

MORETON BAY REGIONAL COUNCIL

REPORT

Co-ordination Committee Meeting

Tuesday 18 November 2008

commencing at 10.50am

Redcliffe Room, Redcliffe District Office
Irene Street, Redcliffe

ENDORSED GM20081118

CHAIRPERSON'S REPORT

The recommendations contained within this report of the Co-ordination Committee meeting held 18 November 2008, are recommended to the Council for adoption.

COUNCILLOR GREG CHIPPENDALE (ACTING MAYOR)
CHAIRPERSON
CO-ORDINATION COMMITTEE

Membership = 13
Mayor and all Councillors

Quorum = 7

QFCI

Date:

26/09/11

Jm

Exhibit Number:

622

Reception/Adoption Extract from General Meeting - 18 November 2008 (Page 08/4164)

1.1. CO-ORDINATION MEETING - 18 November 2008
Pages 08/4107 - 08/4162

RESOLUTION

Moved: Cr Mike Charlton

Seconded: Cr Mick Gillam

CARRIED.

That the report and recommendations of the Co-ordination Committee meeting held Tuesday 18 November 2008, be received as a report.

08/4146

ITEM 9

MATERIAL CHANGE OF USE DEVELOPMENT APPLICATION FOR MOTOR RACING CIRCUIT AND ANCILLARY USES AND CONSTRUCTION OF ADDITIONAL FACILITIES AND BUILDINGS, AND ENVIRONMENTALLY RELEVANT ACTIVITY 65 FOR MOTOR RACING AT LAKESIDE ROAD, KURWONGBAH, ON LAND DESCRIBED AS LOT 1, 2 & 3 ON RP106289, LOT 1 ON RP84360 AND LOT 2 ON RP118289, PARISH OF REDCLIFFE – DIVISION 9

Moved: Cr Mike Charlton

Seconded: Cr Mick Gillam

CARRIED.

That the Committee Recommendation be amended as follows:

"That the fourth dot point be deleted".

ADOPTION

Moved: Cr Adrian Raedel

Seconded: Cr Gary Parsons

CARRIED.

That the report and recommendations of the Coordination Committee meeting held 18 November 2008, be adopted with amendment.

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ATTENDANCE

Cr Greg Chippendale (Acting Mayor & Chairperson)
Cr Gary Parsons
Cr Chris Whiting
Cr Julie Greer
Cr James Houghton
Cr Rae Frawley
Cr David Dwyer
Cr Mick Gillam
Cr Mike Charlton
Cr Brian Battersby
Cr Bob Millar
Cr Adrian Raedel

Officers:

Chief Executive Officer	(Mr John Rauber)
Director Asset Planning & Delivery	(Mr Michael Kahler)
Acting Director Community & Cultural Services	(Mr Steve Holland)
Director Strategic Planning & Development	(Mr Chris Warren)
Director Environment & Local Laws	(Mrs Alison Bray)
Director Corporate Services	(Mr Daryl Hitzman)
Director Enterprises	(Mr Kevin Denison)

Caboolture District

Manager Regional Planning	(Mr Peter Rawlinson)
Co-ordinator Structure Planning & Urban Design	(Mr Michael Madden)
Strategic Planner	(Mr Simon Short)

Redcliffe District

Co-ordinator Economic Development	(Ms Sophie Head)
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Pine Rivers District

Co-ordinator Growth Management	(Ms Megan Lawler)
Senior Manager Economic Development	(Mr Scott Templeman)
Co-ordinator Public Health	(Mr Tim Ditchburn)

APOLOGIES

Cr Allan Sutherland (Mayor)

SESSION: STRATEGIC & PLANNING**SESSION CHAIR – CR MIKE CHARLTON****ITEM 1****REVIEW OF SANDSTONE POINT FORESHORE PARKLAND MANAGEMENT PLAN – DIVISION 1**

645/3-3/P~05 (EP, Coordinator Catchment & Coastal Management (Policy), Caboolture)

1. Executive Summary

Further to the Co-ordination Committee recommendation at the 16th September 2008 meeting, the Mayor and multiple Councillors attended an on-site inspection at the Sandstone Point Foreshore Parkland. The outcome of the site inspection acknowledged the need to review the current Sandstone Point Foreshore Parkland Management Plan, and associated schedule of works, to ensure compliance with relevant legislation and protection of ecological, physical and cultural values of the land, while still allowing for lawful general maintenance. Relevant Council officers will be pooled to undertake this review and the updated Management Plan will be presented to Council in due course.

2. Background

A report was presented to the Co-ordination Committee on 16th September 2008 outlining the history of vegetation clearing for viewing corridors within the Sandstone Point Foreshore Parkland, including the recently identified conflicts of the proposed clearing with legislation at the state, regional and local level.

As an outcome of the recommendation appearing on minute page 08-3432 of the General Meeting held 16 September 2008, in respect of:

Ex Coordination Committee 16 September 2008 (P. 08-3406)

That this matter be held over until after an on-site inspection of the relevant area by the Mayor and Councillors.

It is reported that the site inspection occurred on the 29th October 2008, and was attended by the Mayor and multiple Councillors.

3. Explanation of Item

The outcome of the on-site inspection included acknowledgement of the need to review the Management Plan to:

- Focus Council's maintenance efforts on continued weed removal and supplementary planting using a diverse range of locally native, low-growing species within the parkland;
- Manage vegetation clearing in a manner that is consistent with the relevant legislation i.e. *Vegetation Management Act 1999*, *Fisheries Act 1994*, *South-east Queensland Regional Coastal Management Plan 2006* and the Caboolture ShirePlan;
- Manage vegetation clearing in a way that balances the ecological, physical and cultural values of the land, while still allowing for lawful general maintenance.

Any future thinning, pruning, lopping, partial clearing such as the removal of understorey native vegetation, etc. within the parkland, external to areas of remnant vegetation or areas containing marine plants, will be subject to assessment against Council's ShirePlan (Catchment Protection Overlay Code) and the South-east Queensland Regional Coastal Management Plan 2006. Relevant

ITEM 1**REVIEW OF SANDSTONE POINT FORESHORE PARKLAND MANAGEMENT PLAN – DIVISION 1 - 645/3-3/P~05 (EP, Coordinator Catchment & Coastal Management (Policy), Caboolture) (Cont.)**

Council officers will be pooled to review the Management Plan to ensure consistency with the relevant policies, and to achieve a balanced maintenance outcome for the foreshore parkland. The Management Plan will be put before Council in due course for adoption.

4. Strategic Implications**4.1 Legislative/Legal Implications**

The current Management Plan does not comply with legislation at the state, regional and local level. The proposed review of the Management Plan will ensure compliance with relevant legislation.

4.2 Corporate Plan / Operational Plan

The proposed review of the Management Plan will ensure consistency with Council's Corporate Plan Summary 2008, in particular:

- Caboolture Strategic Outcome 3 – Character, in that a balanced maintenance outcome of the parkland will protect the cultural values of the land.
- Caboolture Key Outcomes – Growth Management, in that a balanced maintenance outcome of the parkland is considered an improvement to Council's publicly owned natural assets for future generations.
- Caboolture Key Outcomes – Environmental Management, in that a balanced maintenance outcome of the parkland will sustainably manage, preserve and protect natural resources, and areas of high conservation value in accordance with environmental, social and economic sustainability principles.

4.3 Policy Implications

The current Management Plan does not comply with Council's ShirePlan (Catchment Protection Overlay Code). Review of the Management Plan is necessary to ensure the Management Plan is in line with existing Council Policy.

4.4 Financial Implications

Ongoing weed removal and supplementary planting within the parkland is likely to reduce maintenance demand, and therefore officer time and equipment use, in the future. Officer time will be required to review the current Management Plan, and to produce an updated version.

4.5 Consultation / Communication

This report is subsequent to a previous report presented to the Co-ordination Committee. The Mayor and multiple Councillors have attended an on-site inspection of the relevant area. This report has been prepared in consultation with Council's Asset Maintenance & Construction directorate, in particular Parks (North) being the responsible section for implementing any schedule of works contained within the Management Plan.

5. Conclusion

Further to the Co-ordination Committee recommendation at the 16th September 2008, and an on-site inspection by the Mayor and Councillors, a review of the Sandstone Point Foreshore Parkland Management Plan is now recommended to ensure compliance with relevant legislation and protection of ecological, physical and cultural values of the land, while still allowing for lawful general maintenance.

RECOMMENDATION

That Council endorses a review of the Sandstone Point Foreshore Parkland Management Plan to ensure compliance with relevant legislation and protection of ecological, physical and cultural values of the land, while still allowing for lawful general maintenance.

COMMITTEE RECOMMENDATION

That the Officer's recommendation be adopted.

ITEM 2**NAMING OF FUTURE NATURE REFUGE 650 CAMPBELLS POCKET ROAD,
CAMPBELLS POCKET – DIVISION 12**

640/6-8/P~02 (EP, Coordinator Catchment & Coastal Management Planning
(Policy), Caboolture)

1. Executive Summary

Nature Refuge status over Council's property located at 650 Campbells Pocket Road, Campbells Pocket is currently being finalised.

Subsequent to advertising the proposed name for public comment, the proposed name of "Charlie Moorhead Nature Refuge" is now re-presented to Council for adoption.

2. Background

By recommendation appearing on minute page 08-2805 of the General Meeting held 19 August 2008, adopting:

1. That Council agrees 'in principle' to the proposed name of "Charlie Moorhead Nature Refuge" for the future Nature Refuge at 650 Campbells Pocket Road, Campbells Pocket.
2. That Council proceed with advertising the proposed name for public comment, both on site and within a local newspaper with a thirty (30) day response time.

The advertising period expired on 31 October with no public submissions being received.

3. Explanation of Item

To finalise the Nature Refuge status of its property at 650 Campbells Pocket Road, Council is required to decide on a name for the Nature Refuge and then finalise the Conservation Agreement between Council and the Environmental Protection Agency (EPA).

Members of the Moorhead family, who have a long history of residence and contribution to the Caboolture District community, have proposed the name "Charlie Moorhead Nature Refuge". The full extent of Charlie Moorhead's connection with the property and contribution to the broader Caboolture community was outlined in a previous report presented to Council's Sustainability Committee on 13 August 2008. In summary, Charlie Moorhead owned 650 Campbells Pocket Road for 51 years and contributed to the broader Caboolture community in many ways, including both commercial and volunteer ventures.

4. Strategic Implications**4.1 Legislative/Legal Implications**

No legal implications are identified.

4.2 Corporate Plan / Operational Plan

The naming of the future Nature Refuge at 650 Campbells Pocket Road is consistent with the current Moreton Bay Regional Council Interim Corporate Plan 2008/2009, in particular:

- Key Outcomes (Caboolture)
 - Community Wellbeing (Caboolture), in that residents feel a sense of identity, belonging and are respected, and that Caboolture residents enjoy a rich cultural life and environment where heritage and creativity are valued contributors to community vitality.

ITEM 2

**NAMING OF FUTURE NATURE REFUGE 650 CAMPBELLS POCKET ROAD, CAMPBELLS POCKET –
DIVISION 12 - 640/6-8/P~02 (EP, Coordinator Catchment & Coastal Management Planning (Policy), Caboolture)
(Cont.)**

4.3 Policy Implications

The proposed naming of the future Nature Refuge meets the application criteria as specified under Council Policy 216/05: *Naming of Parks & Recreation Reserves Under Council Control & Naming of Parks & Recreation Reserves Infrastructure*.

4.4 Financial Implications

Determining a name for the future Nature Refuge will allow for finalisation of the Conservation Agreement between the EPA and Council. Subsequent financial incentives for Council will then be available through the Nature Refuge Program.

4.5 Consultation / Communication

In accordance with Council Policy 216/05: *Naming of Parks & Recreation Reserves Under Council Control & Naming of Parks & Recreation Reserves Infrastructure*, and Council's resolution at Council's General Meeting held on 19 August, the proposed name has been advertised for public comment for thirty (30) days both on site and within a local newspaper with a thirty day response time. No submissions have been received.

5. Conclusion

Council is required to decide on a name to finalise the Nature Refuge status of the Council-owned property at 650 Campbells Pocket Road. The proposed name "Charlie Moorhead Nature Refuge" allows for recognition of the historical connection that Charlie Moorhead had with the property and acknowledges his contribution to the broader Caboolture community. The proposed name of "Charlie Moorhead Nature Refuge" is now re-presented to Council for adoption.

RECOMMENDATION

That Council adopt the proposed name of "Charlie Moorhead Nature Refuge" for the future Nature Refuge located at 650 Campbells Pocket Road, Campbells Pocket.

COMMITTEE RECOMMENDATION

That the Officer's recommendation be adopted.

ATTENDANCE

Mr Michael Madden, Mr Peter Rawlinson and Mr Simon Short attended the meeting at 10.56am.

ITEM 3**ADOPTION OF CABOOLTURE SHIREPLAN AMENDMENTS - MULTIPLE DIVISIONS**

605/1/16 (MM, Coordinator Structure Planning and Urban Design, Caboolture)
Refer Attachments

1. Executive Summary

On 11 March 2008 Council forwarded the proposed amendments to the Caboolture ShirePlan to the Department of Infrastructure and Planning (DIP) for the second State Interests check in accordance with Section 18, Schedule 1 of the *Integrated Planning Act 1997* (IPA). On 16 October 2008 Council received formal notification from the Hon Paul Lucas, Minister for Infrastructure and Planning advising that it could adopt the amendments subject to two (2) conditions.

The purpose of this report is for Council to consider the DIP conditions relating to the proposed rezoning of flood affected properties on the northern side of Male Road, Caboolture, and subdivision by lease, and to recommend adoption of the proposed amendments pursuant to Section 19(1) (a) of IPA.

2. Background

The Caboolture ShirePlan commenced on 12 December 2005. To ensure it continues to respond effectively to planning and development issues, on 18 April 2006 the former Caboolture Shire Council (CSC) formally resolved to prepare amendments to the ShirePlan.

To date extensive work has been undertaken in preparing the ShirePlan amendments, involving:

- Identification of issues – January to September 2006;
- Councillor briefings – August to October 2006;
- Adoption by CSC for the first State Interest Check of IPA – November 2006;
- First State Interest Check – December 2006 to September 2007;
- Public advertising of the draft amendments – October and November 2007;
- Consideration of submissions and drafting of further amendments in response to submissions – December 2007 to February 2008; and
- Second State Interest Check – March to October 2008.

Council has now received formal advice from the Minister that it can adopt the amendments subject to complying with (2) two State conditions. The conditions are discussed in detail below.

3. Explanation of Item

The proposed ShirePlan amendments are a result of extensive stakeholder and Councillor input and involve urgent and important content changes. While no major spatial land use policy amendments are proposed, the amendments are expected to:

- Reduce the number of planning applications received in the Caboolture District;
- Streamline the planning approval process for small scale, low risk development;
- Provide greater opportunities for public involvement in the planning process;
- More effectively address development constraints such as bushfire hazard, landslide hazard and noise; and
- Provide additional planning criteria by which to assess certain types of development.

To support the proposed content amendments, a number of administrative amendments are also included to ensure consistency of structure, format and terminology and remove unnecessary duplication. These amendments are expected to result in a significantly enhanced planning and development assessment framework that will more effectively guide future development in the Caboolture District. A detailed schedule of the proposed amendments is contained in the attachments folder to this report.

