



AGENDA

STRATEGY AND PLANNING COMMITTEE MEETING

Wednesday 25 January 2012

Commencing at 9.00am

**Council Chambers, Corner Currie and Bury Streets,
Nambour**

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

On establishing there is a quorum, the Chair will declare the meeting open.

2 RECORD OF ATTENDANCE AND LEAVE OF ABSENCE

3 OBLIGATIONS OF COUNCILLORS

3.1 *DECLARATION OF MATERIAL PERSONAL INTEREST ON ANY ITEM OF BUSINESS*

Pursuant to Section 172 of the Local Government Act 2009, a councillor who has a material personal interest in an issue to be considered at a meeting of the local government, or any of its committees must –

- (a) inform the meeting of the councillor's material personal interest in the matter; and
- (b) leave the meeting room (including any area set aside for the public), and stay out of the meeting room while the matter is being discussed and voted on.

3.2 *DECLARATION OF CONFLICT OF INTEREST ON ANY ITEM OF BUSINESS*

Pursuant to Section 173 of the *Local Government Act 2009*, a councillor who has a real or perceived conflict of interest in a matter to be considered at a meeting of the local government, or any of its committees must inform the meeting about the councillor's personal interest the matter and if the councillor participates in the meeting in relation to the matter, how the councillor intends to deal with the real or perceived conflict of interest.
on.

4 REPORTS

4.1 DEVELOPMENT APPLICATIONS

4.1.1 DEVELOPMENT APPLICATION FOR MATERIAL CHANGE OF USE RETIREMENT VILLAGE & COMMUNITY FACILITIES, 336 OLD BRUCE HIGHWAY TANAWHA

File No: MCU08/0059

Author/Presenter: Specialist Development Planner, Planning Assessment

Appendices: App A – Conditions of Approval (SPC Pg 16)

Attachments: [Att 1 – Indicative Plan of Development](#) (SPC Att Pg 3)
[Att 2 - Former Superbee Report](#) (SPC Att Pg 4)

SUMMARY SHEET	
APPLICATION DETAILS	
Applicant:	Currie Ferguson & Woolcock
Proposal:	Development Permit for Material Change of Use of Premises (Retirement Village - 68 Units & Community Facilities)
Properly Made Date:	22/04/2008
Information Request Date:	16/06/2008
Final Information Response Received Date:	20/04/2010
Decision Due Date:	24/11/2009 (Applicant agreed to work through outstanding issues despite expiry of IPA decision due date)
Number of Submissions:	26 properly made and 3 not properly made
PROPERTY DETAILS	
Division:	6
Property Address:	336 Old Bruce Highway (Tanawha Tourist Drive) Tanawha
RP Description:	Lot 5 RP 183544
Land Area:	3.11 Hectares
Existing Use of Land:	Former Tourist Facility (Super Bee Honey Factory)
STATUTORY DETAILS	
SEQRP Designation:	Urban Footprint
Planning Scheme:	Maroochy Plan 2000 (21 April 2008)
Strategic Plan Designation:	Agricultural Protection & Rural or Valued Habitat
Planning Area / Locality:	20 – Mountain Creek Valley
Planning Precinct / Zone:	3 –Mons South (Sustainable Rural Residential)
Assessment Type:	Impact

PURPOSE

The purpose of this report is to advise council on matters raised at its meeting of 6 December 2010, when the determination of this application was deferred. The report also seeks council's determination of the modified request of the applicant for a Preliminary Approval.

EXECUTIVE SUMMARY

At the Ordinary Meeting on 6 October 2010, council resolved to defer a decision regarding an application seeking a Development Permit for a Retirement Village, which was recommended for refusal. The subject site is located on Tanawha Tourist Drive (Old Bruce Highway) and is the site of the former Superbee tourist attraction. The decision was deferred pending further investigation into issues relating to buffering to waterways and frontages, building height and scale, need, and conflict with the planning scheme.

The application was previously recommended for refusal, based primarily on character, amenity and environmental issues, which were considered to create a conflict with the planning scheme. The applicant had not sufficiently demonstrated that the proposal would be compatible with the surrounding character or meet the requirements for location of the use type in accordance with the planning scheme. The layout was considered to create amenity impacts due to a lack of buffers, a relatively 'dense' development form, and high visibility. Further, the design and layout had unacceptable impacts upon the vegetation and waterways on the site due to encroachment of the development footprint, proposed removal of significant stands of vegetation and 'redirection' of the waterways. The applicant did not demonstrate that there was sufficient reason to approve the application despite these matters.

Since council determined to defer the decision in October 2010, the applicant and council officers have undertaken numerous discussions in an attempt to resolve the issues. Additional information and an amended layout has been provided that go a significant way to address concerns, i.e. provision of adequate frontage and waterway buffers to significantly reduce visibility from beyond the site and address ecological concerns, consolidation and clustering of building form to reduce the footprint and allow more passive open space in keeping with the rural residential character of the area, limiting 2 storey structures to the central part of the site, provision of a dedicated on-site community bus, and demonstration that hydraulic concerns can be satisfied.

Further, in the 15 months that have elapsed since the original council report, 2 new relevant strategies have been adopted by council, the findings of 2 relevant case law outcomes have been assessed for similarities and outcomes, and further investigation has occurred in respect of location and need.

The modified proposal demonstrates that it supports 4 of the 7 identified guiding principles for each of the Affordable Living and Positive Ageing Strategies. One case law example found in favour of a retirement village in respect of locational issues – zoning compatibility and distance to facilities. The other case law example accepted adequate buffering had addressed character/amenity and ecological concerns and that, even though the development was located in a semi-rural area, community benefit would be derived by offering greater choice in housing diversity and living style and allowing potential residents to age in place (i.e. within their community) in full awareness of on-site facilities available and distance from services and centres. In respect of need, further information became available that demonstrated current very high occupancy rates within the 10km catchment area of the site (97%) and that, in 2-3 years, there will be a significant under-supply, even if all current proposals (including this one) were to proceed.

While significant progress has been made in respect of all issues of concern, further detail and refinement of the design of the proposed retirement village is required in order for these issues to be fully addressed. As the applicant was not willing to 'change' the current application, returning the assessment back to the start of the assessment process, it is reasonable to issue only a preliminary approval, rather than a full development permit. A fresh impact assessable Material Change of Use application would then be required to establish the use on the site. Accordingly, it is recommended that council resolve to issue a Preliminary Approval for a Material Change of Use (Retirement Village), subject to conditions.

