both Chermshire and Roberts streets. The land falls from the west to the east of the site at a very gentle grade.

ASSESSMENT FRAMEWORK

Planning Act 2016 (PACT)

The application has been made in accordance with the *Planning Act* Development Assessment Rules and constitutes a code assessable application for material change of use under the City Plan.

In accordance with section 45 of the *Planning Act 2016*:

- (3) 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 regulation for this paragraph.
- (6) Subsections (7) and (8) apply if an assessment manager is, under subsection (3) or (5), assessing a development application against or having regard to—
- (a) a statutory instrument; or
 - (b) another document applied, adopted or incorporated (with or without changes) in a statutory instrument.
- (7) The assessment manager must assess the development application against or having regard to the statutory instrument, or other document, as in effect when the development application was properly made.
- (8) However, the assessment manager may give the weight the assessment manager considers is appropriate, in the circumstances, to—
- (a) if the statutory instrument or other document is amended or replaced after the development application is properly made but before it is decided by the assessment manager—the amended or replacement instrument or document; or
 - (b) another statutory instrument—
 - (i) that comes into effect after the development application is properly made but before it is decided by the assessment manager; and
 - (ii) that the assessment manager would have been required to assess, or could have assessed, the development application against, or having regard to, if the instrument had been in effect when the application was properly made.

Section 27 of the *Planning Regulation 2017* identifies that:

- (1) For section 45(3)(b) of the Act, the code assessment must be carried out having regard to—
- (a) the matters stated in schedules 9 and 10 for the development; and
 - (b) if the prescribed assessment manager is the chief executive—
 - (i) the strategic outcomes for the local government area stated in the planning scheme; and
 - (ii) the purpose statement stated in the planning scheme for the zone and any overlay applying to the premises under the planning scheme; and
 - (iii) the strategic intent and desired regional outcomes stated in the regional plan for a region; and
 - (iv) the State Planning Policy, parts C and D; and
 - (v) for premises designated by the Minister—the designation for the premises; and
 - (c) if the prescribed assessment manager is a person other than the chief executive or the local government—the planning scheme; and

- (d) *if the prescribed assessment manager is a person other than the chief executive—*
 - (i) *the regional plan for a region, to the extent the regional plan is not identified in the planning scheme as being appropriately integrated in the planning scheme; and*
 - (ii) *the State Planning Policy, to the extent the State Planning Policy is not identified in the planning scheme as being appropriately integrated in the planning scheme; and*
 - (iii) *for designated premises—the designation for the premises; and*
 - (e) *any temporary State planning policy applying to the premises; and*
 - (f) *any development approval for, and any lawful use of, the premises or adjacent premises; and*
 - (g) *the common material.*
- (2) *However—*
- (a) *an assessment manager may, in assessing development requiring code assessment, consider a matter mentioned in subsection (1) only to the extent the assessment manager considers the matter is relevant to the development; and*
 - (b) *if an assessment manager is required to carry out code assessment against assessment benchmarks in an instrument stated in subsection (1), this section does not require the assessment manager to also have regard to the assessment benchmarks.'*

Decision making framework

Section 60 of the *Planning Act 2016* states that:

- '(2) To the extent the application involves development that requires code assessment, and subject to section 62, the assessment manager, after carrying out the assessment—*
- (a) *must decide to approve the application to the extent the development complies with all of the assessment benchmarks for the development; and*
 - (b) *may decide to approve the application even if the development does not comply with some of the assessment benchmarks; and*
- Examples—*
- 1 *An assessment manager may approve an application for development that does not comply with some of the benchmarks if the decision resolves a conflict between the benchmarks.*
 - 2 *An assessment manager may approve an application for development that does not comply with some of the benchmarks if the decision resolves a conflict between the benchmarks and a referral agency's response.*
- (c) *may impose development conditions on an approval; and*
 - (d) *may, to the extent the development does not comply with some or all the assessment benchmarks, decide to refuse the application only if compliance can not be achieved by imposing development conditions.*

Example of a development condition—

A development condition that affects the way the development is carried out, or the management of uses or works that are the natural and ordinary consequence of the development, but does not have the effect of changing the type of development applied for.'

Assessment summary

The table below identifies the applicable assessment benchmarks and matters prescribed by Regulation that were considered in the assessment of the development application.

Assessment Benchmarks:	City Plan V3 <ul style="list-style-type: none"> • Medium density residential zone code • Healthy Waters code • Infrastructure Works code • Landscape code • Transport, Servicing, Access and Parking code
Matters prescribed by Regulation	<ul style="list-style-type: none"> • <i>State Planning Policy 2017</i> • <i>South East Queensland Regional Plan 2017</i> • <i>Planning Regulation 2017, Schedule 11, Part 6</i>

The key issues identified in the assessment were:

- streetscape; and
- car parking.

The application complies with the assessment benchmarks and matters prescribed by regulation.

Issue	Performance assessment
Streetscape	The design and layout of the development provides an attractive streetscape through the provision of balconies facing both street frontages, projections and recesses in the façade and variations in building materials and roof form.
Car parking	Sufficient car parking spaces are provided to meet the demands of the development. Manoeuvring into one of the car parking spaces is obstructed, and therefore a condition has been included to ensure that the design meets the Australian Standard AS2890.

APPLICATION ASSESSMENT

The most relevant parts of the assessment are discussed below.

Streetscape

Performance outcome PO13 of the medium density residential code states:

'Design elements contribute to an interesting and attractive streetscape and building through:

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

Performance outcome PO14 of the medium density residential code states that:

'Design elements promote a subtropical and climate responsive design character through:

- 1) the use of deep verandahs, decks and eaves, and*
- 2) integration of buildings within landscape planting.'*

Performance outcome PO15 of the medium density residential code states that:

'Roof form assists in reducing the appearance of building bulk by:

- 1) articulating individual buildings;*
- 2) incorporating variety in design;*
- 3) incorporating a roof pitch, gable or the like in buildings up to 13m; and*
- 4) screening plant and equipment, such as vents, lift over-runs or solar energy and storm water collectors.'*

The proposed building layout and design is considered to meet PO13, PO14 and PO15 as follows:

- The first floor of the building contains balconies that overlook both Chermside and Roberts streets and reflect a sub-tropical design.
- The proposed development incorporates articulation to Chermside Street by extending every second balcony forward, as well as the roof plane above.
- The Roberts Street elevation includes modulation in the façade with a small balcony and protruding bathroom wall.
- Both frontages incorporate landscaping within the site to soften the built form.
- Variation in building materials and elements including rendered walls, laser cut metal patterned screening, full vertical screening to part of the balconies, aluminium batten balustrade and vertical cladding to the roof projections.
- The underside of the slab includes a screening element at the driveway entrance to assist in concealing services in the car parking area.

- A pedestrian entry gatehouse on Chermside Street provides a clear entrance to the site for first floor unit occupants, separated from the vehicular access, and direct pedestrian access is provided to ground floor units on Roberts Street.
- The roof form incorporates a hip and gable form with skillion features that reflect the expressed balconies along the Chermside Street frontage.

1) Open space

Performance outcome PO5 of the medium density residential code states that:

'Development provides private open space that is:

- 1) useable in size and shape to meet the needs of a diversity of potential residents;*
- 2) functional and easily accessible from living or common areas to promote outdoor living as an extension of the dwelling;*
- 3) clearly identified as private open space; and*
- 4) provides a high level of privacy for residents and neighbours.'*

The ground floor units are provided with ground level open space that is directly accessible from the living areas, have sufficient dimensions to be usable and are sized to allow a usable courtyard area as well as landscaping that provides privacy and amenity to unit occupants. The first floor units each have a sufficiently sized and dimensioned balcony for the occupant's needs. In this regard it is considered that development complies with performance outcome PO5.

2) Building height

Performance outcome PO9 of the medium density residential code states that:

'Building height:

- 1) in precinct MDR1 parkland living, Capalaba, is mid-rise and provides a transition up to higher buildings within the principal centre;*
- 2) in precinct MDR2 Mt Cotton Road Capalaba, is mid-rise but steps down from the principal centre to low rise residential areas south of Redland Bay Road;*
- 3) in precinct MDR3 Shore Street East, Cleveland, is mid-rise but creates a focal point between Cleveland principal centre and Toondah Harbour;*
- 4) in precinct MDR4 Cleveland, is mid-rise and reinforces the connection between Cleveland principal centre and Toondah Harbour;*
- 5) in precinct MDR7 Erapah Creek, South East Thornlands and precinct MDR5 Esplanade, Redland Bay, is mid-rise, accommodating a slightly higher built form than surrounding medium density residential zoned land to optimise the amenity of their locations; and*
- 6) is up to three storeys in all other areas.'*

The proposal complies with the performance outcomes by adopting the acceptable outcome AO9.1 as the building does not exceed 13m.