ITEM 3

ADOPTION OF CABOOLTURE SHIREPLAN AMENDMENTS - MULTIPLE DIVISIONS - 605/1/16 (MM,
Coordinator Structure Planning and Urban Design, Caboolture) (Cont.)

Minister's Conditions and Adoption of the Proposed Planning Scheme Amendments

On 16 October 2008 the Minister advised that Council may adopt the proposed planning scheme amendments subject to compliance with 2 conditions in accordance with Section 18(4)(b) of Schedule 1 of the Integrated Planning Act 1997 (IPA). A copy of the Minister's advice is contained within the attachments folder to this report. The conditions are as follows:-

Condition 1

"That the zoning change proposed over properties located at 70, 76, 80, 86, 94, 100, 110, 118, 126, 132, 140, 146 Male Road, Caboolture (Lots 50, 51 on RP186320; Lots 17, 18, 19, 20 on RP189611; Lots 21, 22, 23, 24, 25 on RP184865; Lot 26 on RP181089) does not proceed. The subject allotments remain in the Urban Footprint, pursuant to the South East Queensland Regional Plan 2005-2026 and as such are not suitable for inclusion in the Rural Residential zone under Council's planning scheme. Although the subject sites may be subject to development constraints such as flooding, this is not considered sufficient justification for the zoning change. I am advised that these constraints should be addressed as part of the assessment for any future development applications."

Explanation of Condition 1

The proposed zoning changes outlined above were the result of a number of landowners requesting in submissions on the ShirePlan amendments that Council rezone their properties from Residential A to Rural Residential. The justification given by these residents was:

- that their current Residential A zoning limited the amount of animals they could keep on their land compared to their previous Rural Residential zoning under the superseded 1988 scheme; and
- they were fed up with constantly being approached by developers with potential offers for their properties.

The properties in question are large parcels on the northern side of Male Road which are subject to severe flooding constraints. Given that further subdivision of these properties is virtually impossible due to the significant flooding issues, it was considered appropriate that the properties be rezoned from Residential A to their previous Rural Residential zoning under the superseded planning scheme. A Rural Residential zoning was also considered to be advantageous in restoring the previous entitlements the landowners had with regards to keeping of domestic animals and establishing semi-rural land uses, commensurate with the Rural Residential zone. Furthermore, as the properties are subject to severe flooding constraints, it was considered that the current Residential A zoning could potentially create unrealistic expectations amongst landowners and prospective buyers as to the development potential of these properties. It was therefore considered appropriate that these properties, and a number of adjoining properties subject to the same flooding issues, be rezoned from Residential A to Rural Residential.

Given that the proposed changes involved restoring the properties to their previous zoning under the 1988 scheme, the change was deemed relatively minor and as such it was not considered necessary to readvertise the proposed changes. On 27 March 2008, Council forwarded a letter to all affected landowners, advising them of the proposed changes and that the matter would be subject to further review throughout the amendment process. Council later received two responses from affected landowners stating that they were opposed to the proposed changes and wished to have their properties retained in the Residential A zone.

The State has now also indicated that it is opposed to the rezoning proposal on the grounds that the land is within the Urban Footprint and that the flooding constraints on the land should be addressed through the development application process. The State's position reflects its stance that no further land within the Urban Footprint of South East Queensland should be rezoned Rural Residential, as Rural Residential subdivisions do not utilise residential land efficiently.

ITEM 3

**ADOPTION OF CABOOLTURE SHIREPLAN AMENDMENTS - MULTIPLE DIVISIONS - 605/1/16 (MM,
Coordinator Structure Planning and Urban Design, Caboolture) (Cont.)**

While the reasoning behind the State's advice is not necessarily agreed with in this instance, it is accepted that a change to Rural Residential should not proceed at this point in time given that additional affected landowners have now come forth and voiced their opposition to the proposal. This would also have the added benefit of expediting the amendment process and avoiding lengthy and protracted negotiations with the State.

It is therefore recommended that the proposed zoning changes on the Northern side of Male Road do not proceed and that these properties are retained in the Residential A zone. The flooding issues on the affected properties would subsequently need to be resolved through the development application process, while options to enable these residents to keep more animals should be the subject of a further review of Council's planning scheme and local law provisions.

Condition 2

"That Reconfiguring a Lot for a subdivision by lease, as listed in table 4.13 – Assessment Table (Other Development) for all Zones (Part 4 Division 15) is changed from Exempt to Code Assessable and the Reconfiguring a Lot Code is included in the relevant assessment criteria under Column 3 of Table 4.13. Reconfiguring a Lot for a subdivision by lease is Assessable Development in certain instances under the IPA and Council has no power to establish a lower level of assessment than that provided in the IPA."

Explanation of Condition 2

Under IPA, a subdivision by lease is a form of Reconfiguring a Lot which occurs in certain circumstances when part of a lot is leased for a period of 10 years or greater. When preparing the amendments it was proposed to exempt subdivision by lease from planning scheme requirements given its minor nature. Recently, Council officers determined that this form of development is embedded within the Schedule 8 provisions of IPA, and as such will always trigger the need for a development application, regardless of whether it is exempt from a planning scheme. Upon review of this matter, it was not considered appropriate to list subdivision by lease as exempt from the planning scheme when under the Act a development application would need to be submitted to Council in any case. The ShirePlan will need to be amended to reflect this condition.

4. Strategic Implications**4.1 Legislative/Legal Implications**

The normal legislative processes followed under IPA will apply to the proposed amendments. There are significant legal implications if the process for adoption of planning scheme amendments prescribed in Schedule 1 of IPA is not followed.

4.2 Corporate Plan / Operational Plan

The proposed amendments are consistent with the strategic directions of the 2005-2009 Caboolture Shire Council Corporate Plan.

4.3 Policy Implications

Overall, it was not the intention of the proposed amendments to result in significant policy changes in relation to land use and development in the Caboolture District. The changes are focused on improving existing implementation arrangements and the introduction of new provisions where it does not represent a major policy change.

4.4 Delegated Authority Implications

Nil.

4.5 Financial Implications

Funds for the implementation the ShirePlan amendments have been allocated in budget number PL016.

ITEM 3

ADOPTION OF CABOOLTURE SHIREPLAN AMENDMENTS - MULTIPLE DIVISIONS - 605/1/16 (MM,
Coordinator Structure Planning and Urban Design, Caboolture) (Cont.)

4.6 Consultation / Communication

The proposed ShirePlan amendments have been advertised in accordance with Schedule 1 of the *Integrated Planning Act 1997* (IPA). Council has met and gone well beyond the minimum requirements of IPA in this regard. Various Councillors, officers and Departments have been involved in drafting and reviewing the proposed amendments.

5. Conclusion

The proposed ShirePlan amendments are the culmination of over two years of work and are expected to significantly enhance the planning and development assessment framework utilised in the Caboolture District. Now that all of the legislative requirements of Schedule 1 of IPA have been followed, all that remains is for Council to formally adopt the proposed amendments to the ShirePlan pursuant to Section 19(1)(a) of Schedule 1 of the Act. The recommendations below achieve this outcome. It is proposed that that once adopted, these amendments take effect on 22 December 2008, so as to allow sufficient time to undertake the in-house administrative procedures to have the documents amended, printed, and made available on Council's web site. It is also proposed to send letters to affected landowners on Male Road advising them of Council's decision about the proposed rezoning.

RECOMMENDATION

1. That in accordance with Section 19(1)(a) of Schedule 1 of the *Integrated Planning Act 1997*, Council adopt the proposed amendments to the Caboolture ShirePlan appearing in the attachments folder to this report, as modified to reflect the Department of Infrastructure and Planning conditions.
2. That these amendments take effect on 22 December 2008.
3. That Council advise the land owners of 70, 76, 80, 86, 94, 100, 110, 118, 126, 132, 140 and 146 Male Road, Caboolture of the Minister's condition that these properties are to be retained in the Residential A zone.

COMMITTEE RECOMMENDATION

1. That the Officer's recommendations be adopted, with the exception of the following, which are to be set aside for further investigation:

Schedule of Proposed Amendments – Volume 1
 - Item 353 – Table 7.7 Dams, Filling and Excavation Code
 - Item 454 – Table 7.27 Car Parking and Service Vehicle Requirements – that part of Item 454 relating only to a Marina. In the interim, the car parking ratio be retained as one (1) car park per berth.
2. That in relation to the Officer's recommendation 3, the keeping of animals should be the subject of a further review of Council's planning scheme and local law provisions.
3. That a copy of the Minister's letter be forwarded to the landowners outlined in the Officer's recommendation 3.

ITEM 4**MINOR AMENDMENT TO CABOOLTURE SHIREPLAN - MULTIPLE DIVISIONS**

605/1/16 (MM, Caboolture)

Coordinator Structure Planning & Urban Design

*Refer Attachments***1. Executive Summary**

On 11 March 2008 Council forwarded proposed amendments to the Caboolture ShirePlan to the Department of Infrastructure and Planning for the second State interest check of Schedule 1 of the *Integrated Planning Act 1997* (IPA). On 16 October 2008 the Hon Paul Lucas, Minister for Infrastructure and Planning advised Council that it could adopt the proposed amendments subject to conditions. During the amendment process some additional minor amendments were identified as necessary to support the current package of amendments approved by the State. Given that these changes are minor, a relatively simple amendment process can be used, and these changes can subsequently be incorporated into the ShirePlan when the other amendments commence.

The purpose of this report is to obtain a Council resolution to propose and adopt minor amendments to change three codes to reflect the fact that they will now also apply to self assessable development pursuant to Schedule 1 of IPA.

2. Background

The Caboolture ShirePlan commenced on 12 December 2005. To ensure it continues to respond effectively to planning and development issues, on 18 April 2006 the former Caboolture Shire Council (CSC) formally resolved to prepare amendments to the Shireplan.

To date extensive work has been undertaken in preparing the ShirePlan amendments, involving:

- Identification of issues – January to September 2006;
- Councillor briefings – August to October 2006;
- Adoption by CSC for the first State Interest Check of IPA – November 2006;
- First State Interest Check – December 2006 to September 2007;
- Public advertising of the draft amendments – October and November 2007;
- Consideration of submissions and drafting of further amendments in response to submissions – December 2007 to February 2008; and
- Second State Interest Check – March to October 2008.

Council has now received formal advice from the Minister that it can adopt the amendments subject to complying with two (2) State conditions. During the final stages of the amendment process, additional minor amendments have been identified as necessary to support the current amendment package.

3. Explanation of Item

The proposed minor amendments involve amending the format of three of the ShirePlan's Codes to reflect the fact that, upon commencement of the ShirePlan amendments, these codes will also apply to self assessable development. The codes in question are:

- The Bushfire Hazard Overlay Code;
- The Lighting Code; and
- The Traffic, Access and Parking Code.

The proposed changes are contained within the attachments folder to this report and predominantly involve amending the headings of the three codes to reflect the fact that they will now also apply to self assessable development. As such, very few changes are involved, however the proposed changes can be expected to minimise unnecessary confusion when the other ShirePlan amendments commence. Given that the changes involve only an amendment to "the format or presentation of the instrument", and that no changes in policy are proposed, the proposed changes are defined as 'minor amendments' under IPA.

ITEM 4**MINOR AMENDMENT TO CABOOLTURE SHIREPLAN - MULTIPLE DIVISIONS - Coordinator Structure
Planning & Urban Design (Cont.)**

Under Schedule 1 of IPA, a relatively simple amendment process can be used when undertaking minor amendments, with Council only needing to resolve to propose and subsequently adopt the minor amendments. No State interest checks or public advertising are necessary. As such, Council is able to adopt these amendments to coincide with the commencement of the other ShirePlan amendments recently approved by the Minister.

4. Strategic Implications**4.1 Legislative/Legal Implications**

The normal legislative processes followed under IPA will apply to the proposed minor amendments.

4.2 Corporate Plan / Operational Plan

The proposed minor amendments are consistent with the strategic directions of the 2005-2009 Caboolture Shire Council Corporate Plan.

4.3 Policy Implications

No policy changes are proposed.

4.4 Delegated Authority Implications

Nil.

4.5 Financial Implications

Funds for the implementation of the ShirePlan amendments have been allocated in budget number PL016. The minor amendments are able to be incorporated into the ShirePlan at minimal cost to Council.

4.6 Consultation / Communication

Under IPA, no public consultation is necessary for minor amendments given their minor nature. Relevant officers from the Strategic & Development Division have been consulted.

5. Conclusion

The proposed minor amendments will minimise unnecessary confusion by ensuring that the ShirePlan's codes can be interpreted in a consistent manner with regards to their application to self assessable development. Now that Council has received formal State approval for the previously submitted package of ShirePlan amendments, Council is able to incorporate the minor amendments into the ShirePlan to coincide with the commencement of the other amendments. The recommendations below will achieve this outcome.

It is proposed that the minor amendments commence on 22 December 2008 to coincide with the proposed commencement date of the other amendments recently approved by the State. This will ensure sufficient time is allowed to undertake the necessary in-house administrative procedures to have the documents amended, printed and made available on Council's website.

RECOMMENDATION

1. That pursuant to Sections 1 and 9 of Schedule 1 of the *Integrated Planning Act 1997* Council propose minor amendments to the Caboolture ShirePlan, as appearing in the attachments folder to this report.
2. That pursuant to Section 19(1)(a) of Schedule 1 of the *Integrated Planning Act 1997* Council adopt the proposed minor amendments described in Recommendation 1 above.
3. That these amendments take effect on 22 December 2008.

COMMITTEE RECOMMENDATION

That the Officer's recommendations be adopted.

ATTENDANCE

Mr Michael Madden, Mr Peter Rawlinson and Mr Simon Short left the meeting at 12.05pm.

Ms Megan Lawler attended the meeting at 12.05pm.

ITEM 5**PINERIVERSPLAN PLANNING SCHEME POLICIES AMENDMENT 3/2008 - REGIONAL**

36-2140 (ML, Coordinator Growth Management, Pine Rivers)

1. Executive Summary

At its General meeting on 19 August 2008, Council agreed to make amendments to a number of planning scheme policies and create 3 new planning scheme policies (PSP), in accordance with the *Integrated Planning Act 1997* (IPA). The proposed amendments to a number of existing planning scheme policies and proposed new planning scheme policies provide administrative support to the *PineRiversPlan* and proposed amendments to the *PineRiversPlan*. The proposed amendments to and new PSP:

- do not affect any other district; and
- will require new fees and charges for the purchase of some of the documents.

The proposed amendments to existing PSP and the 3 proposed new PSP were advertised for the required 20 business days and 1 submission was received. This item is requesting Council consider the submission received, certification and endnotes, commencement dates, amendments to fees and charges and further actions to be undertaken. The report recommends (1) adoption of the proposed amendments and new PSP as amended by the submission, (2) commencement dates and (3) proposed new fees and charges for purchasing documents.

2. Background

Following the introduction of the *PineRiversPlan* in December 2006, the former Pine Rivers Council resolved to propose an amendment addressing operational issues. Following State Government consultation, the proposed amendment to the *PineRiversPlan* was placed on display, with the consultation period ending on 1 August 2008.

