



MINUTES

of the

PLANNING & DEVELOPMENT COMMITTEE MEETING

CHAIRMAN: Cr Ian Petersen

**Held in the Boardroom
Town Hall
2 Caledonian Hill, Gympie Qld 4570**

**On Wednesday 17 February 2010
at 9.00 a.m.**

**For Adoption at the General Meeting
to be held on Wednesday 24 February 2010**



PLANNING & DEVELOPMENT

*Cr I.T. Petersen (Chairman),
Crs R.J. Dyne, G.L. Engeman, L.J. Friske, R.A. Gâté,
D.R. Neilson, A.J. Perrett, J.A. Walker & J. Watt.*

APPOINTMENTS etc.

10.30 a.m. “In-Committee” - Shelley McMillan – Economic Associates – Commercial Study Presentation

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The meeting opened at 9.00 a.m.

PRESENT: Crs I.T. Petersen (Chairman), R.J. Dyne, G.L. Engeman, L.J. Friske, R.A. Gâté, D.R. Neilson, A.J. Perrett, J.A. Walker & J. Watt.

Also in attendance were Mr K.A. Mason (Chief Executive Officer), Mr M. Hartley (Director of Planning & Development) and Ms K. Sullivan (Minutes Secretary).

LEAVE OF ABSENCE

Nil.

APOLOGIES

Nil.

DECLARATION OF INTERESTS BY COUNCILLORS

P25/02/10 – Cr G.L. Engeman declared a Material Personal Interest.

P25/02/10 – Cr A.J. Perrett and Cr R.A. Gâté declared a Conflict of Interest.

CONFIRMATION OF PREVIOUS MINUTES

P20/02/10 Moved: Cr D.R. Neilson

Seconded: Cr J. Watt

That the Minutes of the Planning & Development Committee Meeting held on 3 February 2010 be taken as read and confirmed.

Carried.

SECTION 1: STRATEGIC PLANNING MATTERS

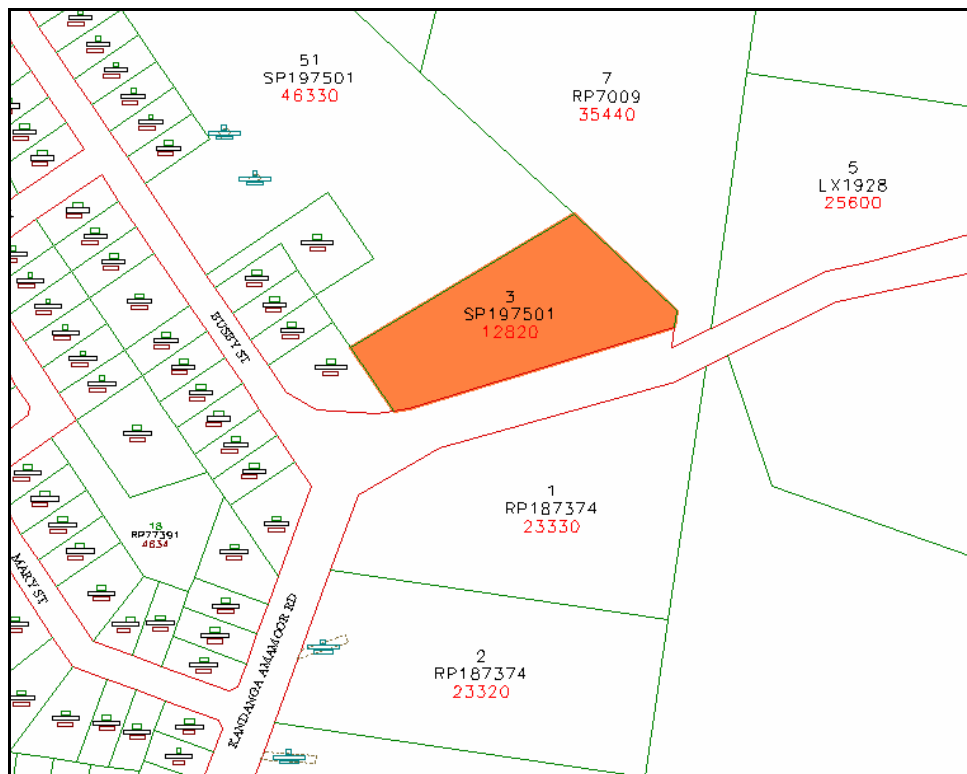
Nil

Mr K.A. Mason left the meeting at 9.13 a.m.

SECTION 2: PLANNING APPLICATIONS

2/1 2008-1225 – Material Change of Use – Food & Entertainment Venue (Tavern) and Accommodation Premises (10 Unit Motel and Manager’s Residence) – 266 Blackgate Road, Amamoor – Robyn Mills

FILE NO:	Minute: P21/02/10 2008-1225
APPLICANT:	Robyn Mills
LANDOWNER:	Robyn June Mills
RPD:	Lot 3 SP197501
SITE ADDRESS:	266 Blackgate Road, Amamoor
CURRENT USE OF LAND:	Vacant
PROPOSAL:	Material Change of Use – Food & Entertainment Venue (Tavern) & Accommodation Premises (10 Unit Motel and Caretaker’s Residence)
PLANNING SCHEME:	Cooloola Planning Scheme
EXISTING ZONE:	Rural (Rural Planning Area)
LEVEL OF ASSESSMENT:	Impact
PUBLIC NOTIFICATION:	Yes
REFERRAL AGENCIES:	Nil
SUBMISSIONS:	Two (2)
SITE AREA:	1.282 ha



Report: Principal Planner – K.M. Toomey

1.0 INTRODUCTION

This application seeks Council's approval to establish a Tavern and a 10 Unit Motel and Caretaker's Residence, on the south-eastern outskirts of Amamoor Village.

1.1 Site Description

The land is 1.282 hectares in generally flat and largely clear of vegetation. It is located near the corner of Blackgate Road and Busby Street, Amamoor

1.2 The Proposal

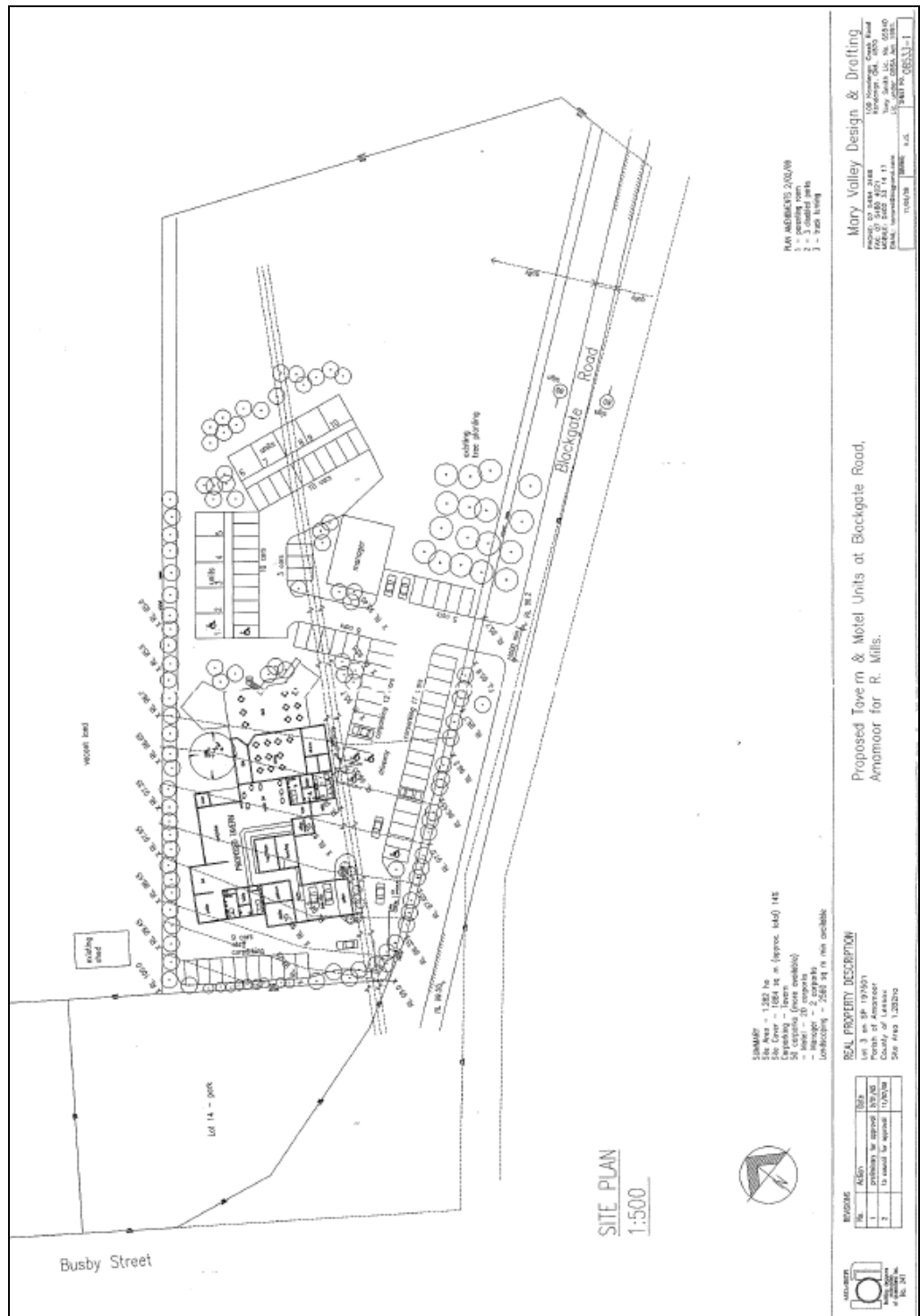
The application seeks approval for:

- Food or Entertainment Venue, comprising a Tavern; and
- Accommodation Premises, comprising a 10 Unit Motel and Caretaker's Residence.

In detail, the proposal includes the following:

- A single storey tavern building with a floor area of 918.5m²;
- A deck/beer garden totalling 296.8m²;
- A drive-through facility of 80m²;
- 10 motel units, in two separate single storey buildings and a manager's residence.
- Associated landscaping, driveways etc.

The proposal plans are reproduced as follows.



SUMMARY
 Site Area - 1,362 ha
 Site Cover - 1084 sq. m. (approx. 144) 145
 54 Cottages (approx. 144)
 - Motel - 20 cottages
 - Motel - 20 cottages
 Landscaping - 2580 sq. m. min. available

REAL PROPERTY DESCRIPTION
 Lot 3 in SP 179591
 Centre of Adjoining
 54 Cottages
 Site Area 1,362 ha

PLAN NUMBER: 200/09
 DATE: 24/02/09
 2 - 5 Cottages
 3 - Motel Units

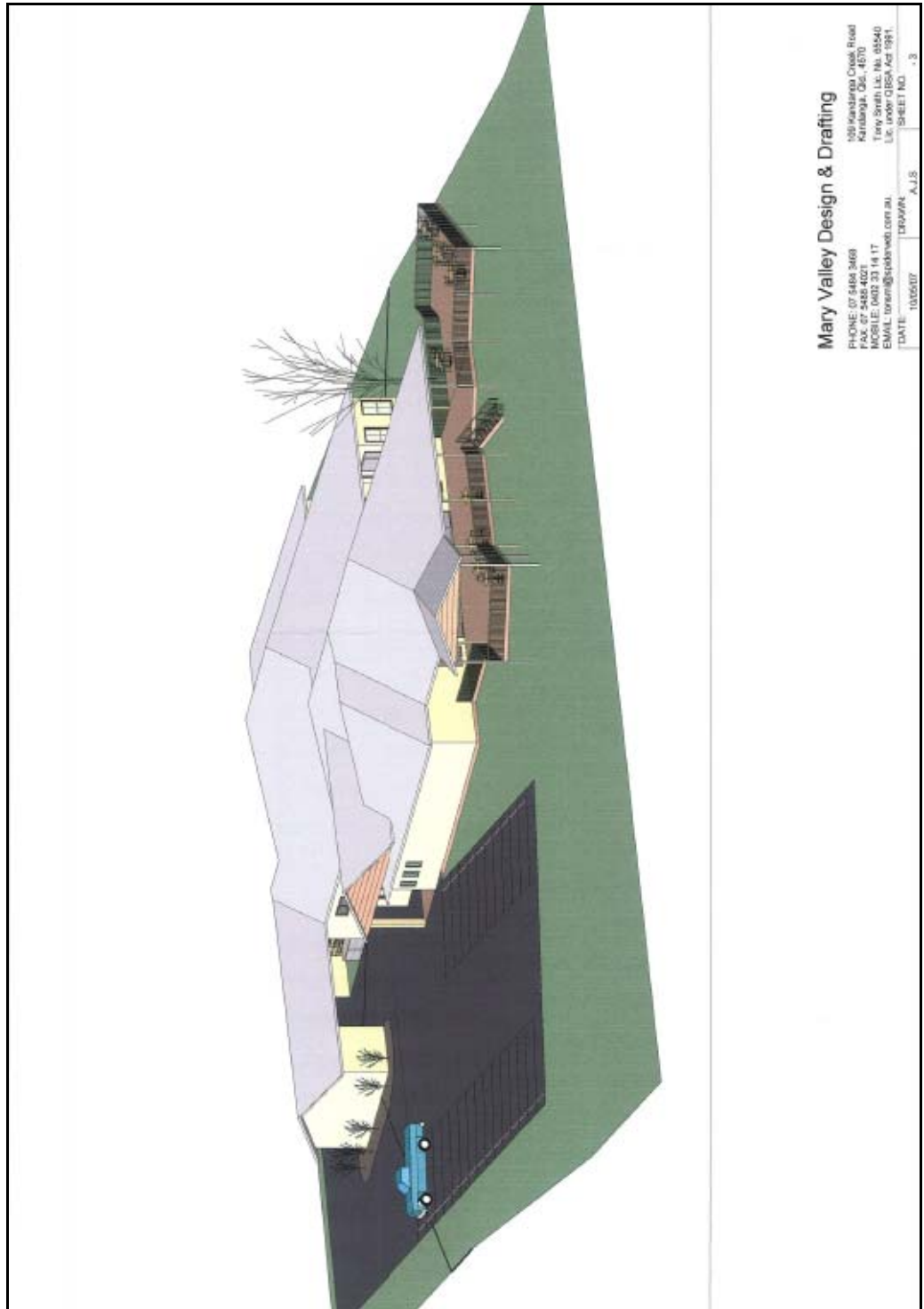
Mary Valley Design & Drafting
 100 Koolong Road
 Koolong, QLD 4200
 Ph: 07 5482 4771
 Fax: 07 5482 4772
 Email: maryvalleydesign.com.au
 T10/07/09 10:00 AM A.S.

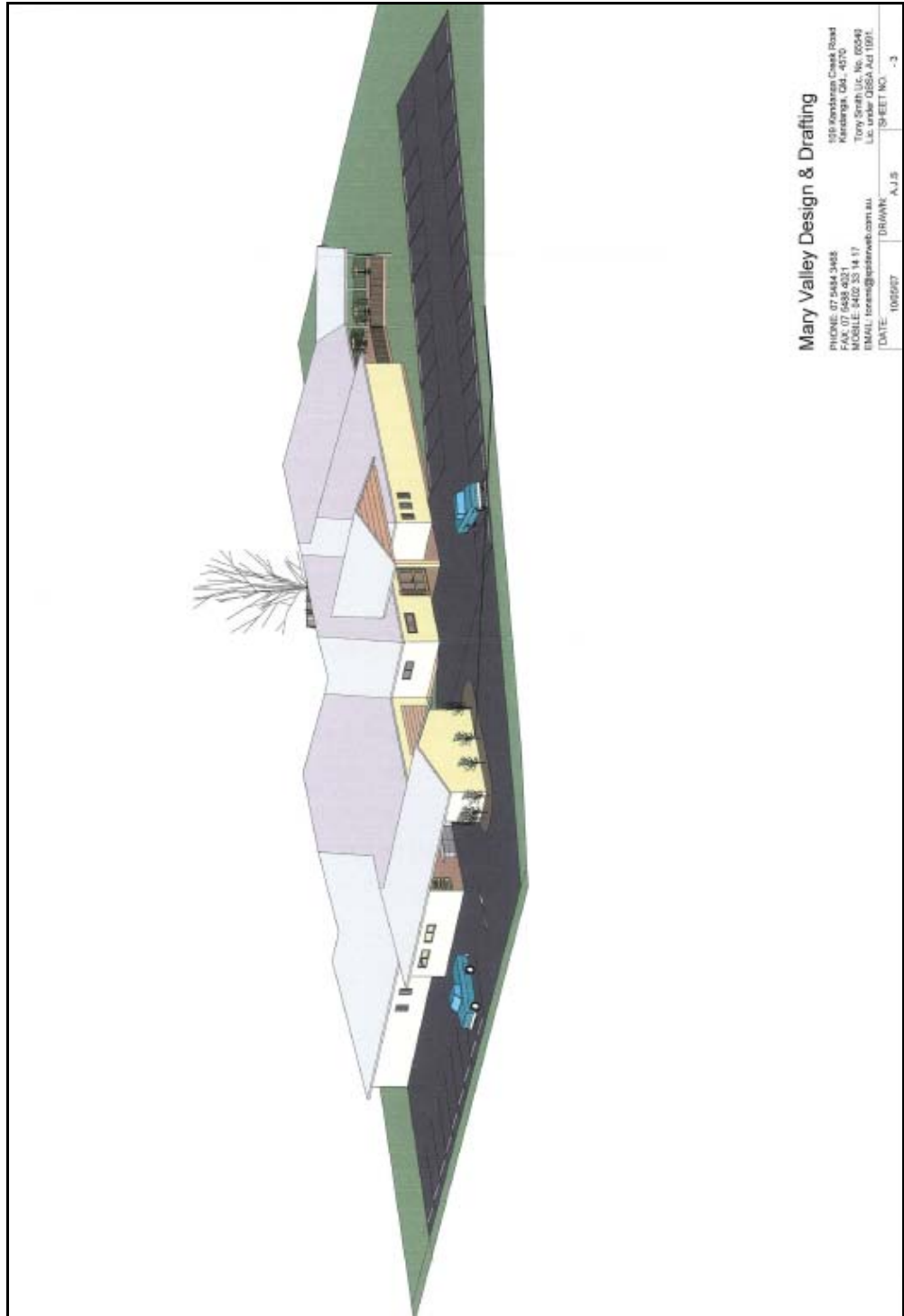
Proposed Town & Motel Units at Backgate Road,
 Annamoor for R. Mills.

