



MINUTES

of the

PLANNING & DEVELOPMENT COMMITTEE MEETING

CHAIRMAN: Cr Ian Petersen

**Held in the Boardroom
Old Bank Building
Cnr Nash & Channon Streets, Gympie Qld 4570**

**On Wednesday 20 January 2010
at 9.00 a.m.**

**For Adoption at the General Meeting
to be held on Wednesday 27 January 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.

9.00 a.m. Manager Building and Plumbing Services - Ross Bishop – Briefing on New Swimming Pool Requirements

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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 M. Hartley (Director of Planning & Development), Mrs K.A. Rolfe (Manager Strategic Planning), Ms T.M. Stenholm (Manager Development and Compliance) and Ms K. Sullivan (Minutes Secretary).

Cr J. Watt, Ms T.M. Stenholm and Mrs K.A. Rolfe were not present when the meeting commenced.

LEAVE OF ABSENCE

Nil.

APOLOGIES

Nil.

DECLARATION OF INTERESTS BY COUNCILLORS

P20/01/20 – Cr G.L. Engeman declared a Material Personal Interest.
P20/01/10 – Cr A.J. Perrett and Cr R.A. Gâté declared a Conflict of Interest.
P21/01/10 – Cr A.J. Perrett declared a Material Personal Interest.

CONFIRMATION OF PREVIOUS MINUTES

P01/01/10 Moved: Cr R.A. Gâté Seconded: Cr A.J. Perrett

That the Minutes of the Planning & Development Committee Meeting held on 2 December 2009 be taken as read and confirmed.

Carried.

Mr R. Bishop entered the meeting at 9.00 a.m.
Cr J. Watt entered the meeting at 9.08 a.m.

SUSPENSION OF STANDING ORDERS

P02/01/09 Moved: Cr J.A. Walker

Seconded: Cr R.A. Gâté

Recommend that the committee suspend standing orders to deal with Item 5/2.

Carried.

SECTION 5: GENERAL MATTERS

5/2	Installation of Water Tanks and Water Meters at Tuncunba Gated Estate
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Re: Minute: P03/01/10

1. Installation of Rain Water Tanks to meet Water Saving Targets in accordance with legislative requirements as set out in Part 25 of the QDC (MP 4.2)
2. Installation of Water Meters at Tuncunba Gated Estate – Lots 4, 5, 6 on SP 167404 and proposed future development.

From: Mr Peter Todd (Developer & President of the Body Corporate Committee), Tuncunba Gated Estate, 20 Gympie Rd, Tin Can Bay Qld 4580

File: 6/4/5/9

Date: 12 January 2009

1. Letter received 3 August 2009

“In 2003 we completed the design for the above development. That design included, power, street lighting, town water, stormwater, Telstra, roads, building foot prints, gardens, setbacks and the provision of bore water to all home sites. The application was approved in March 2004, with most of the 43 home sites being around 180 square metres.

To date we have built and sold 20 homes and have another 3 under construction. As I understand it in 2008 State Government decided that all new home approvals would have rain water tanks. It has been suggested that future homes in Tuncunba Gated Estate fall into this legislation and should have tanks.

While we believe that tanks and solar water heaters and solar electric panels are a great idea in the case of water tanks we can’t accommodate them.

- *The project was approved in 2004 detailing lot sizes, building foot prints and placement of services. There is simply no room for water tanks.*

- *Compulsion to fit tanks through modified site boundaries, home size or foot prints or alteration to services location would require us to make application for something we already have approval for.*
- *Alteration to the community titles scheme would require the approval of all owners (and that would be unlikely) and the DNR. Any application to this body would cost thousands.*
- *Any suggestion of remote tank or community tank would have to be approved by all owners as it would involve an increase in body corporate fees and there is no common land available that could be utilised for a tank.*
- *The tank legislation allows for an alternative to tanks and we propose that reticulated bore water for all outside use provides that alternative. The Australian statistics say that average external domestic usage is 38% of total home use. Additionally, we decided that all future homes (and the last two completed and current 3 been built) would have bore water plumbed to the toilets. The average age of our residents is around 70. This age group do two things regularly; wash their cars and go the toilet.*

Gympie Regional Council is the concurrence agency for alternative solutions and we ask that Council give a ruling that allows for the non inclusion of tanks and applauds the reticulation and uses of bore water.

We look forward to hearing from Council shortly.”

2. Email received 30/11/09

“We have had to install on Tuncunba homes 4, 5 and 6 water meters. I was unaware of this council requirement until a couple of weeks ago. The development was approved without individual home meters and for 20 homes that has been accepted. Individual home owners pay a connection fee and the excess water account is sent to the Body Corporate Manager for paying. That’s been happening for 4 years. Along with the provision of borer water this is something of a sales feature and a benefit for buyers. Tuncunba earns the council a lot of money and while I’ve pointed it out on a number of occasions I’ve never complained about it. 43 ratable lots in 1.2 hectares is a pretty good deal, lets not be greedy. I rang Ross Bishop when I became aware of it a couple of weeks ago. He undertook to get back to me, I’ve rung on two occasions since and left messages. I have had no response.

I think it’s reasonable to say that I support council and councillors, I’m active in a number of community areas, I think I deserve better treatment.”

Report: (Manager of Building & Plumbing Services – R.N. Bishop)**Item 1: Installation of Water Tanks****Preamble:**

Following the introduction by State Government to have installed Water Saving Targets into all new Class 1a buildings / houses approved to be built in South East Queensland from 1 January 2007 and state wide from 1 July 2007, Council is in receipt of correspondence from the Developer / President of the body Corporate, also being the major site owner, Mr Peter Todd, requesting Council not to enforce the legislation at Tuncunba Gated Estate for the reason the property has direct access to its own private Bore Water System that presently services external taps for garden purposes. It is reported this bore water supply has been plumbed into the previous two Class 1a Buildings constructed at the estate to accommodate the WC's (toilets and will also be installed into the Class 1a Dwellings proposed on Lots 4, 5 & 6 for the same service (Both the quality of this bore water and the life expectancy for the purpose intended is uncertain).

Legislation:

The purpose of the introduction of water saving targets is to not only harvest but to conserve the State's precious water resources.

The new targets can be achieved through a number of options including house hold rainwater tanks, or alternatives such as dual reticulation, communal rainwater tanks or stormwater reuse. (Note – underground bore water is not referenced).

Furthermore, where rainwater tanks are used to meet the water saving targets, Councils have the freedom to accept the minimum requirements set out in Part 25 (MP 4.2) of the Queensland Development code (QDC) or specify an increased minimum in local government planning documents for storage capacities, roof catchment areas or other house hold fixture connections. Councils may also choose to increase the Water Saving Targets for dual reticulation, communal rain water tanks and stormwater reuse.

In accordance with the legislative requirements, where a rainwater tank is used to meet the water saving targets, the minimum requirements are:

- Single detached houses must install a rainwater tank with a minimum 5,000 ltr capacity.
- Non-detached houses, such as town houses and terrace houses, must install a rainwater tank with a minimum 3,000 ltr capacity.

Further more, the legislation requires:

- a) The rain water tanks to receive rainfall from at least one half of the roof catchment area, or 100m², whichever is the lesser; and

- b) The rain water tanks must supply water for external use and internal use to toilet cisterns and washing machine cold water taps; and
- c) Internal fixtures supplied from a rainwater tank must have a continuous supply of water which may be achieved by an automatic switching device or a trickle top up system.

The above tank specifications are the minimum standards set out under Part 25 – MP 4.2 of the QDC to meet the new water saving targets.

History:

July 2009 – Following an in office meeting with Councillor Ian Petersen, the Director of Planning and Development and the Manager of Building and Plumbing Services the developer, Mr Peter Todd was advised Council would, in view of the timing of the introduction of the new legislation for Water Saving Targets and consideration given as to prior planned building works and associated drafted building plans relevant to the proposed design having been prepared, grant dispensation in this instance and not insist components such as rain water tanks be installed to service the town houses on Lots 4, 5 & 6.

However, the abovementioned decision should not set a precedent for any future construction of similar type buildings proposed within the complex or other locations throughout the Gympie Regional Council area. Rather it is recommended that Council fully support the legislative requirements as clearly defined in accordance with MP 4.2 of the Queensland Development Code of Australia for Water Saving Targets.

Item 2:

Also in relation to the recently constructed town houses – Class 1a (ii) on Lots 4, 5 and 6, the developer has written to the Planning and Development Department of Gympie Regional Council questioning why individual water meters were required to be installed to service each strata titled unit.

On 2 May 2008, Building Codes Queensland provided the following information regarding sub-metering:

“Irrespective of the date of lodgement of the development application or the building development application, any plumbing assessment applications lodged on or after 1 January 2008 for new premises within a reticulated area, will require a sub-meter for each separate lot and common property in a Community Title Scheme (CTS) or for each sole occupancy unit in the building.”

Condition 9.6 of the Amended Decision Notice (MCU) in association with DA07113 clearly sets out Council’s conditions of approval regarding water meters.

- 9.6 A main water meter servicing the full development with individual water meters for each title shall be installed to the satisfaction of council's chief Executive Officer.

Note: Council will permit the individual water metres to be installed on a progressive basis as the proposed units are built.

P03/01/10 Moved: Cr J.A. Walker

Seconded: Cr L.J. Friske

Recommend that Council advise Mr Peter Todd of Tuncunba Gate Estate that:

- 1. Development of the balance of the site may be provided with water supply consistent with that provided for the existing development.**
- 2. Individual water meters will be required to be installed to service each future Class 1a (ii) on the site in accordance with relevant legislation.**

Carried.

Mr R. Bishop left the meeting at 9.17 a.m.

Mrs K.A. Rolfe entered the meeting at 9.17 a.m.

SECTION 1: STRATEGIC PLANNING MATTERS

1/1	Draft Wide Bay Burnett State Planning Regulatory Provisions 2009
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Re: **Minute: P04/01/10** Draft Wide Bay Burnett State Planning Regulatory Provisions 2009

From: Director of Planning and Development – M. Hartley and Chairman of Planning & Development Committee – Cr I.T. Petersen

File:

Date: 11 January 2010

PART A

Report: (Director Planning and Development – M. Hartley)

1.0 General

The Mayor, Councillor Petersen and the writer attended a meeting of RPAC representatives on 18 December 2009 in Maryborough, at which commencement of the Draft Wide Bay Burnett State Planning Regulatory Provisions 2009 (the regulatory provisions) was announced by officers of the Department of Infrastructure and Planning (DIP).

The regulatory provisions affect every local government in the Wide Bay Burnett area with the exception of Cherbourg Aboriginal Shire Council. They are an interim measure (12 months) to prevent compromising the implementation of a proposed (Statutory) Regional Plan for this region. Advice at the meeting from Departmental officers was that in all likelihood, the regulatory provisions will be replaced by a draft Regional Plan in around 6 months.

A copy of the regulatory provisions has been included as Attachment 1 for Councillors' information. These provisions will have a profound effect on the way Council determines certain development applications, and the following paragraphs describe briefly how the provisions operate.

2.0 Land Use Categories and Implications

The regulatory provisions establish three land use categories, namely the Urban Footprint, Rural Living Areas and Regional Landscape and Rural Production Areas. Maps illustrating these land use categories will be available at the meeting.

The Urban Footprint is largely based on the existing urban zonings in the planning scheme, although there are some exceptions. Importantly, the regulatory provisions have no effect on property included in the urban footprint.

The Rural Living Area reflects existing zoned Rural Residential land, and the regulatory provisions do not affect the ongoing subdivision/consolidation of these areas in accordance with the relevant planning scheme provisions.

By far the biggest implications for Council are the provisions applying to the Regional Landscape and Rural Production Area, which includes land within the Rural zone. Without going into detailed specifics, residential, rural residential and other urban activities now require a development permit for material change of use, despite any provisions to the contrary in the planning scheme. Applications will be impact assessable, and must be referred to DIP as a concurrence agency. The regulatory provisions state that such applications must comply with the following assessment criteria:

- (a) the locational requirements or environmental impacts of the development necessitate its location outside the urban footprint;
- (b) there is an overriding need for the development in the public interest.

With some exceptions, subdividing land in the Regional Landscape and Rural Production area to create lots below 100 hectares is now prohibited under the regulatory provisions (that is, Council cannot accept an application for such a proposal). Exceptions include boundary realignments, the creation of 2 lots where the existing lot is severed by a road, subdivision to accommodate

various community facilities and infrastructure, and subdivision where a development permit for material change of use exists.

3.0 Overriding Community Need in the Public Interest

Schedule 3 of the regulatory provisions states that to determine an overriding need for the development in the public interest, an application must establish –

- (a) the overall social, economic, and environmental benefits of the material change of use weighted against –
 - (i) any detrimental impact on the natural values of the site; and
 - (ii) conflicts with the strategy of consolidating development in the urban footprint and preventing land fragmentation in a regional landscape and rural production area; and
- (b) that the community would experience significant adverse economic, social or environmental impacts if the material change of use proposal were not to proceed.

4.0 General Comments

The difficulty for Council with the regulatory provisions is the fact that the urban footprint generally reflects existing urban zonings. The 2005 planning scheme contains minimal forward planning in the form of areas preserved for future urban and rural residential expansion. Apart from infill/consolidation, Council has been relying on the development of rural zoned land on the urban fringe to accommodate population growth over the last few years.

The regulatory provisions significantly affect Council's ability to continue planning in this way, given that DIP will be a concurrence agency for these types of applications with the statutory authority to direct refusal. DIP's assessment will include an assessment of overriding community need in the public interest as described above. As a general observation, this is a test which - if applied literally - will be almost impossible to demonstrate by individual applications on the urban fringe.

5.0 Conclusion

The draft Wide Bay Burnett State Planning Regulatory Provisions commenced on 18 December 2009, much to the surprise of all local governments in the region and with no prior consultation. Submissions on the regulatory provisions may be made until 31 March 2010, however preparing such a submission appears to be almost pointless if the timeline for the provisions to be replaced by a draft Statutory Regional Plan is to be believed (that is, roughly 6 months as advised by DIP officers).

Of critical importance however, is Council's continued involvement and influence in the development of the Regional Plan's urban footprint through the APOD/HPOD/PPOD process. Given that the urban footprint in the regulatory provisions is essentially a "holding pattern", and in view of the expected significant population growth in the Gympie region in the next 20 years or so, the next version of the urban footprint is likely to be very different to that recently introduced by the State.

PART B

Report: (Chairman Planning and Development Committee – Cr I.T. Petersen)

1.0 Background

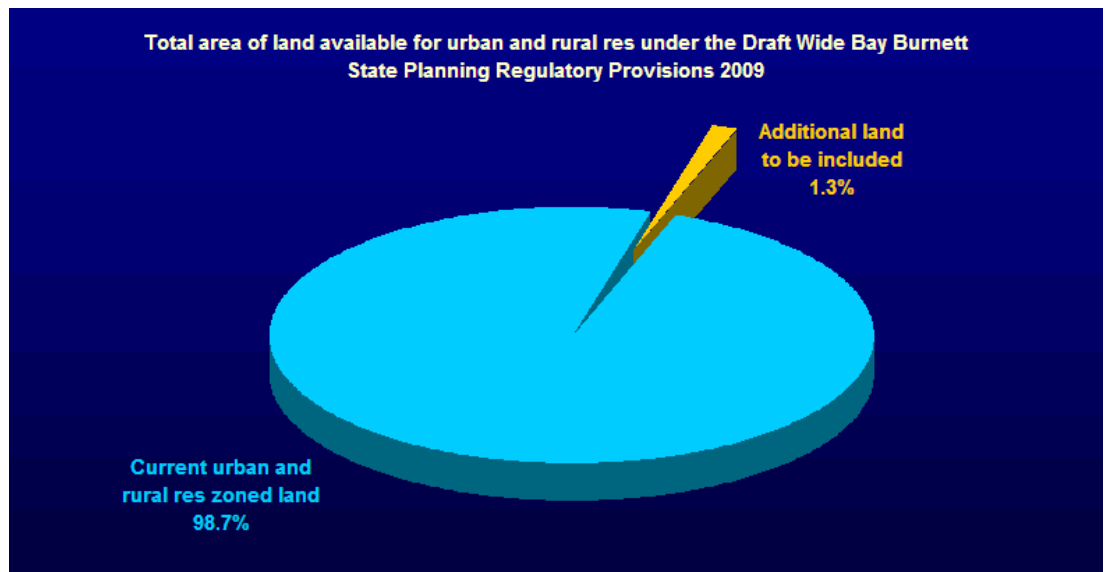
The background and the mechanics of this process have been adequately and clearly covered in Part A of this report. Given the lack of consultation at the political level and the apparent disregard of much of the input from the technical working group, it would appear that a submission, as alluded to in Mr Hartley's report is unlikely to carry much weight. However, if we do not lodge a submission, it will likely be construed as support for the process. I believe that we must lodge a submission on the following grounds:-

In the life of the Gympie Regional Council (since 17th March 2008), of all the residential lots we have approved or are in the process of approving, 767 lots would have been prohibited under the current regulations. Councillors from the former Cooloola Shire Council will also recall that most of our major recent developments (Echelon, Greendale, Maidment etc., comprising several hundred lots) would also be in this category.

2.0 Detrimental Planning Outcomes

The Department of Infrastructure and Planning is obsessed with "infill development". Because our urban and rural residential footprint is so tightly constrained by rural zoned land, we will be restricted to infill for at least 12 months. For example, Councillors would be aware that even within close proximity to the CBD and with full urban infrastructure, there is land zoned rural (eg., the proposed retirement village Old Maryborough Rd and Banks Pocket Rd).

A Department of Infrastructure and Planning estimate suggests that there will be 28,750 EXTRA residents in the Greater Gympie area alone by 2031. This doubling of the current population is supposedly to be accommodated with only an approximate 1.3 per cent increase in appropriately zoned land. The following pie chart is based on estimates but will give some perspective to the proposal.



Forced infill will lead to development of unsuitable land and undesirable configurations. Hatchet lots and lots with inadequate frontage to depth ratios will proliferate. One of the main reasons people choose to live here is lifestyle. We are not a metropolitan area and that is why people have chosen to live here. They do not want to be shoe-horned into minimum sized lots in undesirable topographical locations such as the bottom of gullies.

3.0 Budget Implications

These regulations will severely impact growth. As Councillors are aware, every 1% reduction in growth means either a 1% increase in rates or corresponding cutbacks in expenditure. Steady growth over the past decade has led to benefits for the whole community. Similarly the impact of stagnation or negative growth will resonate across every sector of the community.

Stagnation will also impact severely and directly on the Planning and Development Department budget. Since such a large number of subdivision proposals will be prohibited, applications and application fees will plummet, as will our revenue stream.

4.0 Conclusion

I believe it is absolutely vital that Council lodge a submission and attempt yet again to point out the fact that these provisions have been implemented based on severely flawed baseline data. These regulatory provisions will contribute to sub optimal planning outcomes including a severe diminution of the amenity of our area which to date has been such a competitive advantage for our region. A submission will also form part of the process of ensuring, as outlined in Mr Hartley's report, that we mount a strong case to have adequate capacity for expansion of our urban and rural residential footprint when the Statutory Plan is finalised.

P04/01/10 Moved: Cr J. Watt**Seconded: Cr G.L. Engeman**

Recommend that Council write to the Regional Director, Department of Infrastructure and Planning, expressing our dissatisfaction over the limited capacity for growth locked in by the Draft Wide Bay Burnett State Planning Regulatory Provisions 2009, and authorise the Director of Planning to commence preparation of a strong submission to the Wide Bay Burnett Statutory Regional Plan.

Carried.

1/2	Wide Bay Burnett Industrial Land Demand Study – Technical Working Group
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Re: **Minute: P05/01/10** Wide Bay Burnett Industrial Land Demand Study – Technical Working Group
From: Director of Planning and Development – M. Hartley
File: 6/6/10/4
Date: 5 January 2010

Letter received by Department of Infrastructure and Planning dated 24 November 2009.

“The Department of Infrastructure and Planning (DIP) has commenced work on the Wide Bay Burnett Industrial Land Demand Study with appointed consultants GHD Pty Ltd, in conjunction with Economic Associates and CB Richard Ellis.

The study aims to broadly identify the existing supply and future demand for industrial land in the Wide Bay Burnett region. It will take into consideration the economic opportunities and competitive advantages for the development that will influence the major industrial land and infrastructure needs at a regional and sub-regional level within the short (5-10 years), medium (10-15 years) and long-term (15+ years).

The study will inform the Wide Bay Burnett regional planning program and the regional industrial land needs. A component of the process is the formation of a Technical Working Group. The Technical Working Group is a voluntary committee of stakeholders from a range of Government departments and agencies and the Councils whose involvement in the process will inform key technical decisions.

We would like to formally request the Gympie Regional Council's involvement in the Technical Working Group. Can you please advise the name and contact details of the officer who will be representing the Gympie Regional Council on the Technical Working Group and forward your acceptance to Ms Elene Kyranakos....."

P05/01/10 Moved: Cr R.A. Gâté

Seconded: Cr D.R. Neilson

Recommend that the Director of Planning and Development be nominated to represent Council on the Technical Working Group for the Wide Bay Burnett Industrial Land Demand Study.

Carried.

1/3	Minor Locality Boundary Amendments
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Re: **Minute: P06/01/10** Minor Locality Boundary Amendments
 From: Department of Environment and Resource Management
 File: 1/3/3/1
 Date: 11 December 2009

"The Minister for Natural Resources, Mines and Energy, and Minister for Trade is responsible for formalising the suburb/locality boundaries within the State under the Place Names Act 1994. Formal boundaries for rural and city addressing purposes support a business requirement for many agencies.

At a State level, State Emergency Services covering the Ambulance Service, Police, Fire Services, Rural Fire Services and SES Volunteers have a requirement for the correct address when answering an emergency, whilst Telstra and Australia Post require unambiguous bounded localities for the delivery of their services.

CHQ 022459/528

In the process of capturing amended cadastral boundaries on plan SP213092, the locality boundary between Mooloo and Langshaw needs to change to reflect the current situation and alleviate confusion in property address information.

Your consent is sought to include the whole of Lot 1 on SP213092 into the locality of Mooloo as indicated on the enclosed diagram CHQ 022459/528.

CHQ 022459/527

In the process of capturing amended cadastral boundaries on plan SP220176, the locality boundary between Fishermans Pocket and Two Mile needs to change to reflect the current situation and alleviate confusion on property address information.

Your consent is sought to include the whole of Lot 76 on SP220176 into the locality of Fishermans Pocket as indicated on the enclosed diagram CHQ 022459/527.”

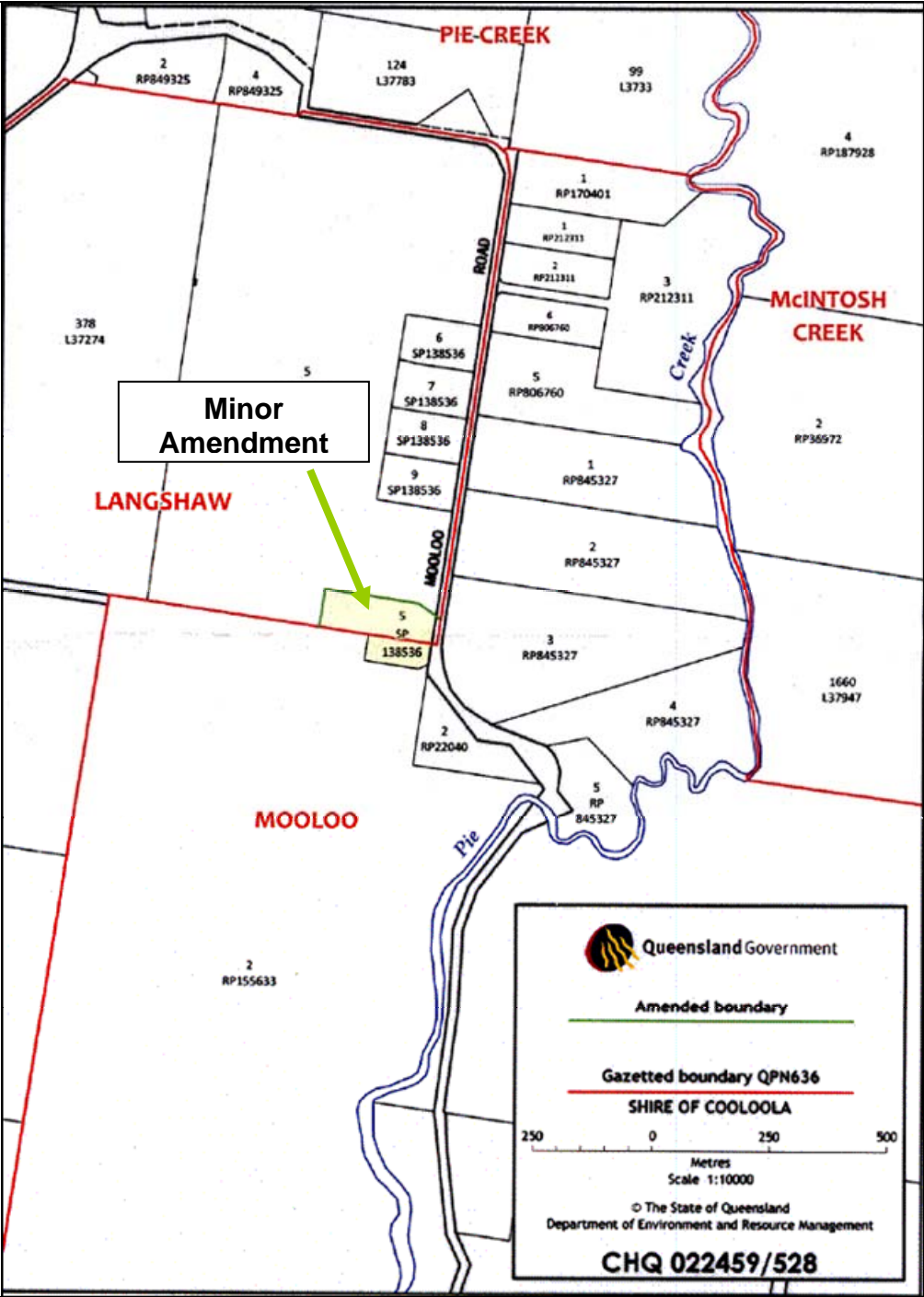
Enclosed is a self addressed envelope for return postage and your reply would be appreciated by 24December 2009.

