



COOLOOLA SHIRE COUNCIL

MINUTES

of the

**PLANNING & DEVELOPMENT
COMMITTEE MEETING**

CHAIRMAN: Cr Donna Neilson

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

**On Tuesday 15th January 2008
at 2.25 p.m.**

**For Adoption at the General Meeting
to be held on Tuesday 22nd January 2008**



Cooloola Shire Council

PLANNING & DEVELOPMENT MINUTES

*Crs. D.R. Neilson (Chairman),
C.R. Chapman OAM, W.J. McIntyre, F.G. Nissen AM,
I.T. Petersen, M.E. Prior, M.J. Venardos OAM, J. Watt.*

APPOINTMENTS etc.

Nil.

CONTENTS

CONFIRMATION OF PREVIOUS MINUTES	3
SECTION 1: STRATEGIC PLANNING MATTERS	3
1/1 DRAFT ICONIC QUEENSLAND PLACES LEGISLATION	3
SECTION 2: PLANNING APPLICATIONS	8
2/1 DA16939 – MATERIAL CHANGE OF USE OF PREMISES – MULTI-RESIDENTIAL (4 UNITS) – 18 NELSON ROAD, GYMPIE – B. CALVERT	8
2/2 DA17155 MATERIAL CHANGE OF USE – SHOP (SHOPPING CENTRE - SUPERMARKET & SPECIALITY RETAIL) – 46 QUEEN ELIZABETH DRIVE, COOLOOLA COVE – PHARMAC INVESTMENTS P/L	19
2/3 DA17506 MATERIAL CHANGE OF USE – EDUCATION PREMISES - EXTENSION TO EDUCATION PREMISES - PREP YEAR (DEMOUNTABLE BUILDING) - 14 CHURCH STREET & 2 CALTON CIRCLE, GYMPIE - THE CORPORATION OF THE TRUSTEES OF THE ROMAN CATHOLIC ARCHDIOCESE OF BRISBANE.....	37
2/4 DA16033 – PLANNING AND ENVIRONMENT COURT APPEAL NOS. 3 – 6 OF 2007 – MATERIAL CHANGE OF USE APPLICATION - WILTSHIRE STEVENS ARCHITECTS - 43 TINGIRA CLOSE, RAINBOW BEACH - LOT 16 RB96930 - MULTI - UNIT ACCOMMODATION (4 TOWNHOUSES)	44
2/5 DA16577 – REPRESENTATIONS – MATERIAL CHANGE OF USE – PRIVATE AIRSTRIP & ASSOCIATED STORAGE SHED – SHADBOLT ROAD, MOTHAR MOUNTAIN – G. WIMMER	45
SECTION 3: RECONFIGURING A LOT APPLICATIONS	50
3/1 DA17210 – RECONFIGURING A LOT – SUBDIVISION TO CREATE ONE (1) ADDITIONAL LOT – 182 FRITZ ROAD, CHATSWORTH – P. KELDOULIS	50
SECTION 4: PLANNING APPLICATIONS PENDING	65
4/1 PLANNING APPLICATIONS PENDING	65
4/2 DEVELOPMENT APPLICATIONS APPROVED.....	85

SECTION 5: GENERAL MATTERS	89
5/1 BUILDING SUMMARY AND PLUMBING REPORT FOR THE MONTH OF DECEMBER 2007	89
5/2 DA15058 - REDUCTION IN MAINTENANCE BOND - COOLOOLA SANDS STAGE 4 – PRADELLA DEVELOPMENTS PTY LTD	89
5/3 DA13662 - REDUCTION IN MAINTENANCE BOND – STAGE 2 – D BRIGHTON DEVELOPMENT – OLD MARYBOROUGH ROAD, GYMPIE	92
5/4 DA16440 - REDUCTION IN MAINTENANCE BOND – BUCKLEY DRIVE, MONKLAND	93
5/5 APPLICATION FOR GENERAL LICENCE – RAINBOW SHORES BAR & RESTAURANT – WYVERN ROAD, RAINBOW BEACH – RAINBOW SHORES PTY LTD.....	94
 SECTION 6: MATTERS FOR COUNCIL’S INFORMATION.....	96
NIL	96
 SECTION 7: “IN COMMITTEE” ITEMS.....	96
NIL	96

The meeting opened at 2.25 p.m.

PRESENT: Crs DR Neilson (Chairman), CR Chapman OAM, IT Petersen, WJ McIntyre, FG Nissen AM, ME Prior, J Watt.

Also in attendance were Mr M Hartley (Director of Planning & Development), Mrs KA Rolfe (Strategic Planner), Ms TM Stenholm (Senior Planner), Mrs K Toomey (Environmental Planner) and Ms K Sullivan (Minutes Clerk).

Cr LJ Friske (Proxy) was not present when the meeting commenced.

OBSERVERS: Crs NR Ellis, LJ Friske (Proxy), SS Jocumsen, R Owen & WW Sachs.

APOLOGIES: Cr MJ Venardos OAM

CONFIRMATION OF PREVIOUS MINUTES

That the Minutes of the Planning & Development Committee Meeting held on 27th November 2007 be taken as read and confirmed.

P01/01/08 Moved: Cr IT Petersen

Seconded: Cr J Watt

Carried.

SECTION 1: STRATEGIC PLANNING MATTERS

1/1 Draft Iconic Queensland Places Legislation

Re: Minute: P02/01/08 Draft Iconic Queensland Places Legislation

From: Paul Lucas MP, Deputy Premier, Minister for Infrastructure and Planning

File: PSR00005

Date: 07 January 2008

"I am writing to you regarding the development of the iconic places legislation. This legislation is intended to give protection to the State's recognised iconic places located in the areas of new regional Council's, to ensure local government reform does not intentionally adversely impact on the protection of some of our distinctive and unique Queensland places.

Since August this year, the Government has been considering the scope and nature of the iconic places legislation. The Government wants to ensure the protection of key identified outstanding natural and built environmental values in Queensland for future generations. At this time, it is anticipated that this proposed new legislation will be ready for introduction to Parliament early in the new year.

I invite your council to provide feedback on the draft Iconic Queensland Places Bill 2007 (Draft Bill), enclosed for your consideration.

To be declared as iconic, a place will have to meet certain criteria, which are outlined in section 6 of the Draft Bill. The Draft Bill also outlines how the declaration of an iconic place will interact with current planning provisions and processes. Please refer to Part 3 and 4 of the Draft Bill for further information.

Expressions of interest for declaration of iconic places, will be accepted between assent of the Bill and 14 March 2008. Local governments will be notified of assent of the Bill immediately after this occurs”.

Report: (Acting Strategic Planner – K.M. Toomey)

1.0 Introduction

The Department of Infrastructure and Planning has developed a draft bill for the protection of iconic places in Queensland. The legislation has been developed in order to ensure the amalgamation of existing local government areas does not adversely impact some of Queensland’s unique and distinctive places. Comments on the draft Bill and Expressions of Interests for declaration of “Iconic Place” status under the Act are therefore being sought from existing Councils.

2.0 Purpose

The Iconic Places legislation is intended to provide a level of protection for places with characteristics or qualities in their natural or built environment that reflect or contribute in a substantial way to Queensland’s character. The purpose of the Act is achieved primarily by identifying some of the suitable places and by providing for the Minister to declare others. Modification of laws and procedures relating to planning and development assessment by local governments in those places is also part of the Act. In effect, the legislation will give the force of state law to already existing planning schemes in environmentally significant and important areas.

3.0 Declaration of Iconic Places

Two places are at this stage to be declared as “Iconic” upon the commencement of the Act, those being:

- 1 Douglas Area – The local government area of the Douglas Shire Council at the date of assent; and
- 2 Noosa Area – The local government area of the Noosa Shire Council as at the date of assent.

Existing local governments within the Great Sandy Straits region, along with those in the Whitsunday region have also been mentioned in previous press releases from the Queensland Government, as being areas which may meet the criteria for declaration under the Act as “iconic”.

Expressions of interest are also being sought from existing Councils for the declaration of current local government areas as “Iconic Places” under the Act. These nominations will be accepted between assent of the Bill and 14 March 2008.

The Minister may also declare additional areas as “Iconic” after the assent of the legislation providing the place(s) are able to satisfy the following criteria:

- that there is contribution in a substantial way to Queensland’s character through the characteristics or qualities in their natural or built environment;
- that the place is under pressure from population growth and new development;
- that there is a demonstrated threat to these outstanding qualities or characteristics;
- that the existing provisions of the local planning instruments contribute substantially to the protection of the qualities or characteristics; and
- that making the declaration is substantially supported by the local community.

4.0 Implications for Councils

The *Iconic Queensland Places Bill 2007* will have a number of implications for Local Government’s containing places that are declared under the Bill as meeting the required criteria. A summary of the planning implications are described in the following excerpts from the Department of Infrastructure and Planning fact sheet.

“What the legislation means for Planning Schemes:

If a local government proposes to make or amend a planning scheme, the Minister will consider if it will be inconsistent with protecting the place’s iconic values. The local government must prepare an impact report evaluating the scheme proposal’s effect on the place’s iconic values. This report is given to the Minister with the scheme proposal. The Minister also considers whether or not State interests would be adversely affected by the scheme proposal.

If the scheme proposal would be inconsistent with the iconic values, the Minister must impose conditions on the scheme notification to preserve the iconic values. If the proposal is for an amendment, the Minister must either impose conditions or notify the local government that it may not proceed with the amendment.”

“What the legislation means for Development Assessment:

A development assessment panel will be established for each iconic place. The panel will decide whether or not it will decide a development application relating to the iconic place instead of the local government. If so, the panel is the assessment manager for the application. However, the local government must continue to decide the application under the stages of IDAS up to (but not including) the giving of the decision notice. The local government’s decision becomes a recommendation to the panel. The panel then decides the application as if it was the assessment manager.

The panel will consist of not more than five people, with at least one person of each of:

- A representative from a community, environmental or other organisation that the Minister considers appropriate;*
- A person with relevant professional or technical qualifications to assess development applications; and*
- A councillor of the relevant local government.”*

The intention behind the legislation is noted, however concern is expressed regarding the practical implications for the future Gympie Regional Council. The Great Sandy Region is already protected by a number of Commonwealth and State Acts which serve to protect the same values as that proposed by the Iconic Queensland Places Bill.

A further declaration of the current local government area as an “iconic” place has the potential to impact in terms of creating additional workload and referral stages when undertaking planning scheme amendments and processing development applications. Furthermore it is evident that the legislation would greatly limit the new Council’s capacity for decision making and the ability to determine future desirable outcomes for the area.

Such a declaration over the existing Cooloola Shire local government area therefore appears to be of no net benefit to Council, the community or the preservation of the areas environmental values.

5.0 Timeframes

Relevant feedback from Council is to be forwarded to the Department of Infrastructure and Planning in January 2008. Expressions of Interest for declaration as an “Iconic Place” are to be submitted between assent of the Bill and 14 March 2008.

P02/01/08

Moved: Cr J Watt

Seconded: Cr WJ McIntyre

Recommend that Council receives the information and that no further action on the matter is undertaken at this time.

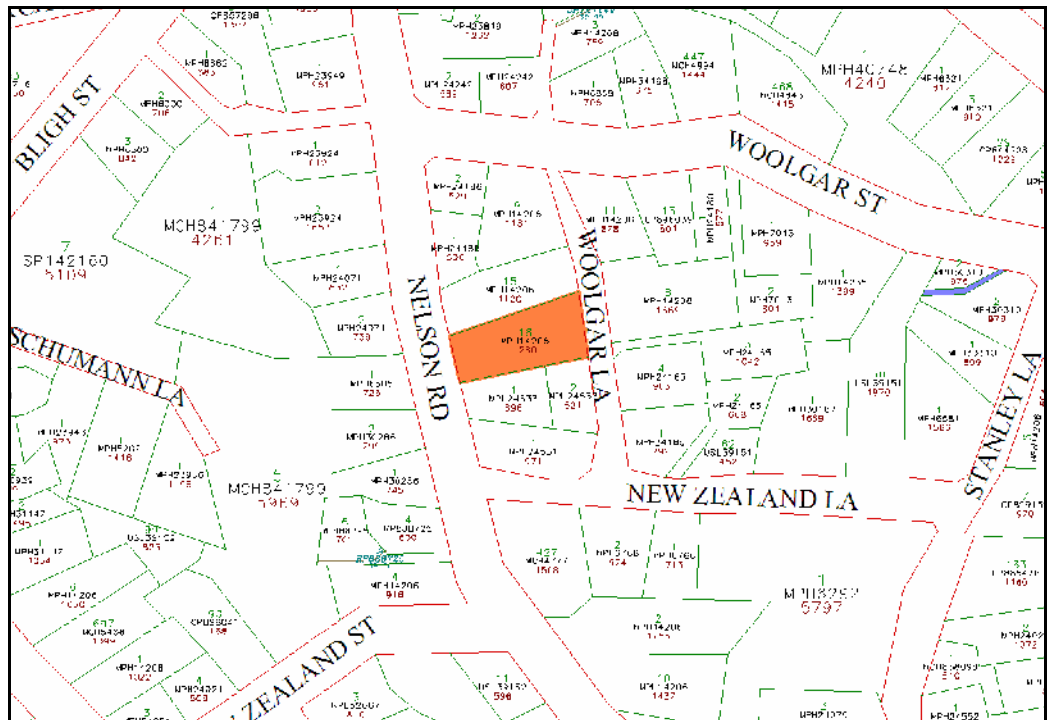
Carried.

Mrs KA Rolfe (Strategic Planner) and Mrs K Toomey (Environmental Planner) left the meeting at 2.30 pm.

SECTION 2: PLANNING APPLICATIONS

2/1 DA16939 – Material Change of Use of Premises – Multi-Residential (4 Units) – 18 Nelson Road, Gympie – B. Calvert

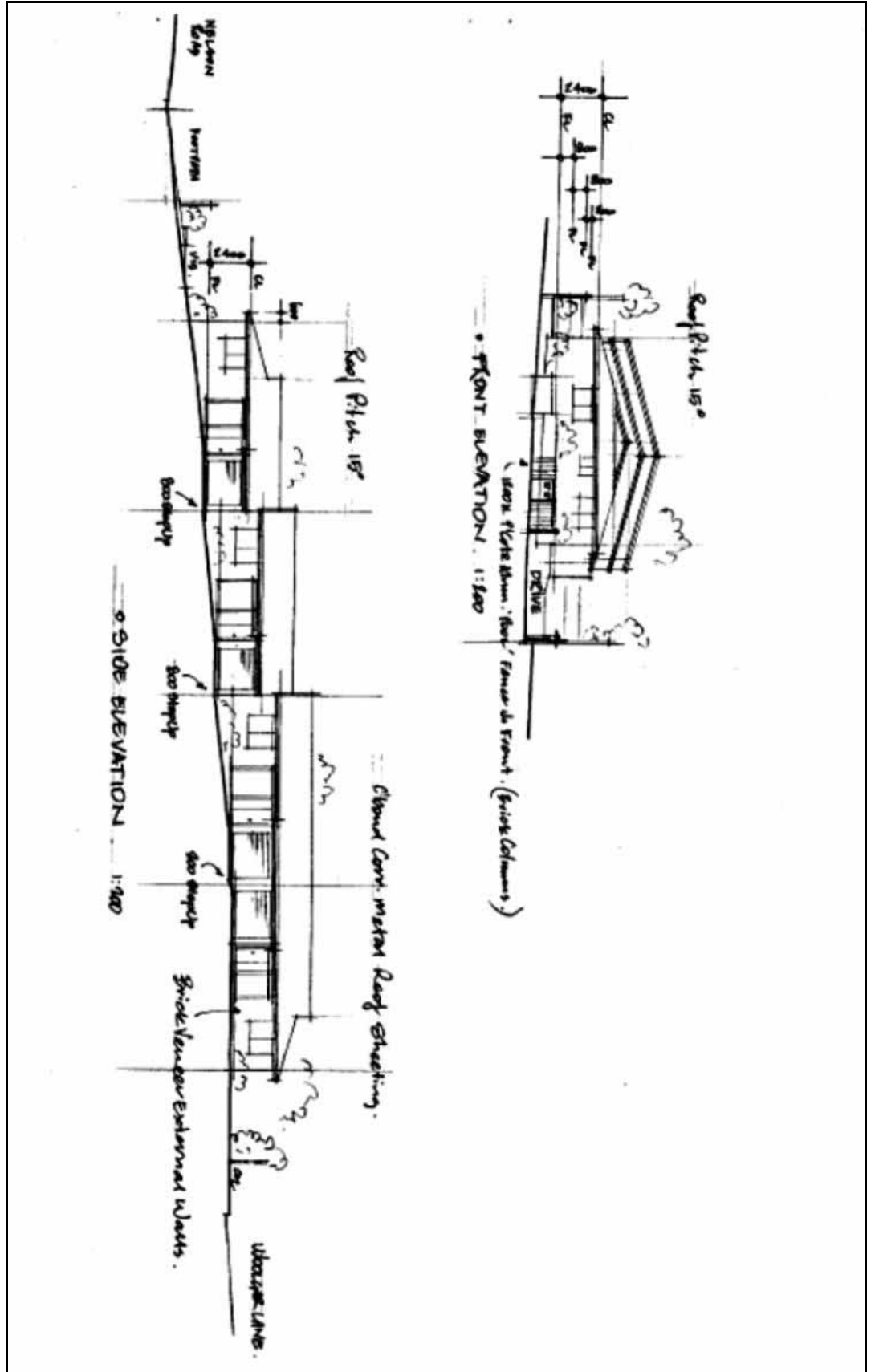
FILE NO:	Minute: P03/01/08 DA16939
APPLICANT:	B. Calvert
LANDOWNER:	B.R. and R. Calvert
RPD:	Lot 16 MPH14206
SITE ADDRESS:	18 Nelson Road, Gympie
PROPOSAL:	Material Change of Use – Multi Residential (Four (4) Units)
ZONE:	Housing
PREFERRED USE AREA:	Nil
PLANNING AREA:	Gympie
LEVEL OF ASSESSMENT:	Code (Inconsistent Use)



Report: (Planning Officer – M.A. Kucera)

1.0 INTRODUCTION

This application seeks Council’s approval for the construction of 4 units on a site between Nelson Road & Woolgar Lane.



1.2 Site Description

The site was developed with a single dwelling, but this has been recently removed.

1.3 Surrounding Land Uses

All surrounding land uses are of a residential nature.

2.0 STATUTORY REQUIREMENTS

2.1 Intent of the Zone

The overall outcomes sought for the Housing Zone are:

- a) for a range of housing forms to be available providing a high level of visual amenity; and
- b) well designed, attractive medium density housing is available in proximity to services and public areas and;
- c) detached housing to prevail.

This proposal does not comply with this intent as the site is not located within the mixed housing preferred use area.

2.2 Compliance with the Planning Scheme

2.2.1 Scheme Definition

As the proposal involves more than one dwelling unit it is defined as multi-residential in the planning scheme.

2.2.2 Development Provisions

The proposal is code assessable development when in the housing zone and not located in the mixed housing preferred use area. The following codes are applicable:

Gympie Planning Area Code

The proposal is identified as an inconsistent use in the planning scheme, as it is located outside the mixed housing preferred use area.

The applicants have provided the following justification to warrant approval of the proposal despite the conflict:

“The proposed development is code assessable but inconsistent in the prevailing Housing zone. The following reasons warrant approval of the application despite any conflict arising from the zoning of the subject land.

The Council's Planning Scheme permits a density of 1 dwelling unit per 250 square metres for multiple dwellings and duplex. The proposal is for 1 unit per 320 square metres of total site area, which is less than that usually applicable to multiple dwellings and duplexes.

Furthermore, the subject land could be subdivided into 2 allotments with a dwelling placed on each new lot.

An important consideration in Council's assessment of the development application is the fact that the proposed development has been specifically designed to be wheelchair accessible. In particular access arrangements, bathrooms, toilets, kitchen, doors and bench-heights have all been specifically designed to accommodate people in wheelchairs.

Information provided by the Australian Bureau of Statistics indicates that 23,300 people in Queensland were wheelchair reliant in 2003. This constitutes a percentage of the population at that time of 6%.

If that percentage is applied to the current population of Cooloola Shire, a theoretical 225 people within the Shire are wheelchair reliant.

Fiona Green, a senior officer of Queensland Disability Services has advised that in her opinion, and as a result of her experience, the percentage of people that are wheelchair reliant in Cooloola Shire is in fact likely to be higher than the Queensland average. This is primarily because of the Shire's socio-economic profile compared with that of other Sunshine Coast Councils.

Furthermore, Ms Green has advised that wheelchair reliant people are simply not catered for in the public housing or community housing sectors within the Shire.

In these circumstances, there is in fact an overriding need for the provision of accommodation for wheelchair reliant people within the Shire.

This overriding need should also be taken into account in considering the exercising of its direction regarding other areas of non-compliance with the Planning Scheme as addressed above.

Furthermore, I note that the subject land is less than 100 metres from the closest Mixed Housing in Woolgar Street. The subject land is also relatively close to the business centre of Gympie and therefore on a first principles assessment suitable for the development of multiple dwellings.

It is submitted these planning reasons justify an approval of the application despite any conflict with the provisions of Council's Planning Scheme".

This justification, while having some merit, is not considered adequate to warrant support of the proposal.

The proposal is not considered to satisfy specific outcome 10 of the code in relation to buildings being of a scale consistent with existing buildings and works on adjoining and surrounding premises.

Further, compliance with provision relating to a specific development type is not considered grounds to warrant approval of an inconsistent use. There should be demonstrated some specific locational or overriding community need for the proposal which has not been done in this instance.

Multi-Residential Code

The proposal meets the minimum site area of 800m² for multi-residential development as well as the unit density requirements of 1 dwelling per 250m² of site area.

Site coverage for the development is 41.8% which exceeds the maximum in the planning scheme of 40%.

Maximum height of the proposal building is 3.6 metres or 1 storey. This meets the probable solution of 8.5 metres and 2 storeys nominated in the code.

Private open space is provided in a suitable square meterage and dimensions as nominated in the planning scheme.

Communal open space is to be provided at the rate of 0.02m² per square metre of GFA. This equates to 10.7m² based on the 535 metres of floor area proposed. This area is provided between the building and the Woolgar Lane frontage and exceeds the minimum requirements.

Site amenities and facilities are provided for, with storage available in the garages and clothes drying facilities available in the courtyard areas. Refuse storage is provided at the Nelson Road frontage of the site, screened on three sides and located near the visitor parking area.

The vehicle parking area is located between the frontage of the site and the building, however, this is not considered to detract negatively from the streetscape, given the landscaping requirements for such a development.