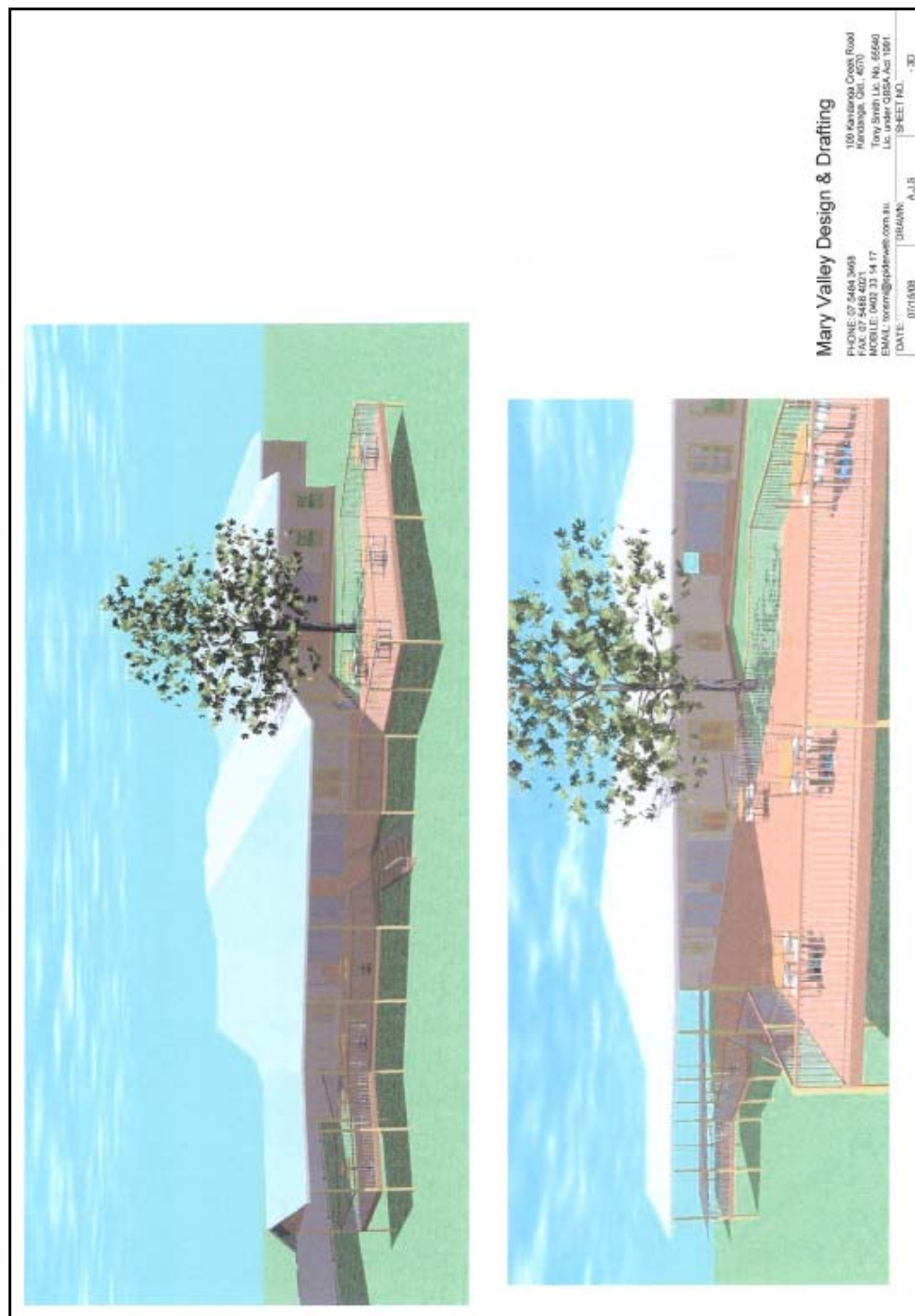
NO.	REVISION	DATE
1	As per approved 20/02/09	20/02/09
2	As issued to council 17/02/09	17/02/09

APPROVED
 [Signature]
 17/02/09









1.3 Surrounding Land Uses

The subject site is located at the interface between Amamoor village and the wider rural area to the east. Apart from the township itself, surrounding land uses are predominantly rural in nature.

1.4 Information Request

The applicant was requested to provide information on the following issues:

- Need for a development of this scale at this location;
- Detailed breakdown of the floor areas of the various components of the proposal;
- Intended hours of operation;
- Noise Report;
- Details of water supply;
- Flooding information;
- Preliminary stormwater design;
- Details of on-site waste-water treatment and effluent disposal;
- Traffic impact assessment; and
- Other minor design details.

Satisfactory responses were received to each item, or alternatively the issue can be conditioned, the nature of which is explained in this report.

2.0 STATUTORY REQUIREMENTS

2.1 Overall Outcomes / Desired Environmental Outcomes

The Planning Scheme contains no desired environmental outcomes in relation to the type of activity proposed at this location within the Mary Valley. The proposal does not compromise the Planning Scheme's higher order policy outcomes, and is likely to contribute positively to the economy of the area over time.

The overall intent of the Rural Zone is primarily for rural activities, but it is also intended to accommodate a range of ancillary uses that respect the values of the land and amenity of the area. The proposed tavern is recognised by the Planning Scheme as a 'consistent' use in the Rural Zone. Provided the development is appropriately sited, buffered, landscaped etc., it is unlikely to cause any amenity impacts on neighbouring properties, or the area as a whole. Neighbouring rural activities are likely to remain unaffected by this proposal, and traffic generation can be appropriately managed as discussed later in the report.

2.3 Overlays / Natural Hazards / State Planning Policies

2.3.1 GQAL

The site is identified by the Planning Scheme as containing Good Quality Agricultural Land, however its small size and strategic location directly on the edge of Amamoor township, suggests that the land has limited potential for long term agricultural use. The proposal is not expected to compromise the conduct of agricultural practices on adjacent rural properties and is considered to be acceptable on this basis.

No other Overlays or State Planning Policies affect the subject land.

2.4 Assessment Against Codes

Impact assessable applications are assessed against the entire Planning Scheme, however the following Codes are considered to be the most relevant:

- Rural Planning Area Code
- Accommodation Premises Code
- Infrastructure Works Code
- Landscaping Code
- Erosion and Sediment Control Code
- Vehicle Parking & Access Code

A brief overview of the proposal’s compliance or otherwise with the relevant Code provisions is provided in the following tables.

2.4.1 Rural Planning Area Code

The proposal complies with all the provisions of the Rural Planning Area Code.

PROVISION	COMPLIANCE	DISCUSSION
Inconsistent uses	✓	The proposal is not listed as an ‘inconsistent’ use.
Maximum light emissions is 8lux measured at 1.5m outside the site boundary and any level upward from ground level	✓	Limited lighting is proposed, but in this environment, impacts should not be detrimental.

PROVISION	COMPLIANCE	DISCUSSION
Maximum noise emissions meet the EP (Noise) Policy	✓	A noise report submitted in response to Council's request for further information includes a number of recommendations to achieve acceptable noise levels. These recommendations should form part of any approval granted by Council for the proposal.
Design ambient noise levels is 55 dB(A) within 100m of a main arterial road	✓	See comment above.
Avoid significant changes to traffic conditions for surrounding premises	✓	Refer to engineering comments at section 4.1 of this report.
Air emissions meet the EP (Air) Policy	✓	The proposal does not include any use likely to impact on air quality.
Avoid significant changes to electricity supply for surrounding premises	✓	Complies.
Maximum building height is 8.5m	✓	Single storey buildings only proposed. Complies.

2.4.2 Accommodation Premises Code

The applicant has not provided an assessment against this Code. The proposal nevertheless complies with all the provisions of the Accommodation Premises Code.

PROVISION	COMPLIANCE	DISCUSSION
Building height, plot ratio and site coverage provisions.	✓	Complies.
Building Siting – Maximum Site Coverage of 40%	✓	Complies. Site cover approximately 15%.
Building setbacks – 20m	✓	Complies with specific outcome. Visual and acoustical privacy of users and neighbours, including adequate natural light, achieved.

PROVISION	COMPLIANCE	DISCUSSION
Minimum floor levels	✓	Condition included in recommendation regarding minimum floor heights.
Bushfire Protection	✓	Complies.
Refuse Storage Areas	✓	This aspect can be Conditioned.
Impacts on adjacent to GQAL	✓	Refer to Section 2.3.1 of this report.
Vehicle Access	✓	This aspect can be Conditioned.
Water Supply	✓	Condition included requiring connection to reticulated supply.

2.4.3 Infrastructure Works Code

An Operational Works application must be submitted to Council for Site Works. Standard Conditions will also apply.

PROVISION	COMPLIANCE	DISCUSSION
Infrastructure capacity	✓	Refer to engineering comments. Appropriate Conditions have been included in the recommendation.
Safety and efficiency of roads	✓	Complies. Traffic impact report supplied. Conditions requiring road upgrading and contributions included in the recommendation.
Safety and effects on environment and infrastructure	✓	Plans submitted demonstrate compliance, or compliance can be achieved through Conditions (see above).
Road Infrastructure	✓	As per Safety and efficiency of roads.
Water Supply and sewerage infrastructure	✓	As per Infrastructure capacity above. Water Supply Headworks Charges are Applicable. <i>Note: the applicable amount had not been finalised at the time of this report, however, will be provided at the P&D Committee Meeting.</i>

PROVISION	COMPLIANCE	DISCUSSION
Stormwater Drainage	✓	Can be managed by the inclusion of a specific stormwater condition dealing with overland flow.
Inter-allotment drainage	✓	N/A
Street lighting and communication infrastructure	✓	Street lighting is considered inappropriate and it is reasonable to allow the Applicant to establish its own communications infrastructure.
Construction site management	✓	This to be Conditioned through erosion and sediment control plans, etc.

2.4.4 Landscaping Code

The proposal plan illustrates the provision of some 2 500m² of boundary landscaping to screen the development and to supplement existing vegetation on site, which is to be retained. The submission of a detailed Landscape Plan to Council for approval as part of an Operational Works application has been recommended.

2.4.5 Erosion and Sediment Control Code

The Applicant has not provided an assessment against this Code. A Condition requiring the preparation of a Construction and Operational Erosion and Sediment Control Plan has been suggested in the recommendation.

2.4.6 Vehicle Parking and Access Code

PROVISION	COMPLIANCE	DISCUSSION
Parking provision	✓	Total car parking proposed (50 for tavern, 20 for motel units and 2 for manager’s residence) exceeds the minimum requirements. It is unclear whether the drive through facility has unobstructed space for queuing for 8 vehicles, however there is adequate area to comply. Condition included.
Parking area design	✓	Plans submitted demonstrate general compliance.

PROVISION	COMPLIANCE	DISCUSSION
Lighting	✓	Plans submitted demonstrate compliance, or compliance can be achieved through Conditions.
Loading Areas	✓	Plans submitted demonstrate compliance, or compliance can be achieved through Conditions
Internal Circulation	✓	Plans submitted demonstrate compliance, or compliance can be achieved through Conditions
Bicycle Parking	✓	Bicycle parking not required in this instance.

3.0 PUBLIC NOTIFICATION

The application was publicly notified in accordance with the Integrated Planning Act and two (2) properly made submissions, opposing the application, were received.

Concerns identified in the submissions included:

- Inadequate public notification of proposal.
- Lack of detail on gaming/food areas, which will affect parking and effluent disposal.
- Lack of information on:
 - Night lighting;
 - Site works;
 - The operation of the tavern and motel;
 - Building works and landscaping.
- Lack of planning need.
- Increased traffic.
- Flooding.
- Lack of detail in relation to effluent disposal.
- Poor pedestrian access.
- No bus/taxi service included.
- Poor overall layout.
- Dangerous access location on Blackgate Road.
- Lack of police presence in Amamoor.
- Water supply in Amamoor will be compromised.

Many of these concerns (proposal details, traffic, parking, pedestrian access, flooding, lighting, site works, water supply) are considered within the body of this report and can be dealt with through the imposition of Conditions, and others (lack of police presence, bus/taxi availability) are beyond the capacity of the Planning Scheme to address. In relation to the issues raised, which have not already been discussed:

- It is considered that a sufficient level of detail has been provided by the applicant to enable Council to make an informed decision on the application and if approved, condition the approval to manage the ongoing effects of the use.
- The applicant has supplied documentation to the effect that public notification has been correctly carried out. Any alleged non-compliance (in this case, the size of the writing on, and the overall condition of the sign on the land) would be a preliminary matter for the Court to decide should an appeal be lodged against Council's decision.
- It is agreed that the applicant has not provided a comprehensive need analysis for this proposal, however this is not a mandatory requirement. The applicant considers the proposed tavern and motel is required to satisfy a growing residential and tourism market in the Mary Valley and from a planning perspective, it is accepted that many rural villages contain successful "Country Pubs". Some concern is expressed regarding the economic viability of what is a reasonably large tavern, particularly in view of the "No Dam" announcement late last year. Council may wish to advise the Applicant that it would support the staged development of the proposal, however it would be difficult to insist on a smaller building through conditioning as the Application is required to be assessed on what has been applied for. Suitable advice to the Applicant has been suggested in the recommendation.
- Reticulated sewerage is not available to the land, and as such an on-site treatment plant will be required. Because of the size of the development, the plant will constitute an Environmentally Relevant Activity, requiring separate approval by the Department of Environment and Resource Management (DERM).

4.0 CONSULTATION

4.1 Internal

Report: (Design Services Technical Officer – A.C. Walsh)

This engineering report is based on the information submitted by the applicant and the additional information submitted by Holmes McLeod Consulting Engineers (Road and Traffic Impact Assessment) and Waterwatch Marine Systems Pty Ltd (water supply).

TRAFFIC

The traffic study submitted by Holmes McLeod Consulting Engineers for the tavern used a figure of 5 vehicles per 100m² gross floor area and calculated peak hour traffic generation figure of 30 trips. Although this figure is conservative in relation to industry standards, it is acceptable for this location. The total peak hour traffic generation figure for the development including 10 motel units and the manger's residence is 35 trips. As Amamoor is not included in the Cooloola Shire Planning Scheme Policy 13: Urban Road Contributions, the requirements of Planning Scheme Policy 10: Intersection Contributions are applied, ie a contribution of \$10,745 is warranted.

FRONTAGE ROAD / ACCESS

Blackgate Road is classified in the Cooloola Shire Planning Scheme Schedule 11: Road Hierarchy, as a Rural Arterial road, constructed to a 6.5 metre wide rural sealed bitumen standard with an ultimate design width of 8 metre carriageway. This development should be required to widen the full frontage of Blackgate Road. The access point is located within the 60km/h speed zone for Amamoor. The consulting engineers recommended in their report that the access be constructed with basic left and right turn treatment. The consultant's report did not address periods of maximum traffic generation on Blackgate Road such as The Music Muster. Therefore, it is considered that both left and right turn treatments should be constructed with an auxiliary lane as per Austroads Guide to Road Design Part 4A: Unsignalised and Signalised Intersections.

Although this is a commercial development, it is considered kerb and channel is not warranted to the frontage of the development. The consulting engineers did include in their recommendation that a pedestrian pathway be provided along Blackgate Road from Busby Street to the development access. In lieu of this footpath, Council should require footpath to be constructed to the frontage of the adjoining Council park and pedestrian access be gained to the development at the south western corner adjacent to the park. This would eliminate the need for street lighting to be installed to the frontage of the development for pedestrian safety.

WATER SUPPLY

The proposed development is outside the Water Service Area and the Water Supply Headworks Area. The applicant proposes to use a private water supply, ie Amamoor Creek and a bore that could be supplemented by the availability of town water. Council's Water and Sewerage Division advises it would be more appropriate for this development to be connected to town water. The existing 100mm main in Busby Street will be required to be extended to the development. Use of water saving devices should be required as the town supply is severely limited. Concerns are also raised for high flows required for fire fighting purposes. A hydraulic design will be required to determine whether onsite storage is required for potable water as well as fire fighting requirements.

Headworks to apply to be determined by the Planning Department.

Council will also have to resolve to include Lot 3 SP197501 into the Water Supply Area and the Water Headworks Area.

EFFLUENT DISPOSAL

An effluent disposal report was not provided as part of the application. Systems larger than 21 equivalent persons are to meet the requirements of the Environmental Protection Agency for an Environmentally Relevant Activity.

CAR PARKING

Car parking and internal driveway will be required to be sealed to meet the requirements of the Planning Scheme.

STORMWATER DRAINAGE / FLOODING

A local gully traverses the site from a catchment area to the south. An overland flowpath will be required to be designed to ensure a Q100 rainfall event does not impact on the tavern, motels and managers residence.

The application did not address the impact a Q100 flood event, in Amamoor Creek and the Mary River, would have on the proposed development. From information recorded by Council following the 1999 flood, a Q100 flood height of 69.2 metres AHD was derived for this location. Contours for the area indicate the tavern will be above this level, however minor filling may be required to achieve this level for the units and managers residence.

SERVICES

The developer will be required to provide electrical and communication services to the site. A power reticulation line traverses the lot in close proximity to the proposed development. Approval from Energex will be required for the siting of the development in relation to this line.

SUBMISSIONS

The engineering issues that were raised in the two submissions received are addressed in this report.

4.3 External

No Referral Agencies were triggered by this Application.

5.0 CONCLUSION

The application proposes a Material Change of Use – Food or Entertainment Venue (Tavern) and Accommodation Premises (10 Unit Motel and Manager’s Residence) on land immediately adjacent to Amamoor village. The proposal is generally consistent with the Zoning, the intent of the Rural Planning Area and the majority of the provisions of the Planning Scheme. Where there is inconsistency with a Code provision, it can be resolved through the imposition of Conditions.

The site is considered to be appropriately located to accommodate the proposal, and Approval of the Application, subject to reasonable and relevant Conditions, has therefore been recommended.

P21/02/10 Moved: Cr G.L. Engeman Seconded: Cr J. Watt

Recommend that Council, as Assessment Manager, APPROVE Development Application 2008-1225 for Material Change of Use – Food or Entertainment Venue (Tavern) and Accommodation Premises (10 Unit Motel and Caretaker’s Residence) over Lot 3 on SP197501, located at 266 Blackgate Road, Amamoor, subject to the following Conditions:

Assessment Managers Conditions

Section 1 - Conditions to be Satisfied Prior to the Commencement of the Approved Use

- 1.1 The development shall be generally in accordance with the plan/s submitted with the application (Plan Nos. Sheet 08533-1 dated 2/02/09, Sheet 08533-3 dated 2/02/09, Sheet -3 x 2 plans dated 10/05/07 and Sheet No -3D dated 15/07/08, drawn by Mary Valley Design & Drafting).**

- 1.2 The development herein approved may not start until:**
 - (i) the following development permits have been issued and complied with as required -**
 - (a) Development Permit for Building Work**
 - (b) Development Permit for Operational Work (Site Works, Road Widening including Auxiliary Lanes and Access Construction, Water Main Extension, Footpath Construction and Landscaping); and**
 - (ii) development authorised by the above permit/s has been completed to the satisfaction of Council’s Chief Executive Officer.**

- 1.3 A Development Permit for Environmentally Relevant Activity for the effluent disposal system, which is to be larger than 21 equivalent persons, is required to be obtained.**

Note: The Department of Environment and Resource Management administers the relevant ERA.

- 1.4 **Contribution is to be made towards Water Supply Headworks in accordance with Council’s Planning Scheme Policy 7: *Water Supply and Sewerage Headworks Contributions, Works External and Works Internal*. The contribution is currently assessed at \$54,863 however, the actual amount payable will be based on Council's policy and the rate applicable, at the time of payment.**
- 1.5 **In accordance with Planning Scheme Policy 10: *Intersection Contributions*, a contribution is to be paid toward road improvements as a result of the increased traffic generated by this development. The amount is currently assessed at \$10,745, however will be in accordance with Council’s Policy and the amount applicable at the time of payment.**
- 1.6 **Water saving devices are to be fitted to the tavern, motel units and managers residence.**
- 1.7 **All night lighting must be designed and constructed to the satisfaction of Council’s Chief Executive Officer so that light emitted from the subject land does not, in the opinion of the Council, cause nuisance or annoyance to residents or traffic in the immediate vicinity.**
- 1.8 **Prior to the submission of a development application for Building Works, submit two (2) copies of plans and specifications of the food preparation area at a scale of not less than 1:100, to Council for approval pursuant to the *Food Act 2006*. Building works shall be undertaken in accordance with the approved plans and specifications referred to above. Food preparation may not start until kitchen fixtures, fittings and finishes have been installed in accordance with the approved plans and specifications referred to above to the satisfaction of the Chief Executive Officer.**
- 1.9 **Prior to commencement of the use obtain from Council a licence to operate a food business pursuant to the *Food Act 2006*. Approval will be subject to compliance with the Food Safety Standards detailed in Chapter 3 of the Australia New Zealand Food Safety Standards Code.**
- 1.10 **Any grease interceptor trap installed to remove grease contaminants from waste water, as approved in accordance with Council's Trade Waste Policy, is to be located external to the food preparation area.**

- 1.11** The number and type of refuse containers provided on site is to be determined in accordance with Council’s Rating Policy.
- 1.12** Prior to commencement of the use the following are to be provided:
- (i) approved refuse containers;
 - (ii) a centralised refuse storage enclosure comprising an imperviously paved area provided with a hose cock and hose. all to the satisfaction of Council’s Chief Executive Officer.
- 1.13** An Environmental Noise Level Study and Report, which complies with Australian Standard 1055 and the Environmental Protection Agency Noise Measurement Manual, is to be submitted to Council for consideration and approval.
Note: The Study is required to stipulate works and/or management practices to be carried out to ensure noise emissions comply with the requirements of the Environmental Protection (Noise) Policy 1997.
- 1.14** Undertake at no cost to Council, the alteration of any public utility mains (eg. Electricity, water, sewerage, gas etc.) or other facilities necessitated by the development of the land or associated construction works external to the site.

Section 2 - Conditions Relevant to the Issue of a Development Permit for Operational Work

- 2.1** Written evidence demonstrating that the requirements of Energex, in relation to any existing services which currently traverse the subject site, is to be submitted to Council prior to the issue of a Development Permit for Operational Works.
- 2.2** Access to the proposed development is to be constructed in accordance with the requirements of Council’s Infrastructure Works Code – Drawing No R-15, sealed access 6 metres wide.
- 2.3** Car parking and access areas shall be sealed pavement and designed, drained, constructed and maintained in accordance with Council’s Vehicle Parking and Access Code.
- 2.4** Off-street car parking is to be provided in accordance with the Vehicle Parking and Access Code of Council’s Planning Scheme and Planning Scheme Policy 8 - Infrastructure Works.