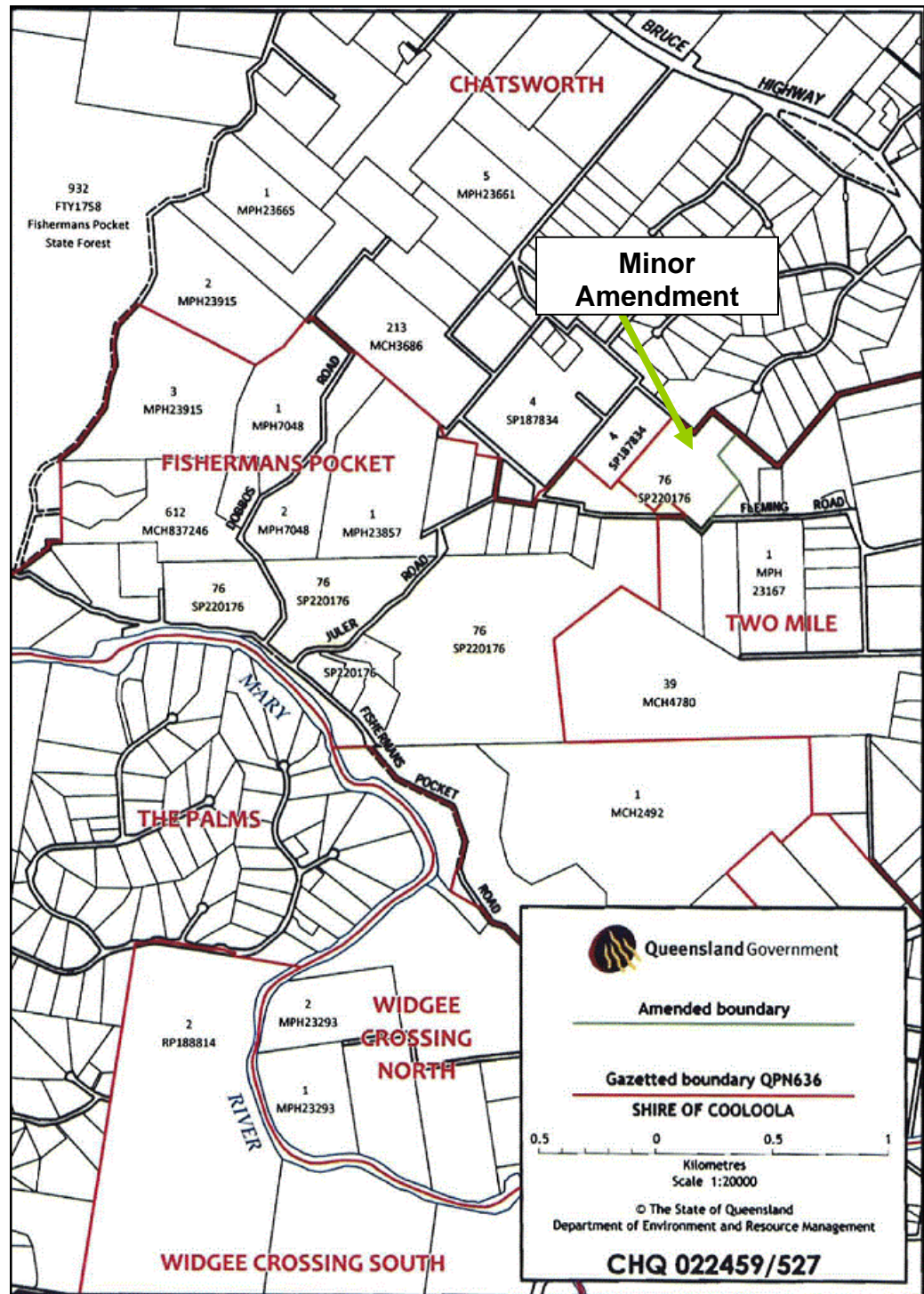
Should you have any further enquires, please contact Mr Ross Norman on 5451 2252.

Report: (Strategic Planning Officer – R.N. Halse)

1.0 Introduction

The above correspondence from the Department of Environment and Resource Management is to seek consent from Council to include Lot 1 on SP213092 from Langshaw to Mooloo and Lot 76 on SP220175 from Two Mile to Fishermans Pocket.





2.0 Comment

The minor amendments to locality boundaries as described above will have no effect on Council operations. In essence the amendments are necessary to alleviate confusion for State agencies when determining the exact locality of a property and to allow effective service delivery.

3.0 Action

Due to a quick response being required by DERM and there being no impact on Council operations a response was provided by the Director of Planning & Development on 09 December 2009 by signing the accompanying consent form.

4.0 Conclusion

Council endorsement of the action taken by council officers in signing the consent form is recommended.

P06/01/10 Moved: Cr R.A. Gâté

Seconded: Cr J. Watt

Recommend that Council endorse the signing of the consent form by the Director of Planning & Development to expedite the process to amend locality boundaries to include Lot 76 on SP220176 into Fishermans Pocket and Lot 1 on SP213092 into Mooloo.

Carried.

1/4	Heritage Advisory Committee Recommendations from 8 December 2009
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Re: **Minute: P07/01/10** Heritage Advisory Committee
Recommendations from 8 December 2009
From: Heritage Advisory Committee
File: 6/6/07/0001
Date: 8 December 2009

Report: (Strategic Planning Officer – R.N. Halse)

“On the 8 December 2009 at Council’s Heritage Advisory Committee (HAC) meeting the Committee resolved to recommend the following to Council.”

1. Development Application (2009-1786)

The development application is for preliminary approval for building works for the removal of a dwelling on land described as Lot 6 on MPH23860 located at 6-8 Lady Mary Terrace, Gympie.

The Committee resolved vide H03/08/12:

‘Recommend to Council that the removal of the dwelling over Lot 6 on MPH23860 at 6-8 Lady Mary Terrace, Gympie be supported and relocated to Cogan St, Gympie.’

2. Conservation Management Plan

Agenda item 1.3 (Memorial Park Bandstand Rotunda Queensland Heritage Listing) discussed how Ipswich City Council recently spent \$25,000 on a Conservation Management Plan on Queens Park.

The Committee resolved vide 01/08/12:

‘Recommend that Council make a request to Ipswich City Council to provide Council with a copy of their Conservation Management Plan of Queens Park to use as a reference guide for Gympie Regional Council.’

3. Local Heritage Register

Agenda item 1.4 (Removal of Places from Council’s Local Heritage Register) discussed the potential of including Kilkivan local heritage places on Council’s Local Heritage Register. Discussion also focused on the State wide heritage survey and when the Heritage Committee would be able to view the heritage audit.

The Committee resolved vide 02/08/12:

‘Recommend to Council to revise the Local Heritage Register to include a sub-section detailing the State heritage listed places within the Gympie Regional Council area.’

4. Rates Notice Heritage Information

Agenda item 1.7 discussed how Council rates notices lack information pertaining to the heritage status of a place. The Committee suggested that by including the heritage status of a place it would reduce ambiguity amongst heritage owners. It was also suggested that information about the Heritage Advisory Committee be included in the Rates Notice Information Booklets to allow the public to better understand the function of the Committee and to make them aware that the Committee can provide advice and assistance to owners of heritage places.

The Committee resolved vide H04/08/12:

‘Recommend to Council that the Finance Department include the heritage status of places identified on Council’s Local Heritage Register on Rates Notices, furthermore, recommend that information about the Heritage Advisory Committee be included in the Rates Notice Information Booklets.’

5. Heritage Advisory Committee Direction for 2010

The Committee were eager to discuss the direction of the Heritage Advisory Committee for the year 2010. The Committee made several recommendations which they believed would be beneficial to the Committee and Council.

The Committee resolved vide H05/08/12:

'Recommend to Council that the commemoration of the grave site at the Glastonbury School yard be pursued, further that Council start to collate a list of burial and other significant grave sites within the Gympie Regional Council area.'

The Committee resolved vide H06/08/12:

'Recommend to Council to set up a display at the Art Gallery and/or library including heritage community groups in Heritage Week 2010.'

The Committee resolved vide H07/08/12:

'Recommend to Council that a Heritage Forum be initiated in 2010 to enable greater communication between the many heritage community groups within the region.'

P07/01/10

Moved: Cr R.J. Dyne

Seconded: Cr J.A. Walker

Recommend that Council:

- (i) Write to Ipswich City Council to request a copy of the Conservation Management Plan for Queens Park.**
- (ii) Update the Local Heritage Register to include a sub-section detailing the State heritage listed places within the Gympie Regional Council area.**
- (iii) Refers the commemoration of the Glastonbury school yard gravesite previously commenced by Council in 2004; in addition to the collation of a list of burial and other grave sites within the Gympie Regional Council area, be referred back to the Heritage Advisory Committee for further consideration.**
- (iv) During Heritage Week 2010 establish a display at the Art Gallery promoting the various heritage groups within Gympie, furthermore that a Heritage Forum be conducted within heritage week to enable greater communication amongst the groups.**

Carried.

1/5

Adoption of Langton Road and Noosa Road Planning Scheme Amendments

Re: **Minute: P08/01/10** Adoption of Langton Road and Noosa Road Planning Scheme Amendments
From: Minister for Infrastructure and Planning
File: 6/6/10/0010
Date: 7 January 2010

“I refer to Council’s letter regarding the Cooloola Planning Scheme Amendment of Lot 1 MPH23407, Lot 1 MPH7001 and Lot 2 SP145636 from the Community Zone to the Industry Zone.

After receiving advice from officers of the Department of Infrastructure and Planning, I am satisfied that State interests would not be adversely affected by adopting the amendment.

In accordance with section 18 (4) (a) of Schedule 1 of the Integrated Planning Act 1997, I am pleased to advise that Council may adopt the proposed planning scheme amendments.

Further, Council is advised that the requirements of the State Planning Policy 1/03 in regard to flooding have not been appropriately reflected in the Cooloola planning scheme. This matter will need to be addressed in the preparation of a planning scheme for the Council area.

I have also written to Councillor Ron Dyne, Mayor of Council, about this matter.

I trust this information is of assistance. If you require any further information, please contact Ms Carmel Humphries, Planner, Planning Services Division, Local Government and Planning Group, Department of Infrastructure and Planning, on (07) 4131 5595 who will be pleased to assist.”

Report: (Strategic Planning Officer – R.N. Halse)

1.0 Introduction

The above letter was received by Council on the 15 December 2009.

The letter advises that in accordance with section 18 (4)(a) of Schedule 1 of the *Integrated Planning Act 1997* the proposed planning scheme amendments at Lot 1 MPH32407 Langton Road and Lot 1 MPH7001, Lot 2 SP145636 Noosa Road would not adversely affect State interests. In addition the letter advises Council it may proceed with the adoption of the proposed amendments in accordance with section 19 (1)(a) of Schedule 1 of the Act.

Further the letter advises that State Planning Policy 1/03 for flooding has not been reflected appropriately in the Cooloola Planning Scheme and that it must be addressed in the preparation of the new planning scheme for Gympie Regional Council.

P08/01/10

Moved: Cr L.J. Friske

Seconded: Cr R.A. Gâté

Recommend that Council in accordance with section 19 (1)(a) of Schedule 1 of the Integrated Planning Act 1997 adopt the planning scheme amendment to change the zoning of Lot 1 MPH32407 Langton Road and Lot 1 MPH7001, Lot 2 SP145636 Noosa Road, from the Community Zone to the Industry Zone.

Further, that adoption of the scheme amendments be publicly notified in the Gympie Times newspaper and the Queensland Government Gazette on Saturday 30 January 2010 and Friday 29 January 2010 respectively, in accordance with section 20 of Schedule 1 of the Act.

Further that the Chief Executive Officer be authorised to commence proceedings to sell the land.

Further, that Council note that the Chief Executive Officer has been authorised to send this advice from today's meeting and it is recommended that the Committee's action in this matter be endorsed.

Carried.

1/6	Dog Walkers Breakfast
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Re: **Minute: P09/01/10** Dog Walkers Breakfast
 From: Environmental Planning Officer
 File: 6/5/06/003
 Date: 13 January 2010

Report: (Environmental Planning Officer– A.J. Gosley)

1.0 Introduction

The Burnett Mary Regional Group (BMRG) is working on a 'Feathering the Future' project with Community Coastcare funding to improve outcomes for migratory shorebirds in the Burnett Mary region. One of the activities to be undertaken is a series of 'Dog Walkers Breakfasts' which are planned to be held in each regional Council area from Gladstone to Gympie.

The 'Dog Walkers Breakfast' are early morning events, which are held in well known public areas with existing migratory shorebird roosts.

At the ‘Dog Walkers Breakfast’ information will be provided to participants on local shorebirds, threats posed by dogs and the participants will learn how they can help protect shorebirds through simple measures.

2.0 Burnett Mary Regional Group

BMRG is planning to host the ‘Dog Walkers Breakfasts’ between January and the end of March, as the shorebirds start leaving the region in March/April. BMRG will be covering the costs of the BBQ, dog treats and free gifts.

3.0 Cooloola Coastcare

Organising a ‘Dog Walkers Breakfast’ is an activity that is part of the Cooloola Coastcare ‘Caring for Country Mullens Wader Walk’ project, and is one of the final activities to be undertaken to complete the project.

4.0 Gympie Regional Council

BMRG have approached Council and asked for assistance to:

- identify potential and preferred sites;
- preferred dates; and
- promote the event locally.

Cooloola Coastcare has approached Council and asked for assistance to provide maps showing local roost sites.

5.0 Action taken

Following liaison with Cooloola Coastcare the preferred site for this event is determined to be the Tin Can Bay foreshore from Cod Street to Norman Point as there are several species of shorebirds in this area.

The event is proposed to be held on the 02nd February 2010 to coincide with World Wetlands Day.

A permit for the event will be obtained from Community Services.

Promotion for the event will be arranged through Council’s Economic Development Officer and placed on the website.

6.0 Conclusion

BMRG’s ‘Feathering the Future’ project includes the holding of ‘Dog Walkers Breakfast’ events.

Cooloola Coastcare plans to run the event as part of the ‘Mullens Wader Walk’ project.

Council support is requested and recommended through in-kind event promotion and provision of maps.

P09/01/10 Moved: Cr J. Watt

Seconded: Cr R.A. Gâté

Recommend that Council supports the ‘Dog Walkers Breakfast’ planned for the 02nd February 2010 on the foreshore at Tin Can Bay through event promotion and provision of shorebird roost site maps.

Carried.

COUNCIL IN COMMITTEE

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

1. Application for Proposed Re-issue of Permit to Occupy 201919 Lot 1 on PER201919
2. Priority Infrastructure Plans

P10/01/10 Moved: Cr R.A. Gâté

Seconded: Cr D.R. Neilson

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 Re-issue of Permit to Occupy 201919 Lot 1 on PER201919
2. Priority Infrastructure Plans

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.

ADJOURNMENT OF MEETING

The meeting adjourned for morning tea at 10.00 a.m.

RESUMPTION OF MEETING

The meeting resumed at 10:10 a.m.

Mr Neil Weller (Priority Infrastructure Planning Engineer) entered the meeting at 10.10 a.m. and left at 10.28 a.m.

COUNCIL OUT OF COMMITTEE

P11/01/10 Moved: Cr R.A. Gâté

Seconded: Cr A.J. Perrett

That proceedings be resumed in Open Council.

Carried.

SECTION 7: “IN COMMITTEE” ITEMS

7/2	Application for Proposed Re-issue of Permit to Occupy 201919 Lot 1 on PER201919
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P12/01/10 Moved: Cr R.J. Dyne

Seconded: Cr A.J. Perrett

Recommend that Council advise the Department of Environment and Resource Management that no objection be offered to the permit to occupy 201919 over Lot 1 on PER201919.

In addition, there are no planning requirements that would affect the application and Council is unaware of any issues that may affect future use of the land.

Further, that Council note that the Chief Executive Officer has been authorised to send this advice from today's meeting and it is recommended that the Committee's action in this matter be endorsed.

Carried.

7/3

Priority Infrastructure Plans

P13/01/10

Moved: Cr R.A. Gâté

Seconded: Cr D.R. Neilson

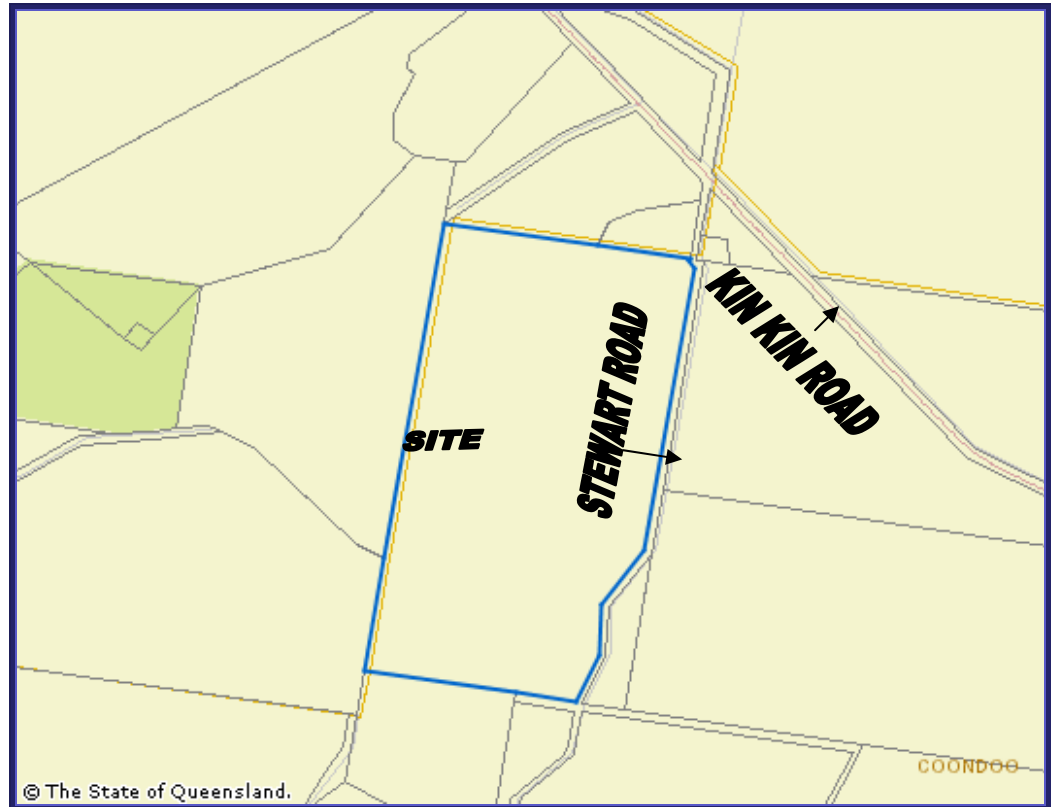
1. **Recommend that Council pursuant to s117(1), s627 and s630 of the *Sustainable Planning Act 2009* and in accordance with *Statutory Guideline 02/09 Making or amending local planning instruments* and *Statutory Guideline 01/09 Priority Infrastructure Plans and Infrastructure Charges Schedules* resolves to prepare an amendment to the Kilkivan Shire Council Planning Scheme 2006 by the inclusion of a Priority Infrastructure Plan and Infrastructure Charges Schedules for the Water and Sewerage Trunk Infrastructure Networks.**
2. **Recommend that Council pursuant to s117(1) and s627 of the *Sustainable Planning Act 2009* and in accordance with *Statutory Guideline 02/09 Making or amending local planning instruments* and *Statutory Guideline 01/09 Priority Infrastructure Plans and Infrastructure Charges Schedules* resolves to prepare an amendment to the Tiaro Shire Council Planning Scheme 2005 (as it applies within the Gympie Regional Council area) by the inclusion of a Priority Infrastructure Plan.**
3. **Recommend that Council pursuant to s117(1), s627 and s630 of the *Sustainable Planning Act 2009* and in accordance with *Statutory Guideline 02/09 Making or amending local planning instruments* and *Statutory Guideline 01/09 Priority Infrastructure Plans and Infrastructure Charges Schedules* resolves to prepare an amendment to the Cooloola Shire Council Planning Scheme 2005 by the inclusion of a Priority Infrastructure Plan and Infrastructure Charges Schedules for the Water, Sewerage and Transport Trunk Infrastructure Networks.**
4. **Recommend that Council refer the matter of funding the continuation of preparing the Priority Infrastructure Plans in the current financial year to the Chief Executive Officer and the completion of the project to the 2010/2011 budget deliberations.**
5. **Recommend that Council refer the matter of development of an accounting system for the levying, collection and expenditure of infrastructure charges to the Director of Financial Services in liaison with the Director of Planning and Development.**

Carried.

SECTION 2: PLANNING APPLICATIONS

2/1	2009-0077 – Material Change of Use of Premises – Extractive Industry (Quarry) – 96 Stewart Road, Coondoo – W.G. & S.E. Blakeney
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FILE:	Minute: P14/01/10 2009-0077
APPLICANT:	W.G. & S.E. Blakeney
LANDOWNER:	W.G. and S.E. Blakeney
RPD:	Lot 1068 on M37423, Parish of Como
SITE:	96 Stewart Road, Coondoo
CURRENT USE OF LAND:	Grazing
PROPOSAL:	Extractive Industry (Quarry)
EXISTING ZONE:	Rural
OVERLAYS:	Conservation Significant Area (State and Regional Ecosystem Values, Regional Connectivity Value, Natural Waterways) Good Quality Agricultural Land (GQAL) (Class A & Class B). Natural Hazard (Bushfire Hazard Area, Very Low to Very High Erosion Hazard Areas)
ADVISORY MAPS:	Salinity Hazard Area (Recharge Area, Moderate to very High Discharge Areas) School Bus Route
APPLICATION ADVERTISED:	30 June, 2009
ADVERTISING CLOSED:	31 July, 2009
SUBMISSIONS RECEIVED:	142 (an additional 8 letters were received after public notification)



KEY POINT SUMMARY

- Application for quarry, purported to be a recommencement of similar activity conducted on the site some years previously;
- The scale of operations is proposed to be less than 5000 tonnes per annum;
- The application was lodged as a result of some Council enforcement action. This was undertaken after a complaint, and the applicant consequently agreed to lodge an application which was done 21 January 2009;
- Department of Environment and Resource Management (DERM) (formerly the Department of Natural Resources and Water (DNRW) – Concurrence Agency for remnant vegetation; DERM (formerly the Environmental Protection Agency (EPA) – Advice Agency for referable wetlands;
- 142 submissions raising a variety of issues and an additional 8 letters received after public notification supporting the proposal;
- Application recommended for approval subject to conditions

Report: (Craven Ovenden Town Planning Consultants & Planning Officer M.K. Matthews)

1.0 INTRODUCTION

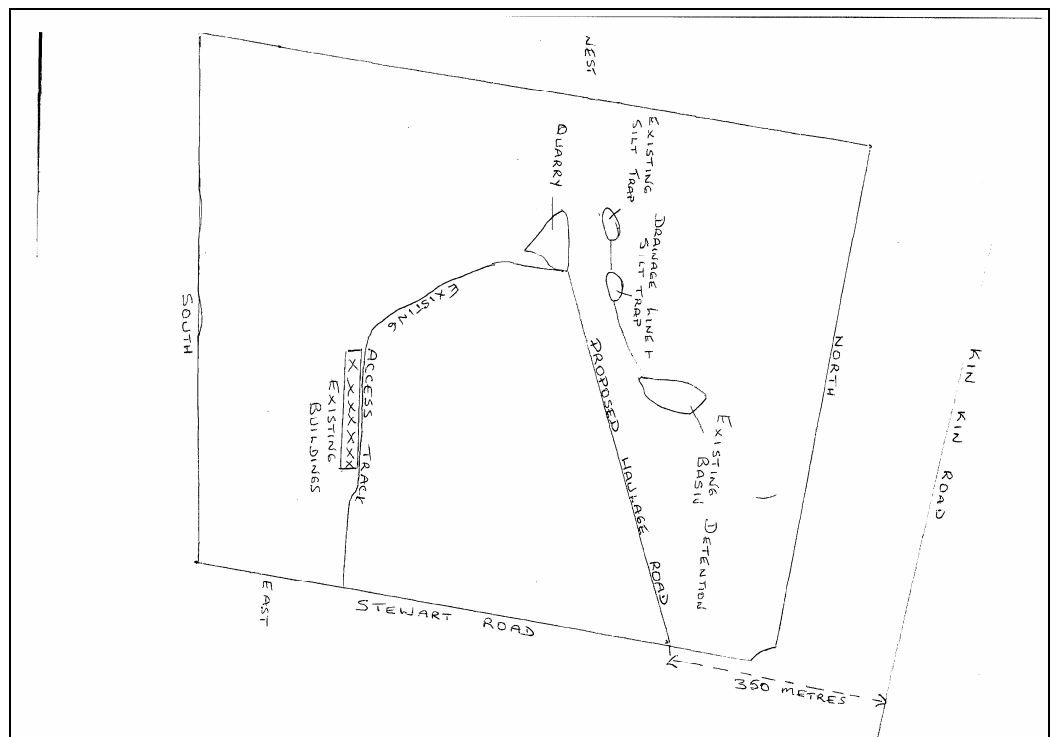
This application seeks Council's approval for a Material Change of Use for Extractive Industry (Quarry) which is proposed on a site at 96 Stewart Road, Coondoo, formally described as Lot 1068 on M37423.

