



RECOMMENDATIONS

STRATEGY AND PLANNING COMMITTEE MEETING

Wednesday 15 February 2012

Council Chambers, 9 Pelican Street, Tewantin

COMMITTEE MEMBERS

(Quorum – 3)

Councillor R Green
Councillor R Abbot
Councillor A Grosskreutz
Councillor K Jones
Councillor E Hungerford
Councillor V Griffin

Division 12 (Chair)
Mayor
Division 1
Division 3
Division 7
Division 9

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1 DECLARATION OF OPENING

The Chair declared the meeting open at 9.01am.

2 RECORD OF ATTENDANCE AND LEAVE OF ABSENCE

COMMITTEE MEMBERS

Councillor R Green	Division 11 (Chair)
Councillor R Abbot	Mayor (Item 4.1.1)
Councillor A Grosskreutz	Division 1
Councillor K Jones	Division 3
Councillor E Hungerford	Division 7
Councillor V Griffin	Division 9

EXECUTIVE LEADERSHIP TEAM

Chief Executive Officer
Executive Director Regional Strategy and Planning
Director Development Services
Manager Planning Assessment
Principal Development Planner
Senior Hydraulics and Water Quality Engineer
Coordinator Planning Applications (North)
Project Director Transportation Strategy

APOLOGIES

Nil

NON COMMITTEE MEMBERS

Councillor J McKay	Division 5 # (Absent Items 4.2.5 and 5.1.2)
Councillor C Thompson	Division 4 # (Absent Item 5.1.2)
Councillor L Brennan	Division 12 # (Item 4.1.1)

Non-Committee members attend meetings at their own discretion.

COUNCIL OFFICERS

Director Development Services
Principal Development Planner, Planning Assessment
Development Planner, Planning Assessment
Principal Development Planner, Planning Assessment
Coordinator, Planning Applications (North), Planning Assessment
Senior Development Planner, Planning Assessment
Manager Planning Assessment
Project Director Transportation Strategy

OTHER ATTENDEES

Mr D Gray, Consultant Mining Engineer, The Neilsen Group
Mr R Huntley, Environmental Consultant, The Neilsen Group
Kin Kin Community Group representatives

3 OBLIGATIONS OF COUNCILLORS

3.1 DECLARATION OF MATERIAL PERSONAL INTEREST ON ANY ITEM OF BUSINESS

Pursuant to Section 172 (3) of the *Local Government Act 2009*, no declarations of material personal interest were made during this meeting.

3.2 DECLARATION OF CONFLICT OF INTEREST ON ANY ITEM OF BUSINESS

Pursuant to Section 173 (2) of the *Local Government Act 2009*, no declarations of conflict of interest were made during this meeting.

4 REPORTS

4.1 PRESENTATIONS

4.1.1 PRESENTATIONS – KIN KIN QUARRY MANAGEMENT PLAN

COMMITTEE RECOMMENDATION

That the Strategy and Planning Committee recommend to Council for its consideration at the Ordinary Meeting to be held on Wednesday 22 February 2012:

Moved: Councillor V Griffin

Seconded: Councillor E Hungerford

That Council receive and note the presentations provided by both Neilsens Quality Gravels Pty Ltd and the Kin Kin Community Group in relation to the Kin Kin Quarry Management Plan.

Carried.

(Councillor L Brennan was absent for the vote on this item)

4.2 DEVELOPMENT APPLICATIONS

4.2.1 DEVELOPMENT APPLICATION FOR RECONFIGURING A LOT (1 INTO 158 LOTS), PRELIMINARY APPROVAL OVERRIDING THE PLANNING SCHEME AND PRELIMINARY APPROVAL FOR A MATERIAL CHANGE OF USE (COMMUNITY CENTRE) - SPRINGS DRIVE, MERIDAN PLAINS

File No: 2007/56R0019

Author/Presenter: Director, Development Services

Appendix: App A – Conditions of Approval (SPC Pg 30)

Attachments: [Att 1 - Proposal Plans](#) (SPC Att Pg 3)
[Att 2 - Previous Council Report](#) (SPC Att Pg 5)
[Att 3 - DTMR Agency Response](#) (SPC Att Pg 48)
[Att 4 - DERM Agency Response](#) (SPC Att Pg 53)

