



Redland
CITY COUNCIL

MINUTES

GENERAL MEETING

Wednesday, 23 October 2013

The Council Chambers
35 Bloomfield Street
CLEVELAND QLD

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1 DECLARATION OF OPENING

The Mayor declared the meeting open at 10.32am and acknowledged the Quandamooka people, who are the traditional custodians of the land on which Council meets.

2 RECORD OF ATTENDANCE AND LEAVE OF ABSENCE

MEMBERS PRESENT:

| | |
|---------------|--------------------------------------|
| Cr K Williams | Mayor |
| Cr A Beard | Deputy Mayor & Councillor Division 8 |
| Cr C Ogilvie | Councillor Division 2 |
| Cr L Hewlett | Councillor Division 4 |
| Cr M Edwards | Councillor Division 5 |
| Cr M Elliott | Councillor Division 7 |
| Cr P Bishop | Councillor Division 10 |

EXECUTIVE LEADERSHIP GROUP:

| | |
|--------------|---|
| Mr B Lyon | Chief Executive Officer |
| Mr N Clarke | General Manager Organisational Services |
| Mr G Soutar | General Manager Infrastructure & Operations |
| Mr G Holdway | Chief Financial Officer |

MINUTES:

| | |
|----------------|-------------------------------------|
| Mrs E Striplin | Corporate Meetings & Registers Team |
|----------------|-------------------------------------|

LEAVE OF ABSENCE

Moved by: Cr P Bishop
Seconded by: Cr A Beard

That leave of absence be granted for Cr Paul Gleeson who is attending the 'Healthy Waterways 2013 Ecosystem Health Report Card'.

CARRIED 7/0

Crs Boglary, Hardman, Talty and Gleeson were absent from the meeting.

Moved by: Cr M Elliott
Seconded by: Cr A Beard

That leave of absence be granted for Crs Wendy Boglary and Julie Talty who are attending the '2013 Local Government Association of Queensland Conference' in Cairns.

CARRIED 7/0

Crs Boglary, Hardman, Talty and Gleeson were absent from the meeting.

APOLOGY

Cr K Hardman, Councillor Division 3

3 DEVOTIONAL SEGMENT

Rev Dr David Elvery, Birkdale Baptist Church and member of the Ministers' Fellowship led Council in a brief devotional segment.

4 RECOGNITION OF ACHIEVEMENT

4.1 KRISTEN BANKS – ROTARY INTERNATIONAL 'PRIDE OF WORKMANSHIP' AWARDS 2013

Kristen Banks, Senior Advisor Corporate Communications was a recipient of an award at the Rotary 'Pride of Workmanship' awards last night.

When Kristen Banks is looking after a project you know it will be done strategically, professionally and collaboratively. Kristen has been working in Redland City Council and for just one year and has forged a reputation for 'safe hands' for everything that she does. She's incredibly hard working, builds wonderful relationships across the organisation and delivers on everything every time, whether it be organising a large scale event for the community or developing a business prospectus for the City.

We are very fortunate to have such talented staff and Kristen is just one of the incredibly talented creative people that we have. A big thank you on behalf of Council for putting this City forward as her choice of employment, but also as she is representing Council in the broader community and doing a very good job.

4.2 HUGH CORNISH – QUEENSLAND FINALIST - ANNUAL AUSTRALIAN OF THE YEAR

The first face to appear on Queensland television in 1959 and a TV regular for many years afterwards, Hugh has made an outstanding lifetime contribution to the media industry, the arts and the community.

Among his many achievements, Hugh is a recording artist, radio announcer and television presenter.

Tragedies in his own life have driven Hugh to make a difference. He is a committed fundraiser and charity worker, helping raise \$9 million through nine telethons and more than 100 concerts that he produced and compeered. He has been an ambassador for Wesley Hospital and has supported many other charities that assist Queensland's disadvantaged.

Today, Hugh, who is 79 years young, devotes his time to improving the quality of life of people living in retirement villages. Using his gift for 'making things happen', Hugh has established a regular entertainment program at the Renaissance Retirement Village, and he is currently involved in a study of care for people with advanced dementia.

Earlier this year he and other residents of Renaissance published a calendar to raise money for cancer.

Hugh is certainly a worthy Queensland finalist.

4.3 KATRINA BUETEL – FINALIST AUSTRALIA

Challenged by her local church to turn \$100 into something meaningful to help others, Katrina launched the *Pink Pamper Pack* project in 2008. Her idea was to provide two packs each week to women struggling through difficult times. Less than three years later, Katrina had distributed nearly 600 packs and established the *Redland Centre for Women* to empower and connect women in the Redlands.

Today, Katrina leads a group of passionate volunteers, drives the distribution of *Pink Pamper Packs*, and oversees an education program which helps first time young mums, encourages women to set goals, and to live their best lives.

She also spearheads large fundraising events, including the Redlands Women's Expo which attracted more than 1100 women when held recently. The Expo is bigger and better each year.

Originally a single mother, Katrina is now married with three children, and juggles her voluntary role while working alongside her husband in the family tourism business, which just happened to win a major award at the recent Moreton Bay Tourism Awards.

Admired for her hands-on approach, Katrina is an inspiring example of how one person can make a real difference.

Redland City is proud to be home to Hugh Cornish and Katrina Beutel.