1.1 The Proposal

The key elements of the proposal are:

- Extraction of up to 5,000 tonnes of material per annum;
- Construction of an internal haulage route to a new site entrance 350 metres south of the Stewart Road/Kin Kin Road intersection;
- Use of existing trees as a noise barrier and a sprinkler system from a bore for dust suppression;
- Estimated 10 truck (up to 30 tonne capacity) movements per day;
- Waste run-off directed to an existing sediment settling pond on-site.

It is understood anecdotally that the site has some history of a quarry use, however a case for existing use rights has not been presented in the application.



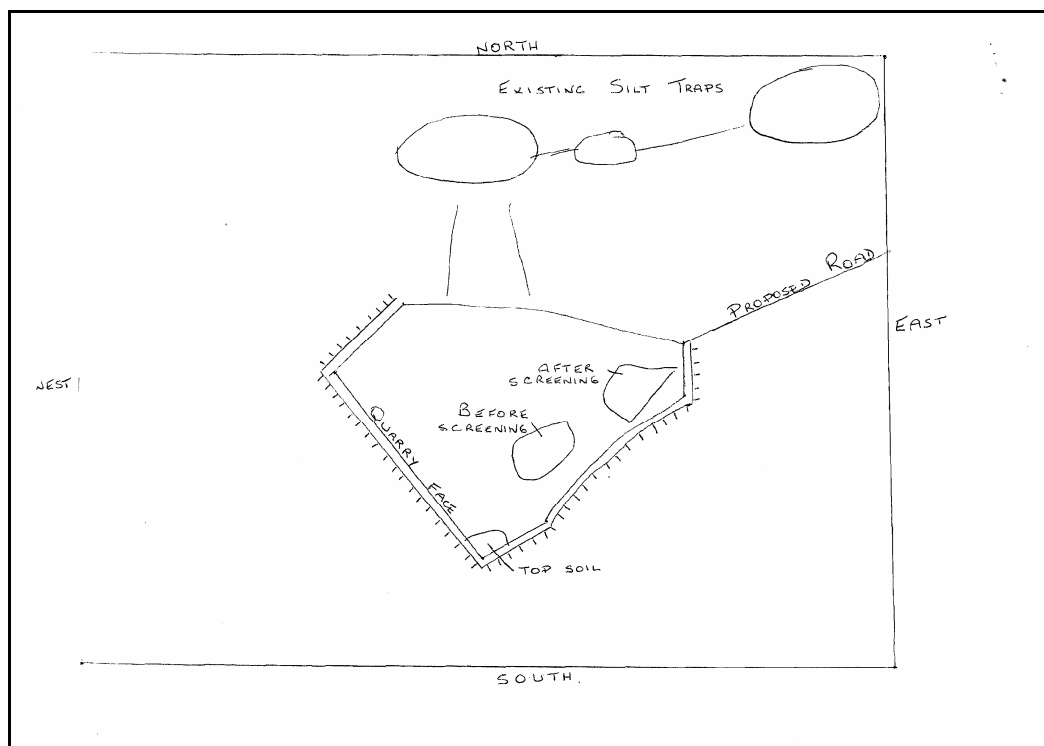
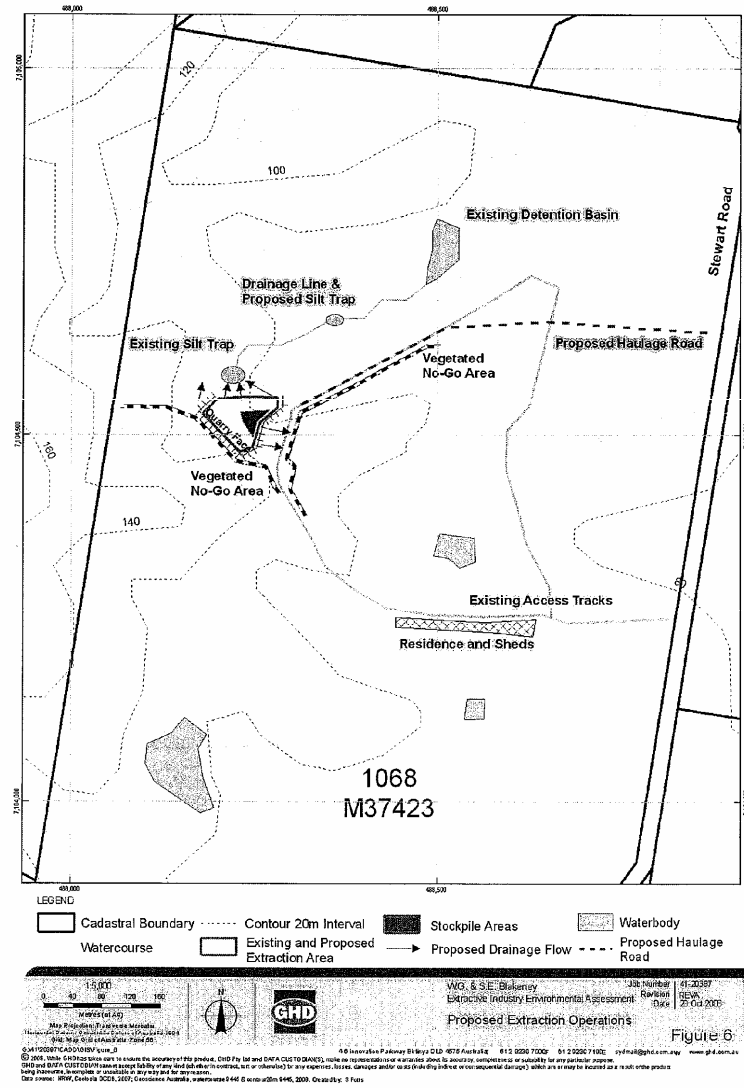




Figure 6 Proposed Extraction Operations



41/20397/8707

Extractive Industry Development Application
Environmental Assessment

22

1.2 Site Description

- The site is located at 96 Stewart Road, Coondoo and is accessed via a gravel driveway from Stewart Road. Stewart Road extends north to south from Kin Kin Road to several private properties to the south.
- The land falls to the north-west, toward Kin Kin Road.

- The site includes one freehold lot measuring 125.45ha. It is improved by an existing dwelling and associated outbuildings.
- A historic gravel and clay pit also exists on the site, to the north west of the dwelling.
- The site comprises some dense patches of vegetation, mostly toward the centre and western areas of the site.

1.3 Surrounding Land Uses

Land immediately surrounding the site to the north, west, south and west is rural in nature, while the wider locality includes a significant amount of dense bushland and forest areas. The wider locality of Coondoo is predominantly characterised by rural and agricultural land uses.

1.4 Site History

The applicant contends that the proposed activity is a pre-existing use, operated by the former owners of the site, which has been abandoned for a short period (several years). Council has no formal record of this use.

2.0 STATUTORY REQUIREMENTS

2.1 Compliance with the Planning Scheme

The application is subject to impact assessment and therefore assessment against the entire planning scheme is warranted. The following Desired Environmental Outcomes and codes are considered most relevant.

2.1.1 Desired Environment Outcomes

- (5) diverse activities including sustainable rural production, mining and extractive industry in rural areas, business and industry in major settlements, and tourism throughout the Shire contribute to and enhance the economic wellbeing of the Shire;
- (6) the availability of significant natural resources including extractive resource areas, agricultural land, water catchment areas, mineral resources, forestry resources and fish breeding habitat is protected;
- (7) the amenity, cultural heritage, ecological and recreational values of significant natural features including the Great Sandy National Park, Inskip Point and other coastal areas, the Mary River and other waterways, Mothar Mountain, Kenilworth Bluff and other mountains of the Shire are protected and enhanced;
- (9) adverse effects on the natural environment are minimised with respect to the loss of biodiversity and significant natural vegetation, soil degradation, interference with natural coastal process and water pollution due to erosion, chemical contamination, acidification, salinity, effluent disposal and the like;

- (13) the efficient and effective use, extension and safe operation of infrastructure including water and sewerage, transport, electricity and telecommunications infrastructure is optimised;
- (14) the adverse effects from natural and other hazards including flooding, acid sulfate soils, bushfire, landslide and coastal hazards are minimised;
- (15) the health and safety of people, the amenity they enjoy and their access to adequate public spaces and facilities that provide opportunities for social interaction, cultural and recreational experiences are maximised.

The proposal is consistent with DEO 5 and 6. The proposal has the potential to compromise the achievement of DEO 7, 9, 13, 14 and 15 as they relate to the site and proposal. Notwithstanding this, it is possible to condition an approval to mitigate any adverse impacts to remove the potential for compromise.

2.1.2 Rural Planning Area Code

The proposed Extractive Industry (Quarry) is not an inconsistent use in the Rural zone.

Subject to appropriately addressing scenic amenity, environmental qualities, use compatibility, the transport network, natural hazard (discussed further in the report) no outcomes of the Code are considered compromised.

2.1.3 Rural Industry Code

While this Code contains assessment criteria specific to Rural Industry (which does not include extractive industry) for Code Assessable applications, this application is subject to Impact Assessment and the entire Planning Scheme is the assessment criteria and this Code must be considered to ensure compliance is either achieved or conditioned.

For the most part the proposal conforms to the Acceptable Solutions. Compliance with the Solutions related to noise and dust are considered able to be conditioned.

2.1.4 Conservation Significant Areas Code

The proposed quarry and haulage road are located outside those parts of the site identified as being of State or Regional Ecosystem Significance or Regional Connectivity Value. No outcomes of the Code are considered compromised.

2.1.5 Natural Waterways and Wetland Areas Code

That part of the site identified as a Natural Waterway does not fall within the development area. Subject to addressing general stormwater run-off issues (discussed further in this report), no outcomes of the Code are considered compromised.

2.1.6 Resource Areas Code

The site is identified as containing Class A and B GQAL. The quarry is not located on GQAL but the existing drainage line, detention basin and the proposed haulage road are partially or completely on GQAL.

The components of the proposal located on GQAL do not permanently alienate the GQAL and no outcomes of the Code are considered compromised.

2.1.7 Erosion and Sediment Control Code

Stormwater run-off from the quarry and surrounding areas should be controlled in accordance with the recommendations of the Environmental Assessment submitted with the application given the presence of waterways and wetlands down-slope of the quarry.

Subject to appropriately addressing this issue no specific outcomes of the Code are considered compromised.

2.1.8 Filling and Excavation Code

Given the nature of the proposal and the fact that the site is identified as containing areas of Very Low to Very High Erosion Hazard, there is some potential for significant adverse impacts associated with amenity and the environment from the extraction process.

Conditioning is required to ensure operational impacts are not significant and that post-extraction rehabilitation re-establishes and maintains natural drainage patterns.

2.1.9 Infrastructure Works Code

As a result of the public notification of the application, serious concerns have been raised regarding the potential impacts from increased numbers of heavy vehicles on the surrounding road network, particularly Stewart Road, its intersection with Kin Kin Road and the southbound sections of Kin Kin Road towards Kin Kin from Stewart Road. The applicants have not provided a detailed assessment on vehicle movements or their impacts on the external road network.

Given the lack of detailed information on the likely impacts on the road network directly attributable to the proposal, conditions will be required to upgrade the road network to a suitable standard to accommodate development traffic. No other infrastructure works are considered necessary in the circumstances of the site and the proposal.

2.1.10 Vehicle Parking and Access Code

It is not anticipated that the proposal will not compromise any specific outcome associated with this Code.

2.2 Local and/or State Planning Policies

2.2.1 Planning Scheme Policy 8: Infrastructure Works

The Policy provides the design solutions applicable to an upgrade of Stewart Road between the proposed site entry and the intersection with Kin Kin Road as well the upgrade to the intersection itself.

2.2.2 Planning Scheme Policy 10: Intersection Contributions & Planning Scheme Policy 11: Roadworks Contributions

These Policies allow for monetary contributions towards intersection and roadworks required by the Infrastructure Works Code and PSP8.

2.2.3 SPP 1/92 Development and the Conservation of Agricultural Land

The site is identified as containing Class A and B GQAL. The quarry is not located on GQAL but the existing drainage line, detention basin and the proposed haulage road are partially or completely on GQAL.

The Cooloola Shire Planning Scheme contains GQAL provisions that adequately address the SPP (see comments regarding the Resource Areas Code above).

2.2.4 SPP 1/03: Mitigating the Adverse Impacts of Flood, Bushfire and Landslide

The site is identified as containing Bushfire Hazard Areas. The development areas are located outside the areas of the site identified as bushfire hazard and the proposal is considered consistent with the SPP.

3.0 PLANNING CONSIDERATIONS

3.1 Impact on Amenity

Three areas of amenity impact are identified; noise, air quality and visual impacts. The issues of noise and air quality warrant separate detailed discussion (see below). In terms of the potential impact on visual amenity, it is considered that the scale of the proposed quarry, when considered in context of its position within the Wolvi Mountain setting, is not likely to result in any significant loss of visual amenity. The quarry is not readily visibly from public areas, the area of extraction is relatively small and rehabilitation can mitigate the long-term visual effects.

It will be necessary to attach a condition requiring the submission of a detailed rehabilitation plan for Council approval prior to the commencement of the use.

3.2 Site Access, Road Conditions and Traffic

The location of the site access is considered appropriate.

The applicant has not provided any detailed assessment of proposed vehicle movements, their impacts on the surrounding road network and the suitability of the road network to support traffic from the development. In the absence of this information it is necessary for Council to attach appropriate conditions to any approval to ensure that the road network and other road users are not unduly affected.

Stewart Road is currently a single-carriageway road of questionable standard construction for use by heavy vehicles. The ability of the intersection of Stewart and Kin Kin Road to allow for the safe negotiation of vehicles of the type to be used to haul material is questionable. Kin Kin Road, south of the Stewart Road intersection, is of questionable standard for regular use by vehicles up to 30 tonnes in carrying capacity.

It is recommended that any approval contain a condition requiring that the developer upgrade Stewart Road between the site entry and the intersection with Kin Kin Road to two-lane capacity. In addition, conditions will require that the road be constructed to an adequate standard to withstand on-going use by vehicles up to 30 tonne capacity or, in lieu, an annual contribution towards Council maintenance of the road linked to amount of material transported. While it would be ideal that the intersection of Stewart and Kin Kin Roads be upgraded to permit manoeuvring by a truck and ‘dog’ trailer without endangering other road users, it would be necessary to resume private land to permit the necessary works. It is impractical for such a resumption to occur as part of conditions of a development approval. It is not possible to preclude use of Kin Kin Road south of the Stewart Road intersection by development traffic and impractical to enforce in any event. In order to address the potential impacts on this road, it is recommended that a condition be attached limiting the number of vehicle movements associated with the development, based on the annual amount of extraction, the size of each truckload and allowing some flexibility to meet any peak demand for material. The annual extraction is not to exceed 5,000 tonnes, this equates to a daily extraction level (based on a 6-day operational week) of approximately 16 tonnes, or one-half truckload per day (based on a 30 tonne truck capacity).

It is recommended that a condition be attached limiting loaded vehicle movements to 10 trips per week or a maximum of 1,000 tonnes of material in any 3-week period. It is also recommended that a copy of the conditions be provided to the Department of Transport and Main Roads (DTMR) to allow them to monitor the impacts on the State-controlled road network.

The surrounding road network is identified as part of the Gympie region school bus network. Any potential conflict between school buses and heavy vehicle traffic associated with the development represents an unacceptable risk to the general community, particularly given the standard of roads concerned. It is recommended that a condition be imposed preventing any heavy-vehicle movements to or from the site during school bus operating hours.

3.3 Noise

Potential noise sources associated with the development include traffic movements on the road network, internal vehicle movements, operating machine noise and quarrying activities.

It is not practical to attempt to limit road traffic noise from development vehicles as the level of noise is not dissimilar to that generated by vehicles engaged in other rural activities or through traffic. The conditions limiting vehicle movements to protect the road structure will have the effect of mitigating the frequency of noise events associated with the use of roads by development traffic.

Similarly, attempts to control internal vehicle movements and their associated noise generation are difficult to impose however, the frequency of noise events associated with truck movements will be generally controlled by the conditions limiting the number of vehicle movements associated with the development.

It is not uncommon for rural areas to be active from first light and the proposed hours of operation from 7:00am to 6:00pm are consistent with the general activity in the rural area. Further, given the limit on annual extraction, it is highly unlikely that the development will be a continual noise source, but more sporadic and of a generally shorter duration than noise associated with cultivation activities. However, when the extraction of quarry material is being undertaken on site, it is expected to produce a higher level of noise than that generally experienced on a rural allotment. Compliance with the Environmental Protection (Noise) Policy will be required to ensure that amenity concerns of neighbouring properties are alleviated.

The method of extraction described by the applicant in various correspondences is conflicting. The applicant, in their covering letter for the application, indicates that blasting is proposed. However, the attached environmental assessment and the response to Council's Information Request state that no blasting is involved. Given this uncertainty, it is recommended that condition be imposed preventing the use of blasting associated with the development.

3.4 Air Quality

The proposal has the potential to generate dust from use of the internal haulage road, crushing activities and actual extraction.

The extraction and crushing activities and the use of the internal road are of concern. The applicant proposed to utilise aggregate on the haulage road, limit the speed of vehicles, re-vegetation of stockpiles and water suppression to control dust. Conditions to this effect will attach to any approval. An application for Environmentally Relevant Activity (ERA) and subsequent referral to the Environmental Protection Authority (EPA) was not required as the proposal is for extraction of material of less than 5000 tonnes per annum.

3.5 Environmental Considerations

The site contains mapped endangered remnant vegetation of regional significance. The proposal does not include any clearing of this vegetation. The DNRW (now the DERM) has provided a referral agency response regarding the vegetation (see below).

The site contains and is within 100 metres of wetlands identified as referable by the State. The proposed development does not intrude into these areas but is located upslope from two wetlands. The applicant proposes a series of diversions, detention basins and silt traps to manage stormwater and erosion from the quarry and surrounding areas. Conditions are required to ensure that quarry operations are prevented from impacting on the values and functions of the wetlands (see referral agency response from the EPA below).

4.0 PUBLIC NOTIFICATION

The application was publicly notified in accordance with the Integrated Planning Act and as a result 142 submissions were received with an additional 8 letters received after public notification. Of the 150 responses, 16 were from residents of Gympie Regional Council in the surrounding area (see map below), 44 from residents of the balance of the Council area and 90 from outside the Council area.

- In summation, the issues raised in the submissions and letters include:-
- Use is inconsistent with the Strategic Framework of the Planning Scheme; MCU to extractive industry contravenes Planning Scheme; Conflict with DEO in Planning Scheme; Inconsistent with Farm Code; Conflict with Rural Industry Code; Contrary to Rural Zone;
- Questions whether quarry is 'existing'; Has operated previously without noted impact;
- Traffic conflict; Concern for school bus operations;
- Impact of heavy vehicles on road structure; Stewart/Kin Kin Road intersection unsuitable; upgrade required to entrance, road and intersection;
- New noise impacts; noise already exists;
- Blasting for extraction; uncertainty about extraction method

- Air quality; dust; health impacts from silica;
- Water quality; overland flow changes from haul road;
- Impact on fauna/flora; impact on vegetation under VMA;
- No need for quarry; need for local source of materials; economically unviable;
- Visual impact;
- Impact on property values;
- Impact on GQAL;
- Lack of detailed information in application; uncertain size of quarry; no geotechnical survey;
- Not in a Key Resource Area; alien to concept of rural use;
- Inconsistent with the South East Qld Regional Plan;
- Quarry Act requirements;
- Advertisement was not undertaken in accordance with the requirements of the Integrated Planning Act as the sign was placed on a fence facing inwards along the property driveway/gate, not on the property frontage.

Extractive Industry is not identified in the Rural Zone table as an inconsistent use, by default being consistent with the Zone. Discussion of compliance with the DEO's above revealed that the proposal, if conditioned appropriately, will not compromise the achievement of the DEO's. The proposal is considered, or can be conditioned to be, consistent with the Rural Industry Code as it is relevant in the circumstances. The Farm Code has no bearing on the assessment of the application. The proposal does not contravene the Planning Scheme.

There is some uncertainty about previous extraction from the site. However, this application is assessed as a new proposal and previous history of the site is of limited relevance.

Issues associated with traffic conflict and the suitability of the surrounding road network has been discussed previously in this report and it is considered that conditions can be attached to address these issues. The internal road in the northern section of the site proposed to be used for trucks to transport the quarry material off-site is within close proximity to neighbouring dwellings. A condition is recommended prohibiting the use of this road by quarry traffic.

While it is reasonable to expect some increase in noise associated with the application, the scale of the proposal is not likely to result in a significant increase in noise levels above that associated with normal rural activities. In any event, the provisions of the Environmental Protection (Noise) Policy will apply to the development.

It is recommended that the approval be conditioned to preclude any blasting associated with the quarry activities given the uncertainty regarding this practice in the application documents.

The applicant has proposed amelioration measures to deal with dust and air quality which will be formalised as conditions.

The proposal is capable of being conditioned to mitigate potential impacts on water quality in the receiving environment.

The proposal is not considered likely to have any impact on native fauna given the lack of habitat in the operational area. Conditions can be applied to ensure that remnant vegetation is unaffected in line with advice from the DERM.

Given that the proposal does not compromise the Planning Scheme DEO, an assessment of need is not warranted. There is evidence in some of the submissions that there is some demand for local resources.

The scale of the proposed quarry is such that visual amenity is unlikely to be significantly affected. Photographic evidence provided by opposing submitters highlights the relatively small area of disturbance in the overall picture.

The impact on property values is not a planning consideration and has no bearing on the assessment of the application.

The proposal is not considered to have a permanent impact on those areas of the site identified as GQAL.

The application is lacking in some detail and this requires that more stringent conditions be attached to an approval to ensure that the lack of detail does not result in unacceptable impacts from the use. The lack of a geotechnical assessment can be addressed by conditions if considered necessary.

Key Resource Areas are not the exclusive domain for extractive resources. Many smaller quarries operate on sites outside these Areas. A quarry is not an alien use in rural areas. The Extractive Resource Areas identified on Overlay Map OM& in the Planning Scheme are located in the Rural Zone as are the smaller quarries in the Council area.

The South East Queensland Regional Plan has no bearing on the application.

Approval of the application does not abrogate the applicant from any legal requirements under the *Mining and Quarrying Safety and Health Act 1999*.

There was originally a discrepancy within the application regarding the quantity/scale of the extraction amount applied for. The application and accompanying environmental report initially submitted were contradictory but this was subsequently clarified through a meeting with the applicant. It was explained that an additional Development Permit would be required if the rate of extraction was to exceed 5000 tonnes per annum.

5.0 CONSULTATION

5.1 Internal

(a) Department of Engineering

Council's Design Services Division requirements have been incorporated into the recommendation.

(b) Health and Environmental Services

Council's Health and Environmental Services Department advised that the Environmental Protection Agency (EPA) was the relevant authority to deal with an application of this nature. The application was referred to this department and their response is summarised below.

5.2 External

(a) Department of Natural Resources and Water

The application was required to be referred to the DNRW as a Concurrence Agency, given the site supports areas of mapped remnant vegetation.

The DNRW has directed the assessment manager to include the following conditions in any development approval.

*'No stockpiling or quarrying of materials in areas of remnant vegetation shown in **Figure 1**.'*

*'No infrastructure – including tracks or fences – are to be established in the areas of remnant vegetation shown in **Figure 1**.'*

'This approval does not provide any authority under the Vegetation Management Act 1999 and the Integrated Planning Act 1997 to clear remnant vegetation.'