3) Car parking

Performance outcome PO8 of the transport, servicing, access and parking code states:

'On-site vehicle parking:

- 1) is clearly defined, safe and easily accessible;*
- 2) accommodates a sufficient number of vehicles, having regard to:*
 - 1) the type and size of development;*

- 2) *expected resident, employee and customer movements;*
 - 3) *the location of the use;*
 - 4) *the capacity of the existing road network to accommodate on-street parking; and*
 - 5) *access to public transport;*
- 3) *includes dedicated parking spaces for people with a disability, motor cycles and bicycles.'*

Performance outcome PO9 of the transport, servicing, access and parking code states:

'Car parking and internal circulation is designed and constructed to:

- 1) *provide a clear internal movement hierarchy;*
- 2) *separate servicing and customer parking and circulation functions as far as possible;*
- 3) *discourage high vehicular speed and short-cutting;*
- 4) *be clearly distinguishable from pedestrian entries and paths;*
- 5) *be easily negotiated by vehicles and pedestrians, including persons with a disability;*
- 6) *ensure vehicles do not reverse into areas of high pedestrian activity; and*
- 7) *optimise safety and security of users.'*

The proposal includes ten parking spaces for residents and one visitor car parking space, which is sufficient to meet the demand of the ten one-bedroom units and reflects the deemed to comply solution in acceptable outcome AO8.1.

All car parking spaces and manoeuvring areas comply with Australian Standard AS2890, with the exception of car park 9. Manoeuvring in and out of this space is obstructed by the building columns. It is recognised that the building columns may change design and location at the building assessment stage. A condition is recommended requiring the submission of a revised plan at conditioned works assessment that demonstrates compliance with AS2890.

Subject to this condition, the application is considered to comply with performance outcomes PO8 and PO9.

Waste management

Performance outcome PO14 of the infrastructure works code seeks the following:

'Waste management facilities are provided such that:

- 1) *there is a dedicated, sealed waste and recycling container storage area that is convenient and safe to use;*
- 2) *there is adequate volume and separate containers for waste and recyclables likely to be generated;*
- 3) *spills or wash down from waste containers can be adequately contained; and*
- 4) *nuisance to adjoining properties is minimised.'*

The proposed development is considered to meet the performance outcome. Items 1 through 3 above have been satisfied by dedicated storage locations for waste bins on the ground floor, that can be transported to the kerbside on collection day. Item 4 above is satisfied as there is approximately 60m of frontage to the site, which is more than sufficient to accommodate the bins on collection day, without any impact on neighbouring properties. The bin storage area is sufficiently screened from the street and from neighbouring properties.

Stormwater

The application is subject to assessment against the healthy waters code in regards to the stormwater solution provided for the site. The proposal will discharge stormwater to the existing gully pit in Chermside Street to the south-east of the site. The applicant has proposed an internal stormwater network that includes two above ground rainwater tanks, with partial detention space, on the north side of the site. It is considered that the proposal will ensure no actionable nuisance to adjoining properties and will comply with the relevant performance outcomes PO3, PO4, PO5, PO6 and PO8 of the healthy waters code.

In relation to water quality, the proposal includes the use of litter traps with bag filters, which will remove sediments from the stormwater. With the site's impervious area being almost entirely roof area, the main contaminant is dirt/sediment that accumulates on the roof. The proposed treatment is considered to meet performance outcomes PO9 and PO10 of the healthy waters code, by not adversely impacting the water quality of receiving waterways.

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: \$150,888.90

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

Residential Component

(10 X Multiple Dwelling - 1 or 2 bedroom X \$20,956.80)	\$209,568.00
Residential Demand Credit	
(2 X Dwelling House - 3 or more bedroom X \$29,339.55)	\$58,679.10

Total Council Charge:	\$150,888.90
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Offsets

There are no offsets that apply under Chapter 4 Part 2 of the *Planning Act 2016*.

Refunds

There are no refunds that apply under Chapter 4 Part 2 of the *Planning Act 2016*.

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 properly made submissions were received.

DEEMED APPROVAL

The approval of this application has not been issued under Section 64 of the *Planning Act 2016*.

STRATEGIC IMPLICATIONS**Legislative Requirements**

In accordance with the *Planning Act 2016* this development application has been assessed against the City Plan and other relevant planning instruments.

Risk Management

The standard development application risks apply. In accordance with the *Planning Act 2016* the applicant may appeal to the Planning and Environment Court against a condition of approval or against a decision to refuse.

Financial

The applicant can appeal to the Planning and Environment Court against this decision of Council. Such proceedings would incur legal and Court costs.

People

There are no implications for staff.

Environmental

Where relevant, the 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.

Human Rights

No human rights matters are relevant to the assessment of the application.

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

Consulted	Consultation Date	Comments/Actions
Division 1 Councillor	20 September 2019 and 4 October 2019	Application called in for a decision by Council.

OPTIONS**Option One**

That Council resolves to issue a development permit for the material change of use for a multiple dwelling on land described as Lots 43 and 44 on RP14168 and situated at 18 Chermside Street Wellington Point, subject to the conditions in Attachment 4.

Option Two

That Council resolves to approve the application without conditions or subject to amended conditions.

Option Three

That Council resolves to refuse the application (grounds of refusal will need to be identified).

OFFICER'S RECOMMENDATION

That Council resolves to issue a development permit for the material change of use for a multiple dwelling on land described as Lots 43 and 44 on RP14168 and situated at 18 Chermside Street Wellington Point, subject to the conditions in Attachment 4.

COUNCIL RESOLUTION 2020/6

Moved by: Cr Wendy Boglary

Seconded by: Cr Tracey Huges

That Council resolves that the application for a material change of use for the purposes of a Multiple Dwelling (10 units) on the land known as 18 Chermside Street, Wellington Point and described as Lots 43 and 44 on RP 14168 be issued a refusal based on the grounds below:

Car parking

1. The proposal does not provide on-site car parking that is easily negotiated and easily accessible by vehicles, nor does it optimise the safety and security of users. The proposed development does not comply with the following provisions of the City Plan:
 - a) Performance outcome PO8 of the transport, servicing, access and parking code;
 - b) Performance outcome PO9 of the transport, servicing, access and parking code; and
 - c) Performance outcome PO14 of the infrastructure works code.

Waste management

2. The proposal does not provide a waste storage location that provides a high level of on-site amenity for occupants, minimises the impact to surrounding residential amenity, and minimises nuisance to adjoining properties. The proposed development does not comply with the following provisions of the City Plan:
 - a) Performance outcome PO20 of the medium density residential zone code;
 - b) Performance outcome PO23 of the medium density residential zone code; and
 - c) Performance outcome PO14 of the infrastructure works code.

Private open space

3. The proposal does not provide adequate private open space that is useable in size and shape, functional, or which provides for a high level of privacy for residents. The proposed development does not comply with the following provisions of the City Plan:
 - a) Performance outcome PO5 of the medium density residential zone code.

Setbacks

4. The proposed building setbacks do not maintain appropriate levels of amenity for the existing property to the north. The development setbacks do not provide space for landscaping to complement building massing and to screen the northern side of the building, nor is there adequate space for service functions. The proposed development does not comply with the following provisions of the City Plan:
 - a) Performance outcome PO11 of the medium density residential zone code.

Landscaping

5. The proposal does not provide on-site landscaping which is sufficient to enhance the appearance of the development, provide privacy between dwellings or screen unsightly components. The proposed development does not comply with the following provisions of the City Plan:
 - a) Performance outcome PO19 of the medium density residential zone code.

CARRIED 7/4

Crs Wendy Boglary, Paul Gollè, Lance Hewlett, Murray Elliott, Tracey Huges, Paul Gleeson and Paul Bishop voted FOR the motion.

Crs Karen Williams, Peter Mitchell, Mark Edwards and Julie Talty voted AGAINST the motion.