A number of planning scheme policies support the *PineRiversPlan* and the proposed amendments to the planning scheme now require new policies to be adopted and amendments be made to relevant existing PSP.

Amendments are also proposed to other PSP to include new aspects and to fix errors. One of the new PSP is to deal with an operational issue for development assessment.

At MP08/2315 Council agreed to make the proposed new and proposed amendments to the PSP and place them on public display for the required 20 business days. The public display period commenced on Monday 25 August and finished on Friday 19 September 2008.

3. Explanation of Item

The following table indicates the proposed amendments to and new PSP that were on display between 25/8 and 19/9 –

Planning Scheme Policy	
PSP1 Road Works Contributions	Amendments proposed
PSP9 Preparing and Submitting a Competent Application for Operational Works (relating to Reconfiguring a Lot)	Amendments proposed
PSP10 Simplified Application, Approval and Construction Process for Subdivision Only Involving Private Residential Driveways	Proposed new PSP

ITEM 5

PINERIVERSPLAN PLANNING SCHEME POLICIES AMENDMENT 3/2008 - REGIONAL - 36-2140 (ML,
Coordinator Growth Management, Pine Rivers) (Cont.)

PSP15 Demonstrating Compliance with the Bushfire Hazard Area Overlay Code	Amendments proposed
PSP16 Construction Standards for Bin Washout Facilities, Shared Car Wash Facilities and Waste Receptacle Storage Areas	Amendments proposed
PSP17 Demonstrating Compliance with the Major Flood Events Overlay Code	Amendments proposed
PSP18 Demonstrating Compliance with the Potential Landslide Areas Overlay Code	Amendments proposed
PSP30 Landscape Design	Amendments proposed
PSP31 Demonstrating Compliance with the Biodiversity and Waterways Overlay Code	Amendments proposed
PSP40 Clearance to Council Infrastructure	Proposed new PSP
PSP41 Minor Building Work	Proposed new PSP

Submission

During the public display period one (1) submission was received. This submission was an internal submission from Council. The grounds of the submission are as follows (where relevant, highlight indicates the new words) –

Specific Issues

PSP	REFERENCE	SUBMISSION ISSUE
9	across the document	Amend "approval" to "approval/endorsement" or "approval/endorsed" or "approving/endorsing" etc
	Appendix 1 4 (d)	Amend "seal" to "approve/endorse"
	Appendix 3 5 th para	Amend "plan of subdivision" if necessary to "plan of survey"
	Appendix 3	Reword to - If the property does NOT have any declared pest plants - the consultant must complete and sign a certificate to certify that that the property is clear of declared pest plants. The owner/developer will be provided with a copy of this certificate via Council's Development Services Department.
10	page 1 Definitions	Reword heading on "Qualifications for inclusion on the list...) to "Qualifications for inclusion on the list of approved noxious weeds consultants"
	page 2 (g)	Amend position title in the last sentence if necessary
	page 2 (h)	Insert word "residential" prior to "land"
15	page 1 Objective	Amend "Just prior to" to "Not more than 4 weeks prior to"
	page 1 Definitions/ Application	Insert word "to" prior to "the"
	page 1 Definitions/ Application	Reword objective as a result of the proposed amendments
	page 1 Policy Statement	Reword application as a result of the proposed amendments
	page 1 Policy Statement	Reword definition of competent person for clarification
		Reword last sentence of statement under "Written assessment to confirm..." heading
16	page 1	Insert a further sentence regarding the written assessment
		Insert a new Appendix 2 Site Assessment form
	page 1	Amend footnotes 2 and 3 to include name of planning scheme
	page 1 Objective	Reword objective as a result of the proposed amendments
18	page 1 Definitions/ Application	Reword application as a result of the proposed amendments
	page 1 Definitions/ Application	Reword definition of competent person for clarification
	page 1 Policy Statement	Insert a further sentence regarding the written assessment

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PINERIVERSPLAN PLANNING SCHEME POLICIES AMENDMENT 3/2008 - REGIONAL - 36-2140 (ML,
Coordinator Growth Management, Pine Rivers) (Cont.)

30	page 1 Definitions	Delete word "shires" from definition for Centres
	page 2	Correct planning scheme policy names
	page 9 IP1.5.2.6	Insert word "all" prior to "property"
	page 11 IP1.5.6.8	Insert the words "eg bollards, bins, seats, kerbing, edging" prior to "and"
	page 14 text under last image on the page (around IP1.7.1.8)	Reword to – New surfacing should provide ease of movement and comply with AS1428 Design for Access and Mobility
	page 15 IP1.8.1.1	Insert further words to describe the type of concrete to be used
31	page 2 & 3	Delete the word "Schedule"
40	page 1 Objective	Reword to clarify the type of easement
	page 1 Application (2)	Amend word "and" to "an"
	page 1 General Information Requirements	First dot point – Delete word "applying"
	page 2 Assessment	Insert the words ", but is not limited to having regard to," after "regard"
41	page 1 Application	Insert the word "to" prior to "every" and delete the word "to" after "Council"
	page 1 Note	Insert the words "but not limited to" prior to "drawings"
	page 2	Insert further Note prior to Review Triggers that indicates building approval is still required
		Insert an Appendix with the approved form

General Issues

SUBMISSION ISSUE
Amend the head of power statement in all PSP for consistency
Amend formatting where necessary
Amend position names where possible in all PSP
Amend Council name where relevant in all PSP
Amend reference to "Planning Scheme for the Shire" and "Planning Scheme" to " <i>PineRiversPlan</i> " in all PSP, where relevant
Remove specific references to chapters and parts of the planning scheme for definitions and have a generic reference to the <i>PineRiversPlan</i> in all PSP
Update references, including web site references, in all PSP

The specific and general issues identified in the submission are of a relatively minor nature and would not have disadvantaged anyone's reading of the proposed new and amended PSP. Given the generally minor nature of the amendments proposed in the submission, it will be recommended that they be agreed to and the relevant PSP further amended.

Certification and endnotes

Council is also required to certify each copy of the PSP to satisfy Department of Infrastructure and Planning (DIP) requirements. To this end, a page containing the certification (and adoption and commencement dates) will be included in each PSP. Also, for each amended PSP an endnotes page is to be included that outlines the amendments made to the document (also a DIP requirement). The new PSP do not require endnotes. The certification and endnotes pages will be added prior to the commencement of the amendments and new PSP.

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PINERIVERSPLAN PLANNING SCHEME POLICIES AMENDMENT 3/2008 - REGIONAL - 36-2140 (ML, Coordinator Growth Management, Pine Rivers) (Cont.)

Commencement dates

Council may decide to set a different date for the commencement of the new and amended PSP from the adoption date. It is proposed that the commencement (or effective from dates) be as follows –

Planning Scheme Policy	Proposed Commencement date
PSP1 Road Works Contributions	28 November 2008
PSP9 Preparing and Submitting a Competent Application for Operational Works (relating to Reconfiguring a Lot)	28 November 2008
PSP10 Simplified Application, Approval and Construction Process for Subdivision Only Involving Private Residential Driveways	28 November 2008
PSP15 Demonstrating Compliance with the Bushfire Hazard Area Overlay Code	15 December 2008
PSP16 Construction Standards for Bin Washout Facilities, Shared Car Wash Facilities and Waste Receptacle Storage Areas	28 November 2008
PSP17 Demonstrating Compliance with the Major Flood Events Overlay Code	15 December 2008
PSP18 Demonstrating Compliance with the Potential Landslide Areas Overlay Code	15 December 2008
PSP30 Landscape Design	28 November 2008
PSP31 Demonstrating Compliance with the Biodiversity and Waterways Overlay Code	15 December 2008
PSP40 Clearance to Council Infrastructure	15 December 2008
PSP41 Minor Building Work	15 December 2008

For those PSP that are being amended or created to support proposed Amendment1/2007 of the *PineRiversPlan*, the commencement date should be the same as the commencement date of proposed Amendment1/2007, which is proposed to be 15 December 2008. For the other PSP, the commencement date can be any date on or after adoption and a date of 28 November is suggested. This allows for the technical aspects of uploading to the web site, amending fees and charges and A to Z information to be completed.

Amendments to fees and charges

According to the IPA, the PSP must be available for purchase and Council can only charge for the cost of reproducing planning scheme policies. Given the new PSP that are proposed to be adopted, Council will need to set a fee for purchase of those PSP. The only amended PSP to have significantly changed in size to warrant a change in the fee for purchase is PSP9, where the amendment is in the order of 6 pages. The proposed fees for the new PSP are –

Planning Scheme Policy	Proposed Fee
PSP9 Preparing and Submitting a Competent Application for Operational Works (relating to Reconfiguring a Lot)	\$5.00
PSP10 Simplified Application, Approval and Construction Process for Subdivision Only Involving Private Residential Driveways	\$3.00
PSP40 Clearance to Council Infrastructure	\$3.00
PSP41 Minor Building Work	\$3.00

At MP08//2315, Council adopted a reduced fee (25% reduction in the normal approved operational works fee) for applications that can be assessed in accordance with PSP10.

A further report may be necessary regarding possible application fees relating to PSP40 and PSP41. If new application fees are proposed, these will need to be adopted prior to 15 December 2008.

ITEM 5

PINERIVERSPLAN PLANNING SCHEME POLICIES AMENDMENT 3/2008 - REGIONAL - 36-2140 (ML, Coordinator Growth Management, Pine Rivers) (Cont.)

Further actions

Once Council has adopted the proposed amendments to and new PSP, subject to the submission, a notice must be placed in a newspaper generally circulating in the local government's area detailing the adoption and a copy of the adoption notice and certified copies of the PSP are to be forwarded to the Department of Infrastructure and Planning.

4. Strategic Implications**4.1 Legislative/Legal Implications**

There are significant legal implications if the process for adoption of planning scheme policies prescribed in Schedule 3 of the IPA is not followed. The proposed amendments to and new planning scheme policies support the implementation of the *PineRiversPlan*. The proposed amendments to and the proposed new PSP have followed the process set down in Schedule 3 of the IPA.

One of the new PSP proposes to simplify the current development process, under certain criteria, for subdivisions where the only works required is for a private residential driveway/s (eg 2 lot residential subdivisions). Developments which meet the criteria prescribed in the policy are considered to be low risk in terms of achieving an outcome which fully complies with Council's standards. The simplified process should save the developer the normal time taken by Council to assess a detailed design of the subdivision works.

4.2 Corporate Plan / Operational Plan

The policies and the proposed amendments are consistent with objectives and strategies indicated below:

Pine Rivers 3.2.3: Integrated Strategic Planning and Decision Making.

4.3 Policy Implications

The planning scheme policies support the *PineRiversPlan* and as such do not introduce new policy. They give further direction or explanation, request information to be lodged with an application, or set out a process for certain developments.

4.4 Delegated Authority Implications

N/A

4.5 Financial Implications

The planning scheme policies are administered through the IDAS process. The financial implications of the proposed amendments to and the new planning scheme policies are: new fees and charges for purchasing copies of the proposed new PSP10, 40 and 41 and amended PSP9 and the previously approved reduction in the application fee for those developments that meet the criteria for PSP10 Simplified Application, Approval and Construction Process for Subdivision Only Involving Private Residential Driveways (if adopted by Council).

4.6 Consultation / Communication

Consultation is required to be undertaken in accordance with Schedule 3 of the *Integrated Planning Act 1997*. Planning scheme policies are to be on display for 20 business days and submissions may be received during this period. The display period was finalised on 19 September 2008 and 1 submission was received. The policies are now being reported back to Council for adoption.

5. Conclusion

As the proposed amendments to and the new PSP have completed the public display phase, and the only submission received contains further amendments of a minor nature, it is recommended that the proposed amendments to and the new PSP be adopted subject to the further amendments contained in the submission and commence on the dates set out in the report above. A schedule of fees for purchasing the proposed new PSP and one of the amended PSP is also recommended. After Council has adopted the proposed amendments and new PSP, the Department of Infrastructure and Planning will be notified in accordance with the *Integrated Planning Act 1997*.

ITEM 5

PINERIVERSPLAN PLANNING SCHEME POLICIES AMENDMENT 3/2008 - REGIONAL - 36-2140 (ML,
Coordinator Growth Management, Pine Rivers) (Cont.)

RECOMMENDATION

1. That Council note the content of this report.
2. That Council adopt the amendments to the following planning scheme policies as modified by the submission received during the public consultation period:
 - a) Attachment 1 - PSP1 Road Works Contributions
 - b) Attachment 2 - PSP9 Preparing and Submitting a Competent Application for Operational Works (relating to Reconfiguring a Lot)
 - c) Attachment 3 - PSP15 Demonstrating Compliance with the Bushfire Hazard Area Overlay Code
 - d) Attachment 4 - PSP16 Construction Standards for Bin Washout Facilities, Shared Car Wash Facilities and Waste Receptacle Storage Areas
 - e) Attachment 5 - PSP17 Demonstrating Compliance with the Major Flood Events Overlay Code
 - f) Attachment 6 - PSP18 Demonstrating Compliance with the Potential Landslide Areas Overlay Code
 - g) Attachment 7 - PSP30 Landscape Design
 - h) Attachment 8 - PSP31 Demonstrating Compliance with the Biodiversity and Waterways Overlay Code
3. That Council adopt the following new planning scheme policies as modified by the submission received during the public consultation period:
 - a) Attachment 9 - PSP10 Simplified Application, Approval and Construction Process for Subdivision Only Involving Private Residential Driveways
 - b) Attachment 10 - PSP40 Clearance to Council Infrastructure
 - c) Attachment 11 - PSP41 Minor Building Work
4. That Council set the commencement date for planning scheme policies PSP15, 17, 18, 31, 40 and 41 as Monday 15 December 2008.
5. That Council set the commencement date for planning scheme policies PSP1, 9, 10, 16 and 30 as Friday 28 November 2008.
6. That Council adopt the following fees and charges for purchasing copies of the listed planning scheme policies:-

Policies	Fee
a) PSP9 Preparing and Submitting a Competent Application for Operational Works (relating to Reconfiguring a Lot)	\$5.00
b) PSP10 Simplified Application, Approval and Construction Process for Subdivision Only Involving Private Residential Driveways	\$3.00
c) PSP40 Clearance to Council Infrastructure	\$3.00
d) PSP41 Minor Building Work	\$3.00

7. That Council proceed in funding the amendments in accordance with the *Integrated Planning Act 1997* (eg public notice and notifying the Department of Infrastructure Planning).

COMMITTEE RECOMMENDATION

That the Officer's recommendations be adopted.

ATTENDANCE

Ms Megan Lawler left the meeting at 12.08pm.

SESSION: CORPORATE SERVICES

SESSION CHAIR – CR BOB MILLAR

ITEM 6

ESTABLISHMENT OF BUDGET REPORTING REFERENCE GROUP

62-6050 (DH, Director Corporate Services, Pine Rivers)

1. Executive Summary

The purpose of this report is to recommend the establishment of a Budget Reporting Reference Group to develop the reporting framework for future quarterly budget reviews and the Council's annual budget.

2. Background / Explanation of Item

During the Quarter 1 budget review discussions it was determined that improved reporting documentation needed to be developed for future quarterly reporting as well as for the budget process.