Infrastructure Works Code

The proposal meets the requirements of works in the Housing Zone nominated in Table 8:1: Standard for the provision of works, except for the provision of a concrete footpath.

A contribution towards a concrete footpath would be more appropriate in this instance as there is no footpath in the vicinity to link to this site.

Landscaping Code

The planning scheme nominates the following works to be provided for multi-residential development:

- minimum 2 metres wide averaging 3 metres wide along all frontages;
- minimum 2 metres wide along each side and rear boundary;
- car parking areas at the rate of 1 tree per six spaces;
- one advanced feature tree per 300m² of site area or part thereof planted within the landscaped area along any frontage.

The design achieves compliance with most parts of the code, except the side boundaries with the adjoining allotments.

The following justification has been provided in request for a relaxation of the standard requirements:

“The enclosed amended proposal plans include a landscape buffer that varies from 11 metres wide at the eastern end of the boundary that tapers to 1 metre and then 0.5 metres towards the western boundary of the subject land at the Nelson Road frontage.

It is proposed to provide a 1.8 metre high solid timber paling screen fence along this boundary. Furthermore, planting behind this fence on the subject land will include the planting of taller species such as Pencil Pines (which grow to a height of approximately 3.6 metres) to soften the visual impact of the proposed development on the adjoining residence.

The combination of these proposed measures, together with the relative topography of the subject land and the adjoining allotment will ensure that visual amenity impacts on the residents adjoining will be negligible.

For these reasons it is required that the Council relax its usual requirements for landscape buffers along this boundary”.

This is not considered adequate to justify a relaxation of the scheme requirements given the two dwellings located on either side of the site. Given the proposal is not in accordance with the planning scheme and therefore unlikely to be expected development by the community in this location, landscaping is considered critical to reduce the impacts on adjoining properties.

Vehicle Parking & Access Code

The planning scheme requires car parking to be provided at the rate of 1.5 spaces per dwelling. This equates to 6 spaces.

This is provided for on the proposal plans.

Erosion and Sediment Control Code

No conflict is raised with the code, with appropriate sediment control measures able to be conditioned at the operational works stage of the application.

2.3 Local and/or State Planning Policies

There are no state or local planning policies applicable to this application.

3.0 PLANNING CONSIDERATIONS

3.1 Appropriateness of the Proposal

The site is not located within a preferred area for unit development. All surrounding land uses are single storey residences. The density proposed by this development, although consistent with the density requirements of the multi-residential code, are not considered representative of the existing dwelling intensity or future land use envisaged by the planning scheme.

Alternative options exist for the development of this site such as subdivision for one additional lot which would result in two single dwellings and be in accordance with the existing pattern of development in the locality.

3.2 Impact on Amenity

The amenity of the general area is single storey dwellings. Community expectations for development in this area is unlikely to include multi-unit accommodation.

3.3 Site Access and Traffic

Access to the development is proposed from Nelson Road, as Woolgar Lane is only 16 metres and does not meet the planning scheme requirements for access to unit developments.

A contribution towards increased traffic generated by this proposal is considered warranted.

3.4 Car Parking

There are limited car parking opportunities for car parking on this site. All units are two bedroom and besides units 3 and 4 there is no ability for tandem parking to be provided for residents.

3.5 Flooding

The site is not susceptible to flooding.

3.6 Site Contamination

The site is not listed on the Environmental Management Register.

3.7 Utilities and Services

Water and sewerage headworks are applicable to the development, with credit given for the existing dwelling.

The following calculation applies:

2 bedroom unit, 2 storeys or less = 1.9EP Water and 2.2EP Sewerage.

$1.9 \times 4 = 7.6\text{EP} - \text{credit for existing dwelling (3.5EP)} = 4.1\text{EP} - >1000\text{m}^2?$
 $\$1\ 054.50 \times 4.1$

$2.2 \times 4 = 8.8\text{EP} - \text{credit for existing dwelling (3.0EP)} = 5.8\text{EP} >1000\text{m}^2?$
 $\$1\ 647.87 \times 5.8$

4.0 PUBLIC NOTIFICATION

The application was not required to be publicly notified, however, letters were sent to neighbouring property owners and no submissions were received.

5.0 CONSULTATION

5.1 Internal

(a) Department of Engineering

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

This engineering report is based on the information submitted by the application and additional information submitted by Ryter Planning to development 4 x 3 bedroom units at 18 Nelson Road, Gympie.

TRAFFIC

Three (3) bedroom unit have the potential to generate similar traffic figures to that of a dwelling. Therefore a contribution of \$852 [(32-10) -10 x \$284] is warranted.

FRONTAGE / ACCESS

The proposed development has frontage to both Nelson Road and Woolgar Lane. However access is to be gain from Nelson Road as the road reserve width for Woolgar Road is less than the 16 metres as required in the Planning Scheme for units. Nelson Road is fully developed except for a concrete footpath.

A contribution of \$1,528 for footpath in the general area should be sought instead of an isolated construction to this frontage.

WATER SUPPLY AND SEWERAGE

Existing water service to be upgraded at the developers expense.

Council's Water and Sewerage Department advised the remaining section of a combined house drain from No. 22 Nelson Road should be removed at Council's expenses.

A master water meter with separate meter to each unit will be required if separate titling is proposed.

Headworks to be applied to both facilities.

STORMWATER DRAINAGE / FLOODING

Roof and stormwater runoff to be collected on site and piped and connected to the kerb and channel Nelson Road, at two locations at least 10 metres apart.

OTHER SERVICES

Power and communication services are available to the site. As street lighting is inadequate at this location, a contribution of \$850 towards street lighting is justified.

6.0 CONCLUSION

The site is not located within the mixed housing preferred use area. No other unit developments are in the immediate vicinity of the site and the planning scheme does not envisage a greater density of development other than single detached dwellings.

Alternative options exist to develop this site by way of subdivision.

P03/01/08 Moved: Cr ME Prior

Seconded: Cr WJ McIntyre

Recommend that Council, as Assessment Manager, REFUSE development application DA16939 for Material Change of Use – Multi-Residential (4 dwelling units) on Lot 16 MPH14206 located at 18 Nelson Road, Gympie on the following grounds:

- 1. The proposal does not comply with the 2005 Cooloola Shire Planning Scheme;**
- 2. The proposal does not meet the requirements of the landscaping code;**
- 3. The proposal would result in an unacceptable of development density that is not inkeeping with the locality or envisaged by the planning scheme;**

4. **The proposal is not located in the preferred use area for multi-residential development and there are no overriding planning grounds that warrant approval of the proposal in relation to this conflict.**

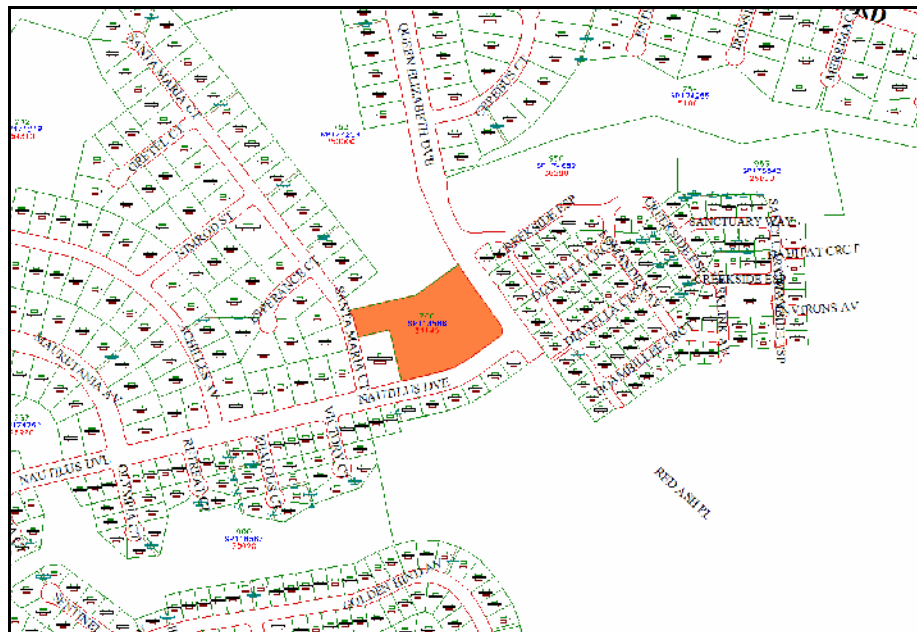
Carried.

Crs SS Jocumsen and WW Sachs left the meeting at 2.40pm and returned at 2.50pm.

Cr SS Jocumsen left the meeting at 2.55pm and returned at 2.56pm.

2/2	DA17155 Material Change of Use – Shop (Shopping Centre - Supermarket & Speciality Retail) – 46 Queen Elizabeth Drive, Cooloola Cove – Parmac Investments P/L
-----	--

FILE NO:	Minute: P04/01/08 DA17155
APPLICANT:	Parmac Investments Pty Ltd
LANDOWNER:	Cooloola Sands Pty Ltd
RPD:	Lot 750 SP118586
SITE ADDRESS:	46 Queen Elizabeth Drive, Cooloola Cove
CURRENT USE OF LAND:	Vacant land and Temporary Real Estate Sales Office
PROPOSAL:	Material Change of Use – Shop (Shopping Centre - Supermarket & Speciality Retail)
PLANNING AREA:	Coast
EXISTING ZONE:	Commercial
LEVEL OF ASSESSMENT:	Code



Report: (Contract Planning Officer – S J Taylor)

1.0 INTRODUCTION

The application seeks approval to establish a shopping centre, supermarket and speciality retail at 46 Queen Elizabeth Drive and Nautilus Drive, Cooloola Cove.

1.1 The Site

The site is situated as the corner of Queen Elizabeth Drive and Nautilus Drive, Cooloola Cove, described as Lot 750 on SP118586 having a site area of 2.11 hectares.

The subject site is located centrally within Cooloola Sands, a master planned residential community.

The land is largely clear of mature vegetation, with the exception of a small outcrop of semi-mature trees adjacent to the south western corner. Existing development on the land includes a temporary real estate sales office, and ground store.

1.2 Surrounding Land Uses

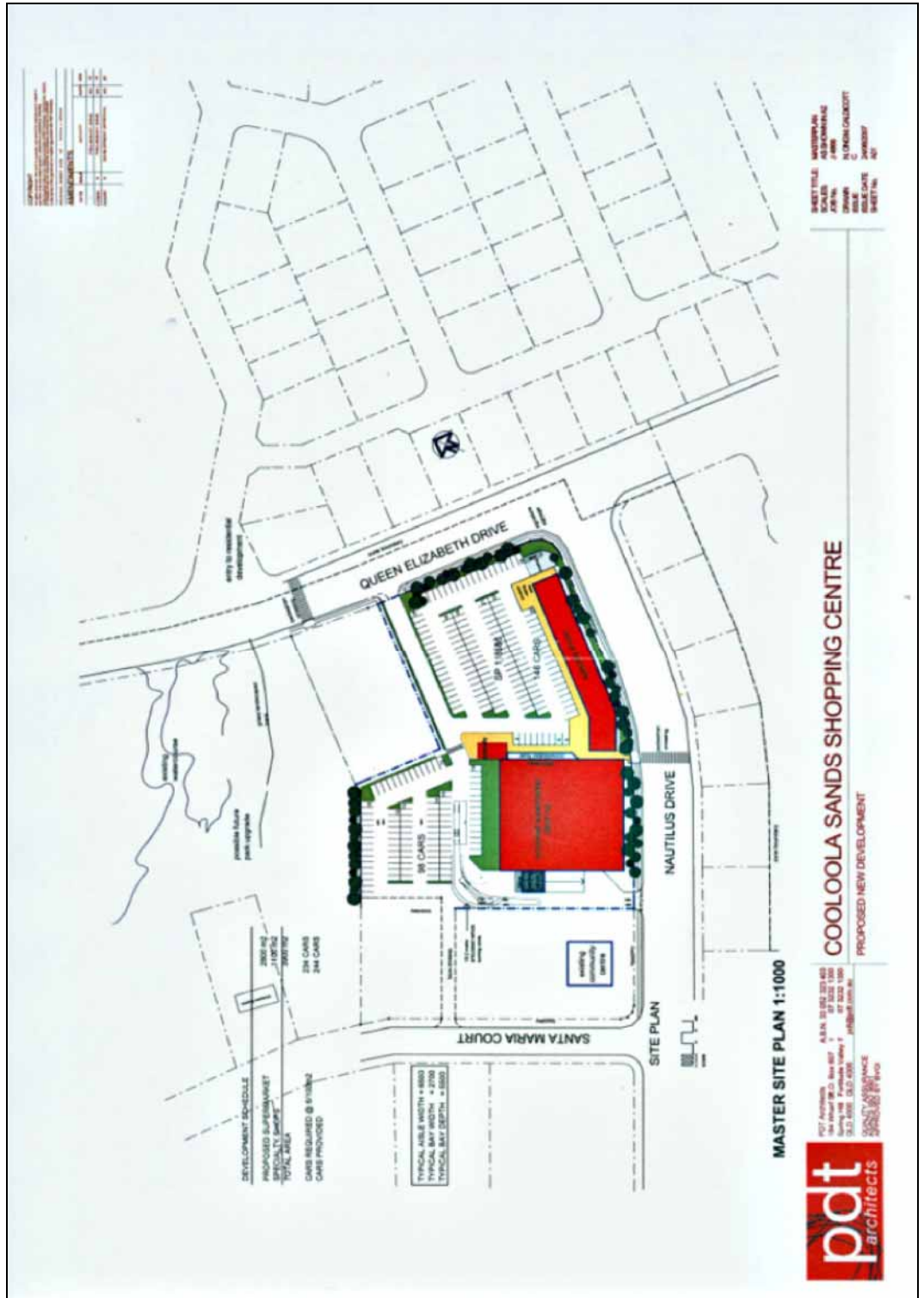
Surrounding land uses comprise residential development, vacant land and community building (Veteran's Association).

1.3 Proposal

The proposed shopping centre will incorporate a supermarket having a gross floor area (GFA) of 2,800m² and speciality retailing of 1,100m² (GFA).

Access to the site is to be obtained via combined entry/exit access points off Queen Elizabeth Drive and Nautilus Drive and a secondary access off Santa Maria Court.

Provision is to be made for on site parking for 244 vehicles with separate loading/unloading to the supermarket and speciality shops.



2.0 STATE PLANNING POLICIES

No State Planning Policies are relevant.

3.0 PLANNING SCHEME PROVISIONS

The site is zoned commercial where shops are code assessable.

The following codes are applicable to the development:

Cooloola Coast Planning Area Code

The proposed development generally complies with the Code.

Specific outcome -3 of the code requires uses to be located and designed to avoid significant adverse changes to the acoustic environment of adjoining and surrounding premises.

As can be seen from the submitted plans the building design and orientation focuses the activity of the shopping centre towards the north and north west with the main loading and unloading to the supermarket on the western side of the building.

The design/orientation of buildings provides a good acoustic buffer to the residential development to the north in Nautilus Drive. Residential development to the west is buffered by distance, other uses such as existing community centre and in the future a child care centre as well as limited shopping centre activity along this boundary. In addition it is standard practice to limit operation hours of service vehicles to this form of development to preserve residential amenity.

The residential development opposite the site in Queen Elizabeth Drive already enjoys acoustic fencing along their frontage. Noise impact to the north adjoining major car parking area will also be limited as no residential development is existing or proposed in the future.

The existing residential development to the north-west adjoins the proposed provision for (98) on site parking spaces and would experience noise impact from this activity.

The applicant has submitted a noise impact assessment with the application and the conclusions of this assessment are summarised below:

“The assessment has determined the appropriate noise limits for plant and equipment associated with the proposed development. Calculations have concluded that likely plant and equipment will require acoustic treatment to achieve the noise limits at the existing and future surrounding residential areas

The required levels of noise reduction are readily achievable through the selection of quiet plant items, the provision of acoustic screen around plant items and appropriate location of same. Assessment of the impact of noise from car parking activities and service vehicles and loading activities has determined that the appropriate noise limit during the daytime period is achievable at the existing and future surrounding residences. Car parking noise impacts are predicted to be satisfied during all periods of the day at all assessed existing and future surrounding residential areas. It is a recommendation of this report that the following acoustic barrier be provided to mitigate the noise impacts of site traffic and car parking at residences to the north:

- *1.8 metre high acoustic barrier located along the western portion of the northern property boundary with a return to the south from the west.*

The location of the recommended acoustic barrier is shown on Figure 3 of the report (Refer Appendix D). Any acoustic barrier constructed should be gap free and constructed of materials achieving a minimum surface density of 10 kg/m². It is a recommendation of this report, that to keep noise influences from the development at nearby residences to a minimum, no service vehicle activity be conducted during the evening or night-time period (i.e. limit service vehicle activity to between 7am and 7pm.)”

The above recommendations can be adequately imposed in any approval granted.

Infrastructure Works Code

All necessary services are available to the site together with appropriate road network. Modification or upgrade of this infrastructure has been considered in Engineering report at **Section 3.1**.

Landscaping Code

Proposed plans meet code requirements.

Vehicle Parking and Access Code

Prior to the lodgement of this application Council approved DA11005 for the establishment of a childcare centre on part of the land to the west of the proposed development.

Condition 4.7 of that approval required:

“4.7 Ten (10) car parks are to be provided on the adjoining commercial site, to secure tenure to these spaces in perpetuity a statutory covenant is to be registered on the title to Councils satisfaction. Construction of the car parks is to be staged depending on the number of children for each stage.

Further access through the screen fence to these spaces shall be provided to the verandah (east end) and they shall be within 30 metres of that point.”

The above car parking provision needs to be factored into the subject sites overall on site parking provision.

Car parking provision for the proposed development is calculated at the rate of 6 spaces per 100m² of GFA.

Car Parking Required

6 x (3,900 GFA ÷ 100) =	234 spaces
Plus - Parking Condition 4.7 DA11005	10 spaces
<hr/>	
Parking required	244 spaces
Parking proposed	244 spaces

The layout/design of car parking area meets Australian Standard 2890.1.

Loading/unloading facilities have been provided and assessed within Engineering Report at Section 3.1.

The code requires bicycle parking to be provided and designed in accordance with the rates identified in Austroad Guide to Traffic Engineering Practices - Part 14. Bicycle parking in the guide is calculated as follows:

1 per 300m² of sales area.

The above should be imposed as a condition in any approval granted.

In addition to the above the application was referred to Access Advisory Committee who have assessed the application and made the following recommendations:

- “1. *The applicant must provide further detail on how the proposal will comply with Australian Standards for access for customers and staff with disabilities, particularly 148.,1 Design for access a mobility.*
2. *It is strongly recommended that the applicant provide five designated accessible car parking bays or 2% of the total number of proposed parking bays. All accessible parking bays provided must comply with the requirements of AS 2890.1. These bays should be provided close to accessible entrances to the building and at least half should provide safe rear vehicle loading and unloading for wheelchairs, that is, not be located on a through road.*
3. *A continuous accessible path of travel must be provided between the accessible parking bays and the front entrance to the building. The applicant must ensure this continuous accessible path of travel incorporates Tactile Ground Surface Indicators, as per AS 1428.4, includes construction of kerb ramps where required, the finished floor surface is constructed from slip-resistant materials and has a clear minimum width of 1000mm.*

4. *The applicant must ensure the front entrance doorways allow independent access by people using wheelchairs or other mobility aids which complies with AS1428.1. This includes no steps at the front entrance and independently accessible front doors. It is strongly recommended that the front entrance doors provided are automatic sliding front doors.*
5. *The applicant must ensure that any proposed toilet and shower facilities include a designated accessible toilet and shower facility which comply with AS 1428.1, including circulation space requirements, as well as fixtures and fittings.*
6. *The applicant must ensure that proposed internal fit out of the building provides appropriate facilities for customers and staff who may use wheelchairs and other mobility aids and/or have sensory disabilities as per AS1428.1. This includes a continuous accessible path of travel to all required facilities (including staff facilities) with appropriate circulation space, slip resistant flooring facilities (including staff facilities) adequate lighting in all areas of the building, appropriate signage, and accessible emergency egress systems.”*

The incorporation of the above requirements are generally assessed at the building and operational works permit stages of the development. Appropriate conditions can be imposed in any approval granted.

Erosion and Sediment Control Code

Adequate conditions can be imposed to mitigate any adverse impact during the construction phase of development.

Acid Sulphate Soils Code

No excavation is proposed that will have potential to cause potential oxidisation of acid sulphate soils. In any event any approval can be adequately conditioned to ensure any impact is controlled and managed.

4.0 OTHER PLANNING CONSIDERATIONS

Headworks

Water supply and sewerage headworks contributions apply and have been conditioned accordingly.

Roads and Access

A road contribution has been calculated in the design report following and based on the expected trips to be generated correlated to the amount charged for an additional residential lot (ie \$284, being 10 trips/day). An additional amount has been calculated, and considered justified towards the upgrading of roads external to the development site, as the use will have a catchment beyond that of Cooloola Cove.

Again, this was done based on trips and the amount charged to new allotments within the Cooloola Sands development (being \$1 000/lot, subject to CPI from December 1996).

The total contribution recommended is \$365 097, which is acknowledged to be a significant sum and likely subject to representations from the applicant.

In recommending this amount, however, the contribution is currently considered justified and able to be spent on the two main lead in roads to the development, being Bayside Road (to Tin Can Bay Road) and Queen Elizabeth Drive (to Rainbow Beach Road). As part of any negotiations regarding this amount, the applicant may provide an engineering analysis of these roads suggesting their upgrading to Council's urban standard for their classification does not amount to this and/or contributions yet to be accrued from the Cooloola Sands development (approx. 800 lots) will provide sufficient funds to complete the upgradings.

5.0 CONSULTATION

5.1 Internal

(a) Engineering

Report: (Design Department Senior Engineer – A. Laszlo)

This report is based on the submission from Precinct Urban Planning Pty Ltd dated September 2007 and subsequent information submitted.

TRAFFIC

The applicant submitted an estimate of traffic generation for the development of 500 peak hour trips, which is in line with industry guidelines. However, whilst a Material Change of Use approval is required for this site, it has always been set aside for such use. Hence traffic generation rates used for other approvals such as residential lot approvals have included generation rates for trips to such a site. Hence it could be considered inappropriate to require any contributions for Cooloola Cove internal traffic generated road improvements for the above. If they were considered appropriate it would be \$142,000 in total. However the facility will generate traffic from external sources such as traffic from Tin Can Bay and Rainbow Beach and surrounding areas. Rezoning approvals for the Crest Projects residential development included an "external" road contributions of \$1,000/lot in December 1996. This should also apply to this major development. Hence, a contribution of \$223,097, which equates to say one-third of the total traffic generated from external areas by the facility towards external road improvements is justified.