ATTACHMENT 1 - PROPOSAL PLAN

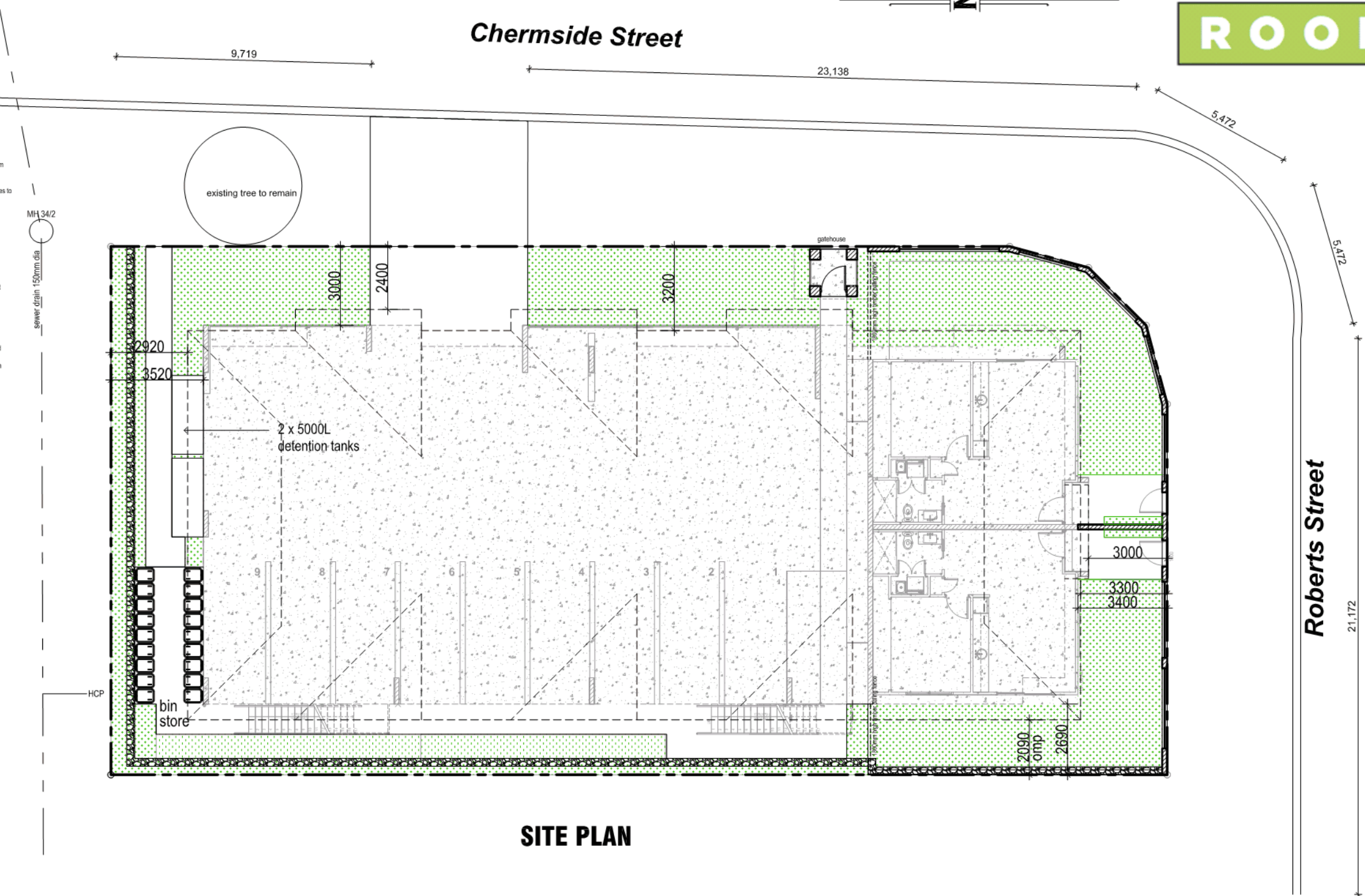


property description

site: Lot 43+44
 number: 18
 street: Chermside Street
 locality: Wellington Point
 parish:
 county: Stanley
 rp: 14168
 area: 900.33m²
 site cover: 465.33m² / 58.1%
 landscaping: 264.7m² / 33.75%

notes

Use written dimensions only. Do not scale drawings from plans.
 Building zone is to be cleared of any vegetation and trees to suit - check on site.
 All survey data taken from DWG/PDF copy by others. Cyber Drafting & Design take no responsibility of the proposed slab & pad levels due to the possibility of in-accuracy of the disclosure plan.
 Verify all bearing and dimensions on site prior to construction. All missing pegs to be re-installed prior to any construction. Notify head contractor immediately of any discrepancies in setout dimensions. Do not start construction until all boundaries are confirmed.
 Ensure all drawings and accompanying details and/or specifications have been stamped as 'Approved' by the relevant local authorities prior to use.
 All site drainage to be graded to rubble pits or approved site drainage pits at a min grade of 1:100 (1%) and connected to legal point of discharge in compliance with AS/NZ 3500 &/or NCC BCA vol. 2, parts 3.1.2 & 3.5.2

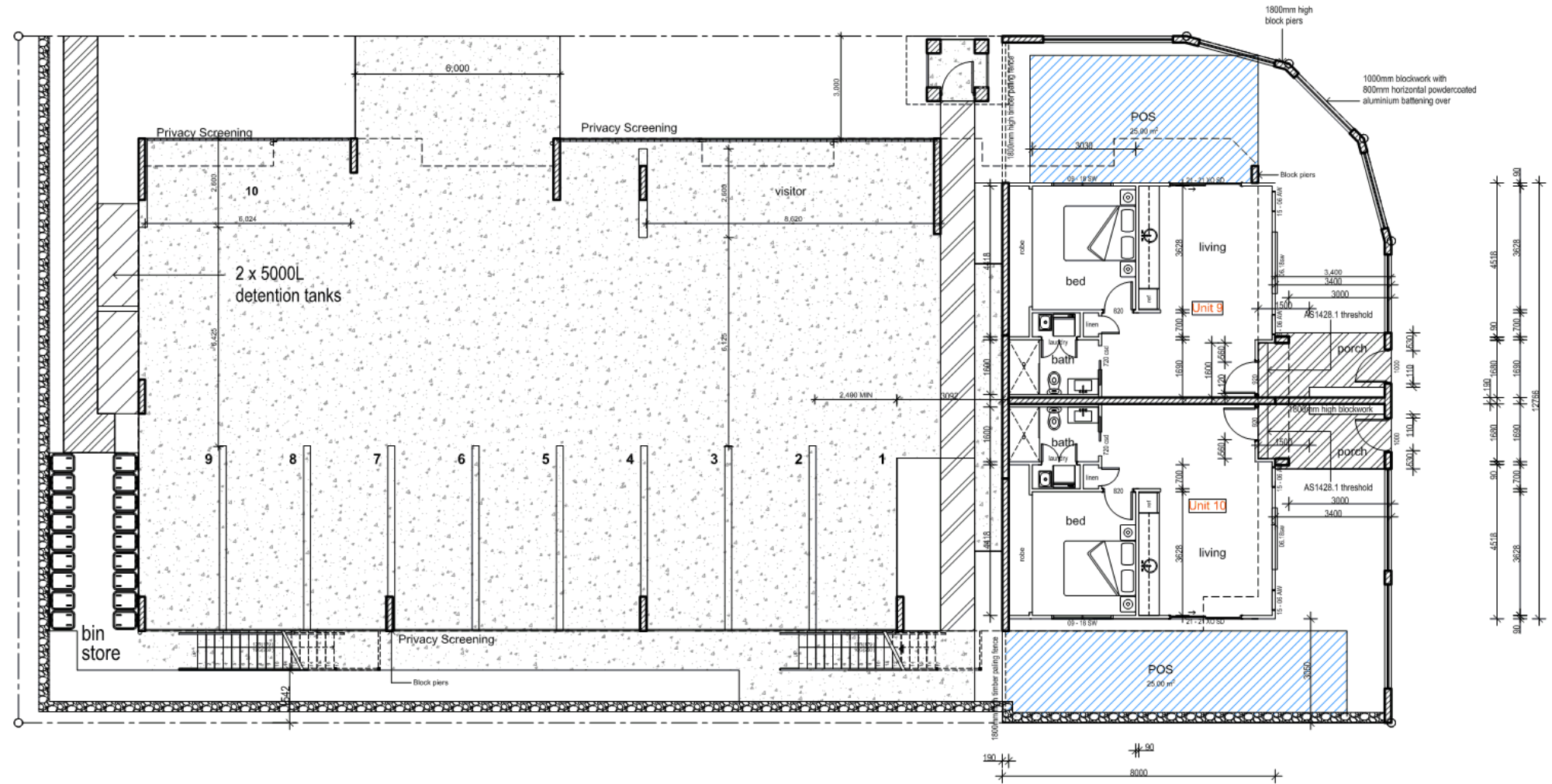


SITE PLAN

<p>unit 24 dennis court, 8 dennis rd springwood, 4127 p.o. box 1362, springwood, qld, 4127 p: 3299 5160 f: 3299 5679 w: www.pjmdrafting.com.au m: 0401 229 148 e: patrick@pjmdrafting.com.au qbsa: 1053554 abn: 41 918 162 193</p>	PROJECT	DRAWING TITLE	CLIENT	SCALE	DWG NO.	ISSUE
	Proposed multi-unit dwelling at 18 Chermside Street, Wellington Point	Site Plan	Go 2 Your Room	1:150	A01	0
			ISSUE DATE Nov 2019	PROJECT NO.	DRAWN pjm	



- legend:**
- b bath
 - vb vanity basin
 - dw dish washer space
 - ohc overhead cupboards
 - cpt carpet
 - fr refrigerator
 - hws hot water service
 - conc plain concrete
 - shr shower
 - sub laundry tub
 - wm washing machine
 - wc water closet
 - sss stainless steel sink
 - hp hot plate
 - ubo under bench oven
 - dp rainwater downpipe
 - ef vented exhaust fan installed as per BCA 3.8.5 & to comply with AS 1669.2
 - SD ceiling mounted smoke detectors hard-wired with battery back-up as per AS 3786-1993 & NCC 2014 BCA Vol. 2 3.7.2.2



GROUND FLOOR PLAN

pjm design + drafting
 unit 24 dennis court, 8 dennis rd springwood, 4127
 p.o. box 1362, springwood, qld, 4127
 p: 3299 5160 f: 3299 5679 w: www.pjmdrafting.com.au
 m: 0401 229 148 e: patrick@pjmdrafting.com.au
 qbsa: 1053554 abn: 41 918 162 193

PROJECT <i>Proposed multi-unit dwelling at 18 Chermside Street, Wellington Point</i>
--