- 2.5** A 1.2 metre wide concrete footpath is to be constructed along the full frontage of Lot 14 SP197501 and to a pedestrian access point at the south western corner of the development to Blackgate Road and the remaining areas shall be formed, grassed and topsoiled in accordance with the requirements of the Infrastructure Works Code and Planning Scheme Policy 8: *Infrastructure Works*.
- 2.6** (i) Connection is to be made to Council’s existing Water Supply reticulation systems, including the provision of a back flow device, at no cost to Council. Connection shall be in accordance with a permit for Plumbing and Drainage Work approving the required hydraulic plans and specifications, as prepared by a recognised building hydraulics engineer, for such works.
- (ii) The backflow prevention device is to be maintained and tested in accordance with Council’s approval.
- 2.7** Water meter/s and services shall be installed to:
- (i) all lots approved by this Development Permit, and
- (ii) landscaped areas approved in the Development Permit for Operational Works (Landscaping),
to the satisfaction of Council’s Chief Executive Officer.
- 2.8** The internal driveway is to be constructed in a manner to provide suitable access for a refuse collection vehicle to the satisfaction of Council’s Chief Executive Officer.
- 2.9** The existing road/s is/are to be upgraded to a standard compatible with the proposed development. Council requires the following works to be carried out on Blackgate Road.
- (a) Road widening to provide for a 4.0 metre sealed width from the centerline of the existing road including left and right Auxiliary turn Lanes be provided at the access point to meet the requirements of Austroads Guide to Road Design Part 4A: Unsignalised and Signalised Intersections.
- 2.10** Stormwater is to be disposed of on site so as to cause no scour or damage to adjoining properties to the satisfaction of Council’s Chief Executive Officer.
- 2.11** (i) Provide Council with written permission from relevant adjoining landowners to discharge/accept concentrated stormwater onto their respective properties.
- (ii) Such water is to be directed to the lawful point of discharge without causing nuisance or annoyance to any person.

- 2.12 **The method of treatment of stormwater runoff from and through the site shall be designed and constructed in accordance with Council’s Infrastructure Works Code.**
- 2.13 **Any plans for operational works, water supply and sewerage works, drainage works and street lighting required by this development permit, are to be surveyed, designed and constructed in accordance with Council’s Infrastructure Works Code.**
- 2.14 **Motel units and managers residence to be built on land above 69.2 metres AHD. Filing of lot may be required to achieve this level. A safe evacuation route is to be provided to ensure that occupants can reach higher ground without crossing an inundation depth of greater than 300mm.**
- 2.15 **1.2 metre wide sealed footpaths and pedestrian way be provided from the south western corner of the development to the main entrance of the tavern.**
- 2.16 **100mm diameter water main to be extended from Busby Street to the south western corner of Lot 3 SP197501.**
- 2.17 **Stormwater drainage to be designed to ensure an overland flowpath is provided through the development to ensure local runoff from Q100 rainfall event has no impact on the tavern, motel units and managers residence.**
- 2.18 **Landscaping shall be provided in accordance with an approved landscaping plan and is to be in accordance with the requirements set out within Schedule 8: *Minimum Landscaping Dimensions and Works*, of Council’s Planning Scheme.**
- 2.19 (i) **A properly prepared Landscape Plan in accordance with Council’s Planning Scheme Policy 4: Landscaping is to be submitted to and approved by Council’s Chief Executive Officer.**
Note: Species selections are to be in accordance with the provisions of Council’s Landscaping Code for the Rural Planning Area.
 - (ii) **Landscaping works are to be completed in accordance with the approved landscape plans.**
 - (iii) **The landscaping shall be maintained (watering, fertilising, mulching, weeding, and the like) at all times.**

Section 3 - General Conditions

- 3.1 Any filling or other development works undertaken on the site shall be carried out so as not to cause the ponding of water on any adjoining lands or the blockage or interference with any natural watercourse.**
- 3.2 No earthworks or filling works are to be undertaken prior to the issue of a Development Permit for Building Works/Operational Works.**
- 3.3 Loading/unloading operations shall be conducted within the site and vehicles waiting to be loaded/unloaded shall stand entirely within the site.**
- 3.4 All appliances and equipment including air conditioner units shall be installed and/or housed so as to prevent the emission of unreasonable noise.**
- 3.5 The washing of vehicles is not permitted on site, as no approved wastewater treatment facility is proposed to be installed on site.**
- 3.6 Permitted hours of operation are 1000 to 2200 hours, seven days per week, including Public Holidays, unless otherwise approved by Council.**

Advice to Applicant

Council would have no objection to the development being constructed in stages, should that be the applicant's intent.

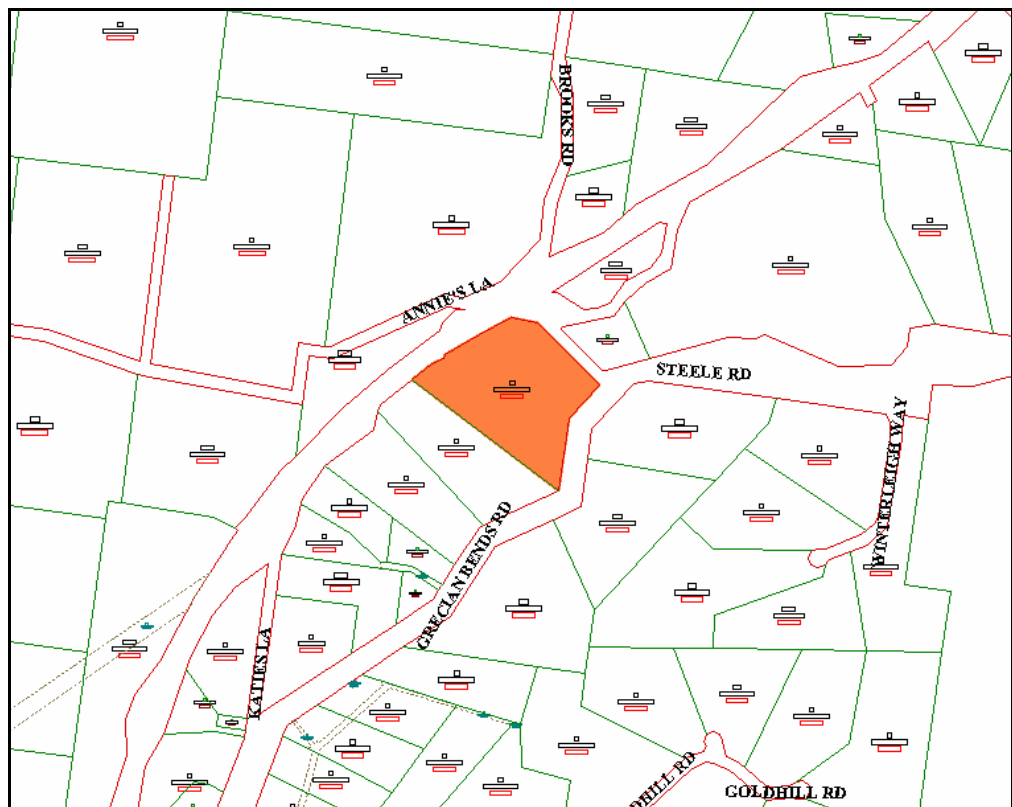
Carried.

Mr K.A. Mason returned to the meeting at 9.16 a.m.

SECTION 3: RECONFIGURING A LOT APPLICATIONS

3/1 2008-0650 – Reconfiguring A Lot – Subdivision to Create Three (3) Additional Lots – 93 Grecian Bends Road, Greens Creek – W. J. Hutchinson

FILE NO:	Minute: P22/02/10 2008-0650
APPLICANT:	Mr William James Hutchinson
LANDOWNER:	W. J. Hutchinson
RPD:	Lot 1 on MPH32803
SITE ADDRESS:	93 Grecian Bends Road, Greens Creek
CURRENT USE OF LAND:	Residential
PROPOSAL:	Reconfiguring a Lot – Subdivision to create 4 lots (3 additional lots)
EXISTING ZONE:	Rural
LEVEL OF ASSESSMENT:	Code



KEY POINT SUMMARY

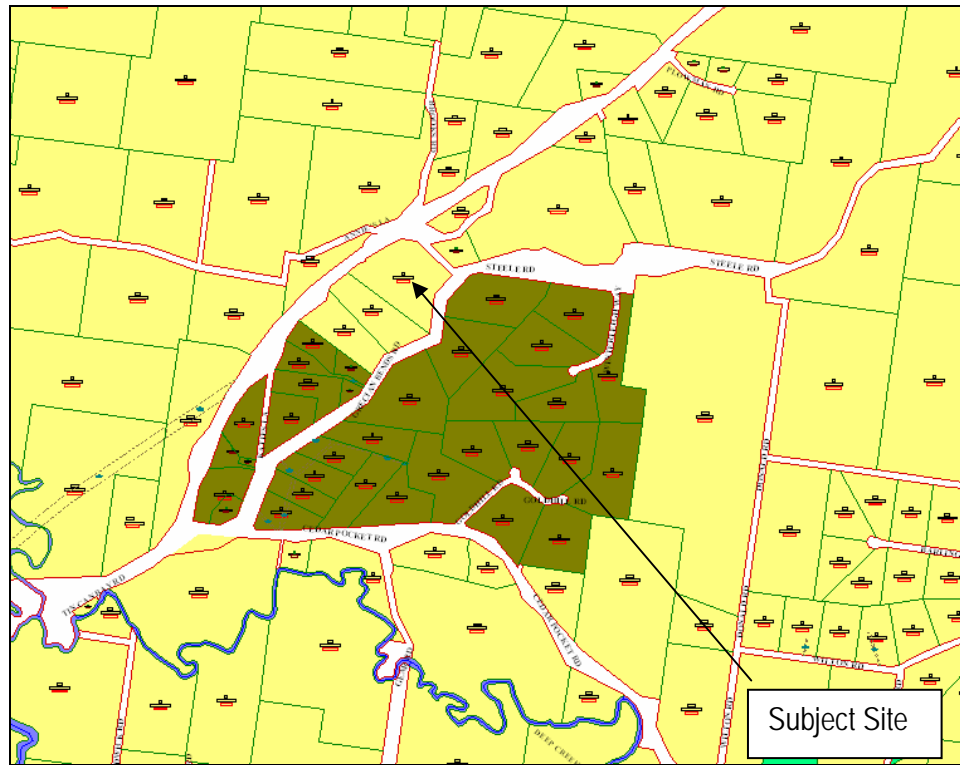
- Application for subdivision to create three (3) additional lots;
- Site Area (Lot 1 MPH32803): 4.65ha
- Proposed Lot 1: 2.85ha
- Proposed Lot 2: 6 000m².
- Proposed Lot 3: 6 000m².
- Proposed Lot 4: 6 000m².
- Department of Main Roads is a Concurrence Agency.
- The subject site is zoned Rural in the 2005 Cooloola Shire Planning Scheme where subdivision of less than 100 hectare lots is in conflict;
- Grounds submitted by the applicant are not considered sufficient to warrant approval.
- Some argument in support could be made based on existing zoning pattern and the boundary of the Gympie Planning Area;
- Adjacent lots (Lot 1 & Lot 2 RP1890444) are categories as Regional Landscape and Rural Production Area in the Wide Bay Burnett Draft Regulatory Provisions.
- Future intentions for this area are considered best left for determination during preparation of appropriate forward planning documents at the State and Local level.
- In considering all the merits of the proposal, there is considered insufficient grounds to warrant its approval at this time.

Report: (Planning Officer – S.F. Court and Manager Development and Compliance – T.M. Stenholm)

1.0 APPLICATION

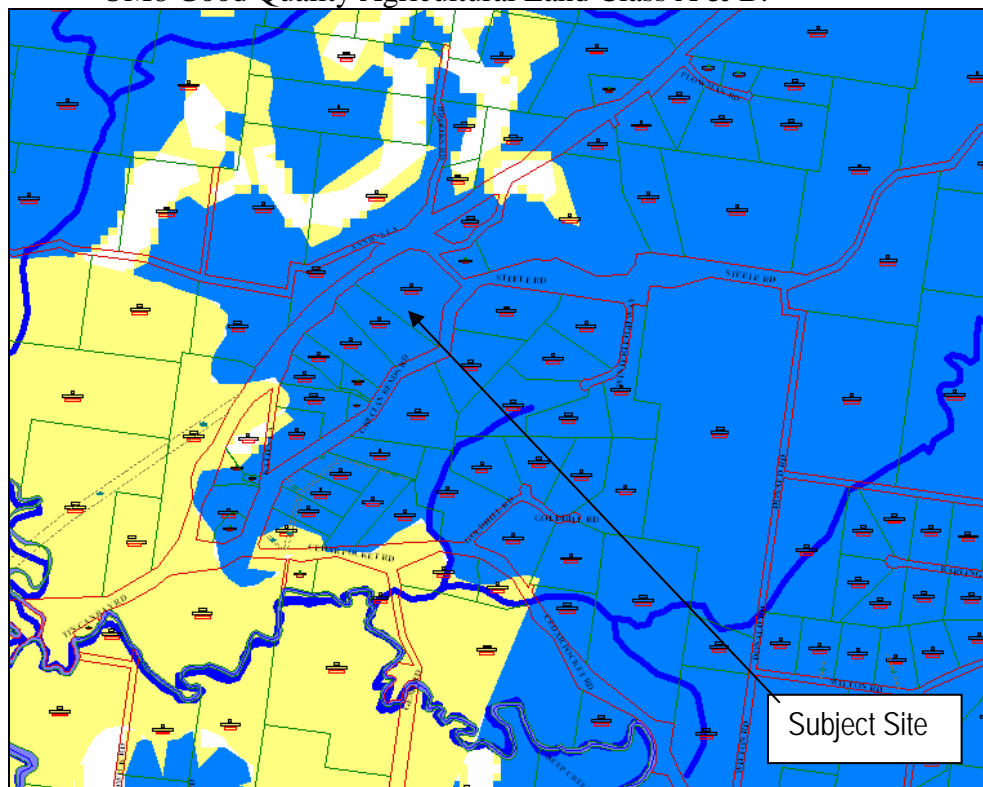
This application seeks approval for a Development Permit to reconfigure one (1) existing lot to create four (4) lots over Lot 1 MPH32803, situated at 93 Grecian Bends Road, Greens Creek.

The site is identified on the following map as being zoned Rural:



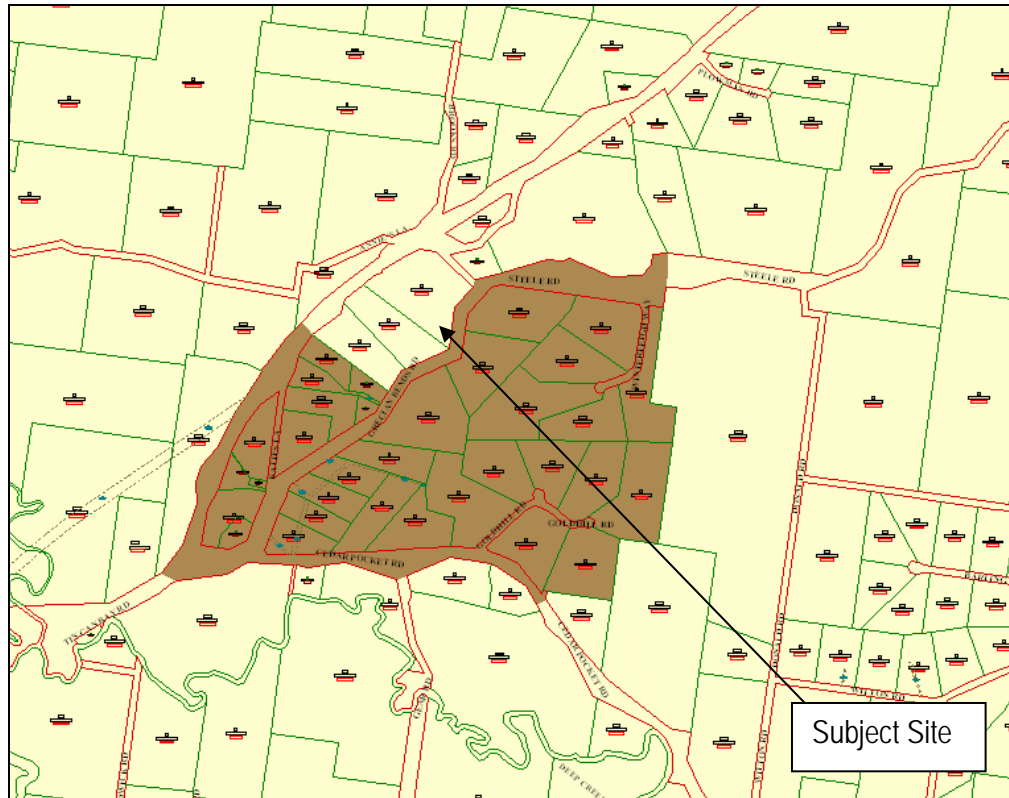
The site is identified on the following Overlay Map:

- OM8 Good Quality Agricultural Land Class A & B.



The site is identified in the Wide Bay Burnett Draft Regulatory Provisions as follows:

- Regional Landscape and Rural Production Area.



2.0 STATUTORY REQUIREMENTS

2.1 Compliance with the Planning Scheme

2.1.1 Planning Scheme Provisions

Under the arrangements of the Cooloolo Shire Council Planning Scheme 2005, the proposed development code assessable and the following codes applicable.

Gympie Planning Area Code

Much of the Code does not apply to the development proposed.

Provisions aimed at avoiding adverse amenity impacts are not considered compromised by the application.

Reconfiguring a Lot Code

The proposal does not comply with SO-01 (a), (e) and (f) of the Code which states: “All new lots for rural residential purposes:

- (a) are in the Rural Residential Zone; and, ...
- (e) are not on a current or known potential heavy vehicle route³; and,
- (f) do not have direct access to Major Arterial Road or Arterial Road listed in Schedule 11 Road hierarchy⁴.”

In addressing the proposal’s conflict with the outcomes sought by the planning scheme for the rural zone, the following grounds were submitted in the application as support for the development:

- *‘the land across Grecian Bends Road to the east and to the south is already included in the Rural Residential Zone in the current 2005 Cooloola planning scheme;*
- *land approximately 210 metres to the south-west is included in the Rural Residential Zone in the current 2005 Cooloola Planning Scheme;*
- *the Rural Zone lot to the north immediately across Grecian Bends Road has an area of 9000 square metres noting that this current application proposes(sic);*
- *the subject site is bounded on three sides by rural and given its 4.654 hectare area it is highly unlikely that the site could be used for any commercial rural purposes;*
- *the topography over the subject site is sites(sic) to rural residential uses and all proposed lots have conforming potential house sites;*
- *the site abuts a majority State controlled road and a good all weather two lane bitumen road access to both Gympie and the Cooloola Coast (and beyond);*
- *the site is conveniently located with respect to State primary and secondary schools, an existing school bus route and convenience shopping as referenced below;*
- *the site is in relative proximity to the Victory general store which is only 5.5km away;*
- *the site is only 5 kilometres from the existing edge of the urban area of Gympie both along Tin Can Bay/Cootharaba Road and Gympie Connection Road;*
- *conveniently located with respect to State primary and secondary schools, an existing school bus route and convenience shopping as referenced below(sic);*
- *there are no rural uses abutting the subject site that would require any buffering, etc.*

The grounds submitted are acknowledged and not disputed. In considering the merits of the proposal, however, consideration must be given to the specific attributes of this site that warrant its development for rural residential purposes and sets it apart from other like lots.

In this respect it could be argued that there are many examples of existing rural zoned lots that:

1. are suitably located for rural residential development;
2. are near existing zoned rural residential areas; and
3. are unviable for agricultural pursuits.

In necessarily complying with the Overall Outcomes of the Code, the question must then be asked as to whether the development constitutes efficient infill and consolidation of existing rural residential zoned areas or is an extension of such an area. Should the latter be the case, approval of the proposal is considered premature until the appropriate forward planning is undertaken to determine where additional rural residential development should occur and how much land should be allocated. This should be considered on a region wide basis.

The immediate area around the development site, including that zoned rural, is already fragmented, however again this is not considered a unique attribute and could apply to many locations in the Gympie Area because of its development history.