On behalf of Redland City Council and our City, I wish our champions the very best wishes for the state finals on November 13

We hope their phenomenal efforts to help others are recognised on the national stage, when the Australian of the year Awards are announced in Canberra on January 25 next year.

The Mayor presented both Hugh and Katrina with Certificates on behalf of Redland City Council.

4.4 CLAIRE CHILDS & KRISTEN WARD – REDLAND'S WALK TO CURE DIABETES

Cr Paul Bishop congratulated officers for working with Claire Child's and Kristen Ward, two members of the Redlands community who deserve recognition for their amazing achievement in going through all the processes of organising the Redlands' Walk to Cure Diabetes.

5 RECEIPT AND CONFIRMATION OF MINUTES

5.1 GENERAL MEETING MINUTES 09 OCTOBER 2013

COUNCIL RESOLUTION

Moved by: Cr M Elliott
Seconded by: Cr M Edwards

That the Minutes of the General Meeting of Council held on 9 October 2013 be confirmed.

[General Meeting Minutes 9 October 2013](#)

CARRIED 7/0

Crs Boglary, Harwood, Talty and Gleeson were absent from the meeting.

6 MATTERS OUTSTANDING FROM PREVIOUS COUNCIL MEETING MINUTES

The Chief Executive Officer presented the following item for noting:

6.1 PETITION (DIVISION 4) REQUEST TO REOPEN NORFOLK BEACH ROADWAY TO VEHICULAR TRAFFIC

At the General Meeting on 5 June 2013 Council resolved that the petition, which reads as follows, be received and referred to a Committee or officer for consideration and a report to the local government and that the principal petitioner be advised in writing accordingly.

Request for Council to "reopen Norfolk Beach roadway to vehicular traffic in accordance with the Coochiemudlo Island Land Management Plan 2004 until the sealed and signposted Victoria Parade East is completed to connect with Victoria Parade South.

A report addressing this matter will be presented to an ensuing Coordination Committee Meeting.

7 PUBLIC PARTICIPATION

MOTION TO ADJOURN MEETING

Moved by: Cr M Elliott

Seconded by: Cr P Bishop

That Council adjourn the meeting for a 15 minute public participation segment.

CARRIED 7/0

Crs Boglary, Hardman, Talty and Gleeson were absent from the meeting.

1. Mr M Flanigan, Green Australia Structural Products addressed Council regarding dust control and beautifying the Redlands.
2. Mrs Kay Murphy, resident of Thornlands, complimented Council on their achievements over the past 18 months, in particular, faster action on **8 requests and faster communication with local Councillor.

MOTION TO RESUME MEETING

Moved by: Cr M Elliott

Seconded by: Cr P Bishop

That the meeting proceedings resume.

CARRIED 7/0

Crs Boglary, Hardman, Talty and Gleeson were absent from the meeting.

8 PETITIONS AND PRESENTATIONS**8.1 INFRASTRUCTURE & OPERATIONS****8.1.1 PETITION (CR EDWARDS – DIVISION 5) – REQUEST THAT COUNCIL APPROVE CONSTRUCTION OF RECREATIONAL BOAT RAMP AND CAR PARK EXTENSION ON MACLEAY ISLAND****COUNCIL RESOLUTION**

Moved by: Cr M Elliott

Seconded by: Cr P Bishop

That Council resolve as follows:

1. That the petition, which reads as follows, be received and referred to a committee or the Chief Executive Officer for consideration and a report to the local government; and
2. That the principal petitioner be advised in writing.

“That Council approve the construction of the recreational boat ramp and car park extension on Macleay Island (MC011853) based on the plan held by Council entitled ‘Community LAT Concept – Sep 13...’”

CARRIED 7/0

Crs Boglary, Hardman, Talty and Gleeson were absent from the meeting.

8.1.2 PETITION (CR EDWARDS) – REQUEST THAT COUNCIL “... DIVIDE THE DOG OFF-LEASH AREA AT TORQUAY ROAD AND TALBURPIN ESPLANADE INTO TWO AREAS TO CATER FOR THE NEEDS OF SMALL AND LARGE DOGS...”**COUNCIL RESOLUTION**

Moved by: Cr M Elliott

Seconded by: Cr P Bishop

That Council resolve as follows:

1. That the petition, which reads as follows, is of an operational nature and be received and referred to the Chief Executive Officer for consideration; and
2. That the principal petitioner be advised in writing.

“... That Council have the existing off leash area on the corner of Torquay Road and Talburpin Esplanade subdivided into two areas to cater for the needs of small and large dogs...”

CARRIED 7/0

Crs Boglary, Hardman, Talty and Gleeson were absent from the meeting.

9 MOTION TO ALTER THE ORDER OF BUSINESS**9.1 MOTION TO ACCEPT LATE ITEM****COUNCIL RESOLUTION**

Moved by: Cr L Hewlett
Seconded by: Cr M Edwards

That the following late item be received:

1. Dual Occupancy at 13 Edinburgh Street, Victoria Point

CARRIED 7/0

Crs Boglary, Hardman, Talty and Gleeson were absent from the meeting.

10 DECLARATION OF MATERIAL PERSONAL INTEREST OR CONFLICT OF INTEREST ON ANY ITEMS OF BUSINESS

Nil.