DRAWING TITLE <i>Ground Floor Plan</i>
--

CLIENT <i>Go 2 Your Room</i>
ISSUE DATE <i>Nov 2019</i>

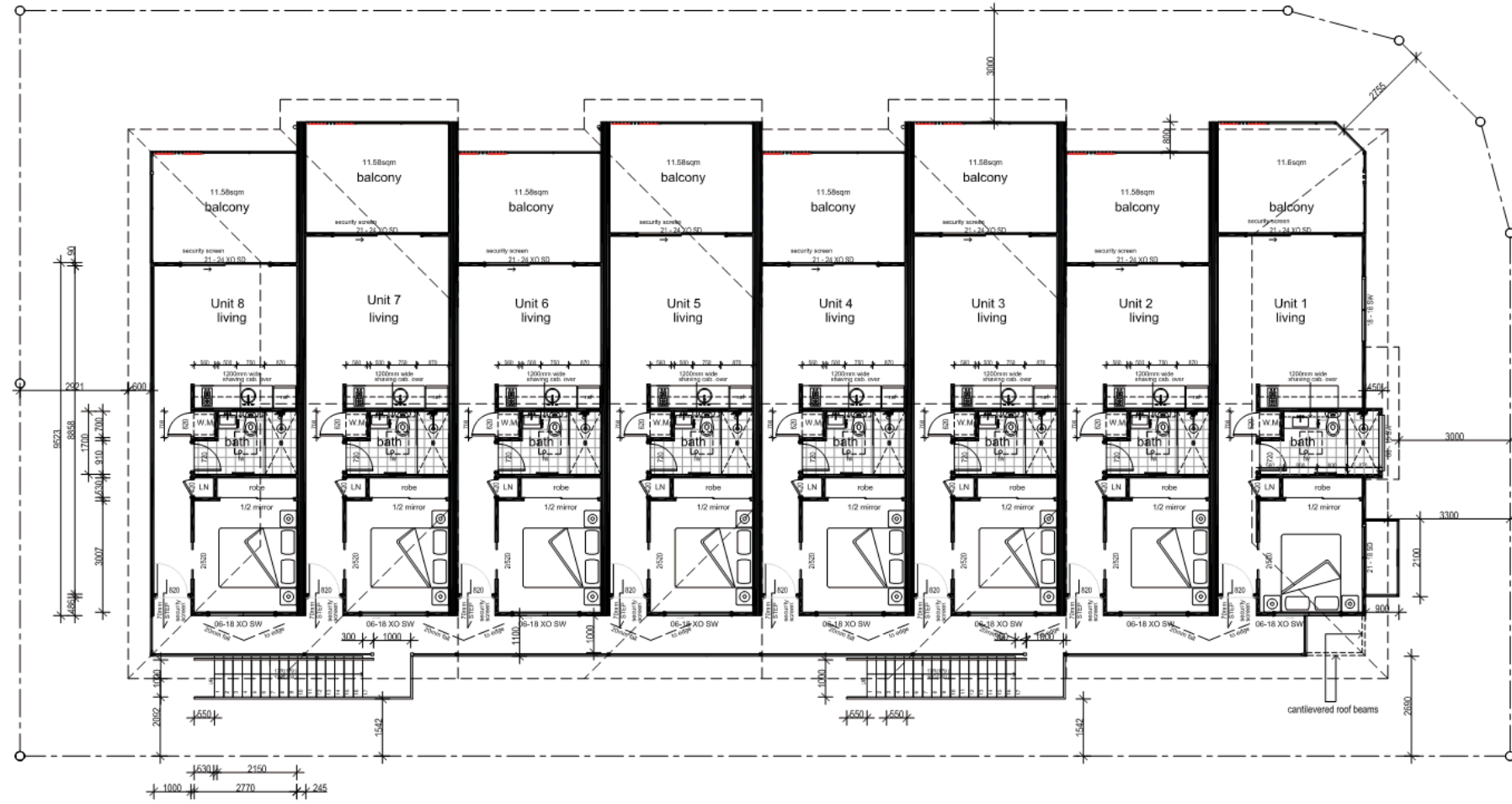
SCALE <i>1:150</i>
DRAWN <i>pjm</i>

DWG NO. <i>A02</i>	ISSUE <i>0</i>
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legend:

- b bath
- vb vanity basin
- dw dish washer space
- ohc overhead cupboards
- cpt carpet
- fr refrigerator
- hws hot water service
- conc plain concrete
- shr shower
- sub laundry tub
- wm washing machine
- wc water closet
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- ef vented exhaust fan installed as per BCA 3.8.5 & to comply with AS 1669.2
- SD ceiling mounted smoke detectors hard-wired with battery back-up as per AS 3786-1993 & NCC 2014 BCA Vol. 2 3.7.2.2

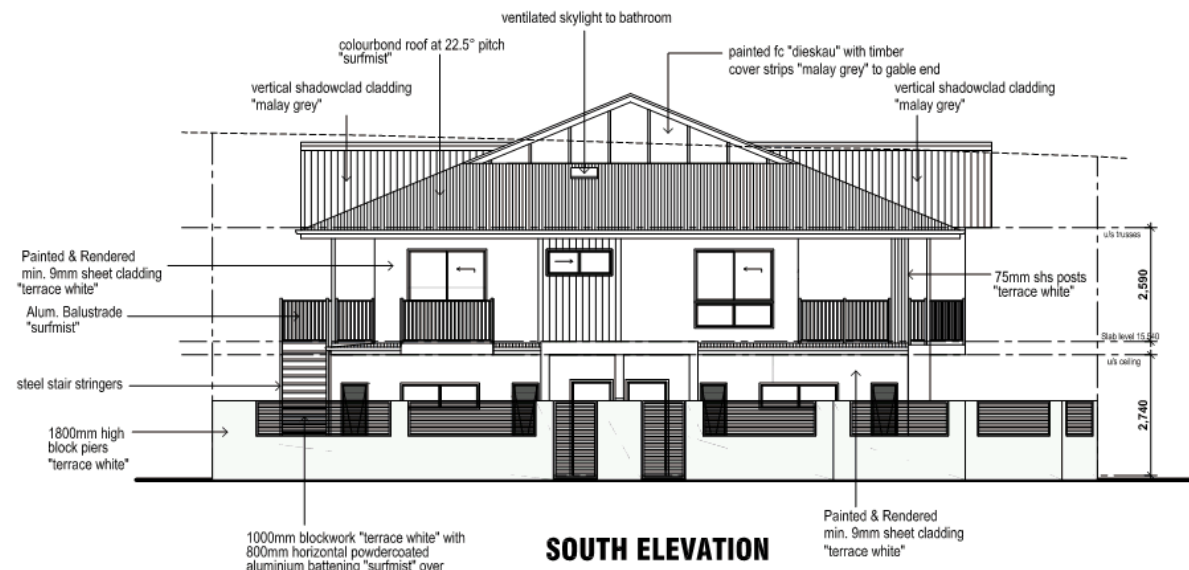


FIRST FLOOR PLAN

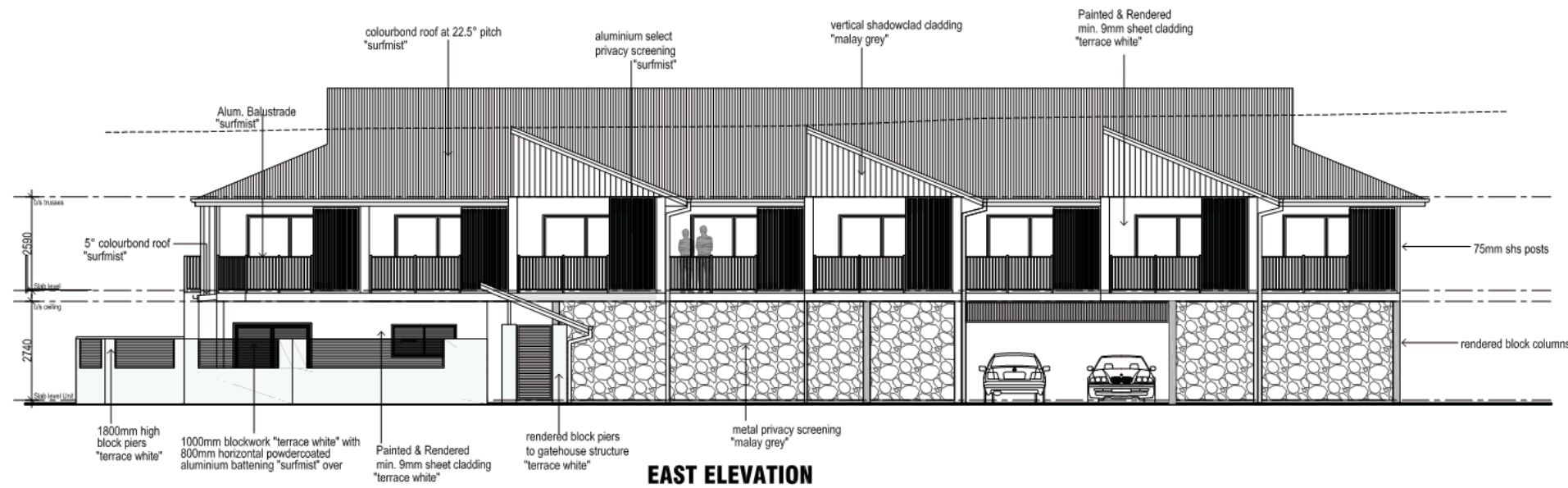
pjm design + drafting
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 qbsa: 1053554 abn: 41 918 162 193