LEAD-IN ROAD / FRONTAGE / ACCESS

The lead-in and frontage road Queen Elizabeth Drive is constructed with a carriageway width of 3.5 metres to the centre line without kerb and channel. A concrete footpath exists along part of the development frontage. Queen Elizabeth Drive is to accommodate a future dual carriageway road. Therefore the existing road should be widened to accommodate the future dual carriageway with kerb and channel and associated drainage works. The alignment will need to be confirmed during detailed design. A 2.4 metre reinforced concrete bike pathway should be constructed in line with Council's Strategic Plan – Proposed Bikeways.

Nautilus Drive frontage is constructed to an 11 metre sealed width without kerb and channel and footpath on the development side. The existing carriageway should be widened to a 12.0 metre wide carriageway with kerb and channel. A 2.4 metre wide reinforced concrete footpath should be provided along the full frontage in line with Council's Strategic Plan – Proposed Bikeways.

Santa Maria Court frontage is constructed to a 5.5 metre sealed road width without kerb and channel and footpath. The existing road should be upgraded to the minimum requirements for an Access Street as per Council's Planning Scheme including kerb and channel. A 1.2 metre reinforced concrete footpath should be constructed along the full frontage approximately 42.0 metres in length.

The development site has proposed access off all three frontages.

Queen Elizabeth Drive access to the site is at a new location approximately 55 metres to the south of the existing access to the "shop" which is to remain. The proposed master plan for the site shows that both accesses will remain with the "shop" eventually making way for a tavern. Two accesses are acceptable in the interim only. Any development of the tavern site will require the "shop" access to be closed.

The Nautilus Drive frontage has one entry/exit access which needs to be adequately sized to permit large vehicle movements.

The Santa Maria Court access is nominated as a future driveway access to service a proposed child care facility development.

The turning manoeuvre path of the articulated vehicle to the delivery dock and the turning manoeuvre path of a garbage truck to service the primary refuse should comply with AS2890.2.

The car parking in particularly adjacent the secondary loading and refuse area should comply with AS2890.1.

STORMWATER / FLOODING

The site is well drained towards the car parks, which will require pollution and oil interceptor traps to be incorporated into the design prior to discharge to Council drainage in Queen Elizabeth Drive.

This site is not subject to flooding.

WATER SUPPLY & SEWERAGE

Water mains surround the site. A single water service should be provided with internal metering to each shop. Sewerage is connected to the existing shop but this may require extension to more fully service the land. The internal house connection should be on branch to existing sewer should be constructed as though it were a sewer. Any trade waste discharge will be to Council Policy. Headwork charges are applicable but an allowance is to be made for existing entitlements.

OTHER SERVICES

Upgrades to electricity of telecommunications services if required will be to the developer's costs. Street lighting in the area should be provided as per Australian Standards. Shop lighting should not adversely affect road lighting.

MASTER PLAN

The master plan clearly shows how the proposed shop can be incorporated into the overall development. However the pedestrian crossings which are shown, are not appropriate.

SUBMISSIONS

The submissions made by the Access Advisory Committee is relevant as regards rear loading disabled parking.

(b) Department of Health and Community Services

The Health Department have raised concerns regarding Council's refuse contractor's vehicle not being able to access refuse bins at the speciality shops bin enclosure in the position nominated and indicate relocation being necessary.

The Engineering Department also address this issue together with on-site loading and unloading.

It is considered that compliance with the above can be achieved at the building and operational work stages of the development and any approval should be conditioned accordingly.

5.2 External

(a) Community Consultation

Being code assessable, the proposal did not require formal notification. Details of the development, however, were included in the Council's half page advertisement in the Gympie Times and as a result some comments were received.

Apart from the community support for such a facility a request for incorporation of a set-down area for buses and taxis has been received via e-mail.

The plans as presented do not incorporate such an area and given the size of the shopping centre it is considered that a bus stop could be incorporated into the road reserve area as part of the frontage works, and a minimum of two (2) carparks dedicated to taxi waiting.

6.0 CONCLUSION

The proposed development is consistent with the intent of the land's commercial zoning under the Planning Scheme and generally complies with Planning Scheme Standards.

Adequate conditions can be imposed in any approval that will ensure preservation and enhancement of adjoining residential amenity.

In addition the use of the land is considered appropriate and provides a much needed shopping facility for the locality.

P04/01/08

Moved: Cr FG Nissen AM

Seconded: Cr WJ McIntyre

Recommend that Council, as Assessment Manager APPROVE development application (DA17155) for a Material Change of Use – Shop (Shopping Centre – Supermarket & Specialty Retail) over Lot 750 SP118586 located at 46 Queen Elizabeth Drive, Cooloola Cove 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 (i) The development shall be generally in accordance with the plan/s submitted with the application (Plan Nos. A01 to A05 drawn by PDT Architects and dated 24/01/07), except for the following amendments:**
- (a) Pedestrian crossings to be deleted.**
- 1.2 The development herein approved may not start until:**
- (i) the following development permits have been issued and complied with as required -**
- (a) Development Permit for Building Work;**
- (b) Development Permit for Operational Works (Site Works, Road Widening, Kerb & channel and Associated Drainage, Access Driveways, Water Supply & Sewage Discharge, Sludge Collection and Removal, Stormwater Disposal and Landscaping).**
- 1.3 Contribution is to be made towards Water Supply Headworks in accordance with Council's Planning Scheme Policy 7: *Water Supply and Sewerage Headworks Contributions, Works External and Works Internal*. The contribution is currently assessed at \$59 078, however, the actual amount payable will be based on Council's policy and the rate applicable, at the time of payment.**
- 1.4 Contribution is to be made towards Sewerage Headworks in accordance with Council's Planning Scheme Policy 7: *Water Supply and Sewerage Headworks Contributions, Works External and Works Internal*. The contribution is currently assessed at \$75 890, however the actual amount payable will be based on Council's policy and the rate applicable, at the time of payment.**
- 1.5 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.**
- 1.6 Prior to commencement of the use the following are to be provided in accordance with the *Environmental Protection (Waste Management) Regulation 2000*:**
- (i) approved refuse containers;**
- (ii) a centralised refuse storage enclosure comprising an imperviously paved area provided with a hose cock and hose;**

(iii) drainage designed to prevent stormwater entering Council's sewer.

- 1.7 In accordance with Planning Scheme Policy 11: *Roadworks Contributions* a contribution is to be paid toward road improvements as a result of the increased traffic generated by this development. The amount is currently assessed at \$142,000, however will be indexed annually from the date of this Decision Notice in accordance with ABS ANZSIC Class 4121.
- 1.8 A bus shelter is to be provided adjacent to the bus stop required in Nautilus Drive complying with Australian Standards.
- 1.9 A 1.8 metre high acoustic barrier is to be constructed along the western portion of the northern property boundary with a return to the south from the west as indicated on Plan No 07-134-03 drawn by Max Winders & Associates Pty Ltd dated 28/08/07. The acoustic barrier is to be gap free and constructed of materials achieving a minimum surface density of 10 kg/m².
- 1.10 Public sanitary facilities and a parent's room are to be provided in accordance with the rates and requirements of Section F2 of the Building Code of Australia.

Section 2.0 Conditions relevant to the issue of a Development Permit for Operational Work

- 2.1 Access to the proposed lot is to be constructed in accordance with the requirements of Council's Infrastructure Works Code – Drawing No R-05 (Subject to detailed design of street frontage works).
- 2.2 All night lighting must be designed and constructed to the satisfaction of Council's Chief Executive Officer so that light emitted from the subject land does not, in the opinion of the Council, cause nuisance or annoyance to residents or traffic in the immediate vicinity.
- 2.3 No earthworks or filling works are to be undertaken prior to the issue of a Development Permit for Building Works/Operational Works.

- 2.4 **Provide at least 244 off-street car parking spaces (including access and manoeuvring areas including minimum five (5) accessible spaces and two (2) appropriately signed and dedicated taxi waiting/pickup areas. Ten (10) of the above off street car parking provisions are to be provided for the adjoining commercial site (Child Care Centre) and to secure tenure to these spaces in perpetuity a statutory covenant is to be registered on the title to Council satisfaction.**
- 2.5 **Demonstrate that the car parking complies with Australian Standards 2890.1, particularly in adjacent the secondary loading and refuse area.**
- 2.6 **Provision is to be made for five (5) designated accessible car parking bays in accordance with Australian Standards 2890.1. These bays are to be provided close to accessible entrances to the building and at least half are to provide safe rear vehicle loading and unloading for wheelchairs, that is not to be located on a through road.**
- 2.7 **A continuous accessible path of travel must be provided between the accessible parking bays and the front entrance to the building. The applicant must ensure this continuous accessible path of travel incorporates Tactile Ground Surface Indicators, as per AS 1428.1, includes construction of kerb ramps where required, the finished floor surface is constructed from slip-resistant materials and has a clear minimum width of 1000mm.**
- 2.8 **Car parking and access areas shall be “sealed” pavement and designed, drained, constructed and maintained in accordance with Council’s Vehicle Parking and Access Code.**
- 2.9 **Off-street car parking is to be provided in accordance with the Vehicle Parking and Access Code of Council’s Planning Scheme and Planning Scheme Policy 8 - Infrastructure Works.**
- 2.10 **Provide on site for parking bicycles at the rate of 1 per 300m² of sales area and parking rail layout designed in accordance with Austroad Guide to Traffic Engineering Practices Part 14.**
- 2.11 **Loading/unloading operations shall be conducted within the site and vehicles waiting to be loaded/unloaded shall stand entirely within the site.**
- 2.12 **Demonstrate that the turning manoeuvre path of the articulated vehicle to the delivery dock complies with AS2890.2.**

- 2.13 Demonstrate that the car parking complies with AS2890.1 in particular adjacent TO the secondary loading and refuse area.**
- 2.14 A 2.4 metre wide reinforced concrete footpath is to be constructed along the full frontage of the site to Queen Elizabeth Drive for the footpath realignment to comply with Cooloola Shire Council Standards and the remaining areas shall be formed, grassed and topsoiled in accordance with the requirements of the Infrastructure Works Code and Planning Scheme Policy 8: *Infrastructure Works*.**
- 2.15 A 2.4 metre wide reinforced concrete footpath is to be constructed along the full frontage of the site to Nautilus Drive and the remaining areas shall be formed, grassed and topsoiled in accordance with the requirements of the Infrastructure Works Code and Planning Scheme Policy 8: *Infrastructure Works*.**
- 2.16 A 1.2 metre wide reinforced footpath is to be constructed along the full frontage of the site to Santa Maria Court and the remaining areas shall be formed, grassed and topsoiled in accordance with the requirements of the Infrastructure Works Code and Planning Scheme Policy 8: *Infrastructure Works*.**
- 2.17 (i) Connection is to be made to Council’s existing Water Supply and Sewerage reticulation systems, including the provision of a back flow device, at no cost to Council. Connection shall be in accordance with a development permit for Operational Works approving the required hydraulic plans and specifications, as prepared by a recognised building hydraulics engineer, for such works.**
- (ii) The backflow prevention device is to be maintained and tested in accordance with Council’s approval.**
- 2.18 Any discharges of Trade Waste generated by the development approved herein shall be treated in accordance with Council’s Trade Waste Environmental Management Plan.**
- 2.19 (i) Prior to the commencement of works on site a properly prepared Landscape Plan in accordance with Council’s Planning Scheme Policy 4 - Landscaping is to be submitted to and approved by Council’s Chief Executive Officer. The landscape plan is to denote areas of existing vegetation and trees proposed to be retained.**
- (ii) Landscaping works in accordance with the approved landscape plans are to be completed to the satisfaction of Council’s Chief Executive Officer.**

- (iii) All landscaping works so constructed shall be subject to a maintenance period commensurate with any other Council infrastructure works also constructed.
- (iv) The landscaping shall be maintained (watering, fertilising, mulching, weeding, and the like) at all times to the satisfaction of Council's Chief Executive Officer during the maintenance period of the development.

2.20 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.

2.21 The whole of the subject land 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.

2.22 The internal driveway is to be constructed in a manner to provide suitable access for a refuse collection vehicle to the satisfaction of Council's Chief Executive Officer.

2.23 Queen Elizabeth Drive is to be upgraded. Specifically the following works are to be undertaken in accordance with plans and specifications approved by Council's Chief Executive Officer:

- (a) widen existing carriageway to suit Council's adopted cross section (copy attached) with kerb and channel and line marking to delineate carriageway and associated stormwater drainage.

2.24 Nautilus Drive is to be upgraded. Specifically the following works are to be undertaken in accordance with plans and specifications approved by Council's Chief Executive Officer:

- (a) widen existing carriageway to 12.0 metre full road width with kerb and channel and associated stormwater drainage; and
- (b) a bus stop is to be provided and any necessary road widening to accommodate it.

- 2.25 Santa Maria Court is to be upgraded. Specifically the following works are to be undertaken in accordance with plans and specifications approved by Council’s Chief Executive Officer:**
- (a) widen existing carriageway from the existing centre line to 2.75 metre lane width with kerb and channel and associated stormwater drainage.**
- 2.26 Street lighting is to be provided to Queen Elizabeth Drive 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 a sub arterial 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.**
- 2.27 Street lighting is to be provided to Nautilus Drive 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 a sub arterial 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.**
- 2.28 Water holding tanks are to be installed for the harvesting and use of stormwater from proposed roof and driveway areas. A plan showing the tanks and their proposed reticulation is to be submitted to Council for approval in conjunction with the application for Operational Work.**
- Note: Development Permits for Building Work and Plumbing and Drainage Work may also be required for this system.*
- 2.29 (i) Any overflow roof and surface water is to be collected on site and is to be discharged through an underground drain line into existing drainage in Queen Elizabeth Drive to the satisfaction of Council’s Chief Executive Officer.**
- (ii) A grease/oil arrester is to be provided on site to ensure polluted run-off does not enter Council’s stormwater drainage system.**
- 2.30 A master stormwater drainage plan is to be prepared to address the impact of the proposed development on the existing stormwater drainage in the area, including upstream and downstream of the site.**
- 2.31 The method of treatment of stormwater runoff from and through the site shall be designed and constructed in accordance with Council’s Infrastructure Works Code.**

- 2.32 Any plans for operational works, water supply and sewerage works, drainage works and street lighting required by this development permit, are to be surveyed and designed in accordance with Council's Infrastructure Works Code.
- 2.33 The method of treatment of any acid sulfate soils likely to be encountered during construction of the works is to be in accordance with State Planning Policy 2/02 Guidelines and incorporated into the Operational Works plans submitted.

Section 3.0 Conditions relevant to the issue of a Development Permit for Building Work

- 3.1 The applicant must ensure the front entrance doorways allow independent access by people using wheelchairs or other mobility aids which complies with AS1428.1. This includes no steps at the front entrance and independently accessible front doors. It is strongly recommended that the front entrance doors provided are automatic sliding front doors.
- 3.2 The applicant must ensure that any proposed toilet and shower facilities include a designated accessible toilet and shower facility which comply with AS1428.1, including circulation space requirements, as well as fixtures and fittings.
- 3.3 The applicant must ensure that proposed internal fit out of the building provides appropriate facilities for customers and staff who may use wheelchairs and other mobility aids and/or have sensory disabilities as per AS1428.1. This includes a continuous accessible path of travel to all required facilities (including staff facilities) with appropriate circulation space, slip resistant flooring facilities (incorporating staff facilities) adequate lighting in all area of the building, appropriate signage, and accessible emergency egress systems.

Section 4.0 General Conditions of Approval

- 4.1 No service delivery vehicle are to enter or leave the premises between 7pm and 7am Monday to Sunday.
- 4.2 There is to be no detrimental effect upon the amenity of the neighbourhood by reason of the creation of excessive noise, lighting nuisance or other emissions at any time in Council's opinion.

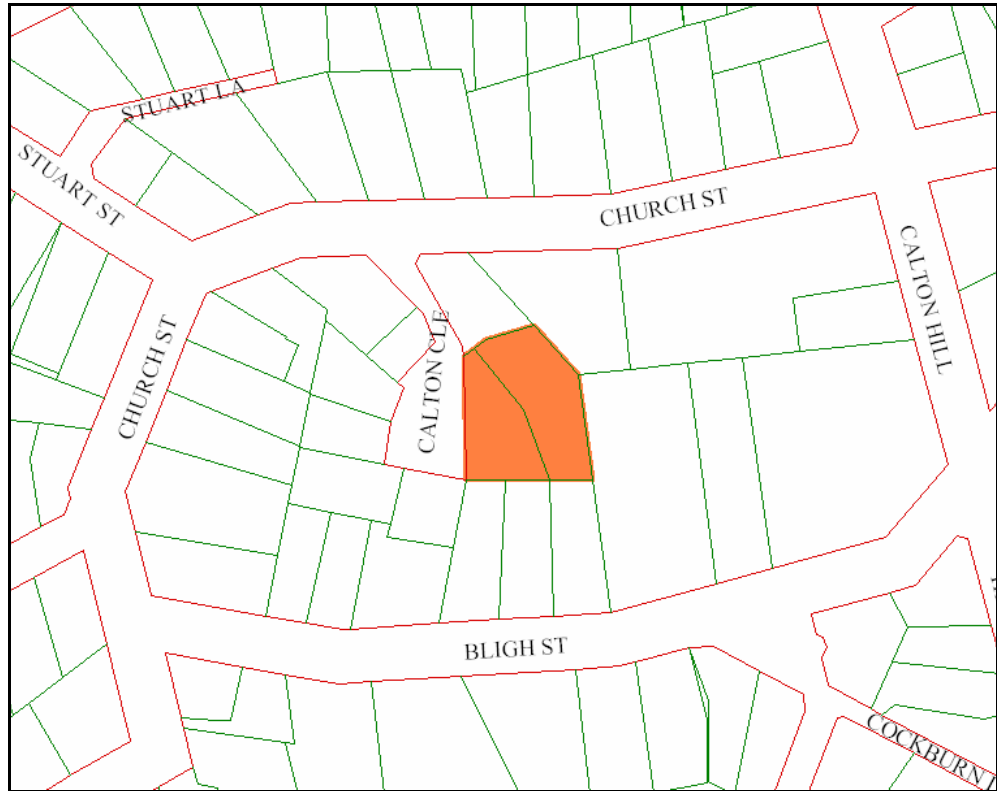
4.3 In the event that a valid complaint of unreasonable noise emissions from the environmentally relevant activity is received, Council may require the submission of an environmental noise level study and report which complies with Australian Standard 1055 and The Environmental Protection Agency Noise Measurement Manual and require works and/or management practices to be carried out to ensure noise emissions comply with the requirements of the Environmental Protection (Noise) Policy 1997.

Carried.

Cr FG Nissen left the meeting at 2.56pm and returned at 2.58pm.

2/3	DA17506 Material Change of Use – Education Premises - Extension to Education Premises - Prep Year (Demountable Building) - 14 Church Street & 2 Calton Circle, Gympie - The Corporation of the Trustees of the Roman Catholic Archdiocese of Brisbane
-----	---

<p>FILE NO: APPLICANT: LANDOWNER RPD: SITE ADDRESS: CURRENT USE OF LAND: PROPOSAL: PLANNING AREA EXISTING ZONE: LEVEL OF ASSESSMENT: SUBMISSIONS:</p>	<p>Minute: P05/01/08 DA17506 The Corporation of the Trustees of the Roman Catholic Archdiocese of Brisbane The Corporation of the Trustees of the Roman Catholic Archdiocese of Brisbane Lot 1 RP88752 & Lot 1 RP96376 2 Calton Circle & 14 Church Street, Gympie St. Patrick’s Primary School Material Change of Use - Extension to Education Premises - Prep Year (Demountable Building) Gympie Community (Lot 1 RP88752) Housing (Lot 1 RP96376) Impact Proposed development currently being advertised seeking submissions</p>
--	--



Report: (Contract Planning Officer – S J Taylor)

1.0 INTRODUCTION

1.1 The Proposal

The application seeks an approval to construct a demountable structure by way of an extension to the western side of the existing Prep Year Block within St. Patrick's Primary School Gympie.

The total footprint of the new extension will be 124m² having building dimensions of 12m x 10.5 m and set back 3 metres from Calton Circle.

In addition to the above, the applicant has submitted the following information:

“The proposal has a direct affect on the current Prep staffing and student numbers anticipated at the School, with an expected initial increase of 5 students and one staff member following completion of the development for the Prep classes in the 2008 school year.”

“It is acknowledged that the new Prep Building is to be temporary in nature, required on site at least until the relocation of the Primary School to a new site in Gympie (post 2010).”

1.3 Surrounding Development

The subject site has adjacent and adjoining residential development.

2.0 STATUTORY REQUIREMENTS

2.1 Planning Scheme Requirements

The location of the proposed extension is within the Housing zone where Health or Education Premises are subject to impact assessment.

The following assessment is most applicable to the development:

Desired Environmental Outcome

The proposed development is considered to be consistent with the Relevant Desirable Environmental Outcomes under the current Planning Scheme in that:

- the proposed extension maintains and maximises the accessibility of essential educational infrastructure;
- the size and nature of the extension is unlikely to significantly impact on residential amenity over and above the existing use of the land; and
- there are no cultural, heritage, resources, significant building or natural features that will be adversely affected by the new building.

Gympie Planning Area Code

Generally the proposed development complies with the Gympie Planning Area Code except that the new building is to be setback 3 metres from Calton Circle. The planning scheme requires a set back of 6 metres to side boundary and road setback for commercial buildings.

The applicant submits that:

“The Prep Year Building is not considered a commercial building, given its function, use and building classification under the BCA (ie. Class 9b) hence Schedule 4 of the Planning Scheme should not be applicable.”

To apply residential setbacks to the development only the 3 metre road alignment does not meet the Scheme provisions.

It is considered that the proposed set backs are considered adequate having regard for the:

- scale of building proposed will not dominate the streetscape of Calton Circle;
- existing residential buildings in Calton Circle have similar setbacks to the road; and
- the proposed 3 metre setback to adjoining residential property is only impacted on the north western corner.

Erosion and Sediment Control Code

Standard erosion and sediment control measures can be implemented during the building phase of the development.

Infrastructure Works Code

Adequate infrastructure exists to service the proposed development.

Water Supply and Sewerage Headworks contributions are applicable to the site based on the increase in student levels.

The applicant submits that:

“Currently the existing Prep Year consists of two classes of 26 students with the proposed new building providing for the opportunity to extend to a 3rd stream Prep Year that will allow for three classes of 19 students each. The additional student intake therefore as a result to the proposed new Prep Building would equate to 5 additional students for the 2008 school year.”

In addition the applicant requests council not to levy contributions based on the minor anticipated growth in student and staff members and given that the primary school will relocated in ‘part or whole’ to an alternative site in 2010. If levied, the contribution would total \$1025 for water and \$1327 for sewerage.