11 MOTION TO ADJOURN GENERAL MEETING FOR THE CONDUCT OF THE COORDINATION COMMITTEE MEETING**COUNCIL RESOLUTION**

Moved by: Cr C Ogilvie
Seconded by: Cr M Edwards

That the meeting be adjourned at 11.14am to enable the conduct of the Coordination Committee meeting.

CARRIED 7/0

Crs Boglary, Hardman, Talty and Gleeson were absent from the meeting.

12 MOTION TO RECONVENE GENERAL MEETING**COUNCIL RESOLUTION**

Moved by: Cr M Elliott
Seconded by: Cr C Ogilvie

That the General Meeting be reconvened at 11.23am.

CARRIED 7/0

Crs Boglary, Hardman, Talty and Gleeson were absent from the meeting.

13 ADOPTION OF COMMITTEE MEETING REPORT & RECOMMENDATIONS**13.1 COORDINATION COMMITTEE MEETING – 23 OCTOBER 2013****COUNCIL RESOLUTION**

Moved by: Cr A Beard
Seconded by: Cr P Bishop

That the Report and Recommendations of the Coordination Committee meeting held 23 October 2013 be adopted.

[Coordination Committee Report 23 October 2013](#)

CARRIED 7/0

Crs Boglary, Hardman, Talty and Gleeson were absent from the meeting.

14 MAYORAL MINUTES

Nil.

15 NOTICES OF MOTION TO REPEAL OR AMEND RESOLUTIONS

Nil.

16 NOTICES OF MOTION

Nil.

17 PORTFOLIO 7 (LATE ITEM) (CR JULIE TALTY)**PLANNING & DEVELOPMENT****17.1 COMMUNITY & CUSTOMER SERVICES****17.1.1 DUAL OCCUPANCY AT 13 EDINBURGH STREET, VICTORIA POINT**Dataworks Filename: **MCU012828**Attachment: [Plans and Elevations](#)

Authorising/Responsible Officer:

**Louise Rusan
General Manager Community & Customer
Services**

Author:

**Eskinder Ukubamichael
Acting Senior Planner, Planning
Assessment****PURPOSE**

| | |
|--|---|
| Application Type | Code Assessment |
| Proposed Use | Dual Occupancy |
| Property Description | Lot 14 on RP64488 |
| Location | 13 Edinburgh Street Victoria Point QLD 4165 |
| Land Area | 1222.0 Square Metres |
| Zoning | UR - Urban Residential |
| Designated Community Infrastructure | Not Applicable |
| Overlays | Acid Sulfate Soils Overlay Flood Storm and Drainage Constrained Land Overlay |
| SEQ Regional Plan 2009-2031 - Land Use Category | Urban Footprint |
| No. of Public Submissions | Not Applicable |
| Applicant | Mr T Barker |
| Land Owner | Mr A J Barker, Mr D A Barker, Mr W J Barker, Mr N R Barker |
| Properly Made Date | 30/04/2012 |
| Start Decision Stage | 22/08/2012 |
| Statutory Decision Date | 10/10/2013 |
| Application Coordinator | Eskinder Ukubamichael |
| Manager | Andrew Veres |
| Officer's Recommendation | Development Permit |

This Category 4 application is referred to Coordination Committee for determination at the request of the divisional Councillor.

EXECUTIVE SUMMARY

Council has received an application seeking a Development Permit for a Material Change of Use (Code Assessment) for a Dual Occupancy on an allotment zoned Urban Residential, on land at 13 Edinburgh Street, Victoria Point.

The proposal consists of an existing single storey dwelling unit and a new two storey detached dwelling unit on a 1222m² allotment.

The application was made in accordance with the *Sustainable Planning Act 2009* and did not require public consultation. The proposal required referral to an advice agency.

Key Issues with the application are:

- Finished floor levels;
- Development over a sewer line; and
- Land dedication for cycleway.

The application has been assessed against the relevant sections of the Redlands Planning Scheme (RPS). The proposal generally complies with the RPS. The use is appropriate in the zone. Issues in relation to floor levels and building over a sewer line have been addressed in the report and conditions are proposed to ensure that the dwelling units function effectively in this regard.

Land dedication to accommodate a future cycleway in accordance with the Priority Infrastructure Plan (PIP) is not recommended. This is on the basis that the location of the future cycleway may change, further to a recent resolution of Council to review the PIP.

It is recommended that the application be granted a **Development Permit**, subject to conditions. The applicant will be required to obtain a number of additional permits prior to construction of the development.

PLANNING HISTORY

No relevant planning history.