OFFICER RECOMMENDATION

That Council:

- (a) approve with conditions Application No. 2007/56-00019 and grant a Development Permit for a Reconfiguration of a Lot (1 into 158 lots) situated at Springs Drive, Meridan Plains, in accordance with Appendix A;
 - (b) approve with conditions Application No. 2007/56-00019 and grant a Preliminary Approval for a Material Change of Use (Community Centre) situated at Springs Drive, Meridan Plains, in accordance with Appendix A;
 - (c) approve a Preliminary Approval Overriding the Planning Scheme (varying the effect of the planning scheme) for the residential precinct only (applying to duplex dwellings and display dwellings) for application 2007/56-00019 at Springs Drive, Meridan Plains, described as Lot 12 SP189346, subject to the conditions in Appendix A;
 - (d) find the following are sufficient planning grounds to justify the decision, in recommendation (c) above, despite the conflict with the Planning Scheme:
 - (i) duplex dwellings are supported by the Planning Area Code in Caloundra City Plan 2004; and
 - (ii) display dwellings function in a similar manner to a detached dwelling;
 - (e) approve in part a Preliminary Approval Overriding the Planning Scheme (varying the effect of the planning scheme) for the community centre precinct (for Community Centre only) for application 2007/56-00019 at Springs Drive, Meridan Plains, described as Lot 12 SP189346, subject to the conditions in Appendix A;
 - (f) find the following are sufficient planning grounds to justify the decision, in recommendation (e) above, despite the conflict with the Planning Scheme:
 - (i) the particular nature, location and scale of the land use will not impact on the amenity of the precinct and not impact upon adjoining residential uses, existing traffic and access arrangements, where developed in accordance with the conditions of approval;
 - (ii) the particular nature, location and scale of the proposal will not impact upon environmental values, where developed in accordance with the conditions of approval;
 - (iii) the proposed land use does not present serious conflict with the Planning Scheme as a whole; and
-

- (g) refuse in part a Preliminary Approval Overriding the Planning Scheme (varying the effect of the planning scheme) for the community centre precinct (for Accommodation Building, Function Room, Restaurant and Place of Worship) for application 2007/56-00019 at Springs Drive, Meridan Plains, described as Lot 12 SP189346, for the following reasons:
 - (i) these uses are intended to be ancillary to the community centre land use;
 - (ii) where ancillary, no change to the level of assessment is required; and
- (h) advise the applicant that Council agree to offset the value of the Land for Parks and Community Facilities aspect of the Adopted infrastructure Charges to a maximum value of \$1,440,738 for the provision of trunk infrastructure as recognised in the Adopted Infrastructure Charges Resolution.

COMMITTEE RECOMMENDATION

That the Strategy and Planning Committee recommend to Council for its consideration at the Ordinary Meeting to be held on Wednesday 22 February 2012:

Moved: Councillor K Jones
Seconded: Councillor A Grosskreutz

That Council:

- (a) *approve with conditions Application No. 2007/56-00019 and grant a Development Permit for a Reconfiguration of a Lot (1 into 158 lots) situated at Springs Drive, Meridan Plains, in accordance with Appendix A amended, namely:*
 - (i) *amend Condition 40 to read as follows:*
 - 40. *The land area identified as Park (total of 24.187 hectares) on the Plan Drawing No. 051033.7 Amendment F Dated 06/06/11 by KHA Development Managers must be transferred to Council in fee simple on trust for park purposes. The land area to be transferred must be unencumbered by services such as pump stations, services easements or similar operational uses;*
 - (ii) *insert additional conditions 40A and 40B as follows:*
 - 40A. *The land owner/developer must be responsible for all costs associated with the transfer of the land, including the requirement to obtain a valuation for the land from a registered property valuer and to pay all stamp duty upon transfer.*
 - 40B. *One original signed and 'stamped' Queensland Land Registry Transfer of Ownership and Forms 1, 24 and 20 must be lodged with Council for endorsement prior to the registration of title, together with a survey plan and a copy of the land valuation; and*
 - (iii) *delete Condition 41;*
- (b) *approve with conditions Application No. 2007/56-00019 and grant a Preliminary Approval for a Material Change of Use (Community Centre) situated at Springs Drive, Meridan Plains, in accordance with Appendix A;*
- (c) *approve a Preliminary Approval Overriding the Planning Scheme (varying the effect of the planning scheme) for the residential precinct only (applying to duplex dwellings and*

display dwellings) for application 2007/56-00019 at Springs Drive, Meridan Plains, described as Lot 12 SP189346, subject to the conditions in Appendix A;

