

PROPOSAL TO ACQUIRE DEVELOPMENT APPROVALS TO CONSTRUCT THE PROPOSED BOAT RAMP AND CAR PARK ON MACLEAY ISLAND

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| Dataworks Filename: | RTT Maintenance: Marine Landing Facilities – Macleay Island |
| Attachments: | <u>Attachment 1 Concept Capping Plan</u> <u>Attachment 2 Site Plan Macleay Island</u> <u>Attachment 3 Fisheries Queensland letter - Capping support 2011</u> |
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EXECUTIVE SUMMARY

Council officers seek to provide Council with an overview of a current development application for a new recreational boat ramp and associated car parking facilities (proposed development) on Macleay Island.

This report will outline a recommended methodology to acquire the necessary planning approvals and allow construction of the proposed development. The tasks outlined in this report will satisfy the legislative requirements for Council and State Government and allow the proposed development to progress in the shortest possible timeframe.

It is recommended that Council resolve to support:

1. An operational works application for extension of sea wall and selective filling, as per attached preliminary site plans.
2. Finalise the current Material Change of Use application to allow for the construction of a new recreational boat ramp and reconfiguring of the existing car park (to the extent of the scope of works agreed to by the referral agencies).
3. Preparation of a new Material Change of Use application on the site (14-22 Russell Terrace, Macleay Island) for the construction of a new car park to provide associated parking facilities for the recreational boat ramp (balance of works not approved in the previous MCU application).
4. Securing environmental offsets, both marine and terrestrial to compensate for the unavoidable loss of vegetation as a result of the proposed development.

PURPOSE

The purpose of this report is to seek Council support to resolve the current development application and acquire the relevant approvals to allow construction of the proposed development. The development approvals that need to be acquired are:

- Material Change Of Use for a Vehicle Parking Station and Marine Facilities; and
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- Operational works, including prescribed tidal works for the extension of the sea wall and filling of the development site.

Once the development application process has been finalised, Council will be able to construct a new recreational boat ramp and associated car parking facilities adjacent to the existing ferry terminal and public car park. This will provide the Macleay Island community with a separate all-tide boat ramp for recreational boaters, reduce the parking issues at the existing car park and mitigate an asbestos contamination currently associated with the proposed development site.

It is considered that the implementation and completion of the proposed development, as per the recommendation would likely take until end 2013.

BACKGROUND

A development application was lodged to Redland City Council on 21 September, 2009 by Worley Parsons on the behalf of Redland City Council's Infrastructure Planning Group. The development application is for the extension of the existing public car park and establishment of a new all-tide recreational boat ramp (proposed development) on Macleay Island.

The aim of the proposed development is to resolve a significant safety issue between commercial operators and recreational boaters at the existing and only all-tide boat ramp at Macleay Island. The present situation involves recreational boaters sharing the boat ramp with commercial operators, being the barge service to Macleay Island, as well as sharing the public parking spaces with commuters utilising the ferry services to other SMBI islands and the mainland.

Providing recreational boaters with a separate all-tide boat ramp and increased parking facilities is the main purpose of the proposed development. However, there are two other issues that will be addressed if the development were to proceed.

The second key issue is the presence of asbestos on the site of the proposed development. Asbestos contamination present on the site adjacent to the existing ferry terminal and car park. This site is proposed to become the associated parking facilities for the new all-tide recreational boat ramp. The presence of asbestos has resulted in the construction of a security fence around the perimeter of the site to prevent public access. It is important to note that this issue will be resolved by the proposed operational works application.

The third issue is the provision of parking spaces at the ferry terminal. It is important to note that the presence of asbestos and the provision of parking spaces for ferry passengers are separate issues from the proposed development, however they can be resolved if the proposed development were to proceed to construction. The current ferry terminal car park is filled to capacity each morning during the week. This causes access issues to residents who use the ferry service throughout the day (predominantly elderly or disabled) who are required to traverse larger distances to the ferry terminal. This issue can be resolved as part of the reconfiguration of the existing car park and increased provision of alternative transport options as well as providing better access to other car parks in proximity to the ferry terminal.

DEVELOPMENT APPLICATION PROCESS

Material Change of Use for a Vehicle Parking Station and Marine Services and Operational Works for Prescribed Tidal Works (Current Development Application – MC011853)

The purpose of the proposed development is to alleviate significant safety issues by separating recreational boaters from commercial operators at the existing single all-tide boat ramp as well as providing commuters using the ferry terminal their own car park. The proposed development will also reconfigure of the existing ferry terminal car park to increase parking spaces, by removing existing boat trailer parking, as well as providing increased pedestrian access and alternative transport options, being public transport and bicycle storage.

The following State Government agencies were triggered as referral agencies and therefore assess the development application against their legislative requirements, being:

- Department of Environment and Heritage Protection (DEHP) formally the Department of Environment and Resource Management (DERM); and
- Fisheries Queensland (FQ) part of the Department of Agriculture, Fisheries and Forestry (DAFF) formally part of the Department of Employment, Economic Development and Innovation (DEEDI).

DEHP assessed the proposed development and issued Decision Notice for a preliminary approval, subject to providing detailed design for the proposed development. The detailed design will be undertaken as of the Operational Works application and therefore Council is able to proceed with the proposed development.