(b) Environmental Protection Agency

The application was required to be referred to the EPA as an Advice Agency, given the site contains and is within 100 metres of referable wetlands.

The EPA has advised that conditions be placed on any approval to ensure that impacts on the ecological values, water quality and the overall functioning of nearby wetlands is prevented.

The requirements of the DNRW and EPA will form part of any approval issued by Council.

P14/01/10 Moved: Cr G.L. Engeman

Seconded: Cr R.A. Gâté

Recommend that Council, as Assessment Manager, APPROVE development application 2009-0077 for Extractive Industry (Quarry) over Lot 1068 on M37423 located at 96 Stewart Road, Coondoo subject to the following conditions:

Assessment Manager's Conditions

SECTION 1.0 – Conditions to be Satisfied Prior to the Commencement of the Approved Use

- 1.1 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 Operational Works (Roadworks and Driveway);**
 - (ii) development authorised by the above permit has been completed to the satisfaction of Council's Chief Executive Officer.**
- 1.2 (i) At the completion of all works the applicant's Consultant Engineer is to:**
 - (a) make a written application to Council that the works have been satisfactorily completed including submission of a "Statement of Compliance and As Constructed Drawings" as prepared by the Consultant Engineer**
 - (b) Written certification is to be provided, as prepared by the Consultant Surveyor, that all survey pegs are in place prior to Council undertaking an "on maintenance" inspection.**
- 1.3 A Stormwater Management Plan and an Erosion and Sediment Control Plan are to be submitted to and approved by Council. The Plans shall include, but not be limited to, measures to address the conditions contained in this approval.**
- 1.4 A declared plants clearance is required to be obtained from Council and/or a satisfactory management plan approved. The enclosed Notification of Compliance Form is to be completed and lodged with Council as evidence that this has been undertaken.**
- 1.5 A rehabilitation plan detailing measures to re-profile and re-vegetate extracted areas to a standard commensurate with the natural characteristics of the surrounding areas is to be submitted to and approved by Council.**

- 1.6 (i) Prior to commencement of the works a compulsory Pre-start Meeting with Council's Engineer is to be attended by the developer's consulting engineer and contractor.
 - (ii) Prior to booking the pre-start meeting, and before the commencement of the works, a security bond of an amount equivalent to 5% of the estimated costs of the works shall be submitted to Council to secure satisfactory performance of all works required to be carried out as a result of this development approval. *Note: the Registered Engineer must be present at all job pre-start meetings and hold-point inspections.*
 - (iii) The security bond may be transferred to secure in part the maintenance of these works at the time the works are accepted "On Maintenance".
- 1.7 Access to the proposed development is to be constructed in accordance with the requirements of Council's Infrastructure Works Code – Drawing No R-15.
- 1.8 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 2.0 – General Conditions of Approval

- 2.1 Any plans for operational works, water supply and sewerage works and drainage works required by this development permit, are to be surveyed, designed and constructed in accordance with Council's Infrastructure Works Code.
- 2.2 In carrying out your activity you must take all reasonable and practicable measures to ensure that it does not harm Aboriginal cultural heritage (the "cultural heritage duty of care"). You will comply with the cultural heritage duty of care if you are acting in accordance with the gazetted cultural heritage duty of care guidelines. An assessment of your proposed activity against the duty of care guidelines will help determine whether or to what extent Aboriginal cultural heritage may be harmed by your activity. Further information on cultural heritage, together with a copy of the duty of care guidelines and cultural heritage search forms, may be obtained from the Department of Natural Resources and Water ~ phone (07) 3238 3838 or website www.nrw.qld.gov.au.

Amenity Issues

- 2.3 The development shall be generally in accordance with the plans submitted with the application (Job Number 41-20397 Proposed Extraction Operations drawn by GHD and dated 20 Oct 2008); and (Untitled Site Plan Unauthored and Undated).**
- 2.4 Dust generated from on-site activities is to be controlled in accordance with the strategies detailed in Section 5.1 of the Environmental Assessment prepared by GHD dated November 2008 and submitted with the application with the exception that truck loads will be covered at all times.**
- 2.5 The use does not produce noise levels greater than background levels plus 5 dB(A) when measured at a sensitive receiving environment. This condition does not apply to noise generated by development traffic on public roads.**
- 2.6 No blasting is to occur on the site.**

Roads and Traffic

- 2.7 Stewart Road is to be upgraded to a dual carriageway width between the new site access and the intersection with Kin Kin Road. The widened road is to be of a standard compatible with *Planning Scheme Policy 8: Infrastructure Works*, the proposed development and the existing road seal.**
- 2.8 Quarry traffic is to use the existing access to the site as the proposed haul route is not approved.**
- 2.9 No heavy vehicles associated with the quarry are to enter or exit the site during school bus operating hours as determined following discussions with the bus operator.**
- 2.10 The development is restricted to ten (10) loaded vehicle movements per week or a maximum of 1,000 tonnes of material in any 3-week period.**

Stormwater

2.11 A stormwater management plan, prepared by a suitably qualified person, is to be submitted and approved by Council outlining proposed means of managing stormwater through and from the site and detailing best practice stormwater management on-site to prevent increased surface drainage/sediment movement to any wetland or watercourse. The plan shall include a maintenance program for the detention basin and silt traps to ensure their operational efficiency is not compromised by any build-up of sediment, soil or silt.

Hours of Operation

2.12 Permitted hours of operation are 0700 hours to 1800 hours Monday to Saturday.

Carried.

2/2	2008-1886 – Request for Refund of Application Fees - Material Change of Use – Education and Health Premises (Additions to College Campus Multi Purpose Facility) & (Alterations and Additional to School/College Campus) – 1 College Road, Gympie – Cooloola Christian College
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Re: **Minute: P15/01/10** Request for Refund of Application Fees - Material Change of Use – Education and Health Premises (Additions to College Campus Multi Purpose Facility) & (Alterations and Additional to School/College Campus)

From: Martoo Consulting on behalf of Cooloola Christian College

File: 2008-1886

Date: 5 January 2010

Letter received from Martoo Consulting dated 25 November 2009

“I refer to the above applications which have completed their assessment by Council earlier this year. The college is pleased with the decision notice issued by Council in March, 2009.

Council’s fees for assessing the above development applications totalled \$7795.00.

The Cooloola Christian College requests that Council provides a full refund of these application fees paid to Council for its assessment of the above on a number of grounds which include the following:-

- *The current proposal was effectively assessed in detail and approved by the former Cooloola Shire Council in the previous 1996 rezoning application over the site. The above material change of use component has been lodged as a result of advice from Council that the previous approval is no longer current, continuing or provides existing use rights.*
- *It would appear that Council sometimes adopted an approach when compiling the current 2005 Cooloola Planning Scheme to specifically list a site (by RPD reference) in Column 2 for the Assessment Category for the particular Planning Area and zone where it required certain land use entitlements carry over into the new planning scheme, especially when such entitlements have not been substantially commenced or are not part of a lawful continuing approval. Unfortunately the College site do not benefit for such a planning scheme provision because Council understood that those land use entitlements approved in the 1997 rezoning deed carried over into the 2005 Cooloola Planning Scheme under the Integrated Planning Act. Unfortunately this was not the case and the school had to lodge the material change of use component for the above.*
- *The recent decision notice issued by Council essentially simply referenced those conditions as listed in the 1997 rezoning deed for the approved layout and thereby resulted in reduced assessment by Council for the above.*
- *Council's current schedule of fees and charges now calculates application fees for a proposed school to be identical to that for commercial/professional office and is based on identical dollar rates for GFA. This is a result of the State's preference to supposedly simplify planning schemes compiled under IPA by minimising the number of land use definitions. It is widely acknowledged that this State preference has in fact complicated calculation of relevant application fees by local governments, among other things. The application fees applicable for the above application have been inflated by the need to apply those application fees for a new commercial/professional office building and the like.*
- *Council's own Fee Schedule has changed and as such it is noted that several development applications for other schools lodged last financial year were charged much lower application fees.*
- *A school/college on the subject site is assessable and a consistent use under the current 2005 Cooloola planning scheme and required reduced assessment notwithstanding the fact that Council development approval essentially cross referenced those conditions listed in the 1997 rezoning deed.*

- *Each application has attracted a separate base fee because there is a need to separate the proposed multi-purpose facility to assist in expediting the decision notice for this building so as to possibly meet funding deadlines. The applicant was originally advised by Council that this would not occur should two separate applications be created. It is noted that both applications were lodged simultaneously and shared the same report and appended proposed master plans. Once again this assisted in reducing Council's assessment.*

The applicant appreciated the matter in which Council handled these applications and conditioned the approvals. The Cooloola Christian College is keen to obtain a refund so that it can allocate funds to benefit local children obtaining their education at the college.

Representatives of the college would like to attend a meeting with relevant Council staff and Councillors if there are any concerns with the requested refund. Please contact me if you require any further information or clarification."

Report: (Director Planning and Development – M. Hartley)

The applications followed due process, were assessed by Council officers and decided by Council. The reasons outlined in the request for a refund do not satisfy the circumstances outlined in the Schedule of Fees and Charges, and it is considered that no refund of application fees is warranted in this instance.

P15/01/10

Moved: Cr R.J. Dyne

Seconded: Cr G.L. Engeman

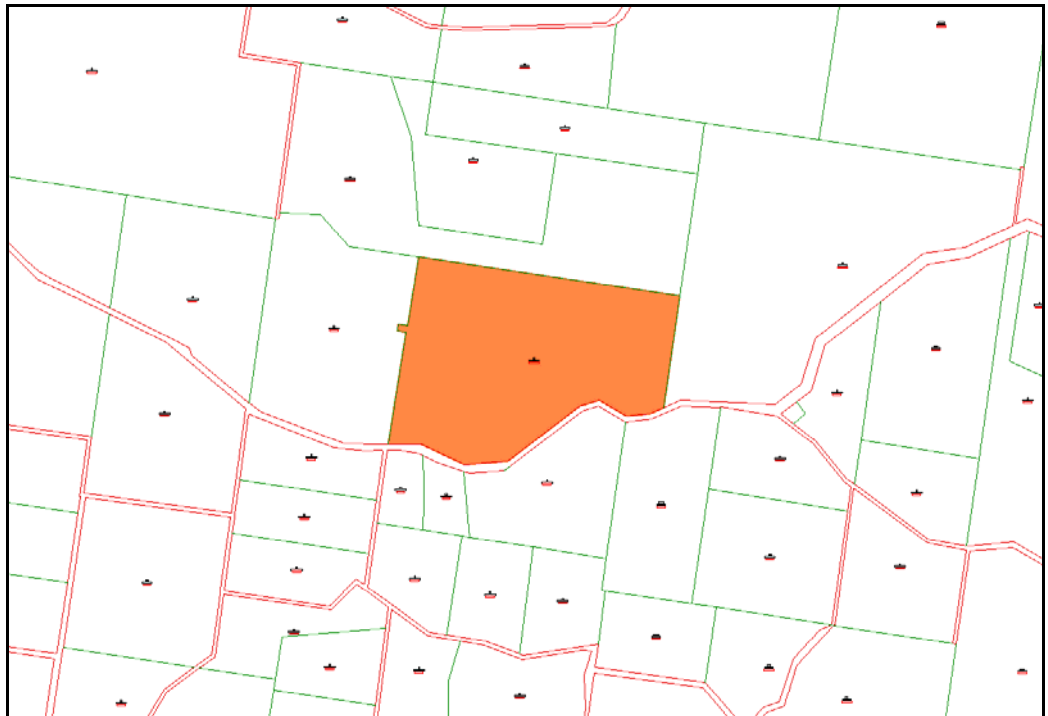
Recommend that the writer be advised that Council is not prepared to agree to a refund of the application fees paid in association with the development applications approved by Council for extensions to the Cooloola Christian College.

Carried.

SECTION 3: RECONFIGURING A LOT APPLICATIONS

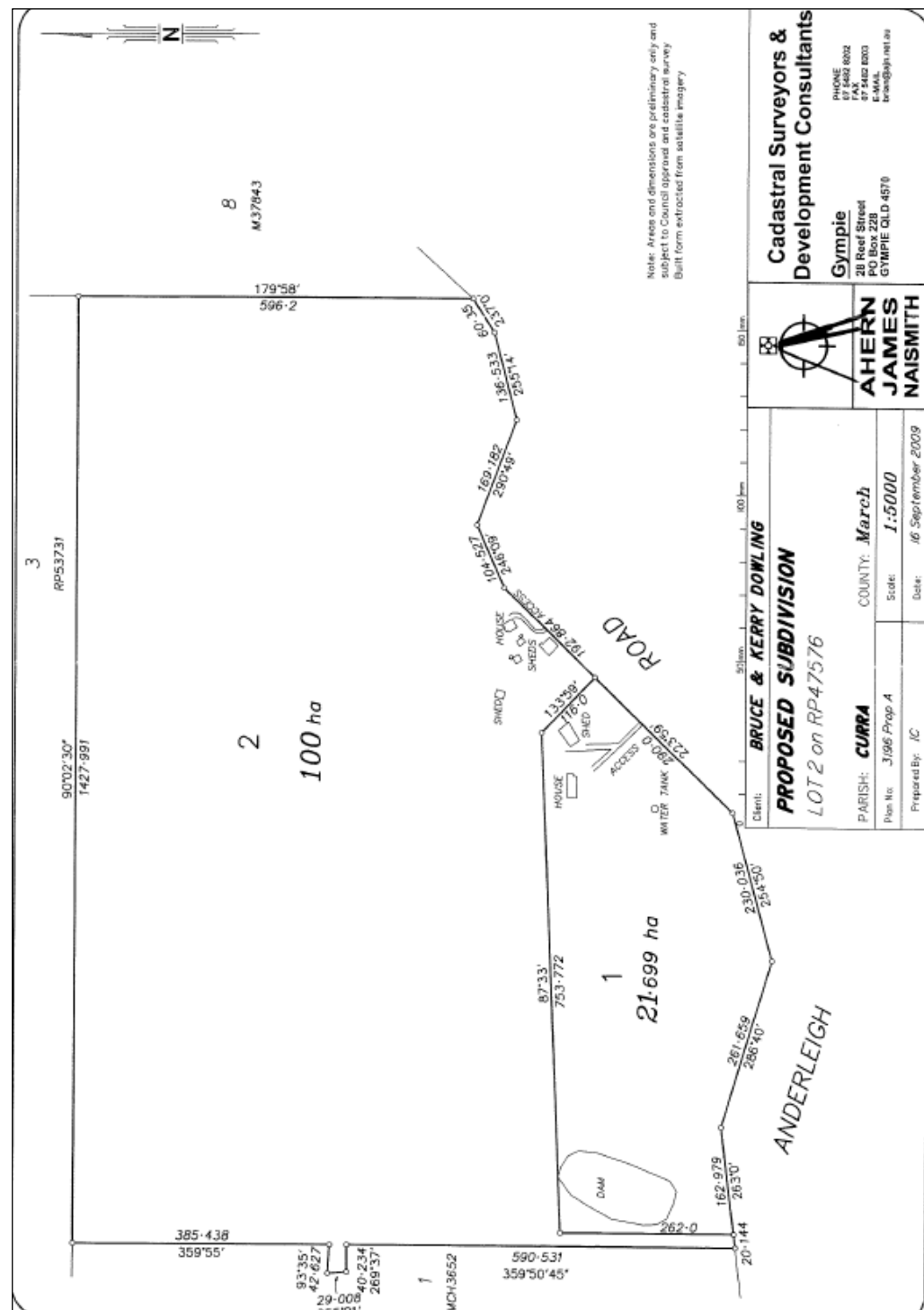
3/1	2009-1504 – Development Application for Reconfiguring a Lot – Subdivision to Create One (1) Additional Lot, 415-433 Anderleigh Road, Gunalda – B. Dowling
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FILE:	Minute: P16/01/10 2009-1504
APPLICANT:	B. Dowling
LANDOWNER:	B. Dowling
RPD:	Lot 2 RP47576
SITE:	415-433 Anderleigh Road, Gunalda
PROPOSAL:	Reconfiguring a Lot – Subdivision to Create One (1) Additional Lot
NO. OF LOTS:	Two (2)
PLANNING SCHEME:	Tiaro
EXISTING ZONE:	Rural
REFERRAL AGENCIES:	Department of Environment and Resource Management (Vegetation Management Act issues)



Report: (Manager Development and Compliance – T.M. Stenholm)**1.0 INTRODUCTION****1.1 The Proposal**

This application seeks approval for a one (1) lot rural subdivision off Anderleigh Road, Gunalda.



The proposed lot to be excised is approximately 21.699 hectares in area.

1.2 Site Description

The site is currently improved by two (2) existing dwellings, associated outbuildings and a dam.

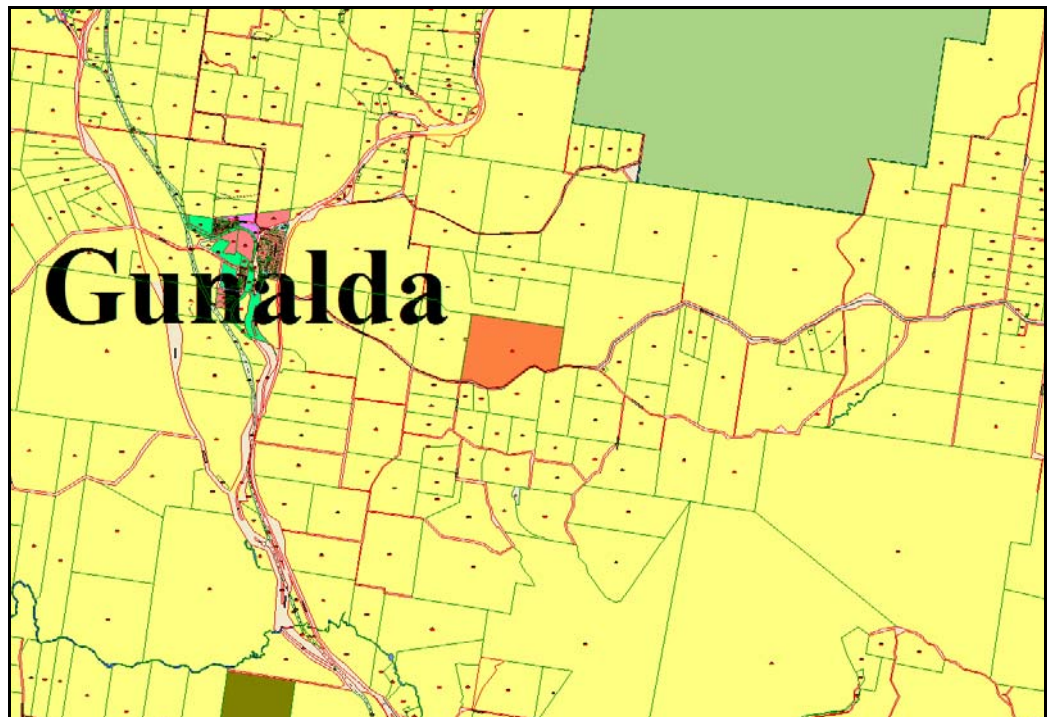
1.3 Surrounding Land Uses

Surrounding land uses are rural in nature.

2.0 STATUTORY REQUIREMENTS

2.1 Planning Scheme

The proposal was lodged on 24 September 2009 under the Tiaro Shire Planning Scheme and the property is included in the rural zone as depicted below.



The application is subject to code assessment against the following codes:

- Reconfiguring a Lot Code
- Rural Zone Code
- Landscape and Buffer Code
- Natural Hazards Overlay Code

2.2 Planning Scheme Provisions and Policies

Reconfiguring a Lot Code

The development conflicts with probable solution (a)(i) of the Code, which requires a minimum lot size of 200 ha when not classified as Class A or B GQAL. The development site is currently below this, however it is proposed to excise a parcel approximately one tenth of the minimum (ie 21 hectares).

No details of the intended purpose of either lot has been submitted with the application, however it would be argued that sustainability of the productive capacity of rural land is not being achieved as stipulated in the relevant specific outcome.

The Code incorporates possibilities for creating consistent lot sizes below the minimum, however such an option involves the presentation to Council of an 'Agricultural Viability Report' demonstrating long term sustainable farm sizes are being created. This option has not been pursued through the application, thus it remains in conflict with the Code.

The applicant submits the following grounds to justify the conflict with the Code:

- *'The subject land is not mapped Good Quality Agricultural Land.*
- *The proposed development has no impact on Remnant Vegetation or Essential Habitat.*
- *The single additional allotment's proposed area of 21 hectares is not inconsistent with the typical area of surrounding allotments.*
- *Two dwellings exist on the subject parcel, an abnormality which will be rectified by the subdivision.*
- *The proposed area of the allotments and siting of existing dwellings negates the necessity for geotechnical reports addressing effluent disposal.'*

The site is not considered to contain good quality agricultural land according to the planning scheme, however this goes against the proposal, in that additional area is considered necessary to create sustainable farm holdings.

Grounds in relation to existing dwellings, impact on vegetation and allotment size are acknowledged however are not unique to this site and not considered overriding on their own to support the excision.

No Tiaro Shire Council approval can be located for the second dwelling, so it is possible the two (2) existing dwellings are an historical use. Regardless, many second dwellings have been approved in the Region on the basis of being caretaker's residences or farm worker's accommodation and without any contributions being levied for the additional loading they place on external infrastructure (ie roads). If approving subdivision of such sites on the grounds of two (2) existing dwellings, it is difficult to justify standard contributions due to no additional land use entitlements being accrued.

Rural Zone Code

The Code contains few provisions relevant to reconfiguring a lot, however Overall Outcome 1h is relevant. It seeks to maintain rural land for major agricultural and animal husbandry uses and with the creation of a 21 hectare lot it could be said the proposal is not supporting this outcome.

The proposal is considered to comply with other provisions due to the existence of two (2) dwellings and associated infrastructure.

Landscape and Buffer Code

No landscaping or buffering are considered necessary to the development therefore the provisions of the code are not relevant.

Natural Hazards Overlay Code

The development site contains land of medium bushfire hazard. This land is predominantly in the north of the site and well removed from the existing dwelling houses.

With no land uses proposed or accrued by the proposal provisions of the Code relevant to protection from bushfire are not applicable.

2.3 Other Planning Considerations

Access / Road Network

Both proposed lots have existing accesses.

Consistency with Existing Development Pattern

There are approximately 20 lots within a two (2) kilometre radius of the site less than the lot size proposed by lot 1 (ie 21.668 hectares) in area.

Water Supply and Sewerage

The development is not serviced by reticulated water or sewerage.

Park

A parks contribution should ordinarily be imposed on a subdivision approval, however based on the existence of two (2) dwellings on the site and no change to the land use proposed, it cannot be justified in this instance.

3.0 CONSULTATION

Referral Agencies

(i) Department of Environment and Resource Management

The application was referred to DERM due to the existence of mapped remnant vegetation over a small section of the site. Consequently, DERM offered conditional approval to the development.

P16/01/10 Moved: Cr G.L. Engeman Seconded: Cr A.J. Perrett

Recommend that Council, as Assessment Manager, Approve the application (2009-1504) for Reconfiguring a Lot – Subdivision to Create One (1) Additional Lot over Lot 2 RP47576 located at 415-433 Anderleigh Road, Gunalda subject to conditions determined by the Director of Planning & Development.

Reasons for recommendation:

- **The subject land is not mapped Good Quality Agricultural Land.**
- **The proposed development has no impact on Remnant Vegetation or Essential Habitat.**
- **The single additional allotment's proposed area of 21 hectares is not inconsistent with the typical area of surrounding allotments.**
- **Two dwellings exist on the subject parcel, and the subdivision will create no additional burden on the existing infrastructure.**
- **The proposed area of the allotments and siting of existing dwellings negates the necessity for geotechnical reports addressing effluent disposal.**

Carried.

3/2	2008-0147 – Reconfiguring A Lot – Subdivision to Create 13 Lots at Zerner Road and Eel Creek Road, Pie Creek, Keeldale Pty Ltd
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FILE NO:	Minute: P17/01/10 2008-0147
APPLICANT:	Keeldale Pty Ltd as Trustee
LANDOWNER:	Keeldale Pty Ltd as Trustee
RPD:	Lot 124 on L37783
SITE ADDRESS:	221 Zerner Road & Eel Creek Road, Pie Creek
CURRENT USE OF LAND:	Vacant / Grazing
PROPOSAL:	Reconfiguring a Lot – Subdivision to Create 13 Lots
PLANNING SCHEME:	Cooloola Planning Scheme
EXISTING ZONE:	Rural
OVERLAYS/NATURAL HAZARDS:	(Regional Ecosystem Value Area) Conservation Significant Areas – Ecosystem Value Conservation Significant Areas – Habitat Value (Natural Waterway) Natural Waterway & Wetland Areas (Class A & B) Good Quality Agricultural Land (Very Low to Very High) Erosion Hazard
APPLICABLE CODES:	Rural Planning Area Code Reconfiguring a Lot Code Infrastructure Works Code Landscaping Code
PUBLIC NOTIFICATION:	No (Code Assessable)
REFERRAL AGENCIES:	None



Report: (Craven Ovenden Town Planning and Manager Development and Compliance – T.M. Stenholm)

1.0 INTRODUCTION

This application seeks Council's approval for Reconfiguring a Lot – Subdivision to Create 13 Lots over Lots 124 on L37783 & 2 on RP847782 (now lot 500 SP212907) at Mooloo Road and Eel Creek Road, Pie Creek.