- (d) find the following are sufficient planning grounds to justify the decision, in recommendation (c) above, despite the conflict with the Planning Scheme:
 - (i) duplex dwellings are supported by the Planning Area Code in Caloundra City Plan 2004; and
 - (ii) display dwellings function in a similar manner to a detached dwelling;
- (e) approve in part a Preliminary Approval Overriding the Planning Scheme (varying the effect of the planning scheme) for the community centre precinct (for Community Centre only) for application 2007/56-00019 at Springs Drive, Meridan Plains, described as Lot 12 SP189346, subject to the conditions in Appendix A;
- (f) find the following are sufficient planning grounds to justify the decision, in recommendation (e) above, despite the conflict with the Planning Scheme:
 - (i) the particular nature, location and scale of the land use will not impact on the amenity of the precinct and not impact upon adjoining residential uses, existing traffic and access arrangements, where developed in accordance with the conditions of approval;
 - (ii) the particular nature, location and scale of the proposal will not impact upon environmental values, where developed in accordance with the conditions of approval;
 - (iii) the proposed land use does not present serious conflict with the Planning Scheme as a whole; and
- (g) refuse in part a Preliminary Approval Overriding the Planning Scheme (varying the effect of the planning scheme) for the community centre precinct (for Accommodation Building, Function Room, Restaurant and Place of Worship) for application 2007/56-00019 at Springs Drive, Meridan Plains, described as Lot 12 SP189346, for the following reasons:
 - (i) these uses are intended to be ancillary to the community centre land use;
 - (ii) where ancillary, no change to the level of assessment is required;
- (h) advise the applicant that Council agree to offset the value of the Land for Parks and Community Facilities aspect of the Adopted infrastructure Charges to a maximum value of \$1,440,738 for the provision of trunk infrastructure as recognised in the Adopted Infrastructure Charges Resolution.

Carried.

4.2.2 REPRESENTATIONS FOR A NEGOTIATED DECISION NOTICE FOR DEVELOPMENT APPROVAL FOR MATERIAL CHANGE OF USE (EXTENSION TO SHOPPING COMPLEX) AND PRELIMINARY APPROVAL FOR BUILDING WORKS AT 119 POINT CARTWRIGHT DRIVE, 10 AND 12 TUMUT STREET, 2-18 BERMAGUI CRESCENT AND TUMUT STREET BUDDINA KNOWN AS KAWANA SHOPPINGWORLD

File No: 2008/500027

Author/Presenter: Principal Development Planner, Planning Assessment
Development Planner, Planning Assessment

Appendix: App A – Conditions of Approval (SPC Pg 62)

Attachments: [Att 1 - Proposed Staging Plan](#) (SPC Att Pg 61)
[Att 2 - Applicant's Representations](#) (SPC Att Pg 62)
[Att 3 - Previous Council Report](#) (SPC Att Pg 67)

OFFICER RECOMMENDATION

That Council:

- (a) refuse the request for staging as submitted by the Applicant and that Conditions 30 and 32 remain unchanged; and
- (b) agree to delete Condition 42B; and
- (c) agree to delete Condition 66 and replace with new conditions 66 and 66A, as outlined in this report; and
- (d) agree to delete Condition 68 and replace with new condition 68, as outlined in this report; and
- (e) approve with Conditions Application No. 2008/500027 and grant a Negotiated Decision Notice for a development permit for a Material Change of Use (Extension to a Shopping Complex) and Preliminary Approval for Building Works at 119 Point Cartwright Drive, 10 and 12 Tumut Street, 2 - 18 Bermagui Crescent and Tumut Street, Buddina, known as Kawana Shoppingworld in accordance with the conditions of approval outlined in Appendix A.