FQ issued a Decision Notice which supported the construction of a new all-tide boat ramp however refused the extension of the existing car park, due to the presence of fish habitat (i.e. mangroves). This means Council could construct a new boat ramp, however would need to utilise the existing car park to provide the necessary boat-trailer parking spaces. It is important to note that the existing car park has 4 boat trailer parking spaces and the available parking for residents using the ferry service is filled to capacity and overflowing to temporary car parks surrounding the site every weekday. Therefore, if the proposed development were to continue in accordance with FQs decision notice, it would exacerbate the existing parking and traffic issues.

Upon receiving the Decision Notices from the referral agencies the development application was paused as per s3.5.9 (1) of the Integrated Planning Act 1997. The development application is currently paused to undertake negotiations with FQ.

It is recommended to re-start current development application, which is in the Decision Making period, and receive a Decision Notice subject to the current referral agency decisions. This Decision Notice will result in the approval for stage 1 being the reconfiguration of the existing ferry terminal and a new recreational boat ramp and refusal for stage 2 being the proposed extension of the car park (as per Fisheries Queensland decision notice).

Operational Works– Extension of sea wall and selective filling of site

The operational works phase of a development is also referred to the detailed design or engineering approval phase of a development. This is the part of a development where an applicant demonstrates, via detailed design, how the development will be constructed.

Although FQ refused to support the extension of the car park, negotiations have resulted in FQ advising Council that they would support the site to be filled for the purpose of mitigating an asbestos contamination (correspondence attached). Therefore, an operational works application is being prepared to extend the current sea and selectively fill the site to resolve the current asbestos contamination, by entombing the asbestos.

An Asbestos Management Plan has been prepared for the proposed development site which provides recommendations to mitigate the contamination issue. In accordance with the findings of the Asbestos Management Plan it is recommended that the construction of a sea wall and selective filling of the site is the most effective way to mitigate the asbestos contamination.

By undertaking operational works, Council will resolve the asbestos contamination on the site as well as removing the requirement for Fisheries Queensland being involved in any future development applications on the site. This will allow Council to proceed with lodging a new development application, for a car park, without being referred to FQ for assessment.

It is considered that the implementation and completion of the proposed development, as per the recommendation would likely take until end 2013.

ISSUES

The key issues that will be resolved through the proposed development are defined as:

1. Resolving the safety issue between recreational boaters and commercial operators through the provision of a new all-tide recreational boat ramp;
2. Mitigate an asbestos contamination through the construction of a new recreational boat ramp and associated car parking facilities; and
3. Increase the amount of public parking spaces at the existing ferry terminal, through the reconfiguration of the car park and removal of spaces dedicated to boat trailer units (to be moved to the adjacent site as part of the proposed development), increasing the provision of alternative transport options and improving pedestrian access to the ferry terminal.

RELATIONSHIP TO CORPORATE PLAN

3. Embracing the bay

The benefits of the unique ecosystems, visual beauty, spiritual nourishment and coastal lifestyle provided by the islands, beaches, foreshores and water catchments of Moreton Bay will be valued, protected and celebrated.

- 3.1 Address the social, cultural and economic needs of island communities by partnering with residents and other tiers of government to deliver infrastructure, facilities and services

5. Wise planning and design

We will carefully manage population pressures and use land sustainably while advocating and taking steps to determine limits of growth and carrying capacity on a local and national basis, recognising environmental sensitivities and the distinctive character, heritage and atmosphere of local communities. A well-planned network of urban, rural and bushland

areas and responsive infrastructure and transport systems will support strong, healthy communities.

- 5.8 Plan and advocate to connect the city's communities with improved public transport including a road, ferry, cycling and walking network that provides safe and efficient movement within the city and the region and supports physical activity; and promote efficient and environmentally responsible private transport

FINANCIAL IMPLICATIONS

This recommendation does not require any change to the current year's budget as funds have already been allocated to account numbers 41900 – Macleay Island Ramp Car Park and 42287 – Macleay Island Boat Ramp.

PLANNING SCHEME IMPLICATIONS

The City Planning & Environment Group was consulted and it is considered that the outcome of recommendations in this report will not require any amendments to the Redlands Planning Scheme.

CONSULTATION

Consultation has occurred with Sustainable Assessment, Project Delivery Group and City Infrastructure.

OPTIONS

Preferred

That Council resolve to:

1. Support an operational works application for extension of sea wall and selective filling, as per attached preliminary site plans;
2. Finalise the current Material Change of Use application to allow for the construction of a new recreational boat ramp and reconfiguring of the existing car park (to the extent of the scope of works agreed to by the referral agencies);
3. Prepare a new Material Change of Use application on the site (14-22 Russell Terrace, Macleay Island) for the construction of a new car park to provide associated parking facilities for the recreational boat ramp (balance of works not approved in the previous MCU application); and
4. Secure environmental offsets, both marine and terrestrial to compensate for the unavoidable loss of vegetation as a result of the proposed development.

Alternative

No alternative is recommended

OFFICER'S RECOMMENDATION

That Council resolve to:

- 1. Support an operational works application for extension of sea wall and selective filling, as per attached preliminary site plans;**

2. Finalise the current Material Change of Use application to allow for the construction of a new recreational boat ramp and reconfiguring of the existing car park (to the extent of the scope of works agreed to by the referral agencies);
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