Some support for the development could be argued in relation to the existing zoning pattern in the area and the fact Grecian Bends and Tin Can Bay Roads could provide a hard edge boundary if the three (3) existing rural zoned lots were zoned rural residential. This would also correlate with the boundary of the Gympie Planning Area in the 2005 Cooloola Planning Scheme.

No argument in relation to the need for additional rural residential lots has been included in the proposal.

Whilst the application was submitted prior to the commencement of the Wide Bay Burnett Regulatory Provisions, the Provisions are considered relevant given the development site and the two (2) immediately to the south are categorised in the Regional Landscape and Rural Production Area. This will likely result in them being unavailable for further subdivision in the immediate future.

The non-compliance with specific outcome (f) is considered to have been addressed through proposing no additional accesses onto Tin Can Bay Road, with each new vacant lot having an available complying access off Grecian Bends Road.

Specific outcome (e) aims to reduce the potential impact of heavy vehicles (ie noise, odour from cattle trucks etc) onto new lots. This has been partially addressed by proposing lot 4 at a larger size (ie 9 000m²) than lots 2 and 3, however the possible building area nominated for this lot remains within close proximity to Tin Can Bay Road.

The development does not comply with Specific Outcome 12 of the Reconfiguring a Lot Code for the Rural Zone which requires that *'each lot, separate part of a lot or access easement:*

- a. *is of sufficient size and suitable proportions to be able to be capable of being used for its intended purpose; and,*
- b. *is not less than the minimum area and dimensions indicated in Schedule Table 12 minimum Lot Areas, Dimensions and Frontages for the zone in which the lot is located except where no greater number of lots is created, and a lesser and reasonable size is warranted due to pre-existing lot size, ...,'*

The proposal does comply with the minimum lot sizes, dimensions and road frontages for the rural residential zone.

Infrastructure Works Code

The proposal is able to meet the requirements of the Infrastructure Works Code for the Rural Residential Zone.

Landscaping Code

No provisions of the code are considered applicable to the development.

Resource Areas Code

The Resource Areas Code is intended to preserve Good Quality Agricultural Land (GQAL) present within rural areas. The development site contains large sections of both Class A and Class B GQAL in the allotment however given its size and location is not considered viable for agricultural uses.

3.0 LOCAL AND/OR STATE PLANNING POLICIES

No State Planning Policies, not adequately reflected in Council's Planning Scheme, are applicable to the proposal.

Council's Planning Scheme Policy 6 in relation to Parks Contribution would be applicable to any approval and currently levied at \$1 852 per additional lot created.

4.0 OTHER PLANNING CONSIDERATIONS

4.1 Site Access and Traffic

The immediate local road network is considered suitable for the nature of the development proposed and no upgrading works are recommended to be imposed by Council. As discussed later, the Department of Main Roads have conditioned upgrading of the Tin Can Bay/Grecian Bends Road intersection as part of any approval.

A contribution towards road improvements would be applicable to any approval in accordance with PSP 12: *Sealed Road Contributions for Designated Rural Residential Areas*.

4.2 Flooding

The site is well elevated and is not subject to flooding.

4.3 Vegetation

The site has largely been cleared with only sparse vegetation retained along the existing boundaries. There is no mapped remnant vegetation under the Vegetation Management Act.

4.4 Services

The applicant asserts that electricity and telecommunications are available to the site and are to be arranged by the developer to each proposal lot should an approval ensue.

5.0 CONSULTATION

5.1 External

5.1.1 Referral Agencies

The application was referred to the Department of Main Roads as a Concurrence Agency given the site's frontage to Tin Can Bay Road.

The Department subsequently issued conditional approval for the application, subject to all new accesses being via Grecian Bends Road and upgrading of the Tin Can Bay/Grecian Bends Road to include:

- Basic Right Turn Treatment (BAR) on a Two Lane Rural Road as shown in Figure 13.58 of the RDPM
- Basic Left Turn Treatment (BAL) on a Rural Road where the Side Road AADT is less than 50 as shown in Figure 13.79 of the RDPM.

5.2 Internal

5.2.1 Design Department

There are not considered to be any engineering issues precluding approval of the development and standard conditions relevant to a rural residential development are recommended.

A road contribution amount equivalent to that levied in Planning Scheme Policy 12: *Sealed Road Contributions for Designated Rural Residential Areas* is considered justifiable, despite the development site not being within the policy area.

6.0 CONCLUSION

The proposed development is in conflict with Council's Planning Scheme however it is difficult to make a recommendation given its location and some arguments in its favour. When considered fully, however, the grounds to warrant support for the proposal are not considered overriding enough to justify approval in this instance.

7.0 COMMENTS BY DIRECTOR OF PLANNING AND DEVELOPMENT

Despite its relatively small scale, this is a difficult application to assess, given the range of planning considerations applying to the development site. As identified in the foregoing report, this is not an indiscriminate rural residential subdivision in a remote location, and a number of planning issues affecting the proposal have been articulated by the applicant's planning consultant. The question for Council therefore is whether those issues and other relevant considerations discussed in the officers' report constitute a sufficiency of planning merit to warrant approval of the application despite its inconsistency with the planning scheme.

Precisely why the development site and the two adjoining properties were not included within the rural residential zone as part of the 2005 planning scheme is unknown. These three properties are the only rural zoned properties on the edge of an area zoned entirely rural residential. Tin Can Bay Road and Grecian Bends Road constitute a hard edge between this land and rural land beyond, and had these properties been zoned rural residential, this would be a fairly straightforward subdivision proposal.

The draft WBB State Planning Regulatory Provisions certainly make it more difficult - if not impossible - for the remaining two rural zoned lots to be developed in the short term, given they are included in the Regional Landscape and Rural Production designation. This may change when the draft Statutory Regional Plan is released later this year, or it may change in the final plan following consideration of public submissions.

The consequences of Council refusing the application are:

- The applicant may appeal to the Planning and Environment Court against Council's decision on the basis that they consider Council may have underestimated the planning merits of the proposal.
- The applicant may simply accept Council's decision.

- The applicant is at liberty to lodge a submission against the regulatory provisions before the end of March, and if successful in getting the land included in the Rural Living designation, could lodge a fresh subdivision application at that time. The owners of the two adjoining rural zoned lots can also take advantage of this process.

If the application is refused, and the final Statutory Regional Plan retains the land within the Regional Landscape and Rural Production designation, then it is likely to remain as is for the foreseeable future. Nevertheless, the fact remains that the proposed development is at odds with the land's rural zoning, and refusal of the application has been recommended on that basis and on the basis of lack of sufficient planning merit to justify approval despite the conflict.

P22/02/10

Moved: Cr R.A. Gâté

Seconded: Cr J. Watt

Recommend that Council, as Assessment Manager, Approve the application (2008-0650) for Reconfiguring a Lot – Subdivision to Create Three (3) Additional Lots over Lot 1 MPH32803 located at 93 Grecian Bends Road, Greens Creek subject to conditions determined by the Director of Planning & Development.

Reasons for Recommendation:

- 1. The land across Grecian Bends Road to the east and to the south is already included in the Rural Residential Zone in the current 2005 Cooloola planning scheme.**
- 2. Land approximately 210 metres to the south-west is included in the Rural Residential Zone in the current 2005 Cooloola Planning Scheme.**
- 3. The Rural Zone lot to the north immediately across Grecian Bends Road has an area of 9000 square metres.**
- 4. The subject site is bounded on three sides by rural and given its 4.654 hectare area it is highly unlikely that the site could be used for any commercial rural purposes.**
- 5. The topography over the subject site is situated to rural residential uses and all proposed lots have conforming potential house sites.**
- 6. The site abuts a majority State controlled road and a good all weather two lane bitumen road access to both Gympie and the Cooloola Coast (and beyond).**
- 7. The site is conveniently located with respect to State primary and secondary schools, an existing school bus route and convenience shopping.**

8. **The site is in relative proximity to the Victory general store which is only 5.5km away.**
9. **The site is only 5 kilometres from the existing edge of the urban area of Gympie both along Tin Can Bay/Cootharaba Road and Gympie Connection Road.**
10. **There are no rural uses abutting the subject site that would require any buffering, etc.**

Carried.

3/2	2008-0368 – Representations – Reconfiguring a Lot – Subdivision to Create Two (2) Additional Lots – 85 Trout Road, The Dawn – M. & C. Burden
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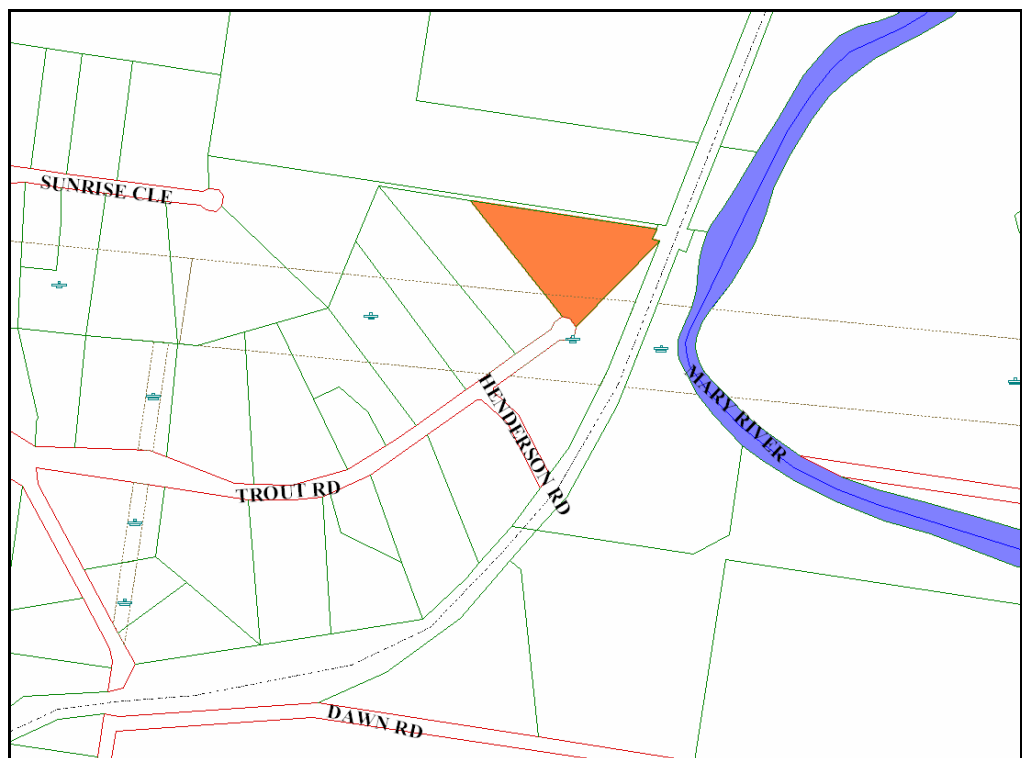
Re: **Minute: P23/02/10** Representations to Reconfiguring a Lot - Subdivision to Create Two (2) Additional Lots – 85 Trout Road, The Dawn

From: Murray & Associates

File: 2008-0368

Site: 85 Trout Road, The Dawn

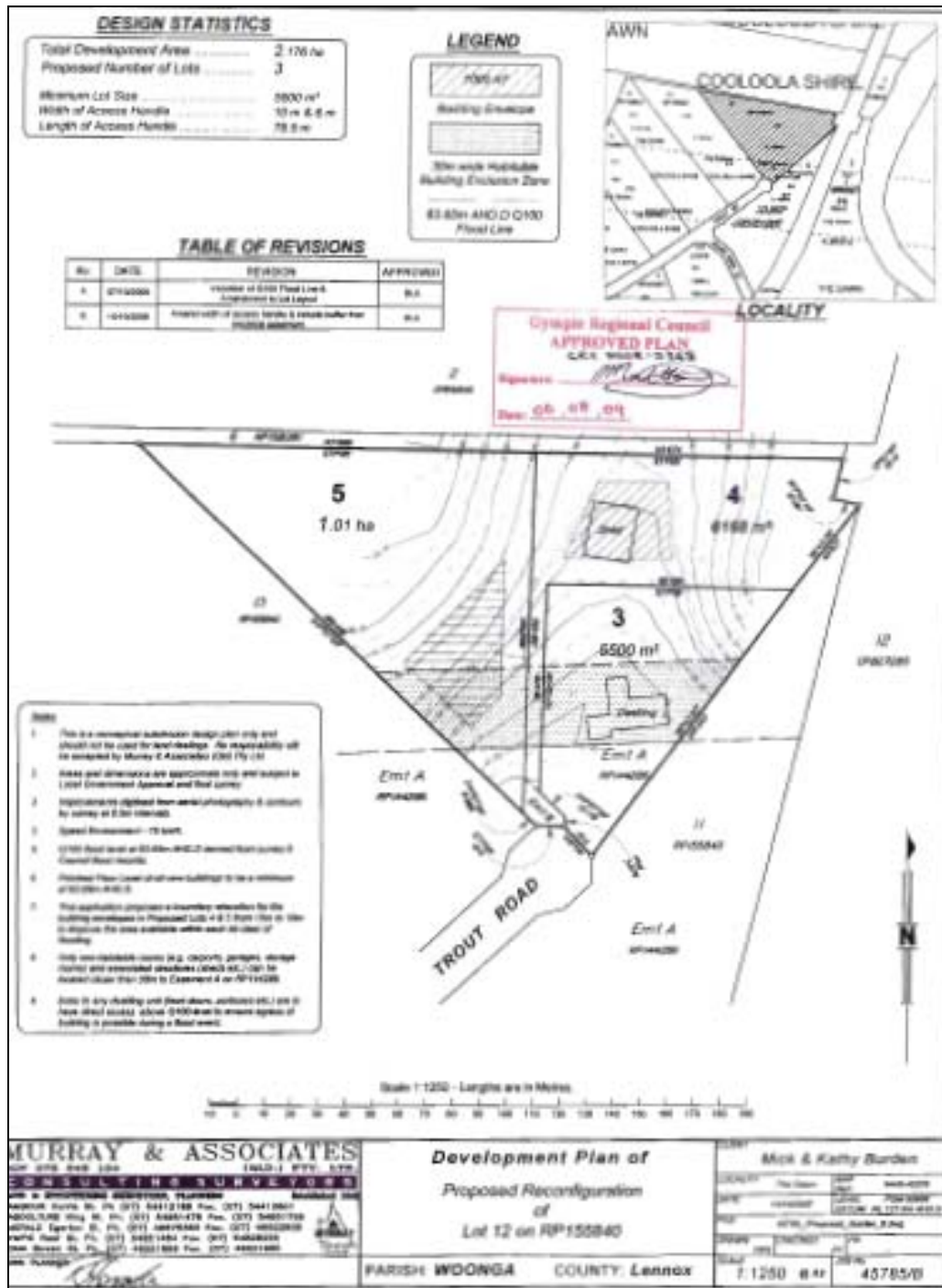
RPD: Lot 12 RP155840



Report: (Planning Officer – M. K. Matthews)

1.0 INTRODUCTION

An application for Reconfiguring a Lot - Subdivision to Create Two (2) Additional Lots over Lot 12 RP155840, was approved by Council on 6 August 2009.



This Reconfiguring a Lot Application originally sought to create two (2) additional lots over Lot 12 on MPH25145, however due to no available building envelope above the Q100 flood line on Lot 5, amalgamation of proposed Lots 4 and 5 was conditioned as part of the Approval. An amended plan has been submitted by the applicant to be endorsed by Council as the new approved plan in accordance with Condition 1 of the approval, along with further representations.

Council's reconsideration is requested for conditions relating to relocation of an existing shed on proposed Lot 4.

2.0 CONDITIONS

Condition 1

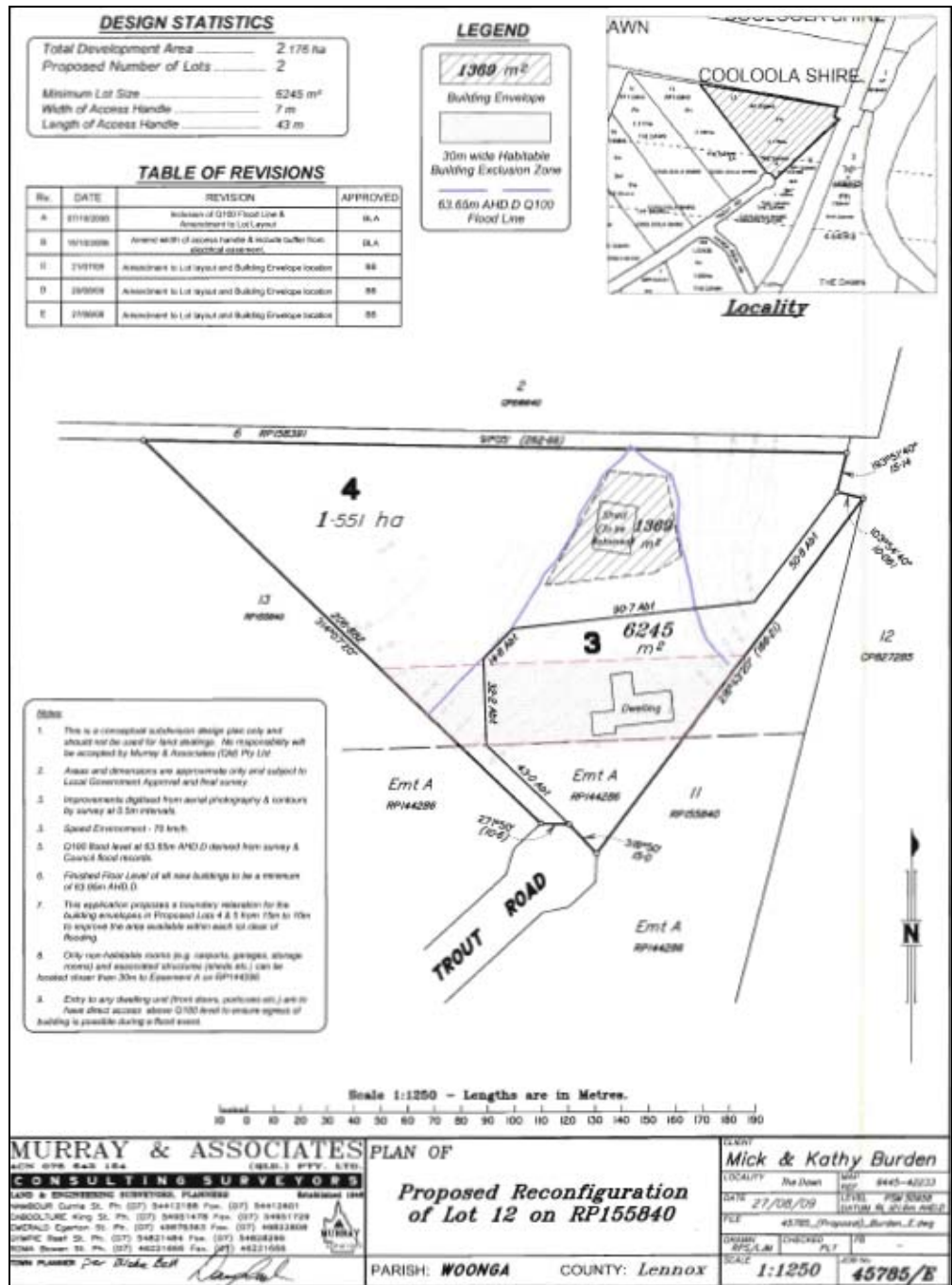
- (i) *The development shall be generally in accordance with the plan submitted with the application (Drawing No. 45785/B drawn by Murray & Associates and dated 13/12/2007), except for the following amendment:*
 - (b) *Proposed Lot 5 is not approved and is to be amalgamated with proposed Lot 4.*
- (ii) *Prior to lodgement of the Plan of Subdivision three (3) copies of amended development plans showing the above modification shall be submitted to Council for consideration and approval. The approved plans, once endorsed by Council's Chief Executive Officer shall become part of this Development Permit.*

Applicants Representations

'The amended Plan of Development amalgamates proposed Lot 5 with proposed Lot 4, as requested by Council.

We trust that the amended Plan of Development meets Council's satisfaction, and will be endorsed by Council's Chief Executive Officer in due course.

Upon endorsement of the amended Plan of Development, we trust that this plan will then become part of the Development Permit issued on the 6 August 2009.'



Council Staff Comment

The proposed new plan is in accordance with original Condition 1 and can therefore be endorsed as the new approved plan and Condition 1 can be amended.