PROJECT	DRAWING TITLE
<i>Proposed multi-unit dwelling at 18 Chermside Street, Wellington Point</i>	<i>First Floor Plan</i>

CLIENT	SCALE	DWG NO.	ISSUE
<i>Go 2 Your Room</i>	<i>1:150</i>	<i>A03</i>	<i>0</i>
ISSUE DATE	PROJECT NO.	DRAWN	
<i>Nov 2019</i>		<i>pjm</i>	



	Dieskau
	Terrace White
	Malay Grey
	Surfmist



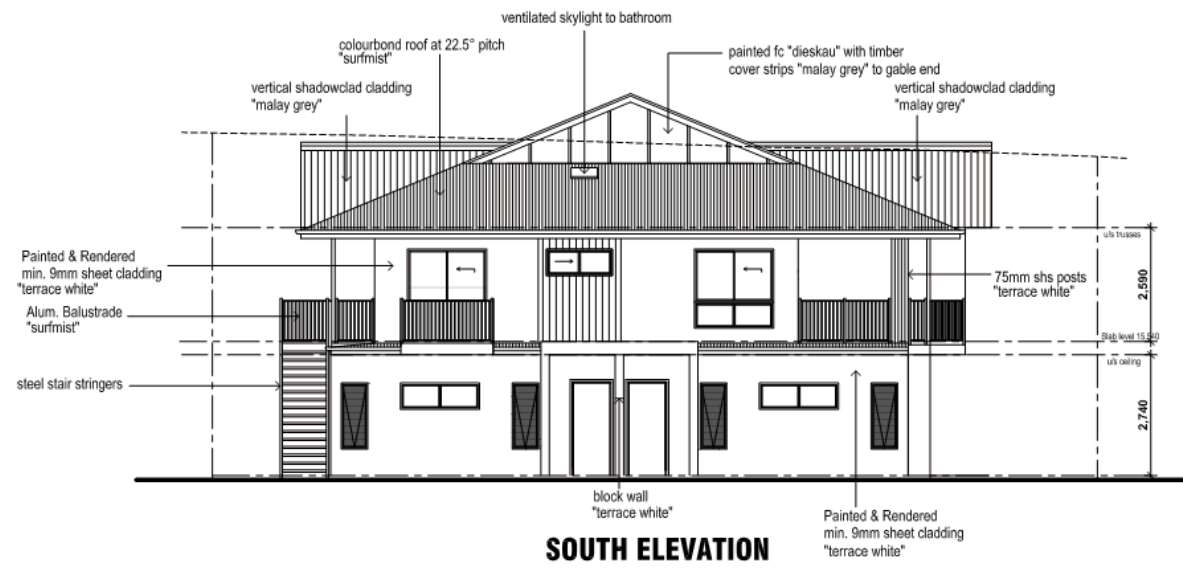
pjm design + drafting
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 p.o. box 1362, springwood, qld, 4127
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 qbsa: 1053554 abn: 41 918 162 193

PROJECT <i>Proposed multi-unit dwelling at 18 Chermside Street, Wellington Point</i>
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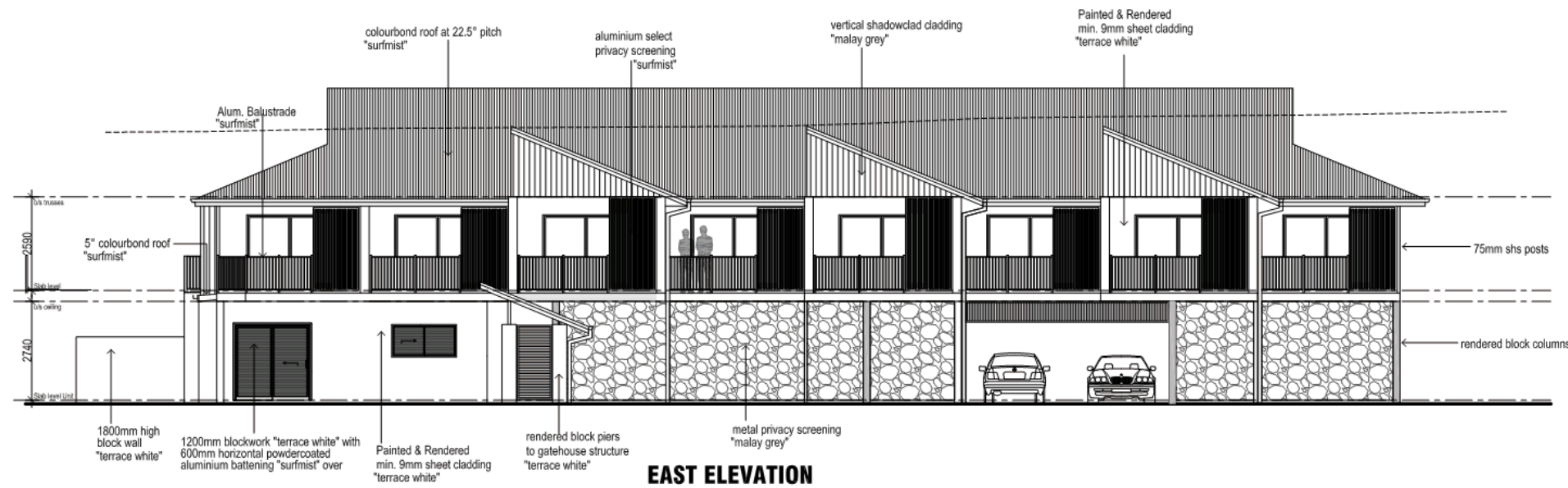
DRAWING TITLE <i>Elevations</i>

CLIENT <i>Go 2 Your Room</i>
ISSUE DATE <i>Nov 2019</i>

SCALE <i>1:150</i>	DWG NO. <i>A04</i>	ISSUE <i>0</i>
PROJECT NO.	DRAWN <i>pjm</i>	



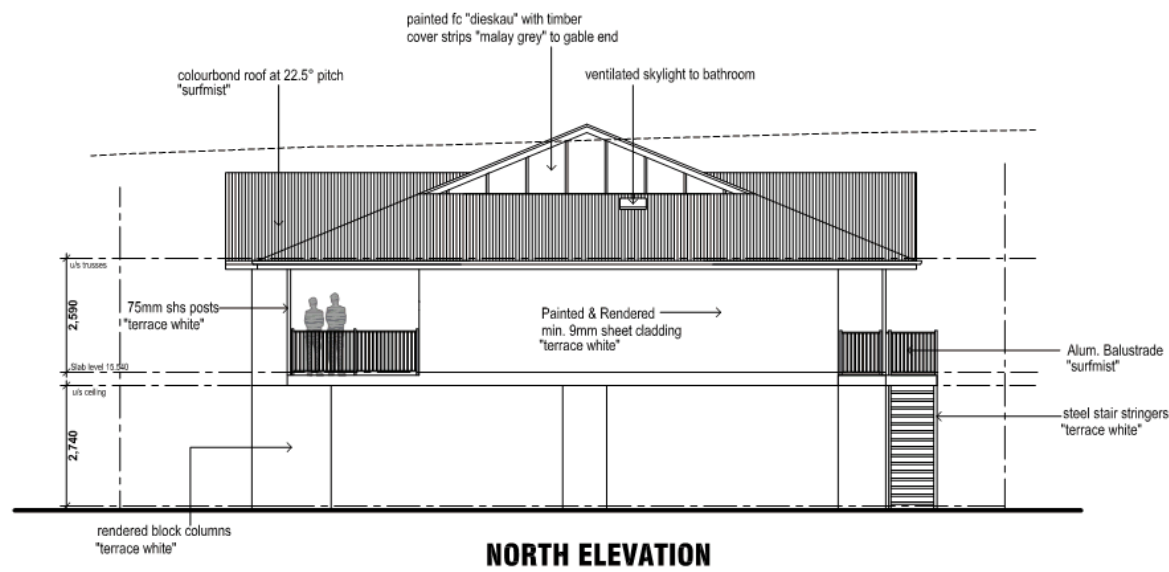
	Dieskau
	Terrace White
	Malay Grey
	Surfmist