An application for rural residential subdivision by the same applicant was approved over the adjoining site to north. That application however did not include, or have any reference to, this site.

1.1 Site Description

- The site is located at Mooloo Road, Pie Creek, approximately 9.2 kilometres from the Gympie CBD by road.
- The site has a frontage to the northern side of Mooloo Road.
- The site is currently vacant interspersed with medium to large sized trees.
- A large area of the site has been previously cleared for grazing purposes.
- The land falls approximately 25m to the south-eastern corner of the site.

1.2 The Proposal

The application proposes to reconfigure one lot into 13 lots and new road which is to connect to the previous approved subdivision to the north (Lot 2 on RP 847782). The details of the proposal include:

- The creation of a new cul-de-sac with one point of entry from the internal road network of the previous approved subdivision to the north, which will service 12 of the 13 allotments.
- 1 house lot is separate from the remaining 12 and has direct frontage to Mooloo Road. The lot is to be filled to ensure it exceeds the Q100 flood line.
- 12 of the proposed lots will not have direct access to Mooloo Road however an emergency access/drainage path is proposed from the proposed cul-de-sac to Mooloo Road.
- 1 of the 13 lots is a hatchet shaped block.
- The proposed lot sizes range from 4,011m² to 5,731m², similar to other rural residential allotments approved in the area.
- An area of approximately 4,900m² of new road reserve will be dedicated at the south-western corner of the site.
- Dedication of additional road reserve on Mooloo Road to correct an historical misalignment of the constructed road.

The proposed layout is reproduced below.

It is significant to note that the application also includes a Request to Change an Existing Approval to the layout of the adjoining rural residential development to the north to facilitate access to this new stage. That request is being dealt with separately by Council and does not form part of this report.



1.3 Surrounding Land Uses

Land immediately adjoining the site to the north has been previously developed for rural residential purposes. Surrounding the site to the south, east and west is generally rural in nature with some small pockets of rural residential development interspersed throughout the area, but centering generally on Pie Creek itself.

2.0 STATUTORY REQUIREMENTS

2.1 Overall Outcomes / Desired Environmental Outcomes

The intent of the rural zone is primarily for rural uses, but it also logically allocates land for future urban, rural residential or other purposes designated in the Strategic Plan or a Development Control Plan.

The proposal seeks an expansion of an approved rural residential subdivision over land to the north. The proposed rural residential subdivision seeks to create 13 lots, ranging in size between 4,011m² and 5,731m². A new cul-de-sac road is proposed to provide access to 12 of the 13 allotments while the other is to be accessed directly from Mooloo Road. It remains separate from the remainder of the development.

Leaving aside that the site is not in the designated Rural Residential Area on the Gympie Zoning Map, the proposal presents a reasonable and logical extension between approved rural residential development to the north and Mooloo Road to the south.

While the land is currently zoned for rural activities, it is located in a buffer area between existing and approved rural residential development to the north and rural to the south. Although not explicitly stated in the Scheme, this area is considered suitable for rural residential expansion, as it is on the fringe of Gympie's existing urban and rural residential area and its large lot sizes are conducive to subdivision into rural residential sized lots. In this sense, the proposal provides a satisfactory and logical use of the land.

2.2 Overlays / Natural Hazards / State Planning Policies

2.2.1 Conservation Significant Areas

The site is mapped as containing a Natural Waterway and Regional Ecosystem Value Area. The two overlays are limited to the creek area, which is physically separated from the proposed development. Given that these areas cover only a very small portion of the site, well removed from the development area, it is not considered that the proposed development will adversely impact on their values.

2.2.2 Good Quality Agricultural Land

The site is identified on Overlay Map OM8 (Sheet 1) as comprising both Class A and Class B Good Quality Agricultural Land (GQAL). In contemplating the need for expansion of the Gympie Urban Area, Council has to rationalise the need to permit expansion against the knowledge that this would compromise the preservation of some existing conditions, overriding the need to preserve GQAL. As the land immediately adjoining the site to the north has been approved for rural residential activities and that this both contemplates expansion toward Mooloo Road and compromises the agricultural potential of the subject site, it is considered that that State Planning Policy 1/92 is addressed and this is consistent with Council's approach to the assessment of GQAL to date.

2.2.3 Erosion Hazard

Different parts of the site are identified in the Very Low to Very High Erosion Hazard Areas as per Natural Hazard Map NHM2 (Sheet 2). This issue has not been formally addressed by the applicant. A standard approval condition requiring the preparation of an Erosion and Sediment Control Plan is to be imposed to reduce potential risk associated with erosion.

2.3 Assessment Against Codes

The applicable Codes include the following:

- Reconfiguring a Lot Code
- Gympie Planning Area Code
- Infrastructure Works Code
- Landscaping Code

2.3.1 Reconfiguring a Lot Code

The proposal has been assessed against the following:

2.3.1.1 Road Design / Network

The proposal includes a new cul-de-sac which is to link with the approved residential subdivision to the north. The cul-de-sac extends south-west from the northern boundary and provides access to 12 of the 13 proposed allotments. The remaining allotment is to be accessed directly via Mooloo Road and remains separated from the rest of the development (with additional road reserve is to be dedicated at the south-western corner of the site).

2.3.1.2 Services

The site is not currently serviced by reticulated water supply or sewerage. The proposed lot sizes however, are of sufficient size and dimension to support on-site water collection and effluent treatment facilities and this is consistent with the Council's expectations for development of this nature. A Geotechnical Report has been prepared in support of the application, demonstrating that effluent dispersal areas are a minimum of 30m from the existing watercourse and are capable of servicing the proposed development.

The site has access to electricity and telecommunications infrastructure.

2.3.1.3 Open Space

No open space is proposed as part of this subdivision. It is recommended that a condition be included to require a monetary contribution be paid in lieu of parkland contribution.

2.3.1.4 Stormwater

The site falls approximately 25m to the south-eastern corner towards the creek. The Hydraulic Report prepared by GHD maintains that 12 of the 13 proposed lots are above the Q100 flood line. One house lot, which is separated from the remaining 12 and is directly accessed via Mooloo Road is partially below the identified Q100 flood line. The applicant intends to fill that part of the site to achieve flood immunity. A drainage path/emergency access path is to be provided between two allotments, from the internal cul-de-sac to Mooloo Road.

2.3.1.5 Lot Sizes

The provisions for rural allotments include:

- Minimum 100 hectares lot size; and
- Minimum road frontage of 100m per allotment.

The proposal does not meet the minimum lot size of 100 hectares, which aims to preserve rural lands in viable parcel sizes. The smallest of the proposed lots is 4,011m² and the largest is 5,731m². It is nevertheless noted that the existing lot itself does not meet the lot size criteria under the Planning Scheme.

The earlier development was approved based on the following additional works being proposed and then conditioned as part of the approval:

- roads designed in accordance with standards for urban residential subdivision;
- kerb and channel through the entire estate;

- underground drainage pipe systems;
- traffic calming devices to provide 50km/h speed environment;
- underground power;
- street trees;
- entrance statement;
- street lighting.

Council previously advised that it supported the reduced lot sizes vide minute P56/08/06.

...that the applicant be advised that Council agrees in principle to reduced lot sizes as part of the proposal, based on the works nominated in the application and subject to detailed assessment when the above items have been supplied.

Similar lot sizes are proposed for this extension to the development based on the continuation of these development standards and it is again recommended that any approval be conditioned accordingly.

2.3.1.6 Natural Features

The site is adjacent to a natural waterway and regional ecosystem area on Council's overlay mapping. Regional Ecosystem mapping identifies an area of significance immediately to the north of the site, however it does not affect the subject site. Notwithstanding this, standard conditions are recommended to ensure these natural features are preserved.

2.3.1.7 Impact on Amenity

Accepting that the site is suited to rural residential development, the proposed lot sizes allow for sufficient setbacks from adjoining properties and so permit standards of amenity consistent with a rural residential locality.

The proposal involves a 13 lot subdivision in a rural area. Given the level of development proposed, it is reasonable to concede that some amenity impacts are inevitable, though they are likely to be of a nature and intensity commonly associated with rural residential development. In effect, the proposed subdivision is likely to extend the impacts already contemplated by the approved subdivision to the north.

2.3.1.8 Energy Efficiency

Solar access and access to sunlight and breezes is achieved with all of the lots of sufficient size and dimensions to allow most future dwellings a north-facing orientation.

2.3.1.9 Flood / Landslide / Bushfire

The site falls considerably to a creek at the south-eastern side. The majority of land remains well above the Q100 flood line, with the exception of the proposed house site at the south-eastern corner which is partially below Q100. The applicant's intention is to fill that part of the proposed lot to ensure flood immunity is achieved, without altering the characteristics of the existing creek.

The site is not identified as being subject to bushfire hazard.

2.3.1.10 Site Contamination

The site is not listed on the Environmental Management Register or Contaminated Lands Register.

2.3.1.11 Rural Planning Area Code

While the site is in the Rural Planning Area and triggers assessment against the Rural Planning Area Code, it is not relevant to this proposal as the Code does not incorporate any provisions for reconfiguration.

2.3.1.12 Infrastructure Works Code

The applicant has not provided an assessment against this Code. An Operational Works application must be submitted prior to the construction of any works. Standard approval conditions should apply.

2.3.1.13 Landscaping Code

The applicant has not provided an assessment against this Code however as the previous approval was granted based on the incorporation of particular design features, including street trees, a landscaping plan for such will need to be assessed at operational work stage.

3.0 OTHER PLANNING CONSIDERATIONS

3.1 Road Contribution

The previous approval originally imposed a road contribution equivalent to that levied under the planning scheme policy relevant to rural residential road contributions.

Representations were subsequently submitted in relation to this condition and on the basis that the site was outside the policy area it was argued that the condition was unlawful. Through negotiations, the developer agreed to an option of recalculating the current policy amount to include the subject site. This involved inclusion of the proposed additional 12 lots and also upgrading of the full frontage of the development site. The contribution amount in doing this equated to \$8 155 at the time (ie April 2007).

The wording for the condition was based on advice from King and Co at the time and resulted in the following:

‘The frontage and lead-in road, from the development site to Kidd Bridge, is to be upgraded in accordance with the findings of a Traffic Safety Audit prepared by an RPEQ and Council’s Infrastructure Works Code.

As an alternative to completion of this work, a contribution of \$8 155 per additional lot may be paid to Council. Such a contribution will be indexed annually to ABS ANZIC Class 4121 from the date of this decision notice.

Prior to the issue of a development permit for operational work, the applicant must enter into an infrastructure agreement with Council under Chapter 5, Part 2 of the Integrated Planning Act 1997 to secure its performance of the obligations imposed by this condition. As part of this agreement Council will allow the developer to construct part of the work in place of part the contribution.’

The following comments in relation to this issue were made as part of the previous development’s assessment:

‘(4) Representations in relation to this condition highlight the additional considerations for Council in approving rural residential development outside the designated areas. Eel Creek Road needs upgrading back to Rocks Road and the cost levied through the contribution is not close to the actual cost of upgrading the road (estimated at around \$13000 per lot or 1.3 million).

The policy was designed for small scale subdividers to contribute to road upgrading and not for proposals with significant numbers of additional lots. Councillors will recall the actual cost of required road upgrading per lot was significantly higher than the \$9000 imposed by Council through the policy.

The unintended consequence is that a large developer is going to piggy back onto the reduction in the actual cost of construction for the road upgrading required.’

It is recommended that the previous amount levied be again re calculated to include the additional 12 lots proposed by this application, with the inclusion of indexation on the contribution amount from April 2007. This is calculated to be \$9 014 per lot.

4.0 PUBLIC NOTIFICATION

The application is code assessable and did not require public notification.

5.0 CONSULTATION

5.1 Internal

Report: (General Manager Design Services - R. Chapman)

This engineering report is based on the information submitted by Cooloola Civil Constructions Pty Ltd and additional information provided by GHD. This land is to be connected to the existing approvals given for the original Keeldale development.

FRONTAGE

The land has direct frontage to Mooloo Road with lots 129 to 132 and lot 136 having frontage. This section of Mooloo Road was constructed on Lot 124 many years ago and requires a road widening area of approximately 9750m². A physical barrier should be provided along the frontage to lots 129 to 132 to ensure access is through the development. The extent of the road widening resumption will be subject to detailed survey to ensure batters and services are all within the widened road reserve. Lot 136 will have its own access off Mooloo Road. This will be subject to meeting current standards.

LOT/INTERNAL ROAD LAYOUT

The internal road layout appears satisfactory but frontages may be less than Town Planning standards. Lot 136 is very much affected by flooding which requires further investigation to determine the correct flood level through this area of the site.

FLOODING / STORMWATER

Lots 132 to 136 are affected by Q100 flooding in Zachariah Creek. The flood study by GHD appears to be some 50% lower than the original runoff determined for the original application. This study will require re-working and setting new levels to match those previously determined. Due to the steepness of the site for lots 132 to 135, it is expected house sites will meet Council's requirements but there could be doubts about a suitable house site for Lot 136. Localised stormwater runoff should not be a problem but a drainage easement will be required in the vicinity of lot 133 to be confirmed during operational works.

EFFLUENT DISPOSAL

The Keeldale site was previously deemed to be suitable for a large number of treatment plants with each site subject to detailed designs at the building stage.

MISCELLANEOUS

Electricity and telecom reticulations will need to be from within the original Keeldale site.

5.2 External

5.2.1 *Referral Agencies*

The application did not require referral to any State Government Agency.

6.0 CONCLUSION

The application proposes a subdivision of 1 lot into 13 lots and is consistent with the nature of existing surrounding development and approved development in the locality.

The application is recommended for approval, subject to conditions detailed in the recommendation and as explained in the report.

P17/01/10

Moved: Cr L.J. Friske

Seconded: Cr R.A. Gâté

Recommend that Council, as Assessment Manager, APPROVE development application 2008-0147 for Reconfiguring a Lot –Subdivision to Create 13 Lots over Lot 124 on L37783 located at Mooloo Road, Langshaw, subject to the following conditions:

Assessment Manager's Conditions

Section 1 Conditions to be Satisfied Prior to the Release of the Plan of Survey

- 1.1 (i) The development shall be generally in accordance with the plan submitted with the application (Plan No K028 1927 – Stage 6 Issue B drawn by BJS(JM) – Kim McCarthy Surveys and dated 29/07/09).
- (ii) The layout of the development as shown on the endorsed development plan shall not be altered or modified unless previously approved by Council's Chief Executive Officer.
- 1.2 The development herein approved may not start until:
 - (i) the following development permits have been issued and complied with as required -
 - (a) Operational Work (Civil Works); and

- (ii) development authorised by the above permit has been completed to the satisfaction of Council's Chief Executive Officer.

- 1.3 The frontage and lead-in road, from the development site to Kidd Bridge, is to be upgraded in accordance with the findings of a Traffic Safety Audit prepared by an RPEQ and Council's Infrastructure Works Code.

As an alternative to completion of this work, a contribution of \$9 014 per additional lot may be paid to Council. Such a contribution will be indexed annually in accordance with the March release figures of ABS ANZIC Class 4121.

Prior to the issue of a development permit for operational work, the applicant must enter into an infrastructure agreement with Council under Chapter 5, Part 2 of the *Integrated Planning Act 1997* to secure its performance of the obligations imposed by this condition. As part of this agreement Council will allow the developer to construct part of the work in place of part the contribution.

- 1.4 In accordance with Council's Planning Scheme Policy 6: *Park Contributions*, a contribution is to be paid to Council for the improvement of existing public park or recreation spaces in the general area. The contribution is currently based on \$1 837 per new lot created, however the actual amount payable will be based on Council's policy and the rate applicable, at the time of payment.
- 1.5 All outstanding rates or charges levied by Council or expenses that are a charge over the subject land under any Act are to be paid.
- 1.6 An agreement is to be entered into with Energex to provide electricity to all approved lots without any financial encumbrance on future owners of these lots.
- 1.7 Three (3) alternative road names are to be submitted for Council's consideration for the new road to be opened in accordance with Policy No. PR-D-004.
- 1.8 The applicant shall make suitable arrangements for the provision of an underground telephone service to the proposed new allotments within the subdivision. Documentary evidence shall be submitted that an agreement has been reached with an authorised supplier for telephone services, prior to the Plan of Survey being sealed by Council.

- 1.9 The whole of the subject land including all approved lots is to be treated for declared plants and cleared of scrap to the satisfaction of Council's Chief Executive Officer. On completion of the treatment and clearing the enclosed Notification of Compliance Form is to be completed and lodged with Council.**
- 1.10 (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.
- 1.11 Allotment sizes for this proposal are approved based on the provision of:**
 - **kerb and channel to internal roadways;**
 - **Underground stormwater to be provided to meet Q5 pipe flow and Q100 overland flow;**
 - **Traffic calming devices to be installed in locations suitable to Council;**
 - **Underground power supply;**
 - **Street trees to be provided to each allotment;**
 - **Street lighting to all internal roads and intersection of Eel Creek Road and new road.**
- 1.12 Identification markers are to be placed within 1 metre of survey pegs at corner posts of the property. Markers are to be painted white and be at least 100 millimetres in diameter, 1.2 m high above ground and set at least 450 millimetres into the ground. On completion of placement the enclosed Notification of Compliance Form is to be completed and lodged with Council.**
- 1.13 Access to each lot shall have a minimum visibility of 65 metres in each direction to the satisfaction of Council's Chief Executive Officer. *Note: Lot 136 on Mooloo Road requires sight distance of 130 metres.***
- 1.14 The Q100 flood contour level is to be determined by a revised study, surveyed by a cadastral surveyor and shown on a copy of the Plan/s of Subdivision and submitted to Council. The datum for such a contour line is to be AHD unless otherwise agreed to by Council's Chief Executive Officer. Where levels of local flooding are based on local knowledge the source of the information and method of calculation is to be referenced thereon.**
- 1.15 One PSM is to be provided and levelled to Australian Height Datum to the satisfaction of Council's Chief Executive Officer. A copy of any Permanent Survey Sketch is to be submitted to Council.**

- 1.16 Council requires road widening at no cost to Council. The extent of widening is to be determined at the detailed design stage.**
- 1.17 At locations where the existing road formation encroaches onto proposed lot/s, road reserve widening is to be surveyed and opened as road reserve to ensure the centerline of the existing formation is no closer than 10 metres to the resurveyed road boundary.**
- 1.18 Easements or reserves for drainage purposes are to be surveyed and registered in favour of Council/the downstream/upstream property at no cost to Council / the downstream/upstream property owner. Specific requirements are to be confirmed with Council's Chief Executive Officer prior to cadastral survey and at completion of engineering design approval process. A solicitor's undertaking (or alternative suitable to Council) shall also be submitted confirming the easement documents will be submitted with the Plan Registry Authority in conjunction with the Plan of Survey.**
- 1.19 No access to lots 129 to 132 will be permitted to Mooloo Road. A suitable permanent barrier is to be constructed as part of the operational works required for the development.**
- 1.20 The proposed road opening/closure shown on the approved plan is to have been effected or registered in conjunction with the survey plan for the development.**

Section 2 Conditions to be Satisfied Prior to the Lodgement of a Development Application for Operational Work (Civil Works)

- 2.1 Prior to commencement of any site works a declared plants clearance is required to be obtained from Council and/or a satisfactory management plan approved. The enclosed Notification of Compliance Form is to be completed and lodged with Council as evidence that this has been undertaken prior to issue of a Development Permit for Operational Works.**
- 2.2 Lot boundaries are to be approved by Council's Chief Executive Officer prior to cadastral survey and at completion of engineering design approval process to ensure that engineering design standards are not compromised.**

Section 3 Conditions Relevant to the Issue of a Development Permit for Operational Work (Civil Works)

Roadworks

- 3.1 New roads are to be opened and constructed to bitumen seal standard in accordance with Council’s Road Design Standard.**
- 3.2 Prior to construction of all new roads the following actions are required:**
 - (i) Lodgement of a plan of the proposed centreline;**
 - (ii) The proposed centreline is to be pegged by the Consultant Surveyor to facilitate an inspection; and**
- 3.3 Street lighting is to be provided to new roads in accordance with current Australian Standards/New Zealand Standards for Street Lighting and Equipment Design and Council’s Infrastructure Works Code. The subject road/street is classified as an Access Street for the purposes of designing the system/category of lighting required. The developer is responsible for payment for the first 12 months electricity for the lighting system. Street lighting to be provided to all intersections, slow points and bus stops.**
- 3.4 (i) Where any works associated with this development approval are to be carried out on Council controlled land, such as road, park, drainage reserves, or the like, a Traffic Management Plan shall be submitted to Council for review prior to the pre-start meeting for such works.**
 - (ii) The Traffic Management Plan shall be constantly reviewed and revised throughout the construction phase of the project until the works are accepted “On-maintenance” by Council.**

Stormwater

- 3.5 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.**

Miscellaneous

- 3.6 All cleared vegetation is to be suitably processed or removed from the site at no cost to Council. Prior to the commencement of clearing works on site the preferred means of disposal of cleared vegetation is to be approved by Council’s Chief Executive Officer. The following means of disposal are acceptable, but are not limited to:**

- (i) Processing through a woodchipper.
- (ii) Disposal for firewood.
- (iii) Disposal for landscaping.
- (iv) Transport to alternative site for breaking down materials.

Burning off is not an acceptable means of disposal and will not be approved.

Note: Bulk green waste is no longer accepted at any Council landfill site.

- 3.7 Undertake at no cost to Council, the alteration of any public utility mains (eg. Electricity, gas etc.) or other facilities necessitated by the development of the land or associated construction works external to the site.
- 3.8 An Erosion and Sediment Control Management Plan is to be submitted to Council for approval. Erosion and sediment control measures are to be designed and provided in accordance with the Institution of Engineers, Australia, Qld Division's "*Soil Erosion and Sediment Control: Engineering Guidelines for Queensland Construction Sites*" and are to be particularly cognisant of the very high Erosion Hazard portion of the site. The design shall be submitted to Council for approval with subsequent development applications for operational work.
- 3.9 The entrance and driveway for Lot 127 is to be constructed to a 3.0 metre wide 2 coat bitumen 25mm asphaltic concrete or reinforced concrete sealed standard from the edge of shoulder/kerb to lot proper.

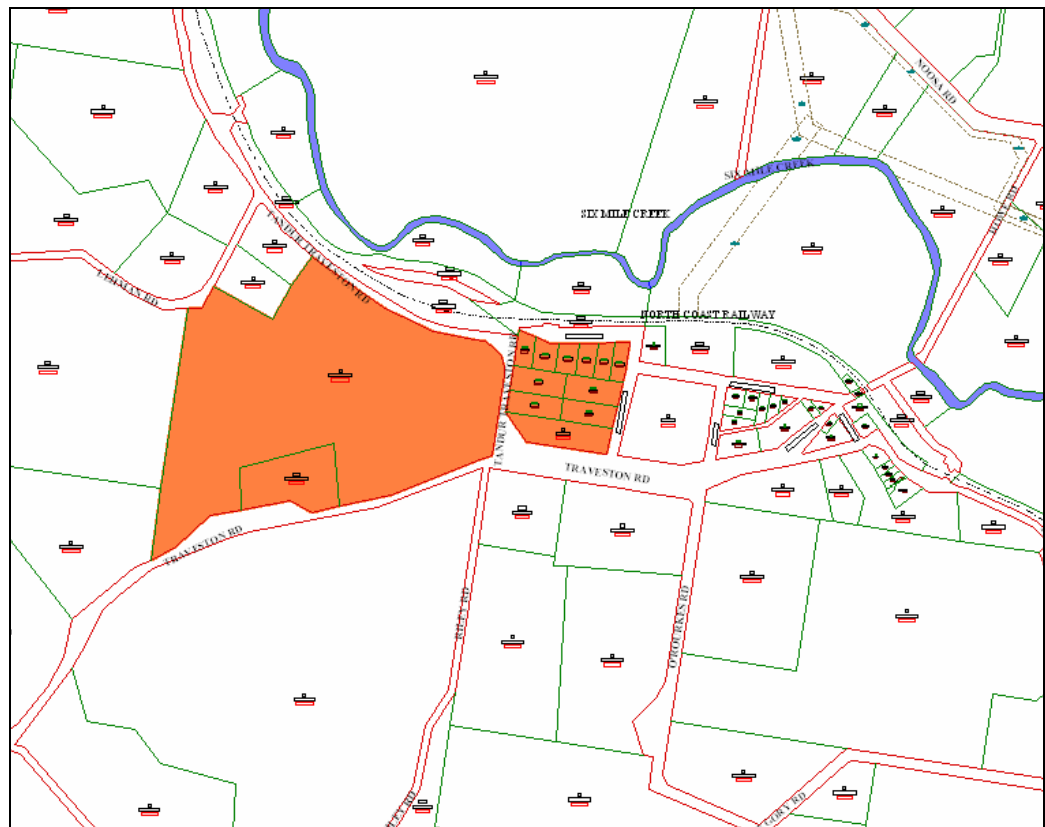
Notes

- (i) *In carrying out your activity you must take all reasonable and practicable measures to ensure that it does not harm Aboriginal cultural heritage (the "cultural heritage duty of care"). You will comply with the cultural heritage duty of care if you are acting in accordance with the gazetted cultural heritage duty of care guidelines. An assessment of your proposed activity against the duty of care guidelines will help determine whether or to what extent Aboriginal cultural heritage may be harmed by your activity. Further information on cultural heritage, together with a copy of the duty of care guidelines and cultural heritage search forms, may be obtained from the Department of Natural Resources and Water ~ phone (07) 3238 3838 or website www.nrw.qld.gov.au.*
- (ii) *Any future dwelling house is not to be erected within the access handle of a hatchet shaped allotment.*

Carried.