OFFICER RECOMMENDATION

That Council:

- (a) issue a PRELIMINARY APPROVAL in respect of Application No. MCU08/0059 for a Material Change of Use for a Retirement Village & Community Facilities located at 336 Old Bruce Highway Tanawha, in accordance with Appendix A; and**
- (b) find the following are sufficient planning grounds to justify the decision despite the conflict with the Planning Scheme:**
 - (i) the proposed land use can be integrated with the existing natural character of the locality and not detrimentally impact upon nearby residential uses, existing traffic and access arrangements or amenity;**
 - (ii) design parameters can be provided to ensure the proposed use will not impact upon environmental values associated with the site;**
 - (iii) a Flood Management Report and Integrated Water Management Plan can be provided with further development permit applications;**
 - (iv) the site has access to all necessary infrastructure and there is existing network capacity for the proposal;**
 - (v) the land use can incorporate on-site community facilities and provide for private transport services sufficient to off-set the distance to the nearest town centre (Sippy Downs);**
 - (vi) there is sufficient community, planning and economic need for the proposed facility in the proposed location and the facility will provide a community benefit in addressing that need; and**
 - (vii) the proposed land use does not present serious conflict with the Strategic Plan when considered in the context of the Planning Scheme as a whole.**

FINANCE AND RESOURCING

If approved, the development would result in infrastructure charges being payable. These would be determined in accordance with the policies applying at the time of issue of any development permit.

INTRODUCTION

Background/Site History

The site is located on the Old Bruce Highway or Tanawha Tourist Drive, and is the site of the former Superbee tourist attraction. The site is 3.11 hectares and is substantially vegetated with 2 waterways traversing the site. A small dam exists in the north-eastern corner and a small section of Regional Ecosystem (Of Concern) vegetation is located to the immediate south of the dam. Access to the site was formerly from Tanawha Tourist Drive, but the application proposes that access be gained from Tanawha Road to the south.

The site is located within a Rural Residential precinct and is generally surrounded by properties of that nature, with some other non-residential uses interspersed. The non-residential uses are generally located along the major roads such as Tanawha Tourist Drive, Crosby Hill Road and Glenmount Road.

A caravan (relocatable home) park, Matilda Service Station and the Bellingham Maze are located to the west. About 400m west of the subject site at the southern end of Glenmount Road is the site recently approved for a Montessori School (child care centre). Approximately 200m north-east of the site on the corner of Tanawha Tourist Drive and Crosby Hill Road is the Kings Church, with a large nursery and landscape supplies yard around 400m farther north on Crosby Hill Road. A Caltex Service Station (including a motor vehicle repair workshop and convenience store) is located about 500m east of the site along Tanawha Tourist Drive, as well as a vet and ambulance station. Chancellor Park, Chancellor Park Marketplace and the Sippy Downs Town Centre are located around 1.5km (by road) east of the site and on the eastern side of the Sunshine Motorway.



Original Proposal

The original proposal was for a Material Change of Use to establish a Retirement Village comprising 68 individual dwelling units, a community facilities building and an on-site manager's unit. These dwelling units were proposed to be positioned up to the existing boundaries.

A significant amount of clearing would have been required to accommodate this layout. The applicant proposed to remove all of the riparian vegetation associated with the 3rd order stream in the eastern portion of the site, re-profile the banks and then provide a 7.5m wide rehabilitation corridor. It was also proposed to re-profile the 1st order stream in the western section of the site and re-direct it northward.

The proposal was ultimately presented to council at the Strategy and Planning Committee of 29 September 2010 with a recommendation for refusal.

Primary Issues Identified and Reasons for Refusal (Original Assessment)

The primary issues with the proposal centred around the impact on the environmental values of the site, the impacts on local amenity and character, conflicts with some elements of the precinct intent statements and relevant Codes, and insufficient demonstration of 'need' for the proposal.

The proposed removal of much of the site's vegetation, lack of buffers and impacts upon the waterways and riparian vegetation was considered to be inconsistent with the desired outcomes of relevant Desired Environmental Outcomes and Codes of Maroochy Plan.

The proposed layout and lack of setbacks and vegetated buffers resulted in a highly visible development, which particularly impacted upon the general visual amenity and character of the area. This was exacerbated by the scale of the proposed development form, which was of a medium density nature.

Finally, the proposal did not adequately address the Code for Integrated Water Management in respect of demonstrating that the safety of people on the site (for flood events) would be maintained and there are no non-worsening of downstream impacts.

Accordingly, the original reasons for refusal were drafted as follows:

1. the application conflicts with Maroochy Plan 2000 as it is not in keeping with the existing character of the locality;
2. the application conflicts with Maroochy Plan 2000 as it will create adverse amenity impacts upon the locality;
3. the application conflicts with Maroochy Plan 2000 as it does not respect the environmental values of the site, particularly the existing waterways;
4. the application conflicts with Maroochy Plan 2000 as it will create adverse off-site hydrological impacts;
5. the applicant has not demonstrated sufficient planning grounds to justify approval despite the conflicts with the planning scheme; and
6. the site is inappropriate for dense residential use, particularly for the elderly, being remote from all retail, medical and social services.

Further Assessment

At the Ordinary Meeting of 6 October 2010 council elected to defer the decision to allow its consideration of further information to be provided by the applicant as per the following resolution:

That Council defer at the request of the applicant, Application MCU08/0059 for Development Permit for Material Change of Use of Premises for a Retirement Village (68 Units & Community Facilities) located at 336 Old Bruce Highway Tanawha, described as Lot 5 RP 183544 until the next available Council meeting for the following reasons:

1. *Clarification on buffering issues;*
2. *Building height and scale; and*
3. *Development need and conflict with the planning scheme.*

The subsequent progression of assessment of the application and response to the identified issues has necessitated substantial amendments to the design of the proposal. Under the *Integrated Planning Act 1997* (the application was lodged prior to the commencement of the *Sustainable Planning Act 2009*), the extent of the amendments would result in a 'changed application' and require the application to revert to the start of the assessment process.

The applicant does not wish to restart the assessment process, seeking instead a preliminary approval for the use. Such an approval would only establish that it is considered a potentially acceptable land use under particular conditions or parameters of development, and provide for the level and nature of information to be submitted with a new application (via conditions and advice notes). A new application would still be Impact Assessable, and would enable interested persons to view the changed plans and make submissions on the new proposal.

Council officers have devised a proposed 'Indicative Site Plan', which shows the generally acceptable location of uses on the site including setbacks, buffers, recreational and community areas and a 'developable area' footprint for the location of the various dwelling forms. This plan is attached for information only and is not proposed to be approved. Other development options may eventually be devised to demonstrate that the use could be satisfactorily accommodated.

ASSESSMENT

Changes to Proposal and Additional Information

The applicant has considered the issues raised by council and responded with a new development layout proposal. The new plans make allowance for:

- minimum 10m and average 17m landscape buffers along all frontages, within the boundaries of the site and from the outermost projection of proposed buildings;
- a limit of one (1) storey units/dwellings at key visual locations to the site (such as the Tanawha Tourist Drive frontage) and limit two (2) storey units/dwellings to generally the central part of the site. Previously the development proposed two (2) storey dwellings for the entire site;
- consolidation of building form to reduce building footprint and increase the area available for buffers. This involves consolidating the previously 'detached' villa format to attached villas and small blocks of attached units. As a result, the development 'footprint' proposed could be reduced from around 70% of the site to around 40% of the site;
- removal of the community facilities building from the drainage corridor (which is now free of any building or structures and increased in width) and moved to the entrance of the site; and
- a 'tighter' villa/building footprint, which allows for 'park', landscaped and 'active' open space area to be incorporated between the buildings on site.