COMMITTEE RECOMMENDATION

That the Strategy and Planning Committee recommend to Council for its consideration at the Ordinary Meeting to be held on Wednesday 22 February 2012:

Moved: Councillor R Green

Seconded: Councillor A Grosskreutz

That the item lay on the table until the Ordinary Meeting of the 22 February 2012.

Carried.

4.2.3 REQUEST FOR A NEGOTIATED DECISION NOTICE - DEVELOPMENT APPLICATION FOR A MATERIAL CHANGE OF USE OF PREMISES TO ESTABLISH AN EXTRACTIVE INDUSTRY (SAND EXTRACTION) AND ENVIRONMENTALLY RELEVANT ACTIVITY NO. 16 (EXTRACTIVE AND SCREENING ACTIVITIES), 545 EASTERN MARY RIVER ROAD, 2084 AND 2316 MALENY-KENILWORTH ROAD, CONONDALE

File No: 2010/610004
Author/Presenter: Principal Development Planner, Planning Assessment
Appendices: App A – Conditions of Approval (SPC Pg 93)
Attachments: [Att 1 – Proposal Plan](#) (SPC Att Pg 105)
[Att 2 – Decision Notice](#) (SPC Att Pg 106)
[Att 3 – DTMR Conditions](#) (SPC Att Pg 112)
[Att 4 – DERM Conditions](#) (SPC Att Pg 118)

OFFICER RECOMMENDATION

That Council:

- (a) agree to delete Conditions 1 to 6 of the Preliminary Approval; and
- (b) approve with Conditions Application No. 2010/610004 and grant a Negotiated Decision Notice for a Development Permit for a Material Change of Use to Establish an Extractive Industry (Sand Extraction) and Environmentally Relevant Activity Number 16 (Extractive and Screening Activities) situated at 545 Eastern Mary River Road, 2084 and 2316 Maleny-Kenilworth Road, Conondale, described as Lots 1 and 2 RP55330 and Lot 1 RP55331 in accordance with the conditions of approval outlined in Appendix A.

COMMITTEE RECOMMENDATION

That the Strategy and Planning Committee recommend to Council for its consideration at the Ordinary Meeting to be held on Wednesday 22 February 2012:

Moved: Councillor V Griffin
Seconded: Councillor K Jones

That Council:

- (a) *agree to delete Conditions 1 to 6 of the Preliminary Approval;*
- (b) *approve with Conditions Application No. 2010/610004 and grant a Negotiated Decision Notice for a Development Permit for a Material Change of Use to Establish an Extractive Industry (Sand Extraction) and Environmentally Relevant Activity Number 16 (Extractive and Screening Activities) situated at 545 Eastern Mary River Road, 2084 and 2316 Maleny-Kenilworth Road, Conondale, described as Lots 1 and 2 RP55330 and Lot 1 RP55331 in accordance with the conditions of approval outlined in Appendix A as amended namely:*
 - delete Condition 12 and replace with:*
 - 12. *From the commencement of use and until the site is fully rehabilitated in accordance with the Revised Rehabilitation Management Plan listed in this Decision Notice the high bank of the Mary River and the extraction pit must be surveyed at intervals not exceeding two years and within 6 months of a significant flow event (see below). Survey of the high bank of the Mary River and the extraction pit must be kept and made available to Council Officers*

upon request. A significant flow event is defined as a 1 in 10 year ARI event which shall be deemed to have occurred when the Bellbird Gauge records a peak flow of 1800m³/s or greater. The survey must include the high bank of the Mary River, top of batter of the extraction pit and the entire extraction pit both above and below any standing water within the pit with contours in meters AHD at intervals no more than 1m.

Carried.