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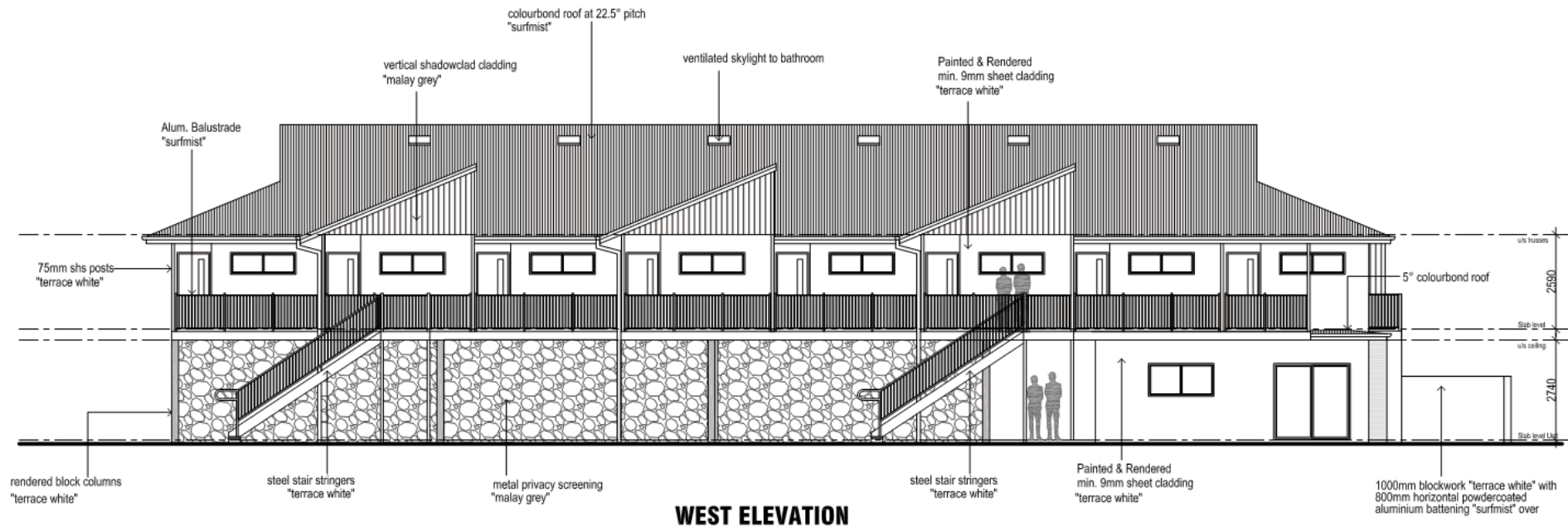
PROJECT	DRAWING TITLE
<i>Proposed multi-unit dwelling at 18 Chermside Street, Wellington Point</i>	<i>Elevations</i>

CLIENT	SCALE	DWG NO.	ISSUE
<i>Go 2 Your Room</i>	<i>1:150</i>	<i>A04a</i>	<i>0</i>
ISSUE DATE	PROJECT NO.	DRAWN	
<i>Nov 2019</i>		<i>pjm</i>	



Legend:

- Dieskau
- Terrace White
- Malay Grey
- Surfmist



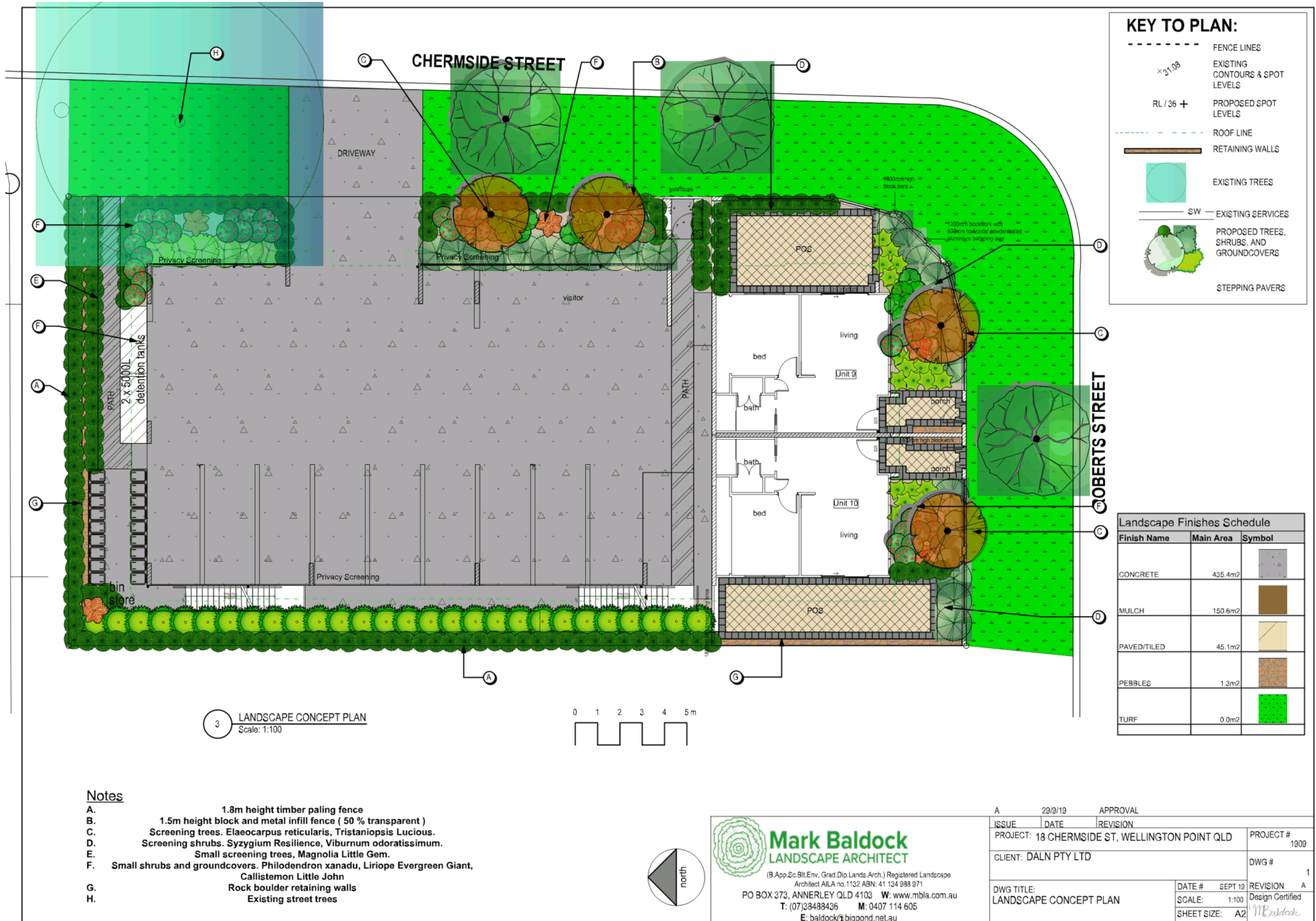
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PROJECT <i>Proposed multi-unit dwelling at 18 Chermside Street, Wellington Point</i>
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DRAWING TITLE <i>Elevations</i>

CLIENT <i>Go 2 Your Room</i>
ISSUE DATE <i>Nov 2019</i>

SCALE <i>1:150</i>	DWG NO. <i>A05</i>	ISSUE <i>0</i>
PROJECT NO.	DRAWN <i>pjm</i>	



CONCEPT PLANT SCHEDULE						
Plan Symbol	Category	Botanical name	Common Name	Mature Height	Mature Spread	Photo
Tree						
	Tree	Cupaniopsis anacardioides	Tuckeroo	10 - 15m	3.5 - 6m	
	Tree	Elaeocarpus reticulatus	Blueberry Agh	5 - 10m	3.5 - 6m	
Shrub						
	Shrub	Ixora Prince of Orange Dwarf	Prince of Orange Dwarf	0.75 - 0.9m	0.9 - 1.2m	
	Shrub	Philodendron Xanadu	Xanadu	0.75 - 0.9m	0.9 - 1.2m	
	Shrub	Strelitzia reginae	Bird Of Paradise	0.9 - 1.5m	0.9 - 1.2m	
	Shrub	Syzygium australe AATS PINNACLE TM PBR	Pinnacle	3 - 5m	1.2 - 2.0m	
	Shrub	Syzygium cascade	Cascade			
	Shrub	Syzygium Resilience	Resilience	3 - 5m	1.2 - 2.0m	
Groundcover						
	Ground Cover	Alcantarea Silver Plum	Silver Plum	0.9 - 1.5m	0.9 - 1.2m	
	Ground Cover	Hymenocallis littoralis	Spider Lilly	0.45 - 0.6m	0.6 - 0.9m	
Grass						
Perennial						
	Perennial	Liriope 'Evergreen Giant'	Evergreen Giant	0.45 - 0.6m	0.3 - 0.6m	

LANDSCAPING NOTES

1 GENERAL STANDARDS
 1.1 **Soil**
 General: Import topsoil to comply with AS 4419.

2 SITE AND SOIL
 2.1 **Planting beds**
 Cultivation depths (mm):
 - Grassed areas (turf): 150
 - Planting areas: 150

2.2 Source
 General: Import topsoil that complies with AS 4419.

Topsoil source schedule
 Soil type: Premium Organic Topsoil Mixture(AS4419)

Topsoil depths
 Spread topsoil to the following typical depths:
 - Excavated planting areas: If using organic mulch, 300 mm.
 - Non-irrigated areas: 100 mm

2.3 Fertiliser
 Provide proprietary fertilizers, delivered to the site in sealed bags marked to show manufacturer or vendor, weight, fertilizer type, N-P-K ratio, recommended uses and application rates.

Fertiliser schedule

Location	N:P:K ratio	Application rate
Turf	10:4:6	Follow manufacturers' recommendations
Individual plantings	Prolonged release	Follow manufacturers' recommendations

3 Turf
 Obtain turf from a specialist grower of cultivated turf. Provide turf of even thickness, free from weeds and other foreign matter.