3/3	2009-0634 – Reconfiguring a Lot – Boundary Realignment & Subdivision to Create 13 New Lots from 13 Existing Lots, Traveston Road, Traveston – Oakland Investments (Aus) Limited
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FILE NO:	Minute: P18/01/10 2009-0634
APPLICANT:	Oakland Investments (Aus) Limited
LANDOWNER:	Traveston One Pty Ltd & Traveston Three Pty Ltd
RPD:	Lots 141-148 T5802, Lot 9 T5806 and Lots 158 & 159 T5802, Lot 4 RP907516 and Lot 20 RP159737
SITE ADDRESS:	Traveston Road, Traveston
PROPOSAL:	Reconfiguring a Lot – Boundary Realignment & Subdivision to Create 13 New Lots from 13 Existing Lots
EXISTING ZONE:	Rural
LEVEL OF ASSESSMENT	Code
SUBMISSIONS:	One (1)



KEY POINT SUMMARY

- Application for Reconfiguring a Lot – Boundary Realignment & Subdivision to Create 13 New Lots from 13 Existing Lots within the Rural zone, at Traveston.
- Development effectively proposes to transfer the titles of a number of existing flood prone lots with limited, if any, development potential (ranging in size from 4 047m² to 1.647ha), to a nearby site, in order to achieve new lots with larger areas (ranging in size from 2.339ha to 7.245ha), with increased flood immunity and therefore increased development entitlements.
- All lots are zoned Rural and the application was lodged for assessment against the *Cooloola Shire Council Planning Scheme 2005*.
- Proposal results in fragmentation of a medium sized rural lot, more than five (5) times the size of the lot, which will result from the proposed amalgamated titles.
- The proposal conflicts with the Outcomes sought by SPP1/92, as the larger site (39.6ha), which is to be subdivided, is mapped as being Class A Good Quality Agricultural Land and is not considered to be adequately off-set by the amalgamation of the 11 existing titles, which will result in a single lot of 7.654ha.
- Demonstrated need for additional small rural allotments, within the vicinity, has not been established.
- The proposal conflicts with the Outcomes sought by the Planning Scheme.
- Insufficient planning grounds exist in order to support the proposal.
- Application recommended for Refusal.

Report: (Principal Planner – K.M. Toomey)

1.0 INTRODUCTION

This application seeks Council's approval for Reconfiguring a Lot – Boundary Realignment & Subdivision to Create 13 New Lots from 13 Existing Lots at Traveston Road, Traveston.

1.1 The Site

The development site is located on Traveston Road and Traveston-Tandur Road, Traveston, and includes the following allotments:

Lots to be Amalgamated into one (1) parcel of 7.654ha

- Lot 141 on T5802 – Site Area of 4 047m² (Vacant)
- Lot 142 on T5802 – Site Area of 4 697m² (Vacant)
- Lot 143 on T5802 – Site Area of 4 047m² (Vacant)
- Lot 144 on T5802 – Site Area of 4 047m² (Vacant)
- Lot 145 on T5802 – Site Area of 4 047m² (Vacant)

- Lot 146 on T5802 – Site Area of 4 047m² (Vacant)
- Lot 147 on T5802 – Site Area of 9 419m² (Vacant)
- Lot 148 on T5802 – Site Area of 8 357m² (Vacant)
- Lot 158 on T5802 – Site Area of 8 311m² (Vacant)
- Lot 159 on T5802 – Site Area of 9 055m² (Vacant)
- Lot 9 on T5806 – Site Area of 1.647ha (Vacant)

Lots for Proposed Boundary Realignment and Subdivision to Create Lots ranging from 2.339ha up to 7.245ha:

- Lot 20 on RP 159737 – Site Area of 3.361ha (Improved)
- Lot 4 on RP907516 – Site Area of 39.6ha (Vacant)

The majority of the development site has been intermittently cleared to facilitate grazing and general rural uses and is classified as Class A Good Quality Agricultural Land. The remaining vegetation on the site is mapped as remnant and is of significance for koala habitat purposes.

Lots 20 and 4, are generally flood free and slope to the west and the lots to be amalgamated are, all except one, subject to flooding and are generally level. Several drainage lines occur throughout the site, which drain to Six Mile Creek to the north.

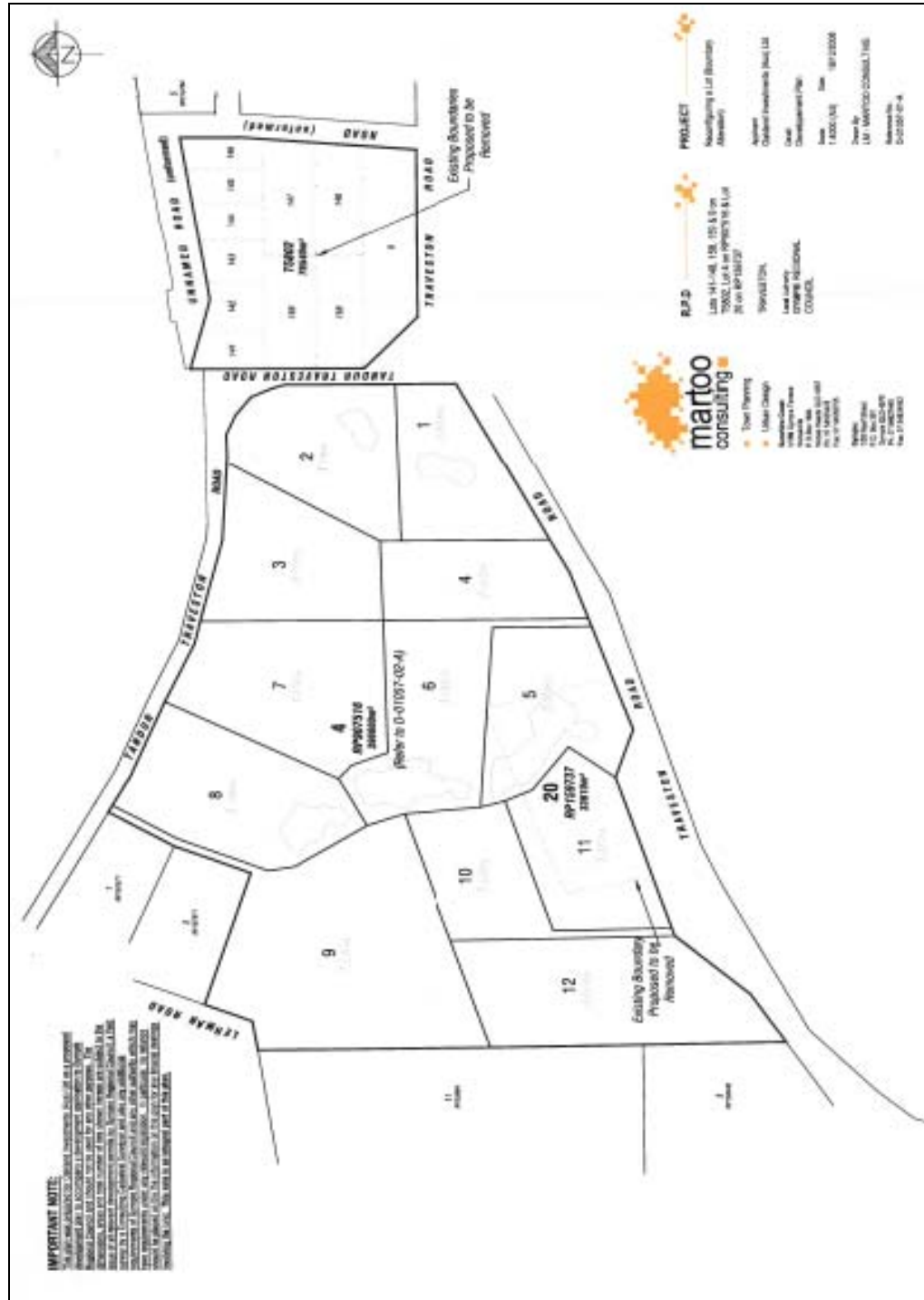
1.2 The Proposal

The proposal comprises amalgamating existing Lots 141, 142, 143, 144, 145, 146, 147, 148, 158 and 159 on T5802 and Lot 9 on T5806 and Realigning the Boundary of Lot 20 on RP159737 to reduce the current lot size and Subdividing Lot 4 on RP907516 to Create a total of 13 New Lots.

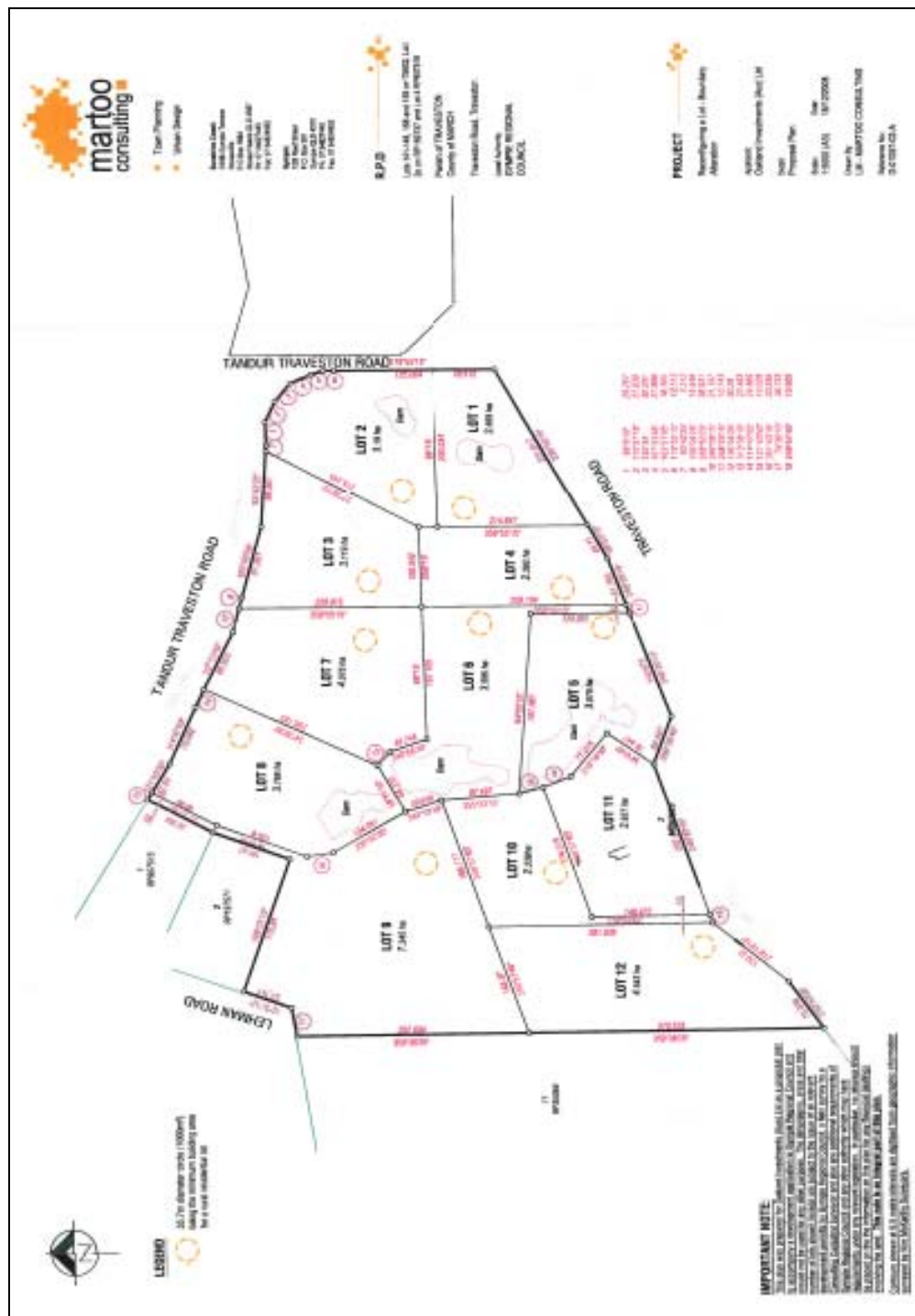
The development effectively proposes to transfer the titles of a number of existing lots (all, except one (1) lot, are inundated in both a Q50 and Q100 flood event), to a neighbouring site in order to achieve increased flood immunity and therefore increased development entitlements.

The Proposal Plans are reproduced below.

Applicant's Proposal Plan (1 of 2)

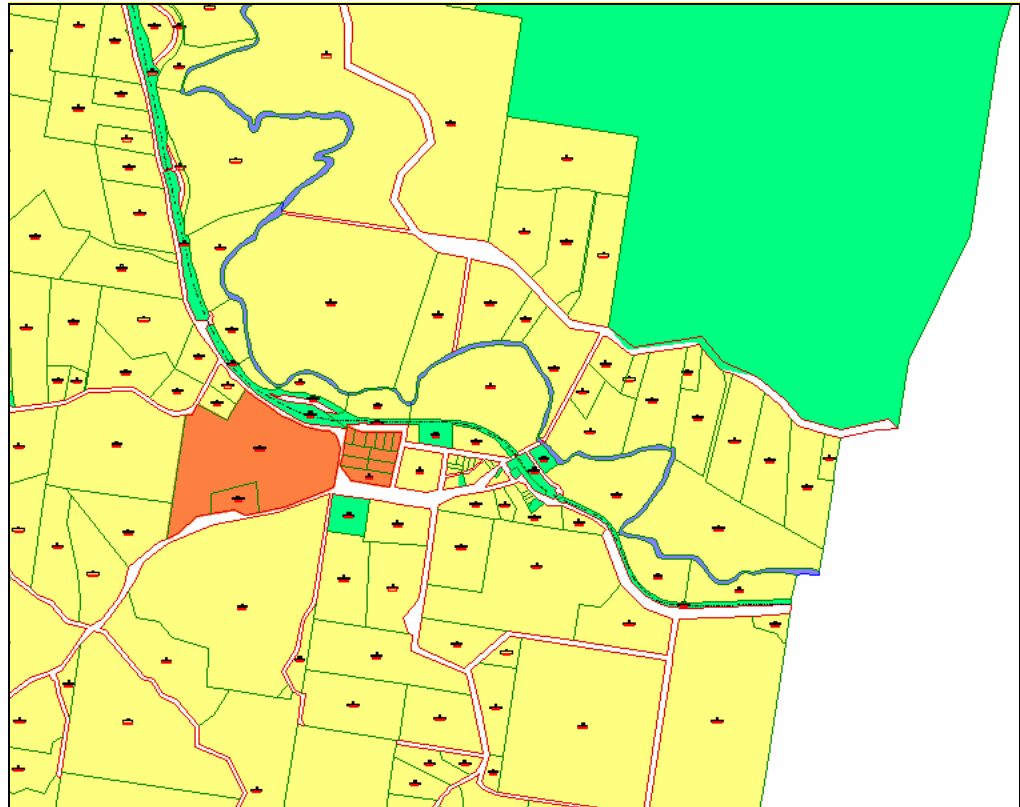


Applicant's Proposal Plan (2 of 2)



1.3 Surrounding Land Use

The surrounding land is generally characterised by medium to large rural allotments, interspersed with a number of small rural allotments. The site is bordered in the south by Traveston Road, the north and east by Tandur Traveston Road and a small section of Lehman Road to the north-west. The North Coast Railway and Six Mile Creek are also located to the north of the site.



Zoning Map

2.0 STATUTORY REQUIREMENTS

2.1 Compliance with the Planning Scheme

2.1.1 Scheme Definition

Under the arrangements of the *Cooloolo Shire Council 2005 Planning Scheme*, Reconfiguring a Lot is 'Code Assessable' development.

2.1.2 Planning Scheme Provisions

The proposed development is assessable against the codes outlined below.

Rural Planning Area Code

Overall Outcomes of the Rural Planning Area Code require that rural uses are to predominate within the Rural zone and that the sustainable use of rural lands is to be maintained and enhanced.

The proposed new lots to be created from approximately 39.6ha, are not considered to be of a sufficient size to support the undertaking of a range of rural or agricultural uses and are not considered to be adequately off-set by the amalgamation of the 11 existing titles, which will result in a single lot of 7.654ha. The proposed development is therefore considered unable to meet the Overall Outcomes sought by the Code.

Reconfiguring a Lot Code

Overall Outcome (i) of the Reconfiguring a Lot Code states that *‘if a new lot or a separate part of a lot is created, the lot or part of the lot is of sufficient size and suitable proportions having regard to: (i) its useability for its intended purpose in accordance with design standards;’*

The development is unable to meet the minimum lot size of 100 hectares for subdivision in the Rural zone. It is acknowledged that the development site lot size, is already below the minimum required and that there is no net increase in the number of titles to be created, however this alone is not considered to constitute grounds for allowing further subdivision, particularly when the overall fragmentation of Rural land is considered to be greater as a result of the proposal.

The proposal is therefore not considered to meet the outcomes sought for the Reconfiguring a Lot Code for subdivision within a Rural zone.

Infrastructure Works Code

The proposal is generally able to meet the requirements of the Infrastructure Works Code for the Rural zone.

Landscaping Code

Street trees are not generally required as part of subdivisions in the Rural zone.

Resource Areas Code

The Resource Area Code is intended to preserve Good Quality Agricultural Land (GQAL) present within rural areas. The development site is entirely made up of Class A GQAL and the subdivision of Lot 4 on RP907516, which is currently 39.6ha, will compromise the usability of the land for agricultural purposes. The amalgamation of Lots 141 to 148, 159 and 158 on T5802 and Lot 9 on T5806, will result in a single parcel of 7.654ha, which will not off-set the loss of 39.6ha of GQAL within Lot 4 on RP907516.

The proposed development is therefore unable to meet the Outcomes sought by the Resource Areas Code.

Natural Waterways and Wetland Areas Code

The proposal is generally able to meet the requirements of the Natural Waterways and Wetland Areas Code.

Conservation Significant Areas Code

The proposal is generally able to meet the requirements of the Conservation Significant Areas Code.

2.2 Local and/or State Planning Policies

Current Council mapping suggests that all of the proposed development sites are Class A Good Quality Agricultural Land (GQAL) and therefore assessment against State Planning Policy 1/92 *Development and the Conservation of Agricultural Land* is required.

The proposal compromises the future useability of Class A GQAL, through fragmentation of a medium sized rural lot. The larger site (39.6ha), which is to be subdivided, is not considered to be off-set by the amalgamation of the 11 existing titles, which will result in a single lot of 7.654ha and therefore the proposal conflicts with the Outcomes sought by SPP 1/92.

No other State Planning Policies are considered applicable.

3.0 PLANNING CONSIDERATIONS**3.1 Appropriateness of the Proposal**

The majority of the existing lots are subject to extensive flooding and as a result currently command limited, if any development entitlements. The creation of small allotments of insufficient size to be used for rural purposes, within the Rural zone, in order to achieve increased flood immunity and therefore increased development entitlements, is not supported by the current Planning Scheme and demonstrated need for additional small rural allotments, within the vicinity, has not been established.

The proposed development results in the fragmentation of a medium sized rural lot, more than five (5) times the size of the lot, which will result from the proposed amalgamated titles. The proposal conflicts with the Outcomes sought by SPP1/92, as the larger site (39.6ha), which is to be subdivided, is mapped as being Class A GQAL and is not considered to be off-set by the amalgamation of the 11 existing titles, which will result in a single lot of 7.654ha.

Insufficient planning grounds exist in order to justify non-compliance with the above provisions and the proposed development is therefore considered to be an inappropriate use of the site.

3.2 Vegetation

The site contains mapped remnant vegetation and as a result was referred to the Department of Environmental Resource Management as a Concurrence Agency. The vegetation is also significant as known koala habitat.

3.3 Site Contamination

This site is not listed on the Environmental Management Register.

4.0 CONSULTATION

4.1 Internal

a) Design Services Division

This report relies on information supplied by the applicant and a site inspection on 12 October 2009. The report looks at the engineering aspect of the subdivision of Lot 20 RP15977 and Lot 4 RP907516 as a stand alone subdivision and flooding on T5802 & T5806.

TRAFFIC

The proposal will generate more traffic on the local road system. A contribution to roads is justified. The contribution should be based on PSP12.

FRONTAGE ROADS

The sight fronts, Traveston Road.

- A Bell's Transport only B-double route therefore no longer a B-double route
- an Arterial Road and an accident diversion route
- 80km zone – 90km/hr environment
- 6m plus seal

- Proposed 7 lots to access this road (S01 (f) in Table 8.22 of Reconfiguring a Lot Code of the Planning Scheme requires that all new rural residential lots do not have direct access to an Arterial Road.)
- Intersection sight distance for proposed Lot 10 shown as 250m minimum.

TANDUR-TRAVESTON ROAD

- A sub-arterial Road.
- 60km environment for first 300m from Traveston Road.
- 70km/hr environment for remainder of frontage.
- 3.7m seal for 185m from Traveston Road and 7.0m seal for remainder of frontage.
- Proposed 4 Lots to access this road.

LEHMAN ROAD

- An access road.
- 40km/hr environment (currently)
- 60km/hr environment if sealed
- Gravel Road
- Proposed one Lot to access this road.

ACCESSES

TRAVESTON ROAD

Lot 10 access is stated as having 250 / 280m sight distances. This is the only sight distance given in the application.

The representations from Traveston Action Group flag that there could be sight distance problems on Traveston Road. The permit conditions can address this by requiring RPEQ certification of access sight distances. Council standards require a minimum of 140m sight distance on this road.

TANDUR-TRAVESTON ROAD – 00 to 300m.

Lot 2 will access in this stretch. Sight distances of 85m will be required.

TRAVESTON ROAD – from 300m to Lehman Road.

100m sight distance will be required.

LEHMAN ROAD

65m sight distance will be required.

All accesses will be required to be sealed and constructed to council's standard.

Two (2) hatchet lots are proposed, the access handles should be sealed.

FLOODING OF PROPOSED LOTS

All proposed lots contain adequate area above Q_{100} flood level in Six Mile Creek. Q_{100} flood level was determined in Max Winders & Associates Flood Study dated 30 September 2009 (MWA Flood Study). However Council has not adopted a specific Q_{100} flood level in this area.

FLOODING OF EXISTING LOTS 141-148 & 159. T5802 & LOT 9 T5806.

- Of these lots only lot 141 has an area above the highest known flood level. This area is approximately 1,800m².
- Q_{50} (MWA Flood Study) leaves the majority of Lot 141 above water and approximately 750m² of Lot 159 also above water.
- The Cooloola Shire Planning Scheme in PS-11 natural hazards refers to a Building Area that:
 - (A) in areas where the 1:100 ARI flood level, is at or above 1:100 ARI flood level
 - (E) In areas where the 1:100 ARI flood level is not known, is at or above the highest known flood level in the locality.

DAMS

The proposed boundaries appear to be clear of dams, however it is recommended that the clearance requirements be conditioned.

4.2 External

a) **Department of Environment and Resource Management**

The Department of Environment and Resource Management, was a Concurrence Agency for this application, with regards to vegetation clearing and conditions have been provided.

The Department was also an Advice Agency, with regards to development in or near a wetland and due consideration has been given to the response provided.

b) **Public Notification**

The application was determined to be “Code Assessable” only and as such was not required to be publicly notified. The Development Application was however, included within Council’s regular advertisement in the Gympie Times and one (1) submission (in three (3) separate letters) was received from the Traveston Residents Association Inc. Given the level of assessment, the submission does not attract appeal rights.

The following concerns were raised in the submission and were given due consideration throughout the assessment process.

- Proposed new lots below the minimum lot size for the Rural Zone and therefore the proposal conflicts with the Planning Scheme provisions.

- The validity of the application, given that a previous application over the site was approved by the former Cooloola Shire Council, was subsequently appealed by a third-party and found to be invalid by the Planning and Environment Court.
- Road and access safety issues.

Correspondence was also received from the Honourable Stirling Hinchliffe MP, Minister for Infrastructure and Planning, outlining concerns raised by constituents, with regard to the validity of the application and the proposal conflicting with Planning Scheme provisions. The Minister has requested that Council give careful consideration to these issues, when considering the subject application.