DEVELOPMENT PROPOSAL & SITE DESCRIPTION

| | Unit 1 (existing) | Unit 2 |
|------------------------------------|--|---|
| Storeys: | 1 | 2 |
| Maximum Height above Ground Level: | Approximately 4.5 metres | 8.4 metres |
| Site Cover: | 393.2m ² over 1222m ² 32.1% (total) | 393.2m ² over 1222m ² 32.1% (total) |
| Design Features: | Internally there are three bedrooms, living/dining room, bathroom and laundry. A verandah on back side of the existing dwelling house, raised on stumps. | Internally there are three bedrooms, meals/lounge room, bathroom and laundry. An entry porch and decks are included on the design of the dwelling. Raised on steel posts. |
| Car Parking Provision: | A double garage on the ground level of the dwelling. | A double carport is proposed which has been integrated into the dwelling design. |
| External Construction Materials: | Weatherboard house on stumps with the roof being metal sheets. | A mixture of fibre cement, plywood and galvanised sheet steel wall cladding with corrugated sheet for roofing. |
| Front setback: | 7.2m to Outer Most Projection (OMP). | 3.5m to Outer Most Projection (OMP). |
| Side boundary setbacks: | Side from north-west = 1.5m to the OMP. | Side from south-east = 4.0m to OMP |
| Rear boundary setback: | More than 8.0m | More than 8.0m |

Proposal

The proposal is for development of a second detached two storey dwelling (Unit 2) besides an existing dwelling house (Unit 1), on an allotment with an area of 1222m². The specific details of the proposal are as follows:

Site & Locality

The site has frontage of approximately 37m to Edinburgh Street. The site is improved by a single storey dwelling house and a shed. The land slopes from west (2.8m AHD) to east (1.37m AHD). The lot backs on to the shore line of Moreton Bay. The lot has mature vegetation predominantly along frontage off the site. A sewer pipe exists along the shore line boundary of the lot.

Adjacent and nearby allotments are zoned Urban Residential

- North-eastern side – Urban Residential lots predominantly with single and two storey dwelling houses.
- North-eastern side – Urban Residential lots predominantly with single and two storey dwelling houses.
- East side – Moreton Bay
- South side – Urban Residential lots predominantly with single and two storey dwelling houses.

CONSULTATION

Councillor

Copies of the original proposal were provided to the Councillor for Division 4 on 27 April 2012.

Engineering Assessment

Council's Engineering Assessment Team has assessed the proposed development and considered it satisfactory.

Environmental Assessment

Council's Environmental Assessment Team has assessed the proposed development and considered it satisfactory.

City Infrastructure Group

The property frontage on Moreton Bay is on the Cycleway Trunk Network (and forms part of future Moreton Bay Cycleway link identified in the PIP). Council's past practice has been to acquire the corridor at the time of development, which Council has undertaken in nearby properties in the area. The normal width of acquisition is for a minimum of 5 metres or the corresponding overarching designated planning zone. After an in field inspection CIG believes that this could be reduced to 4 metres for a short length past this property and still provide an acceptable level of service without extension onto the bay utilising a boardwalk.

The recent Council resolution to review the PIP in relation to the Moreton Bay Cycleway will be undertaken as part of the larger PIP and subsequent Planning Scheme review. It is recommended that this cycleway review remain part of this statutory process as there is still detailed assessment required to implement a review and comply with the statutory processes.

Any variation to the PIP corridor alignments must be via Council resolution which should consider levels of service, costs and wider community expectations.

APPLICATION ASSESSMENT

Sustainable Planning Act 2009

The application has been made in accordance with the *Sustainable Planning Act 2009* Chapter 6 – Integrated Development Assessment System (IDAS) and constitutes an application for Material Change of Use under the Redlands Planning Scheme.

SEQ Regional Plan 2009-2031

The site is located within the Urban Footprint in the SEQ Regional Plan 2009-2031.

State Planning Policies & Regulatory Provisions

| State Planning Policy / Regulatory Provision | Applicability to Application |
|---|---|
| SEQ Koala Conservation SPRP | The site is classified as 'Medium Other'. No habitat trees are being removed. The layout does not present any significant barrier to koala movement, and therefore complies with Division 6 of the SPRP, Column 2 Item 3. No conditions are required. |
| SPRP (Adopted Charges) | The development is subject to infrastructure charges in accordance with the SPRP (adopted charges) and Council's adopted resolution. Details of the charges applicable have been provided under the Infrastructure Charges heading of this report. |

Redlands Planning Scheme

The application has been received and assessed under the Redlands Planning Scheme version 4.

Zone Code

The subject lot is zoned Urban Residential. The proposed development has been assessed against the provisions of the Urban Residential Zone Code, and is considered to comply with the code as follows:

- Uses and Other Development – The proposal for a dual occupancy is consistent with intended development within the zone.
- Built Form and Density – The proposed and existing dwelling with an approximate height of 8.4m and 4.5m respectively are within the probable solution height of 8.5 metres. The proposed site coverage of 32.1% is less than the 50% nominated in the probable solution. The density of the development is in accordance with the intended 1 dwelling unit per 400m² of site area.

- Amenity – The proposal has been sited to ensure solar access is available to the dwelling units and is not restricted to adjoining sites. A sufficient private open space area, which is accessible to the living area of the dwelling units, has been provided. It is not considered that the proposal will cause a nuisance in relation to air quality, noise, lighting or traffic movements, as it is expected that these will be compatible with that experienced in a residential environment.
- Environment – Existing trees are a 50/50 mix of natives & exotics. No trees are to be removed. An arborist report confirms that retained trees adjacent to the proposed dwelling are exotics. Conditions relating to excavation and fill, erosion prevention, sediment control, and landscaping species are recommended.
- Infrastructure – It is considered that the site should be able to be serviced by reticulated water and sewer, road access, energy, telecommunications and waste and recycling collection services. The nominated point of stormwater discharge is to kerb and channel on Edinburgh Street.