The applicant has also proposed that a dedicated community bus will be provided for the residents and agreed that an additional flood impact assessment should be provided as part of a further application before a final layout can be proposed.

Relevant Council Strategies

Since the original assessment report in 2010, two (2) important and relevant Strategies have been adopted by council:

- the Sunshine Coast Affordable Living Strategy 2010-2020; and
- the Sunshine Coast Positive Ageing Strategy 2011-2016.

Affordable Living Strategy

The Sunshine Coast Affordable Living Strategy 2010-2020 was adopted by council on 4 August 2011.

The framework to the Strategy identifies seven (7) key outcome and principle areas:

- Housing Diversity;
- Housing Affordability;
- Self contained Neighbourhoods;
- Transport Options;
- Supportive Environments;
- Resource Efficiency; and
- Economic Development.

The proposal provides an option for local residents within Forest Glen, Mons, Tanawha and Chevallum to remain in the local community. This minimises the loss of existing social connections, activities and friendships. It is acknowledged that a retirement village has recently been approved at Forest Glen. That village will be much larger than the current proposal, if it proceeds. Various needs analyses have indicated there will still be demand for additional retirement housing stock in the area, and the current proposal will provide those additional dwellings and an alternative housing and village style choice.

Despite the high level of mobility and vehicle ownership in such villages, the provision of a private village bus and potentially carpooling arrangements (as occurs in other villages), would have a level of attractiveness to residents for social and economic reasons. This would reduce the impact of private vehicle usage, particularly as compared to that which occurs in alternative housing options for this demographic, such as single detached dwellings or even caravan parks (an acceptable use for this location under Maroochy Plan) and mobile home parks, where there are generally no community facilities.

The proposed development supports the intention of 'self contained neighbourhoods' and 'supportive environments' due to its ability (even at a relatively small scale for a retirement community) to provide on-site social opportunities such as meeting rooms and recreational facilities. It is also noted that the proposed design and layout, which will incorporate some central 2 storey units, has potential to be adapted to include some integrated aged care in the future, if required.

Positive Ageing Strategy

The Sunshine Coast Positive Ageing Strategy 2011-2016 was adopted by council on 29 June 2011. This strategy was developed from a range of community engagement activities including the Positive Ageing Community Survey (and associated report), the Sunshine Coast Positive Ageing Conference and community responses to the Draft Positive Ageing Strategy. The Strategy recognises that a significant percentage of the coast's population is over 55 (and will continue to increase) and is supported by a set of seven (7) guiding principles;

- equitable access for all;
- dignity and respect;
- diversity;
- safety;
- participation and connectedness;
- opportunities for all to an independent lifestyle; and
- collaborative partnerships.

One of the key outcomes of the strategy is to advocate for and provide age-friendly Sunshine Coast communities. Age-friendly communities promote participation, active lifestyles, safety and accessibility for older people and communities. The proposal meets many of the outcomes and principles identified in the strategy.

The arrangement of units and design of such villages, as well as the inclusion of communal facilities, provides on-site opportunities to help older persons feel physically and emotionally safe in their homes, and access to a smaller community and support network within the wider context of their local area. There are opportunities for an independent and active lifestyle as well as additional support where required.

However, for those residents with more limited mobility, or no private transport options, some concern remains about the scope and accessibility to services and opportunities for social participation outside of the village. This is based on the proposal being a relatively small village with some ability to provide shared community areas (meeting room, craft rooms, pool, BBQ area), but not to the degree enjoyed by larger villages (i.e. no on-site visiting rooms for medical, hairdressing, café, bowling greens) and that the closest centre is only accessible by car or village bus. Participation, connectedness and equitable access means provision of more than just some village craft activities and daily transport to shops or a medical centre. It means inclusion in the wider community, the option to engage in work and access to programs aimed at the 'ageing' population. Those who are still widely mobile, or have private transport options, have less of a concern with 'inclusion' and participation outcomes. It is possible for the village management to achieve some level of assistance in these goals for the less mobile part of the village community, while accepting that residents have an educated choice in moving into a particular village or location with the knowledge and acceptance of what services are and are not provided or readily available.

Accordingly, the preliminary approval contains a requirement for a village 'management plan' to be provided with a future application that describes and clarifies the type of facilities provided on site, any arrangements for visiting services (medical, hairdressing, etc.) to utilise the proposed community building rooms, any shared facility access arrangements proposed with other near-by villages, the frequency of the operation of the village bus and proposed destinations. While shopping, dining and medical facilities are available at Sippy Downs Town Centre, there are no external 'social' opportunities, such as sports clubs (e.g. a bowls club) or a library (with access to community programs and learning/participation

opportunities, not just loans which may be accommodated by either the mobile library or the 'bulk loans' program). Therefore, access to these would only be via the public transport available from Sippy Downs Town centre. It is acknowledged that these bus lines variously connect to Caloundra, Maroochydore, Nambour and Landsborough Train Station, but it may be possible for the village bus to provide direct access to other locations on a weekly or bi-weekly roster, or in response to particular activity schedules. This could be achieved by a plan to regularly assess requests made by residents and a decision made and reviewed based on demand and viability. All these factors and the proposed facilities and services to be provided by management should be detailed in an appropriate document, for the purpose of future assessment and for future residents to make informed choices.

Relevant Case Law and Comment from Retirement Village Providers

Case Law

PHILLIPS & ORS V DEVELOPMENT ASSESSMENT COMMISSIONER & ANOR [2011] SAERDC 51

This proposal was very similar to the current proposal in size and the scale of the proposed dwelling units and on-site community facilities, with a proposed village bus. It was also in an urban/rural fringe location. There were some convenience facilities within 500m, but no footpaths. The proposal was 'non-complying' for the zone and the locational 'requirements' of the development plan in respect of being within walking distance to facilities and to fit with local character. The court held that, as for other residential uses, a 'walking distance' to facilities was desirable but not essential for a retirement village, particularly in respect of carrying purchases for any distance. The judge took into account that residents had a range of mobility, but that in-house services and the provision of a village bus were appropriate "off-sets" for these issues. There were other issues not relevant to the current proposal. It is noted that this is a South Australian decision in an equivalent level court to the Queensland Planning and Environment Court and, as such, is not binding upon the Planning and Environment Court, but may be referenced by that court as guidance in the application of legal principles and interpretation.