This request is considered reasonable in the circumstances.

Landscaping Code

Landscaping is not considered to benefit the site having regard for size and use proposed and its temporary nature.

Vehicle Parking and Access Code

Within the terms of Schedule 10 – Minimum vehicle parking requirements parking is required as follows:

1 space per staff member

One (1) x only additional staff member = 1 space required

The applicant submits that:

“No additional vehicle parking is proposed on-site, nor can be accommodated within the existing site limitations. Given the proposal involves only one additional staff member that would generate a need for parking, and given that future plans are in place aimed at relocating the Primary School to a new site (post 2010), it is requested that no additional parking be sought by Council at this time.”

Having regard for the above the requested should be supported.

3.0 PLANNING CONSIDERATIONS

3.1 Amenity Preservation

The proposed development is considered to be of a scale and size which will not be of detriment to the existing amenity of the locality as it is a small extension of an existing Education Establishment.

3.2 Land Use

The proposed extension is an appropriate land use for the locality which will serve the existing residential population.

4.0 CONSULTATION

4.1 Internal

(a) Engineering

Engineering report has not been received to date however it is perceived that adequate conditions can be imposed in any approval granted. No further information was required by Engineering at the information request stage of the assessment process.

(b) Department of Health & Community Services

Relevant conditions have been provided for inclusion in an approval.

4.2 External

(a) Queensland Transport

Within the terms of the *Integrated Planning Act 1977* the application was referred to Queensland Transport as a concurrence agency.

That department has advised they have no requirements.

(b) Department of Main Roads

Within the terms of the *Integrated Planning Act 1997* the application was referred to the Department of Main Roads as a concurrence agency.

That department has advised they have no requirements.

5.0 PUBLIC NOTIFICATION

The application was advertised for public notification in accordance with the requirements of the Integrated Planning Act.

The advertising period closes on the 21 January 2008 and should submissions be received the application will be referred back to Council.

6.0 CONCLUSION

The proposed development is a minor extension to the existing Primary School on the land and from a planning perspective it maintains and maximises the accessibility of essential educational infrastructure without being detrimental to the existing or future amenity of the locality.

In addition any impacts can be adequately controlled or managed by appropriate conditions.

This proposal is referred to the Planning and Development Committee seeking approval to finalise the application under delegated authority in order for the applicant to be ready for the start of the 2008 school year.

Should any submissions be received then a further report will be submitted to Council addressing any issues raised.

P05/01/08

Moved: Cr ME Prior

Seconded: Cr J Watt

Recommend that the Director of Planning and Development under delegated authority APPROVE the development application (DA17506) for Material Change of Use – Education or health Premises (Extension 1 to Prep Year New Demountable Building) over Lot 1 RP88752 & Lot 1 RP96376 - 2 Carlton Circle & 14 Church Street, Gympie subject to the imposition of reasonable and relevant conditions and no submissions being received from the public notification process.

Carried.

2/4	DA16033 – Planning and Environment Court Appeal Nos. 3 – 6 of 2007 – Material Change of Use Application - Wiltshire Stevens Architects - 43 Tingira Close, Rainbow Beach - Lot 16 RB96930 - Multi - Unit Accommodation (4 Townhouses)
-----	---

Re: **Minute: P06/01/08** Material Change of Use Application - Wiltshire Stevens Architects - 43 Tingira Close Rainbow Beach - Lot 16 RB96930 - Multi - Unit Accommodation (4 Townhouses)

From: Director of Planning & Development – M. Hartley

File: DA16033

Date: 3 January 2008

Report: (Director of Planning & Development – M. Hartley)

King and Company Solicitors have confirmed that Notices of Discontinuance in respect of these appeals were filed in the Planning and Environment Court on 6 December 2007.

As a consequence of the appeals being withdrawn, Council's conditional approval of the application stands and the development approval has taken effect.

P06/01/08 Moved: Cr WJ McIntyre Seconded: Cr CR Chapman OAM

Recommend that Council note that Planning and Environment Court Appeal Nos 3 – 6 of 2007 have been discontinued.

Carried.

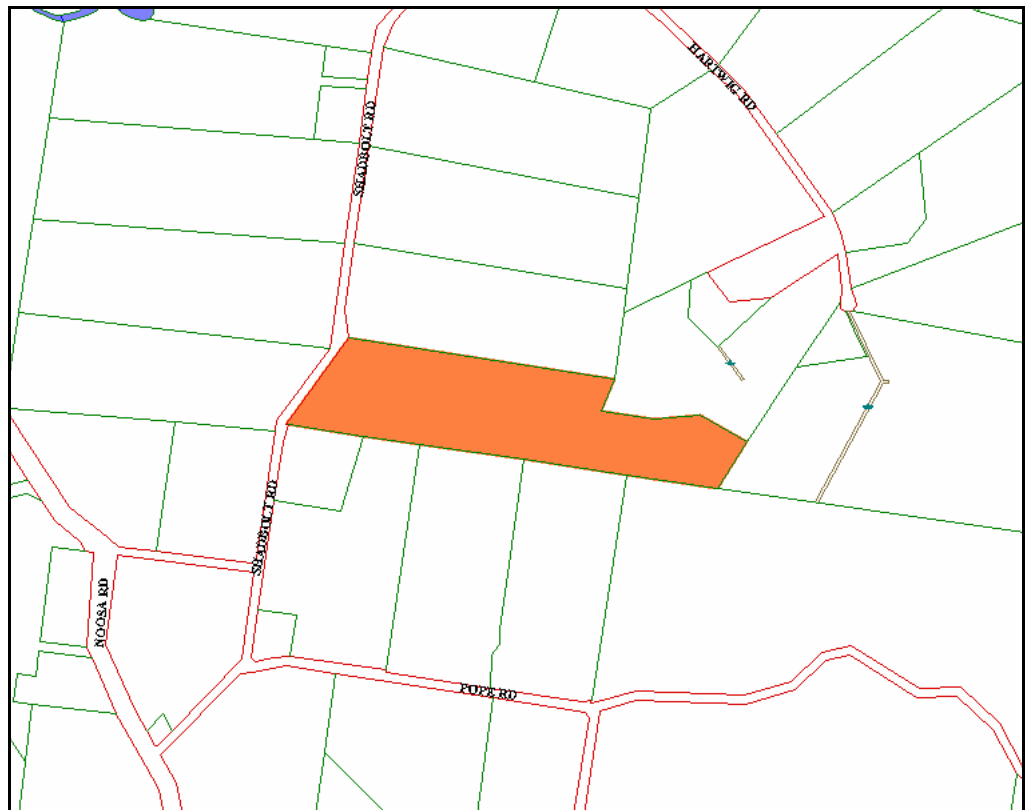
2/5	DA16577 – Representations – Material Change of Use – Private Airstrip & Associated Storage Shed – Shadbolt Road, Mothar Mountain – G. Wimmer
-----	--

RE: **Minute: P07/01/08** Representations - Material Change of Use – Private Airstrip & Associated Storage Shed – Shadbolt Road, Mothar Mountain

FROM: Martoo Consulting Pty Ltd on behalf of G. Wimmer

FILE NO: DA16577

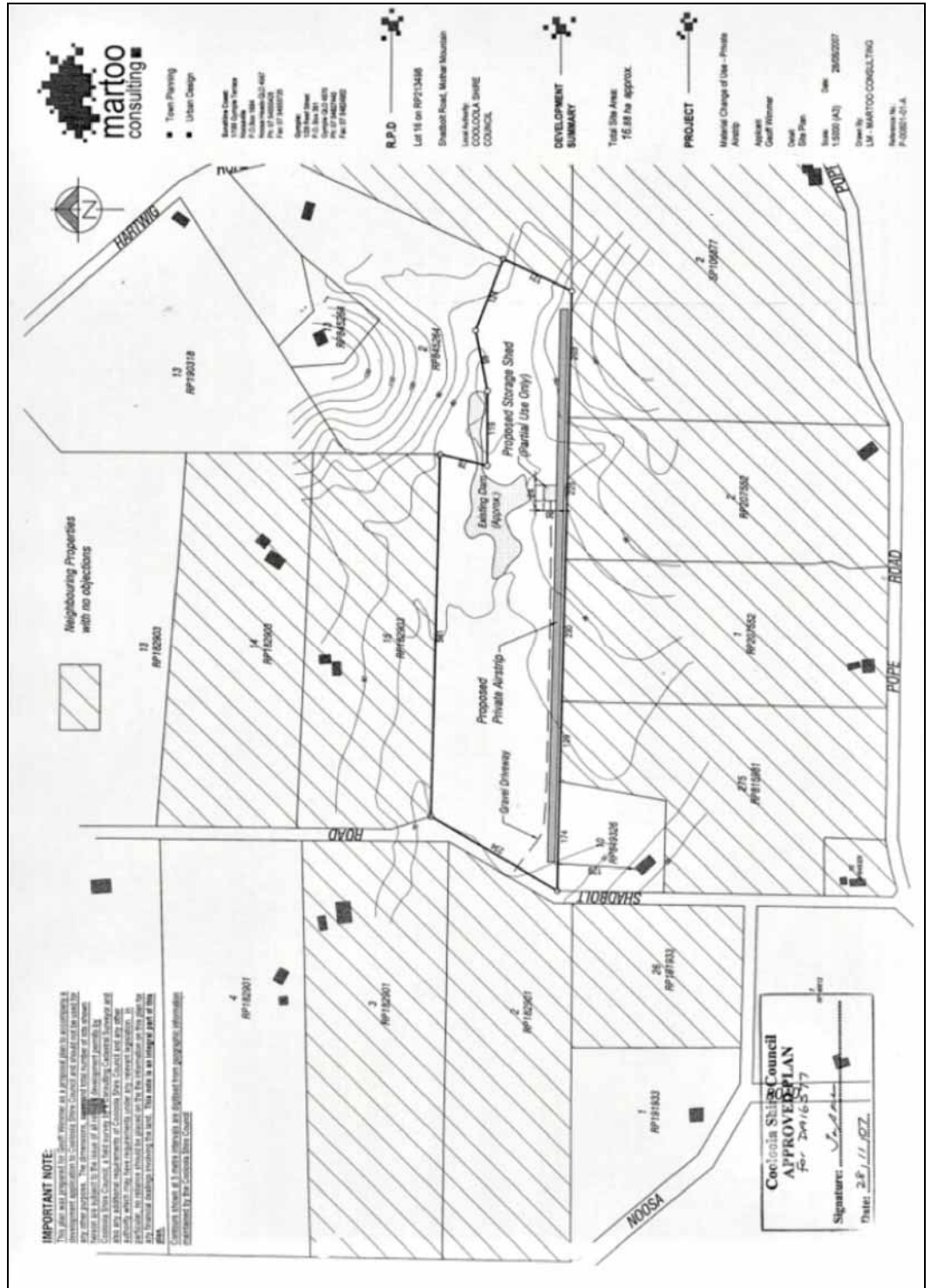
DATE: 4 November 2007



Report: (Contract Planning Officer – S. Taylor)

1.0 Introduction

Development approval for a Private Airstrip & Associated Storage Shed was issued on 20 November 2007.



The applicant suspended their appeal period and lodged representations in relation to a condition of approval on 4 November 2007.

The condition requested to be considered is outlined below.

2.0 Conditions

2.1 Condition 2.3

2.1.1 Council's Condition

“The applicant is the only person to use the facility except by other pilots in an emergency situation.”

2.2.2 Applicant's Representations

“The applicant acknowledges that the development application clearly limited the use of the facility as it is a private airstrip only and there is no intention to change this important aspect of the proposal or the size of the private aircraft based at the facility. The applicant also appreciates that Council has provided the ability for the airstrip to be used for emergency situations which is considered important if ever the need should arise.

The applicant has the following concerns with Condition 2.3 as currently worded after a careful consideration of the implications of such a condition on the continued use of such a private facility:-

- a) *The condition limits the use of the facility to the applicant whereas it may be more appropriate to limit the use to that aircraft owned directly or indirectly by the landowner for the following reasons:-*
- *it is a general principle that development conditions should be worded so as to be able to run with the land not with the applicant;*
 - *member's of the applicant's family (e.g. son) have an aircraft license and may need to fly the landowner's aircraft for whatever reason at times noting the applicant is accepting the frequency of use as nominated in condition 2.2 in the decision notice and the times for take off and landings in condition 2.4;*
 - *the aircraft will on occasions have one passenger as well as the pilot who may or may not be the landowner; and*
 - *the property may change ownership and the facility should then be used by the aircraft of the new landowner and not the current applicant;*
 - *given the above, it is considered that the ownership of the land should be linked with the aircraft based at the facility noting that for a number of reasons that exact identity of the landowners may not match the identity of the owner/lessee of the aircraft.*

- b) *It is suggested that the facility will also be used by the following people/aircraft:-*
- *inspectors/assessors from the Civil Aviation Safety Authority that may at times land on the airstrip to ensure approved standards are maintained for such a facility;*
 - *a small plane owned by aircraft servicing workshops that may land their own aircraft in order to fly the landowner's aircraft away to their workshop for major servicing. It should be noted that this will not occur regularly as it may happen when the landowner's aircraft needs a lengthy service; and*
 - *flying instructors they may need to land on the airstrip on an irregular basis for whatever reason.*

Amended Condition 2.3: *The applicant requests that Council amends this condition as follows:-*

2.3 *The use of the facility is to be limited that aircraft owned or used regularly by the landowner except for the following:-*

- a) *inspectors/assessors from the Civil Aviation Safety Authority;*
- b) *flying instructors that may need to land on the airstrip;*
- c) *any small planes used by aircraft servicing workshops to land at the facility to collect aircraft based at the facility for servicing at remote workshops;*
- d) *emergency and other situations as agreed to by Cooloola Council."*

2.1.3 Council Staff Comments

It is agreed that the condition should be altered to include landowner and not applicant to ensure the approval runs with the land. It would also be reasonable to allow inspectors / assessors from the Civil Aviation authority and the use by aircraft from servicing workshop to land due to the infrequent usage which is unlikely to be detrimental to the existing and future amenity of the locality.

An addition to allow flying instructors to land on the airstrip as indicated in the applicant's submission would possibly open usage / access to the airstrip for training purposes. Emergency landing on the airstrips is already covered.

Further, part of item d) of the proposed amended condition submitted by the applicant suggests that – "any other variations are to be agreed to by Cooloola Council." It is considered that this variation is not necessary as the approval is limited to the landowner and for private use.

Recommend:-

That condition 2.3 be amended to incorporate:

- aircraft owned or used regularly by the landowner except for the following:-
 - (a) inspectors / assessors from the Civil Aviation Safety Authority; and
 - (b) any small planes used by aircraft servicing workshops to land at the facility to collect aircraft based at the facility for servicing at remote workshops

P07/01/08

Moved: Cr J Watt

Seconded: Cr IT Petersen

Recommend that in relation to development application (DA16577) for Material Change of Use of Premises – Private Airstrip & Associated Storage Shed – over Lot 16 RP 213498 located at Shadbolt Road, Mothar Mountain, Council issue a Negotiated Decision Notice incorporating the following amendment:

(i) Amend condition 2.3 as follows:-

- 2.3 The use of the facility is to be limited to aircraft owned or used regularly by the landowner except for the following:-**
- (a) inspectors / assessors from the Civil Aviation Safety Authority; and**
 - (b) any small planes used by aircraft servicing workshops to land at the facility to collect aircraft based at the facility for servicing at remote workshops.**

Carried.

ADJOURNMENT OF MEETING

The meeting adjourned for a short break at 3.00 p.m.

RESUMPTION OF MEETING

The meeting resumed at 3.05 p.m.

PRESENT: Crs DR Neilson (Chairman), CR Chapman OAM, WJ McIntyre, FG Nissen AM, IT Petersen, ME Prior, J Watt, Mr M Hartley (Director of Planning & Development), Ms TM Stenholm and Ms K Sullivan (Minutes Clerk).

Cr R Owen left the meeting at 3.10pm and returned at 3.12pm.
Cr IT Petersen left the meeting at 3.11pm and returned at 3.14pm.
Cr LJ Frisk (Proxy) entered the meeting at 3.13pm.

SECTION 3: RECONFIGURING A LOT APPLICATIONS

3/1	DA17210 – Reconfiguring a Lot – Subdivision to Create One (1) Additional Lot – 182 Fritz Road, Chatsworth – P. Keldoulis
-----	--

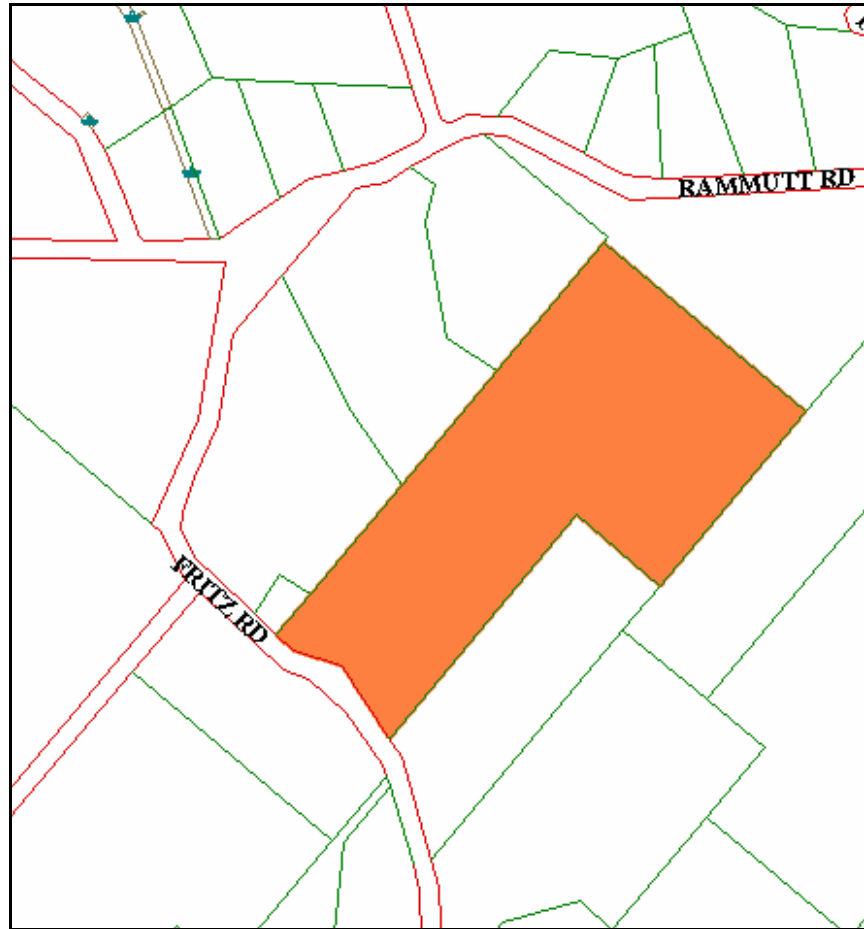
Re: **Minute: P09/01/08** Reconfiguring a Lot – Subdivision to Create One (1) Additional Lot – 182 Fritz Road, Chatsworth – P. Keldoulis
From: Director of Planning & Development – M. Hartley
File: DA17210
Date: 3 January 2007

Report: (Director of Planning & Development – M. Hartley)

1.0 The above application was reported to the General Meeting held on 11 December 2007 where it was resolved vide Minute G60/12/07:

“That this matter be held over and referred to the Planning and Development Committee Meeting to be held on 15 January 2008, for further discussion.”

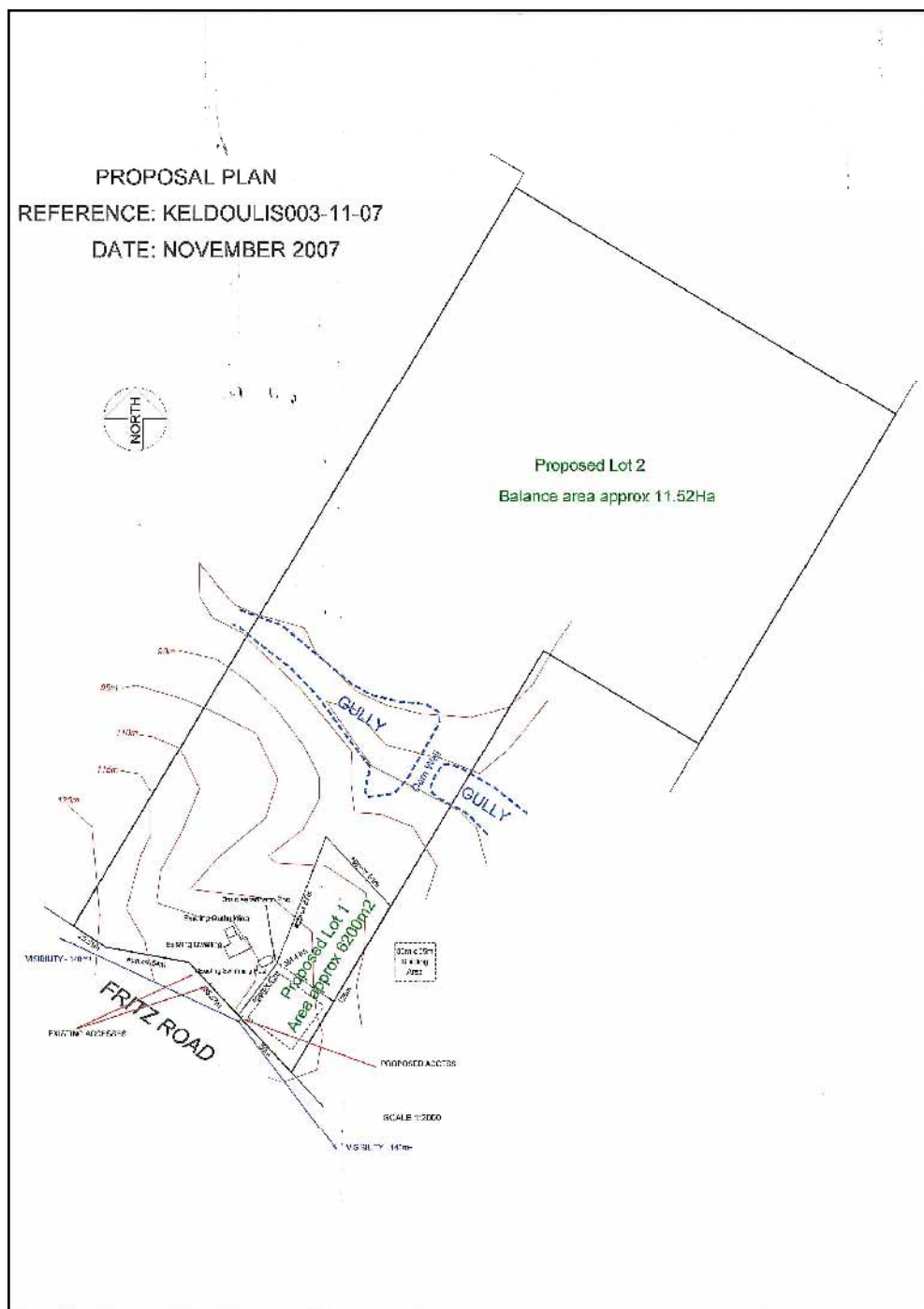
2.0 The report submitted to the General Meeting held on 11 December 2008 is reproduced below:



Report: (Planning Officer – M.A. Kucera)

This application seeks to create one 6200m² rural residential allotment from an existing 12ha lot.