In this regard it is considered that this would be best achieved by establishing a reference group comprising of Councillors and appropriate Corporate Services officers, whose role it would be to ensure that a streamlined and appropriate reporting framework was developed for budgetary reporting.

It was suggested that the Chairperson of the Corporate Services Committee, Cr Bob Millar, the Deputy Mayor, Cr Greg Chippendale, and Councillor Battersby be the Council representatives on the group.

3. Strategic Implications

3.1 Legislative/Legal Implications

Not applicable.

3.2 Corporate Plan / Operational Plan

Not applicable.

3.3 Policy Implications

Not applicable.

3.4 Delegated Authority Implications

Not applicable.

3.5 Financial Implications

Not applicable.

3.6 Consultation / Communication

Resultant from discussions with Council.

4. Conclusion

It is considered appropriate for the establishment of a reference group to determine an improved level of reporting documentation (both content and format) for budgetary reporting purposes.

ITEM 6

ESTABLISHMENT OF BUDGET REPORTING REFERENCE GROUP - 62-6050 (DH, Director Corporate Services, Pine Rivers) (Cont.)

RECOMMENDATION

1. That a Budget Reporting Reference Group be established.
2. That the Budget Reporting Reference Group comprise of Councillors Bob Millar (Corporate Services Committee Chairperson), Greg Chlppendale (Deputy Mayor) and Brian Battersby as well as appropriate Corporate Services officers as determined by the Chief Executive Officer.

COMMITTEE RECOMMENDATION

That the Officer's recommendations be adopted.

SESSION: PARKS, RECREATION & SPORT**SESSION CHAIR – CR GARY PARSONS****ITEM 7****REQUEST TO ERECT MEMORIAL PLAQUE - CABOOLTURE NETBALL COURTS - DIVISION 3**

896-FMP-1073-2 (GB, Manager Parks (North), Caboolture)

1. Executive Summary

At the Parks, Recreation and Sports Committee meeting of 26 August 2008 (Item 2) and subsequent General meeting of 29 August 2008 Council considered an application from the Caboolture Netball Association Inc. requesting Council approval to erect a memorial plaque at the netball courts in Centenary Lakes. The plaque will acknowledge the contribution made by the late Mrs Beverley Funnell to the sporting and general community of Caboolture.

This further report outlines the community contribution made by the late Mrs Funnell and encourages Council to support the proposed memorial plaque following advertising in local newspapers and on the basis that no adverse responses to the proposed plaque have been received by Council.

2. Background

According to the application and documentation submitted by the Caboolture Netball Association Inc. it is apparent that the late Mrs Funnell has made a significant contribution to the Caboolture and wider sporting community. The following provides a summary of Mrs Funnell's achievements:

- On the P & C Committee of the Caboolture East State School Preschool.
- On the Caboolture East State School P & C Committee.
- Supported her husband while he was President of the Caboolture Senior and Junior Rugby League as Club Secretary and in the canteen.
- Supported the United Netball Club in a number of roles over a period of six years.
- Executive Member, Grounds Controller, Representative Convenor and President of the Caboolture Netball Association.
- Treasurer and Committee Member on the Sunshine Coast Regional Netball Association.
- Posthumously awarded a Special Achievement Australia Day Award in recognition of twenty years of service to the community.

3. Explanation of Item

In compliance with Caboolture district policy, applicants are required to provide documentation to substantiate the good character of any person or persons being acknowledged. In this case, the Association has been able to provide letters and a statutory declaration that support Mrs Funnell's character and community contribution.

Also under Caboolture district policy, there is a requirement that any proposal to name parkland be advertised in local newspapers for a period of twenty-eight days. This allows Council to assess any possible objections to the application currently before Council.

4. Strategic Implications**4.1 Legislative/Legal Implications**

There are no apparent legislative / legal implications associated with this report.

ITEM 7

REQUEST TO ERECT MEMORIAL PLAQUE - CABOOLTURE NETBALL COURTS - DIVISION 3 - 896-FMP-1073-2 (GB, Manager Parks (North), Caboolture) (Cont.)

4.2 Corporate Plan / Operational Plan

Acknowledging that people have made a significant contribution to the community underpins Council's Social (212) outcome – Residents feel a sense of identity, belonging and are respected.

4.3 Policy Implications

The application submitted by the Caboolture Netball Association Inc. complies with, and has all of the supporting documentation required under the Caboolture district Policy No 216/04.

4.4 Delegated Authority Implications

Nil

4.5 Financial Implications

The cost of purchasing the plaque will be the responsibility of the Caboolture Netball Association, however to ensure proper installation of the plaque Council will be responsible for its installation. These minimal costs can be retrieved from the Parks - North operational budget.

4.6 Consultation / Communication

As required, the proposed memorial plaque has been advertised in local newspapers and there has been no adverse comment registered with Council.

5. **Conclusion**

The evidence provided by the Caboolture Netball Association Inc. indicates that the late Mrs Beverley Funnell has, through her service to schools and sporting clubs and associations, made a significant contribution to the Caboolture and wider community. On the basis of this evidence it is considered that Council should support the application for a plaque to be installed at the Caboolture netball courts acknowledging the late Mrs Beverley Funnell.

RECOMMENDATION

That Council approve the application by the Caboolture Netball Association to erect a memorial plaque within the Caboolture netball courts acknowledging the late Mrs Beverley Funnell.

COMMITTEE RECOMMENDATION

That the Officer's recommendation be adopted.

ITEM 8**SOUTH PINE SPORTING COMPLEX - SPORTS FIELD SURFACE RENOVATION
- DIVISION 9**

(TO, Team Leader - Grounds Maintenance (South), Pine Rivers)

1. Executive Summary

The Parks Department commissioned an external company to undertake sports field surface assessments at the South Pine Sporting Complex, Brendale and the Wolter Park, Albany Creek, sites in September 2008 at the request of the Divisional Councillor to establish the current surface playing conditions. Both the South Pine Sporting Complex and Wolter Park soccer facility sites are leased Council sporting facilities which receive heavy use due to high player numbers and limited capacity to absorb the current usage demand.

The reports highlighted an urgent need for maintenance works to be undertaken on three rugby league ovals and three soccer fields at South Pine Sporting Complex and two soccer fields at Wolter Park to improve surface quality and ensure the safety of the players. The Parks Department has sought quotations to have all rectification works undertaken by contract. The work is estimated to cost \$45,000. This work was not budgeted for in the 2008/09 budget.

2. Background

This report is provided as an outcome of the recommendation appearing on minute page 08-4103 of the General Meeting held 11 November 2008, as follows:

Ex Coordination Committee 11 November 2008 (Page 08-4101)

That the Senior Manager Parks report to the Co-ordination Committee meeting to be held on 18 November 2008 detailing the extent of work to be undertaken and the estimated cost of the works.

It is usual practice, under leased arrangements, that the lessees of Council sporting grounds undertake their own maintenance works on sporting surfaces. South Pine Sporting Complex, Brendale and Wolter Park, Albany Creek are both leased Council sporting facilities with the South Pine Sporting Complex comprising 10 sporting fields which cater for a variety of sporting use, and Wolter Park which caters for junior and senior soccer. Both facilities receive very heavy use from both competition play and training and suffer greatly as a result of this use.

At the request of the Divisional Councillor, the Parks Department commissioned an external company to undertake 'Level 2 Sportsfield Assessments' on both facilities in late September 2008 and received completed reports on 10th October 2008. The assessment gives a current condition on surface hardness via Penetrometer readings, quadrant assessments for weed presence versus desirable grass species % coverage, surface levelness assessment, identification of hazards, area (dimensions of playing surface), soil analysis report, and includes recommendations and a defects rectification report.

The reports highlighted the need for some urgent maintenance rectification work to be undertaken on three rugby league ovals and three soccer ovals at South Pine Sporting Complex and on both soccer fields at Wolter Park to ensure the safety of players.

It was identified that the rugby league fields at South Pine Sporting Complex were very compacted and had numerous depressions along the marked lines and at various locations across the field which were unsafe for play. It also highlighted the need for broadleaf weed control, field line levelling and top dressing and surface aeration for immediate compaction relief.

The three soccer fields at South Pine Sporting Complex were very compacted with uneven surfaces creating unsafe conditions for competition play and training.

ITEM 8

SOUTH PINE SPORTING COMPLEX - SPORTS FIELD SURFACE RENOVATION - DIVISION 9 - (TO, Team Leader - Grounds Maintenance (South), Pine Rivers) (Cont.)

The three fields also required a slow release high nitrogen fertiliser treatment, broadleaf weed control, surface levelling, top dressing and surface aeration. The two soccer fields at Wolter Park required the same rectification treatments as those at South Pine Sporting Complex. Due to the cost of the remedial works and the inability for the lessees to fund the proposed works, it is recommended that Council undertake the rectification works highlighted in the report at its cost.

3. Explanation of Item

The South Pine Management Committee and Albany Creek Soccer Association have both expressed concern over the cost to rectify the fields as highlighted in the reports and their inability to source the funds required. If Council meets the cost for these works there are benefits for Council in terms of the promotion of good turf management practices and ensuring that Council is not exposed to litigation from player injury. Given the current condition of the fields, these works should be implemented as soon as possible.

4. Strategic Implications**4.1 Legislative/Legal Implications**

Possible legal implications due to player injury.

4.2 Corporate Plan / Operational Plan

A desired outcome of the Corporate Plan for the Pine Rivers District for a Strong Pine Rivers Community states that individuals are provided with opportunities to achieve reasonable levels of access to community activities and programs that lead to greater personal independence, health and quality of life.

4.3 Policy Implications

There are likely to be no policy implications arising from this report.

4.4 Delegated Authority Implications

There are likely to be no delegated authority implications arising from this report.

4.5 Financial Implications

There are currently no allocated funds for this project in the 2008/09 budget.

4.6 Consultation / Communication

Nil

5. Conclusion

As part of an on-going program of leased sportfields maintenance, the Parks Department commissioned the surface condition reports for both the South Pine Sporting Complex and Wolter Park playing surfaces. As a result of these reports it is recommended that these rectification works be implemented.

RECOMMENDATION

1. That Council endorse the recommendation to fund the rectification works highlighted in the Level 2 assessment reports, as tabled.
2. That Council provide funds of \$45,000.00 to undertake this rectification work.

COMMITTEE RECOMMENDATION

1. That the Officer's recommendations be adopted.
2. That this matter be referred to the Quarter 2 Review for appropriate funding.

ADJOURNMENT

The meeting adjourned at 12.39pm for lunch.

The meeting resumed at 1.15pm.

Ms Kim Calio and Mr Jim Lawler attended the meeting at the resumption.

ATTENDANCE

Mr Tim Ditchburn attended the meeting at 2.10pm during discussion on the following item.

ITEM 9

MATERIAL CHANGE OF USE DEVELOPMENT APPLICATION FOR MOTOR RACING CIRCUIT AND ANCILLARY USES AND CONSTRUCTION OF ADDITIONAL FACILITIES AND BUILDINGS, AND ENVIRONMENTALLY RELEVANT ACTIVITY 65 FOR MOTOR RACING AT LAKESIDE ROAD, KURWONGBAH, ON LAND DESCRIBED AS LOT 1, 2 & 3 ON RP106289, LOT 1 ON RP84360 AND LOT 2 ON RP118289, PARISH OF REDCLIFFE – DIVISION 9 2008/11618/MCU

Refer - Attachments

1. Executive Summary

This application seeks a Development Permit for a Material Change of Use situated at Lakeside Road, Kurwongbah, on land described as Lot 2 RP118289, Lot 1, 2 and 3 RP106289, Lot 1 RP84360, Parish of Redcliffe. The subject site is located within the Catchment Locality of the Pine Rivers Plan, and Special Facilities Zone 110 (Lakeside Motor Racing Circuit (daylight hours only) and Caretaker's Residence). Locality plan attached.

The site is identified as being located within the Regional Landscape and Rural Production Area in the South East Queensland Regional Plan.

The application seeks a Development Permit for the use of the subject land for the purposes of a Motor Racing Circuit and Ancillary Activities consistent with the zoning of the land. Approval has been sought for the proposed uses and associated buildings to provide certainty and clarification for the continuing operation of the Lakeside Circuit.

The application also seeks a Development Permit for the Environmentally Relevant Activity 65 (Motor Racing) which is a devolved ERA to be assessed by the Moreton Bay Regional Council.

The application was not publicly advertised as it was a Code Assessable use.

The proposed development is considered to generally satisfy the intent of the Pine Rivers Plan 2006, and is recommended for approval subject to conditions.

2. Background

In March 1961 Lakeside International Raceway commenced operation at the subject site, and continued operation through to 2001, at which time the owners of the circuit went into receivership. Pine Rivers Shire Council acquired the site at that time. In December 2007, Pine Rivers Shire Council and Wrexmere Pty Ltd signed a 30 year lease to operate the Lakeside Motor Racing Circuit.

Lakeside International Raceway was established prior to the first Town Planning Scheme for the Shire of Pine Rivers which was gazetted on the 8th of May 1965.

The site is located adjacent to Lake Kurwongbah one of the main water storage facilities in the region now under the control of SEQ Water.

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MATERIAL CHANGE OF USE DEVELOPMENT APPLICATION FOR MOTOR RACING CIRCUIT AND ANCILLARY USES AND CONSTRUCTION OF ADDITIONAL FACILITIES AND BUILDINGS, AND ENVIRONMENTALLY RELEVANT ACTIVITY 65 FOR MOTOR RACING AT LAKESIDE ROAD, KURWONGBAH, ON LAND DESCRIBED AS - 2008/11618/MCU (Cont.)

3. Explanation of Item**3.1 Application Summary**

Applicant	Wrexmere Pty Ltd C/- Ian Buchanan Town Planning PO Box 501 Kallangur, QLD, 4503
Owner(s)	Moreton Bay Regional Council
Site Address	Lakeside Raceway, Lakeside Road, Kurwongbah
Property Description	Lot 2 RP118289, Lot 1, 2 and 3 RP106289, Lot 1 RP84360, Parish of Redcliffe.
Area	60.390ha
Proposal	<p>MATERIAL CHANGE OF USE for MOTOR RACING CIRCUIT AND ANCILLARY USES (including but not limited to Competitive Racing, Non-competitive Racing & Time Trails, Non-Motorised Competition and Training, Hire of Motorised Vehicles, Race Practice, Vehicle Testing, New Technology Testing, Driver Training, Motorcycle Rider Training, Road Safety Education), and CONSTRUCTION OF ADDITIONAL FACILITIES/BUILDINGS (including Site Office & Caretakers Residence, Driver Briefing and Club Meeting Room, Training & Storage Building, Extension of Lakeside Building, and Manager's Residence)</p> <p>MATERIAL CHANGE OF USE FOR ENVIRONMENTALLY RELEVANT ACTIVITY 65 FOR MOTOR RACING</p>
Assessment Level	Code Assessable
Requested Approvals	Development Permit
Planning Scheme Details	Catchment Locality Code Special Facilities Zone
Relevant Codes	Catchment Locality Code – Special Facility Zone provisions Biodiversity Overlay Code, Bushfire Hazard Area Overlay Code, Regional Plan Overlay Code. Advertising Signs Code, Access and Parking Code, Setbacks Code, Site Earthworks Code, Infrastructure Works Code, Landscape Design Code.
Application 'properly made'	23 September 2008
Information Request	N/A
Referral Agencies	<u>Concurrence Agencies:</u> EPA – Heritage EPA – Contaminated Land DNR – Vegetation Management Act QT – Public Transport & Rail Safety and Efficiency <u>Advice Agencies:</u> EPA – Referable Wetlands
Decision Stage ends	8 th December 2008
Number of Existing Lots	Five

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Further Development Permits that may be required	<input checked="" type="checkbox"/> Development Permit for Operational Works – Earthworks <input checked="" type="checkbox"/> Development Permit for Operational Works – Landscaping <input checked="" type="checkbox"/> Development Permit for Building Work
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3.2 Proposal Details

This application seeks a Development Permit for a Material Change of Use situated at Lakeside Road, Kurwongbah, on land described as Lot 2 RP118289, Lot 1, 2 and 3 RP106289, Lot 1 RP84360, Parish of Redcliffe. The subject site is located within the Catchment Locality of the PineRiversPlan, and Special Facilities zone 110 (Lakeside Motor Racing Circuit (daylight hours only) and Caretaker's Residence). Locality plan attached.