Specific Outcome S5.4(1)(b) seeks that uses provide and upgrade pedestrian and cycle paths. The lot is on an alignment identified in the current (PIP) as a trunk cycleway connection for the Moreton Bay Cycleway (P59 Victoria Point to north Redland Bay). This connection is identified as a 3.0m wide concrete path.

S.649 of the SPA provides that Council may impose conditions ‘...if trunk infrastructure identified in the Priority Infrastructure Plan...is located on the premises.’ In this case Council can reasonably impose a condition for dedication of the land necessary to accommodate the cycleway shown in the PIP. That has been the past and ongoing practice of Council. The landowner receives ‘compensation’ for the value of the land, funded from developer contributions in part.

However, at the general meeting of Council on 9 October, an urgent item of business resulted in a resolution of Council to review the Moreton Bay Cycleway in the PIP. The urgent item of business was a result of this application and the likely dedication of land.

There is consequently a distinct possibility that the alignment of the cycleway may change, such that it is no longer along the foreshore or on the subject property. Therefore, whilst the land dedication would normally be sought by condition of approval, it is not recommended in this case due to the recent resolution of Council to review the cycleway.

There is a distinct risk to Council in not acquiring the land as part of this development approval, as provided by the SPA. However, there is also a possibility that Council could acquire the land, pay compensation to the owner and subsequently not locate the cycleway on the current alignment.

On balance it is considered that the best approach is to ensure that the dual occupancy does not preclude, to the extent possible, the future cycleway being provided on the subject property, pending the PIP review. This results in a recommended condition to locate the second dwelling 1m toward the front boundary, but no land dedication condition.

Council has powers to acquire the land in the future, separate to the development approval if the cycleway remains on the same alignment.

Use Code

The proposal for a Dual Occupancy has been assessed against the Dual Occupancy Code. The proposed development is considered to comply with the code as follows:

- Location/Site Size and Density – The proposal is located on land intended for residential purposes and is sufficient in size to provide for the needs of this housing type.
- Site Layout and Building Design – The proposal is within the 8.5 and 2 storey nominated building height. The site coverage is within the 50% provision. Side and rear setbacks comply with the probable solutions. It is considered that the dwellings have been appropriately sited to ensure sufficient solar access is available to the development and that solar access has not been restricted to adjoining sites.
- Probable Solution P3 seeks that the building is setback 6 metres from the front boundary. The proposal includes a setback of 3.5m from the front boundary for the new dwelling, proposed to be further reduced to 2.5m by way of condition as noted above. The proposal is considered to meet the specific outcome as the proposed dwelling is located at the end of a cul-de-sac and therefore has no impact upon the rhythm of the streetscape in this regard. The dwelling contributes to an attractive streetscape and the building contains variation in design.
- Visual Privacy – Appropriate conditions will be in place to achieve privacy between dwelling units.
- Acoustic Amenity – It is expected that the proposed residential use will not have a negative impact on the amenity of the area.
- Access and Parking – One covered car parking space is provided for each unit.
- Landscaping – Existing vegetation along the front boundary is maintained and more than 15% of the site is planted/grassed.
- Open Space Design– An area of sufficient size, dimensions and slope is available on site for open space purposes. The area has sufficient solar access, being located on the northern side of the dwelling, and is directly accessible from the main living area.
- Safety and Security – The use is designed to present the front door and a habitable room window to the street.
- Service Facilities – Sufficient facilities has been provided for on-site or have been required as conditions of approval. There is sufficient area at the back of the lot that could be used for clothes drying area, bin storage and locating a storage domestic outbuilding.

Overlays

The subject lot is affected by the following overlays:

| Assessable Codes | Officers comment | Conditioned | Complies |
|---|---|-------------|----------|
| Acid Sulphate Soils Overlay | The site is below 5 metres AHD elevation where acid sulphate investigation is considered. In this case the dwelling is on stumps and soil disturbance is well below the statutory 100m ³ action level. No conditions are required. | N/A | Yes |
| Flood Storm and Drainage Constrained Land Overlay | The FFL for the proposed dwelling unit is 3.5m AHD and the pad level is 2.4m AHD. The proposal meets the specific outcomes of the code. | N/A | Yes |

Other Codes and Policies

The subject lot is affected by the following codes:

| Assessable Codes | Comments | Conditioned | Complies |
|---|---|-------------|----------|
| Development Near Underground Infrastructure | Council will replace a 375mm UPVC class SN12 sewer pipe from sewer Manhole number 30/2, maximo asset number 47269; to Manhole number 30/1, maximo asset number 47270 before construction of the dwelling house. | Yes | Yes |
| Domestic Driveway Crossover Code | Requirements of this code will form a condition of approval. | Yes | Yes |
| Erosion Prevention and Sediment Control | Only minimal construction activities required for the proposed development. | Yes | Yes |
| Infrastructure Works Code | All necessary provisions for infrastructures will be available. | N/A | Yes |
| Stormwater Management Code | Storm water will be diverted to the kerb on the street. | Yes | Yes |
| Landscape Code | Requirements of this code will form a condition of approval. | Yes | Yes |