The proposal does not comply with Planning Scheme requirements in terms of lot size and road frontage.



Reconfiguring a Lot applications in the Rural Zone are assessed against the following codes in Council's Planning Scheme:

- Rural Planning Area Code*
- Reconfiguring a Lot Code*
- Infrastructure Works Code*
- Landscaping Code*

The application is also assessed against the Resource Areas Code as the property is classified as Good Quality Agricultural Land.

Reconfiguring a Lot Code

The proposal does not comply with the following areas of the Planning Scheme:

Specific Outcome 1

The proposal does not meet the requirement of infill and consolidation of existing rural residential areas.

Specific Outcome 12 b

The proposal does not meet the minimum lot size for the rural zone.

Specific Outcome 12 c (iii)

The proposed new allotment is not of a size suitable for rural uses.

Specific Outcome 14

The development does not provide sufficient separation distances from other rural properties.

When applications do not comply with the Specific Outcomes, consideration is then given to the overall outcomes. The proposal does not comply with any of the overall outcomes of the code as the proposal does not:

- contribute to the creation of safe, convenient, cohesive and attractive communities;*
- result in land being in close proximity to an urban area with a wide range of community, education, recreation and medical services and employment opportunities;*
- have an appropriate standard of lead-in and access road;*
- subdivide land where basic transport services are available.*

The proposal can also be assessed against the Desired Environmental Outcomes for the Planning Scheme. In this case the relevant outcomes to this application are: 12 and 13.

As mentioned above the proposal does not maximise the accessibility to adequate services and efficient and effective use of infrastructure is not optimised.

Resource Areas Code

The proposal does not comply with the Specific Outcomes for the Resource Areas Code as the proposal:

- *is a rural residential land use that does not have a specific locational requirement that warrants it being sited on Good Quality Agricultural Land;*
- *there is no overriding need for the development in terms of public benefit;*
- *other sites are more suitable for the particular purpose proposed;*
- *the proposal is below the minimum lot size for the area;*
- *the long term agricultural viability of the lots is compromised by the proposal, through the reduction in lot size.*

State Planning Policy 1/92

The proposal does not comply with State Planning Policy 1/92 in relation to Development and Conservation of Agricultural Land.

The policy states:

The size of farm holdings should not override land quality when determining a site's suitability for development.

And:

Small scale rural sub-divisions, especially rural residential merit special mention. ...rural residential development is flexible in its locational requirements. Accordingly, such development is inappropriate on good quality agricultural land...

State Planning Policy 1/92 encourages the amalgamation of farm titles to create more viable parcels.

The proposal is in conflict with State Planning Policy 1/92.

Legislative Requirements

Under Section 3.5.13 of the Integrated Planning Act it states:

- (2) *The assessment manager must approve the application if the assessment manager is satisfied the application complies with all applicable codes whether or not conditions are required for the development to comply with the codes.*
- (3) *Subject to subsection (2), the assessment manager's decision may conflict with an applicable code only if there are enough grounds to justify the decision, having regard to-*
 - (a) *the purpose of the code*

- (4) *However,*
- (b) *if the decision is made under subsection 3 (a) and the assessment is against a code in a planning scheme-the assessment manager’s decision must not compromise the achievement of the desired environmental outcomes for the planning scheme area.*

There are not sufficient grounds to support the proposal in conflict with the applicable codes.

Further, a decision to approve such an application would compromise the achievement of the desired environmental outcomes for the planning scheme area.

Applicant’s Justification

The applicant provides the following in support of the proposal:

“The subject property contains a total area of 12.14Ha which is demonstrably inadequate to support the operation of a financially viable agricultural activity.

The site contains no remnant vegetation and the proposed subdivision layout will have no influence on the existing, vegetation that is located on site. The separation distance between the proposed lot and the gully traversing the site is sufficient to ensure the proposal does not impact upon the water quality of the gully as it travels through downstream properties.

The proposed lots are adequately sized to ensure the privacy and amenity of each lot and to minimise impacts on neighbouring properties. The proposed subdivision is consistent with the character of the area and accordingly the proposal is considered to reflect community expectation.

The subject site is located in an established area of rural residential development. This form of development has recently proven popular with young families due to the lower cost of land per square metre in comparison to the urban areas of Gympie, coupled with the on-site recreation areas available to each lot.

The proposed subdivision does not require the extension of any Council infrastructure, as the site is already well serviced with facilities considered essential for rural residential development.

Fritz Road is adequately constructed to support the likely traffic generated by the proposed two lots.

The subject site is not mapped as prone to flooding, acid sulfate soils or bushfire risk. While parts of the site are mapped as high to very high erosion hazard, the minimal impact likely to occur as a consequence of this single lot subdivision is unlikely to give rise to an increased risk”.

This is not considered adequate justification to warrant approval of the proposal in conflict with the planning scheme.

Conclusion

The proposal does not comply with Council’s Planning Scheme or with State Planning Policy 1/92.

3.0 A letter received from the applicant’s consultant on 3 January 2008 is reproduced below:

“I refer to the above development application and to the recent article in the Gympie Times on December 13, 2007 (Copy Attached). I also refer to Council’s General Meeting Minute G60/12/07.

As the newspaper article suggests this matter will be further considered at the next meeting of the Planning And Development Committee, I wish to present the following for Council’s consideration.

1 Timeliness

While not specifically related to this application it is relevant to mention that the haste in dealing with this application is of concern.

As a Consultant submitting a significant number of applications over the past 3 years it is appreciated that over that period, the workload for staff involved in the development assessment process has increased. This is being continuously reinforced by Council staff when legitimate concerns are raised in regard to the length of time applications take.

- *Acknowledgement Notices can take up to 6 weeks (well in excess of IPA timelines). All acknowledgement Notices automatically extend the Information Request period by the IPA limit.*
- *Information Requests can take up to 3 months beyond the extended date nominated in the Acknowledgement Notice (and when they are received the Requests invariably contain matters of no relevance to the normal assessment of the application).*
- *Decision can take up to 3 months beyond the date requested information is provided.*

The time period mentioned above are all periods I have been regularly subjected to and again while I appreciate Council's workload, it must be said that these delays contribute to significant levels of frustration and costs for applicants. However, staff do regularly indicate and it is to be expected that applications are dealt with in order of receipt and that 'queue jumping' or favouritism does not occur.

Having said that it is frustrating when one is made aware of applications being dealt with, with seemingly undue haste. This has been identified on a number of occasions but most significantly in relation to a recent application submitted by a Council staff member and of more concern in relation to the application the subject of this letter.

This application (DA17210) was submitted on 21 September 2007 and the Acknowledgement Notice (AN) was received by me on 2 October 2007 (although it was dated 28 September 2007). It is immediately apparent that the AN has been issued without delay. The AN indicated that the Information Request period was to be extended to 19 October 2007.

Council's Request for Further Information (RFI) was received by me on 16 October 2007 (although it was dated 15 October 2007). Again it is apparent that there is no delay with this aspect of the assessment.

A response to the RFI was submitted on 15 November 2007.

On 11 December 2007, the application was considered by Council at its General Meeting. Again the speed the application was assessed and reported to Council is to be commended.

My immediate concern in relation to this particular development application is that it is obvious that staff have made a conscious decision all the way through the assessment process that the application would be refused and regardless of the available information and timeliness of the overall process, in this instance priority was given. I have submitted a number of applications of varying complexity both before and after the date this particular application was submitted. No other applications have been dealt with such prompt timeliness as this application. Can it therefore be deduced that there is no order or priority given to the assessment of applications?

2 Request for Further Information (RFI)

Council's staff required the following

- 1. Agricultural Land Assessment carried out by a suitable qualified professional addressing the requirements of State Planning Policy 1/92 in relation to the proposal.*

2. *Geo-technical assessment addressing the requirements of the Queensland Plumbing and Wastewater Design Code for proposed Lot 1.*

Following consultation with my client, the request to provide the Agricultural Land Assessment was declined. My client made this decision not only on the basis of the additional cost but also as it is clearly evident that other applications of a similar nature both in the immediate vicinity and elsewhere in the shire are not required to provide this information. An Agricultural Land Assessment can involve a considerable additional cost for an applicant and a figure of between \$2500 and \$5000 would be expected.

Similarly the provision of the Geotechnical assessment can involve significant costs (in this instance \$1000.00).

My concern is that if staff has decided that the application is to be recommended for refusal, then what purpose is to be gained by putting applicants to this additional expense? Of course, it could be countered that these additional reports may have supported the application and then approval would have been recommended. (in which case why was the application dealt with such haste?)

3 Reporting

The report presented to Council ignores the information submitted with the application. The application was submitted as an inconsistent rural subdivision seeking to establish a rural residential lot. This is the approach recommended by Council's staff and it is therefore obvious that the application will not meet all of the criteria used to assess rural subdivisions. It is however to be expected that due consideration would be given to the particular circumstances relative to the application.

- *In my supporting report submitted with the application, it was clearly stated that the purpose of the report was to provide a town planning assessment in relation to the applicant's intention to subdivide the land on compassionate grounds. This was further indicated in by the statement that the applicant (a Pensioner) proposes to build a new dwelling on the small lot. The new dwelling is intended to be able to cater better for the applicant's particular health situation. This aspect of the proposal was not presented to Council in the staff report. It is relevant to the consideration.*
- *The staff report suggests the proposal does not meet the requirement of infill and consolidation of existing rural residential areas. It is acknowledged that the area is not included in the Rural Residential zone but the area is clearly rural residential in character. In my supporting report it was stated that:-*

- A number of Rural Residential zoned lots (are) in the general area;
- (There are) A high number of existing dwellings in the immediate vicinity of the site giving the appearance of the closer settlement expected of a rural residential area;
- (There are) A number of current and recent applications of a similar nature to this proposal being considered (and approved) by Council;
- The area being exclusively included in the Preferred Rural Residential area within the former Strategic Plan for Cooloola Shire.

None of these issues were raised or brought to Council's attention. Further, Council staff have previously used the argument that Specific Outcome 1 of the Reconfiguring a Lot Code applies to rural residential areas not zones (see DA16722). It seems that staff are selective and inconsistent in their reporting.

- *The report to Council suggests the proposal does not meet the minimum lot size for the rural zone. This is accepted but Council is not advised that the lot fully meets the requirements for a rural residential lot.*
- *The report to Council suggests the proposed new allotment is not of a size suitable for rural uses. Again this is accepted but again Council is not advised that there is no intention to use the land for rural use. It is proposed to be used for rural residential purposes.*
- *The report to Council suggests the development does not provide sufficient separation distances from other rural properties. It is acknowledged that the surrounding properties are included in the rural zone but all surrounding properties are used for rural residential purposes. The report does not identify any existing rural activities in the immediate area and indeed none exist. On this basis it is false to suggest that separation distances are relevant in the assessment of the application.*
- *The report to Council suggests the proposal does not comply with any of the overall outcomes of the (Reconfiguring a lot) code as the proposal does not:*
 - *contribute to the creation of a safe, convenient, cohesive and attractive communities;*
 - *result in land being in close proximity to an urban area with a wide range of community, education, recreation and medical services and employment opportunities;*
 - *have an appropriate standard of lead in and access road;*
 - *subdivide land where basic transport services are available.*

*This is disputed. The subject site does form part of a cohesive rural residential community and does have reasonable proximity to a wide range of community, education, recreation and medical services and employment opportunities. This has been accepted by Council in relation to other applications in the immediate vicinity. **Note the Superseded Planning Scheme had similar requirements for rural residential development.***

*Similarly, the standard of Fritz Road is appropriate for rural residential development and in some cases is of a higher standard than some roads in existing rural residential zoned areas. **Again the Superseded Planning Scheme had similar lead-in road requirements for a rural residential development.***

- *The report to Council suggests proposal can also be assessed against the Desired Environmental Outcomes for the Planning Scheme and indicates that the relevant outcomes to this application are: 12 and 13. The report submitted with the application identified six (6) DEO'S having relevance to the assessment of this application and did not indicate any significant areas of non-compliance. Again, this has not been reported to Council by its staff. Being in an existing rural residential area, the proposal does maximise the accessibility to adequate services and efficient and effective use of infrastructure is optimised.*
- *The report to Council suggests the proposal does not comply with the Specific Outcomes for the Resource Areas Code as the proposal:*
 - *is a rural residential land use that does not have specific locational requirement that warrants it being sited on Good Quality Agricultural Land;*
 - *there is no overriding need for the development in terms of public benefit;*
 - *other sites are more suitable for the particular purpose proposed;*
 - *the proposal is below the minimum lot size for the area;*
 - *the long term agricultural viability of the lots is compromised by the proposal, through the reduction in lot size.*

And further suggest the proposal does not comply with State Planning Policy 1/92 in relation to Development and Conservation of Agricultural Land. It is acknowledged that the site does contain areas of Class A and Class B Good Quality Agricultural Land (GQAL). This information is readily available in Council mapping. However, the majority of the GQAL is located on the eastern side of the gully traversing the property and indeed, the part of the area to the east of the gully does have some history of agricultural use. That area was leased to a local farmer who was growing vegetables and other small crops. This activity proved unsuccessful due to the limitations of the property in terms of its size and quality of soil. Farming of this area is not in my client's opinion, viable.

It is further conceded that a small part of the site (south western) corner is mapped as Class B GQAL but within the subject property, this area is very small and indeed forms part of a small pocket most of which is within the road reserve. This small pocket then extends over Fritz Road into a recently subdivided property. None of this information was provided to Council by its staff.

The report to Council suggests the proposal does not comply with State Planning Policy 1/92 in relation to Development and Conservation of Agricultural Land and Continues by stating that State Planning Policy 1/92 encourages the amalgamation of farm titles to create more viable parcels.

While the proposal may be in some conflict with State Planning Policy 1/92, the overall picture should be considered. State Planning Policy 1/92 is a document necessarily dealing with the whole of Queensland. It has been in force for many years with little attention being given to changing land use patterns. Since 1992 (and before), the Chatsworth area was identified at a strategic level as a preferred Rural Residential area and historically has not been subject to the more detailed assessment required by the Policy. The introduction of the 2005 IPA compliant Planning Scheme did not suddenly identify the Chatsworth area as an area suited to agricultural activity but has merely utilised the Rural zone as a holding zone acknowledging a future rural residential direction for Gympie. All would agree that the recent unprecedented growth experienced by Cooloola Shire has in itself outdated even the 2005 Planning Scheme and an urgent review of the Scheme is clearly warranted. The Chatsworth area is a logical extension of an existing rural residential area. It is inappropriate to hold up the outdated State Planning Policy as a guideline in the assessment of this application and indeed to justify refusal of the application.

The proposal has no or little influence on the suitability of the subject land to accommodate any agricultural activity. Having regard to the surrounding development pattern there is no opportunity to encourage the amalgamation of existing farm titles to create more viable parcels as indeed there are no existing farms in the area. This can be seen by an inspection of the area which seemingly has not been carried out by Council staff. Furthermore, current property values in the area would limit the financial ability of parties to create an amalgamation of titles with the intention of conducting farming in this area.

Again, the report to Council was selective and did not provide Council with an accurate appraisal of the proposal.

The report to Council concludes with the following grounds for refusal of the application:-

1. *The proposal does not comply with desired environmental outcomes of Council's 2005 planning scheme;*
2. *The proposal does not meet the specific outcomes or overall outcomes of the Reconfiguring a Lot code of Council's Planning Scheme;*
3. *The proposal does not meet the specific outcomes of the Resource Areas Code of Council's Planning Scheme;*
4. *The proposal is inconsistent with the existing lot sizes and rural amenity of Chatsworth;*
5. *The proposal is in conflict with State Planning Policy 1/92.*

I submit that there are sufficient grounds to approve this application.

1. *The proposal adequately complies with the Desired Environmental Outcomes of Council's 2005 Planning Scheme;*
2. *The proposal meets the specific outcomes and overall outcomes of the Reconfiguring a Lot Code of Council's Planning Scheme;*
3. *The proposal does not significantly conflict with the specific outcomes of the Resource Areas Code of Council's Planning Scheme;*
4. *The proposal is consistent with the existing lot sizes and rural residential amenity of Chatsworth; and*
5. *The proposal does not significantly conflict with State Planning Policy 1/92.*

I would finally like to comment on the article appearing in the December 13 edition of the Gympie Times and in particular I acknowledge the obvious common sense approach taken by Clrs Vernardos, Friske and Ellis. The Cooloola region has changed and continues to change. Rigid adherence to outdated planning documents does not assist in appropriate or coordinated expansion of the area.

Should you require clarification of the above please contact me on 0428 832 354".

- 4.0 In addition to providing supplementary comments supporting his client's application, the letter from David Sabiston also includes some general concerns about Council's processing of the application with particular reference to timeliness, the request for further information and the standard of reporting to Council on the application.

On the one hand, Mr Sabiston expresses general concern about the length of time taken to process development applications, yet concern is also expressed about processing this (and other) applications with undue haste.

Council should be aware that its development assessment officers are currently carrying a massive workload. There are some 245 active development applications, not including requests to change applications, representations about conditions etc., and other core business of the Department. Case loads per officer are excessive well above those in many other local governments.

Applications are processed as expeditiously as possible with the resources available. Applications are processed sequentially and reported to Council only when all other stages (application stage, information and referral stage, notification stage if applicable) of the Integrated Development Assessment System (IDAS) have been completed. Applications progress through the IDAS process at differing speeds depending on complexity, the need for applicants to provide additional material, community consultation etc. The fact that certain applications are reported to Council earlier than others could be perceived by a lay person as queue-jumping; however it is more a reflection of the material available to make an informed assessment and recommendation to Council.

Neither of the applications specifically referred to by Mr Sabiston were processed with undue haste. The application “submitted by a staff member” was lodged on 13 July 2007. Sufficient material was supplied with the application to avoid the need to request further information and the application was initially reported to the Planning and Development Committee on 23 October 2007, a processing time of some three and a half months. The Fritz Road application was lodged on 21 September 2007 and considered by Council on 11 December 2007, a processing time of some two and a half months.

In relation to information requests by Council to applicants, the Integrated Planning Act clearly states that applicants may respond by providing the information in full, in part, or not at all. As a consultant and repeat applicant, Mr Sabiston is well aware of these legislative provisions. Indeed, in the case of the Fritz Road application, the applicant responded to the information request by declining to provide an agricultural report. The applicant’s decision to not provide such a report did not result in a hasty assessment of the application as suggested in the letter.

SECTION 4: PLANNING APPLICATIONS PENDING

4/1 Planning Applications Pending

NOTE: New Applications are in **BOLD AND ITALICS**

File Number & Applicant	Location	Nature of Application	Status
MATERIAL CHANGE OF USE – IMPACT ASSESSMENT			
DA09724 Rainbow Shores Pty Ltd (TMS)	Inskip Ave, Inskip	Preliminary Approval for Resort / Commercial Village	890 Submissions. DMR response received 07/03/07 – conditions. DNR third party advice received 21/06/07. EPA response due 03/04/08.
DA10181 Sunshine Coast Quarries Pty Ltd (MAK)	Moy Pocket Road, Moy Pocket	Extractive Industry (Quarry)	45 Submitters. Representations received 20/07/06. Without Prejudice meeting held 22/01/07. Undergoing negotiations.
DA10291 Graham McCombe (MAK)	253 Gap Road, Cedar Pocket	Extractive Industry (Quarry) & ERA #20 Extracting Rock <5000t	DMS. Four (4) submissions received. Further information sought letter sent 20/07/05- P02/07/05.
DA10931 Fraser Straits Marina Pty Ltd (TMS)	Esplanade, Tin Can Bay	Marine Industry (Marina)	Co-ordinated RFI issued 16/03/07. Awaiting applicants' response.
DA11051 Argent Holdings Pty Ltd (TMS)	Litschner Road, Widgee Crossing South	Subdivision to Create 28 Additional Lots	DMS. To be reported to Council. 2 Submissions.
DA13582 S Bell & C Stringer (MAK)	29 Green Valley Dve, Rainbow Beach	Multi- Unit Accommodation (3 Dwelling Units)	DMS. Report to P&D Committee Meeting. 37 Submissions
DA13770 J & Y Anderson (MAK)	416 Jimbour Road, The Palms	Change Land Use Entitlements to Rural Residential & Reconfig to Create 16 Additional Lots	DN sent 14/11/07. Representations received 13/12/07. Report to P&D Committee Meeting. 7 submissions
DA13803 D Agnew (MKM)	132 Verne Road, Wolvi	Aquaculture(Redclaw & Fish)	PNS. ALOD sent 5/9/07. PN closes 15/10/07.
DA13902 Dimell Pty Ltd & Sylma Pty Ltd (TMS)	Lawson & Groundwater Roads, Pie Creek	Change Land Use Entitlements to Rural Residential & Subdivision to Create 53 Additional Lots	RFI sent 31/08/06. Awaiting applicant's response – period extended to 10/06/08. DNR issued RFI 14/08/06. DNR granted response date extension to 10/06/08.
DA14341 Jones Family Trust (MAK)	1 Indigo Ave & 2 Spectrum Street, Rainbow Beach	Multi-Unit Accommodation (4 Dwelling Units)	Amended AN sent 3/1/08. RFI due 18/1/08. Concurrence Agency: DMR.