5.0 CONCLUSION

The development effectively proposes to transfer the titles of a number of existing lots (all, except one (1) lot, are inundated in both a Q50 and Q100 flood event), to a neighbouring site in order to achieve increased flood immunity and therefore increased development entitlements.

The proposal conflicts with the provisions of the Planning Scheme, State Planning Policy 1/92 and adequate planning grounds do not exist in order to support the proposal.

Therefore with due consideration for the abovementioned information, the application is recommended for Refusal, on the grounds detailed within this report.

P18/01/10 Moved: Cr A.J. Perrett

Seconded: Cr R.J. Dyne

Recommend that Council, as Assessment Manager, REFUSE Development Application 2009-0634 for Reconfiguring a Lot – Boundary Realignment & Subdivision to Create 13 New Lots from 13 Existing Lots, over Lots 141-148, 158 & 159 on T5802, Lot 9 on T5806, Lot 4 on RP90716 and Lot 20 on RP159737, for the following reasons:

- (i) The proposal conflicts with the *Cooloola Shire Council Planning Scheme 2005*.**
- (ii) The site is below the minimum lot size for subdivision within the Rural zone;**
- (iii) The proposed new lot sizes are considered insufficient for their intended use for rural and agricultural purposes;**
- (iv) The proposal conflicts with State Planning Policy 1/92 by resulting in increased fragmentation of Good Quality Agricultural Land; and**
- (v) Insufficient planning grounds exist in order to support the proposal.**

Carried.

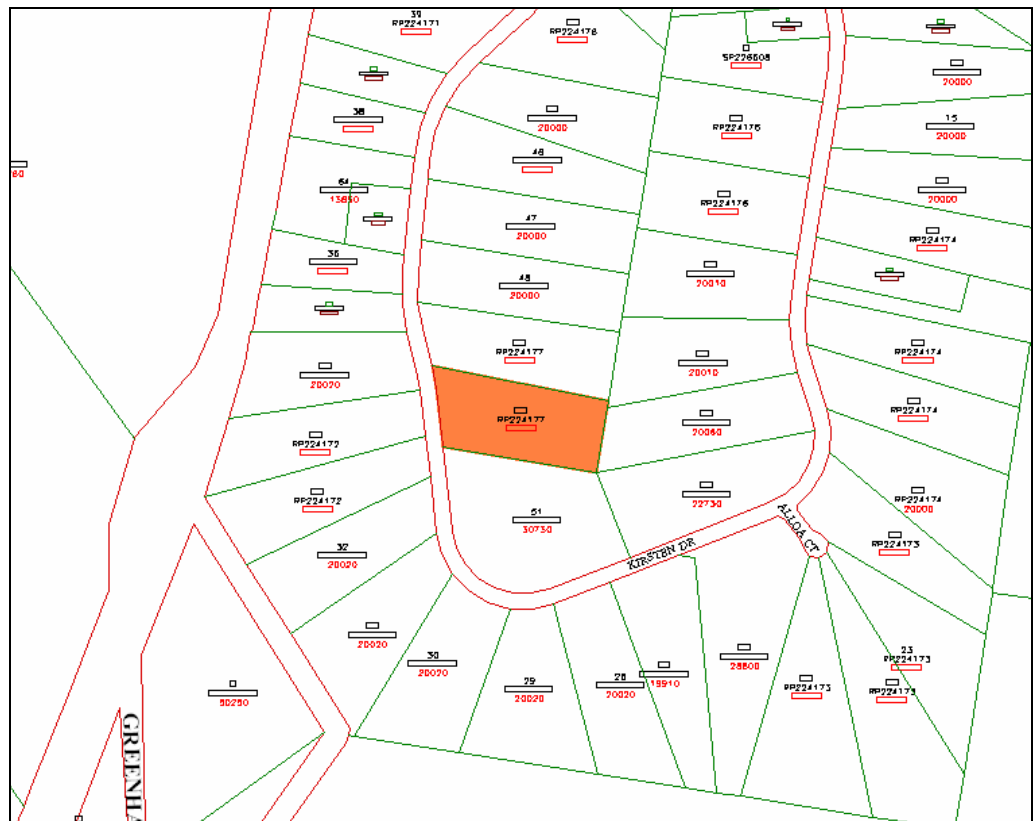
3/4	2009-0516 – Representations for Reconfiguring a Lot – Subdivision to Create Two (2) Additional Lots – 210 Kirsten Drive, Curra – R. N. & E. E. Fitzpatrick
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Re: **Minute: P19/01/10** Representations for Reconfiguring a Lot – Subdivision to Create Two (2) Additional Lots – 210 Kirsten Drive (Lot 50 RP224177), Curra

From: R. N. & E. E. Fitzpatrick

File: 2009-0516

Date: 27 November 2009



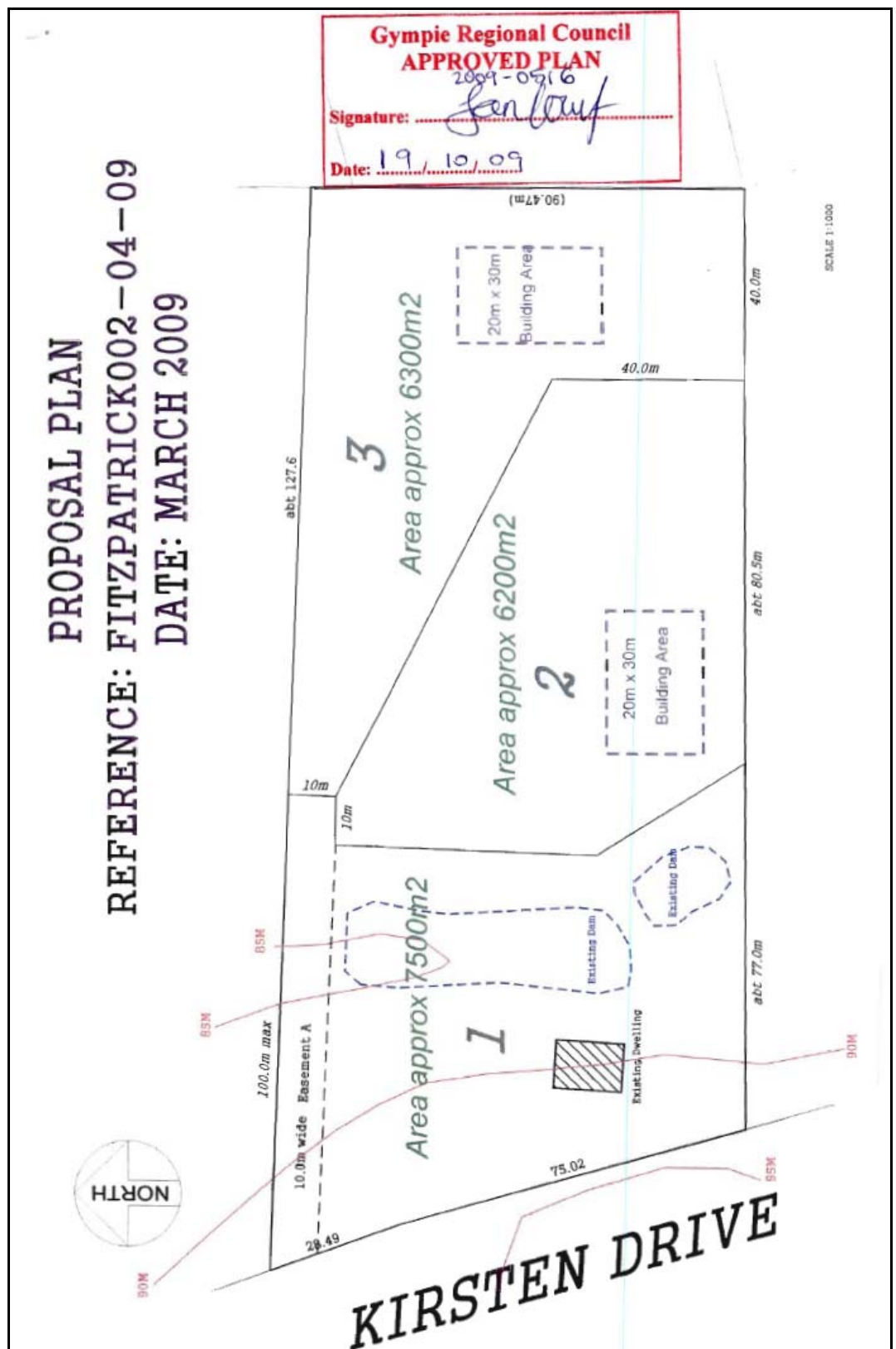
Report: Planning Officer – S. Court)

1.0 INTRODUCTION

Development approval for Reconfiguring a Lot – Subdivision to Create Two (2) Additional Lots was issued on 14 October 2009.

The applicant suspended their appeal period on 2 November 2009 and lodged representations in relation to some of the conditions on 27 November 2009.

The conditions requested to be reconsidered are outlined below.



2.0 REPRESENTATIONS

Representations are submitted in relation to the access arrangements to proposed lot 2 and 3, the requirement of an operational works permit, energy supplier, the entrance and driveway standard, the requirement of a fire management plan and the requirement of existing dams to be modified.

2.1 *Condition 1*

(a) Condition 1 reads:

- ‘(i) The plans submitted with the application (Plan No/s. FITZPATRICK002-04-09 drawn by unauthored and dated March 2009) shall be amended as follows:*
- (a) proposed access easement over lot 1 is to be changed to two (2) five metre wide access handles for lots 2 and 3, with reciprocal easements registered over each; and*
 - (b) Lots 2 and 3 are to be amended to result in a more regular shape of lot 3 and reduce the length of access to the nominated building area.*
- (ii) Prior to the lodgment of a development application for Operational Work, amended development plans showing the modifications referred to above 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.’*

(b) Applicant’s representations:

“In regard to Condition 1 (i) a, my client objects to the unnecessary complication of the future titles that will occur as a consequence of the required two (2) five metre wide access handles for proposed Lots 2 and 3, with reciprocal easements registered over each.

It is noted that to justify this requirement, the Planning Officers report to Council stated – An amendment to the proposal, requiring the creation of a 5 metre hatchet handle for each lot with reciprocal easements over each, is recommended.

This is necessary to ensure that all lots command road frontage and are not land-locked. A condition to reflect this amendment has been included in the recommendation.

Proposed Lots 2 & 3 are quite acceptable with the initially proposed access easement. The provision of the access easement ensures the lots are not landlocked. The arrangement as originally proposed is a suitable solution to the numerous elongated 2Ha lots presently included in the Rural Residential zone. Council has previously approved a number of similar lots (and lot arrangements) elsewhere and if necessary, the writer can provide examples.

It is unreasonable that subdivisions should be unnecessarily complicated seemingly because of the personal preferences of a staff member.

In regard to condition 1(i) (b) my client objects to this requirement. While irregular in shape the proposed lot design is appropriate for this particular property and alteration to obtain a 'more regular shape' is unnecessary. There is no 'nominated' building area on the submitted plan and indeed, a lot owner may elect to build elsewhere. When preparing conceptual plans, a building area is identified merely to assist Council in determining that a compliant building area is available on a particular site. It does not signify that this is the only possible building area. Proposed Lot 3 can easily accommodate other building areas closer to the end of the proposed 100m long easement. In relation to the length of the easement, it is acknowledged that the Tiaro Shire Planning Scheme applies a different standard to rear lots and mentions an access handle no greater than 50m in length and a width of 4m. The Tiaro requirement is recognised as an inefficient solution and if applied, makes the provision of future roads difficult (or impossible). To this end a number of Consultants have successfully applied the access handle standard used in the Cooloola Shire Planning Scheme. This latter application is now quite common in the Curra area. The Cooloola Shire Planning Scheme, while allowing a maximum length of 100m for the access handle, does not require that the house site be immediately adjacent to the end of that access handle. Many approved lots are now in existence where the (now built) house is some considerable distance from the end of the access handle.

In regard to Condition 1 (ii), my client objects to this requirement. For the reasons provided in relation to Condition 2 below, it is not considered that an application on Operational Works is warranted or indeed necessary. Further, as argued above, an amended plan is not necessary.

It is requested that condition 1 be amended to read:-

- (i) The development shall be generally in accordance with the plan/s submitted with the application (Plan No/s. FITZPATRICK002-04-09 DRAWN BY UNAUTHORED AND DATED March 2009).*
- (ii) The layout of the development as shown on the endorsed development plan/s shall not be altered or modified unless previously approved by Council's Chief Executive Officer."*

(c) Assessment

As advised in previous applications it is preferable that all lots have access to and connect with road frontage. This is necessary to ensure that all lots command road frontage and are not land-locked. While it is acknowledged that easements have a practical access, all new lots should be able to command legal road frontage.

Regular shaped lots are a preferred planning outcome. It is good planning practice to have regular shaped lots for present and future development and to allow landowners to maintain their properties with greater ease.

Part 1 (i) (b) relating to Operational Works will be answered below within the Design section.

It is recommended that Council not amend this condition.

Report: (General Manager Design Services – R. Chapman)

An Operational Works Application is required because the driveway access to the two rear lots is in excess of 100 metres long and crosses a dam wall which is constructed in a gully with an approximate catchment area of 85 ha.

As such the bypass flow across the access driveway will need to be contained within a floodway that meets the safe access requirements of the Tiaro Planning Scheme and does not detrimentally impact on the downstream property which is immediately adjacent to the access driveway.

In addition to this catchment another larger catchment of approximately 145 ha sheet flows across the property (and into the dam) from a well defined gully just upstream of the property. The treatment of this flow through the property now appears to be from a man made vee drain that was not shown on the proposal plan submitted by the consultant.

The Operational Works Plan will need to address how both catchments are to be treated through the site. It should be noted that where Kirsten Drive crosses both gullies upstream of the site pipe culvert sizes are single 1500 dia and double 1950 dia pipes respectively. Such a design must be submitted by an RPEQ.

Both conditions 1 and 2 should remain.

2.2 Condition 2

(a) Condition 2 reads:

‘The following development permit is to be obtained and complied with as required -

(a) *Development Permit for Operational Work (Access and Driveway.’*

(b) Applicant’s representations:

“My client objects to Condition 2. This condition is requiring submission of a development application for a private driveway. Council regularly required that applicants merely submit a plan for approval and that driveways be bitumen (two coat seal), AC (25mm thick) or concrete (150mm thick). My client is proposing to build the driveway using concrete. It is not necessary that Council require and assess a development application that merely represents a further expense and extended timeframe to his small subdivision.

It is requested that Condition 2 be deleted and that in its stead Council apply the following condition:

A plan of the proposed entrance and driveway for proposed Lots 2 & 3 is to be submitted to council for endorsement prior to commencement of the work. The entrance and driveway is to be construction to a 3.0 metre wide two coat bitumen seal, 25mm asphaltic concrete or 150mm thick reinforced concrete.”

(c) Assessment

This has been previously been discussed above within condition 1.

2.3 Condition 8

(a) Condition 8 reads:

‘An agreement is to be entered into with Energex to provide electricity to all approved lots without any financial encumbrance on future owners of these lots.’

(b) Applicant’s representations:

‘It is requested that this condition be amended to read Ergon as the electricity provider’

(c) Assessment

Condition to be amended to read Ergon as the electricity provider.

2.4 Condition 14

(a) Condition 14 reads:

‘The entrance and driveway for Lot 2 and 3 is to be constructed to a 3.5 metre reinforced concrete sealed standard from the edge of the bitumen on Kirsten Drive for the full length of the 10 metre wide easement. A car passing area is to be constructed at the mid point of the easement.’

(b) Applicant’s representations:

“My client objects to this requirement. The width of 3.5 metres has not been applied anywhere else in the Shire in instances of small scale rural residential subdivisions of this nature nor to the best of the writers knowledge has Council previously applied the need for a car passing area. The topography of the subject site is such that vehicles entering the site would have clear vision of any vehicles proposing to exist the site. There is sufficient width in a 10 metre wide access easement to allow vehicles to pull over and pass each other.

It is requested that this condition be deleted and that Council rely on the proposed amended condition 2 (above).

(c) Assessment

Report: (General Manager Design Services – R. Chapman)

A 3.5 metre width is preferred if the driveway is to be constructed to a bitumen standard as this width spreads wheel loads. As it is proposed to construct a concrete driveway where concentrated wheel loads are not a problem a 3.0 metre width is acceptable. In this particular situation where a floodway is required to be negotiated it is prudent to provide a passing area close by to enable a vehicle proceeding through water a clear unimpeded run.

This condition could be modified by inserting 3.0 in lieu of 3.5.

2.5 Condition 19

(a) Condition 19 reads:

‘A fire management plan recommending bush fire hazard mitigation strategies and actions for the residential use of the lots is to be prepared by a suitably qualified person and submitted and approved by Council.’

(b) Applicant’s representations:

*“Inspection of this property would clearly indicate that the site has been cleared with only selected large eucalypts retained. Further, the property is regularly slashed and mowed by the owner. While the Tiaro Shire mapping does show all of Curra to be within a medium bushfire hazard area, clearly there are numerous properties where no bushfire hazard exists. The subject property is one of these properties.
There is no need for an unnecessarily expensive Fire Management Plan.*

It is requested that this condition be deleted.”

(c) Assessment

A further site inspection indicated a bush fire management plan is not essential.

Condition can be deleted.

2.6 Condition 21

(a) Condition 21 reads:

‘Existing dams are to be modified to cause no nuisance to adjacent lots. Specifically but not limited to:

- The ponded area at by wash level is to be a minimum of two (2) metres within the lot.*
- By wash flows are to enter the natural gully prior to exiting the lot.*
- Dam walls are to be a minimum of two (2) metres from propose lot boundaries.’*

(b) Applicant’s representations:

“As explained in the original Planning Report submitted with the application, the existing dams are essentially ornamental and provide the property owner with a consider able degree of enjoyment. These dams are shallow and regularly dry up. The do not present a hazard to other properties. The proposed lot layout as submitted achieves all of the requirements of Condition 21 without the need to modify the dams.

It appears that Council is attempting to protect a downstream property owner hence the use of conditions significantly divergent from those normally applied to a relatively minor rural residential subdivision. Again though it would appear that Council staff have carried out a desktop assessment of this application rather than taking the time and effort of actually inspecting the property.

The photographs below show the ‘shared’ waterhole.



The waterhole measures about 2-3 metres in diameter and the water seen in generally the extent of intrusion.



FENCE-LINE

In The second photograph, the fence-line seen on the left is the common boundary. 90% of this mall (sic) waterhole is located on my client's land. To ensure safety for vehicles using the access to the rear lots it is intended that this waterhole be filled in.

It is required that Condition 21 be deleted."

(c) Assessment

Report: (General Manager Design Services – R. Chapman)

Despite claims that the dams are dry most of the times, they are within a catchment of approximately 230 ha. Hence significant flows can be expected at short notice that could seriously affect the downstream property. These issues required by the condition can be addressed during the design of the Operational Works by the RPEQ who could make a professional assessment of any serious implications from the condition.

The condition should remain.

P19/01/10

Moved: Cr J.A. Walker

Seconded: Cr G.L. Engeman

Recommend that Council withdraw the application from the Agenda at the request of the applicant and pending their further submission.

Carried.

Cr L.J. Friske left the meeting at 10.51 a.m.

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 10.51 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. Gate 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	<i>Acknowledgement Letter</i>
AN	<i>Acknowledgment Notice</i>
RFI	<i>Request for Further Information</i>
DMS	<i>Decision Making Stage</i>
DN	<i>Decision Notice</i>
ADN	<i>Amended Decision Notice</i>
NDN	<i>Negotiated Decision Notice</i>
PN	<i>Public Notification</i>
PNS	<i>Public Notification Stage</i>
SP	<i>Survey Plan</i>

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)	DMS. Report to P&D Committee Meeting. (27) Submissions
DA13803 Agnew (MKM)	132 Verne Road, Wolvi	Aquaculture (Redclaw & Fish)	DMS. Report to P&D Committee Meeting.
DA13902 Integra (Qld) Pty Ltd (TMS)*	Lawson & Groundwater Roads, Pie Creek	Change Land Use Entitlements to Rural Residential & Subdivision to Create 335 Additional Lots	Reported to P&D Committee Meeting 21/10/09. Letter sent 02/11/09 requesting amended layout.
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.

File Number & Applicant	Location	Nature of Application	Status
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. Advise 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.
2008-1102 JY Farm Family Trust (MKM)	1119 Tagigan Road, Wolvi	Aquaculture	RFI sent 06/01/09. Awaiting applicant's response. Amended AN sent 23/01/09. Concurrence Agency DNRW response received 27/02/09.
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.
2008-1282 Custodian Project Services (TMS)	Heights Drive, Gympie	171 Townhouses & Community Centre	RFI sent 08/01/09. Awaiting applicant's response.
2008-1382 Wilson (MKM)	37 Apollonian Vale, Gympie	Multi-Residential Four (4) Units	RFI sent 15/01/09. Awaiting applicant's response. Heritage Advisory Committee response received 15/10/08.
2008-1830 Catalyst Securities Pty Ltd & Hoskins & Associates Pty Ltd (TMS)*	David Drive, Curra	Caravan Park (60 Sites) & ERA #15 (b) – Sewerage Treatment (Standard Works for 100 or more but less than 150 equivalent persons)	DMS. Report to P&D Committee Meeting.
2009-0077 Blakeney (MKM)*	96 Stewart Road, Coondoo	Extractive Industry (Quarry)	DMS. Report to P&D Committee Meeting. (149) Submissions. <i>Refer to Item 2/1 in Today's Agenda.</i>
2009-0156 Jones (TMS)**1886	123 East Deep Creek Road, Monkland	General Industry (Transport Depot)	RFI sent 01/05/09. Awaiting applicant's response.

File Number & Applicant	Location	Nature of Application	Status
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)	DMS. Report to P&D Committee Meeting.
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)	RFI sent 23/07/09. Awaiting applicant's response.
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.
2009-1474 Willcrest Pty Ltd (SAC)	34 Esplanade & 121 Emperor Street, Tin Can Bay	Accommodation Premises (12 Holiday Accommodation Cabins)	AN sent 15/10/09. RFI due. Concurrence Agencies DTMR response received 25/12/09, DERM Ecoaccess rfi sent 27/11/09. Advise Agency DERM Ecoaccess rfi sent 27/11/09.
2009-1635 Sunshine Coast Concrete Pty Ltd ATF Integra Resources Pty Ltd (MKM)	Wide Bay Highway, Bells Bridge	Extractive Industry (Screening of Aggregates)	DMS. Report to P&D Committee Meeting.
2009-1607 Impact Qld Pty Ltd (KMT)	12A Adams Street, Gympie	Multi-Residential (NRAS Affordable Housing Project – Eight (8) Units)	PNS. ALOD sent 27/11/09. Concurrence Agency DTMR response received 07/12/09.
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.

File Number & Applicant	Location	Nature of Application	Status
2009-1439 BC Plant Hire Pty Ltd (KMT)	257 Rossmore Road, Kilkivan	Extractive Industry (Extraction of Mullock, 100 000t to 1 000 000t of material per year) and Environmentally Relevant Activities - ERA # 16, Threshold 2 (c) Extracting Material (100 000t to 1 000 000t per year) and ERA # 16 Threshold 3(b) Screening Material (100 000t to 1 000 000t per year)	RFI not required. Concurrence Agency DERM advise rfi issued 09/12/09.
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, DERM Vegetation Management. Advice Agency DERM Ecoaccess.
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.
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	To change the land use entitlements from Rural to Housing & Reconfig – 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.

File Number & Applicant	Location	Nature of Application	Status
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.
2008-0526 Jones (SAC)	7 Edith Road, Mothar Mountain	Commercial Premises (Art Gallery, Sales & Art Workshops & Low Impact Industry (Picture Framing))	New AN sent 10/07/09. Concurrence Agency EPA Ecoaccess.
2008-0838 Hamerwill Pty Ltd (KMT)*	22 Caledonian Hill, Gympie	Commercial Premises	DMS. Report to P&D Committee Meeting.
2008-1145 Taxis (TMS)	18 Langara Drive, Southside	Multi-Residential (Duplex)	Part RFI response received 04/03/09.
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)*	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.
2008-1009 Anderleigh Sandstone & Slate (KMT)	270 Sorensen Road, Gunulda	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

File Number & Applicant	Location	Nature of Application	Status
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, Gunulda	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)	DMS. Report to P&D Committee Meeting.
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. Report to P&D Committee Meeting.
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.

File Number & Applicant	Location	Nature of Application	Status
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, Gunulda	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 applications 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.
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.

File Number & Applicant	Location	Nature of Application	Status
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.
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.
2009-1580 Energen Limited (MKM)	Buchanan Road, Ross Creek	Public Utility (Rural Reliability Substation)	DMS. DN due.
2009-1600 Templeton (PKM)	1038 Bruce Highway (South) Kybong	Multi-Residential (Managers Residence)	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)	RFI not required. Concurrence Agency DTMR.
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.
2009-1672 Ridgeway (SFC)	18 Hilltop Avenue, Southside	Multi-Residential (Duplex)	DMS. DN due.
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.
2009-1648 Reyloah (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.