CHESOL PTY LTD V LOGAN CITY COUNCIL [2007] QPEC 001

This was also an application similar to the current proposal. The application (refused by the council) was for a retirement village in Daisy Hill, in a semi-rural area, but within 600m from 'urban' residential and 3km from Springwood centre. The site was partially cleared and the remainder contained substantial vegetation. It proposed 112 units (on a larger site than at Tanawha) with a community centre including a pool and gym, administration offices, caretakers residence and rooms for visiting health practitioners. The units were proposed to be 2 storey, of 2-3 bedrooms each, and clustered in 'quadruplex' arrangement. A mini bus was proposed for resident use. Council had issue (among other things) with impacts on vegetation, character and amenity impacts and conflicts with various parts of the planning scheme (as it related to land use). The court (Rackemann DCJ) accepted that the dedication of untouched forest achieved the ecological issues and the proposed vegetated buffers would limit visibility sufficiently and integrate the proposal such that only 'glimpses' would remain and that there would therefore be no significant impact on the surrounding character or amenity of the area. The judge accepted that the proposal would provide (in this case a fourth) choice in retirement village living in the area, in response to a growing demand for retirement facilities with limited direction available in the planning scheme for such large sites within proximity to existing communities and services. It was considered that such a choice would benefit a local catchment of potential residents wishing to remain in the area and demonstrated there was a planning, economic and community need, which the proposal would go some way in addressing. The judge accepted that a community benefit would therefore arise from the development. In respect of the 'proximity to services' and 'walkable distances' desired under the planning scheme (similar to the Maroochy Plan) the judge

accepted expert evidence that such proximity was not necessarily required for a retirement village, that potential residents should have the right of choice to a particular living style, and that despite not being within 'walking distance' of a centre or services, the on-site facilities and mini bus were sufficient given that Springwood was so close. This reflects the situation proposed in the current application where Sippy Downs is in fact just over 1km, or a few minutes by mini bus.

Retirement Village Location Selection

The consultant for the applicant has also provided comment arising out of telephone conversations with the Development Managers of Retirement Village Development for both 'Living Choice Australia' and 'Regis'. Both these major retirement village operators have confirmed that walkable access for their residents to convenience shopping facilities and the like plays no role in their selection of sites. This is because residents use the village bus and/or private motor vehicle to access such facilities regardless of the proximity of their villages to such centres, mainly because of the mobility issues of generally older residents and their inability to carry goods from centres to the retirement village developments.

Relevant Retirement Village Approvals

There are a significant number of villages operating outside the 400m "preferred" distance under the Maroochy Plan, despite the location of many of these within an 'urban residential' area. These distances range over 3km in some cases and one (Burnside) is over 5km from Nambour and 3km from 'convenience' level shopping. It is noted that the basis for recent approvals outside this distance is usually the ability of the proposal to provide some on-site community activity or service areas and the provision of private mini-bus transport on a regular basis to centres with retail, medical and commercial services available. Some of these villages also make use of the community notice boards to arrange shared private transport. Case law and previous approvals demonstrate that provision of such on-site facilities and transport arrangements are sufficient to "off-set" planning scheme preferences in the Retirement Villages Code for proximity to centres at 400m.

Comments on 'Need' Analysis

The economic needs analysis originally provided with the application materials (as part of the Information Request response in 2009) was considered inadequate in scope to demonstrate need for the proposal.

Since that analysis was provided, a more recent and comprehensive report was provided (notably by the same company) in support of the Owen Creek Road Retirement Village application, which was recently approved by council (September 2011).

That report included the following, relevant findings, given that the 'catchment' area referred (10km radius from site) is effectively the same:

- there is currently a 97% occupancy rate for retirement village developments in the catchment area and thus virtually no surplus capacity to accommodate an increasingly aged population; and
- that, by 2014/2015, there will be a significant under-supply of seniors' living opportunities, even if all known existing proposals proceed ('all known existing proposals' includes the proposed Superbee Retirement Village Development).

The applicant's consultant for the current proposal noted that even were the Superbee proposal to be approved today, required subsequent approvals and construction of the development would mean that its delivery on the ground could only be achieved by approximately 2014, when the identified shortfall in seniors' accommodation would become a significant issue for the community.

That report acknowledged that the Owen Creek site was within 'walking distance' (500m) of some convenience level facilities, but the 'proximity' to Buderim and Chancellor Park by way of shuttle bus (farther than the distance of the subject site to Sippy Downs), while being situated in an "attractive setting", was highly desirable and of benefit to residents. The development would particularly benefit those who already resided in the area and did not want to leave their existing locality, or lose familiarity with their local services and facilities or social networks.

The report concluded, and was accepted, that there was a strong level of community and economic need for the proposal, which would provide affordable housing choices and generally increase the wellbeing of the retirement community in the catchment area. Given there is also demonstrated need for additional housing in the catchment (and in fact the current proposal was already considered by that report as providing for some of the shortfall), the finding of that report is also considered to support the demonstration of need for the current proposal.

Character, Amenity and Design

The proposed development, if undertaken in accordance with the 'parameters' established by a Preliminary Approval, will have negligible impact upon local character and amenity, and possibly an improved, if not comparable, outcome to the alternative 'acceptable' uses of the site (in accordance with the local planning intent statements and precinct designation under Maroochy Plan 2000).

Despite the relative 'density' of development that will be achieved on the site (estimated at somewhere between 65–75 units dependent upon the final available 'footprint'), there will be minimal, if any, impact upon local character and amenity. The units will be shielded from the surrounding road by the required 10m vegetated buffers. Once this buffer has reached mature growth heights, only 'glimpses' of the development should remain. The entrance to the site will not be from the main road in the locality (Tanawha Tourist Drive) but, rather, from a rear access road. The proposed two (2) storey units are considered acceptable if they are not the dominant building form on the boundaries and are provided as part of a mix of building forms (to no more than 50% of the total buildings on site). Further, the buildings are required to be provided in 'clusters' with passive open space between them. The result is that the roof line will be varied in height, horizontally broken up and increase to the middle of the site.

Were the site to be developed for rural residential uses, there would be limited controls on the construction of dwellings (allowable to two (2) storeys, no limit on GFA, and able to be located to any boundary) nor the ability to require a screening buffer or limit clearing of non-remnant vegetation. Accordingly, the site could potentially be developed into a few large residential sites, with almost full clearing of the site and buildings located close to boundaries. While this would still be in keeping with the local 'character' (it is surrounded by rural residential development generally), it would reduce the 'amenity', given that the Tanawha Tourist Drive is reasonably vegetated.

The site is alternatively able to be developed for tourist uses (undefined) or a caravan park (nominated as generally 'acceptable' by the precinct intent). The same ability for mitigating measures (buffers, vegetation protection) would be available in those cases, but the resultant

development would likely have some character impacts on the rural residential area due to traffic movements, building form, or lighting, etc.

The proposed development has no greater impact on character or amenity than any of these uses, when considered in context. The development is able to be sufficiently integrated that its outward appearance would, in fact, be consistent with local amenity and residential character.

As long as the future development occurs within the nominated parameters (limiting or prescribing the development footprint in accordance with required vegetation, building height, location and development form), the proposal is not considered to present significant conflicts with these aspects of the planning scheme. The proposal will achieve the overall intent of the scheme for these matters and any perceived 'conflict' with 'preferred' uses is not sufficient to result in a recommendation for refusal of the proposal.

Conflict with the Planning Scheme

Other than vegetation preservation, character and amenity, the remaining 'conflicts' to be addressed are the 'locational' statements in the planning scheme with regard to retirement villages. These issues have variously been addressed in preceding sections to this report, such as council policies and strategies and case law commentary.

