

Late Item 8.3.2

Ordinary Meeting

Thursday, 17 May 2018

commencing at 9:00am

Council Chambers, 1 Omrah Avenue, Caloundra

TABLE OF CONTENTS

ITEM	SUBJECT	PAGE NO
8	REPORTS DIRECT TO COUNCIL	5
8.3	CUSTOMER ENGAGEMENT AND PLANNING SERVICES	5
8.3.2	PRELIMINARY APPROVAL FOR MATERIAL CHANGE OF USE AT 18, 26, 40, 50, 66 COONEY ROAD AND 586 BLI BLI ROAD, BLI BLI.	5

8 REPORTS DIRECT TO COUNCIL**8.3 CUSTOMER ENGAGEMENT AND PLANNING SERVICES****8.3.2 PRELIMINARY APPROVAL FOR MATERIAL CHANGE OF USE AT 18, 26, 40, 50, 66 COONEY ROAD AND 586 BLI BLI ROAD, BLI BLI.**

File No:	Council Meetings
Author:	Manager Development Services Customer Engagement & Planning Services Group
Appendices:	App A - Recommended Conditions of Approval 11
Attachments:	Att 1 - Sunshine Coast Waste Precinct Plan of Development ... 29
	Att 2 - Zone Map Extract..... 79
	Att 3 - Detailed Planning Assessment Report 81
	Att 4 - Concurrence Agency Response..... 129
	Att 5 - Approved Plans & Documents 201

Link to PD Online:

<http://pdonline.sunshinecoast.qld.gov.au/MasterView/Modules/Applicationmaster/default.aspx?page=wrapper&key=1933406>

SUMMARY SHEET	
APPLICATION DETAILS	
Applicant:	Sunshine Coast Council – Waste & Resources Management Branch
Proposal	<p>a) Preliminary Approval for Material Change of Use that varies the effect of the planning scheme under Section 242 of the <i>Sustainable Planning Act 2009</i> (Environment Facility, Extractive Industry, High Impact Industry, Medium Impact Industry, Shop, Transport Depot and Utility Installation in accordance with the Sunshine Coast Waste Precinct Plan of Development)</p> <p>b) Development Permit for Material Change of Use (Utility installation (Major utility – Refuse disposal involving a landfill and ancillary activities), Extractive industry, Undefined use (Landfill gas power generation plant), including ERA60 (1)(d) – Waste disposal for operating a facility for disposing of, in a calendar year, more than 200,000 tonnes of waste (regulated waste and any combination of general waste, limited regulated waste), ERA 16(2)(b) – Extracting, other than by dredging, in a year, more than 100,000 tonnes but not more than 1,000,000 tonnes of material, ERA16(3)(b) – Screening, in a year, more than 100,000 tonnes but not more than 1,000,000 tonnes of material, ERA 33 – Crushing, grinding, milling or screening more than 5000 tonnes of material in a year)</p>
Properly Made Date:	30/06/2017
Information Request Date:	10/08/2017

Information Response Received Date:	22/12/2017
Decision Due Date:	17/05/2018
Number of Submissions:	5
PROPERTY DETAILS	
Division:	9
Property Address:	586 Bli Bli Road and 18, 26, 40, 50, 66 Cooney Road, BLI BLI QLD 4560
RP Description:	Lot 1 RP 202997, Lot 1 RP 208600, Lot 2 RP 208600, Lot 1 CG 2584, Lot 4 RP 803104, Lot 3 SP 193049
Land Area:	97.4739 hectares
Existing Use of Land:	Existing Nambour Landfill and Resource Recovery Centre and associated ancillary facilities
STATUTORY DETAILS	
Planning Scheme:	Sunshine Coast Planning Scheme
SEQR Designation:	Urban Footprint Regional Landscape and Rural Production Area
Strategic Plan Designation:	Urban Area Industry and Enterprise Area Rural Enterprise and Landscape Area
Local Plan:	Nambour
Zone:	Community Facilities Zone (Annotation 21 – Major utility refuse) High Impact Industry Zone Rural Zone
Assessment Type:	Impact

PURPOSE

The purpose of this report is to seek Council's determination of an application for:

- a) Preliminary Approval for Material Change of Use that varies the effect of the planning scheme under Section 242 of the *Sustainable Planning Act 2009* (Environment Facility, Extractive Industry, High Impact Industry, Medium Impact Industry, Shop, Transport Depot and Utility Installation in accordance with the Sunshine Coast Waste Precinct Plan of Development).
- b) Development Permit for Material Change of Use (Utility installation (Major utility – Refuse disposal involving a landfill and ancillary activities), Extractive industry, Undefined use (Landfill gas power generation plant), including ERA60 (1)(d) – Waste disposal for operating a facility for disposing of, in a calendar year, more than 200,000 tonnes of waste (regulated waste and any combination of general waste, limited regulated waste), ERA 16(2)(b) – Extracting, other than by dredging, in a year, more than 100,000 tonnes but not more than 1,000,000 tonnes of material, ERA16(3)(b) – Screening, in a year, more than 100,000 tonnes but not more than 1,000,000 tonnes of material, ERA 33 – Crushing, grinding, milling or screening more than 5000 tonnes of material in a year).