Condition 2

The development herein may not start until:

- (i) the following development permit has been issued and complied with as required -
 - (a) Development Permit for Building Work (Demolition or relocation of existing shed)**
- (ii) development authorised by the above permit has been completed to the satisfaction of Council's Chief Executive Officer.*

Condition 16

The existing shed on proposed Lot 4 is to be relocated clear of the nominated building envelope.

Applicant's Representations

'In relation Condition 2 we hereby request that the whole of this Condition be deleted from the Development Approval. It was never the applicant's intention to remove or relocate the existing shed structure situated within proposed Lot 2.

*The amended plan of development 45785/E, included within **Appendix A** of this request demonstrates a building area of 1369m² suitable for the establishment of a dwelling, associated infrastructure, and the retention of the existing shed structure. It is noted that the 1369m² of building area is located above the Q100 flood line...*

In relation to Condition 16 and as mentioned above, the applicant does not wish to remove or relocate the on-site existing shed structure contained within proposed Lot 4.

*As demonstrated by the amended Plan of Development (45785/E), included within **Appendix A**, proposed Lot 4 achieves a building area of 1369m², which is suitable for the establishment of a dwelling, associated infrastructure, as well as the retention of the existing shed structure.*

Accordingly, it is requested that Council delete this Condition.'

Further representations to these conditions were later received by Council.

‘On the 22 September 2009, a letter was sent to Powerlink, which questioned their recommendations made as an Advice Agency for the proposed development. Powerlink recommended the imposition of a 30 metre building exclusion buffer zone to be set back from the boundary of the existing electrical easement, which traverses through the subject development site, to avoid the construction of any future on-site dwelling from being developed within this area. The intent of the letter sent to Powerlink questioned the grounds for this recommendation, as the result of such advices prompted Council to issue a Development Approval, which conditioned the applicant to amalgamate proposed Lot 5 with proposed Lot 4.

Powerlink’s response to our letter of question was received on the 19 October 2009, a copy of which is enclosed for Council’s information. It is noted that the Draft Transmission Code (“the draft code”), which Powerlink based their advice upon, has not yet been legislated, and as such Powerlink can only recommend compliance with the proposed guidelines of the code; not enforce it. The recommendation of the 30 metre building exclusion buffer zone was thus, left as a matter for Council to determine acceptable.

The applicant feels that Council’s acceptance of Powerlink’s acceptance of Powerlink’s advice has seriously hindered the development of their land. The applicant questions the recommendation of the 30 metre exclusion buffer zone, as the location of the actual power line is situated further toward the south of Trout Road, well clear of the applicant’s property. The logical of existing Easement A implies that a buffer exclusion zone for building has previously been taken into consideration, and effectively included within Easement A. On these grounds that applicant questions the ‘need’ to impose a further buffer zone outside of Powerlink’s easement entitlement. It is further noted that the recommended 30 metre exclusion buffer zone, entirely engulfs the existing on-site dwelling.

We trust that Council will seriously reconsider their decision in relation to the subject development, as the applicant feels that the conditions imposed upon the development of 85b Trout Road, The Dawn are over compensating.’

Council Staff Comment

Condition 2 and Condition 16 are to be read in accordance with one another, therefore it is appropriate to address the representations regarding them together.

The amended Plan of Development, numbered 45785/E clearly shows a proposed building envelope over, not separated from, the location of the existing shed that is above the Q100 flood line, greatly restricting the building options for a dwelling on this lot.

The applicant asserts that proposed Lot 5 was not approved and was required to be amalgamated with proposed Lot 4 due to the imposition of the Powerlink buffer. This is partly true; however the major reason for not approving proposed Lot 5 was that the majority of the proposed building envelope was subject to inundation below the Q100 flood event line.

Council's Planning Scheme requires a minimum 1000m² building envelope in a minimum 35m x 35m rectangle to be provided for new rural residential lots. Council did not condition a 30 metre buffer as recommended by Powerlink.

It is recommended that Condition 2 and Condition 16 be retained.

P23/02/10

Moved: Cr L.J. Friske

Seconded: Cr G.L. Engeman

Recommend that in relation to Development Application GRC 2008-0368 for Reconfiguring a Lot - Subdivision to Create Two (2) Additional Lots over Lot 12 RP155840, located at 85 Trout Road, The Dawn, Council issue a Negotiated Decision Notice with the following amendment:

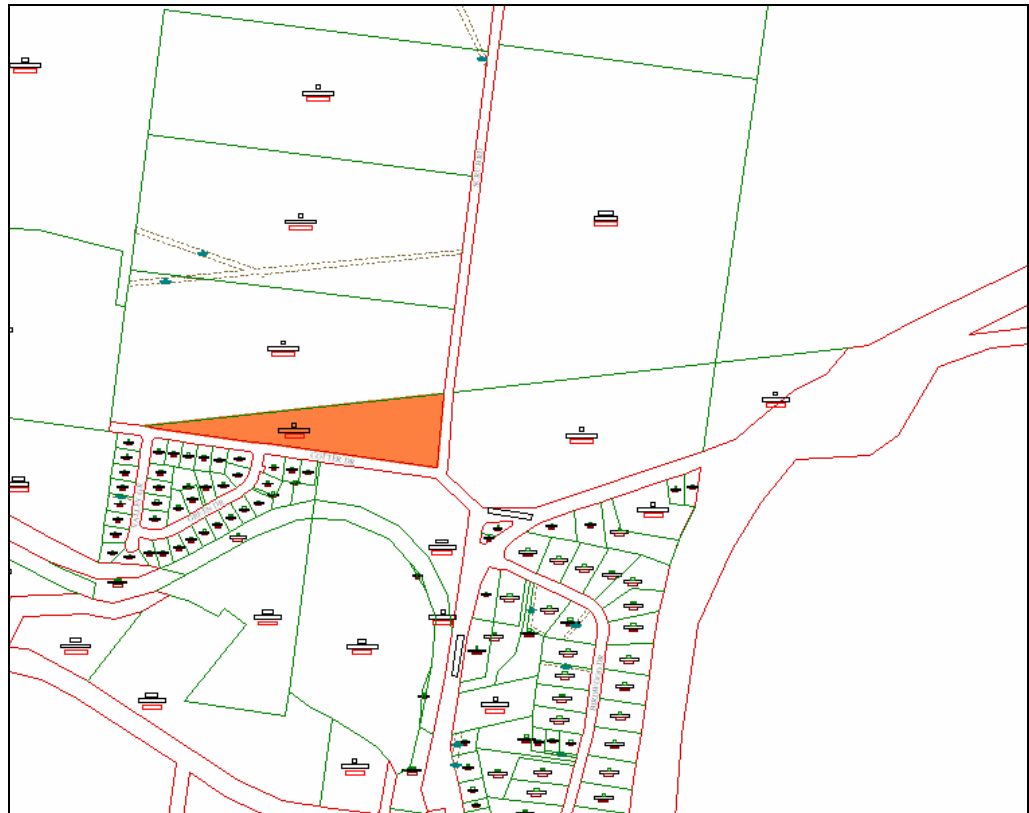
(i) Condition 1 to read:

The development shall be generally in accordance with the plan submitted with the application (Plan No. 45785/E drawn by Murray & Associates and dated 27/08/09).

Carried.

3/3 R177/07 – Representations for Reconfiguring a Lot – Subdivision to Create Four (4) Additional Lots – 31 Scrub Road, Gunalda – S. Kelly

Re: **Minute: P24/02/10** Representations for Reconfiguring a Lot – Subdivision to Create Four (4) Additional Lots over Lot 3 RP228940
 From: S. Kelly
 File: R177/07
 Date: 10 September 2009



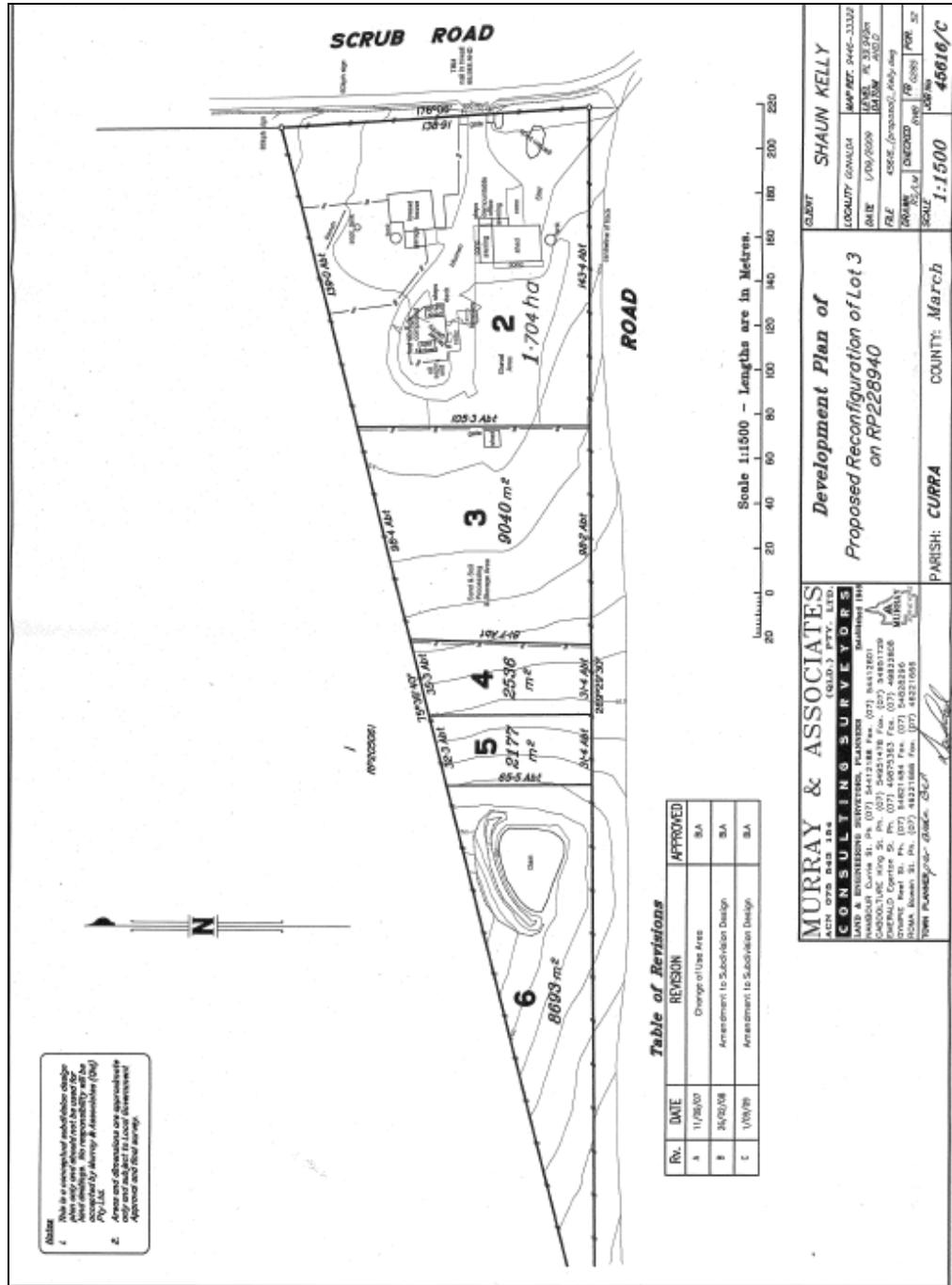
Report: (Technical Officer – S. A. Capell)

1.0 INTRODUCTION

Development approval for Reconfiguring a Lot – Subdivision to Create Four (4) Additional Lots was issued on 11 August 2009.

The amended plan which accompanied the applicant's representations is reproduced below:

Appendix A



The conditions requested to be reconsidered are outlined below.

2.0 REPRESENTATIONS

Representations are submitted in relation to conditions 11, 12, 15 and 17 and detailed below.

2.1 Condition 11

2.1.1 Council's Condition

“Stormwater is to be disposed of on site so as to cause no scour or damage to adjoining properties to the satisfaction of Council's Chief Executive Officer.”

2.1.2 Applicant's Representations

“The applicant feels that the imposition of Condition 11 is onerous.

It is noted that the landowner, Mr Shaun Kelly previously provided his written consent for the legal discharge of stormwater resulting from the recently approved development of Lot 114 on MCH1865, which adjoins the subject site to the south.

Stormwater generated from the adjoining development is collected within the dam contained within approved Lot 6 of the subject development (R177/07). In the event that the dam contained within approved Lot 6 overflows, the additional stormwater is then dispersed within adjoining Lot 1 on RP205061, located directly north of the subject site.

In this regard, the applicant has received verbal consent, from the adjoining landowner of Lot 1 on RP205061, stating that he has no objections to the stormwater overflow entering into his property. In this regard, it is noted that the landowner of Lot 1 on RP205061 benefits from this additional runoff, as it is collected and utilised for on-site farming pursuits.

The applicant is currently in the process of obtaining written consent from the adjoining landowner of Lot 1 on RP205061, which will be forwarded onto Council once in hand.

Also it is questionable as to why the applicant is made to correct stormwater arrangements, resulting from the adjoining development of Lot 114 on MCH1865.

Accordingly, it is requested that Council delete Condition 11 from the Decision Notice.”

2.1.3 Design Services Division Staff Comments

This is a standard Council condition that is more intended for future use of lots.

As future MCUs will be assessable under the Planning Scheme this condition can be deleted.

2.2 Condition 12

2.2.1 Council's Condition

“A detailed survey or certification, undertaken by a cadastral surveyor, is to be submitted confirming that the existing shed on proposed Lot 3 is located a minimum of 2 metres from the boundary of proposed Lot 2.”

2.2.2 Applicant's Representations

*“In the relation to the above Condition, please refer to the amended Plan of Development included within **Appendix A** of this request.*

The amended Plan of Development relocates the common boundary between Lot 2 and 3 further to the east to ensure that the shed is located 2 meters from this common boundary line.

Please also note that common boundary lines between Lot 6 & 5, 5 & 4 and 4 & 3 have also been relocated further toward the east to facilitate this 2 meter clearance from the existing shed contained with Lot 3 to the common boundary line between Lot 3 and 2.”

2.2.3 Planning Department Staff Comments

The condition was included in the original Development Permit to ensure that the shed on proposed Lot 3 was located a suitable distance from the new boundary with proposed Lot 2.

Whilst an amended plan has been submitted with the boundary in a location further from the shed, the representations did not include a request to change condition 1 which references the approved plan.

Further, deleting condition 12 and relying solely on condition 1, which requires development to be ‘generally in accordance with the plans submitted with the application’, would not necessarily result in the new boundary being located a minimum 2 metres from the shed.

As a result of the survey process, boundaries often change location and may still be ‘generally in accordance with the plans submitted with the application’. Condition 12 ensures that a formal survey or certification is submitted to Council, prior to a survey plan being released, confirming that the shed is located a minimum 2 metres.

The condition should remain.

2.3 Condition 15

2.3.1 Council’s Condition

“Road widening is required by way of a 10 metre truncation at the south eastern corner of Lot 2.”

2.3.2 Applicant’s Representations

“In relation to the above Condition, the applicant disputes the road widening required by way of a 10 meter wide truncation to be located at the south eastern corner of approved Lot 2.

It is noted that a Condition was imposed as part of the Development Approval issued over adjoining Lot 114 on MCH1865, which necessitated the upgrade of the same intersection.

The application questions the need for additional upgrades, as this was recently undertaken, and accordingly should have been developed to a truncated formation.

Consequently, it is requested that Council re-access Condition 15.”

2.3.3 Design Services Division Staff Comments

It should be noted that Lot 114 on MCH1865 does not directly adjoin the subject site and is located on the opposite side of Cotter Drive.

This truncation is required to facilitate intersection upgrading which may be required in the future.

The condition should remain.

2.4 Condition 17

2.4.1 Council’s Condition

“The existing dam on proposed Lot 6 is to be modified to cause no nuisance to adjacent lots or the adjacent Road Reserve. R.P.E.Q. certification to this effect is required before the use can commence.”

2.4.2 Applicant's Representation

“In relation to the above Condition, it is noted that the adjacent road to the south has been constructed as part of the approved development of Lot 114 on MCH1865, and as such is no longer ‘road reserve’.

The applicant, Mr Shaun Kelly previously provided his written consent in order that the new allotments created as part of the development of Lot 114 on MCH1865, which directly adjoins the subject site to the south, could lawfully discharge into his on-site dam contained within approved Lot 6 (R177/07).

Given the undulating topography of the site, which slopes towards the north, nuisance to the newly constructed road to the south of the site will not be impacted upon as a result of this subject development.

Additionally, as mentioned above, the landowner of the allotment located directly north of the subject site, described as Lot 1 on RP205061 has no objections to overflow entering into his property, as he makes use of this overflow for on-site farm pursuits.

2.4.3 Design Services Division Staff Comments

This condition has been imposed to prevent any problems generated by dams.

The condition can be modified to read:

“The existing dam on proposed Lot 6 is to be modified to cause no nuisance to adjacent lots or the adjacent Road Reserve. R.P.E.Q. certification to this effect is required before the use can commence. Alternatively, the written consent of the owner of Lot 1 on RP205061 accepting the concentrated bywash flow from the dam on proposed Lot 6 is to be submitted to Council.”

P24/02/10

Moved: Cr R.A. Gâté

Seconded: Cr L.J. Friske

Recommend that in relation to Development Application R177/07 for Reconfiguring a Lot – Subdivision to create Four (4) additional lots over Lot 3 RP228940, located at 31 Scrub Road, Gunalda, Council issue a Negotiated Decision Notice incorporating the following:

- (i) Condition 11 be deleted.**
- (ii) Condition 12 is to remain.**
- (iii) Condition 15 is to remain.**
- (iv) Condition 17 be amended to read:**

The existing dam on proposed Lot 6 is to be modified to cause no nuisance to adjacent lots or the adjacent Road Reserve. R.P.E.Q. certification to this effect is required before the use can commence. Alternatively, the written consent of the owner of Lot 1 on RP205061 accepting the concentrated bywash flow from the dam on proposed Lot 6 is to be submitted to Council.

Carried.

SECTION 4: PLANNING APPLICATIONS PENDING

Cr G.L. Engeman declared a Material Personal Interest in the next item due to perceived business interests and left the meeting at 9.21 a.m.

Cr A.J. Perrett declared a Conflict of Interest in 2009-0796 in the next item due to being a Member of the Board of St Patrick’s College and abstained from voting.

Cr R.A. Gâté declared a Conflict of Interest in 2009-1346 due to being a member of the committee and abstained from voting.

4/1	Planning Applications Pending
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NOTE: New Applications are in BOLD AND ITALICS

Abbreviations:

- AL** *Acknowledgement Letter*
- AN** *Acknowledgment Notice*
- RFI** *Request for Further Information*
- DMS** *Decision Making Stage*
- DN** *Decision Notice*
- ADN** *Amended Decision Notice*
- NDN** *Negotiated Decision Notice*
- PN** *Public Notification*
- PNS** *Public Notification Stage*
- SP** *Survey Plan*

File Number & Applicant	Location	Nature of Application	Status
MATERIAL CHANGE OF USE – IMPACT ASSESSMENT			
DA10931 Fraser Straits Marina Pty Ltd (TMS)	Esplanade, Tin Can Bay	Marine Industry (Marina)	Reported to P&D Committee Meeting 03/02/10. (27) Submissions
DA13803 Agnew (MKM)	132 Verne Road, Wolvi	Aquaculture (Redclaw & Fish)	DMS. Report to P&D Committee Meeting.