File Number & Applicant	Location	Nature of Application	Status
DA14485 Hamilton T & C (MAK)	Lot 1 Riversdale Road, Kandanga	Extractive Industry (ERA #20 Extracting Rock or Other Materials & #22 Screening Materials)	RFI sent 10/05/07. Awaiting applicant's response. Concurrence Agency: EPA – advise 29/11/07 incomplete response to information request.
DA14725 The Alvin Corbett Family Trust. (MAK)	98 Woondum Road, Kybong	Special Industry (Manufacturing of Organic Compost) & Environmentally Relevant Activity (ERA #53 – Soil Conditioner Manufacturing)	DMS. Report to P&D Committee Meeting. 2 Submissions.
DA14949 Van Twest R & J (TMS)	50 Main St , Kandanga	Accommodation Premises (4 units of Accommodation for Aged/Disabled Care) & Multi Residential (2 Dwellings)	RFI sent 02/02/07. Awaiting applicant's response.
DA14999 Christensen (MAK)	16-18 Glastonbury Rd, Southside	Multi Residential (12 Units)	DMS. Reported to P&D Committee Meeting.
DA15436 Allen I (MKM)	Country View Dve, Chatsworth	To change the Land Use Entitlements from the Rural Zone to the Rural Residential Zone & Subdivision to create Fifteen (15) Additional Lots.	DMS. Report to P&D Committee Meeting. 1 Submission.
DA15578 Tompkins M & V (MAK)	124 Corella Road and 12 Corella Court, Gympie	To change the Land Use Entitlements from the Rural Zone to the Rural Residential Zone & Code Assessable Subdivision to Create Three (3) Additional Lots	Application returned to RFI stage.
DA15583 Nutt R & Kolb L (MKM)	Rumbalara Avenue, Rainbow Beach	Multi-Residential (Dual Occupancy)	PNS. PN closes 11/01/08. – Two (2) submitters received
DA15635 Greber AA & GI (MKM)	201 Fritz Rd, Chatsworth	To change the Land Use Entitlements from the Rural Zone to the Rural Residential Zone, & Code Assessable Subdivision to create Four (4) Additional Lots.	RFI sent 04/05/07. Awaiting applicant's response.

File Number & Applicant	Location	Nature of Application	Status
DA15672 G & JE Holdings (MAK)	1844 Glastonbury Creek Road, Amamoor Creek	Food or Entertainment Venue (Motorcross & Enduro Park)	RFI sent 03/05/07. Awaiting applicant's response. Concurrence Agency: DNRW response received 22/05/07
DA15673 Anderson J (MAK)	416 Jimbour Road, The Palms.	To change the Land Use Entitlements from the Rural Zone to the Rural Residential Zone & Reconfiguring a Lot - Subdivision to Create Eighteen (18) Additional Lots.	DN sent 14/11/07. Representations received 13/12/07. Report to P&D Committee Meeting. 10 Submissions.
DA15680 Kolbe M & N (MAK)	75 Spring Rd Victory Heights	To change the Land Use Entitlements from the Rural Zone to the Rural Residential Zone	DMS. 2 submissions. Letter sent re advice regarding connection to sewerage on 26/10/07.
DA15699 Wilfert W (MAK)	99 Dean Rd, The Palms	To Change the Land Use Entitlements from the Rural Zone to the Rural Residential Zone Subdivision to create 10 Additional Lots	RFI sent 30/05/07. Awaiting applicant's response.
DA15705 Watson K & R (MAK)	4b Pine Ave, Kandanga	To Change the Land Use Entitlements from the Rural Zone to Village Zone subdivision to create One Additional Lot	RFI sent 11/05/07. Awaiting applicant's response.
DA15764 Chatsworth Property Trust (MAK)	674 Bruce Hwy, Chatsworth	To Change the Land Use Entitlements from the Rural Zone to the Rural Residential Zone Subdivision to create 59 Additional Lots	RFI sent 24/05/07. Awaiting applicant's response Concurrence Agency DMR conditions received 11/05/07.
DA15769 Sigma Developments Pty Ltd (MAK)	Groundwater Rd, Southside	To change the Land Use Entitlements from the Rural Zone to the Rural Residential Zone subdivision to Create 202 Additional Lots	DMS. Report to P&D Committee Meeting. 3 submissions Concurrence Agencies: DNRW & Qld Transport. Advice Agency: Powerlink – response received 23/05/07. DNRW extend information response period to 04/02/08. QT conditions received 29/11/07.
DA15795 Duckworth M D (MAK)	22 Percival Rd, Chatsworth	To Change the Land Use Entitlements from the Rural Zone to the Rural Residential Zone	RFI sent 7/6/07. Awaiting applicant's response DNR response received 01/05/07.

File Number & Applicant	Location	Nature of Application	Status
DA15798 Mcpersonn JI & LM (MKM)	69 Butler Rd, Lagoon Pocket	To change the Land Use Entitlements from the Rural Zone to the Rural Residential Zone & subdivision to create 4 Additional Lots	RFI sent 7/06/07. Awaiting applicant's response.
DA15799 Davy (MAK)	Scrubby Creek Rd, Scrubby Creek	To Change the Land Use Entitlements from the Rural Residential Zone & Subdivision to create 2 Additional Lots	PNS. ALOD sent 17/12/07.
DA15813 Heilbronn R D (MAK)	Chatsworth Rd, Two Mile	To change the Land Use Entitlements from the Rural Zone to the Housing Zone	RFI sent 01/06/07. Awaiting applicant's response Concurrence Agency: DMR – response received 31/05/07.
DA15862 Nissen KR WJ DJ NL (MAK)	1 Currumbine Avenue, Gympie	Multi Unit Accommodation(12 Dwelling units) & subdivision to Create one (1) Additional Lot & Common Area(Community titles Scheme)	RFI sent 19/06/07. Awaiting applicant's response.
DA15904 Towler J (MKM)	54 Flood Rd, East Deep Creek	General Industry (Wrecking & Scrap Yard)	RFI sent 04/06/07. Awaiting applicant's response. DMR 3 RD party advice received 22/06/07.
DA15981 JKM Projects P/L (MAK)	196 Old Maryborough Rd, Gympie	Preliminary Approval to Override the Planning Scheme to Apply the Land Use Entitlements of the Housing Zone & Reconfiguring a Lot – Subdivision to Create Eighty Eight(88) Additional Lots	DMS. Letter sent 21/12/07 requesting further information. 1 Submission received.
DA16178 Ausmar Homes (MKM)	23 Glastonbury Road, Southside	Multi- Residential (8 Units)	DMS. Letter sent 21/12/07 requesting further information.
DA16371 Don Ironside Planning & Drafting Services (KMF)	12 Somerset St, Gympie	Multi- Residential (Four Dwelling Units)	PNS. PN closes 11/01/08. 2 submissions.
DA16494 Alan Bridle for N Chiu (MAK)	18 Grice St, Gympie	Multi –Residential (5 Town Houses)	RFI sent 22/08/07. Awaiting applicant's response.
DA16504 Cooloola Scrap Metal (MAK)	24 Flood Road, East Deep Creek	General Industry (Ext to scrap Metal Yard & ERA #27 (Metal Recovery)	DMS. Report to P& D Committee Meeting. Submission Received. Concurrence Agencies: QT & DMR response received .

File Number & Applicant	Location	Nature of Application	Status
DA16577 Wimmer G (TMS)	Shadbolt Road, Mothar Mountain	Private Airstrip & Associated Storage Shed	3 Submitters DN sent 28/11/07. Representations received 05/12/07. Report to P&D Committee Meeting. Refer to Item 2/5 in this Agenda.
DA16745 Roman Catholic Archdiocese of Brisbane (TMS)	20 Bligh St, & 3-5 Schumann Lane, Gympie	Education or Health Premises (Multi Purpose Centre for Existing School)	DMS. Report to P&D Committee Meeting. 3 Submissions.
DA17006 Edwards J (MAK)	1021 Bruce Hwy Kybong	Transport Depot & Caretakers Residence	RFI sent 23/10/07. Awaiting applicant's response. Concurrence Agency – DMR conditions received 03/10/07. Copy of applicant's letter received 14/11/07, advising representation to be made to DMR.
DA17214 Chiu N (MAK)	18 Grice Crescent, Gympie	Multi – Residential (5 Townhouses)	PNS. ALOD sent 28/11/07.
DA17503 D & S Properties (MKM)	15 Crescent Road, Gympie	Multi – Residential (6 Units)	AN sent 09/11/07. RFI due. Heritage Sub-Committee response received 21/12/07.
DA17506 The Corporation of the Trustees of The Roman Catholic Archdiocese of Brisbane (TMS)	2 Carlton Circle & 14 Church Street, Gympie	Health or Education Premises (Extensions to Prep Year – New Demountable Building)	PN closes 21/01/08. Refer to Item 2/3 in this Agenda.
<i>DA17646 Buckleys Bulk Haulage (MAK)</i>	<i>9 Karoonda Road, Rainbow Beach</i>	<i>Special Industry (Concrete Batching Plant) & ERA #62 – Concrete Batching Plant having a Design Capacity of more than 100t per annum)</i>	<i>AN sent 29/11/07. RFI due.</i>
<i>DA17716 Angela McDonald as Trustee Niduts Investment Trust (MAK)</i>	<i>Brisbane Road, Gympie</i>	<i>General Industry (Workshops) & Display Yard</i>	<i>RFI sent 04/01/08. Awaiting applicant's response. Concurrence Agency: DMR & EPA (CLU). EPA extend information response period to 21/01/08. DMR assessment response due 05/02/08.</i>
<i>DA17751 Play Station (Old) Pty Ltd (TMS)</i>	<i>Exhibition Road, Southside</i>	<i>Education or Health Premises (School Age Care Facility)</i>	<i>RFI sent 04/01/08. Awaiting applicant's response. Concurrence Agency: DMR advise assessment response due 31/01/08.</i>
MATERIAL CHANGE OF USE – CODE ASSESSMENT			
DA10416 M & E Sawrey (TMS)	128 Emperor St, Tin Can Bay	ERA #24 (Boiler Making or Engineering)	Response to RFI required by 21/07/07

File Number & Applicant	Location	Nature of Application	Status
DA11746 Enterprise Property Group Pty Ltd (TMS)	29 O'Connell St Gympie	Commercial Premises (Offices)	DMS. Further letter sent 03/10/07
DA12819 Victory College (MAK)	173 Old Maryborough Rd, Araluen	Education or Health Premises (Cattle Yards for Curriculum Dev) & ERA # 2 – Cattle Feed Lot	DMS. Awaiting response re meeting with Mayor Councillors & Staff
DA13613 Coolum Design & Building Services (MAK)	40 & 44 Geordie Rd, Monkland	General Industry & Showroom	DMS. Report to P&D Committee Meeting.
DA14574 CA Wildman (MAK)	32 Graham St, Gympie	Food or Entertainment Venue (Café)	RFI sent 01/10/07. Awaiting applicant's response. Concurrence Agency DMR response received 17/09/07
DA14737 Driver WB (MKM)	261 Brisbane Rd, Monkland	Home Business (Glazing & Fabrication of Aluminium Screens)	DMS. DMR conditions received 15/01/07. DMS on hold while applicant negotiates with DMR
DA15276 Langdon (MAK)	29 & 33 Red Hill Road & 6 Mt Pleasant Road, Gympie	Food or Entertainment Venue (Hotel Restaurant & Function Area & Drive Through Bottle Shop)	DMS. Report to P&D Committee Meeting
DA15325 Ecorion Property (MAK)	15 Bath Terrace, Gympie	Multi-Residential 102 Dwellings	DMS. Letter sent 21/12/07 requesting further information.
DA15434 Chambers SP (MKM)	15 Mt Pleasant Road, Gympie	Home Business (Car Dealer)	DMS. Letter sent 02/07/07 raising concerns and seeking further advice prior to reporting to Council.
DA15541 Adson Relocatable Homes (TMS)	Emperor Street, Tin Can Bay	COMBINED Commercial Premises (Transportable Marina Office) & Building Application – Class 5	DMS. Letter sent 06/11/07 requesting information prior to issue of DN.
DA15582 Gemmell (KMF)	61 Mt Pleasant Road, Gympie	Home Business (Sale of Clothing, Jewellery & Homewares)	RFI sent 13/04/07. Awaiting applicant's response
DA15676 GJ Gardner Homes (MAK)	12 Power Street, Gympie	Multi-Unit Accommodation (3 Units)	RFI sent 01/05/07. Awaiting applicant's response.
DA15779 Duskmay Pty Ltd (MAK)	70 & 72 Channon Street, Gympie	Commercial Premises & Shop & Food or Entertainment Venue	DMS. Amended proposal to be submitted. Cooloola Access Advisory Committee comments received 25/05/07. Concurrence Agency: DMR conditions received 17/09/07.

File Number & Applicant	Location	Nature of Application	Status
DA15782 Mackenzie (MAK)	7 O'Connell Street, Gympie	Multi-Unit Accommodation (4 Dwelling Units)	RFI sent 01/06/07. Awaiting applicant's response.
DA15861 McCallum G (MAK)	690 Old Goomborian Road, Veteran	Home Business (Metal Fabrication)	RFI sent 04/01/08. Awaiting applicant's response.
DA15866 Bennett S (SAC)	76 Gympie Road, Tin Can Bay	Home Business (Professional Consulting Rooms)	RFI sent 24/05/07. Awaiting applicant's response. Cooloola Access Advisory Committee comments received 25/05/07. Concurrence Agency: DMR.
DA16074 Go West Gympie Pty Ltd (MKM)	27 Louisa Street, Gympie	General Industry & Environmentally Relevant Activity (ERA #28 Motor Vehicle Workshop)	Letter seeking further information sent 14/09/07.
DA16145 Araluen Developments Pty Ltd (MAK)	165 Brisbane Road, Monkland	Showroom & Warehouse	DMS. Report to P&D Committee Meeting. Concurrence Agency: DMR response received 19/06/07 – Concurrence Agency: DNR response received 06/07/07.
DA16230 Allen & Crick Family Trust (TMS)	56 Clematis Street, Gympie	Display Yard (Extensions to Existing Car Salesyard)	RFI sent 16/07/07. Awaiting applicant's response. Concurrence Agency: DMR – conditions received 01/08/07. Advice Agency – Energex response received 21/09/07.
DA16287 Qld Water Infrastructure (MAK)	48 Hilary Road, Tuchekoi	Multi-Residential (Second Dwelling)	Awaiting Concurrence Agency response – DNRW.
DA16288 Qld Water Infrastructure (MAK)	14 Monarch Road, Carters Ridge	Multi-Residential (Second Dwelling)	Awaiting Concurrence Agency response – DNRW. Energex third party advice received 26/07/07.
DA16344 Raw Ochre Design (MAK)	68 Duke Street, Gympie	Showroom (3 Tenancies)	Response to RFI received 09/10/07. Concurrence Agency: EPA (CLU) request further information 24/12/07
DA16445 Keding Group Pty Ltd (KMF)	6 Hambleton Road, Gympie	Multi-Residential (Duplex)	DMS. Report to P&D Committee Meeting.
DA16466 Wager (MAK)	108 Jubilee Road, Carters Ridge	Home Business (Farm Stay)	DMS. Report to P&D Committee Meeting.
DA16600 Reeman P (TMS)	50 Wickham Street, Gympie	Display Yard, Showroom Complex, General Industry (Service Centre) & ERA #28 – Motor Vehicle Workshop	RFI sent 20/09/07. Awaiting applicant's response. Concurrence Agency: DMR response received – no requirements. Access Advisory comments received 31/08/07.
DA16620 Greaney (MAK)	21 Gympie Road, Tin Can Bay	Home Business (Depot for Testing Pool Water)	RFI sent 13/08/07. Concurrence Agency: DMR – letter advising no requirements received 16/11/07.

File Number & Applicant	Location	Nature of Application	Status
DA16627 Bergemann (MKM)	296 Lowe Road, Bollier	Multi-Residential (Relatives Accommodation)	RFI sent 26/10/07. Awaiting applicant's response. Concurrence Agency: NRW response received 19/09/07.
DA16643 Gympie Soft Wood Timbers Pty Ltd (MAK)	277 Tamaree Road, Tamaree	General Industry (Sawmill – Milling & Processing of Pine Logs) & Environmentally Relevant Activity (ERA #67 – Sawmilling)	RFI sent 31/08/07. Awaiting applicant's response. Concurrence Agency: EPA (ERA's). EPA RFI issued 11/10/07. DMR response received 28/08/07 – no requirements.
DA16811 Hansen WW (TMS)	16 Cross Street, Gympie	Commercial Premises & Display Yard	DMS. Report to P&D Committee Meeting. Access Advisory Committee advice received 29/11/07.
DA16876 Reynolds C (TMS)	37 Shields Street, Gympie	Multi-Residential (Duplex)	DMS. Report to P&D Committee Meeting.
DA16939 Calvert B (MAK)	18 Nelson Road, Gympie	Multi-Residential (4 Dwelling Units)	DMS. Report to P&D Committee Meeting. Refer to Item 2/1 in this Agenda.
DA16943 Carey V (MKM)	Macadamia Road, Jones Hill	Multi-Residential (Second Dwelling)	RFI sent 05/10/07. Awaiting applicant's response.
DA16989 Dufty M (MKM)	63 Gympie Road, Tin Can Bay	Commercial Premises (Shop)	AN sent 04/09/07. RFI due. Concurrence Agency: DMR conditions received 03/10/07.
DA17024 Strachan D (MAK)	29 Exhibition Road, Southside	Commercial Premises (Professional Offices)	DMS. Report to P&D Committee Meeting.
DA17036 Gympie South Developments (MAK)	85 and 93 Groundwater Road, Southside	Override Planning Scheme (Housing Subdivision) and Reconfiguring a Lot – Subdivision Creating 26 Additional Lots	RFI sent 11/10/07. Awaiting applicant's response. Advice Agency: DLGPS&R DLGPS&R advice received 25/10/07.
DA17123 Wilson DC & JM (MKM)	26 Burns Road, Ross Creek	Accommodation Premises (Farm Cabins)	RFI sent 28/11/07. Awaiting applicant's response. Concurrence Agencies: DMR & NRW DMR conditions received 13/11/07. NRW conditions received 05/11/07.
DA17149 Gympie Building Co (MKM)	7 Chatsworth Road, Gympie	COMBINED Showroom & Bldg Class 6 (Alterations & additions to Existing Building)	DMS. DN due.
DA17151 JTJK Investments Pty Ltd (MAK)	98-102 River Road and 29 Excelsior Road, Gympie	Shop	Concurrence Agency: DMR – advise RFI issued 16/10/07. Awaiting applicant's response.

File Number & Applicant	Location	Nature of Application	Status
DA17155 Parmac Investments Pty Ltd (TMS)	46 Queen Elizabeth Drive, Cooloola Cove	Shop (Shopping Centre – Supermarket & Specialty Retail)	DMS. Report to P&D Committee Meeting. Refer to Item 2/2 in this Agenda.
DA17209 Fritz S (MKM)	26 Adams Street, Gympie	Home Business (Remedial Massage)	DMS. Report to P&D Committee Meeting.
DA17216 Ledson (MKM)	110 Thomason Road, Traveston	Cattery or Kennel (Cattery) & ERA #43 – Animal Housing	DMS. Report to P&D Committee Meeting.
DA17246 Oaklands Management Pty Ltd (TMS)	68 Myall Street, Gympie	Multi-Residential (18 Units)	RFI sent 13/12/07. Awaiting applicant's response.
DA17343 Gympie Gardens Pty Ltd (MAK)	3-7 James Kidd Drive, Monkland	COMBINED Multi-Residential (4 Dual Occupancies on Approved Subdivision)	RFI sent 03/12/07. Awaiting applicant's response.
DA17402 Hungry Jack's Pty Ltd (MAK)	4 Rose Street, Gympie	Food or Entertainment Venue (Fast Food Outlet – Extensions to Carparking)	Applicant advised application referred to EPA 13/12/07. DMS. Report to P&D Committee Meeting.
DA17441 Frankling G (MKM)	262-264 Brisbane Road, Monkland	Commercial Premises	AN sent 26/10/07. RFI due. Concurrence Agency: DMR
DA17509 Qld Fire & Rescue Authority (TMS)	Gympie Road, Tin Can Bay	Community Services (Fire Station)	RFI sent 21/12/07. Awaiting applicant's response.
DA17511 Falkner R (MKM)	7 Osprey Drive, Veteran	Multi-Residential (Second Dwelling for Relative Accommodation)	DMS. Report to P&D Committee Meeting.
DA17587 Energex Limited (MAK)	36-38 Pine Street, Gympie	Public Utility (Electricity Substation)	AN sent 15/11/07. RFI due.
DA17560 Jones RW (MKM)	630 Wilsons Pocket Road, Wilsons Pocket	Multi-Residential (Second Dwelling)	RFI sent 14/12/07. Awaiting applicant's response.
<i>DA17617 Dyer L & T (MAK)</i>	<i>44 Meadows Lane, Chatsworth</i>	<i>Accommodation Premises (Guesthouse)</i>	<i>AN sent 26/11/07. RFI due Concurrence Agency: NRW. Response received 02/01/08</i>
<i>DA17637 Johnston S (MKM)</i>	<i>271 Brisbane Road, Monkland</i>	<i>Home Business (Massage Clinic / Day Spa)</i>	<i>AN sent 29/11/07. RFI due. Concurrence Agency: DMR RFI issued 18/12/07.</i>
<i>DA17693 Protheroe S (MAK)</i>	<i>48-50 Edwin Champion Drive, Monkland</i>	<i>Showroom</i>	<i>RFI sent 24/12/07. Awaiting applicant's response. Concurrence Agency: DMR advise no requirements 12/12/07.</i>

File Number & Applicant	Location	Nature of Application	Status
DA17722 <i>Olympiade Pty Ltd (MAK)</i>	40 Ryan Road, Wolvi	<i>Multi-Residential (Second Dwelling)</i>	<i>AN sent 04/12/07. RFI due. Concurrence Agency – NRW issued RFI 18/12/07.</i>
DA17727 <i>Mark Daniale (MKM)</i>	3 Olympia Court, Cooloola Cove	<i>Multi-Residential (Carer's Accommodation)</i>	<i>AN sent 02/1/08. RFI due 4/1/08.</i>
DA17780 <i>Mary Valley Show Society Inc (KMF)</i>	1 Elizabeth Street, Imbil	<i>Commercial Premises (Community Art Gallery)</i>	<i>AN sent 18/12/07. RFI due. Concurrence Agency: DMR.</i>
DA17787 <i>Pradella Developments Pty Ltd (TMS)</i>	46 Queen Elizabeth Drive, Cooloola Cove	<i>Food or Entertainment Venue (Tavern)</i>	<i>AN sent 11/12/07. RFI due.</i>
DA17790 <i>Crawford D (MAK)</i>	14 Suncrest Court, Southside	<i>Multi-Residential (4 Townhouses)</i>	<i>RFI sent 04/01/08. Awaiting applicant's response</i>
RECONFIGURING A LOT			
DA03663 K Andreassen (TMS)	Ballard Road, Imbil	Development Permit – Stage 6 (3 lots) and Stage 7 (18 and Balance)	DMS. Further information requested 05/02/03. Awaiting applicant's response. Letter sent 07/02/07. Amended plans received 05/03/07. Further letter sent 24/05/07.
DA13143 Prior (MAK)	43 Ashford Road, Gympie	Subdivision Creating One (1) Additional Lot	Application on hold at request of applicant.
DA14342 Christensen K (MAK)	16-18 Glastonbury Road, Southside	Subdivision to Create One (1) Additional Lot	DMS. On hold pending MCU approval.
DA14535 Plukaard Michael (MKM)	Lot 4 O'Keeffe Road, Mothar Mountain	Subdivision to Create One (1) Additional Lot	No RFI required. Awaiting DNR response. Concurrence Agency: DNR issue RFI 03/07/07.
DA14596 Chasob Pty Ltd (MAK)	Connection Road, Gympie	Subdivision to Create 28 Additional Lots	DIP extend assessment information request response period to 10/03/08. Concurrence Agencies: DMR, NRW & QT
DA14670 Camilleri (MKM)	Cnr Musgrave & Norman Streets, Gympie	Subdivision to Create One (1) Additional Lot	DMS. DN due.
DA14919 Starkey LF & EM Wewer AMJ & G (MAK)	116 & 146 Fritz Road, Chatsworth	Subdivision to Create 16 Additional Lots	RFI sent 12/01/07. Awaiting applicant's response. EPA issue RFI 10/01/07.
DA14928 Foss P&S (MKM)	256 Nash Road, Tamaree	Subdivision to Create Six (6) Additional Lots	RFI sent 31/07/07. Awaiting applicant's response.
DA14974 Davie K (MKM)	103 Long Road, Pie Creek	Subdivision to Create Two (2) Additional Lots	DMS. DN due. Further letter sent 11/10/07 advising applicant not enough information to approve.
DA15076 Wright (MKM)	44 Pine Valley Drive, Pie Creek	Subdivision to Create Two (2) Additional Lots	RFI sent 01/02/07. Awaiting applicant's response.