At 586 Bli Bli Road and 18, 26, 40, 50, 66 Cooney Road, BLI BLI. The application is before Council as it involves a Preliminary Approval under s242 of the *Sustainable Planning Act 2009*.

The application is assessed against the *Sunshine Coast Planning Scheme 2014* (version 8 24 February 2017). The assessment of this application has been carried out by an external independent assessment team based on the significant nature of this application and Council being the landowner and operator of this property.

EXTERNAL ASSESSOR RECOMMENDATION

That Council Approve Application No. MCU17/0142 & MCU17/0142.01 for:

- a) Preliminary Approval for Material Change of Use that varies the effect of the planning scheme under Section 242 of the *Sustainable Planning Act 2009* (Environment Facility, Extractive Industry, High Impact Industry, Medium Impact Industry, Shop, Transport Depot and Utility Installation in accordance with the Sunshine Coast Waste Precinct Plan of Development)
- b) Development Permit for Material Change of Use (Utility installation (Major utility – Refuse disposal involving a landfill and ancillary activities), Extractive industry, Undefined use (Landfill gas power generation plant), including ERA60 (1)(d) – Waste disposal for operating a facility for disposing of, in a calendar year, more than 200,000 tonnes of waste (regulated waste and any combination of general waste, limited regulated waste), ERA 16(2)(b) – Extracting, other than by dredging, in a year, more than 100,000 tonnes but not more than 1,000,000 tonnes of material, ERA16(3)(b) – Screening, in a year, more than 100,000 tonnes but not more than 1,000,000 tonnes of material, ERA 33 – Crushing, grinding, milling or screening more than 5000 tonnes of material in a year)

Situated at 586 Bli Bli Road and 18, 26, 40, 50, 66 Cooney Road, BLI BLI QLD 4560 subject to reasonable and relevant conditions provided at Appendix A.

FINANCE AND RESOURCING

Council's Transport and Infrastructure Policy Branch has determined that no infrastructure charges would be payable if Council were to approve this development as there would be no increase to gross floor area or impervious area on the site as a result of the development.

CORPORATE PLAN

Corporate Plan Goal: *An outstanding organisation*
Outcome: We serve our community by providing this great service
Operational Activity: S31 - Governance - providing internal leadership, legal opinion, governance and audit functions ensuring legislative accountability, transparency and ethical obligations are supported

CONSULTATION

Independent Assessment

The assessment of this application has been carried out by an external independent assessment team based on the significant nature of this application and Council being the landowner of this property. A copy of Council's nominated independent assessment team reports are included in **Attachment 3**, including the below technical assessment:

- Landscape and Visual Amenity Assessment
- Acoustic Assessment
- Air Quality Impact Assessment
- Civil Engineering Assessment
- Traffic and Transport Assessment
- Ecological Assessment
- Bushfire Hazard Assessment.

External Consultation

The application was referred to Department of Infrastructure, Local Government and Planning for concurrence agency assessment.

The Department responded on 27 April 2018, and provided conditions that must be attached to any development approval (refer to **Attachment 4**).

Public Notification

The application was publicly notified for 30 business days in accordance with the *Sustainable Planning Act 2009*. A total of five (5) submissions were received, of which all were properly made submissions. All submissions expressed concerns with the potential environmental and amenity impacts of the proposal.

PROPOSAL

The proposed development comprises two (2) separate aspects:

Preliminary Approval

The development application seeks a preliminary approval mentioned in section 242 of the *Sustainable Planning Act 2009* to vary the effect of the Planning Scheme and provide a development control framework for the approval of subsequent development applications.

The Preliminary Approval seeks approval for the following uses in accordance with the submitted Plan of Development:

- Environment facility
- Extractive industry
- High impact industry
- Medium impact industry
- Shop
- Transport Depot
- Utility installation.

The proposal includes the Sunshine Coast Waste Precinct Plan of Development which seeks to vary specific aspects of the *Sunshine Coast Planning Scheme 2014*, including:

- a) the tables of assessment in Section 5.5 (Level of assessment – material change of use) and Section 5.9 (Levels of assessment – local plans);
- b) the tables of assessment in Section 5.10 (Level of assessment – overlays)
- c) the *Nambour local plan code*
- d) the *Community facilities zone code*, *High impact industry zone code* and the *Rural zone code*
- e) the *Height of buildings and structures overlay code*
- f) the *Biodiversity, waterways and wetlands overlay code*

Development Permit

This aspect of the development application seeks approval for a development permit for making a material change of use for Utility installation (major utility - refuse disposal involving a landfill and ancillary activities), extractive industry (involving crushing, grinding, milling or screening) and an undefined use (landfill gas power generation plant).