Priority Infrastructure Plan

| Priority Infrastructure Plan | Applicability to Application |
|------------------------------|--|
| Priority Infrastructure Plan | <p>This property is on an alignment identified in the current PIP as a trunk cycleway connection for the Moreton Bay Cycleway (P59 Victoria Point to north Redland Bay).</p> <p>The purpose of the priority infrastructure plan is to:</p> <ul style="list-style-type: none"> • integrate and coordinate land use planning and infrastructure planning; • ensure that trunk infrastructure is planned and provided in an efficient and orderly manner. <p>This cycleway connection is identified as a 3.0m wide concrete path. A land dedication/acquisition of 4m set-back from the bay side property boundary would typically be recommended. However, it is not in this case, as noted in the zone code assessment.</p> |

INFRASTRUCTURE CHARGES

The proposed development is subject to infrastructure charges in accordance with the State Planning Regulatory Provision (adopted charges). The total Redland City Council infrastructure charge applicable to this development is **\$28,000**.

This charge has been calculated as follows in accordance with Council's [Adopted Infrastructure Charges Resolution \(amendment 1.3\) July 2012](#):

Two (2) Units X \$28,000 – \$28,000 (100% credit for existing single dwelling)
=\$28,000

STATE REFERRAL AGENCIES

- **Department of Environment and Resource Management (Advice)**

The Department of Environment and Resource Management (DERM), now the Department of Environment and Heritage Protection (DEHP), provided an advice agency response dated 22 May 2012. The Department advised:

- Protection of the adjacent wetland if high ecological values are present - (High values are not mapped for this location).
- Maintenance of water quality – (This is considered achieved with respect to the scale of development).
- Maintenance of habitat and biodiversity values. DERM recommend a development envelope or setback of 50m minimum to the development for an urban area – (A development envelope on a 1222m² lot with a dual occupancy leaves little room for significant conservation activity. The lot contains an existing dwelling within 15m of the wetland. The suggested setback cannot be achieved, and would serve little purpose in any case).

PUBLIC CONSULTATION

The proposed development is Code assessable and did not require public notification.

STRATEGIC IMPLICATIONS

Legislative Requirements

In accordance with the Sustainable Planning Act, the code assessable application has been assessed against the Redlands Planning Scheme and the decision is due on 24 October 2013.

Risk Management

If the decision is not made, to refuse or approve the proposal on or before 24 October 2013, the applicant may issue a deemed approval notice to Council.

Financial

Nil financial implications if approved. If refused, there is a potential that an appeal will be lodged.

People

Maintain and enhance safe public access to the foreshore for the benefit of the whole community.

Environmental

Nil implications.

Social

Nil implications. Code assessable.

Alignment with Council's Policy and Plans

The proposal and recommendation is generally considered to align with Council's policies and plans. This property is on an alignment identified in the current Priority Infrastructure Plan (PIP) as a trunk cycleway connection for the Moreton Bay Cycleway (P59 Victoria Point to north Redland Bay). This is considered above.

CONCLUSION

The proposed Dual Occupancy has been assessed against the Redlands Planning Scheme. Issues in relation to finished floor level, development over a sewer line and land dedication for cycleway link have been addressed in the assessment and report and conditions are proposed. The proposal is considered compliant with the scheme. It is therefore recommended that the proposal be granted a **Development Permit**, subject to conditions.

OPTIONS

1. That Council resolves to adopt the officer's recommendation;
2. That Council resolves to adopt the officer's recommendation, but requires dedication of land for the future cycleway shown in the PIP;
3. That Council resolves to refuse the development application.

COUNCIL RESOLUTION

Moved by: Cr L Hewlett
 Seconded by: Cr M Edwards

That Council resolve that the application for material change of use for the purpose of a Dual Occupancy on the land known as 13 Edinburgh Street Victoria Point QLD 4165 described as Lot 14 on RP64488 be approved and a development permit be granted subject to the following conditions:

A. ASSESSMENT MANAGER CONDITIONS

| ASSESSMENT MANAGER CONDITIONS | TIMING |
|--|--|
| 1. Comply with all conditions of this approval, at no cost to Council, except condition 19, at the timing periods specified in the right-hand column. Where the column indicates that the condition is an ongoing condition, that condition must be complied with for the life of the development. | |
| Approved Plans and Documents | |
| 2. Undertake the development in accordance with the approved plans and documents referred to in Table 1, subject to the conditions of this approval and any notations by Council on the plans. | Prior to the use commencing. Ongoing condition. |

| Plan/Document Name | Reference/Drawing Number | Prepared By | Date received by the Council |
|---------------------------------|--|-----------------------|------------------------------|
| Site "as amended in red" | SK1A – 1 (dated Jan 13) | Robert Hepburn Design | 05 February 2013 |
| Ground Floor Plan | SK2B (dated Jan 13) | Robert Hepburn Design | 05 February 2013 |
| First Floor Plan | SK3b (dated Jan 13) | Robert Hepburn Design | 05 February 2013 |
| Roof Plan | SK4 (dated Jan 13) | Robert Hepburn Design | 05 February 2013 |
| SW and NW Elevations | SK5A (June 12) | Robert Hepburn Design | 23 August 2012 |
| NE Elevations | SK6 (dated March 12) | Robert Hepburn Design | 23 August 2012 |
| Site Plan and Foundation Detail | Drawing No. S1.02 (P2 dated 20.06.13) | Robert Bird Group | 29 June 2013 |
| Landscape Master Plan | Dwg No. LSI 01200801 (Issue A dated March 2012) | Byrns Lardner | 23 August 2012 |
| Understorey Planting Plan | Dwg No. LSI 201200802 (Issue A dated March 2012) | Byrns Lardner | 23 August 2012 |