File Number & Applicant	Location	Nature of Application	Status
DA15096 Walker J (MAK)	43 Taylor Road, Veteran	Subdivision to Create Two (2) Additional Lots	DMS. DN due.
DA15146 Plukaard Richard (MAK)	2 O’Keeffe Road, Mothar Mountain	Subdivision to Create One (1) Additional Lot	RFI sent 28/02/07. Part information received 16/04/07. Amended AN sent 24/05/07. Further info required – letter sent 31/05/07. Advice Agency: Energex requested further info 02/07/07.
DA15186 Ryan (TMS)	47 Irvine Rd, Chatsworth	Subdivision to Create 19 Additional Lots	Amended Ack Notice sent 21/12/07. RFI due 25/01/08
DA15348 Sanewski (MKM)	166 North Deep Creek Road, North Deep Creek	Subdivision to Create Three (3) Additional Lots	DMS. DN due. Concurrence Agency: DNRW amended conditions received 18/10/07.
DA15462 Warne DV & JF (MKM)	16 Vanessa Court, Araluen	Subdivision to Create One (1) Additional Lot	RFI sent 29/06/07. Awaiting applicant’s response.
DA15620 Salmon Bob (KMF)	31 Rifle Range Road, Gympie	Subdivision to Create Two (2) Additional Lots	RFI sent 27/04/07. Awaiting applicant’s response.
DA15669 Andreassen G (MAK)	153 Ballard Road & Michelle Court, Imbil	Subdivision to Create 16 Additional Lots	RFI sent 11/05/07. Awaiting applicant’s response. Concurrence Agency: NRW – response received 05/11/07.
DA15690 Tim Developments (MKM)	20 Browns Road, Victory Heights	Subdivision to Create 14 Additional Lots	DMS. Report to P&D Committee Meeting. DNR&W advise not concurrence agency – provide third party advice.
DA15763 Cooloola City Farm (TMS)	Gympie Road, Tin Can Bay	Lease in Excess of Ten Years	AN & RFI sent 26/04/07. Awaiting applicant’s response.
DA15770 Walton P&E (MKM)	365 Shadbolt Road, Mothar Mountain	Boundary Alteration	DMS. DN due.
DA15778 Nguyen T (MKM)	138 North Deep Creek Road, North Deep Creek	Subdivision to Create Three (3) Additional Lots	RFI sent 22/06/07. Awaiting applicant’s response. Concurrence Agency: DNRW RFI sent 01/05/07.
DA15869 Jensen TJ (MAK)	Hall Road, Glanmire	Subdivision to Create Three (3) Additional Lots	DMS. DN due.
DA15957 Power JL & RM (MKM)	101 Green Trees Road, Pie Creek	Subdivision to Create One (1) Additional Lot	DMS. DN due.
DA15958 Haeusler (MAK)	19 & 21 Mary Street, Amamoor	Boundary Alteration	RFI sent 22/06/07. Awaiting applicant’s response.
DA15959 Smolka H (MKM)	5 Karen Road, Tamaree	Subdivision to Create One (1) Additional Lot	DMS. DN due. Letter sent 07/11/07 requesting additional information prior to approval.
DA15980 Best L (TMS)	100 Long Road, Pie Creek	Subdivision to Create One (1) Additional Lot	RFI sent 22/06/07. Awaiting applicant’s response. Concurrence Agency: DNR.

File Number & Applicant	Location	Nature of Application	Status
DA16071 Leppien P & H (MKM)	25 Wolvi Road, Gympie	Subdivision to Create One (1) Additional Lot	DMS. DN due.
DA16162 Patrick FT & MJ (MKM)	358 Eel Creek Road, Pie Creek	Subdivision to Create One (1) Additional Lot	RFI sent 03/07/07. Awaiting applicant's response.
DA16326 McLeod DM (MKM)	110 Long Road, Pie Creek	Subdivision to Create One (1) Additional Lot	DMS. DN due. Applicant advised on 02/11/07 further information required prior to approving.
DA16327 Sutherland R & C (MAK)	136 Greentrees Road, Pie Creek	Subdivision to Create Two (2) Additional Lots & Access Easement	RFI sent 04/07/07. Awaiting applicant's response. Concurrence Agency: DNRW issued RFI 09/10/07.
DA16345 White MC & H (MKM)	Scrubby Creek Road, Scrubby Creek	Subdivision to Create Three (3) Additional Lots	RFI sent 23/07/07. Concurrence Agency: DNRW – refusal received 03/12/07. Advice Agency: Energex response received 17/08/07.
DA16402 B Cooper (TMS)	356 Hyland Road, East Deep Creek	Subdivision to Create One (1) Additional Lot	DMS. DN due.
DA16441 Drollinger A (TMS)	125 Tamaree Road, Tamaree	Subdivision to Create One (1) Additional Lot	DMS. DN due.
DA16444 Parczyk (TMS)	361 Jimbour Road, The Palms	Boundary Alteration	DMS. DN due.
DA16447 Bean C (MAK)	Madill Road, Tandur	Boundary Alteration	DMS. DN due. Application on hold pending resolution of access issue – letter sent 25/10/07.
DA16501 Edwards M & P (MKM)	115 Jimbour Road, The Palms	Subdivision to Create One (1) Additional Lot	Response to RFI received 17/12/07. DNRW issued RFI 21/09/07.
DA16505 Crockett (MKM)	61 Eljays Road, The Palms	Subdivision to Create 11 Additional Lots	RFI sent 03/09/07. Awaiting applicant's response. Concurrence Agency DNR conditions received 01/11/07.
DA16507 Royce Trading Pty Ltd (MKM)	179 Witham Road, The Dawn	Subdivision to Create 11 Additional Lots & Preliminary Approval to Override the Planning Scheme	RFI sent 05/09/07. Partial response received 10/10/07 & 18/10/07. Awaiting further information. Advice Agency: DIP advice received 31/10/07. Referred to NRW for third party advice 28/11/07.
DA16508 Rogers, McCoomb & Bone (MKM)	17 Matthew Road, The Palms	Subdivision to Create Two (2) Additional Lots	DMS. DN due.
DA16566 Grant M (MAK)	9 Heather Street, Southside	Subdivision to Create One (1) Additional Lot	DMS. DN to be sent.
DA16641 Walsh M (MAK)	43 Rammutt Road, Chatsworth	Subdivision to Create Two (2) Additional Lots	RFI sent 30/08/07. Awaiting applicant's response.

File Number & Applicant	Location	Nature of Application	Status
DA16644 Atherton (MKM)	28 Rocks Road, Southside	Subdivision to Create One (1) Additional Lot	RFI sent 30/08/07. Awaiting applicant's response. Application withdrawn 25/09/07 – letter and refund sent 05/10/07.
DA16699 Andreassen CA (MAK)	12 & 16 Andreassen Road, Tuchekoi	Boundary Alteration	RFI sent 31/08/07. Awaiting applicant's response.
DA16717 Base Properties Qld Pty Ltd (MKM)	155 Tamaree Road, Tamaree	Subdivision to Create Five (5) Additional Lots	RFI sent 02/10/07. Awaiting applicant's response. Concurrence Agency: NRW issue RFI 22/10/07.
DA16719 Ferris G & M (MKM)	51 Groves Road, Araluen	Subdivision to Create Two (2) Additional Lots	RFI sent 30/08/07. Awaiting applicant's response.
DA16722 Brady S (MAK)	Mackenzie Road, Tamaree	Boundary Alteration	DMS. Applicant requested on 21/11/07 for application to be held in abeyance.
DA16786 Mills A & C (MAK)	26 Hillview Road, Cedar Pocket	Subdivision to Create Two (2) Additional Lots & Access Easement	DMS. DN due.
DA16859 Teitzel Electrical Pty Ltd (MAK)	53 Trout Road, The Dawn	Subdivision to Create One (1) Additional Lot	DMS. DN due.
DA16877 Allen-Co Holdings Pty Ltd (MAK)	Old Imbil Road, Gympie	Boundary Alteration	DMS. DN due.
DA16867 CEDMS Pty Ltd (MKM)	12 Tweed Lane, Gympie	Subdivision to Create One (1) Additional Lot	DMS. DN due.
DA17002 Farnham W & K (MKM)	12 Stockden Road, The Palms	Subdivision to Create One (1) Additional Lot	RFI sent 12/10/07. Awaiting applicant's response. Concurrence Agency: DMR conditions received 08/10/07.
DA17004 Ross D & N (MKM)	340 Nash Road, Gympie	Subdivision to Create Four (4) Additional Lot	RFI sent 08/10/07. Awaiting applicant's response.
DA17008 McHugh C (MKM)	78 Tamaree Road, Tamaree	Subdivision to Create Two (2) Additional Lot	RFI sent 11/10/07. Awaiting applicant's response. Concurrence Agency: DNRW RFI sent 18/09/07.
DA17055 Walker B (TMS)	32 Fisher Road, Araluen	Subdivision to Create Two (2) Additional Lot	DMS. DN due.
DA17106 Degen J (MAK)	3 McMahon & 12 Old Imbil Road, Monkland	Boundary Alteration	DMS. DN due.
DA17107 TCBD Pty Ltd (TMS)	25 Summer Way, Tin Can Bay	Subdivision to Create One (1) Additional Lot	DMS. DN due.
DA17108 Baker R (MKM)	830 Glastonbury Road, Glastonbury	Boundary Alteration	DMS. DN due. Concurrence Agency: DMR conditions received 08/10/07.

File Number & Applicant	Location	Nature of Application	Status
DA17110 Harriman Rev R (TMS)	93 & 111 Keefton Road, Woondum	Boundary Alteration	DMS. DN due.
DA17113 Bowman P (MKM)	61 Sorensen Road, Southside	Subdivision to Create One (1) Additional Lot	AN sent 14/09/07. RFI due.
DA17120 Goddard A (MAK)	Mataranka Road, Veteran	Subdivision to Create Two (2) Additional Lot	DMS. Report to P&D Committee Meeting.
DA17124 Killen T & C (MAK)	2270 Anderleigh Road, Neerdie	Boundary Alteration	RFI sent 12/10/07. Awaiting applicant's response.
DA17148 Moir K & E (MKM)	192 Percival Road, Chatsworth	Boundary Alteration	DMS. DN due.
DA17157 Poirier JP & De Laney CA (MKM)	89 Jimbour Road, The Palms	Subdivision to Create One (1) Additional Lot	Applicant's response to RFI received 23/11/07. Concurrence Agency: NRW – RFI issued 05/12/07.
DA17176 Doolan P & J (MKM)	Glenbar Road, The Palms	Subdivision to Create Two (2) Additional Lot	DMS. DN due.
DA17185 Cave M (MAK)	156 Dawn Road, The Dawn	Subdivision to Create One (1) Additional Lot	RFI sent 23/10/07. Awaiting applicant's response.
DA17210 Keldoulis P (MAK)	182 Fritz Road, Chatsworth	Subdivision to Create One (1) Additional Lot	DMS. Report to P&D Committee Meeting. Refer to Item 3/1 in this Agenda.
DA17219 Rowan B & S (MAK)	406-407 Wilton Road, Greens Creek	Subdivision to Create One (1) Additional Lot	RFI sent 02/11/07. Awaiting applicant's response.
DA17222 Jorgensen P (TMS)	44 Minya Road, The Palms	Subdivision to Create One (1) Additional Lot	RFI sent 01/11/07. Awaiting applicant's response. Concurrence Agency: NRW – conditions received 05/11/07.
DA17223 Franklin L & S (MKM)	211 De Castella Road, The Palms	Subdivision to Create One (1) Additional Lot	RFI sent 21/12/07. Awaiting applicant's response.
DA17224 Azil Pty Ltd (MAK)	12 Panorama Drive, The Dawn	Subdivision to Create Four (4) Additional Lots	DMS. DN due.
DA17244 Margetts PA & A (TMS)	1-3 Watson Road & Evelyn Road, Southside	Boundary Alteration	DMS. DN due.
DA17292 Radheath Pty Ltd (MKM)	201 & 257 Burrige Road, Tandur	Boundary Alteration	AN sent 22/10/07. RFI due.
DA17293 Eleventh Trail Pty Ltd (MAK)	Lillis Road, Gympie	Subdivision to Create 34 Additional Lots	RFI sent 04/01/08. Awaiting applicant's response.
DA17325 Darnett D (MKM)	77 Boyle Road, The Palms	Subdivision to Create Two (2) Additional Lot	DMS. DN due.

File Number & Applicant	Location	Nature of Application	Status
DA17326 Brink B (MAK)	71 Anne Marie Road, Chatsworth	Subdivision to Create Two (2) Additional Lot	AN sent 22/10/07. RFI due.
DA17330 Cochrane J (MAK)	48 Old Veteran Road, Veteran	Subdivision to Create Eight (8) Additional Lot	RFI sent 28/11/07. Awaiting applicant's response.
DA17419 Bairnsdeen Pty Ltd (MAK)	36 Diggings Road, Imbil	Subdivision to Create 17 Additional Lots	RFI sent 04/12/07. Awaiting applicant's response.
DA17324 Nouveau Ventres Pty Ltd as Trustee (MKM)	26 Jimbour Road, The Palms	Subdivision to Create One (1) Additional Lot	DMS. DN due.
DA17437 McKenna S (MKM)	157 Dawn Road, The Dawn	Subdivision to Create One (1) Additional Lot	RFI sent 03/12/07. Awaiting applicant's response. Advice Agency: Energex – advice received 05/12/07.
DA17454 Vixen Developments Pty Ltd (MAK)	78 Old Maryborough Road, Gympie	Subdivision to Create One (1) Additional Lot	RFI sent 04/01/08. Awaiting applicant's response..
DA17487 Gee P (MKM)	192 Old Veteran Road, Veteran	Subdivision to Create One (1) Additional Lot	AN sent 13/11/07. RFI due.
DA17556 Millard PJ & Hardy ML (MKM)	12 Stockden Road, The Palms	Subdivision to Create Two (2) Additional Lot	AN sent 19/11/07. RFI due. Concurrence Agency: DMR – conditions received 30/11/07.
DA17565 Los G	339 Wilton & Cavanagh Road, Green Creek	Boundary Alteration	AN sent 15/11/07 – RFI due
DA17588 Echochamp Pty Ltd (MAK)	44-45 Esplanade, Tin Can Bay	Subdivision to Create Three (3) additional Lots	RFI sent 04/01/08 – Awaiting applicant's response. Concurrence Agency – DMR – conditions received 29/11/07.
DA17591 Cunningham K (MKM)	1510 Tin Can Bay & Wilsons Pocket Road, Goomborian	Boundary Alteration	AN sent 21/11/07. RFI due.
DA17620 SSE Civil Consultant Pty Ltd (TMS)	6-14 Marsden Street, Imbil	Boundary Alteration & Access Easement	AN sent 19/11/07. RFI due.
<i>DA17687 Dray A (MKM)</i>	<i>223 Gibson Road, Mooloo</i>	<i>Boundary Alteration & Access Easement</i>	<i>AN sent 29/11/07. RFI due.</i>
<i>DA17723 Talan M & Fryer-Talan D (TMS)</i>	<i>550 Glastonbury Road, The Palms</i>	<i>Subdivision to Create One (1) Additional Lot</i>	<i>RFI sent 04/01/08. Awaiting applicant's response. Concurrence Agency – DMR conditions received 03/01/08</i>
<i>DA17750 McLean B (MAK)</i>	<i>3 Power Road, Southside</i>	<i>Subdivision to Create One (1) Additional Lot</i>	<i>AN sent 07/12/07. RFI due. Concurrence Agency – DMR.</i>

File Number & Applicant	Location	Nature of Application	Status
<i>DA17752 Waller D (MKM)</i>	<i>5 Tarragon Road, The Palms</i>	<i>Subdivision to Create One (1) Additional Lot</i>	<i>AN sent 07/12/07. RFI due. Concurrence Agency – DMR.</i>
<i>DA17756 Middleton W (KMF)</i>	<i>471 & 478 Jimbour Road, The Palms</i>	<i>Boundary Alteration</i>	<i>AN sent 18/12/07. RFI due.</i>
<i>DA17805 Mellor (MKM)</i>	<i>328 Tagigan Road & Wilsons Pocket Road, Goomborian</i>	<i>Boundary Alteration</i>	<i>AN sent 24/12/07. RFI due 21/01/08</i>
<i>DA17818 Stateland Pty Ltd (MAK)</i>	<i>Sorensen Road, Southside</i>	<i>Subdivision to Create 137 Additional Lot</i>	<i>AN sent 18/12/07. RFI due. Concurrence Agency – QT.</i>
<i>DA17823 Woodruff (MKM)</i>	<i>297 Antimony Road, Neerdie</i>	<i>Access Easement</i>	<i>AN sent 21/12/07. RFI due.</i>
<i>DA17847 Ryan (MAK)</i>	<i>410 Old Maryborough Rd, Araluen</i>	<i>Subdivision to Create 4 Additional Lots</i>	<i>AN sent 21/12/07. RFI due.</i>
<i>DA17860 Manning (MKM)</i>	<i>39 Garrick & 60 Tucker Streets, Gympie</i>	<i>Boundary Alteration</i>	<i>AN sent 21/12/07. RFI due.</i>
OPERATIONAL WORK (Including Combined Building/Plumbing and Operational Work)			
DA12719 Cook J (TMS)	43 Tingira Close, Rainbow Beach	COMBINED Op Works (Site Works, Car Parking & Landscaping) and Plumbing & Drainage Works – Four (4) Townhouses (Class 2-9)	DMS. DN due.
DA13337 Wagner G (TMS)	391 Bruce Highway North, Two Mile	Earthworks	DMS. DN due. Letter sent requesting further information 26/10/07.
DA13338 Jurss DJ (TMS)	Laureceson Road, Glanmire	Sewerage Reticulation	RFI sent 24/05/06. Awaiting applicant's response.
DA13568 Crampton B (TMS)	10 Mitchell Street, Tin Can Bay	COMBINED Op Works – Site Works, Driveway Access, Carparking & Landscaping	RFI sent 10/08/06. Part information received. Still awaiting some information. Hydraulics received.
DA13789 Geiszler (TMS)	Garowme Road, Tamaree	Earthworks Landscaping Sewerage & Stormwater Drainage	Awaiting PLSL form. DN ready to issue. Letter sent 03/09/07.
DA14000 Corbet GJ Corbet Industries (TMS)	114 Noosa Road, East Deep Creek	Landscaping Access & Carparking	RFI sent 01/08/06. Awaiting applicant's response.
DA14054 Buchanan (MAK)	2A Sorensen Road, Southside	Earthworks	Awaiting amended plans.

File Number & Applicant	Location	Nature of Application	Status
DA14354 Sunshine Coast Christian Fellowship (MAK)	2a Sorensen Road, Southside	Roadworks & Stormwater Drainage	Further RFI sent 19/01/07. Awaiting applicant's response.
DA14681 Wepener (MAK)	1 Hall Road, Gympie	Carparking & Access Area	RFI sent 12/01/07. Awaiting applicant's response.
DA14863 McDonald A ATF Niduts Investments (MKM)	Brisbane Road, Gympie	Earthworks for Subdivision	DMS. Letter re access sent 11/07/07 for applicant's consideration.
DA15129 Opagem Pty Ltd (TMS)	1 Rainbow Beach Road, Rainbow Beach	Landscaping Roadworks & Footpath Works Stormwater Drainage Water Sewerage Connections Driveways and Carparking	Further plans/information received 31/08/07. DMS. Applicant requests meeting with Council and DMR.
DA15565 Larsen G (MAK)	Drummond Drive, Gympie	Roadwork, Water, Sewerage & Excavation	DMS. DN due.
DA15807 Sawrey M & E (MAK)	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 (MAK)	8 Wadell Road, Two Mile	Driveways, Stormwater Drainage, Retaining Walls, Carparking & Earthworks	RFI sent 04/06/07. Awaiting applicant's response.
DA15970 JTJK Investments (TMS)	98, 100 & 102 River Road & 29 Excelsior Road, Gympie	Siteworks, Landscaping, Carparking, Driveways, Drainage & Sewerage Diversion	DMS. DN Due.
DA15971 Baker (TMS)	37A Watson Road, Southside	Roadworks, Stormwater Drainage Water & Sewerage Reticulation	RFI sent 19/06/07. Awaiting applicant's response.
DA16179 Resland Management Aust Pty Ltd (TMS)	Ranson Road, Gympie	Civil Works for Residential Subdivision	DMS. DN due
DA16231 Jensen A (TMS)	Hall Road, Glanmire	Siteworks Filling & Drainage Works for Industrial Subdivision	RFI due. Letter sent 27/07/07 – awaiting amended plans.