Turfing schedule

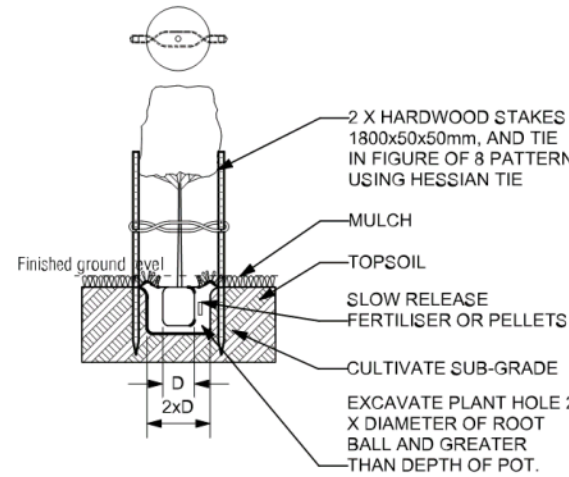
Species or variety	Minimum thickness(mm)	Turf roll size(mm)	Mowing height (mm)
SIR WALTER	20	1000x300	20

4 PLANTS
 General: Provide plants with the following characteristics:
 - Large healthy root systems, with no evidence of root curl, restriction or damage.
 - Vigorous, well established, free from disease and pests, of good form consistent with the species or variety.
 - Hardened off, not soft or forced, and suitable for planting in the natural climatic conditions prevailing at the site.
 General: Supply plants in weed-free containers of the required size.

4.1 Mulch
 General: Provide mulch which is free of deleterious and extraneous matter such as soil, weeds and sticks.
 Standard: To AS 4454.
 Mulch material: CYPRESS MULCH
 Depth: Spread organic mulch to a depth of 100 mm, and gravel mulch to a depth of 100 mm.

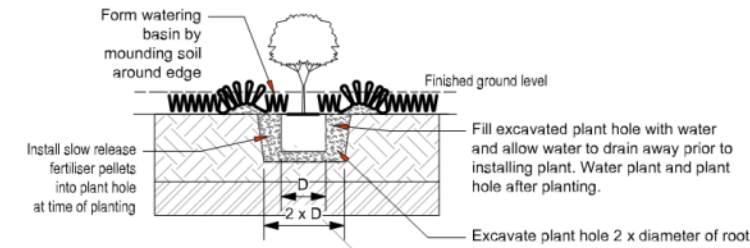
4.2 Stakes
Stake sizes:
 - For plants 1 - 2.5 m high: Two 50 x 50 x 1800 mm stakes per plant.
Ties:
 General: Provide ties fixed securely to the stakes, one tie at half the height of the main stem, others as necessary to stabilise the plant.
Tie types:
 - For plants < 2.5 m high: 50 mm hessian webbing stapled to the stake.

5 COMPLETION
5.1 Period
 Commencement: The planting establishment period commences at the date of practical completion.
 Required period: 12 weeks



NOTES:
 -DO NOT PLACE TOPSOIL OVER ROOT BALL
 -ROUGHEN SIDE AND BASE OF PLANT HOLE TO ENCOURAGE ROOT DEVELOPMENT AFTER EXCAVATING PLANT HOLE
 -TAMP BASE OF PLANT HOLE PRIOR TO PLACING PLANT TO PREVENT SETTLEMENT
 -WATER PLANT HOLE THOROUGHLY BEFORE AND AFTER PLANTING

1 TREE PLANTING DETAIL
 Scale: 1:40



NOTES:
 -DO NOT PLACE TOPSOIL OVER ROOT BALL
 -ROUGHEN SIDE AND BASE OF PLANT HOLE TO ENCOURAGE ROOT DEVELOPMENT AFTER EXCAVATING PLANT HOLE
 -TAMP BASE OF PLANT HOLE PRIOR TO PLACING PLANT TO PREVENT SETTLEMENT
 -WATER PLANT HOLE THOROUGHLY BEFORE AND AFTER PLANTING

2 SHRUB, GROUNDCOVER PLANTING DETAIL
 Scale: 1:20

Mark Baldock
 LANDSCAPE ARCHITECT

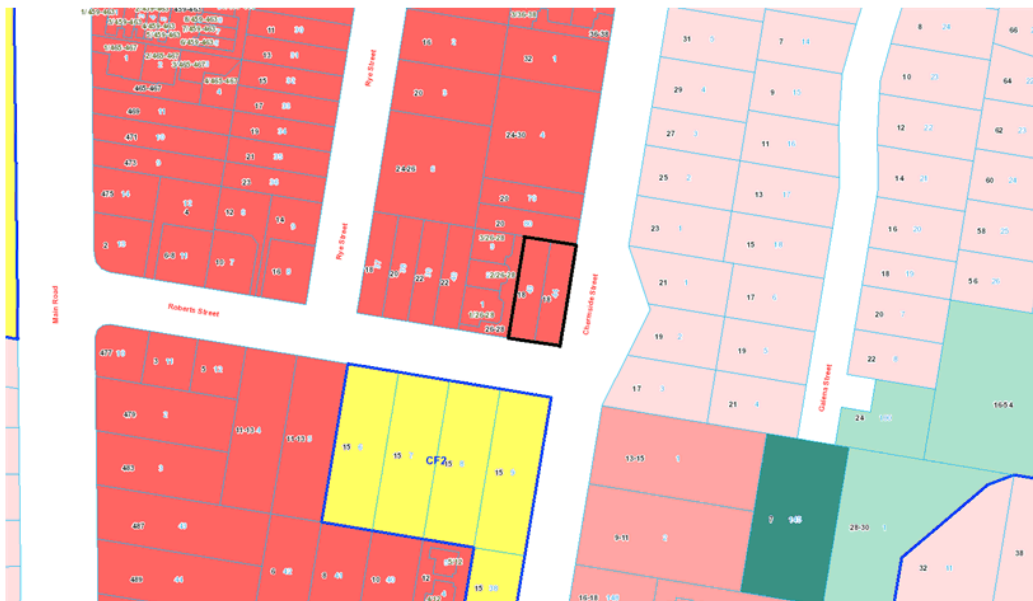
(B.App.Sc.Blt.Env, Grad.Dip.Lands.Arch.) Registered Landscape Architect AILA no.1132 ABN: 41 134 988 971
 PO BOX 373, ANNERLEY QLD 4103 W: www.mbla.com.au
 T: (07)38488436 M: 0407 114 605
 E: baldock@bigpond.net.au

ISSUE	DATE	REVISION	PROJECT #
A	29/9/19	APPROVAL	1909
PROJECT: 18 CHERMSIDE ST, WELLINGTON POINT QLD			PROJECT #
CLIENT: DALN PTY LTD			DWG #
DWG TITLE: LANDSCAPE CONCEPT PLAN			2
DATE #	SEPT 19	REVISION	A
SCALE:	1:100	Design Certified	
SHEET SIZE:	A2		

ATTACHMENT 2 – SITE AERIAL



ATTACHMENT 3 – ZONING CONTEXT



Zones

- Low Density Residential
- Low-medium Density Residential
- Medium Density Residential
- Character Residential
- Tourist Accommodation
- Principal Centre
- Major Centre
- District Centre
- Local Centre
- Neighbourhood Centre
- Specialised Centre
- Recreation and Open Space
- Environmental Management
- Conservation
- Low Impact Industry
- Medium Impact Industry
- Waterfront and Marine Industry
- Community Facilities
- Emerging Communities
- Mixed Use
- Rural

ATTACHMENT 4 – CONDITIONS OF APPROVAL

<u>ASSESSMENT MANAGER CONDITIONS</u>	<u>TIMING</u>
<p>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.</p>	
<u>Approved plans and documents</u>	
<p>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.</p>	<p>Prior to the use commencing and ongoing.</p>

Plan/document title	Reference number	Prepared by	Plan/doc. date
Site plan	AO1 Issue 0	Pjm design and drafting	Nov 2019
Ground floor plan	AO2 Issue 0	Pjm design and drafting	Nov 2019
First floor plan	AO3 Issue 0	Pjm design and drafting	Nov 2019
Elevations	AO4 Issue 0	Pjm design and drafting	Nov 2019
Elevations	AO4a Issue 0	Pjm design and drafting	Nov 2019
Elevations	AO5 Issue 0	Pjm design and drafting	Nov 2019
Landscape concept plan	DWG# 1 Rev A	Mark Baldock	Sept 2019
Landscape concept plan	DWG# 2 Rev A	Mark Baldock	Sept 2019
Site based stormwater plan	19212 Rev 0	HCE Engineers	Sept 2019

Table 1: Approved plans and documents

<u>Design</u>	
<p>3. Demolish or relocate/remove all existing structures on site in accordance with the approved plan(s) and cap all services prior to demolition commencing.</p>	<p>Prior to the use commencing.</p>
<p>4.</p>	

Locate, design and install outdoor lighting, where required, to minimise the potential for light spillage to cause nuisance to neighbours.	Prior to the use commencing and ongoing.
5. Ensure air conditioning units, where provided, are screened from view of the street and adjoining premises.	Prior to the use commencing and ongoing.
Conditioned works assessment	
6. 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	Assessment criteria
Stormwater	<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 • 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 for parking facilities set (2890:2009)

Table 2: Conditioned works assessment

7. Comply with all conditions and approved plans in the Conditioned Works Approval.	Prior to site works commencing.
Bonds	
8. 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 are completed in accordance with conditions.