In reiteration and summary, it has been demonstrated that proximity to services is generally desirable, but not essential, for retirement villages, and that location outside of the distances described by such aspirations or requirements may be (and have previously been accepted by council to be) 'off-set' by the provision of on-site community services and recreational areas and village shuttle bus services. There are many instances where existing approved retirement villages are located within the nominated precincts under the 'acceptable measure' of the code, but not necessarily within 'walking distance' of transport, shops or services.

It is further noted that many residents still have reasonable mobility and instead choose to reside in such environments for social and security reasons. While it is desirable to encourage such communities to have easy or immediate access to social, retail and medical facilities, it is ultimately the resident's choice as to whether the location, environment and village services suit their individual requirements or preferences. Accordingly, as long as a Village Management Plan or similar information is provided to prospective residents that adequately describes where the closest of each of these types of facilities are, and the terms of any village management assistance to be provided in accessing these facilities (or maintaining the same if on-site), this should be considered an equitable alternative to the preferred outcomes of the Retirement Villages Code and to suitably achieve the Intent of the Code. Therefore, no 'conflict' with the planning scheme is considered to exist that is significant enough to warrant a recommendation of refusal in respect of this issue.

Submitter Concerns

The submitter concerns from the original assessment were dealt with in detail in the earlier report to council. Generally issues pertained to traffic, safety, density concerns, visibility and character or amenity impacts and a perceived 'oversupply' of such housing. While these issues are dealt with in this further assessment and new information provided, it is also noted that a further development permit application will be required and that such an application will also be Impact Assessable. Accordingly, any interested or concerned persons will be able to make submissions at the time of that application being publicly notified and such submissions will be both considered by council in its assessment.

Remaining Issues for Application

Flood Assessment

The subject site receives flows from 2 significant external catchments with areas of 25.6 ha and 17.3 ha respectively. These external catchments, coupled with the restriction caused by the crossing of Tanawha Tourist Drive, will result in some flooding of the subject site. The extent of flooding caused by these local external catchments has not been modelled as part of any of council's regional flood models.

Although some information has been provided, council officers have determined that there are outstanding matters required to be addressed via a Flood Assessment Report and Integrated Water Management Plan. Initial review by officers suggests that the site has development potential, but that a site layout or development footprint cannot be approved until such issues are resolved. Conditions and an Advice Note are provided outlining the issues, level and type of detail required for final assessment as part of further applications. This is why even an 'indicative' site plan (as attached for information purpose) cannot be approved at this time, despite being generally acceptable, and supports the proposal to issue a Preliminary Approval only at this time.

CONCLUSION

The reasons for refusal provided with the original assessment were that:

1. the application conflicts with Maroochy Plan 2000 as it is not in keeping with the existing character of the locality;
2. the application conflicts with Maroochy Plan 2000 as it will create adverse amenity impacts upon the locality;
3. the application conflicts with Maroochy Plan 2000 as it does not respect the environmental values of the site, particularly the existing waterways;
4. the application conflicts with Maroochy Plan 2000 as it will create adverse off-site hydrological impacts;
5. the applicant has not demonstrated sufficient planning grounds to justify approval despite the conflicts with the planning scheme; and
6. the site is inappropriate for dense residential use, particularly for the elderly, being remote from all retail, medical and social services.

The council deferred its decision requesting further information pertaining to:

- clarification of buffering issues;
- the proposed buildings' height and scale; and
- development need and conflicts with the planning scheme.

These matters have been addressed in the preceding assessment. Additional buffers, redesign of the units and their location on the site, dedicated vegetation reserves and commitment to a village bus provide alternative solutions to the original proposal. It is considered that, due to the proposed changes suggested by the applicant and the nature of the proposed Preliminary Approval and conditions, when considered in context of demonstrated 'need' and appropriate reference to preceding decisions and relevant case law, these issues are satisfactorily demonstrated to have fallen away or sufficiently able to be addressed by way of further development permit assessment.

The proposed land use is considered to be acceptable for the site and locality and a future application should be made based on the conditions and acceptable development 'parameters' provided. There are sufficient grounds for approval of the application despite a

conflict with the planning scheme and that such conflict is not considered to be 'significant' given the solutions and amendments now provided by the applicant.

APPENDIX A - CONDITIONS OF APPROVAL**1. APPLICATION DETAILS**

Application No:	MCU08/0059
Street Address:	336 Old Bruce Highway Tanawha
Real Property Description:	Lot 5 RP 183544
Planning Scheme:	Maroochy Plan 2000 (21 April 2008)

2. DECISION DETAILS

The following type of approval has been issued:

- Preliminary Approval for Material Change of Use (Retirement Village)

This approval does not authorise development to occur. A Development Permit must be obtained prior to the issue of any subsequent approvals.

3. RELEVANT PERIOD OF APPROVAL

The relevant period for this development approval is 4 years starting the day that this development approval takes effect.

This Preliminary Approval lapses if the whole of the approved use has not happened within 6 years of the date that the approval takes effect

4. ASSESSMENT MANAGER CONDITIONS**PLANNING****General**

1. The applicant must comply with all of the conditions of this Preliminary Approval unless otherwise stated.

Site layout/Development footprint

2. The maximum height of 2 storey buildings is limited to 8.5m from natural ground level.
3. Building setbacks from vegetation on the site should be 1.5 x the tree height, or as otherwise approved by Council under a further development permit.
4. The overall development footprint should be generally about 40%, subject to further assessment after flood management issues are resolved to the satisfaction of Council and within other development parameters as conditioned herein.
5. Proposed buildings or units shall be clustered in groups with open space and passive recreational areas provided between buildings.
6. A mix of single and two storey units or buildings should be provided, with a maximum of 50% for two storey dwelling units.
7. The predominant built form closest to the Tanawha Tourist Drive/Old Bruce Highway frontage shall consist of single storey dwellings.
8. The entrance to the development must be located generally at the mid point of the frontage to Tanawha Road. Access to the development from Tanawha Tourist Drive is not permitted.
9. The internal roadway may cross the waterway/dam located at the eastern part of the site. The roadway may only cross the waterway once.

Village Community Centre and Bus Services

10. A community centre/facilities area is to be provided generally at the entrance of the development, and may be provided in conjunction with administration offices or a manager's residence. Detailed plans must be provided demonstrating the available use areas and types of facilities within the community centre building. At a minimum, the centre should provide an active recreational space (such as a pool or bowling green) as well as BBQ and/or kitchen facilities, covered passive recreational or meeting areas outside, a large internal meeting area or hall, and at least two smaller rooms suitable for use as consulting rooms by visiting health providers or for smaller craft or resident's groups.
11. The development must be provided with a courtesy bus service, which is to be maintained for the benefit of all occupants and staff of the development. The bus service must provide regular services (at least daily) to higher order shopping and medical facilities, including at least to Nambour and Sippy Downs town centres, and at least bi-weekly services to additional centres such as Maroochydore or Caloundra. The bus services should also provide direct transport to the nearest Council library on at least a weekly basis.
12. At the time of seeking a Development Permit, the applicant must provide details pertaining to the level of services provided in the community centre and the proposed operation of the village shuttle bus (including an on site parking space for the bus), by way of a Village Management Plan or similar document. This document must be sufficiently detailed to be able to be provided to any resident or potential resident of the development. Further details as to the expected level of information to be provided is contained within the advice notes to this approval.
13. This Management Plan or similar document must demonstrate that sufficient access to social, retail, commercial and medical services or facilities can be provided to satisfy the intent of the relevant planning scheme and policies of Council, at the time of the Development Permit being sought.