4.2.4 DEVELOPMENT APPLICATION FOR MATERIAL CHANGE OF USE FOR ENTERTAINMENT AND DINING BUSINESS AND MODIFICATIONS TO EXISTING SERVICE STATION, 66 NOOSA DRIVE, NOOSA HEADS

File No: 09/1335
Author/Presenter: Coordinator, Planning Applications (North), Planning Assessment
Senior Development Planner, Planning Assessment
Appendix: App A – Conditions of Approval (SPC Pg 114)
Attachment: [Att 1 - Revised Site and Elevation Plans](#) (SPC Att Pg 133)

OFFICER RECOMMENDATION

That Council APPROVE WITH CONDITIONS Application No. 132009.1335 for a Preliminary Approval for Entertainment and Dining Business – Type 1 Restaurant and modifications to an existing service station situated at 66 Noosa Drive, Noosa, in accordance with Appendix A.

COMMITTEE RECOMMENDATION

That the Strategy and Planning Committee recommend to Council for its consideration at the Ordinary Meeting to be held on Wednesday 22 February 2012:

Moved: Councillor R Green
Seconded: Councillor K Jones

That Council APPROVE WITH CONDITIONS Application No. 132009.1335 and grant a Development Permit for Entertainment and Dining Business – Type 1 Restaurant and modifications to an existing Service Station situated at 66 Noosa Drive, Noosa, in accordance with Appendix A and subject to the following changes:-

A. *Amend Decision Details to read as follows:-*

2. DECISION DETAILS

The following type of approval has been issued:

- *Development Permit for Material Change of Use – Entertainment and Dining Business Type 1- Restaurant and modifications to existing Service Station.*

B. Delete Condition 1

C. Amend Conditions 18, 22, 23, 30 and 50 to read as follows:-

18. *Vehicular access to and within the development must be constructed generally in accordance with drawing number plan SK8.02 Revision L prepared by WBP Architects dated 7 February 2012 or as amended by conditions of this approval. The access must include all necessary signage and linemarking including the proposed automated signage for the Lower Carparking area.*
22. *The Loading Bay as shown on drawing number plan SK8.02 Revision L prepared by WBP Architects dated 7 February 2012 must be suitable for a*

MRV and be suitably signed and linemarked. All signage and linemarking must be in accordance with the Queensland Transport and Main Roads Manual of Uniform Traffic Control Devices (MUTCD).

23. Carparking must be provided within the site generally as shown on drawing number plan SK8.02 Revision L prepared by WBP Architects dated 7 February 2012 and plan SK8.01 Revision I prepared by WBP Architects dated 7 February 2012, except as modified herein.
30. The new sections of footpath as shown on plan SK8.02 Revision L prepared by WBP Architects dated 7 February 2012 must be constructed as part of the development. The paths crossing the "islands" must be at grade with no step up or down.
50. The development site and the road reserve in front of the site must be landscaped generally in accordance with Council's Noosa Junction Master Plan and Council's planning scheme policy PSP3 – Landscape Plants and Guidelines. The works must be undertaken in accordance with an Operational Works approval and the Sunshine Coast Regional Council landscape materials palette for that specific area and must include in particular:
 - (a) the works shown on the approved Landscaping Plan, as may be amended by conditions of this Development Permit;
 - (b) planting of more mature vegetation including pot sizes of 45 and 100 litres to the Noosa Drive frontage;
 - (c) vegetated screening of any electrical transformers, bin storage areas and the like from the road frontage; and
 - (d) provision of street trees within the road reserve.

D. Include the following additional conditions to read as follows:-

1. The position of the fuel bowzers and associated filling areas on site shall be located such that vehicles filling at the bowzers do not impede the vehicle path to the disabled space. The vehicle path shall be in accordance with AS 2890.6.
2. On-street car parking spaces (relocated and new) must be generally in accordance with plan SK8.02 Revision L prepared by WBP Architects dated 7 February 2012, the Noosa Junction Master Plan and AS2890.5-1993. The redundant harstand area of the current on-street car parking spaces must be removed and the area landscaped in accordance with Council's Noosa Junction Master Plan and Council's Planning Scheme Policy PSP3 – Landscaping Plants and Guidelines.