Road opening approval bond	\$500	When works are completed in accordance with conditions.
TOTAL	\$2,500	

Table 3: Bonds

Inspections	
9. Arrange with Council for the following inspections to be carried out at the relevant time in accordance with Table 4: Inspections below.	At timing indicated in Table 4.

Inspection	Timing
Pre-start	Prior to any works commencing.
Erosion and sediment control	Immediately after installation of erosion and sediment control measures.
Driveway crossover	Box inspection to be undertaken with reinforcing mesh in place and supported on bar chairs prior to the concrete being poured.
Compliance inspection	On completion of the development in accordance with the approval and its conditions.

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 development must pass a Compliance Inspection before the issue of a Certificate of Classification.

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.

General	
10. 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 twenty million dollars and must indemnify Redland City Council.	Prior to requesting a pre-start meeting or works commencing, whichever is the sooner.
11. 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	During construction.

with the Queensland Urban Drainage Manual (QUDM). Maintain the temporary system for the duration of the building works.	
12. Notify Council within 24hrs and rectify, in consultation with Council, any damage to Council infrastructure as a result of construction activities, at no cost to Council.	As soon as practical following identification of the damage.
13. 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.	Prior to on maintenance or the issue of a Certificate of Classification, whichever is the sooner.
14. 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 private property. Should the site be unattended or abandoned, public safety must still be maintained.	During construction phase.
15. Rectify any damage done to the road verge during construction, including topsoiling and re-turfing.	Prior to the issue of a Certificate of Classification.
Access and roadworks	
16. 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 2019/2020 Financial Year is: <ul style="list-style-type: none"> • \$913.70 – this incorporates a refundable bond of \$500 and a non-refundable administration fee of \$413.70. b) A copy of the contractor's Workcover insurance currency certificate. c) A copy of the contractor's Public Liability insurance currency certificate. The public liability insurance policy must be a 	Prior to requesting a pre-start meeting or works commencing, whichever is the sooner.

<p>minimum of twenty million dollars and must indemnify Redland City Council.</p> <p>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 and should include proposed haul routes for construction vehicles associated with the works, as applicable.</p>	
<p>17. Submit to Council, and receive Conditioned Works approval for, an amended car parking design that includes the minimum 1 metre blind aisle extension, as required by Australian Standard AS2890 and the City Plan – Transport, servicing, access and parking code.</p>	<p>As part of request for conditioned works assessment.</p>
<p>Access and parking</p>	
<p>18. Provide ten car parks in accordance with approved plan.</p> <p>Access to car parking spaces, bicycle spaces, bin bays and driveways must remain unobstructed and available for their intended purpose.</p>	<p>Prior to the use commencing and ongoing.</p>
<p>Stormwater management</p>	
<p>19. Convey roof water and surface water to a lawful point of discharge being Chermside Street 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>20. 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>21. Submit to Council, and receive Conditioned Works approval for, a stormwater plan and report that is generally in accordance with the approved Site Based Stormwater Management Plan, and addresses quantity in accordance with the City Plan Planning Scheme Policy 2 – Infrastructure Works, and the following:</p> <ul style="list-style-type: none"> • Relocate the proposed rainwater tanks to ensure there is no conflict with the amendments required for the parking. 	<p>As part of request for conditioned works assessment.</p>

<p>22. 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>23. Ensure a minimum 9000L of free draining stormwater detention is provided, in accordance with the approved stormwater management plan.</p>	<p>Prior to compliance inspection and ongoing.</p>
<p><u>Services and utilities</u></p>	
<p>24. 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.</p>	<p>At the time of works occurring.</p>
<p>25. Connect the development to external reticulated sewer, external reticulated water and electricity supply.</p>	<p>Prior to the issue of a Certificate of Classification.</p>
<p>26. 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.</p>	<p>Prior to site works commencing.</p>
<p>27. Provide water connections and water meters in accordance with Council's Standard Drawings. Provide details to Council of the water meters and their locations.</p>	<p>Prior to the issue of a Certificate of Classification.</p>
<p><u>Excavation and filling</u></p>	
<p>28. Undertake any required excavation and fill works in accordance with the following:</p> <p>a) Design retaining walls/structures to have a minimum design life of 60 years and to be in accordance with Australian Standard 4678:2002 – Earth Retaining Structures (as amended).</p>	<p>During construction.</p>

<p>b) Undertake compaction in accordance with Australian Standard 3798:2007 – Guidelines on earthworks for commercial and residential developments (as amended) and Australian Standard 2870:2011 – Residential Slabs and Footings (as amended).</p> <p>c) Comply with the relevant requirements of the Building Regulations 2006 (as amended) where involving gradients or embankments.</p>	
<p>29. Connect all drainage pipes associated with a retaining wall to a lawful point of discharge in accordance with the Queensland Urban Drainage Manual (QUDM).</p>	<p>Prior to a compliance inspection, which must be undertaken prior to the issue of a Certificate of Classification.</p>
<p><u>Erosion and sediment control</u></p>	
<p>30. Design, implement and maintain measures and practices in accordance with “Best Practice Erosion and Sediment Control” published by the International Erosion Control Association (Australasian Chapter) (2008).</p>	<p>During construction phase.</p>
<p>31. 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.</p>	<p>During construction phase.</p>
<p>32. Implement dust control measures at each phase of site development and operation in accordance with IECA (2008) Best Practice Erosion and Sediment Control.</p>	<p>During construction phase.</p>
<p><u>Landscape works</u></p>	
<p>33. Landscape the site in accordance with the approved plan(s). Do not use any species listed as declared or non-declared weed species in the <i>Redlands Coast Biosecurity Plan 2018-2023</i>.</p>	<p>Prior to the use commencing.</p>
<p>34. Provide organic mulch to all garden bed areas at a minimum depth of 100mm.</p>	<p>Prior to the use commencing.</p>

<p>35. Turf all areas of disturbance within the road verge with turf cut from a weed free source.</p>	<p>Prior to the use commencing.</p>
<p>36. Plant street trees in accordance with the approved landscape concept plan.</p> <p><i>Advice: Contact Council’s Parks and Conservation for advice on street tree planting.</i></p>	<p>Prior to the use commencing.</p>
<p><u>Survey and as-constructed information</u></p>	
<p>37. Submit as constructed drawings and documentation for all works that are to be transferred into public ownership, prepared in accordance with the City Plan Planning Scheme Policy 2 – Infrastructure Works.</p> <p>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.</p>	<p>As soon as all works are completed and prior to the request for compliance or the issue of a Certificate of Classification, whichever is sooner.</p>

ADDITIONAL APPROVALS

There are no further **development permits** necessary to allow the development to be carried out.

Please be aware that further approvals, other than a development permit, may still be 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 Adopted Infrastructure Charges Resolution (No. 2.3) 2016 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.

- **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.

- **Services installation**

It is recommended that where the installation of services and infrastructure will impact on the location of existing vegetation identified for retention, an experienced and qualified arborist that is a member of the Australian Arborist Association or equivalent association, be commissioned to provide impact reports and on site supervision for these works.

- **Fire ants**

Areas within Redland City have been identified as having an infestation of the Red Imported Fire Ant (RIFA). It is recommended that you seek advice from the Department of Agriculture, Fisheries and Forestry (DAFF) RIFA Movement Controls in regards to the movement of extracted or waste soil, retaining soil, turf, pot plants, plant material, baled hay/straw, mulch or green waste/fuel into, within and/or out of the City from a property inside a restricted area. Further information can be obtained from the DAFF website www.daff.qld.gov.au

- **Cultural heritage**

The *Aboriginal Cultural Heritage Act 2003* requires anyone who carries out a land use activity to exercise a duty of care. Further information on cultural heritage duty of care is available on the Department of Aboriginal and Torres Strait Islander Partnerships (DATSIP) website:

<https://www.datsip.qld.gov.au/resources/datsima/people-communities/cultural-heritage/cultural-heritage-duty-care.pdf>

The DATSIP has established a register and database of recorded cultural heritage matters, which is also available on the Department's website:

<https://www.datsip.qld.gov.au/people-communities/aboriginal-torres-strait-islander-cultural-heritage/cultural-heritage-search-request>

Quandamooka Yoolooburrabee Aboriginal Corporation (QYAC) is the registered cultural heritage body in the Redland City local government area. It is recommended you consult with QYAC in relation to aboriginal and cultural heritage matters prior to the commencement of works on site. QYAC can be contacted on 07 3415 2816 or admin@QYAC.net.au

Should any aboriginal, archaeological or historic sites, items or places be identified, located or exposed during construction or operation of the development, the *Aboriginal and Cultural Heritage Act 2003* requires all activities to cease. Please contact DATSIP for further information.

- **Fauna protection**

It is recommended an accurate inspection of all potential wildlife habitats be undertaken prior to removal of any vegetation on site. Wildlife habitat includes trees (canopies and lower trunk) whether living or dead, other living vegetation, piles of discarded vegetation, boulders, disturbed ground surfaces, etc. It is recommended that you seek advice from the Queensland Parks and Wildlife Service if evidence of wildlife is found.

- ***Environment Protection and Biodiversity Conservation Act***

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

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

5 MEETING CLOSURE

The Meeting closed at 10.33am.

The minutes of this meeting were confirmed at the General Meeting of the Redland City Council held on 29 January 2020.

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CHAIRPERSON