Buffer Vegetation

14. The development must provide a minimum 10m wide vegetated screen buffer along all road frontages. The buffer is to be provided wholly within the boundaries of the site and does not include vegetation located within the road reserves. No buildings, courtyards/private open space, fences, internal roads or infrastructure of any kind is to be located within the 10m buffer.
15. The 10m wide vegetated buffer referred to above must comprise of all the existing native species and other appropriate species at a planting density to provide an effective screen buffer to the development.

Protection and Rehabilitation of Waterways

16. The waterways and riparian vegetation on the site must be retained and enhanced in accordance with Planning Scheme Policy No. 3 - Rehabilitation Plans.
17. Any modifications to the existing streams must be designed to comply with the BCC Natural Channel Design Guidelines such that they create a natural looking and functioning waterway.
18. All development, including the provision of services and infrastructure, must remain clear of the waterways and achieve setbacks as per the Code for Waterways and Wetlands (being 25m setback from the top of bank for the order 3 stream and 10m setback from top of bank for the order 1 stream).
19. The provision of walking tracks and seating are permitted within the areas surrounding the site's waterways, provided such facilities do not compromise the protection of vegetation and do not take up more than 5% of the dry area.

Tree Fall Management Plan

20. At the time of seeking a development permit for the Material Change of Use, a Tree Fall Management Plan must be provided indicating how the safety of dwelling occupants will be maintained over time. The Plan must demonstrate the required setback of buildings from the Regional Ecosystem vegetation located in the south-east corner of the site, which is to be at least 1.5 times the height of the vegetation, or another distance approved by Council.

Ecological Assessment

21. At the time of seeking a development permit for the Material Change of Use, provide an updated Ecological Assessment of the existing waterways and vegetation on the site as described in Appendix A and C of Planning Scheme Policy No. 2 – Flora and Fauna Assessment. The report must determine the potential impacts resulting from the proposed site works and be consistent with the findings of the required flood study.

Vegetation Covenant

22. A vegetation covenant must be established over the existing vegetation and required buffer vegetation, and must include the following areas:
- (a) the revegetation in the south-eastern part of the site, in accordance with the requirements of the Department of Environment and Resource Management;
 - (b) the waterways and their setbacks of 25m and 10m; and
 - (c) the 10m wide vegetated buffer required to the road frontages of the site.

Acoustics

23. At the time of seeking a development permit for the Material Change of Use, provide an Acoustic Assessment demonstrating how residents' amenity will be protected from external vehicular traffic noise. Any acoustic barrier required must be located between the buffer vegetation and the development and not on the site boundary.

Fencing

24. Fencing details must be provided at the time of seeking a Development Permit. The location and design of any fencing must not detract from the purpose of the buffer vegetation to provide a visual screen.

Urban Design

25. All buildings on the site must be constructed of materials, finishes and colours that reduce the visual impact of the development as far as practicable.
26. Passive cooling techniques must be used to assist in the cooling of all buildings.

Car Parking

27. On site car parking must be provided in accordance with the relevant planning scheme.

External works

28. Works external to the site must be constructed in accordance with a future Development Permit for Material Change of Use, including, but not limited to, kerb and channel, with formed verge and concrete footpath to Tanawha Road (southern frontage) and Mannikin Road frontages. The frontage works must extend, as a minimum, from the proposed entrance to the development to the Mannikin Road/Tanawha Tourist Drive intersection.
29. The intersection of Tanawha Tourist Drive and Mannikin Road must be upgraded to create at a minimum, a Type CHR(S) right turn treatment.

HYDRAULICS AND WATER QUALITY

30. At the time of seeking a Development Permit for the Material Change of Use, provide a revised and consolidated Integrated Water Management Plan (IWMP) which demonstrates compliance with the Code for Integrated Water Management and is prepared in accordance with the requirements of Section 7 of Planning Scheme Policy No. 5 and the Integrated Water Management Guidelines (MSC, 2006), or the equivalent provisions of the planning scheme in operation at the time. The IWMP is to accurately reflect the proposed development layout and is to be a self-contained document incorporating all revisions and addendums. The IWMP is to specifically incorporate the following elements:
- (a) A Flood Assessment Report (refer to advice notes) which includes:
 - i) a sensitivity analysis demonstrating floor levels will not be exceeded should the culverts within and downstream of the site become fully blocked; and
 - ii) a residual flood risk assessment which demonstrates residents can either safely evacuate or take refuge for events exceeding the 1 in 100 year ARI flood level, such that people's safety is not compromised.
 - (b) A Water Quality Management Plan, demonstrating how stormwater quality treatment devices are incorporated within the layout and the required pollutant load reduction targets are achieved.

Safety and Security

31. An Emergency Evacuation Plan will be required for the development and is to be provided to residents and clearly displayed for the benefit of visitors. This is to be provided to Council at the time of seeking a Development Permit for the Material Change of Use.

UNITYWATER

32. Reticulated water supply and sewerage services must be provided to the development site in accordance with the relevant planning scheme.
33. The applicant must provide written approval from Council's Parks and Gardens Branch for the sewerage rising main to be located in the Council owned park. This approval must be submitted prior to the Operational Works application.
34. The applicant must provide written approval from the property owner of either Lot 5 RP 218739 or Lot 1 RP 817448 for the sewerage rising main to be located within either Lot 5 or Lot 1. This approval must be submitted prior to the Operational Works application.
35. The applicant shall provide unequivocal written approval from Department of Transport and Main Roads for the sewerage rising main to be located in the state controlled road reserve. This approval must be submitted prior to the Operational Works application.

Infrastructure Agreement

36. At the time of seeking a development permit for the Material Change of Use, an Infrastructure Agreement must be entered into with Unitywater for the provision of sewerage works and contributions.

5. REFERRAL AGENCIES

The referral agencies applicable to this application are:

Referral Trigger	Referral Status	Referral Agency and Address
Vegetation Clearing	Concurrence	Dept of Environment & Resource Management PO Box 573 Nambour QLD 4560
Wetlands	Advice	Dept of Environment & Resource Management PO Box 573 Nambour QLD 4560

A copy of any referral agency conditions is attached.

6. APPROVED PLANS/DOCUMENTS

Approved Plans

Nil

Approved Documents

Nil

7. PLANS/DOCUMENTS REQUIRING AMENDMENT

Nil

8. ADVISORY NOTES

Extent of Approval

1. This approval grants preliminary approval only, and does not constitute a development permit. A development permit for Material Change of Use must be granted prior to any progression of this development.