The site is identified as being located within the Regional Landscape and Rural Production Area in the South East Queensland Regional Plan.

The application seeks a Development Permit for the use of the subject land for the purposes of a Motor Racing Circuit and Ancillary activities consistent with the zoning of the land.

There are a range of activities which will be conducted on the site under the proposal including but not limited to;

- Competitive Racing,
- Non-competitive Racing & Time Trails,
- Non-Motorised Competition and Training, Hire of Motorised Vehicles,
- Race Practice,
- Vehicle Testing,
- New Technology Testing,
- Driver Training,
- Motorcycle Rider Training,
- Road Safety Education.

To facilitate the above listed activities the proposal also includes the construction of additional facilities and buildings including;

- Site Office & Caretakers Residence,
- Driver Briefing and Club Meeting Room,
- Training & Storage Building,
- Extension of Lakeside Building, and
- Manager's Residence.

Approval has been sought for the proposed uses and associated buildings to provide certainty and clarification for the continuing operation of the Lakeside Circuit.

The application also seeks a Development Permit for the Environmentally Relevant Activity 65 (Motor Racing) which is a devolved ERA to be assessed by the Moreton Bay Regional Council.

The application also sought a Development Permit for the Environmentally Relevant Activity 15(h) (Sewerage Treatment Plant of more than 21 Equivalent Persons). However through discussions with the EPA and the applicant it has been determined that this application is not triggered and is not applicable.

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3.3 Site and Locality**3.3.1 *Existing use***

Lakeside Motor Racing Circuit

3.3.2 *Topography*

Undulating

3.3.3 *Surrounding Land Use*

North: Rural uses
South: Rural uses
East: Pine Rivers Golf Club
West: Lake Kurwongbah

3.4 Planning Scheme**3.4.1 *Applicable Codes***

The following table provides a summary of the identified codes applicable to the proposed development and instances where alternative solutions are provided in lieu of meeting the suggested Probable Solutions.

Applicable Codes	Compliance with Code	Alternative Solutions Proposed
Catchment Locality Code – Special Facility Zone provisions	✓	
Advertising Signs Code	N/A	
Access & Parking Code	✓	Conditions included in permit
Setbacks Code	✓	
Site Earthworks Code	✓	
Infrastructure Code	✓	
Landscape Design Code	N/A	
Biodiversity Overlay Code	✓	
Bushfire Hazard Area Overlay Code	✓	
Regional Plan Overlay Code	✓	

The development as proposed generally complies with the provisions of the relevant codes identified in the PineRiversPlan, or can be appropriately conditioned to ensure compliance. In addition to the above assessment, a breakdown of the proposed development's compliance with the appropriate codes is located on the Council file.

3.5 Other Relevant Assessment**3.5.1 *Site Earthworks***

The developer proposes to undertake operational works (earthworks) on the site as part of the overall development. Earthworks are assessable under the PineRiversPlan and any works that are not considered self assessable under the Code will require separate development approval.

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3.5.2 Infrastructure Charges

The proposed development is substantially the same as what has been in operation on the site since the 1960's. Infrastructure charges are therefore not required under Planning Scheme Policies PSP 21 to PSP 27 (inclusive) as there is no increased demand on Council infrastructure as a result of the proposal.

*3.5.3 Engineering Issues**3.5.3.1. Access and parking*

The proposal includes regular training activities, regular non-competitive activities, and regular competitive activities including major race meetings, all of which generate varying access and parking needs.

The business plan for the facility indicates the forecast utilisation of the site up to 2013. The site has significant areas available for formal and informal parking. Formalised parking arrangements should be made for regular activities to ensure sufficient parking hardstand area is available and that there are no conflicts for access to and from various areas on the site running separate activities at the same time.

Accordingly, it is recommended that a parking and access plan be provided for approval by the Senior Manager, Development Services within six months of the development permit being issued. Any additional parking or access facilities identified in the approved plan must be provided in a timely manner.

3.5.3.2. External access

The site is serviced by two possible access points to the external road network. It is recommended that all regular vehicular access be generally restricted to Lakeside Road with the Cooper Road access restricted to non vehicular and emergency access only except where approval is given via Council resolution.

A formal pedestrian pathway (min. 1.5m wide compacted gravel) should be provided between Narangba Road and the site prior to the next major event which causes significant pedestrian activity between the site and Narangba Road/Dakabin Railway Station.

3.5.3.3. Water Supply

The site is not connected to reticulated drinking water supply. As the proposed maximum use of the site is not known and Council's reticulated water supply is limited, it is recommended that the developer provide a water balance report showing how the proposed development will be self sufficient for all classes of water supply. It is recommended that the water balance report be required to be approved by the Senior Manager, Development Services within six months of the development permit being issued.

3.5.3.4. Fire Fighting Supply

The site is indicated as being within a moderate bushfire hazard area. However, the site is bounded to the west and south by the full supply level of Lake Kurwongbah. To the east is Pine Rivers Golf course and to the north is cleared land. The site is unlikely to be revegetated as a result of the site activities.

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It is therefore recommended that suitable access be available for emergency fire fighting appliances to access the water in the existing dam in the northern portion of the site.

3.5.3.5. *Major Dam*

The developer is proposing to place a two level driver training centre immediately downstream of the major earthen dam wall in the northern portion of the site. This dam has no clearly defined spillway or surcharge structure. It is not known if a dam safety report has previously been provided but it is considered that locating the driver training structure at the lowest point downhill may expose people to risk in the event of a dam failure. Therefore, it is recommended that a dam safety management report be approved by the Senior Manager, Development Services within 12 months of the development permit being issued. All dam safety works and maintenance identified in the approved report must be undertaken by the developer.

3.5.3.6. *Sewage/Wastewater Effluent Disposal*

The site is not connected to Council's reticulated sewerage services.

It is understood that the site is currently served by one small septic system and several holding tanks. The developer will be required to provide a wastewater management plan for the site. The plan must include estimates of the required peak volumes for regular as well as major events. The plan must include a map showing the location of existing and proposed wastewater facilities and include recommended maintenance and operational requirements and procedures. The plan must be approved by the Senior Manager, Development Services within 6 months of the development permit being issued.

3.5.3.7. *Stormwater Management*

The site is located immediately adjacent to the Lake Kurwongbah water supply impoundment. The developer will be required to provide a stormwater management plan for the site to manage and treat stormwater runoff to ensure it does not impact on the water quality in Lake Kurwongbah. The report must be approved by the Senior Manager, Development Services within 6 months of the development permit being issued. All recommended stormwater management devices or measures must be installed or constructed within 12 months of the development permit being issued.

3.5.4 *SEQ Regional Plan*

The subject site is located within the Regional Landscape and Rural Production Area. Given that the application is for an urban use (recreation and education/training) on land zoned for that purpose, referral to the OUM as a Concurrence Agency is not triggered.

3.5.4 *Nature Conservation (Koala) Conservation Plan 2006*

The subject site is identified as a Koala Conservation Area under the Nature Conservation (Koala) Conservation Plan. The development does not trigger referral to the EPA, and complies with the provisions of the Koala Conservation Plan.

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3.6 Referrals**3.6.1 Concurrence (External)****Environmental Protection Agency (Heritage & ERA)**

The EPA advised by letter dated 10.10.08 that the proposal did not constitute an ERA 15(h) and that the site had been withdrawn from the Heritage Register and as such the EPA had no further concerns regarding those components of the proposed development.

Environmental Protection Agency (Contaminated Land Unit)

The EPA advised by letter dated 24.10.08 that the removal of any contaminated soil from the land that is listed on the Environmental Management Register (EMR) requires prior approval from the Environmental Protection Agency (EPA) under section 424 of the Environmental Protection Act 1994.

Department of Natural Resources and Water (VMA)

The DNR&W advised by letter dated 7.11.08 that any clearing as a result of the application is considered to be exempt from the Vegetation Management Act 1999.

Queensland Transport (Public Transport and Rail Safety & Efficiency)

QT advised by letter dated 13.10.08 that the department has no requirements regarding the proposed development.

3.6.2 Advice (External)**Environmental Protection Agency (Wetlands)**

The EPA advised by letter dated 15.10.08 that the application had been reviewed that there were no requirements regarding the proposed development.

3.6.3 Third Party Advice (External)**SEQWater**

The application was referred to SEQWater for third party advice. SEQWater, in their letter dated 10.10.08 have recommended that Council require the developer to demonstrate that the development can be undertaken in a manner which does not impact on the water quality in Lake Kurwongbah. SEQWater have recommended that the developer prepare a Site Based Management Plan incorporating policies, procedure and measures to address:

- Wastewater Management;
- Vegetation Management;
- Erosion Management;
- Waste and Chemical Management;
- Stormwater Management;
- Hazardous Substances Management;
- Event Management: and
- Monitoring.

Conditions of approval regarding the abovementioned have been included in the permit accordingly.

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3.6.4 Internal

- (a) **Community Response Department**
The Community Response Department provided the relevant conditions for the ERA – Motorsport component of the application.
- (b) **Moreton Bay Water**
No concerns were raised by Moreton Bay Water regarding the proposed development.

- 3.7 Public Notification**
Not Applicable – Code Assessment only.

4. Strategic Implications

- 4.1 Legislative/Legal Implications**
The applicant has appeal rights in accordance with the *Integrated Planning Act 1997*.
- 4.2 Corporate Plan / Operational Plan**
Integrated Planning Processes are undertaken in a manner that balances natural and built environment with legislative requirements and community needs.
- 4.3 Policy Implications**
The proposal is consistent with the existing Pine Rivers planning provisions and relevant district policies.
- 4.4 Delegated Authority Implications**
Not applicable.
- 4.5 Financial Implications**
 - a) In the event that an appeal is made to the Planning & Environment court against Council's decision, the Council will incur additional costs in defending its position.
 - b) Permit conditions require infrastructure contributions to Council.
- 4.6 Consultation / Communication**
Refer to section 3.6 and 3.7.

5. Conclusion

This application for a Development Permit for a Material Change of Use (MOTOR RACING CIRCUIT AND ANCILLARY USES, and an Environmentally Relevant Activity 65 – MOTOR RACING) complies with the relevant PineRiversPlan Codes and policies and should be approved, subject to conditions. It is recommended that the proposed development be approved in full subject to conditions.

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RECOMMENDATION

- A. That Council, in accordance with the *Integrated Planning Act 1997*, approves a Material Change of Use development application for MOTOR RACING CIRCUIT AND ANCILLARY USES, and an Environmentally Relevant Activity 65 – MOTOR RACING, at Lakeside Raceway, Lakeside Road, Kurwongbah, described as Lot 2 on RP11829, and Lots 1 to 3 on RP106289, and Lot 1 on RP84360, Parish of Redcliffe, subject to the following conditions:

RELEVANT PERIOD FOR THE APPROVAL

Unless limited by a Concurrence Agency, the Relevant Period stated in *section 3.5.21* of the *Integrated Planning Act 1997* shall apply to each aspect of development in this approval.

STANDARD CONDITIONS**1. Approved Plans**

The approved plans for the development are as follows:

Plan	Plan Name	Date	Required Amendments
PV03/08/003	Amenity Improvements - Lakeside Raceway, prepared by PV Building Design.	10.4.08, and received by Council's Development Services Department on 23.09.08	Nil

Development shall generally be in accordance with the above listed plans.

2. Approval Limitations

This approval does not authorise:

- The erection of buildings and/or structures; or
- Implied approval of any other uses of the land.

3. Contributions and Costs

The Developer shall be responsible for meeting all costs associated with:

- The works required by this approval;
- Any alterations to public utilities and services required by such works; and
- Any private services including septic tanks, sullage trenches and stormwater lines.

All works required shall be completed to the satisfaction of the Senior Manager, Development Services Department prior to the commencement of the use, unless otherwise specified by conditions of this permit or by resolution of the Council.

4. Approval - Compliance

The Developer shall be responsible for ensuring that all persons charged with the administration of the permitted use are at all times aware of the conditions of this approval.

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5. Amenity

The use shall not, in the opinion of Council, detrimentally affect the existing or prospective amenity of the locality due to, but not limited to noise, vibration, lighting, traffic generation and/or hours of operation.

6. Infrastructure Charges and Contributions

Council acknowledges that the proposed development does not represent an increased demand on Council infrastructure above that previously existing. Consequently, no infrastructure contributions are required under Planning Scheme Policies PSP 21 to PSP 27 (inclusive).

SPECIAL CONDITIONS**S1. Approved Ancillary Uses and Facilities and Buildings**

The following activities are included in the approved 'Ancillary Uses';

- a. Competitive Racing;
- b. Non-competitive Racing & Time Trails;
- c. Non-Motorised Competition and Training;
- d. Hire of Motorised Vehicles;
- e. Race Practice;
- f. Vehicle Testing;
- g. New Technology Testing;
- h. Driver Training;
- i. Motorcycle Rider Training; and
- j. Road Safety Education.

The following buildings and facilities as shown on the approved plan are associated with the approved use and ancillary uses;

- a. Site office;
- b. Caretakers Residence;
- c. Driver briefing and club meeting room;
- d. Training and storage building;
- e. Extension of the Lakeside Building; and
- f. Managers Residence.

S2. Access and Parking

The developer must submit a parking and access plan for the approved uses.

The plan is to be approved by the Senior Manager, Development Services within 6 months of the development permit being issued or prior to driver training or racing commencing, whichever occurs first. Any additional parking or access facilities identified in the approved plan must be provided by the developer.

It is envisaged that a sealed parking area will be required to be located adjacent to the Driver Training Track to avoid conflicts with the use of the main track.

Construction of any necessary access and/or parking works may be staged as approved by the Senior Manager, Development Services.

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S3. Traffic Management for Major Events

For any event which is likely to attract more than 10,000 people within a 24hr period, a traffic management plan must be submitted and approved by the Senior Manager, Development Services not less than 14 days before the event commences.

The developer must implement the approved plan.

S4. Road Classifications

Table 1 sets out the classification and standard to apply to existing roads.