File Number & Applicant	Location	Nature of Application	Status
DA13902 Integra (Qld) Pty Ltd (TMS)*	Lawson & Groundwater Roads, Pie Creek	Change Land Use Entitlements to Rural Residential & Subdivision to Create 335 Additional Lots	Further submission from applicant received 23/12/10. Report to P&D Committee Meeting.
DA15782 Mackenzie (MKM)	7 O'Connell Street, Gympie	Multi-Unit Accommodation (4 Dwelling Units)	Reported to P&D Committee Meeting 07/10/09.
DA15813 Heilbronn (TMS)	Chatsworth Rd, Two Mile	To change the Land Use Entitlements from the Rural Zone to the Housing Zone	RFI period extended to 15/05/10. Awaiting applicant's response. Concurrence Agency DMR response received 31/05/07.
DA17006 Edwards (MKM)	1021 Bruce Hwy Kybong	Transport Depot & Caretakers Residence	Notice of Compliance for PNS received 10/06/09. Concurrence Agency DMR. Applicants advise representations made to DMR's conditions.
DA17897 Morris (KMT)	7-9 Power Road, Southside	Education or Health Premises (School Age Facility)	RFI sent 03/03/08. Awaiting applicant's response. Proposal plan received 13/10/08. (In conjunction with DA13664)
DA253 Allen & Dray (KMT)	Dray Rd Widgee	Extractive Industry (Rock Quarry) & ERA # 20	DMS. Application on hold pending applicant's advice.
DA247 Cotter (TMS)	555 Kinbombi Rd Goomeri	Feedlot	Amended AN & RFI sent 04/09/09. Concurrence Agencies DPI & F, DERM Contaminated Land Unit response received 16/10/09. Advice Agency DERM Ecoaccess response received 11/11/09.
DA18435 Walker (KMT)	39 Manooka Dr & 13 Carlo Rd, Rainbow Beach	COMBINED Multi-Residential (4 Dwelling Units) & Boundary Alteration	RFI period extended till 16/03/10. Awaiting applicant's response.
2008-0667 McMackin & Sarrinen (KMF)	22 Somerset Street, Gympie	Multi Residential – (3 Units)	RFI period extended till 23/04/10. Awaiting applicant's response.
2008-1071 Christensen (MKM)	12 Glastonbury Road, Southside	Multi Residential (4 Units)	DMS. Report to P&D Committee Meeting.
2008-0911 Custodian Projects Services Pty Ltd (KMT)	74 Exhibition Road, Southside	Multi-Residential (10 Units including Existing Dwelling House)	DMS. Report to P&D Committee Meeting. One (1) submission.
2008-1225 Mills (KMT)*	266 Blackgate Road, Amamoor	Food or Entertainment Venue (Tavern) & Accommodation Premises (10 Unit Motel & Manager's Residence)	DMS. Report to P&D Committee Meeting. (2) Submissions. Refer to Item 2/1 in Today's Agenda.
2008-1282 Custodian Project Services (TMS)	Heights Drive, Gympie	171 Townhouses & Community Centre	PNS. ALOD sent 09/02/10.

File Number & Applicant	Location	Nature of Application	Status
2008-1830 Catalyst Securities Pty Ltd & Hoskins & Associates Pty Ltd (TMS)*	David Drive, Curra	Caravan Park (60 Sites) & ERA #15 (b) – Sewage Treatment (Standard Works for 100 or more but less than 150 equivalent persons)	DMS. Report to P&D Committee Meeting.
2009-0156 Jones (TMS)**	123 East Deep Creek Road, Monkland	General Industry (Transport Depot)	RFI sent 01/05/09. Awaiting applicant's response.
2009-0135 Hose (KMT)	Curra Estate Road, Curra	Extractive Industry (Extraction & Screening of Soil, Sand & Gravel) and Environmentally Relevant Activity (ERA # 16, 3 (a) – Screening 5 000t to 100 000t in a year)	PNS. Submissions due 15/03/10.
2009-0400 Park Drive Developments Pty Ltd (SAC)**	5 Lucknow Street, Gympie	Multi-Residential (5 Units)	RFI sent 29/05/09. Awaiting applicant's response.
2009-0459 Allen (TMS)*	Brisbane Road & Old Imbil Road, Monkland	Preliminary Approval to Override the Planning Scheme for Industrial Development	RFI sent 23/06/09. Awaiting applicant's response. Concurrence Agency DMR rfi sent 19/05/09. Advice Agency DI&P response received 26/06/09.
2009-0774 Dean (MKM)	3 Shayduk Close, Gympie	Multi-Residential (Six (6) Townhouses)	PNS. ALOD to be sent.
2009-0748 Orica Quarry Services (TMS)**	720 Moy Pocket Road, Moy Pocket	Special Industry (Bulk Storage Depot & Magazine Facility) and Environmentally Relevant Activity (ERA# 8 Chemical Storage (Threshold 4)	RFI sent 14/07/09. Awaiting applicant's response. Concurrence Agencies DNRW, EPA, DES (CHEM Unit) response received 22/10/09. DERM advise rfi issued 04/09/09.
2009-1346 Avenues Lifestyle Support Assoc Inc (MKM)	37 Red Hill Road, Gympie	Community Services (Lifestyle Support) & Development on a Local Heritage Place (Heritage and Character Overlay) Removal of Dwelling House	DMS. Report to P&D Committee Meeting. Three (3) submissions.
2009-1474 Willcrest Pty Ltd (SAC)	34 Esplanade & 121 Emperor Street, Tin Can Bay	Accommodation Premises (12 Holiday Accommodation Cabins)	RFI sent 05/02/10. Awaiting applicant's response. Concurrence Agencies DTMR response received 25/12/09, DERM Ecoaccess rfi sent 27/11/09. Advise Agency DERM Ecoaccess rfi sent 27/11/09.

File Number & Applicant	Location	Nature of Application	Status
2009-1635 Sunshine Coast Concrete Pty Ltd ATF Integra Resources Pty Ltd (MKM)	Wide Bay Highway, Bells Bridge	Extractive Industry (Screening of Aggregates)	PNS. ALOD sent 05/02/10.
2009-1607 Inpact Qld Pty Ltd (KMT)	12A Adams Street, Gympie	Multi-Residential (NRAS Affordable Housing Project – Eight (8) Units)	DMS. Report to P&D Committee Meeting
2009-1544 Ellis (SAC)	258 East Deep Creek, East Deep Creek	General Industry (Transport Depot & Vehicle Storage Unit)	RFI sent 11/12/09. Awaiting applicant's response.
2009-1439 BC Plant Hire Pty Ltd (KMT)	257 Rossmore Road, Kilkivan	Extractive Industry (Extraction of Mullock 5000t to 100000t of material per year) and Environmentally Relevant Activities – ERA # 16, Threshold 2(b) Extracting Material (5000t to 100000t per year) ERA # 16, Threshold 3(a) Screening Material (5000t to 100000t per year)	RFI not required. Concurrence Agency DERM advise rfi issued 09/12/09. Amended AN sent 21/01/10.
2009-1859 Christensen (MKM)	14 Glastonbury Road, Southside	2 x Two (2) Storey Town Houses & 2 x Two (2) Unit Apartments	RFI sent 18/12/09. Awaiting applicant's response. Concurrence Agency DTMR.
2009-1935 Elliot (MKM)	1866 Kin Kin Road, Wolvi	Extractive Industry (Removal of up to 3000 tonnes of Material per Annum)	RFI not required. Concurrence Agencies DTMR response received 03/02/10, DERM Vegetation Management. Advice Agency DERM Ecoaccess.
2009-2093 Jakeman (TMS)	12 Somerset Street, Gympie	Multi-Residential (3 Units)	RFI not required. PNS. ALOD to be sent.
MATERIAL CHANGE OF USE – CODE ASSESSMENT			
DA16074 Go West Gympie Pty Ltd (MKM)	27 Louisa Street, Gympie	General Industry (Motor Vehicle Workshop & Environmentally Relevant Activity ERA #28 – Motor Vehicle Workshop)	DMS. Report to P&D Committee Meeting.
DA16344 Raw Ochre Design (KMT)*	68 Duke Street, Gympie	Showroom (3 Tenancies)	DMS. Report to P&D Committee Meeting.
DA17123 Wilson DC & JM (MKM)	26 Burns Road, Ross Creek	Accommodation Premises (Farm Cabins)	Letter sent 19/10/09 requesting amended plans.

File Number & Applicant	Location	Nature of Application	Status
MCU175/07 Kelly (KMT)	31 Scrub Road, Gunalda	Concrete Batch Plant	DMS. Report to P&D Committee Meeting.
2008-0378 Tim Developments (MKM)	168 Old Maryborough Rd, Gympie	Combined MCU - To change the land use entitlements from Rural to Housing & RAL –Subdivision to Create Thirty Six (36) Additional Lots	DMS. Report to P&D Committee Meeting.
2008-0468 Loot Homewares Gympie (KMT)	42 Duke Street, Gympie	Showroom	DMS. Report to P&D Committee Meeting.
2008-0630 Baker (TMS)	Eel Creek Road, Pie Creek	General Industry & Reconfiguring a Lot – Subdivision to Create Three (3) Additional Lots	RFI sent 31/10/08. Awaiting applicant's response. Concurrence Agency EPA (CLU) response received 22/07/08.
2008-0657 Rozynski (SAC)	Rozynski Road, Imbil	Dwelling House (Farm Worker's Cottage)	Amended AN sent 13/05/09. Concurrence Agency DNRW & Advice Agency EPA's response received 08/07/09.
2008-0634 Reyloh Pty Ltd (KMT)	22 Chatsworth Road, Gympie	Accommodation Premises (60 Unit Motel & Caretakers Residence) & Food & Entertainment Venue (Function Room & Restaurant)	RFI response received 19/08/09. New AN to be issued. Concurrence Agency DMR response received 21/08/08.
2008-0838 Hamerwill Pty Ltd (KMT)*	22 Caledonian Hill, Gympie	Commercial Premises	DMS. Report to P&D Committee Meeting.
2008-1226 Mills (KMT)*	Amamoor Street, Amamoor	Accommodation Premises (15 Cabins & 50 Room Backpacker Accommodation Building)	RFI extended till 27/05/10. Awaiting applicant's response.
2008-1316 Southside Family Village (KMT)*f	5 Rose Road, Southside	Combined MCU & Reconfig - Multi-Residential (Community Village comprising 15 Units and Managers Residence) & 3 Standard Format Lots & 6 Building Format Lots in a Community Titles Scheme)	DMS. Report to P&D Committee Meeting.
2008-0699 Niduts Investment Trust (TMS)	54 Crescent Road, Gympie	Display Yard	Concurrence Agency DMR response received 14/10/08. On hold applicant negotiating with DMR.

File Number & Applicant	Location	Nature of Application	Status
2008-1009 Anderleigh Sandstone & Slate (KMT)	270 Sorensen Road, Gunalda	Environmentally Relevant Activity (ERA #20 (a) – Extracting Rock or Other Material not more than 5000t a Year)	AL sent 01/10/08. RFI due. Related file 2008-1811
2008-1179 Brisbane Congregation Jehovah's Witnesses (KMT)	5 Atlantis Avenue, Cooloola Cove	Community Services (Church)	DMS. Report to P&D Committee Meeting.
2008-1346 Rizzato (KMT)*	37 Nash Street, Gympie	Commercial Premises (Professional Offices)	RFI sent 18/02/09. Awaiting applicant's response. Advice Agency EPA response received 10/12/08.
2008-1345 Stirling (KMT)*	67 Channon Street, Gympie	Commercial Premises (Health Care Clinic)	DMS. Report to P&D Committee Meeting. Application on hold pending amended layout 09/12/09.
2008-1574 Gerhardt (KMT)*	15 Stanley Street, Gympie	Commercial Premises	Letter sent 20/08/09. Application held in abeyance pending further advice.
2008-1835 Buckley (TMS)**	37 Stockden Road, The Palms	Shop (Wine Tastings and Sales)	Amended AN sent 08/07/09. Concurrence Agency DNRW response received 01/09/09. Advice Agency EPA.
2008-1759 Widgee Welding Works (KMT)	25 Tooth Drive, Widgee	ERA #24 (Motor Vehicle Workshop in Existing Building)	DMS. DN due.
2008-1811 Massimo Designs T/A Anderleigh Sandstone & Slate (KMT)	270 Sorensen Road, Gunalda	ERA #22 (a) Screening ect, materials more than 50t but less than 5,000t a year	AL sent 23/12/08. RFI due. Related file 2008-1009
2008-1962 Rainbow Beach Sports Recreation & Memorial Club Ins (MKM)	Cnr Double Island Drive & Rainbow Beach Road & Green Valley Drive, Rainbow Beach	Food or Entertainment Venue – Outdoor Aquatic Facility	Part response to RFI received 08/12/09. Amended AN sent 24/12/09. Concurrence Agency DTMR.
2009-0267 Kickbusch (KMT)**	246 McIntosh Creek Road, Jones Hill	Display Yard (Nursery & Landscape Supply Centre)	Reported to P&D Committee Meeting 03/02/10.
2009-0416 Okara Pty Ltd (SFC)	243 Harvey Road, Lower Wonga	Caretakers Residence	RFI sent 18/05/09. Awaiting applicant's response.
2009-0494 Calvert (KMT)*	124 Brisbane Road, Monkland	Shop (Beauty and Wellbeing Centre and Manufacture of Beauty Products)	Letter sent 11/12/09. Application held in abeyance pending further advice.
2009-0586 Scooter Group (TMS)	281 Brisbane road Monkland	Showroom	DMS. DN to be issued under delegation. Amended proposal plans received 04/02/10.

File Number & Applicant	Location	Nature of Application	Status
2009-0663 Masondale Pty Ltd (MKM)**	Ascot Road & Tin Can Bay Road, Victory Heights	General Industry (Transport Depot & Mechanical Repairs Workshop) & ERA #21 Motor Vehicle Workshop)	RFI sent 14/07/09. Awaiting applicant's response. Concurrence Agencies DMR response received 03/08/09 & EPA.
2009-0893 The Clayton Family Superannuation Fund (KMT)	Chapple Street, Gympie	Display Yard (Construction Equipment for Sale, Hire and Lease)	DMS. Report to P&D Committee Meeting.
2009-1065 Chasdale Pty Ltd & Dryant Pty Ltd (TMS)	2618 Bruce Highway, Gunalda	Service Station & Commercial Facilities and ERA# 8 (3) (a) Chemical Storage & ERA# 63 (2) (b) Sewage Treatment	RFI sent 08/09/09. Awaiting applicant's response. Concurrence Agencies DERM Ecoaccess rfi issued 10/09/09, DERM CLU, DTMR rfi issued 02/09/09.
2009-1030 Hoskin & Associates (SAC)	52 Violet Street, Gympie	Low Impact Industry (Exploration Mining Office & Laboratory)	RFI sent 15/09/09. Awaiting applicant's response. Concurrence Agency DTMR response received 17/12/09.
2009-1098 Kainos Enterprises Pty Ltd atf F Baker Family Trust t/a Pine-Tech Australia (TMS)	23 Drummond Drive, Glanmire	Environmentally Relevant Activity ERA# 48 Wooden & Laminated Product Manufacturing (Threshold 1)	Amended AN & RFI sent 07/09/09. Awaiting applicant's response.
2009-1149 Schneider (PKM)	19 Skyline Terrace, Gympie	Multi-Residential (Duplex)	RFI sent 10/09/09. Awaiting applicant's response.
2009-1219 Kettleton (KMF)	267 Repeater Station Road, Kanigan	Cattery or Kennel (Dog Breeding Kennel)	RFI sent 21/09/09. Awaiting applicant's response. Part response received 29/09/09.
2009-1241 Green (TMS)	88 Mellor Street, Gympie	Environmentally Relevant Activity ERA #8 Chemical Storage (3) (a)	RFI sent 01/10/09. Awaiting applicant's response.
2009-1264 Moore (SAC)	9A Duggan Road, The Palms	Home Business	AN sent 14/09/09. RFI due. Concurrence Agency DTMR. Letter sent 14/09/09 awaiting applicant's response.
2009-1312 SSJ Bay Developments Pty Ltd (TMS)	20 Nautilus Drive, Cooloola Cove	Eight (8) Dwelling Units	DMS. Report to P&D Committee Meeting.
2009-1364 Andreassen (SFC)	1 Old Wolvi Road, Victory Heights	Homes Business (Hair Salon)	DMS. DN due.
2009-1397 Supa Coat Australia P/L (KMT)	9 Fritz Road, Chatsworth	General Industry (Timber Drying) & Reconfiguring a Lot – Subdivision to Create One (1) Additional Lot	DMS. Report to P&D Committee Meeting.

File Number & Applicant	Location	Nature of Application	Status
2009-1393 Aspire Housing Group (KMT)	9 Alma Street & 24 Caledonian Hill, Gympie	Multi-Residential (NRAS Affordable Housing Project – 12 Dwelling Units) & Reconfiguring a Lot (Boundary Realignment)	DMS. Report to P&D Committee Meeting.
2009-1230 Endiway Pty Ltd (KMT)	5 Hall Road & Bruce Highway, Glanmire	Multi-Residential (59 Dwelling Units) & Reconfiguring a Lot Subdivision to Create 59 Lots in a Community Titles Scheme, Subdivision to Create one (1) Additional Lot and Access Easement	AN sent 07/10/09. RFI due. Concurrence Agency DTMR response received 04/02/10. Application on hold pending applicant's advice.
2009-1467 Trustees of the Christian Bros (Qld) T/A Edmund Rice Education Services (KMT)	Everson Road, Gympie	Education or Health Premises (Flexible Learning Centre)	Amended AN sent 02/11/09. RFI due. Concurrence Agencies DTMR (Gympie) & DTMR (Brisbane) response received 18/11/09. Letter sent 12/01/10 application held in abeyance.
2009-1580 Energen Limited (MKM)	Buchanan Road, Ross Creek	Public Utility (Rural Reliability Substation)	DMS. DN due.
2009-1601 M & M Developments (KMT)	22 Nash Street, Gympie	Commercial Premises (Additions to Professional Offices)	AL sent 27/10/09. RFI due. Third Party Advice – Heritage Sub- Committee.
2009-1626 Ramsey (SFC)	34 Exhibition Road, Southside	Commercial Premises (Professional Offices)	DMS. Report to P&D Committee Meeting.
2009-1653 Rowlands (SFC)	7 Channon Street, Gympie	Commercial Premises (Professional Office)	DMS. DN due.
2009-1667 Fah (PKM)	340 Mooloo Road, Mooloo	Multi-Residential (Second Dwelling for Relative/Carer)	RFI sent 13/11/09. Awaiting applicant's response. Amended AN sent 17/12/09. Advice Agency DERM Ecoaccess.
2009-1705 Coolum Design Architects (TMS)**	Pronger Parade, Glanmire	Showroom & General Industry & Operational Work – Carparking Driveways and Crossovers, Landscaping, Stormwater and Realignment of existing Water & Sewerage Infrastructure	Part response to RFI received 07/10/09. Concurrence Agency DTMR advise further information required 18/12/09.

File Number & Applicant	Location	Nature of Application	Status
2009-1648 Reyloh (KMT)	17,19,21, & 23 Oak Street and 22 Chatsworth Road, Gympie	Accommodation Premises (84 Motel Units and Caretaker's Residence) and Food or Entertainment Venue (Restaurant and Function Room)	Amended AN sent 11/12/09. RFI due. Concurrence Agency DTMR.
2009-1759 Williamson (SFC)	6 Chapple Lane, Gympie	General Industry (Gift Shop with on- site Manufacturing)	RFI sent 03/12/09. Awaiting applicant's response.
2009-1599 Fineline Residential Design (PKM)	409 North Deep Creek, North Deep Creek	Multi-Residential (Caretaker's Residence)	RFI response received 14/12/09. Concurrence Agency DERM (Vegetation Management).
2009-1875 Gympie Cooloola Pet Resort (MKM)	37 Woondum Road, Kybong	Cattery or Kennel & Community or Open Space (Additional Kennels, Expansion of Exercise Area & Pet Cemetery)	RFI sent 15/12/09. Awaiting applicant's response. Concurrence Agencies DTMR response received 24/01/10 & DERM response received 18/12/09. Advice Agency Powerlink response received 18/12/09.
2009-1994 Ostwald (SAC)	12 Pinta Court, Cooloola Cove	Multi-Residential (Relatives Dwelling)	DMS. DN due.
2009-1815 Dinterra Pty Ltd (MKM)	5 Wadell Road, Gympie	Warehouse (Addition of New Storage Shed)	RFI sent 21/01/10. Awaiting applicant's response. Concurrence Agency DTMR.
2009-2088 Fraser (SAC)	Edwards Road, Woolooga	Dwelling House	DMS. DN due
2009-2130 CJ Black Medical Pty Ltd aft CJ Black Investment Trust (SFC)	63 King Street, Gympie	Combined – MCU - Multi-Residential Six (6) Units & Reconfiguring a Lot - Subdivision to Create One (1) Additional Lot	AL sent 15/01/10. RFI due.
2009-2117 Camech (SFC)	27A Station Road, Gympie	General Industry (Extension of Existing Cabinet Makers Workshop & Storage Area)	DMS. DN due.
2009-2119 Tozer Properties Pty Ltd aft The Jonkeljim Trust (TMS)	53 Tozer Street & 6 Andrew Street, Gympie	Combined MCU - Multi-Residential (160 Unit Retirement Village) & Reconfiguring a Lot (Boundary Realignment)	AN sent 15/01/10. RFI due. Concurrence Agencies DTMR & DERM.
2009-2103 Tompkins (SAC)	96 Mellor Street, Gympie	Combined MCU Shop (Retail) & RAL – Subdivision to Create One (1) Additional Lot	AL sent 20/01/10. RFI due.