Density

2. The maximum number of units to be provided on the site will be conditioned as part of a further development permit approval and will be determined by reference to the developable area of the site/development footprint (excluding all infrastructure, buffers, vegetation covenant areas and in response to the findings of an approved flood study) and any other development parameters established by these approval conditions.

Contributions

3. Any future development permit issued will trigger a "Notice of Financial Contribution" to be issued in accordance with an executed Infrastructure Agreement for sewer works and contributions.
4. This development permit may trigger an "Adopted Infrastructure Charge Notice" (if applicable) to be issued in accordance with Councils "Adopted Infrastructure Charges Resolution (No.2) 2011" under the *State Planning Regulatory Provision (Adopted Charges)* and the *Integrated Planning Act 1997*.

Village Management Plan

5. This document should detail the level and type of activities or services intended to be provided by management within the community centre building and how the facilities or activities are to be provided. For example what rooms and facilities will be available, whether management intends to organise visiting services or activities or

whether the use of the centre is intended to be “self-managed” by interested groups in the village. The Management Plan should document whether any sharing arrangements of additional facilities are proposed between the village and any nearby villages and transport arrangements to be provided to make use of any such arrangements.

6. The document should detail how the proposed village shuttle bus is to be operated. Details as to the regularity of service to main centres (and which centres/locations) should be provided and also whether provision will be made for additional or irregular trips on request of the applicants, for example if a group of residents wished to access social or sporting facilities outside nominated locations or transport times, and how such requests will be assessed or decided (for example, based upon distance, operating hours or minimum persons per trip). It is noted that the requirement for direct access to a Council library is not in order to enable loans access (which may be supplemented via the available bulk loans arrangements and mobile libraries), but rather to enable access to social, learning and community events and services run through the various libraries programs.
7. The primary intent of this document is to ensure that the social needs of residents are adequately satisfied in accordance with the relevant policies of Council, as well as sufficient access to retail, commercial and medical services under the requirements of the relevant planning scheme, for the purpose of approval of a Development Permit.
8. The secondary intent of the document is to ensure adequate information is able to be provided to residents or potential residents such that these persons can make an informed choice about the standard of living, support and services to be provided by the village management.
9. It is noted that the level of access to services is a significant matter in the justification of the proposal in the given location, and in consideration of the relatively small size of the proposed development.

Hydrology

10. The technical issues with the previously provided flood study information which will need to be resolved as part of any resubmission include:
 - (a) The critical case event for flooding at the site is likely to occur if the culverts under the Old Bruce Highway are fully blocked. As such, provide calculations to demonstrate that, under a worse case scenario, building floor levels will not be compromised and can be preserved. Further details to be provided include sections along the Old Bruce Highway including weir profiles as well as associated weir flow calculations and depths to demonstrate that building floor levels are appropriate.
 - (b) An assessment of the sensitivity of flood levels at the site should be made with due consideration of flood level impacts associated with inaccuracies in hydrological and hydraulic modelling works. Possible sensitivity assessments include an increase in catchment flows (especially given difference between the URBS versus MIKE11 model flows), channel roughness as well as full blockage of the internal road culverts. Ultimately, demonstrate that building floor levels will not be compromised.
 - (c) Several of the MIKE11 model cross sections for the various development cases do not fully contain the anticipated extent of flooding at the site. It is noted that detailed survey information is available at the site and the flood extents prepared illustrate flooding to be contained within the waterways and channels. Clarification is, therefore, sought on why the model cross sections have not been sufficiently extended to fully contain flooding at the site and what the associated impacts are to flood levels at the site given the approach undertaken.

- (d) The flood extent for the developed condition illustrates a slightly larger extent in the western channel area that appears to be greater than the existing case extent as well as encroaching into the road verge along the Old Bruce Highway. Clarification is sought on the flood extent in this area.
- (e) Non-worsening of upstream flood levels is questionable, especially associated with the western crossing of Tanawha Road associated with considerable physical changes in the waterway (ie. re-direction of culvert location, downstream filling, reduced conveyance areas, etc). Provide further details on the representation of the changes made in the model in this location, as well as clearly defining the change in flood levels, widths of flooding and associated characteristics and to ensure non-worsening conditions are achieved.
- (f) Submit an electronic copy of all model files to assist Council in undertaking a comprehensive review of the technical models prepared.

Unitywater

- 11. The rising main shall be privately owned and maintained from the development site to the discharge point to Unitywater's sewerage infrastructure.

Equitable Access and Facilities

- 12. The plans for the proposed building work have NOT been assessed for compliance with the requirements of the Building Code of Australia – Part D3 as they relate to people with disabilities. Your attention is also directed to the fact that in addition to the requirements of the Building Code of Australia – Part D3 as they relate to people with disabilities, one or both of the following may impact on the proposed building work:
 - (a) the *Disability Discrimination Act 1992* (Commonwealth); and
 - (b) *Anti-Discrimination Act 1991* (Queensland).

Sunshine Coast Regional Council recommends that the following matters be considered to address equitable access and facilities in the building:

- (a) the building and environs should be designed to meet the requirements of the Human Rights and Equal Opportunity Commission "Advisory Notes on Access to Premises" and AS 1428.2;
- (b) applicants should be aware that a "Disability Standard on Access to premises" is currently being developed and most likely will impose changes on the Building Code of Australia; and
- (c) any services and facilities in the building complex should allow independent, dignified and equitable use of the services and facilities for all people.

Aboriginal Cultural Heritage Act 2003

- 13. There may be a requirement to establish a Cultural Heritage Management Plan and/or obtain approvals pursuant to the *Aboriginal Cultural Heritage Act 2003*. The *ACH Act* establishes a cultural heritage duty of care which provides that: "A person who carries out an activity must take all reasonable and practicable measures to ensure the activity does not harm Aboriginal cultural heritage." It is an offence to fail to comply with the duty of care. Substantial monetary penalties may apply to individuals or corporations breaching this duty of care. Injunctions may also be issued by the Land and Resources Tribunal, and the Minister administering the Act can also issue stop orders for an activity that is harming or is likely to harm Aboriginal cultural heritage or the cultural heritage value of Aboriginal cultural heritage.

You should contact the Cultural Heritage Co-ordination Unit on 07 3239 3647 to discuss any obligations under the *ACH Act*.

9. PROPERTY NOTES

Nil

10. PRELIMINARY APPROVAL OVERRIDING PLANNING SCHEME

Not Applicable.

11. FURTHER DEVELOPMENT PERMITS REQUIRED

- Development Permit for Material Change of Use (Retirement Village)

12. SELF ASSESSABLE CODES

Not Applicable.

13. SUBMISSIONS

There were 26 properly made submissions about the application. In accordance with *Integrated Planning Act 1997*, the name and address of the principal submitter for each properly made submission is provided and attached.