Table 1 - Classification

Road Name or Description	Classification	Standard	Construction Required
Lakeside Road	Rural Residential	Access Street	Yes refer special Conditions
Cooper Road	Rural Residential	Access Place	No

S5. Footpath Construction – Lakeside Road

Prior to any major event on the site which is likely to create spill over parking external to the site and/or significant pedestrian traffic to the site via Lakeside Road the developer must construct a 1.5m compacted gravel (min.) pathway along the northern verge of Lakeside Road between the site entrance and Narangba Road. The purpose of this pathway is to separate significant pedestrian and vehicle movements for safety reasons.

S6. Access via Cooper Road.

Access to Cooper Road is restricted to pedestrian and emergency purposes only except where approval is granted through Council resolution.

S7. Water Supply

The developer must provide a Water Balance Report to demonstrate how the development will be self sufficient (to a 95% confidence level) for all classes of water supply.

The report must be approved by Council's Senior Manager, Development Services within 6 months of the development permit being issued or prior to driver training or racing commencing, whichever occurs first. Any additional works or upgrading required by the report are to be implemented in a timely manner as approved by Council's Senior Manager, Development Services.

S8. Bushfire Management Plan

A Bushfire Management Plan (BMP) is to be prepared to protect the safety of the site and occupants. The BMP is to demonstrate compliance with the State Planning Policy 1/03.

The report is to be accepted by the Senior Manager, Development Services within 6 months of the development permit being issued or prior to driver training or racing commencing, whichever occurs first.

A copy of the emergency evacuation procedure for the site is to be kept by the site manager and provided to all sub tenants.

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S9. Major Dam

A dam safety management report is to be undertaken for the large dam situated in the northern portion of the site. The report is to be approved by the Senior Manager, Development Services within 12 months of the development permit being issued or prior to driver training or racing commencing, whichever occurs first. Any remedial works recommended to be undertaken in the approved report are to be completed within 18 months of the development permit being issued.

S10. On-Site Effluent Treatment and Disposal Report

The developer is to provide an onsite effluent treatment and disposal report for the site in accordance with the relevant standards and Council's requirements.

The report is to be approved by the Senior Manager, Development Services within 6 months of the development permit being issued or prior to driver training or racing commencing, whichever occurs first. The approved report is to be implemented within 9 months of the development permit being issued.

The developer shall also arrange for an Officer from Council's Building and Plumbing Services Department to inspect the existing treatment and disposal systems and storage tanks on the property. Should the systems and/or tanks be found to be defective or inadequate, the developer shall be required to either upgrade or replace the systems to the satisfaction of Council's Senior Manager, Development Services within 9 months of the development permit being issued.

S11. Storm Water Management Plan

Within 6 months of the commencement of this approval a Stormwater Management Plan (SMP) prepared by a suitably qualified person is to be submitted for the approval of the Senior Manager, Development Services. The SMP shall demonstrate how stormwater from the development will be controlled and treated on site to ensure that it will not have an impact on water quality in Lake Kurwongbah. The SMP shall demonstrate how typical pollutants associated with racetracks (eg heavy metals) will be removed from stormwater from the development before it enters Lake Kurwongbah.

The developer must completely implement the approved Stormwater Management Plan within 12 months of the development permit being issued.

S12. Site Based Management Plan

Within 9 months of the commencement of this approval a Site Based Management Plan (SBMP) prepared by a suitably qualified person is to be submitted for the approval of the Senior Manager, Development Services.

The SBMP shall collate all management reports for the site and shall include policies and procedures which address the following:

- a. Waste Water Management;
- b. Weed and Vegetation Management;
- c. Erosion Management;
- d. Waste and Chemical Management;
- e. Stormwater Management;
- f. Hazardous Substance Management;
- g. Event Management; and
- h. Monitoring

The developer must implement the approved plan.

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S13. Building Design and Appearance

Buildings that will be constructed on, or re-located to the site are to have a residential appearance and scale in terms of roof shape, building materials, bulk, and colour scheme.

S14. Waste Storage and Collection Areas

Rubbish bin storage areas are enclosed and integrated in the design of the building, or landscaped so they can not be seen from the street and adjoining properties.

S15. Landscaping Establishment and Maintenance Plan

Within 6 months of the commencement of this approval a Landscape Establishment and Maintenance Plan shall be submitted in the form of a Operational Works Landscape application.

The Developer shall prepare a Landscape Establishment and Maintenance Plan for the subject site. The object of this plan shall be to detail a landscape design that:

- a) complements and enhances the streetscape at the Lakeside Road entrance;
- b) focuses on the immediate areas around the existing and proposed facilities;
- c) will over time establish a vegetation screen along the western boundary of the site to provide a visual screen from residents on the opposite side of Lake Kurwongbah;
- d) is consistent with the established landscape character of the area; and
- e) contributes to the creation of attractive, comfortable and useable recreation spaces.

The Landscape Establishment and Maintenance Plan shall include:

- a) a staged approach focusing firstly on the entrance to the site, then the proposed and existing facilities, and finally the vegetation screen to Lake Kurwongbah;
- b) establishment detail such as layout, growth media, mulch, plant species, etc;
- c) maintenance procedures to ensure healthy and vigorous plant growth that satisfies the objectives of the Landscape Establishment and Maintenance Plan;
- d) elevations detailing the likely extent of signage and the projected mature growth of the landscaping; and
- e) installation of low water demand landscaping (including minimisation of turf and utilisation of low water demand species.

S16. Landscape Works

The developer shall establish the landscaping in accordance with the Landscape Establishment and Maintenance Plan to the satisfaction of the Senior Manager Development Services.

The owner of the subject site shall ensure that the landscaping is maintained in good order to ensure healthy and vigorous plant growth that satisfies the objectives of the Landscape Establishment and Maintenance Plan.

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S17. Noise Management Report

The use is to be conducted in accordance with the recommendations of the noise management report prepared by ASK Consultants, dated 10/04/2007. Alternatively, the applicant may engage their own expert to prepare a noise management report, which is to be submitted to Council for approval containing the following information;

- a. An assessment of the application of the Environmental Protection Act 1994;
- b. An assessment of the likely impacts on noise affected places;
- c. A complaints management process;
- d. An analysis and assessment of the likely noise threshold which may not be exceeded.

ENVIRONMENTALLY RELEVANT ACTIVITY 65 (MOTOR RACING) CONDITIONS**WASTE**

1. Potential liquid contaminants (e.g. oil, waste oil, radiator coolant, battery acid or liquids with a pH of less than 6 or greater than 9) shall be stored on an impervious surface in a covered area capable of containing at least 110% of the volume of the largest liquid containment container.
2. Potential solid contaminants (e.g. absorbent materials, batteries, oil drums, scrap metal, etc) must be stored in a manner to prevent the mobilisation, or the potential mobilisation, of the contaminant by wind or water.
3. Only solid inert waste shall be placed in industrial bins.
4. Waste generated by the environmentally relevant activity must not be burnt.
5. All waste shall be recycled where possible and any residual waste unsuitable for recycling shall be removed to a licensed waste disposal facility.
6. The activity must be maintained and operated so as not to generate an unsightly accumulation of waste materials.

NOISE

7. The use is to be conducted in accordance with the recommendations of the noise management report prepared by ASK Consultants, dated 10/04/2007. Alternatively, the applicant may engage their own expert to prepare a noise management report, which is to be submitted to Council for approval containing the following information;
 - a. An assessment of the application of the Environmental Protection Act 1994;
 - b. An assessment of the likely impacts on noise affected places;
 - c. A complaints management process;
 - d. An analysis and assessment of the likely noise threshold which may not be exceeded.
8. The operator will not conduct or permit others to conduct activities that exceed the ambient noise levels by more than 30dB(A) between the hours of 9.00 am and 7.00 pm except by special consent given by the landlord. The operator will not conduct or permit others to conduct activities that exceed the ambient noise levels 20dB(A) between 6.00 am and 9.00 am or between 7.00 pm and 9.30 pm.

ITEM 9

MATERIAL CHANGE OF USE DEVELOPMENT APPLICATION FOR MOTOR RACING CIRCUIT AND ANCILLARY USES AND CONSTRUCTION OF ADDITIONAL FACILITIES AND BUILDINGS, AND ENVIRONMENTALLY RELEVANT ACTIVITY 65 FOR MOTOR RACING AT LAKESIDE ROAD, KURWONGBAH, ON LAND DESCRIBED AS - 2008/11618/MCU (Cont.)

AIR

9. The activity must not be conducted in a manner that releases odour, dust, smoke or other atmospheric contaminants that in the opinion of the authorised officer is determined to be unreasonable.

WATER

10. Potential contaminants must not be released on premises where they could reasonably be expected to move or be washed into a roadside gutter, stormwater drain or water.
11. The activity shall not be conducted in a manner that may or will cause the contamination of surface stormwater runoff.

SOURCE MONITORING

12. When and as directed by the administering authority, the registered operator shall monitor and record the levels of any contaminants that may or will be released to the environment.

RECORDS AND DOCUMENTATION

13. Where regulated waste is removed from the premises records must be kept of the following:
 - a. The date, quantity and type of waste removed;
 - b. The name of the waste transporter and/or disposal operator that removed the waste; and
 - c. The intended treatment/disposal destination of the waste.
14. Any record or document required to be kept by a condition of this environmental authority must be kept at the place at which the activities are carried out for a period of 12 months and be made available for examination or copying by an authorised officer.

REFERRAL AGENCY CONDITIONS

- RA1. Environmental Protection Agency (Heritage & ERA)
The comments and recommendations of the Environmental Protection Agency response to Council dated 10th October 2008 (EPA Ref No. 324859) shall be complied with and form part of this approval. Refer attached letter.
- RA2. Environmental Protection Agency (Contaminated Land Unit)
The comments and recommendations of the Environmental Protection Agency response to Council dated 24 October 2008 (EPA Ref No. 324859) shall be complied with and form part of this approval. Refer attached letter.
- RA3. Department of Natural Resources and Water
The comments and recommendations of the Department Natural Resources and Water response to Council dated 7 November 2008 (Ref No. IC0508NAM0004_MB17018) shall be complied with and form part of this approval. Refer attached letter.
- RA4. Queensland Transport
The comments and recommendations of the Queensland Transport response to Council dated 13th October 2008 (Ref No. 890/2486 BRIS-1898 P29170) shall be complied with and form part of this approval. Refer attached conditions.

ITEM 9

MATERIAL CHANGE OF USE DEVELOPMENT APPLICATION FOR MOTOR RACING CIRCUIT AND ANCILLARY USES AND CONSTRUCTION OF ADDITIONAL FACILITIES AND BUILDINGS, AND ENVIRONMENTALLY RELEVANT ACTIVITY 65 FOR MOTOR RACING AT LAKESIDE ROAD, KURWONGBAH, ON LAND DESCRIBED AS - 2008/11618/MCU (Cont.)

ASSESSMENT MANAGER ADVICES**A1. Applicable Codes and Approved Alternative Solutions**

The relevant PineRiversPlan 2006 Planning Scheme Codes and Policies are applicable to development of the subject land. This application has been assessed against the following relevant Codes and Policies:

- Catchment Locality Code – Special Facility Zone provisions
- Advertising Signs Code
- Access & Parking Code
- Setbacks Code
- Site Earthworks Code
- Infrastructure Code
- Landscape Design Code
- Biodiversity Overlay Code
- Bushfire Hazard Area Overlay Code
- Regional Plan Overlay Code

A2. Notice of Indigenous Cultural Heritage Legislation And Duty Of Care Requirement

The Aboriginal Cultural Heritage Act 2003 commenced in Queensland on April 16, 2004. The Act is administered by the Department of Natural Resources, and Water (NRW). Under the new Act, Indigenous parties are key in assessing cultural heritage significance. The Aboriginal Cultural Heritage Act 2003 establishes a Duty of Care for Indigenous cultural heritage. This applies on all land and water, including freehold land. The Cultural Heritage Duty of Care lies with the person or entity conducting an activity. Penalty provisions apply for failing to fulfil the Cultural Heritage Duty of Care.

Those proposing an activity that involves additional surface disturbance beyond that which has already occurred at the proposed site need to be mindful of the Duty of Care requirement. Details of how to fulfil the Duty of Care are outlined in the Duty of Care Guidelines gazetted with the Act.

Council strongly advises that you contact NRW's Cultural Heritage Coordination Unit to obtain a copy of the Duty of Care Guidelines and further information on the responsibilities of developers under the terms of the Aboriginal Cultural Heritage Act 2003.

B. The grounds for this decision are:

- (a) The proposal generally conforms with the provisions of the relevant PineRiversPlan Codes and Planning Scheme Policies;
- (b) Subject to compliance with the conditions included in the Recommendations above, the proposal is unlikely to have a significant detrimental impact on the amenity and environment of the locality.

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

CO-ORDINATION COMMITTEE MEETING
18 November 2008

REPORT

ITEM 9

MATERIAL CHANGE OF USE DEVELOPMENT APPLICATION FOR MOTOR RACING CIRCUIT AND ANCILLARY USES AND CONSTRUCTION OF ADDITIONAL FACILITIES AND BUILDINGS, AND ENVIRONMENTALLY RELEVANT ACTIVITY 65 FOR MOTOR RACING AT LAKESIDE ROAD, KURWONGBAH, ON LAND DESCRIBED AS - 2008/11618/MCU (Cont.)

COMMITTEE RECOMMENDATION

That the Officer's recommendations be adopted, with the following amendments:

- Special Condition S6 - Access via Cooper Road – the words "pedestrian and" be deleted.
- Special Conditions S7 – Water Supply, S8 – Bushfire Management Plan, S9 – Major Dam and S10 – On-site Effluent Treatment and Disposal Report, the words "or prior to driver training or racing commencing, whichever occurs first" be deleted.
- Special Condition S13 – Building Design and Appearance – the words "and installation of water tanks" be included after the word "Buildings" at the commencement of the Condition.
- Environmentally Relevant Activity 65 (Motor Racing) Conditions Condition 8 – Noise – the last sentence be deleted in its entirety. **Deletion GM18/11/08 P.4164**

Committee Recommendation amended at General Meeting of 18 November 2008 - P 08/4164

That the fourth dot point be deleted.

ATTENDANCE

Ms Kim Calio, Mr Jim Lawler and Mr Tim Ditchburn left the meeting at 2.17pm.

SESSION: OPERATIONS

SESSION CHAIR – CR MICK GILLAM

No items for consideration.

SESSION: LIFESTYLE & AMENITY

SESSION CHAIR – CR DAVID DWYER

No items for consideration.

SESSION: SUSTAINABILITY

SESSION CHAIR – CR RAE FRAWLEY

No items for consideration.

GENERAL BUSINESS

ITEM 10

LOCAL GOVERNMENT MAYORS' DELEGATION TO CANBERRA

The Chief Executive Officer provided Council with an update on the Local Government Mayors' delegation to the Federal Government and some results arising from that delegation.

ATTENDANCE

Mr Scott Templeman and Ms Sophie Head attended the meeting at 2.24pm.