File Number & Applicant	Location	Nature of Application	Status
2009-2121 Campbell (MKM)	53 Violet Street, Gympie	Display Yard (Extension to existing Landscape Supplies Centre)	AN sent 21/01/10. RFI due. Concurrence Agency DTMR.
2009-2118 Allan (SAC)	22 Aquitania Court, Cooloola Cove	Multi-Residential (3rd Dwelling Unit)	DMS. Report to P&D Committee Meeting.
2009-2131 PE Allan AFT Allan Trust & GB Crick AFT Crick Family Trust (KMT)	35 Oak Street, Gympie	Display Yard (Secure Vehicle Storage Yard)	AI sent 02/02/10. RFI due.
2009-1997 Wilson (SAC)	95 Forest Ridge Drive, Tamaree	Multi-Residential (Second Dwelling for Relatives)	RFI sent 02/02/10. Awaiting applicant's response.
2009-2139 Gerhardt (KMF)	Hall Lane, Gympie	Dwelling House	RFI not required. Concurrence Agency DTMR.
RECONFIGURING A LOT – IMPACT ASSESSMENT			
2008-1098 Allen-Co Holdings Pty Ltd (KMT)	2110 Gympie Woolooga Road, Widgee	Subdivision to Create 67 Lots in Two (2) Stages	RFI sent 11/11/09. Awaiting applicant's response. Concurrence Agencies DTMR & DERM response received 22/12/09.
2009-0826 Zinlamb Pty Ltd As Trustee (MKM)	Hawkins Road, Widgee	Subdivision to Create Twenty Six (26) Lots in Three (3) Stages	DMS. Report to P&D Committee Meeting. (2) Submissions.
2009-1053 Dwyer & Ludwig (SFC)	117 Barrett Road, Widgee	Subdivision to Create Two (2) Additional Lots	DMS. Report to P&D Committee Meeting.
RECONFIGURING A LOT			
DA03663 Andreassen (TMS)	Ballard Road, Imbil	Development Permit – Stage 6 (3 Lots) and Stage 7 (18 and Balance)	DMS. Report to P&D Committee Meeting
DA14342 Christensen (MKM)	16-18 Glastonbury Road, Southside	Subdivision to Create One (1) Additional Lot	DMS. Report to P&D Committee Meeting.
DA15669 Andreassen (TMS)	153 Ballard Road & Michelle Court, Imbil	Subdivision to Create 16 Additional Lots	Reported to P&D Committee Meeting 03/06/09. Amended plan received 29/06/09. Awaiting Concurrence Agency's response following applicant's representations.
DA16327 Sutherland & Rush (MKM)	134 & 136 Greentrees Road, Pie Creek	Subdivision to Create Seven (7) Additional Lots	DMS. Report to P&D Committee Meeting.
DA16722 Brady (TMS)	Mackenzie Road, Tamaree	Boundary Alteration	DMS. DN due.
DA17419 Bairnsdeen Pty Ltd (TMS)	36 Diggings Road, Imbil	Subdivision to Create 17 Additional Lots	DMS. Report to P&D Committee Meeting.
DA17588 Echochamp Pty Ltd (TMS)	44-45 Esplanade, Tin Can Bay	Subdivision to Create Three (3) additional Lots	DMS. Report to P&D Committee Meeting.

File Number & Applicant	Location	Nature of Application	Status
DA17847 Ryan (TMS)	410 Old Maryborough Rd, Araluen	Subdivision to Create Four (4) Additional Lots	Letter sent 16/12/08. Awaiting applicant's response.
DA17953 Taylor (TMS)	256 Amamoor Dagon Road, Amamoor	Subdivision to Create Two (2) Additional Lots	DMS. Report to P&D Committee Meeting.
SD495 Allen (KMT)	2110 Gympie-Woolooga Rd Widgee	Subdivision to Create Seven (7) additional Lots (Stage 2)	RFI sent 11/11/09. Awaiting applicant's response. Concurrence Agency DTMR response received 23/11/09.
SD518 Hawkins (KMT)	193 Power Rd Widgee	Boundary Realignment	Reported to P&D Committee Meeting 03/06/09. Letter sent 15/06/09 on hold pending amended plans.
2008-0076 Carmichael (KMT)	225 Allen Rd, Chatsworth	Subdivision to Create One (1) Additional Lot	DMS. DN due.
2008-0650 Hutchinson (SFC)	93 Grecian Bends Road, Greens Creek	Subdivision to Create Three (3) Additional Lots	DMS. Report to P&D Committee Meeting. <i>Refer to Item 3/1 in Today's Agenda.</i>
2008-0771 Duff (KMT)*	56 Purcell Road, Bells Bridge	Subdivision to Create 30 Additional Lots	RFI response due 20/05/10. DMR response received 28/08/08.
SD532 Hendry (MKM)	75 Barrett Road, Widgee	Subdivision to Create Ten (10) Additional Lots	DMS. Report to P&D Committee Meeting.
2008-1074 JKM Projects Pty Ltd (KMT)	196 Old Maryborough Road, & 43 Hamilton Road, Gympie	Boundary Alteration	DMS. DN due.
2008-1086 Ellis (SFC)	McIntosh Creek Road, McIntosh Creek	Boundary Alteration	DMS. DN due. Awaiting Concurrence Agency EPA response.
2008-1187 Gympie Regional Council (MKM)	Scullett Drive, Tin Can Bay	Subdivision to Create 14 Additional Industrial Lots	Response to RFI received 24/06/09. Referral Agency DMR rfi sent 23/03/09. Advice Agency Energex response received 20/03/09.
2008-1519 Los (MKM)	Chitticks Road, Greens Creek	Boundary Alteration	DMS. Report to P&D Committee Meeting.
2008-1620 Mackellar (SAC)	580 & 628 Traveston Road, Traveston	Boundary Alteration	RFI sent 05/03/09. Awaiting applicant's response. Concurrence Agency Qld Transport. Advice Agency EPA.
2008-1641 Alcock (MKM)	746 East Deep Creek Road, Cedar Pocket	Subdivision to Create Two (2) Additional Lots in Two (2) Stages & Access Easement	RFI sent 19/03/09. Awaiting applicant's response.
2008-1775 Thorpe (KMT)	Craft Road, Veteran	Subdivision to Create One (1) Additional Lot & Access Easement	DMS. Report to P&D Committee Meeting.

File Number & Applicant	Location	Nature of Application	Status
2008-1718 Yaroomba Pty Ltd (MKM)	Hoopers Road, Curra	Subdivision to Create 14 Additional Lots	Letter sent 11/12/09 requesting amended proposal plans.
2008-1873 Scott (PKM)	440 Jimbour Road, The Palms	Subdivision to Create One (1) Additional Lot	RFI sent 18/02/09. Awaiting applicant's response.
2009-0079 Curtis (SAC)	79 Glenbar Road, The Palms	Subdivision to Create One (1) Additional Lot	RFI sent 10/06/09. Awaiting applicant's response. Concurrence Agency DNRW rfi issued 16/03/09. Advice Agency EPA.
2009-0213 Eleventh Trail Pty Ltd (KMF)	Rifle Range Road & Spring Road, Gympie	Subdivision & Boundary Realignment to Create Four (4) New Lots from Three (3) Existing Lots	RFI sent 18/06/09. Awaiting applicant's response.
2009-0259 Burke (KMT)**	590 Noosa Road, Mothar Mountain	Subdivision to Create Seven (7) Additional Lots	RFI sent 13/05/09. Awaiting applicant's response. Concurrence Agency DNRW response received 05/06/09. Advice Agencies: EPA response received 13/05/09. Energex response received 03/07/09.
2009-0272 Ten-Dyke (KMF)	219 Webb Road, Blacksnake	Subdivision to Create One (1) Additional Lot	DMS. Report to P&D Committee Meeting.
2009-0343 Margetts (MKM)	Evelyn Road & Watson Road, Southside	Subdivision to Create 13 Additional Lots	Reported to P&D Committee Meeting 03/02/10.
2009-0308 Went (MKM)	41 Trout Road, The Dawn	Subdivision to Create Two (2) Additional Lots	DMS. Report to P&D Committee Meeting.
2009-0345 NFM Developments Pty Ltd & PBC Developments (Qld) Pty Ltd (KMT)	42 Ballard Road, Imbil	Subdivision to Create 109 Additional Lots	RFI response received 25/11/10. Concurrence Agency Qld T'port advise rfi sent 22/05/09.
2009-0607 Gresham (KMF)	Fullerton Road, Kybong	Subdivision to Create Two (2) Lots from Two (2) Existing Titles in a Community Titles Scheme	Reported to P&D Committee Meeting 03/02/10.
2009-0696 O'Sullivan (sfc)	16 Van Doren Road, Southside	Subdivision to Create One (1) Additional Lot	Letter sent 04/02/10. On hold pending applicants response.
2009-0764 Smith (SAC)	31 Parkland Drive, Chatsworth	Subdivision to Create Two (2) Additional Lots & Access Easements	DMS. Report to P&D Committee Meeting.
2009-0747 Spunchrome Pty Ltd (KMT)	765 Kandanga Imbil Road, Imbil	Subdivision to Create 72 Additional Lots	Reported to P&D Committee Meeting 03/02/10.

File Number & Applicant	Location	Nature of Application	Status
2009-0780 Eleventh Trail Pty Ltd (SAC)	Lillis Road, Gympie	Reconfiguring a Lot - Subdivision to Create Two (2) Lots from Two (2) Existing Titles	RFI sent 10/08/09. Awaiting applicant's response.
2009-0833 Alford (KMT)	McIntosh Creek, Jones Hill	Subdivision to Create 14 Additional Lots	RFI sent 23/07/09. Awaiting applicant's response.
2009-0838 Mitchell (SFC)	76 Cliff Jones Road, Curra	Subdivision to Create Two (2) Additional Lots	RFI sent 30/07/09. Awaiting applicant's response.
2009-0890 Raymont (SAC)	Tandur Traveston Road, Traveston	Subdivision to Create Two (2) Lots from Two (2) Existing Titles	DMS. DN due. Amended proposal plan received 24/12/09.
2009-0998 Hess (TMS)	Briere Road, The Palms	Subdivision to Create One (1) Additional Lot	RFI sent 02/09/09. Awaiting applicant's response. Concurrence Agency DERM advise application not properly made 15/09/09. Advice Agency Powerlink response received 10/09/09.
2009-1102 Kerridge (KMF)	101 Yabba Creek Road, Imbil	Subdivision to Create (1) Additional Lot	DMS. Report to P&D Committee Meeting.
2009-1266 Atholwood (SFC)	83 Tompkins Road, Veteran	Subdivision to Create One (1) Additional Lot	RFI sent 06/10/09. Awaiting applicant's response.
2009-1355 Brady (SAC)	30 Megan Road, Southside	Subdivision to Create Two (2) Additional Lots	DMS. DN due.
2009-1395 Moloney (KMF)	46-47 Esplanade, Tin Can Bay	Subdivision to Create One (1) Additional Lot	DMS. DN due.
2009-1388 Kolbe (MKM)	75 Spring Road, Victory Heights	Subdivision to Create Twenty (20) Additional Lots in Two (2) Stages	DMS. Report to P&D Committee Meeting.
2009-1482 Decker (MKM)	Exhibition Road, Southside	Subdivision to Create One (1) Additional Lot	DMS. DN due.
2009-1504 Dowling (TMS)	415-433 Anderleigh Road, Gunalda	Subdivision to Create One (1) Additional Lot	Reported to P&D Committee Meeting 20/01/10.
2009-1572 Milne (SAC)	63 Groundwater Road, Southside	Subdivision to Create Nine (9) Additional Lots in Two (2) Stages	RFI sent 21/01/10. Awaiting applicant's response.
2009-1487 Cochrane (MKM)	Griffin Road, Victory Heights	Subdivision to Create (22) Additional Lots	RFI sent 05/11/09. Awaiting applicant's response.
2009-1502 Eastgate (MKM)	14 Sunset Court, Southside	Subdivision to Create One (1) Additional Lot	DMS. DN due.

File Number & Applicant	Location	Nature of Application	Status
2009-1665 Allen Co Holdings (SAC)	24 Cole Road, Widgee	Subdivision to Create Eight (8) Additional Lots in Two (2) Stages	RFI sent 27/01/10. Awaiting applicant's response. Advice Agency DTMR response received 15/01/10.
2009-1729 Phillips (SFC)	22 City View Drive, The Dawn	Subdivision to Create Two (2) Additional Lots	DMS. DN due.
2009-1773 O'Donnell (SAC)	8 Roma Street, Monkland	Subdivision to Create Two (2) Standard Format Lots in a Community Titles Scheme	AN sent 13/11/09. RFI due. Concurrence Agency DTMR.
2009-1611 Allomes (SAC)	Bauple Woolooga Road, Munna Creek & Bauple Woolooga Road, Miva	Boundary Realignment	RFI response received 14/12/09. Concurrence Agencies DTMR & Ergon.
2009-1717 Hood (KMF)	885 Glastonbury Road, Glastonbury	Subdivision to Create Four (4) Additional Lots	RFI response received 27/01/10. Concurrence Agencies DTMR rfi issued 26/11/09 & DERM. Advice Agencies Energex response received 03/12/09 & DERM.
2009-1851 Atholwood (SFC)	169 Old Maryborough Road & 25 Fisher Road, Gympie	Boundary Realignment	DMS. Report to P&D Committee Meeting.
2009-1777 Penn (SFC)	514 North Deep Creek Road, North Deep Creek	Subdivision to Create Two (2) Lots from Two (2) Existing Lots	DMS. DN due.
2009-1866 Broadley (SFC)	107 Robert Road, Chatsworth	Subdivision to Create One (1) Additional Lot	RFI sent 03/12/09. Awaiting applicant's response.
2009-1862 Clifford (TMS)**	Running Creek Road, Kilkivan	Subdivision to Create One (1) Additional Lot	DMS. DN due.
2009-1887 Cullinane (SFC)	Gate Road & West Break Road, Canina	Subdivision to Create Three (3) Lots from Three (3) Existing Lots	AN sent 27/11/09. RFI not required. Concurrence Agency DERM.
2009-1902 Bay Survey Consultants c/- Greenco Dev P/L (MKM)	Ranson Road, Gympie	Subdivision to Create Twenty-Eight (28) Additional Lots	AN sent 02/12/09. RFI due. Concurrence Agency DERM Contaminated Land Unit response received 22/01/10.
2009-1835 Butler (TMS)**	Murgon Gayndah Road, Winderah	Subdivision to Two (2) Existing Lots to Create Two (2) New Lots	RFI sent 11/12/09. Awaiting applicant's response.
2009-1916 McLeod (MKM)	110 Long Road, Pie Creek	Subdivision to Create One (1) Additional Lot	RFI not required. Concurrence Agency DERM.

File Number & Applicant	Location	Nature of Application	Status
2009-1922 Decker (MKM)	Exhibition Road, & 18 & 17 Decker Place, Southside	Subdivision to Create Two (2) Lots from Two (2) Existing Titles	AN sent 10/12/09. RFI due. Concurrence Agency DTMR response received 08/02/10.
2009-1566 Atkins (MKM)	123 Tin Can Bay Road, Tin Can Bay	Subdivision to Create One (1) Additional Lot	Part RFI response received 22/12/09. Concurrence Agency DTMR response received 08/02/10.
2009-1982 Thrupp (SAC)	35 Birdwood Drive, Gunalda	Subdivision to Create One (1) Additional Lot	RFI sent 24/12/09. Awaiting applicant's response.
2009-1978 McKenna (SFC)	49 North Deep Creek Road, North Deep Creek	Subdivision to Create One (1) Additional Lot	RFI sent 23/12/09. Part response received 01/02/10.
2009-1991 Beattie (SFC)	Sunshine Road, Wolvi	Subdivision to Create Two (2) New Lots from Two (2) Existing Titles	AN sent 23/12/09. Advice Agency DERM Ecoaccess.
2009-2022 Hobbs (SFC)	25 Janke Road, Widgee	Subdivision to Create One (1) Additional Lot	RFI sent 22/01/10. Awaiting applicant's response.
2009-2037 John Dbais (KMF)	77 Ces Rivers Road, Tamaree	Subdivision to Create One (1) Additional Lot & Access Easement	RFI Not required. Concurrence Agency DERM. Advice Agency DERM.
2009-2082 Blom (MKM)	82 Osborne Road, Wallu	Subdivision to Create Four (4) Additional Lots & Access Easement	RFI sent 28/01/10. Awaiting applicant's response. Advice Agency DERM.
2009-2051 Baunach (SFC)	102 Rodney Road, Curra	Subdivision to Create One (1) Additional Lot	DMS. DN Due.
2009-2072 Koutek (SFC)	152 Scrubby Creek Road, Scrubby Creek	Subdivision to Create One (1) Additional Lot	RFI sent 21/01/10. Awaiting applicant's response. Concurrence Agency DERM (Vegetation Management Act).
2009-2078 Casys Pty Ltd ATF J&J Delgos Family Trust & Moorakyne Pty Ltd ATF Crooks Family Trust (KMF)	183 Old Veteran Road, Veteran	Subdivision to Create Five (5) Additional Lots & Access Easement in Two (2) Stages	DMS. Report to P&D Committee Meeting.
2009-2002 O'Leary & Pearman (SAC)	Glastonbury Road, The Palms	Subdivision to Create Twenty Four (24) Additional Lots	AN sent 11/01/10. RFI due. Concurrence Agency DTMR & DERM. Advice Agency DERM.
2009-2089 Lindsay (KMT)	Power Road, Southside	Subdivision to Create One (1) Additional Lot	DMS. DN due.
2009-2055 Bunce (SAC)	Spiller Road, Moy Pocket	Subdivision to Create Two (2) New Lots from Two (2) Existing Lots	DMS. DN due.

File Number & Applicant	Location	Nature of Application	Status
2009-2099 Truebay Pty Ltd (TMS)	99 McIntosh Creek Road & Apha Road, Jones Hill	Boundary Realignment & Subdivision to Create 12 Additional Lots	AN sent 15/01/10. RFI due.
2010-0038 O'Meara (SFC)	3 Baroona Court, Tamaree	Subdivision to Create Two (2) Additional Lots	RFI sent 05/02/10. Awaiting applicant's response. Concurrence Agency DERM.
2009-2111 Toon (MKM)	155 Taylor Road, Veteran	Subdivision to Create Six(6) Additional Lots in Three (3) Stages	Letter sent 21/01/10. RFI due.
2009-2120 AMRH Pty Ltd (KMT)	Howe Road, Tandur Traveston Road & Traveston Road, Traveston	Boundary Realignment & Subdivision to Create Six (6) New Lots from Six (6) Existing Lots	AN sent 09/02/10. RFI due. Concurrence Agency DERM (VMA). Advice Agency DERM (Wetlands).
OPERATIONAL WORK (Including Combined Building/Plumbing and Operational Work)			
DA13337 Wagner (SFC)	391 Bruce Highway North, Two Mile	Earthworks	Preliminary response to RFI received 07/08/09.
DA13568 Crampton (TMS)	10 Mitchell Street, Tin Can Bay	Op Works – Site Works, Driveway Access, Carparking & Landscaping	RFI sent 10/08/06. Part information received. Still awaiting extra information. Hydraulics received.
DA15807 Sawrey (TMS)	128 Emperor Street, Tin Can Bay	COMBINED Building Work (Class 2-9) & Boundary Relaxation, Plumbing (7 fixtures) & Operational Works	Further RFI sent 28/05/07 re building over sewer.
DA15865 Zerner (MKM)	8 Wadell Road, Two Mile	Driveways, Stormwater Drainage, Retaining Wall, Carparking & Earthworks)	DMS. DN due.
DA18232 Howard (KMT)	Rifle Range Rd, Gympie,	Civil Works for Residential Subdivision (Stage 3)	DMS. DN due.
2008-0190 Keeldale Pty Ltd (TMS)	Eel Creek Rd, Pie Creek	Roadworks & Associated Civil Works for Rural Residential Subdivision (Stages 2 and 3)	DMS. DN due.
2008-0273 Gympie Residential Golf Pty Ltd (SAC)	25 Corella Road, Gympie	Civil Works for Stages 3 & 4 of Approved Multi-Residential Development	DMS. DN due. Stage 3 DN issued 26/11/08. Awaiting Stage 4 information.