File Number & Applicant	Location	Nature of Application	Status
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 & DERM response received 18/12/09. Advice Agency Powerlink response received 18/12/09.
2009-1983 Woolley (PKM)	8 Bowlers Drive, Southside	Multi-Residential (Duplex)	RFI not required. Concurrence Agency DTMR.
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)	AN sent 23/12/09. RFI due. Concurrence Agency DTMR.
2009-1946 Freedom Fuels Australia Pty Ltd (TMS)	31 Scrub Road, Gunulda	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	AL sent 23/12/09. RFI due.
RECONFIGURING A LOT – IMPACT ASSESSMENT			
2008-1098 Allen-Co Holdings Pty Ltd (KMT)	2110 Gympie Woollooga 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	PNS. Submissions due on or before 02/02/10.
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.

File Number & Applicant	Location	Nature of Application	Status
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 Echocamp Pty Ltd (TMS)	44-45 Esplanade, Tin Can Bay	Subdivision to Create Three (3) additional Lots	DMS. Report to P&D Committee Meeting.
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 Dagun Road, Amamoor	Subdivision to Create Two (2) Additional Lots	DMS. DN due.
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.
2008-0147 Keeldale Pty Ltd (TMS)*	221 Zerner Rd & Eel Creek Rd, Pie Creek	Subdivision to Create Thirteen (13) Additional Lots	DMS. Report to P&D Committee Meeting. <i>Refer to Item 3/2 in Today's Agenda.</i>
2008-0554 Cooper & Sutherland (MKM)	43 Pine Valley Drive, Pie Creek	Subdivision to Create One (1) Additional Lot & Access Easement	Application held 08/12/09 pending further information from applicant.
2008-0650 Hutchinson (PKM)	93 Grecian Bends Road, Greens Creek	Subdivision to Create Three (3) Additional Lots	DMS. Report to P&D Committee Meeting.
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.

File Number & Applicant	Location	Nature of Application	Status
2008-1086 Ellis (SFC)	McIntosh Creek Road, McIntosh Creek	Boundary Alteration	DMS. DN due. Awaiting Concurrence Agency EPA response.
2008-1573 Kastrissios (SAC)	Meads Road, Tandur	Boundary Alteration	RFI sent 13/05/09. Awaiting applicant's response. Advice Agency EPA response received 05/11/08.
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. DN due.
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.
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	DMS. Report to P&D Committee Meeting.

File Number & Applicant	Location	Nature of Application	Status
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 sent 02/06/09. Awaiting applicant's response. 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	DMS. Report to P&D Committee Meeting.
2009-0696 O'Sullivan (KMT)	16 Van Doren Road, Southside	Subdivision to Create One (1) Additional Lot	DMS. Report to P&D Committee Meeting.
2009-0634 Oakland Investments (Aus) Ltd (KMT)	Tandur Traveston Road, Lehman Road, & Traveston Road, Traveston	Boundary Realignment & Subdivision of 13 Existing Lots	DMS. Report to P&D Committee Meeting. <i>Refer to Item 3/3 in Today's Agenda.</i>
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	DMS. Report to P&D Committee Meeting.
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.
2009-0728 Casys Pty Ltd aft J & J Delgos Family Trust & Moorakye Investments Pty Ltd aft Crooks Family Trust (SFC)	27 Old Goomboorian Road, Veteran	Subdivision to Create Eight (8) Additional Lots	Amended AN sent 23/11/09. Concurrence Agency DERM.
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.

File Number & Applicant	Location	Nature of Application	Status
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	Amended AN sent 02/12/09. Concurrence Agencies DERM Vegetation Management Act, DTMR. Advice Agency DERM Ecoaccess.
2009-1179 Johnston (SFC)	128 Lynne Drive, Curra	Subdivision to Create One (1) Additional Lot	RFI response received 06/01/10. Concurrence Agency DERM Vegetation Management.
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	RFI sent 29/10/09. Awaiting applicant's response.
2009-1395 Moloney (KMF)	46-47 Esplanade, Tin Can Bay	Subdivision to Create One (1) Additional Lot	Amended AN sent 02/12/09. No RFI required. Concurrence Agency DTMR response received 23/12/09. Advice Agency DERM.
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, Gunulda	Subdivision to Create One (1) Additional Lot	DMS. Report to P&D Committee Meeting. <i>Refer to Item 3/1 in Today's Agenda.</i>
2009-1572 Milne (SAC)	63 Groundwater Road, Southside	Subdivision to Create Nine (9) Additional Lots in Two (2) Stages	AL sent 14/10/09. RFI due.
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.
2009-1665 Allen Co Holdings (SAC)	24 Cole Road, Widgee	Subdivision to Create Eight (8) Additional Lots in Two (2) Stages	AN sent 10/11/09. RFI due. Concurrence Agency DTMR.
2009-1729 Phillips (SFC)	22 City View Drive, The Dawn	Subdivision to Create Two (2) Additional Lots	RFI sent 24/11/09. Awaiting applicant's response.
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.

File Number & Applicant	Location	Nature of Application	Status
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 23/12/09. Concurrence Agency 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	Combined AN & RFI sent 11/12/09. Awaiting applicant's response.
<i>2009-1777 Penn (SFC)</i>	<i>514 North Deep Creek Road, North Deep Creek</i>	<i>Subdivision to Create Two (2) Lots from Two (2) Existing Lots</i>	<i>RFI not required. Advice Agency DERM Ecoaccess.</i>
<i>2009-1866 Broadley (SFC)</i>	<i>107 Robert Road, Chatsworth</i>	<i>Subdivision to Create One (1) Additional Lot</i>	<i>RFI sent 03/12/09. Awaiting applicant's response.</i>
<i>2009-1862 Clifford (TMS)**</i>	<i>Running Creek Road, Kilkivan</i>	<i>Subdivision to Create One (1) Additional Lot</i>	<i>Combined AN & RFI sent 14/12/09. Awaiting applicant's response. Concurrence Agency DERM.</i>
<i>2009-1887 Cullinane (SFC)</i>	<i>Gate Road & West Break Road, Canina</i>	<i>Subdivision to Create Three (3) Lots from Three (3) Existing Lots</i>	<i>AN sent 27/11/09. RFI not required. Concurrence Agency DERM.</i>
<i>2009-1902 Bay Survey Consultants c/- Greenco Dev P/L (MKM)</i>	<i>Ranson Road, Gympie</i>	<i>Subdivision to Create Twenty-Eight (28) Additional Lots</i>	<i>AN sent 02/12/09. RFI due. Concurrence Agency DERM Contaminated Land Unit advise rfi sent 22/12/09.</i>
<i>2009-1835 Butler (TMS)**</i>	<i>Murgon Gayndah Road, Windera</i>	<i>Subdivision to Two (2) Existing Lots to Create Two (2) New Lots</i>	<i>RFI sent 11/12/09. Awaiting applicant's response.</i>
<i>2009-1916 McLeod (MKM)</i>	<i>110 Long Road, Pie Creek</i>	<i>Subdivision to Create One (1) Additional Lot</i>	<i>RFI not required. Concurrence Agency DERM.</i>
<i>2009-1922 Decker (MKM)</i>	<i>Exhibition Road, & 18 & 17 Decker Place, Southside</i>	<i>Subdivision to Create Two (2) Lots from Two (2) Existing Titles</i>	<i>AN sent 10/12/09. Concurrence Agency DTMR.</i>
<i>2009-1566 Atkins (MKM)</i>	<i>123 Tin Can Bay Road, Tin Can Bay</i>	<i>Subdivision to Create One (1) Additional Lot</i>	<i>Part RFI response received 22/12/09. Concurrence Agency DTMR.</i>
<i>2009-1982 Thrupp (SAC)</i>	<i>35 Birdwood Drive, Gunalda</i>	<i>Subdivision to Create One (1) Additional Lot</i>	<i>RFI sent 24/12/09. Awaiting applicant's response.</i>
<i>2009-1978 McKenna (SFC)</i>	<i>49 North Deep Creek Road, North Deep Creek</i>	<i>Subdivision to Create One (1) Additional Lot</i>	<i>RFI sent 23/12/09. Awaiting applicant's response.</i>

File Number & Applicant	Location	Nature of Application	Status
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	AL sent 24/12/09. RFI due.
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.
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.

File Number & Applicant	Location	Nature of Application	Status
2008-1400 Millers (TMS)	2 Tucker Street & 20 Chapple Street, Gympie	Roadworks, Stormwater, Landscaping & Earthworks	DMS. DN due.
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.
2009-0470 CEDMS Pty Ltd as Trustee KHA Development Managers (MKM)	12 Tweed Lane, Gympie	Sewer Main Construction, Access Construction, Stormwater Management and Water Main Connection 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 Logegeier 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	DMS. DN due.
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	RFI sent 02/12/09. Awaiting applicant's response.
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.
2009-1564 Opus Qantec McWilliam (SAC)	7-9 & 11 Heritage Lane Southside	Roadworks for Approved Subdivision	RFI sent 10/12/09. 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.
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	RFI sent 03/12/09. Awaiting applicant's response.
2009-1668 Power Road Unit Trust (TMS)	21 Exhibition Road, Southside	Earthworks	DMS. DN due.
2009-1689 Callaghan & Toth (TMS)	Bruce Highway, Chatsworth	Roadworks for Approved Residential Subdivision	RFI response received 07/01/10. DTMR advise amended plan required 22/12/09.

File Number & Applicant	Location	Nature of Application	Status
2009-1720 Opus Qantec McWilliam (MKM)	67 Groundwater Road, Southside	Roadworks for Approved Residential Subdivision	AL sent 11/11/09. RFI due.
2009-1752 Araluen Developments (TMS)	18 Araluen Terrace, Monkland	Earthworks for approved Showroom & Warehouse	DMS. DN due.
2009-1771 AHC Limited (TMS)	1-5 Woolgar Road, Southside	Roadworks & Stormwater for Approved Subdivision	RFI sent 08/01/10. Awaiting applicant's response.
2009-1834 Morrison (TMS)	47 Irvine Road, Chatsworth	Roadworks & Stormwater for Approved Subdivision	RFI sent 23/12/09. Awaiting applicant's response.
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, Clearing Vegetation under the Planning Scheme & Water & Sewerage Infrastructure (Stage 3 of Approved Residential Subdivision)	AL sent 23/12/09. RFI due.
OPERATIONAL WORK – ADVERTISING DEVICES			
2009-2026 Fosters (PKM)	Turana Street, Rainbow Beach	Advertising Device - Two (2) Building Signs	DMS. DN due.
SIGNS TO BE ASSESSED UNDER LOCAL LAW			
BUILDING WORK ASSESSABLE AGAINST THE PLANNING SCHEME			
2008-1904 Lawless (TMS)	Booubyjan Road, Booubyjan	(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	PNS (ALOD) sent 02/12/09.
2009-1339 Goomeri Homes & Renovations (PKM)	MacTaggart Street, Goomeri	(Urban Locality Code) Domestic Outbuilding	RFI sent 06/10/09. Awaiting applicant's response.

File Number & Applicant	Location	Nature of Application	Status
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.

P20/01/10 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 10.52 a.m.

Cr L. J. Friske returned to the meeting at 10.53 a.m.

Cr A.J. Perrett declared a Material Personal Interest in 2009-1913 in the next item due to being the owner of the property and left the meeting at 10.53 a.m.

4/2	Development Applications Approved
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File: 2008-1056
Applicant: GHD Pty Ltd
Site Address: 21 Exhibition Road, Southside

The proposal is for Material Change of Use – Commercial Premises (Medical Centre) over Lot 6 MPH24053.

The Negotiated Decision Notice was approved on 4 December 2009 and issued on 4 December 2009 subject to conditions from the Assessment Manager.

File: 2008-1829
Applicant: William & Sharyn Chain
Site Address: 377 Power Road, Widgee

The proposal is for Reconfiguring a Lot – Subdivision to Create Seven (7) Additional Lots over Lot 77 RP837932.

The Decision Notice was approved on 3 December 2009 and issued on 3 December 2009 subject to conditions from the Assessment Manager.

File: 2008-1912
Applicant: Lonken Pty Ltd
Site Address: 13 Rainbow Beach Road, Rainbow Beach

The proposal is for Material Change of Use for an Environmentally Relevant Activity 11(a) – Petroleum product storage 10 000L to 500 000L over Lot 2 RB9696.

The Negotiated Decision Notice was approved on 10 December 2009 and issued on 10 December 2009 subject to conditions from the Assessment Manager.

File: 2009-0244
Applicant: Carly Sollner
Site Address: 133 De Castella Road, The Palms

The proposal is for Reconfiguring a Lot – Subdivision to Create Two (2) Additional Lots and Access Easement over Lot 48 RP191860.

The Decision Notice was approved on 24 December 2009 and issued on 24 December 2009 subject to conditions from the Assessment Manager.

File: 2009-0564
Applicant: Kim Johnson
Site Address: 177 Lynne Drive, Curra

The proposal is for Reconfiguring a Lot – Subdivision to Create One (1) Additional Lot over Lot 25 RP807766.

The Decision Notice was approved on 2 December 2009 and issued on 2 December 2009 subject to conditions from the Assessment Manager.

File: 2009-0683
Applicant: Mr and Mrs Conroy
Site Address: Settlement Road, Curra.

The proposal is for Reconfiguring a Lot - Subdivision to Create Two (2) Additional Lots and Access Easement over Lot 33 SP176017.

The Decision Notice was approved on 10 December 2009 and issued on 10 December 2009 subject to conditions from the Assessment Manager.

File: 2009-0720
Applicant: Sigma Developments Pty Ltd
Site Address: Groundwater Road, Southside

The proposal is for Operational Work - (Road & Drainage Works, Stormwater, Earthworks, Water & Sewerage Infrastructure & Retaining Walls) for Stage 2 of an Approved Residential Subdivision over Lot 42 L371042.

The Decision Notice was approved on 21 December 2009 and issued on 21 December 2009 subject to conditions from the Assessment Manager.

File: 2009-0907
Applicant: Constable (QLD) Pty Ltd
Site Address: 4 Tooth Drive, Widgee

The proposal is for Reconfiguring a Lot – Subdivision to Create One (1) Additional Lot over Lot 16 SP150094.

The Decision Notice was approved on 2 December 2009 and issued on 2 December 2009 subject to conditions from the Assessment Manager.

File: 2009-0913
Applicant: Oakvale Homes Building Group Pty Ltd
Site Address: Clarkson Drive, Curra

The proposal is for Operational Work - Roadworks, Stormwater and Drainage Works over Lots 78 & 79 SP109086.

The Decision Notice was approved on 10 December 2009 and issued on 10 December 2009 subject to conditions from the Assessment Manager.

File: 2009-1035
Applicant: Scott Lehman
Site Address: Lorikeet Drive, Tamaree

The proposal is for Reconfiguring a Lot - Subdivision to Create Four (4) Additional Lots in Two (2) Stages over Lot 8 RP858763.

The Decision Notice was approved on 24 December 2009 and issued on 24 December 2009 subject to conditions from the Assessment Manager.

File: 2009-1042
Applicant: Steven Waugh
Site Address: 1005 Glastonbury Road, Glastonbury

The proposal is for Reconfiguring a Lot – Two (2) New Lots from Two (2) Existing Lots over Lots 1 and 2 on RP25461.

The Decision Notice was approved on 2 December 2009 and issued on 2 December 2009 subject to conditions from the Assessment Manager.

File: 2009-1113
Applicant: Resland Management (Aust) Pty Ltd
Site Address: Ranson Road, Gympie

The proposal is for Reconfiguring a Lot - Subdivision to Create Eleven (11) Additional Lots over Lot 4 MPH24005.

The Decision Notice was approved on 18 November 2009 and issued on 18 November 2009 subject to conditions from the Assessment Manager.

File: 2009-1226
Applicant: Suzanne Geissler & Gerald Geissler
Site Address: 41 Mary Street, Gympie

The proposal is for Reconfiguring a Lot - Subdivision to Create One (1) Additional Lot over Lot 2 RP46034.

The Decision Notice was approved on 23 December 2009 and issued on 23 December 2009 subject to conditions from the Assessment Manager.

File: 2009-1240
Applicant: Bush and Beach Pty Ltd
Site Address: 179 Sorensen Road, Gunalda

The proposal is for Material Change of Use Dwelling House (Dwelling Addition) over Lot 3 RP185253.

The Decision Notice was approved on 24 December 2009 and issued on 24 December 2009 subject to conditions from the Assessment Manager.

File: 2009-1363
Applicant: Robyn Johnston
Site Address: 1782 Harvey Siding Road, Curra

The proposal is for Reconfiguring a Lot - Subdivision to Create Two (2) New Lots from Two (2) Existing Lots over Lot 1 SP118464 & Lot 1 SP196581.

The Decision Notice was approved on 21 December 2009 and issued on 21 December 2009 subject to conditions from the Assessment Manager.

File: 2009-1449
Applicant: Errol Johnson
Site Address: - 29 Drummer Street, Tin Can Bay

The proposal is for Building Work assessable against the Planning Scheme – Domestic Outbuilding not complying with the Dwelling House Code over Lot 92 RP136401.

The Decision Notice was approved on 18 December 2009 and issued on 18 December 2009 subject to conditions from the Assessment Manager.

File: 2009-1451
Applicant: Lynne Barnes
Site Address: 5 Valley Vista Road, The Dawn

The proposal is for Reconfiguring a Lot - Subdivision to Create Two (2) Additional Lots over Lot 4 MPH33058.

The Decision Notice was approved on 24 December 2009 and issued on 24 December 2009 subject to conditions from the Assessment Manager.

File: 2009-1497
Applicant: Leigh Burt
Site Address: 60 Lawson Road, Pie Creek

The proposal is for Reconfiguring a Lot - Subdivision to Create One (1) Additional Lot over Lot 6 RP807377.

The Decision Notice was approved on 23 December 2009 and issued on 23 December 2009 subject to conditions from the Assessment Manager.

File: 2009-1511
Applicant: D & K Properties Pty Ltd
Site Address: 12 New Zealand Lane, Gympie

The proposal is for Operational Work – Earthworks (Filling) over Lot 1 MPH6292.

The Decision Notice was approved on 24 December 2009 and issued on 24 December 2009 subject to conditions from the Assessment Manager.

File: 2009-1633
Applicant: Tin Can Bay Physiotherapy
Site Address: 76 Gympie Road, Tin Can Bay

The proposal is for Material Change of Use – Home Business (Physiotherapy) over Lot 11 RP131214.

The Decision Notice was approved on 24 December 2009 and issued on 24 December 2009 subject to conditions from the Assessment Manager.

File: 2009-1706
Applicant: David Bailey
Site Address: Osborne Court, Wallu

The proposal is for Reconfiguring a Lot – Subdivision to Create Two (2) Additional Lots over Lot 10 RP179071.

The Decision Notice was approved on 24 December 2009 and issued on 24 December 2009 subject to conditions from the Assessment Manager.

File: 2009-1740
Applicant: Richard Shutte
Site Address: 142 Lobwein Road, Kybong

The proposal is for Reconfiguring a Lot - Subdivision to Create Two (2) New Lots from Two (2) Existing Lots over Lots 12 & 15 RP108543.

The Decision Notice was approved on 21 December 2009 and issued on 21 December 2009 subject to conditions from the Assessment Manager.

File: 2009-1743
Applicant: John Cartwright
Site Address: 34 Mary Street, Gympie.

The proposal is for Material Change of Use – Shop over Lot 1 RP901110.

The Decision Notice was approved on 10 December 2009 and issued on 10 December 2009 subject to conditions from the Assessment Manager.

File: 2009-1751
Applicant: Stan Bowman
Site Address: 9 Hall Lane, Gympie

The proposal is for Reconfiguring a Lot - Boundary Realignment over Lot 1 MPH23933 & Lot 1 MPH23994.

The Decision Notice was approved on 21 December 2009 and issued on 21 December 2009 subject to conditions from the Assessment Manager.

File: 2009-1806
Applicant: Suncert Pty Ltd
Site Address: 88 Severn Chase, Curra

The proposal is for Material Change of Use - Dwelling House (Detached House) over Lot 15 SP217381.

The Decision Notice was approved on 10 December 2009 and issued on 10 December 2009 subject to conditions from the Assessment Manager.

File: 2009-1817
Applicant: Steven Bell & Colleen Stringer
Site Address: 29 Green Valley Drive, Rainbow Beach

The proposal is for Reconfiguring a Lot - Subdivision to Create Two (2) Standard Format Lots in a Community Titles Scheme over Lot 15 RB9693.

The Decision Notice was approved on 21 December 2009 and issued on 21 December 2009 subject to conditions from the Assessment Manager.

File: 2009-1867
Applicant: Lyndon Family Trust
Site Address: 139 Rifle Range Road, Gympie

The proposal is for Reconfiguring a Lot - Subdivision to Create Two (2) Additional Lots over Lot 5 MPH33969.

The Decision Notice was approved on 23 December 2009 and issued on 23 December 2009 subject to conditions from the Assessment Manager.

File: 2009-1913
Applicant: Tony & Michelle Perrett
Site Address: 5 Hall Street, Kilkivan

The proposal is for Reconfiguring a Lot - Subdivision to Create One (1) Additional Lot over Lot 2 MPH3276.

The Decision Notice was approved on 21 December 2009 and issued on 21 December 2009 subject to conditions from the Assessment Manager.

File: 2009-1914
Applicant: Mad Camper and Trailer Hire
Site Address: 66 Fraser Road, Araluen

The proposal is for Material Change of Use - Home Business (Camper Trailer Hire) over Lot 14 RP847759.

The Decision Notice was approved on 10 December 2009 and issued on 10 December 2009 subject to conditions from the Assessment Manager.

File: 2009-1992
Applicant: Coastal Beauty
Site Address: 47 Discovery Drive, Cooloola Cove

The proposal is for Material Change of Use - Home Business (Beauty Salon) over Lot 324 RP172232.

The Decision Notice was approved on 24 December 2009 and issued on 24 December 2009 subject to conditions from the Assessment Manager.

P21/01/10

Moved: Cr R.A. Gâté

Seconded: Cr R.J. Dyne

Recommend that the information be noted.

Carried.

Cr A.J. Perrett returned to the meeting at 10.54 a.m.

SECTION 5: GENERAL MATTERS

5/1 Building Summary and Report for the Months of November & December 2009

Re: Building Summary and Report for the Months of November & December 2009
 From: Director of Planning and Development – M. Hartley
 File: BG94/00002
 Date: November/December 2009

Report: (Director of Planning and Development - M. Hartley)

The Building Summary and Report for the Months of November & December 2009 is included as Attachment 2.

P22/01/10 Moved: Cr J. Watt

Seconded: Cr R.A. Gâté

Recommend that the Building Summary and Report for the Months of November & December 2009 as presented, be received.

Carried.

SECTION 6: MATTERS FOR COUNCIL'S INFORMATION

The following items have been copied into a booklet for Council's Information

No	Date Received	Received from	Subject
1	30/11/09	Master Builders Sunshine Coast	Delays to the Gympie Regional Council Development and Approval Process
2	3/12/09	Department of Public Works	Public Housing Development – 10 Ray Street, Gympie (Doc ID 1409080)
3	25/11/09	Minister for Infrastructure & Planning	Support for Statutory Regional Plan for the Wide Bay Burnett Region

P23/01/10 Moved: Cr D.R. Neilson Seconded: Cr A.J. Perrett

Recommend that Council notes the contents of the correspondence.

Carried.

Mr M. Hartley left the meeting at 10.58 a.m. and returned at 11.00 a.m.

SECTION 8: GENERAL BUSINESS

8/1	Community Youth Centre
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P24/01/10 Moved: Cr J. Watt

Seconded: Cr J.A. Walker

Recommend that Council support the application for funding from the Australian Government for a Community Youth Centre to be owned by Council and operated by a consortium of community agencies and offers the following contributions:

- **Council owned land as identified at Tozer Park Road.**
- **Roadworks, water, sewerage and headworks.**
- **Timely approval of necessary planning and building applications.**

Further that staff be authorised to provide an estimate of the value of this contribution.

Further, that Council note that the Chief Executive Officer has been authorised to send this advice from today's meeting and it is recommended that the Committee's action in this matter be endorsed.

Carried.

COUNCIL IN COMMITTEE

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

1. Update on Appeal in Relation to Rainbow Shores Stage Two

P25/01/10

Moved: Cr J.A. Walker

Seconded: Cr R.A. Gâté

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. **Update on Appeal in Relation to Rainbow Shores Stage Two**

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.

COUNCIL OUT OF COMMITTEE

P26/01/10

Moved: Cr G.L. Engeman

Seconded: Cr J.A. Walker

That proceedings be resumed in Open Council.

Carried

SECTION 7: “IN COMMITTEE” ITEMS

7/1

Update on Appeal in Relation to Rainbow Shores Stage Two

P27/01/10

Moved: Cr A.J. Perrett

Seconded: Cr R.J. Dyne

Recommend that Council notes the information.

Carried.

There being no further business the meeting closed at 11.25 a.m.

CONFIRMED THIS THE TWENTY SEVENTH DAY OF JANUARY 2010.

Cr I. T. Petersen
Chairman