SESSION: COMMERCIAL ENTERPRISES**SESSION CHAIR – CR BRIAN BATTERSBY****ITEM 11****JETTY MARKETS REDCLIFFE 2008 REVIEW – DIVISION 6**

A1158472 (SH, Co-ordinator Economic Development, Redcliffe)

*Refer Attachments***1. Executive Summary**

This report considers a number of issues previously discussed by Council relating to the Redcliffe Jetty Markets, which are to be resolved before the current permit is renewed on November 23rd.

The report recommends that a new permit be granted with the following conditions:

- A 3m exclusion zone around the Anzac Memorial and the WWII Memorial as well as an exclusion zone on the pavers around the First Settlement Wall;
- A maintenance levy of \$400 per week (based on \$5 per stall holder) to restore and maintain the park;
- That the markets co-ordinator provides the Council with a Management Plan, for consideration, for restoring and maintaining the park including a work program for expenditure of the maintenance levy;
- That craft stalls make up at least 50% of the designated site area; and
- That the markets co-ordinator provides the Council with a monthly report for the approval of Retail Food Operators.
- That the annual fee is increased to be consistent with the fee paid by the Lions Club of Redcliffe Kippa-Ring Inc who conduct a weekly market at the Redcliffe Showgrounds.

2. Background

Markets were initially established in Sutton Street to attract people to Redcliffe and were re-located to Anzac Place in November 2006. The markets have recently expanded due to the security of the current location and co-ordination by Smartalec Market and Event Management. The current permit to carry on market operations expires on 23 November 2008.

Council staff recently undertook a survey of local traders and visitors. 61 percent of businesses responding to the survey believed they benefited from the Market, while 26 percent indicated they were disadvantaged. 72 percent of business liked the concept of the Market. The market was also found to be generally well received by visitors. Detailed survey results are included in an attachment.

A report was presented to Co-ordination Committee Meeting of 5 August 2008 (Item 5) which addressed some issues raised by local traders. At that meeting Council resolved:

- 1 That a future Permit be reviewed and a clear definition of "Retail Food Operators" be included.
- 2 That a simple process be determined between Licensing and Economic Development in relation to retail food operators obtaining approval from both departments to attend the markets.
- 3 That the operation of the market be reviewed at the time of the permit renewal in November 2008.
- 4 That the Redcliffe Seaside Village Beautification and Traffic and Parking Augmentation Project consider future placement of the market.

This report intends to address the items 1, 2 and 3 above. Item 4 will be addressed during the Redcliffe Seaside Village Beautification and traffic and parking Augmentation Project.

ITEM 11

JETTY MARKETS REDCLIFFE 2008 REVIEW – DIVISION 6 - A1158472 (SH, Co-ordinator Economic Development, Redcliffe) (Cont.)

The Redcliffe RSL has subsequently written to Council expressing concern that as a result of the Market, grassed areas surrounding the Anzac Memorial have been worn away and the Memorial itself is being disrespected (See attachment). Council investigations confirm that the area surrounding the memorial is being damaged.

Additional attachments include submissions from the markets co-ordinator, marketeers and the community.

3. Explanation of Item**3.1 Location**

The following options have been identified and evaluated with criteria such as: Visibility; easy close parking; shade; infrastructure – including toilets and power; and easy access in and out – for customers and marketeers.

Option 1 - Redcliffe Parade – From Prince Edward Parade to Baker Street

Redcliffe Parade meets all the key criteria except the need for shade. This site has been identified as a possible future site by the markets co-ordinator. It would require road closure which is not supported by the Redcliffe Police. The markets co-ordinator has indicated that the stretch of road required to be closed is too long to accommodate the markets at present.

Option 2 – Stay at Anzac Place

Anzac Place meets all the key components listed above. To accommodate concerns from the RSL and other stakeholders it is suggested that a new permit be granted with the following conditions:

- A 3m exclusion zone around the Anzac Memorial and the WWII Memorial as well as an exclusion zone on the pavers around the First Settlement Wall;
- A maintenance levy of \$400 per week (based on \$5 per stall holder) to restore and maintain the park;
- That the markets co-ordinator provides the Council with a Management Plan, for consideration, for restoring and maintaining the park including a work program for expenditure of the maintenance levy;
- That craft stalls make up at least 50% of the designated site area; and
- That the markets co-ordinator provides the Council with a monthly report for the approval of Retail Food Operators.

3.2 Twilight Markets

In 2007 the Markets Coordinator was granted permission to run Twilight Markets for five Saturdays prior to Christmas. The Market Co-ordinator has indicated that he would like to do the same again in 2008 starting on 22 November 2008. Discussions with the Secretary of the Scarborough Lights up Redcliffe Committee have indicated that there is no perceived competition with the two markets being held at the same time. It is suggested that the operation of the twilight markets complements the Sunday markets and that they be included in any future permit.

3.3 Review Retail Food Operators clause

At the Co-ordination Committee Meeting of 5 August 2008 (Item 5) it was resolved that a future Permit be reviewed and a clear definition of "Retail Food Operators" be included. The current definition within the permit requires every retail food operator to be approved by the Council to ensure that the retail food operators at the markets were not in competition with retailers in the Seaside Village. This clause is extremely difficult to administer therefore it is suggested that the markets co-ordinator provides a report to the Council on a monthly basis requesting approval of new retail food operators and this be presented to the Council for approval.

ITEM 11

JETTY MARKETS REDCLIFFE 2008 REVIEW – DIVISION 6 - A1158472 (SH, Co-ordinator Economic Development, Redcliffe) (Cont.)

3.4 Review of fee

The fee for the operation of the markets is \$1,500 per annum. The Lions Club of Redcliffe Kippa-Ring Inc conducts a market at the Redcliffe Showgrounds on a weekly basis. They operate under a Trustee Permit – Community Markets. The basis of their rental is \$10,000 per annum or 15% of stallholder fees. It is suggested that the fee for the Jetty Markets be in line with this for consistency.

4. Strategic Implications

4.1 Legislative/Legal Implications

A permit to carry on business on a road is required to be granted.

4.2 Corporate Plan / Operational Plan

The Jetty Markets Redcliffe provide employment, they contribute to a diverse economy where businesses can grow and they draw visitors to the region. All of these aspects are common to the direction of Economic Development and Tourism in the Region.

4.3 Policy Implications

Nil

4.4 Delegated Authority Implications

Nil

4.5 Financial Implications

The introduction of a maintenance levy will provide \$20,000 to minimise the impact for Council to restore and maintain the grounds at Anzac Park.

4.6 Consultation / Communication

The following people/organisations have been consulted in the preparation of this report.

Crs Frawley and Houghton, Redcliffe Seaside Village businesses (100) General public (35) Markets co-ordinator Representatives from Redcliffe RSL (President, Vice President, Director) Rotary Club of Redcliffe; Redcliffe Police – Senior sergeant; Manager Operational Maintenance; Secretary Scarborough Lights up Redcliffe Committee.

The Redcliffe RSL has provided a letter supporting the placement of a 3m exclusion zone and has provided some suggestions as to how that could be implemented. (Copy attached.)

The following Council officers have been consulted in the preparation of this report:
Director Enterprises; Senior Manager Economic Development; Principal Engineer Traffic and Transport; Coordinator Parks East; Legal team; Team Leader Visitor Information Centres and Sister City; Events Officer; Community Development Officer, Traffic Engineer.

5. Conclusion

Evidence suggests that the Jetty Markets Redcliffe are popular and contribute to the local economy in terms of dollars and diversity. Concerns have been raised about the suitability of the markets' current location in Anzac Place, in terms of damage to the grass in the park and disrespect shown towards the War Memorials. This report provides possible conditions that can be included into a new permit to alleviate this.

This report also considers the operation of twilight markets on the lead in to Christmas; a clearer definition of retail food operators and a review of the annual fee.

ITEM 11

JETTY MARKETS REDCLIFFE 2008 REVIEW – DIVISION 6 - A1158472 (SH, Co-ordinator Economic Development, Redcliffe) (Cont.)

RECOMMENDATION

That Council grants a permit to Smartalec Market and Event Management to carry on business on a road to operate the Jetty Markets Redcliffe and the associated twilight markets subject to the following conditions:

- a) a 3m exclusion zone around the Anzac Memorial and the WWII Memorial as well as an exclusion zone on the pavers around the First Settlement Wall is enforced;
- b) a maintenance levy of \$400 per week (based on \$5 per stall holder) to restore and maintain the park;
- c) that the markets co-ordinator provides the Council with a Management Plan, for consideration, for restoring and maintaining the park including a work program for expenditure of the maintenance levy;
- d) that craft stalls make up at least 50% of the designated site area;
- e) that the markets co-ordinator provides the Council with a monthly report for the approval of Retail Food Operators; and
- f) that the annual fee is increased to be consistent with the fee paid by the Lions Club of Redcliffe Kippa-Ring Inc who conduct a weekly market at the Redcliffe Showgrounds.

COMMITTEE RECOMMENDATION

- 1. That this matter be held over pending further investigation and referred to the next Co-ordination Committee meeting.
- 2. That Smartalec Market and Event Management be granted an extension of their permit until the end of January 2009.

ATTENDANCE

Ms Sophie Head left the meeting at 3.00pm.

ITEM 12**RESUMPTION OF EASEMENT FOR TRUNK GRAVITY SEWER, 1-13 NELLIES LANE, KALLANGUR - DIVISION 4**

46-1110-PWA 08-046 (BM, Team Leader – Design, Pine Rivers)

*Refer Attachments***1. Executive Summary**

There is a requirement to secure a 4m wide easement through 1-13 Nellies Lane, Kallangur (Lot 2 RP95173) for the construction of a trunk gravity sewer (WOH-BA) to connect downstream of the proposed sewer rising main (RMN-E) being constructed along Old Gympie Road.

Construction is scheduled to commence in the 2008/09 financial year.

The purpose of this report is to seek Council's approval to acquire the necessary easement for purposes of construction of part of the trunk gravity sewer.

2. Background

The water supply and sewerage servicing strategy (adopted by the former Pine Rivers Shire Council) indicates the requirement for a future trunk gravity sewer (WOH-BA) along Old Gympie Road and Nellies Lane, Kallangur.

Construction of this trunk gravity sewer is required at the earliest time to allow development to proceed in accordance with Council's Pine Rivers District Town Planning Scheme.

Council provided funds in the 2008/2009 budget (Budget No. C1400) to complete the design and construction of this trunk gravity sewer.

The proposed easement will allow for the construction and future maintenance of the proposed trunk gravity sewer through that section of private property.

3. Explanation of Item

A 300mm trunk gravity sewer (WOH-BA) is proposed to be constructed along the eastern side of Old Gympie Road and into Nellies Lane. Roads and Design Services (Pine District) have advised future road requirements for Old Gympie Road.

Original investigations placed this main in the future road requirements for Old Gympie Road and under the pavement of Nellies Lane for a distance of approximately 130metres. This section of Nellies Lane is the main entrance to a large shopping centre and also services the existing residential development to the east.

Major traffic control would be required for the construction of this section of sewer due to its depth. This would result in major interruptions to both vehicular and pedestrian traffic. In addition, the road pavement, which is relatively new, would require replacement for a width of approximately 3 metres.

An alternate location for the sewer inside 1-13 Nellies Lane was identified. This location would result in minimal traffic interruptions and a considerable reduction in road pavement reinstatement costs. An easement – sewerage purposes would be required through 1-13 Nellies Lane over this alternate sewer location. That section of the easement fronting Old Gympie Road would be extinguished when road acquisitions have been completed.

Council Officers have been in contact the property owner who has indicated an acceptance in principle to the easement. A report for assessment of compensation has been prepared by a registered valuer.

It is proposed that Council approve compulsory acquisition of the proposed easement shown on attached drawing A1002856-SK-302(A). It should be noted that if agreement with the land owner can be achieved by negotiation, then compulsory acquisition proceedings will not be instigated by Legal Services Department.

ITEM 12

RESUMPTION OF EASEMENT FOR TRUNK GRAVITY SEWER, 1-13 NELLIES LANE, KALLANGUR - Division 4 - 46-1110-PWA 08-046 (BM, Team Leader – Design, Pine Rivers) (Cont.)

4. Strategic Implications

4.1 Legislative/Legal Implications

Approval for resumption of land by compulsory acquisition for easement – sewerage purposes is required through the land court.

4.2 Corporate Plan

The resumption links to Council's (Pine River's District) Corporate Plan Item 3.2.5: *The community has equitable access to all appropriate essential services. Where these services are delivered by Council, they will be safe, timely and cost effective.*

4.3 Policy Implications

Nil - Resumption procedures are established.

4.4 Delegated Authority Implications

Nil.

4.5 Financial Implications

Land resumption costs are included in 2008/09 capital works program.

4.6 Consultation / Communication

Negotiations are on-going with the land owner.

5. Conclusion

It is necessary to have Council's approval for resumption to proceed in the event that negotiations with the land owner are not successful to ensure that works proceed as planned and that development of the area is not unduly delayed.

RECOMMENDATIONS:

1. That Council resume easements from Lot 2 RP95173, as shown on drawings A1002856-SK-302(A) for purposes of constructing, operating and maintaining gravity sewer main.
2. That the Chief Executive Officer commence appropriate procedures for the resumption of easement for sewerage purposes.
3. That the Chief Executive Officer commence appropriate procedures to enter Lot 2 RP95173 for the purposes of survey and geotechnical investigation.
4. That the owners of Lot 2 RP95173 be advised of Council's decision.
5. That Council note that the resumptions are to be funded from the Sewerage Infrastructure Capital Works Program.

COMMITTEE RECOMMENDATION

That the Officer's recommendations be adopted.

ITEM 13**SKILLS FORMATION STRATEGY - DIVISIONS 4, 5, 6 & 7**

(ST, Senior Manager Economic Development, Pine Rivers)

1. Executive Summary

The Department of Education, Training and the Arts is offering a grant of \$240,000 to Moreton Bay Regional Council to assist local business identify needs and develop strategies to improve performance.

The program is to be run in the Dakabin to Redcliffe corridor over two years for the employment of a project officer to carry out the work. Council is required to provide in kind support and cash equalling \$25,000 per annum. This report is seeking Council's approval to run the project.

2. Background

The Skills Formation Strategy is designed to develop a model to build the capacity of business communities and industry sectors throughout the State. The Department of Education, Training and the Arts has identified the geographic area bounded by Dakabin in the west through to Redcliffe in the east as a business community with which they would like to work. The Department of Education, Training and the Arts is conducting 24 similar projects throughout the State.

This project fits the focus of the Economic Development and Tourism Unit by creating jobs and growing a diverse economy. The area identified by the Department is significant in the Region. This geographic area has a diverse economy, from the Narangba Industrial Estate with timber, steel and manufacturing businesses; to the North Lakes with the growing retail, health and service industries; through to Redcliffe with health, service industries, retail and tourism. The outcomes from this project will be directly transferable to all other areas in the Region.

3. Explanation of Item

The \$240,000 over two years will be used to employ a project officer to run this project. Council will be required to provide in-kind support and to pay for the facilitation of a number of workshops and seminars. The in-kind and cash contribution from Council will equal \$25,000 per annum.