File Number & Applicant	Location	Nature of Application	Status
2008-1430 Cozen Regan Williams Prove Pty Ltd (TMS)	Cootharaba Road, Gympie	Roadworks, Stormwater Drainage, Water and Sewerage Infrastructure, Earthworks, Electrical Supply/Street Lighting and Landscaping for Approved Residential Subdivision	DMS. DN due. Revised drawings received 10/12/09.
2008-1400 Millers (TMS)	2 Tucker Street & 20 Chapple Street, Gympie	Roadworks, Stormwater, Landscaping & Earthworks	DMS. DN due. Additional information requested 21/10/10. Awaiting applicant's response.
2008-1682 Lohage (KMT)	Ian Drive, Curra	Dam	RFI sent 10/12/08. Awaiting applicant's response.
2008-1861 Akers (MKM)	40 Bath Terrace, Gympie	Roadworks, Driveway & Retaining Walls	DMS. DN due.
2009-0258 Ken Hudson & Assoc (MKM)	20 Inglewood Road, Monkland	Access Driveway, Inter-allotment Drainage, Water & sewerage Reticulation for Approved Subdivision	DMS. DN due.
2009-0297 Niduts Investment Trust (KMF)	Power Road, Widgee	Roadworks	RFI sent 18/06/09. Awaiting applicant's response.
2009-0781 I & L Lobegeier Superannuation Fund (TMS)	123 Groundwater Road, Southside	Stormwater, Roadworks, Earthworks, Water Infrastructure, Drainage Works and Sewerage Infrastructure for Approved Residential Subdivision	DMS. DN due. Amended layout received 16/12/09.
2009-0796 Roman Catholic Archdiocese of Brisbane (TMS)	20 Bligh Street, Gympie	Roadworks for approved Multi- Purpose Centre	DMS. DN due.
2009-0970 Ken Hudson & Associates (SAC)	449 Eel Creek Road, Pie Creek	Civil Works for Approved Subdivision	Request for further information sent 02/02/10.
2009-1112 Kimlin Building Pty Ltd (MKM)	4 Chapple Street, Gympie	Access Construction	Request for further information sent 08/01/10.

File Number & Applicant	Location	Nature of Application	Status
2009-1239 Rainbow Shores Pty Ltd (TMS)	Wyvern Road, Rainbow Beach	Landscaping	DMS. DN due.
2009-1254 Medialoco Pty Ltd (KMT)	13 Alfred Street, Gympie	Stormwater, Carparking, Siteworks, Access Driveway & Retaining Wall	DMS. DN due.
2009-1438 Opus Qantec McWilliam (TMS)	Old Imbil Road, Monkland	Roadworks, Stormwater Drainage, Water and Sewerage Infrastructure	RFI due. Awaiting applicant's response.
2009-1391 Pagerose Pty Ltd (KMT)	Curra Estate Road, Curra	Roadworks, Stormwater & Earthworks for Approved Subdivision Stage 1	RFI sent 11/11/09. Awaiting applicant's response.
2009-1606 Huba Immobilien Australia Pty Ltd	Kimberley Court, Southside	Roadworks	RFI sent 08/12/09. Awaiting applicant's response.
2009-1631 Opus Qantec McWilliam	56 Clematis Street, Gympie	Roadworks	RFI sent 16/11/09. Awaiting applicant's response.
2009-1564 Opus Qantec McWilliam (SAC)	7-9 & Heritage Lane, Southside	Roadworks for Approved Subdivision	RFI sent 11/12/09. Awaiting applicant's response.
2009-1630 Gympie Horse & Rodeo Assoc Inc (KMF)	Brewery Road, Gympie	Earthworks (Filling)	RFI sent 23/12/09. Awaiting applicant's response. Concurrence Agency DTMR response received 22/01/10.
2009-1663 Sheehy & Partners (TMS)	Queen Elizabeth Drive, Cooloola Cove	Roadworks, Water Infrastructure, Sewerage Infrastructure, Earthworks for Residential Subdivision Stage 3	RFI sent 22/12/09. Awaiting applicant's response.
2009-1639 Ken Hudson & Associates (SFC)	Buranda Road, Widgee Crossing South	Roadworks	DMS. DN due.
2009-1720 Opus Qantec McWilliam (MKM)	67 Groundwater Road, Southside	Roadworks for Approved Residential Subdivision	AL sent 11/11/09. RFI due.
2009-1771 AHC Limited (TMS)	1-5 Woolgar Road, Southside	Roadworks & Stormwater for Approved Subdivision	DMS. DN due.
2009-1834 Morrison (TMS)	47 Irvine Road, Chatsworth	Roadworks & Stormwater for Approved Subdivision	RFI sent 23/12/09. Awaiting applicant's response.

File Number & Applicant	Location	Nature of Application	Status
2009-1976 Silich (MKM)	37 & 39 Musgrave Street, Gympie	Stormwater, Drainage Works, Earthworks & Landscaping for approved Multi-Residential Development	AL sent 24/12/09. RFI due.
2009-2019 Pegasus Biz Pty Ltd (TMS)	Wisteria Lane, Southside	Roadworks, Stormwater, Earthworks, Landscaping, Drainage Works, & Water & Sewerage Infrastructure (Stage 3 of Approved Residential Subdivision)	AL sent 23/12/09. RFI due.
2009-2058 Pagerose Pty Ltd (KMT)	Hoopers Road, Curra	Roadworks, Stormwater & Earthworks	AL sent 08/01/10. RFI due.
2009-2039 Opus Qantec McWilliam (TMS)	Klotz Road, Kimlin Lane, Muller Road, & Dagon Road, Dagon	Roadworks	AL sent 08/01/10. RFI due.
2009-2060 Opus Qantec McWilliam (SFC)	Hyland Road, East Deep Creek	Roadworks & associated Drainage for Approved Subdivision	AL sent 08/01/10. RFI due.
2009-2079 Jakeman (KMF)	12 Somerset Street, Gympie	Sewerage Infrastructure	RFI sent 05/02/10. Awaiting applicant's response.
2009-2104 Tompkins (SAC)	124 Corella Road, Gympie	Roadworks, Stormwater, Earthworks, Water & Sewerage Infrastructure for Approved Subdivision	AL sent 15/01/10. RFI due.
OPERATIONAL WORK – ADVERTISING DEVICES			
SIGNS TO BE ASSESSED UNDER LOCAL LAW			
BUILDING WORK ASSESSABLE AGAINST THE PLANNING SCHEME			
2008-1904 Lawless (TMS)	Boobyjan Road, Boobyjan	(Additions to Building on a Cultural Heritage Site)	DMS. DN due. Assessed (State Act) refer 2009-0353 Building Application
2009-1346 Avenues Lifestyle Support Assoc Inc (MKM)	37 Red Hill Road, Gympie	(Heritage and Character Overlay) Removal of Dwelling House	DMS. Report to P&D Committee Meeting. Three (3) submissions.

File Number & Applicant	Location	Nature of Application	Status
2009-1339 Goomeri Homes & Renovations (PKM)	MacTaggart Street, Goomeri	(Urban Locality Code) Domestic Outbuilding	RFI sent 06/10/09. Awaiting applicant's response.
2009-1876 Chilvers (SAC)	6-8 Lady Mary Terrace, Gympie	(Removal of Dwelling in a Character Place)	AL sent 02/12/09. Heritage Advisory Committee response received 15/12/09.
COMPLIANCE ASSESSMENT			

P25/02/10 Moved: Cr D.R. Neilson

Seconded: Cr J.A. Walker

Recommend that the information be noted.

Carried.

Cr G.L. Engeman returned to the meeting at 9.26 a.m.

4/2	Development Applications Approved
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File: DA01500
Applicant: Leis Enterprises Pty Ltd
Site Address: 10 Lawrence Street, Gympie

The proposal is for Material Change of Use – Commercial Premises (Professional Centre) over Lot 2 RP51620.

The Amended Decision Notice was approved on 4 February 2010 and issued on 4 February 2010 subject to conditions from the Assessment Manager.

File: 2009-0196
Applicant: Harwood Family Trust
Site Address: Miva Road, Munna

The proposal is for Reconfiguring a Lot – Subdivision to Create Two (2) Lots from Two (2) Existing Lots over Lot 29 L371271 & Lot 98 L371299.

The Negotiated Decision Notice was approved on 10 February 2010 and issued on 10 February 2010 subject to conditions from the Assessment Manager.

File: 2009-0470
Applicant: CEDMS Pty Ltd as Trustee
Site Address: 12 Tweed Lane, Gympie

The proposal is for Operational Works – Sewer Main Construction, Access Construction, Stormwater Management and Water Main Connection for Approved Subdivision over Lot 1 MPH6072.

The Decision Notice was approved on 4 February 2010 and issued on 4 February 2010 subject to conditions from the Assessment Manager.

File: 2009-1600
Applicant: Shane Templeton
Site Address: 1038 Bruce Highway (South), Kybong

The proposal is for Material Change of Use – Multi-Residential (Managers Residence) over Lot 2 RP825823.

The Decision Notice was approved on 10 February 2010 and issued on 10 February 2010 subject to conditions from the Assessment Manager.

File: 2009-1668
Applicant: Power Road Unit Trust
Site Address: 21 Exhibition Road, Southside

The proposal is for Operational Work (Earthworks) over Lot 6 MPH24053.

The Decision Notice was approved on 4 February 2010 and issued on 4 February 2010 subject to conditions from the Assessment Manager.

File: 2009-1689
Applicant: Callaghan & Toth Consulting Engineers
Site Address: Bruce Highway, Chatsworth

The proposal is for Operational Work - Roadworks for Approved Rural Residential Subdivision over Lots 371, 372 & 374 MCH4667.

The Decision Notice was approved on 29 January 2010 and issued on 29 January 2010 subject to conditions from the Assessment Manager.

File: 2009-1946
Applicant: Freedom Fuels Australia Pty Ltd
Site Address: 31 Scrub Road, Gunalda

The proposal is for Material Change of Use for an Environmentally Relevant Activity - ERA# 8 (1) (c) Chemical Storage – Storing 10m³ to 500m³ of chemicals class C1 or C2 Combustible liquids under AS1940 or dangerous goods class 3 over Lot 3 RP228940.

The Decision Notice was approved on 10 February 2010 and issued on 10 February 2010 subject to conditions from the Assessment Manager.

File: 2009-2026
Applicant: Fosters c/ Signmanager
Site Address: Green Valley Drive, Rainbow Beach

The proposal is for Operational Work (Advertising Device - Two (2) Building Signs) over Lot 1 SP128396.

The Decision Notice was approved on 10 February 2010 and issued on 10 February 2010 subject to conditions from the Assessment Manager.

File: 2009-2090
Applicant: Kevin & Kaye Friske
Site Address: 46 Ces Rivers Road, Tamaree

The proposal is for Reconfiguring a Lot - Subdivision to Create One (1) Additional Lot over Lot 10 RP837945.

The Decision Notice was approved on 5 February 2010 and issued on 5 February 2010 subject to conditions from the Assessment Manager.

5/2	Application for Detached Bottle Shop – Royal Hotel – Kidd Bridge Convenience Centre, 7-9 Monkland Street, Gympie
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Re: **Minute: P28/02/10** Application for Detached Bottle Shop
 From: Office of Liquor and Gaming Regulation
 Location: Kidd Bridge Convenience Centre,
 Site: 7-9 Monkland Street, Gympie
 RPD: Lot 1 MPH6513 and Lot 1 SP211620
 File: 6/4/01/0003
 Date: 2 February, 2010

Letter received from Office of Liquor and Gaming Regulation 2 February 2010

“Please find enclosed a copy of the advertising notice relating to an application lodged in respect of the abovenamed premises.

Should this application be granted it would enable the holder thereof to sell liquor for consumption off the licensed premises (takeaway liquor).

By law, the relevant Local Government Authority for the locality must be informed of the application and afforded the opportunity to:

- 1. comment on the reasonable requirements of the public in the locality; or*
- 2. object to the grant of the application on the grounds that the amenity, quiet or good order of the locality would be lessened.*

If you do not support the application, your comments or objection should include full particulars of:

- the grounds upon which the objection is made; and*
- the facts, evidence or reasons upon which it is based.*

The Chief Executive cannot rely on statements that merely indicated the Council does not support, or object to the application.

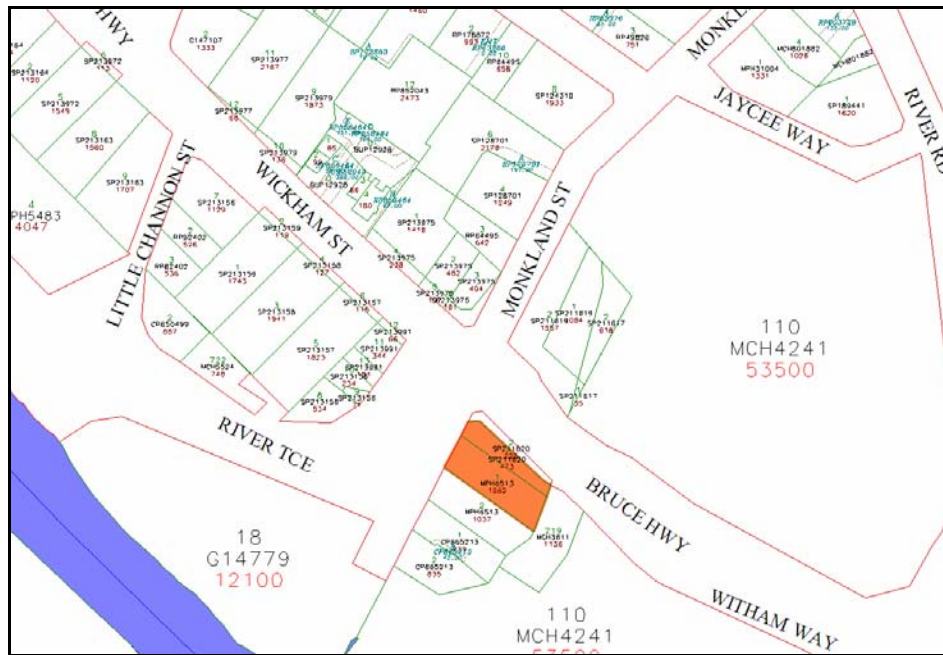
Please note that any comments or objections provided may be referred to the applicant.

Compliance with technical Local Authority requirements such as Town Planning, Health and Building approvals is checked separately, although you are welcome to canvass these matters in your reply to this letter.

Please advise whether you have any comments on, or objections to, the grant of the application. Section 117(3) of the Liquor Act 1992 provides that your comments or objections should be received by 11 March 2010.

If you require clarification on any of these matters, please do not hesitate to contact the Customer Support Team on the telephone number noted above.”

LIQUOR ACT 1992	
NOTICE OF APPLICATION FOR A DETACHED BOTTLESHOP	
Applicant's Name:	C Breeze Resort Pty Ltd ATF C Breeze Resort Unit Trust trading as the Royal Hotel (Gympie)
Premises:	Tenancy B, Kidd Bridge Convenience Centre, 7-9 Monkland Street (corner Wickham Street), Gympie
Principal Activity:	Commercial Hotel Licence – Sale of takeaway liquor
Trading Hours:	10:00am to 12midnight, Monday to Sunday
OBJECTIONS TO THIS APPLICATION MAY BE FILED BY A MEMBER OF THE PUBLIC OVER THE AGE OF 18 WHO HAS A PROPER INTEREST IN THE LOCALITY CONCERNED AND IS LIKELY TO BE AFFECTED BY THE GRANT OF THE APPLICATION.	
Grounds for Objection	
1. Undue offence, annoyance, disturbance or inconvenience to persons who reside or work or do business in the locality concerned, or to persons in or travelling to or from an existing or proposed place of public worship, hospital or school is likely to happen; or	
2. The amenity, quiet or good order of the locality concerned would be lessened in some way.	
Format of Objections	
Objections must be lodged in writing individually or in petition form and must state the grounds for objection. An objection in the form of a petition must be in a format stipulated in the Act and the principal contact person should discuss the proposed petition with the Licensing Officer listed below. A petition template is able to be downloaded from the Office of Liquor and Gaming Regulation website at www.olgr.qld.gov.au	
A MEMBER OF THE PUBLIC MAY MAKE A WRITTEN SUBMISSION TO THE CHIEF EXECUTIVE REGARDING whether the granting of this application will impact on the community, particularly relating to matters which the chief executive must have regard under Section 116(6) of the <i>Liquor Act 1992</i> .	
For further information on what is being proposed by the applicant, please contact Mullins Lawyers on 07 3224 0254 or email hwhitcroft@mullinslaw.com.au	
Closing Date for Objections or Submissions:	11 March 2010
Lodging Objections or Submissions:	
Objections and/or Submissions should be lodged with:	Licensing Officer Office of Liquor and Gaming Regulation PO Box 3703 HERVEY BAY QLD 4655 Phone: (07) 4197 9803
Copies of any objections or submissions will be forwarded to the applicant and a conference may be held.	
All objectors will be notified in writing when a decision has been made on the application.	
Executive Director Office of Liquor and Gaming Regulation	



Report: (Manager Development & Compliance – T. M. Stenholm)

- 1.0 The above correspondence from Liquor Licensing requests Council’s comments in relation to an application for a new detached bottle shop for the Royal Hotel.
- 2.0 The proposed bottleshop is to be located within the newly constructed Kidd Bridge Convenience Centre, Gympie as identified on the map above.
- 3.0 The Liquor Licensing Division requests Council’s comments on the application with regard to social impacts and from the community’s perspective.
- 4.0 The site is zoned Commercial and was subject to a previous approval for material change of use for shops, which permits the establishment of a bottle shop. The proposed use at this location is considered appropriate from a planning perspective.

P28/02/10

Moved: Cr R.A. Gâté

Seconded: Cr D.R. Neilson

Recommend that Council advise the enquirer that no objection is offered or concerns raised in relation to the issue of a Licence for a Detached Bottle Shop for the Royal Hotel in the Kidd Bridge Convenience Centre at 7-9 Monkland Street, Gympie.

Carried.

SECTION 8: GENERAL BUSINESS

8/1	Fraser Straits Marina
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P31/02/10 Moved: Cr J. Watt

Seconded: Cr R.A. Gâté

Recommend that Council forward to the Federal Minister for the Environment Heritage and the Arts copies of the submissions received in relation to the Norman Point marina with a covering letter supporting the environmental concerns raised therein.

Carried.

8/2	Application Fee for Small (49 head) Feedlots
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P32/02/10 Moved: Cr G.L. Engeman

Seconded: Cr A.J. Perrett

Recommend that Council set an application fee of \$1,980 for development applications for Material Change of Use for small (49 head) feedlot proposals.

Carried.

P33/02/10 Moved: Cr A.J. Perrett

Seconded: Cr G.L. Engeman

Recommend that the fee schedule for feedlot applications be reviewed as part of the fees and charges for the 2010/2011 financial year.

Carried.

COUNCIL IN COMMITTEE

The Chairman advised the meeting that Council was going “Into Committee” to discuss

1. Application for proposed renewal of Special Lease 21/43856 Lot 248 on MCH4224.
2. Enforcement of Sign Requirements

P34/02/10

Moved: Cr R.A. Gâté

Seconded: Cr J.A. Walker

That pursuant to the provisions of Section 463 of the Local Government Act, Council resolves to close the meeting to the public and move “into committee” to consider the following matter/s:-

- 1. Application for proposed renewal of Special Lease 21/43856 Lot 248 on MCH4224.**
- 2. Enforcement of Sign Requirements**

Further, that in relation to the provisions of Section 250 of the Act, Council resolves that following the closing of the meeting to the public and the moving ‘into committee’ that all matters and all documents (whether in hard copy, electronic, optical, visual or magnetic form) discussed, raised, tabled and/or considered whilst the meeting is closed and ‘in committee’, are confidential to the Council and the Council wishes to keep them confidential.

Carried.

Cr J. Watt and Cr J.A. Walker left at 9.46 a.m.

Mr M. Grant (Director of Community Services) entered the meeting at 9.49 a.m.

Cr J. Watt returned to the meeting at 9.50 a.m.

Cr J.A. Walker returned to the meeting at 9.59 a.m.

ADJOURNMENT OF MEETING

The meeting adjourned for morning tea at 10.07 a.m.

RESUMPTION OF MEETING

The meeting resumed at 10.25 a.m.