File Number & Applicant	Location	Nature of Application	Status
DA16290 Wilibmag Pty Ltd (MAK)	Traveston Rd Traveston	Access Driveways	RFI sent 27/07/07. Awaiting applicant's response.
DA16343 RN Hodges Constructions (TMS)	46 Chatsworth Road, Gympie	Bulk Earthworks for shops showrooms & ancillary display yards (homemaker centre) & subdivision to create three (3) additional lots	DMS. DN due.
DA16601 Copp Road Gympie Gospel Trust (TMS)	Copp Road, Southside	Siteworks, Water & Sewer Connection, Kerb & Channel, Roadworks, Carparking & Landscaping Associated with Development of Church School	DMS. DN due
DA16810 Qantec McWilliam (MAK)	98 Woondum Road, Kybong	Earthworks	AN sent 30/08/07. RFI due.
DA16823 Dimond Architects Pty Ltd (MAK)	86 Channon Street, Gympie	Site Works, Access & Carparking, Stormwater Drainage, Sewer Relocation and Landscaping for Commercial Premises	DMS. DN due.
DA17115 Andreassen G (MAK)	Michelle Court, Imbil	Roadworks & Associated Drainage	RFI sent 18/12/07. Awaiting applicant's response.
DA17119 Cam 2 Pty Ltd (MAK)	Tarwhine Street, Tin Can Bay	Roadworks, Stormwater, Water & Sewerage Reticulation, Site Works & Landscaping	RFI sent 06/11/07 – Partial response received 03/01/08
DA17156 Belmon Park Pty Ltd (MAK)	Old Maryborough Road, Araluen	Siteworks, Roadworks & Associated Drainage, Access Construction, Erosion & Sediment Control for Rural Residential Subdivision	DMS DN due
DA17177 T S C Cooloola (MAK)	36 Violet Street, Gympie	Landscaping & Access Construction	RFI sent 23/10/07. Awaiting applicant's response.
DA17333 Brooder C (TMS)	72 Bombala Crescent, Rainbow Beach	Access Driveway	AN sent 22/10/07. RFI due.

File Number & Applicant	Location	Nature of Application	Status
DA17485 Opus Qantec McWilliam (MKM)	14-16 Van Doren Road, Southside	Road Construction & Associated Drainage	RFI sent 24/12/07. Awaiting applicant's response.
DA17486 Truebay Pty Ltd (MAK)	Majestic Place & Judicial Circuit, Jones Hill	Roadworks & Associated Drainage, Water & Sewerage Reticulation, Landscaping & Earthworks for Residential Subdivision (Stages 7-10)	RFI sent 24/12/07. Awaiting applicant's response.
DA17555 Wayne Blow & Partners P/L (MAK)	101-103 River Road & 2-4 Rose Street, Gympie	Earthworks, Stormwater, Roadworks & Landscaping	AN sent 15/11/07. RFI due
DA17618 Webster D (MAK)	38-40 Stephens Street, Kandanga	Roadworks, Kerb & Channel & Associated Drainage	AN sent 19/11/07. RFI due
<i>DA17636 Reibel (TMS)</i>	<i>6 Parsons Road, Gympie</i>	<i>Sewerage, Stormwater & Access Driveway</i>	<i>AN sent 29/11/07. RFI due.</i>
<i>DA17649 G3 Trust (MAK)</i>	<i>Tin Can Bay Road, Wallu</i>	<i>Roadworks & Associated Drainage</i>	<i>AN sent 29/11/07. RFI due.</i>
<i>DA17702 Kidd G (TMS)</i>	<i>1A Power Street, Gympie</i>	<i>Driveway/Access & Landscaping</i>	<i>AN sent 03/12/07. RFI due.</i>
<i>DA17788 Tisca Pty Ltd (MAK)</i>	<i>11 Pronger Parade, Glanmire</i>	<i>Carparking, Access Construction and Site Works</i>	<i>AN sent 18/12/07. RFI due.</i>
<i>DA17819 EEC Pty Ltd (MAK)</i>	<i>Sorensen Road, Southside</i>	<i>Roadworks, Kerb & Channel & Associated Drainage, Landscaping & Siteworks</i>	<i>AN sent 18/12/07. RFI due.</i>
<i>DA17849 Langley (MKM)</i>	<i>21 Main St, Gympie</i>	<i>Sewer Main, Interallotment Drainage & Access Driveway</i>	<i>AN sent 21/12/07. RFI due.</i>
OPERATIONAL WORK – ADVERTISING DEVICES			
DA15079 Brown (MKM)	8 Jeremy Road, Widgee Crossing South	Advertising Device – Freestanding Non- moving Sign) and Building Work (Class 10 Sign)	RFI sent 05/02/07. Applicant's part response received 10/05/07. Advised applicant new site plan required – awaiting.
DA15212 Greenco Developments (MKM)	72 Chatsworth Road, Gympie	Class 10b Advertising Device (Freestanding non- moving Sign)	AN & RFI sent 01/03/07. Awaiting applicant's response.
DA16869 Signs of Style (MAK)	20 Spectrum Street, Rainbow Beach	Advertising Device	RFI sent 01/10/07. Partial response received 05/12/07. Awaiting further information.

File Number & Applicant	Location	Nature of Application	Status
DA17299 Friends of Kandanga Inc (MKM)	47-49 Main Street, Kandanga	Operational Works – Advertising Device (Freestanding non- moving sign) & Building Work – Class 10b Sign	DMS. DN due.
SIGNS TO BE ASSESSED UNDER LOCAL LAW			
BUILDING WORK ASSESSABLE AGAINST THE PLANNING SCHEME			
<i>DA17615 Nestle Australia Ltd (MAK)</i>	<i>2 Pine Street, Gympie</i>	<i>Operational Works – Building Work Assessable against the Planning Scheme (New Boiler over 10 metres in height)</i>	<i>AN sent 26/11/07. RFI due</i>
<i>DA17715 Lutheran Church of Australia (MKM)</i>	<i>4 O’Connell Street, Gympie</i>	<i>Removal Dwelling (Removal of Dwelling House within the Heritage and Character Overlay)</i>	<i>Heritage Sub-Committee response received 21/12/07. To be further discussed at its January meeting pending further research.</i>
<i>DA17709 Inall ()</i>	<i>11 Smyth St, Gympie</i>	<i>Building Work assessable against the Planning Scheme (Removal of Dwelling House within the Heritage and Character Overlay)</i>	<i>Received 26/11/07. RFI to be sent.</i>
<i>DA17841 (MAK)</i>	<i>588 Rocks Rd, Pie Creek</i>	<i>Building Work assessable against the Planning Scheme</i>	<i>Received 10/12/07. RFI to be sent.</i>

P08/01/08 Moved: Cr WJ McIntyre

Seconded: Cr FG Nissen AM

Recommend that the information be noted.

Carried.

4/2	Development Applications Approved
-----	-----------------------------------

File: DA11862
Applicant: R Sampson
Site Address: 137 Investigator Avenue, Cooloola Cove

The proposal is for Building Work, Plumbing & Drainage Work and Operational Work (Road Widening, Kerb & Channel, Footpath and Carparking Area) for Retail Plant Nursery over Lot 624 RP170785.

The Decision Notice was approved on 14 December 2007 and issued on 14 December 2007 subject to conditions from the Assessment Manager.

File: DA15524
Applicant: N Case
Site Address: 20 Young Street, Gympie

The proposal is for Building Work (Class 10b Sign) & Operational Works - Advertising Device (Freestanding non-moving Sign) over Lot 25 CP881256.

The Decision Notice was approved on 29 November 2007 and issued on 29 November 2007 subject to conditions from the Assessment Manager.

File: DA16077
Applicant: T Leake
Site Address: 159 Corella Road, Araluen

The proposal is for Reconfiguring a Lot – Subdivision to Create One (1) Additional Lot over Lot 4 MPH31844.

The Decision Notice was approved on 3 January 2008 and issued on 3 January 2008 subject to conditions from the Assessment Manager.

File: DA16277
Applicant: N G Houeix
Site Address: Scullett Drive, Tin Can Bay

The proposal is for Material Change of Use – General Industry & Low Impact Industry over Lot 9 SP153716.

The Decision Notice was approved on 3 December 2007 and issued on 3 December 2007 subject to conditions from the Assessment Manager.

File: DA16286
Applicant: R Treeby
Site Address: Old Veteran Road, Veteran

The proposal is for Reconfiguring a Lot - Subdivision to Create Two (2) Additional Lots in 2 Stages over Lot 5 MPH32568.

The Decision Notice was approved on 21 December 2007 and issued on 21 December 2007 subject to conditions from the Assessment Manager.

File: DA16442
Applicant: P Ison
Site Address: 38 Crescent Road, Gympie

The proposal is for Operational Works - Roadworks, Footpath, Access, Carparking & Landscaping over Lot 2 MPH23954.

The Decision Notice was approved on 14 November 2007 and issued on 14 November 2007 subject to conditions from the Assessment Manager.

File: DA16497
Applicant: J Eade
Site Address: 89 Exhibition Road, Southside

The proposal is for Operational Works – Filling & Excavation, Water & Sewer Connection, Kerb & Channel & Associated Road Widening, Landscaping & Access Driveway over Lot 1 MPH33942.

The Decision Notice was approved on 21 November 2007 and issued on 21 November 2007 subject to conditions from the Assessment Manager.

File: DA17109
Applicant: Coastbuild Queensland
Site Address: Goondi Street, Rainbow Beach

The proposal is for Material Change of Use –General Industry or Warehouse over Lot 24 MCH814248.

The Decision Notice was approved on 14 November 2007 and issued on 14 November 2007 subject to conditions from the Assessment Manager.

File: DA17170
Applicant: G Waters
Site Address: 10 Railway Court, Glanmire

The proposal is for Material Change of Use – General Industry (Extensions to Existing Building) over Lot 19 SP198610.

The Decision Notice was approved on 14 December 2007 and issued on 14 December 2007 subject to conditions from the Assessment Manager.

File: DA17322
Applicant: Fosters
Site Address: 1 Lady Mary Terrace, Gympie

The proposal is for Operational Work – Advertising Device (3 Building Signs) over Lot 1 MPH6158.

The Decision Notice was approved on 26 November 2007 and issued on 26 November 2007 subject to conditions from the Assessment Manager.

File: DA17323
Applicant: D Cummins
Site Address: 18 & 22 Bethongabel Court, Southside

The proposal is for Reconfiguring a Lot – Boundary Alteration over Lots 4 & 5 SP170286.

The Decision Notice was approved on 12 December 2007 and issued on 12 December 2007 subject to conditions from the Assessment Manager.

File: DA17342
Applicant: Kingfisher Bay Resort
Site Address: 62 Carlo Road, Rainbow Beach

The proposal is for Material Change of Use – Environmentally Relevant Activity (ERA #28 Motor Vehicle Workshop) over Lot 4 RB96922.

The Decision Notice was approved on 7 December 2007 and issued on 13 December 2007 subject to conditions from the Assessment Manager.

File: DA17552
Applicant: Wright Bros
Site Address: 14 Elizabeth Street, Gympie

The proposal is for Building Work Assessable Against the Planning Scheme – Removal or Demolition of Dwelling within the Heritage & Character Overlay over Lot 3 on MPH14192.

The Decision Notice was approved on 27 November 2007 and issued on 30 November 2007 subject to conditions from the Assessment Manager.

P10/01/08 Moved: Cr ME Prior Seconded: Cr IT Petersen

Recommend that the information be noted.

Carried.

Cr IT Petersen left the meeting at 3.19pm and returned at 3.21pm.

SECTION 5: GENERAL MATTERS

5/1 Building Summary and Plumbing Report for the Month of December 2007

Re: **Minute: P11/01/08** Building Summary and Plumbing Report for the month of December 2007
 From: Director of Planning and Development – M. Hartley
 File: BG94/00002
 Date: 7 January 2008

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

The Building and Plumbing Summary and Report for the Month of December 2007 is included as Attachment 1.

P11/01/08 Moved: Cr CR Chapman OAM Seconded: Cr WJ McIntyre

Recommend that the Building and Plumbing Summary and Report for the month of December 2007 as presented, be received.

Carried.

5/2 DA15058 - Reduction in Maintenance Bond - Cooloola Sands Stage 4 – Pradella Developments Pty Ltd

Re: **Minute: P12/01/08** Reduction in Maintenance Bond – Cooloola Sands Stage 4
 From: Sheehy & Partners Pty Ltd
 File: DA15058
 Date: 5 December 2007

“Further to the issue of the Operational Works Decision Notice for Bulk Earthworks, Erosion and Sediment Control, Roadworks, Stormwater Drainage, Sewerage Reticulation and Water Reticulation for the above project on 1 April 2007. We herewith request a minor modification to the following Condition:

4(i)(b) Submit on behalf of the developer a maintenance bond to an amount equivalent to twenty (20) percent of the cost of works to cover maintenance for a period of twenty-four (24) months.

We request that this condition be amended to the following:

4(i)(b) Submit on behalf of the developer a maintenance bond to an amount equivalent to five (5) percent of the cost of works to cover maintenance for a period of twenty-four (24) months.

The before mentioned Decision Notice nominated that the above condition could be relaxed upon written application for a relaxation stating the grounds for the requested relaxation. The grounds for this request for a relaxation are as follows:

- 1. The developer Pradella Developments Pty Ltd is a company of long standing which has developed a large number of significant and landmark projects. Pradella Developments Pty Ltd have a large land holding at Cooloola Cove which they have every intention of developing and therefore wish to ensure a good, long term working relationship with Cooloola Shire Council. It is understood that Stage 1 and 2 of Cooloola Sands has been delivered without problem to Council and is a high quality development.*
- 2. Sheehy & Partners Pty Ltd are a Consulting Engineering firm which has been established for over thirty-five (35) years. Over this time vast experience has been gained on Residential Land Development Projects. The Consultancy is committed to high quality/value adding Engineering. The two Company Directors responsible for Design, Inspection and Contract Administration of the Cooloola Sands project have over fifty (50) years combined experience in the Engineering Profession with Sheehy & Partners Pty Ltd. We would encourage Cooloola Shire Council to contact any of the following references to confirm the Consultancy's commitment to delivering high quality projects conforming to the requirements of the local authority:*

- Brisbane City Council – Department of Regulatory Services
South – Mr Kevin Matthews Ph: 3403 6851*
- Redland Shire Council – Land Development Unit
Mr Bruce Appleton Ph: 3829 8708
Mr Brad Wallace Ph: 3829 8799*
- Ipswich City Council
Mr Peter Harbeck Ph: 3810 6828*

We would hope that the Consultancy's performance on the design and construction of Stages 1 and 2 would be establishing a reputation with Cooloola Shire Council of a commitment to provide a quality project.

3. *The Principal Contractor for this stage of the project is Neumann Contractors Pty Ltd. Neumann Contractors Pty Ltd constructed Stage 1 of this project (but not Stage 2) our checks on their performance and records indicated that they are a long established Civil Engineering Contracting Company with a substantial list of completed projects in a number of local authorities in the Cooloola Coast and Frazer Coast areas, ie Cooloola Shire, Maryborough and Hervey Bay Shire Council.*

4. *We confirm that the Development Approvals for Stages 1 to 5 were issued at the time when the Cooloola Shire Council's Policy and Development Manual required:*

1. *A five (5) percent Maintenance Security Deposit.*
2. *A twelve (12) month Maintenance Period.*

Stage 1 was placed "On Maintenance" with the above criteria. Stage 2 was placed "On Maintenance" with a five (5) percent Maintenance Security Deposit and a twenty-four (24) month Maintenance Period.

5. *It is to be noted that due to the size of this project and the associated Contract Value, even five (5) percent of the Contract is a substantial amount (\$89065.00), providing Council with considerable security in the highly unlikely case where Council has to undertake to repair any part of the works because the Developer/Contractor were unable or unwilling to undertake the repairs to any defect.*

We trust that the above provides adequate justification for the requested amendment to the previously received Decision Notice allowing for a minor modification to be issued to Condition 4(i)(b).

Should you require any additional information, please do not hesitate to contact Mr Phil Cockerill of this office or Mr Brett Lentz from Pradella Developments Pty Ltd".

Report: (Director of Engineering – Mr R.A. Fredman)

The risk with this developer, consultant and contractor is, from past performance, believed to be low.

P12/01/08

Moved: Cr WJ McIntyre

Seconded: Cr ME Prior

Recommend that Council authorise the maintenance bond for Cooloola Sands Stage 4 be reduced to 5%/2 years on the basis of their letter dated 5 December 2007.

Carried.

5/4

DA16440 - Reduction in Maintenance Bond – Buckley Drive, Monkland

Re: **Minute: P14/01/08** Reduction in Maintenance Bond – Buckley Drive, Monkland
 From: Opus Qantec McWilliam, 1/28 Reef Street, Gympie Qld 4570
 File: DA16440
 Date: 9 January 2008

“Sewer Construction over Lots 1 & 2 MPH 5030, Lots 4 & 5 MPH 19430, Lot 2 MPH 5032 & Lot 1 MPH 5773 at Buckley Drive, Monkland

I refer to the above mentioned project currently under construction and Council’s current On-Maintenance requirement of 20% Maintenance Bond and Defects Liability period of 23 months.

We would like to make formal application to Council to have these requirements reduced to 5% Maintenance Bond and Defects Liability period of 12 months.

We further advise that the Registered Professional Engineer of Queensland for the design and supervision is Mr Neil Weller RPEQ No. 1689 and that the contractor for these works is M & K Pipelines (Qld) Pty Ltd.

We trust the above is to your satisfaction and should any further information be required please contact the office”.

Report: (Director of Engineering – Mr R.A. Fredman)

There is low risk associated with any work by Opus Qantec McWilliam and M & K Pipelines.

P14/01/08

Moved: Cr FG Nissen AM

Seconded: Cr J Watt

Recommend that Council authorise the maintenance bond for Buckley Drive Monkland (DA16440) be reduced to 5% with a defects liability period of 2 years.

Carried.

5/5	Application for General Licence – Rainbow Shores Bar & Restaurant – Wyvern Road, Rainbow Beach – Rainbow Shores Pty Ltd
-----	---

Re: **Minute: P15/01/08** Application for General Licence – Rainbow Shores Bar & Restaurant – Wyvern Road, Rainbow Beach – Lot 3 on MCH843668 – Rainbow Shores Pty Ltd
 From: Licensing Administration Unit, Liquor Licensing Division
 File: PG94/00006 & DA16153
 Date: 6 December 2007

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

Should this licence be granted it would enable the holder therefore to sell liquor for consumption on the premises and off the premises (takeaway liquor).

The licence will also authorise the provision of meals and accommodation to the extent required by the Department. In addition, up to 3 bottleshops may be established within 10km of this site.

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

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

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

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

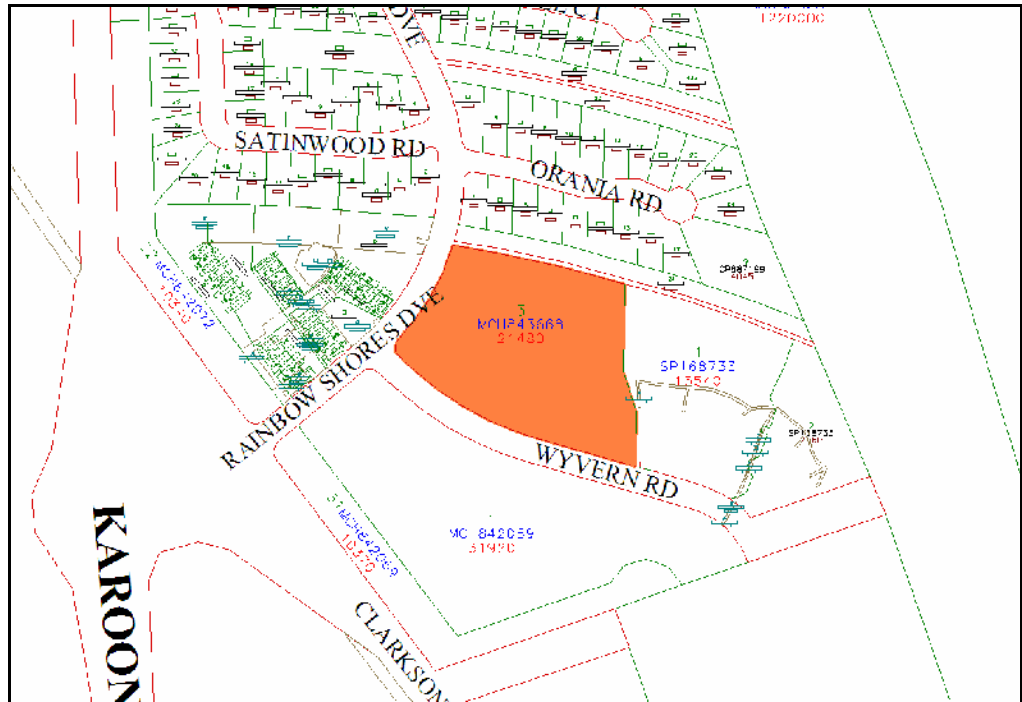
The Chief Executive cannot reply on statements that merely indicate the Council does not support, or object to the application.

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

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

Please advise whether you have any comments on, or objections to, the grant of the application. Section 117(3) of the Liquor Act 1992 provides that your comments or objection should be received by 15 January 2008.

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



Report: (Senior Planning Officer – T. M. Stenholm)

1.0 The above correspondence from Liquor Licensing requests Council’s comments in relation to an application for General Licence from Rainbow Shores Bar & Restaurant for the sale of liquor for consumption on or off the premises.

Proposed trading hours listed in the notice of application are 10:00am to 12 midnight, Monday to Saturday.

Closing date for submissions is 15 January 2008.

2.0 An application for material change of use to permit a Food or Entertainment Venue (Hotel, Function Room & Conference Centre) was approved over this site on 25 October 2007. The application was specifically lodged for the purpose of enabling the take-away sale of liquor from the existing restaurant. There is no intention nor land use approval to commence a bottleshop on the premises or elsewhere.

All relevant town planning issues have been addressed through the processing of the application for Food or Entertainment Venue (Hotel, Function Room & Conference Centre) and the associated conditions attached to the approval will require completion prior to the use commencing.

- 3.0 The Liquor Licensing Division requests Council's comments on the application with regard to social impacts and from the community's perspective.

P15/01/08 Moved: Cr IT Petersen

Seconded: Cr WJ McIntyre

Recommend that Council advise the enquirer that Council does not object to the granting of a General Licence for the Rainbow Shores Bar & Restaurant at Wyvern Road, Rainbow Beach (Lot 3 on MCH843668).

Further, an application for material change of use to permit a Food or Entertainment Venue (Hotel, Function Room & Conference Centre) was approved over this site on 25 October 2007.

All relevant town planning issues have been addressed through the processing of this application and the associated conditions attached to the approval will require completion prior to the use commencing.

Carried.

SECTION 6: MATTERS FOR COUNCIL'S INFORMATION

Nil

SECTION 7: "IN COMMITTEE" ITEMS
--

Nil

There being no further business the meeting closed at 3.33p.m.

CONFIRMED THIS THE TWENTY SECOND DAY OF JANUARY 2008.

CHAIRMAN