Item	Cost \$
Workshop Facilitation	10,000
Vehicle expenses	5,000
Audit expenses	1,000
Office accommodation inc computer and phone	6,600
Administration support	2,400
Total	25,000

The outcome of the project will be a model for engagement that can be used by the business community to collectively identify their needs, prioritise them and seek solutions. The model will build the skills of the business community so that they can become more resilient and sustainable and work collectively to achieve outcomes for their community. From this platform the business community will be able access products, services and knowledge that will assist them to grow and be prosperous.

4. Strategic Implications**4.1 Legislative/Legal Implications**

Nil.

4.2 Corporate Plan / Operational Plan

This project will contribute to a diverse economy where businesses can grow and employ people in the region. These aspects are common to the direction of Economic Development and Tourism in the Region.

ITEM 13

SKILLS FORMATION STRATEGY - DIVISIONS 4, 5, 6 & 7 - (ST, Senior Manager Economic Development, Pine Rivers) (Cont.)

4.3 Policy Implications

Nil.

4.4 Delegated Authority Implications

Nil.

4.5 Financial Implications

There are no other projects that will suffer financially from this Skills Formation Strategy. The Economic Development & Tourism budget already has provision for these activities to be undertaken, there will be no financial disadvantage to any other project.

4.6 Consultation / Communication

Consultation has occurred with the following people:

Councillors Frawley, Houghton, Gillam, Greer and Dwyer, Director Enterprises and Senior Manager Economic Development

5. **Conclusion**

The Department of Education, Training and the Arts wish to provide Moreton Bay Regional Council \$240,000 over two years to fund a Skills Formation Strategy project.

RECOMMENDATION

That Council approve the Skills Formation Strategy project as outlined in this report.

COMMITTEE RECOMMENDATION

That the Officer's recommendation be adopted.

ITEM 14**RESUMPTION OF EASEMENT FOR WATER MAIN, 36 BRANCH CREEK ROAD,
CLEAR MOUNTAIN - DIVISION 11**

46-1110-PWA 08-050 (BM, Team Leader Design, Pine Rivers)

*Refer Attachments***1. Executive Summary**

There is a requirement to secure an easement through 36 Branch Creek Road, Clear Mountain (Lot 258 RP187213) for the construction of a trunk water main (WM-BR02 and WM-BR03) to connect the existing watermain in Buranda Road to Branch Creek Road.

Construction of this work is scheduled to commence in the 2008/09 financial year.

The purpose of this report is to seek Council's approval to acquire the necessary easement for purposes of construction of the water main.

2. Background

The water supply and sewerage servicing strategy (adopted by the former Pine Rivers Shire Council) indicates the requirement for future water mains (WM-BR02 and WM-BR03) from Buranda Road to Branch Creek Road, Clear Mountain.

Construction of this water main, is required to provide secure water services in the Clear Mountain High Level Zone (HLZ) due to predicted population growth, and is in accordance with Council's Pine Rivers District Town Planning Scheme.

Council provided funds in the 2008/2009 budget (Budget No. C4183 (MW-BR02), C4184 (WM-BR03) to complete the design and construction of this water main.

3. Explanation of Item

Network modelling undertaken in the Clear Mountain area, identified the need for a new water main (WM-BR02) that would traverse along Buranda Road, crossing a private property to Branch Creek Road. A new water main (WM-BR03) would traverse from this main, east along Branch Creek Road to connect with the existing reticulation.

Subsequent to the preliminary investigation, a revised route for the water main was selected from Buranda Road, through Richards Park to Branch Creek Road. This location satisfies the water supply servicing strategy.

Due to constructability issues at the southern part of the project, the main would need to be located in private property along part of the side boundary of 36 Branch Creek Road. An easement would be required through this section of private property, over the proposed water main to allow for construction and future maintenance (refer drawing A1066704-G-001(A)).

Council Officers have been in contact with the property owner who has indicated an acceptance in principle to the easement.

It is proposed that Council approve compulsory acquisition of the proposed easement shown on attached drawing A1066704-G-001(A). It should be noted that if agreement with the land owner can be achieved by negotiation, then compulsory acquisition proceedings will not be instigated by Legal Services Department.

4. Strategic Implications**4.1 Legislative/Legal Implications**

Approval for resumption of land by compulsory acquisition for easement – water supply purposes is required through the land court.

ITEM 14

RESUMPTION OF EASEMENT FOR WATER MAIN, 36 Branch creek road, clear mountain - Division 11 - 46-1110-PWA 08-050 (BM, Team Leader Design, Pine Rivers) (Cont.)

4.2 Corporate Plan

The resumption links to Council's (Pine River's District) Corporate Plan Item 3.2.5: *The community has equitable access to all appropriate essential services. Where these services are delivered by Council, they will be safe, timely and cost effective.*

4.3 Policy Implications

Nil - Resumption procedures are established.

4.4 Delegated Authority Implications

Nil.

4.5 Financial Implications

Land resumption costs are included in 2008/09 capital works program.

4.6 Consultation / Communication

Negotiations are on-going with the land owner.

5. Conclusion

It is necessary to have Council's approval for resumption to proceed, in the event that negotiations with the land owner are not successful, to ensure that works proceed as planned and that water services meet predicted population growth.

RECOMMENDATIONS:

1. That Council resume easement from Lot 258 RP187213, as shown on drawings A1066704-G-001(A) for purposes of constructing, operating and maintaining water main.
2. That the Chief Executive Officer commence appropriate procedures for the resumption of easement for water supply purposes.
3. That the Chief Executive Officer commence appropriate procedures to enter Lot 258 RP187213 for the purposes of survey and geotechnical investigation.
4. That the owners of Lot 258 RP187213 be advised of Council's decision.
5. That Council note that the resumptions are to be funded from the Water Infrastructure Capital Works Program

COMMITTEE RECOMMENDATION

That the Officer's recommendations be adopted.

ITEM 15**CONSTRUCTION OF HEADWORKS INFRASTRUCTURE (TRUNK WATER SUPPLY MAIN) BY A PRIVATE DEVELOPER - CABOOLTURE RIVER ROAD UPPER CABOOLTURE - DIVISION 12**

CDE-1053 (PC, Co-ordinator Development Control (North), Caboolture)

1. Executive Summary

Council approved reconfiguration of a lot application CDE-1053 on 11 December 2007, for the reconfiguration of lots 1 and 2 on RP177115, situated at 640 Caboolture River Road, Upper Caboolture. The development approval required the developer, Greenfield River Valley Estate Pty Ltd, to construct a 200mm diameter trunk water supply main to service the approved development and adjoining future developments in the area.

This trunk water supply main will extend along Caboolture River Road to the development, and link a section of main from Hausmann Lane to MacGinley Road, for a total length of approximately 685m. This main is identified in Council's (Caboolture District) *Water Supply & Sewerage Headworks Contributions Policy – Schedule of Works* and accordingly, may be funded from Council's water supply headworks fund.

The developer has called tenders for construction of the subject trunk water supply main in accordance with Council's (Caboolture District) *Purchasing and Acquisitions Policy number 605/06*.

This report details the tenders received and seeks Council's approval of a maximum amount of \$128,079.58 to be paid to the developer, for design, construction and supervision of the works, from Council's headworks fund after the works have been accepted on-maintenance.

2. Background

The Reconfiguration of Lot application CDE-1053 for Greenfield River Valley Estate Pty Ltd, approved by Council on 11 December 2007, permitted land situated at Caboolture River Road, Upper Caboolture to be developed into rural residential allotments. This development approval required the developer, Greenfield River Valley Estate Pty Ltd, to construct a 200mm diameter trunk water supply main to service the approved development and adjoining future developments in the area. A water supply analysis indicated that the existing water supply infrastructure does not have the necessary capacity to adequately serve the approved development and future developments in this area.

3. Explanation of Item

The subject trunk water supply main is included in *Council's Water Supply & Sewerage Headworks Contributions Policy – Schedule of Works*.

In accordance with the development approval, the developer has submitted the appropriate operational works application (File Ref: CDE-1053/P4). The operational works application has been reviewed and subsequently approved by the Planning and Strategic Asset Management Department – Development Control Section, of Moreton Bay Water on 30 July 2008.

The developers consultant, Bayside Consulting, have organised and submitted to Council three written quotations for the subject works, in accordance with Council's (Caboolture District) *Purchasing and Acquisitions Policy number 605/06*.

ITEM 15

CONSTRUCTION OF HEADWORKS INFRASTRUCTURE (TRUNK WATER SUPPLY MAIN) BY A PRIVATE DEVELOPER - CABOOLTURE RIVER ROAD UPPER CABOOLTURE - DIVISION 12 - CDE-1053 (PC, Co-ordinator Development Control (North), Caboolture) (Cont.)

A summary of the quotations is as follows:

Tenderer	Tender Amount (Excluding GST)
Alzino & Co Pty Ltd	\$128,079.58
Shadforth's Civil Pty Ltd	\$147,155.93
Civil Unlimited Pty Ltd	\$152,155.93

Note: The tender amounts detailed above include an amount \$11,698.58 for survey, design and supervision of the works by the developer's consulting Engineer and Surveyor.

It is evident that the lowest quote was submitted by Alzino & Co Pty Ltd. However, the developers of the estate have contracted with Civil Unlimited Pty Ltd for construction of all works internal to the development. The developer has indicated that they would prefer to have contractual arrangements with one contractor only and they are willing to pay the difference in cost of \$24,076.35 between the quote submitted by Civil Unlimited and the lowest quote submitted by Alzino & Co Pty Ltd.

Civil Unlimited Pty Ltd has previously undertaken work in the Moreton Bay Regional Council area to the satisfaction of Council engineering staff.

The developer has already paid the necessary headworks contributions and is willing to construct the external water main and provide the necessary resources to supervise the works including payment of progress payments to the construction contractor and the consulting Engineer and Surveyor subject to Council reimbursing the lowest tender amount, when the works have been accepted "on-maintenance" by Council Officers.

Council Officers recommend that Council accept the developer's proposal for the following reasons:

- a) The same consulting engineer supervising works internal and external to the site of the subdivision which will be more efficient and require less resources to be dedicated by Moreton Bay Water to supervision and administration of the works; and
- b) The majority of risk during the construction phase will be the responsibility of the developer.
- c) The developer's contractor Civil Unlimited Pty Ltd is capable of performing the works in accordance with the requirements of Council's Design Manual.

4. Strategic Implications

4.1 Legislative/Legal Implications

Nil

4.2 Corporate Plan / Operational Plan

The provision of services and products to meet community needs (outcome 431).

4.3 Policy Implications

Council's Water Supply and Sewerage Headworks Policy imposes headworks contributions on proposed developments within the Shire to adequately fund trunk infrastructure to provide for growth within the Shire.

The proposed works that are to be constructed are identified within *Council's Water Supply & Sewerage Headworks Contributions Policy – Schedule of Works*.

4.4 Delegated Authority Implications

Nil

ITEM 15

CONSTRUCTION OF HEADWORKS INFRASTRUCTURE (TRUNK WATER SUPPLY MAIN) BY A PRIVATE DEVELOPER - CABOOLTURE RIVER ROAD UPPER CABOOLTURE - DIVISION 12 - CDE-1053 (PC, Co-ordinator Development Control (North), Caboolture) (Cont.)

4.5 Financial Implications

Council's *Water Supply & Sewerage Headworks Contributions Policy – Schedule of Works*, identifies trunk water supply and sewerage works. This policy provides for funding for these works by contribution to the cost of the works by developers through a system of headworks charges. The current balance of the headworks contribution fund is sufficient to pay for construction of the subject trunk water main.

4.6 Consultation / Communication

Public consultation was not considered necessary in this instance, due to the works already being identified within *Council's Water Supply & Sewerage Headworks Contributions Policy – Schedule of Works*, a document available to the public.

The Manager, Commercial Services has been consulted about the balance of the headworks fund and in view of the tender amounts is satisfied that sufficient funds are available for construction of the subject trunk water main.

5. Conclusion

The proposed works will provide water supply infrastructure to serve the subject development and for future developments in the local area to enable land to be developed in accordance with Council's Planning Scheme (Caboolture District).

Sufficient funds are available for construction of the subject trunk water main.

RECOMMENDATION

1. That Council approve Greenfield River Valley Estate Pty Ltd, the developer of Lots 1 and 2 on RP177115, situated at 640 Caboolture River Road, Upper Caboolture, commissioning Civil Unlimited to construct approximately 685m of 200 mm trunk water supply main, identified in Council's *Water Supply & Sewerage Headworks Contributions Policy – Schedule of Works*, on Caboolture River Road.
2. That Council approve a maximum payment of \$128,079.58 (Excl. GST) to Greenfield River Valley Estate Pty Ltd, for construction of approximately 685m of a 200mm diameter trunk water supply main on Caboolture River Road.
3. That the Chief Executive Officer be authorised to fund payment to Greenfield River Valley Estate Pty Ltd, for construction of approximately 685m of 200mm diameter trunk water supply main on Caboolture River Road, from Council's water supply headworks fund after this water supply main has been constructed and accepted 'on-maintenance' by Council.

COMMITTEE RECOMMENDATION

That the Officer's recommendations be adopted.

SESSION: CO-ORDINATION**CHAIRPERSON – CR GREG CHIPPENDALE (ACTING MAYOR)****ITEM 16****ESTABLISHMENT OF POLICY REVIEW WORKING GROUP - REGIONAL**

32-2150 (RG, Coordinator Executive Services, Pine Rivers)

1. Executive Summary

This report concerns the establishment of a Policy Review Working Group to undertake a review of Council policies. It recommends that a Policy Review Working Group be established.

2. Background

It is proposed to establish a Policy Review Working Group consisting of three Councillors and three Officers nominated by the Chief Executive Officer to undertake a review of Council Policies. This Group will also be responsible for reporting to Council on an appropriate policy framework. At the present time Council has adopted an interim framework.

3. Explanation of Item

The Working Group would meet on a fortnightly basis for up to a two hour duration. In reviewing the Policies these will be prioritised by this Group to ensure that the more urgent Policies are reviewed first. A Terms of Reference will be developed by the Group.

4. Strategic Implications**4.1 Legislative/Legal Implications**

The Policies have been developed in accordance with the *Local Government Act 1993* and the Local Government Finance Standards.

4.2 Corporate Plan / Operational Plan

3.2.2.4 – Install performance management and compliance systems to monitor and enhance Council's overall standards of governance.

4.3 Policy Implications

Following this review the Policies will be reported to Council for adoption, following which they will be placed on Embarc.

4.4 Delegated Authority Implications

N/A

4.5 Financial Implications

N/A

4.6 Consultation / Communication

Discussions with relevant Officers and Councillors in the Working Group.

5. Conclusion

That a Policy Review Group be established to review all existing District Policies in order to develop Policies for Moreton Bay Regional Council

ITEM 16

ESTABLISHMENT OF POLICY REVIEW WORKING GROUP - REGIONAL - 32-2150 (RG, Coordinator
Executive Services, Pine Rivers) (Cont.)

RECOMMENDATION

1. That a Policy Review Group be established.
2. Council's direction is required in relation to the elected member representation on this Group.
3. That the Chief Executive Officer appoint officers to the Group.

COMMITTEE RECOMMENDATION

1. That the Officer's recommendations be adopted.
2. That the elected member representation on this Group comprise Councillors Raedel, Dwyer and Houghton.

Closure

There being no further business the Chairperson closed the meeting at 3.09pm.