Development of the Nambour Landfill Expansion will take place in five stages, which will occur progressively from north to south across the site. Annual waste volumes are predicted to range from 90,000 tonnes per annum to around 225,000 tonnes in 2035. An ultimate waste acceptance rate of more than 300,000 tonnes per annum towards the end of the development life is expected.

The proposed extractive industry activity directly correlates to the site preparatory works necessary to achieve the proposed landfill base profile. A total extraction quantity in excess of 400,000m³ is anticipated to be extracted from the site. This material will be stockpiled in the southern portion of the site for future use.

The landfill gas power generation plant is to be co-located with the proposed leachate plant and is to be located on Lot 1 on RP202997. Landfill gas is captured and used to drive a generator which produces electricity with the power generated at the site being supplied back to the electricity network.

The proposed development includes the following prescribed Environmentally Relevant Activities that relate to the uses proposed on the site:

- ERA 60 (1d) – Waste Disposal for operating a facility for disposing of, in a year, more than 200,000 tonnes of waste (regulated waste and any combination of general waste, limited regulated waste)
- ERA16 (2b) – Extracting, other than by dredging, in a year, more than 100,000 tonnes but not more than 1,000,000 tonnes of material
- ERA16 (3b) – Screening, in a year, more than 100,000 tonnes but not more than 1,000,000 tonnes of material
- ERA 33 – Crushing, grinding, milling or screening more than 5000 tonnes of material in a year (existing approval to be retained and expanded to Lot 4 on RP803104).

The *Sunshine Coast Waste Precinct Plan of Development* is provided at **Attachment 1**.

ASSESSMENT

The proposal involves the expansion of an existing and necessary piece of community infrastructure that will enable the Sunshine Coast to appropriately manage waste and resource recovery activities in the short to medium term. The site is predominantly located within the Community facilities zone, and is annotated as being for a Major utility – refuse purposes (refer to **Attachment 2**).

Due to the nature of the existing and proposed uses, appropriate environmental management and protection is required. Vegetation clearing on the site is not expected to significantly impact on Koala conservation objectives for the region, and the maintenance of the remnant vegetation to the north of the site within the Parklands Conservation Park will provide appropriate habitat and connectivity for continued Koala habitation and movement in the locality. Vegetation disturbance on those parts of the site known to include habitat for threatened species will be carried out in accordance with an approved Species Management Plan which manages the potential impact of vegetation removal on the threatened species of Tusked Frog and Richmond Birdwing Butterfly. Additionally, the impacts of the proposed development on ecologically important areas will be offset by a contribution of 9.6 hectares of vegetation to enhance the net environmental position of the region. Conditions to this effect will be imposed on the development.

Ongoing management of the site during construction and operation will protect environmental and amenity values for surrounding development. The proposed development includes an integrated stormwater management system that includes key drainage and storage infrastructure to protect water quality, reduce runoff and peak flows, and meet the environmental values for the site. Potential noise impacts will be controlled and mitigated through siting and design measures that provide appropriate separation and buffering to sensitive receptors to meet relevant noise criteria. Air quality will be managed through a range of operational plans that will mitigate potential nuisance odour and particulate emissions including watering of haulage routes, covering of loads, minimisation of landfill

working faces and restrictions on operating hours. Conditions to this effect will be imposed on the development.

The proposal relates to the expansion of an existing landfill facility, and as such the visual amenity impacts are cumulative to the existing visual landscape. Impacts on visual amenity will be mitigated through provision of a landscaped buffer to the southern boundary of the site to Nambour Bli Bli Road. The buffer will appropriately screen most views of the expanded facility from lower elevations and views from the Bruce Highway travelling north. Location and design criteria for future buildings and structures will minimise the visual intrusion of these aspects into the landscape, and ongoing rehabilitation of the landfill cells as each stage is finalised will minimise visual intrusion on surrounding land uses.

A detailed assessment of the proposal has been undertaken and is included in **Attachment 3**. The proposed development generally complies with the relevant criteria of the *Sunshine Coast Planning Scheme 2014*, however there are some aspects of non-compliance in relation to:

- The establishment of inconsistent uses (extractive industry and other industry uses) with the Rural zone and the High impact industry zone.
- The protection of ecologically important areas and koala habitat as required under the *Biodiversity, waterways and wetlands overlay code*.

Having regard to the nature and context of the application, it is considered that there are sufficient grounds to approve the application despite the conflict with the planning scheme on the following grounds:

- There is strong community, economic and planning need for the proposed development.
- The proposed Sunshine Coast Waste Precinct Development Code provides an appropriate planning mechanism (in conjunction with the balance of the Sunshine Coast Planning Scheme 2014) to manage potential impacts of future site uses.

Accordingly the applicant's Plans and Documents provided in **Attachment 5** are recommended for approval, subject to incorporating the amendments contained within the conditions.