Table 1: Approved Plans and Documents

| Design | |
|---|---|
| <p>3. Locate the proposed dwelling 2.5m from the front boundary.</p> | <p>Prior to the use commencing.</p> <p>Ongoing condition.</p> |
| <p>4. Locate, design and install outdoor lighting, where required, to minimise the potential for light spillage to cause nuisance to neighbours.</p> | <p>Prior to the use commencing.</p> <p>Ongoing condition.</p> |
| <p>5. Comply with the following requirements where it is proposed that habitable room windows will be within a distance of 6m, and within an angle of 45 degrees, and directly adjacent to habitable rooms of neighbouring dwelling units:</p> <ul style="list-style-type: none"> a) For windows to the ground floor, screened by a minimum 1.5m high boundary fence; or b) Provide sill heights a minimum of 1.5m above floor level; or c) Provide fixed translucent, such as frosted or textured glazing, for any part of the window less than 1.5m above floor level; or d) Provide fixed external screens that are: <ul style="list-style-type: none"> i) Solid translucent screens; or ii) Perforated panels or trellises that have a maximum of 25% openings, with a maximum opening dimension of 50mm, and that are permanently fixed and durable; and iii) Offset a minimum of 300mm from the wall of the building. | <p>Prior to the use commencing.</p> |
| Landscaping | |
| <p>6. Ensure that landscaping for the development is generally in accordance with the Landscape Master Plan by Byrns Lardner, Issue A, Dwg No. LSI 201200801, March 2012 and Understorey Planting Plan by Byrns Lardner, Issue A, Dwg No. LSI 201200802, March 2012, subject to the following:</p> <ul style="list-style-type: none"> • Plant the front landscape strip at an average density of one plant per square metre, comprising a mix of trees, shrubs and groundcovers. Within this mix, plant at least two tree species. <p><i>Advice: Suggested plant spacing – groundcovers at 600mm-1.0m, shrubs at 2.0-2.5m, trees at 5.0m.</i></p> <ul style="list-style-type: none"> • Provide organic mulch to all garden bed areas at a minimum depth of 100mm. • Arrange with Council for the following inspections to be carried out at the following stages: <ul style="list-style-type: none"> ○ Compliance inspection – on completion of landscaping works required by this approval and its conditions. The | <p>Prior to the use commencing.</p> <p>Ongoing condition.</p> |

| | |
|---|---------------------------------|
| development must pass the Compliance inspection before the use commences. | |
| 7. Ensure that fencing adjoining Moreton Bay is less than 1.2m high and at least 60% transparent. | |
| Construction | |
| 8. Install and maintain a Tree Protection Zone (TPZ) around each existing tree that is identified for retention on the approved plans. The TPZ must be designed and installed in accordance with Australian Standard AS4970-2009: Protection of Trees on Development Sites. | Prior to site works commencing. |
| 9. Undertake any corrective pruning to existing trees that are identified for retention on the approved plans in accordance with Australian Standard AS4373:2007: Pruning of Amenity Trees. | During site works. |
| 10. Install erosion and sediment control measures prior to commencement of the civil works, earthworks and construction phases of the development to minimise the export of silts, sediment, soils and associated pollutants from the site. Design, install and maintain the above measures in accordance with the Redlands Planning Scheme Policy 9, Chapter 4 Erosion Prevention and Sediment Control and the Institute of Engineers' Erosion and Sediment Control Guidelines. | Prior to site works commencing. |
| 11. Undertake any required excavation and fill works in accordance with the following: <ul style="list-style-type: none"> • Design retaining walls/structures to have a minimum design life of 60 years and to be in accordance with Australian Standard 4678:2002 – Earth Retaining Structures (as amended). • Undertake compaction in accordance with Australian Standard 3798:2007 – Guidelines on earthworks for commercial and residential developments (as amended) and Australian Standard 2870:2011 – Residential Slabs and Footings (as amended). • Comply with the relevant requirements of the Building Regulations 2006 (as amended) where involving gradients or embankments. | During construction. |
| 12. Provide temporary drainage during the building construction phase such that discharge from all constructed roofs and paved areas is disposed of to a lawful point of discharge in accordance with the Queensland Urban Drainage Manual (QUDM) Section 3.02 'Lawful Point of Discharge'. Maintain the temporary system for the duration of the building works. | During construction. |
| 13. Rectify any damage done to the road verge during construction, including topsoiling and re-turfing. | Prior to the use commencing. |
| 14. Pay the cost of any alterations to existing public utility mains, services or installations due to building and works in relation to the proposed development, or any works required by conditions of this approval | At the time of works occurring. |