E. Amend the list of Approved Plans to read as follows:-

6. APPROVED PLANS/DOCUMENTS

Approved Plans

Plan No.	Rev.	Plan Name	Date
SK8.01	I	Lower Floor Plan	7.02.12
SK8.02	L	Ground Floor Plan	7.02.12
SK8.03	D	Upper Floor Plan	7.02.12

SK8.04	C	Elevations and Sections	18.10.11
SK8.05	D	Site Carpark Setout Plan	7.02.12
SK8.06	D	Lower Level Carpark Setout Plan	7.02.12
SK8.07	E	Site Landscaping Plan	7.02.12
SK8.08	C	Lower Floor Landscaping Plan	7.02.12

F. Delete the list of Plans Requiring Amendment

G. Amend Further Development Permits Required to read as follows:-

11. FURTHER DEVELOPMENT PERMITS REQUIRED

- *Development Permit for Operational Work for Landscaping, Access and/or Carparking, Site Civil Works, Roadworks, Stormwater Drainage and Frontage Works*
- *Development Permit for Operational Works for Advertising Devices*
- *Development Permit for Building Work*

Carried.

(Councillor J McKay was absent when the vote was taken on this item)

4.2.5 UPCOMING SIGNIFICANT DEVELOPMENT APPLICATIONS

File No: ECM - 15 February 2012
Author: Manager, Planning Assessment
Regional Strategy and Planning
Appendix: App A – List of Upcoming Significant Development Applications
(SPC Pg 130)

OFFICER RECOMMENDATION

That the Strategy and Planning Committee recommend to Council for its consideration at the Ordinary Meeting to be held on Wednesday 22 February 2012:

Moved: Councillor E Hungerford
Seconded: Councillor V Griffin

That Council:

- (a) *receive and note the report titled 'Upcoming Significant Development Applications'; and*
- (b) *note the List of Upcoming Significant Development Applications (Appendix A).*

Carried.

5 CONFIDENTIAL REPORTS

CLOSURE OF THE MEETING TO THE PUBLIC

Moved: Councillor A Grosskreutz

Seconded: Councillor E Hungerford

That the meeting be closed to the public pursuant to section 72 (1) (h) of the Local Government (Operations) Regulation 2010 to consider the following items:

5.1.1 *Confidential – Not for Public Release – Palmview East-West Greenlink Alignment*

5.1.2 *Confidential – Not for Public Release – Update – Strategic Operations*

Carried.

RE-OPENING OF THE MEETING TO THE PUBLIC

Moved: Councillor V Griffin

Seconded: Councillor A Grosskreutz

That the meeting be re-opened to the public.

Carried.

5.1 REGIONAL STRATEGY AND PLANNING

5.1.1 CONFIDENTIAL – NOT FOR PUBLIC RELEASE – PALMVIEW EAST-WEST GREENLINK ALIGNMENT

File No: ECM 15 February 2012
Author: Project Director Transportation Strategy
Regional Strategy and Planning

COMMITTEE RECOMMENDATION

That the Strategy and Planning Committee recommend to Council for its consideration at the Ordinary Meeting to be held on Wednesday 22 February 2012:

Moved: Councillor A Grosskreutz
Seconded: Councillor E Hungerford

That the matter lay on the table pending further advice from the Palmview infrastructure agreement signatories and further Council review of best practice public transport provision associated with links to the east.

Carried.

(Councillor J McKay and Councillor C Thompson were absent when the vote was taken on this item)

5.1.2 CONFIDENTIAL – NOT FOR PUBLIC RELEASE – UPDATE – STRATEGIC OPERATIONS

File No: ECM 15 February 2012
Author: Executive Director Regional Strategy and Planning
Regional Strategy and Planning

COMMITTEE RECOMMENDATION

That the Strategy and Planning Committee recommend to Council for its consideration at the Ordinary Meeting to be held on Wednesday 22 February 2012:

Moved: Councillor V Griffin
Seconded: Councillor E Hungerford

That Council note the discussions held in confidential session.

Carried.

6 NEXT MEETING

Nil.

COMMITTEE RECOMMENDATION

That the Strategy and Planning Committee recommend to Council for its consideration at the Ordinary Meeting to be held on Wednesday 22 February 2012:

Moved: Councillor V Griffin

Seconded: Councillor R Green

That a vote of thanks be given to officers for their contributions, passion and professionalism in working to the Strategy and Planning Committee during the term of council.

Carried.

7 MEETING CLOSURE

The meeting closed at 1.09pm.