| | |
|---|---|
| <p>with the exception of costs related to condition 20. Any cost incurred by Council must be paid at the time the works occur in accordance with the terms of any cost estimate provided to perform the works, or prior to plumbing final or the use commencing, whichever is the sooner.</p> | |
| Flood and Storm Tide | |
| <p>15. Any proposed fill must leave a clear path free of obstruction to allow for stormwater overland flow and for sea water to drain back to the sea after the water has reached a peak. No ponded areas are to be formed as a result of the fill and no stormwater is to be directed to adjoining lots.</p> | <p>Prior to the use commencing.</p> |
| Services and Infrastructure | |
| <p>16. Construct the driveway crossover in accordance with Council's Standard Drawing No. R-RSC-2 where kerb and channel exists or R-RSC-16 where a roadway table drain exists.</p> <p>Locate the driveway so that there is no removal or damage to existing street trees.</p> | <p>Prior to the use commencing.</p> |
| <p>17. Connect the development to external reticulated sewer, external reticulated water and underground electricity supply.</p> | <p>Prior to the use commencing.</p> |
| <p>18. Convey roof water and surface water in accordance with the Redlands Planning Scheme Policy 9 Chapter 6 – Stormwater Management to:</p> <ul style="list-style-type: none"> • A lawful point of discharge kerb and channel on Edinburgh Street. | <p>Prior to the use commencing and ongoing.</p> |
| <p>19. Contact Council (Redland Water and Waste) to replace a 375mm UPVC class SN12 sewer pipe from sewer Manhole number 30/2, maximo asset number 47269; to Manhole number 30/1, maximo asset number 47270 before construction of the dwelling house. Council will bear full costs of works required to replace the sewer.</p> | <p>Prior to site works commencing.</p> |
| <p>20. Manage stormwater discharge from the site in accordance with the Redlands Planning Scheme Policy 9 Chapter 6 – Stormwater Management, so as to not cause an actionable nuisance to adjoining properties.</p> | <p>Prior to the use commencing and ongoing.</p> |
| <p>21. Comply with the Water Sensitive Urban Design (WSUD) Deemed to Comply Solutions for South East Queensland.</p> | <p>Prior to the use commencing and ongoing.</p> |
| <p>22. Provide a refuse storage area on site, for each dwelling unit that is screened from view and located a minimum of 6m from the front property boundary, for the storage of a minimum of two (2) waste collection bins per dwelling (ie one waste bin and one recycle bin for each dwelling).</p> | <p>Prior to the use commencing and ongoing.</p> |

ADDITIONAL DEVELOPMENT PERMITS AND COMPLIANCE PERMITS

The following further Development Permits and/or Compliance Permits are necessary to allow the development to be carried out. Please be aware that details of any further approvals, other than a Development Permit or Compliance Permit, are provided in the 'Advice' section of this decision.

- Building Works approval.

ASSESSMENT MANAGER ADVICE

- **Other Approvals**
Please be aware that other approvals may be required for your development. This includes, but is not limited to, the following:
 - Plumbing and drainage works.
 - Road Opening Permit – for any works proposed within an existing road reserve.

- **Live Connections**
Redland Water is responsible for all live water and wastewater connections. It is recommended that contact be made with Redland Water to arrange live works associated with the development.

Further information can be obtained from Redland Water on 1300 015 561.

- **Hours of Construction**
Please be aware that you are required to comply with the *Environmental Protection Act* in regards to noise standards and hours of construction.

- **Street Trees**
Contact Council's Parks and Conservation team prior to any pruning being carried out on existing street trees.

- **Sea Level Rise**
The Queensland Coastal Plan (QCP) commenced on 3 February 2012. The QCP predicts sea level rise in the future. The projections in the QCP should be taken into account in the planning and development of the site in order to protect the safety of people and property. Further to this, the State Government has published the Draft Coastal Protection State Planning Regulatory Provision. This planning instrument took effect on 8 October 2012 and suspends the operation of the QCP relevant to development assessment.

Development Permits issued by Council are based upon current lawful planning provisions which do not necessarily respond immediately to new and developing information on sea level rise. Independent advice about this issue should be sought.

- **Survey and As-constructed Information**
Upon request, the following information can be supplied by Council to assist survey and engineering consultants to meet the survey requirements:
 - a) A map detailing coordinated and/or levelled PSMs adjacent to the site.
 - b) A listing of Council (RCC) coordinates for some adjacent coordinated PSMs.
 - c) An extract from Department of Natural Resources and Mines SCDM database for each PSM.
 - d) Permanent Survey Mark sketch plan copies.

This information can be supplied without charge once Council received a signed declaration from the consultant agreeing to Council's terms and conditions in relation to the use of the supplied information.

Where specific areas within a lot are being set aside for a special purpose, such as building sites or environmental areas, these areas should be defined by covenants. Covenants are registered against the title as per Division 4A of the *Land Title Act 1994*.

- **Services Installation**

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

- **Fire Ants**

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

- **Cultural Heritage**

Should any aboriginal, archaeological or historic sites, items or places be identified, located or exposed during the course or construction or operation of the development, the *Aboriginal and Cultural Heritage Act 2003* requires all activities to cease. For indigenous cultural heritage, contact the Department of Environment and Heritage Protection.

CARRIED 4/3

Crs Ogilvie, Elliott and Bishop voted against the Council Resolution.
Crs Boglary, Hardman, Talty and Gleeson were absent from the meeting.

18 URGENT BUSINESS WITHOUT NOTICE

Nil.

19 MEETING CLOSURE

There being no further business, the Mayor declared the meeting closed at 11.14am.

Signature of Chairperson: _____

Confirmation date: _____