14. REASONS/GROUNDS FOR APPROVAL DESPITE CONFLICT WITH SCHEME

The Assessment Manager considers the decision conflicts with the planning scheme and the following are sufficient grounds to justify the decision despite the conflict:

1. The proposed land use can be integrated with the existing natural character of the locality and not detrimentally impact upon nearby residential uses, existing traffic and access arrangements or amenity.
2. Design parameters can be provided to ensure the proposed use will not impact upon environmental values associated with the site.
3. A Flood Management Report and Integrated Water Management Plan can be provided with further development permit applications.
4. The site has access to all necessary infrastructure and there is existing network capacity for the proposal.
5. The land use can incorporate on-site community facilities and provide for private transport services sufficient to off-set the distance to the nearest town centre (Sippy Downs).
6. There is sufficient community, planning and economic need for the proposed facility in the proposed location and the facility will provide a community benefit in addressing that need.
7. The proposed land use does not present serious conflict with the Strategic Plan when considered in the context of the Planning Scheme as a whole.

15. RIGHTS OF APPEAL

You are entitled to appeal against this decision. A copy of the relevant appeal provisions from the *Integrated Planning Act 1997* is attached.

During the appeal period, you as the applicant may suspend your appeal period and make written representations to Council about the conditions contained within the development approval. If Council agrees or agrees in part with the representations, a “negotiated decision notice” will be issued. Only one “negotiated decision notice” may be given. Taking this step will defer your appeal period, which will commence again from the start the day after you receive a “negotiated decision notice”.

16. OTHER DETAILS

If you wish to obtain more information about Council’s decision, electronic copies are available on line at www.sunshinecoast.qld.gov.au or at Council Offices.

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4.1.2 DEVELOPMENT APPLICATION FOR MATERIAL CHANGE OF USE FOR AN ENVIRONMENTALLY ASSESSABLE INDUSTRY (ASPHALT BATCHING PLANT) AT 66–110 COONEY ROAD, BLI BLI

File No: MCU10/2096
 Author/Presenter: Senior Planner, Planning Assessment
 Appendices: App A – Conditions of Approval (SPC Pg 50)
 Attachments: [Att 1 - Proposal Plans](#) (SPC Att Pg 27)
[Att 2 - Concurrence Response \(DERM\)](#) (SPC Att Pg 31)
[Att 3 - Concurrence Response \(DTMR\)](#) (SPC Att Pg 58)

Link to PD Online:

<http://pdonline.sunshinecoast.qld.gov.au/MasterView/Modules/Applicationmaster/Default.aspx>

SUMMARY SHEET	
APPLICATION DETAILS	
Applicant:	Downer Edi Works Pty Ltd
Proposal	Development Permit for Material Change of Use for an Environmentally Assessable Industry (Asphalt Batching Plant); Development Permit for Material Change of Use for Environmentally Relevant Activity (ERA 6(b) - Asphalt Manufacturing) and Environmentally Relevant Activity (ERA 8 (3a) Chemical Storage).
Properly Made Date:	19/11/2010
Information Request Date:	05/01/2011
Information Response Received Date:	21/05/2011
Decision Due Date	31/01/2012
Number of Submissions:	1 properly made and 19 not properly made
PROPERTY DETAILS	
Division:	9
Property Address:	66–110 Cooney Road, Bli Bli, Qld 4560
RP Description:	Lot 3 SP 193049, Lot 4 SP 193049
Land Area:	Lot 3: 9.3870 ha (development site) Lot 4: 6.832 ha (site access)
Existing Use of Land:	Existing asphalt plant and quarry
STATUTORY DETAILS	
SEQRP Designation:	Urban
Planning Scheme	Maroochy Plan 2000 (5 Nov 2010)
Strategic Plan Designation:	Extractive Industry/Industrial
Planning Area / Locality:	Planning Area 22 - Petrie/Paynter Creek Plains
Planning Precinct / Zone:	Precinct 2 - Nambour - Bli Bli Road – Core Industry
Assessment Type:	Impact

PURPOSE

The purpose of this report is to seek council's determination of an application for a Development Permit for Material Change of Use for an Environmentally Assessable Industry (Asphalt Batching Plant) to replace 2 existing asphalt plants at 66-110 Cooney Road, Bli Bli. The application has been referred to council at the request of the divisional councillor.

EXECUTIVE SUMMARY

The proposal is for a new German designed asphalt plant to replace both an existing plant at Cooney Road, that operates in conjunction with the adjoining Holcim quarry, and a mobile plant that operates from the Bli Bli roundabout. The development site is located within a core industry precinct, which supports an asphalt plant, quarry, waste transfer station, waste management facility, Cow Candy plant and other industrial uses.

The applicant has applied to the Department of Environment and Resource Management for the two (2) required Environmentally Relevant Activities (ERAs), being ERA 6(b) - Asphalt Manufacturing and ERA 8(3a) Chemical Storage. The department has the jurisdiction under the *Environmental Protection Act 1994* and the *Environmental Protection (Air) Policy 2008* for controlling environmental emissions from the plant. The department has assessed the ERAs and approved them, with conditions to control the plant's emissions (air, noise, water).

Unlike many American asphalt plants, the proposed batching plant would not refine bitumen on-site, which is the source of most noxious emissions. The plant proposes to mix (batch) bitumen, which is refined elsewhere, with heated aggregate (rock) to produce asphalt concrete upon demand. Unlike the existing plants to be replaced, the new plant would be able to process up to 25% recycled asphalt pavement, saving limited resources. The new plant would be fully enclosed and use bag house filters and water scrubbers to reduce and recycle emissions. A four (4) metre wide landscape buffer is proposed along the southern boundary of the site to screen the development from the Bruce Highway. Compared to the current asphalt plants, the new plant would result in lower energy inputs and reduced emissions. Council retained an independent third party consultant to review the air quality *Ausplume* modelling undertaken by the applicant. The verification modelling confirmed that the new plant will meet the Department of Environment and Resource Management's stringent air emissions criteria.

Because noise emissions from the new plant will be less than those emanating from the existing plant, it is not anticipated that the plant will impact on the roosting habits of flying foxes in the adjoining Parklands Reserve. Nevertheless, council's environmental specialist has recommended that a buffer of *Ficus microcarpa var. hillii* (Hill's Weeping Fig) be established on the western side of Cooney Road, to reduce the penetration of light and dust into the Parklands Forest Reserve and provide additional food source for the flying foxes. The Department of Environment and Resource Management has confirmed that the flying foxes would be able to continue to co-exist with the new plant.

The application complies with the relevant State Planning Policies and the Southeast Queensland Regional Plan. It is consistent with the Strategic Planning requirements and the Precinct Intent for Core Industry of Maroochy Plan 2000. The proposal complies with the Performance Criteria of the Code for Industries in Urban Areas and can be conditioned to comply with all other applicable codes. The proposal is recommended for approval with conditions.

OFFICER RECOMMENDATION

That Council APPROVE WITH CONDITIONS Application MCU10/2096 by Downer Edi Works Pty Ltd and grant a Development Permit for Material Change of Use for an Environmentally Assessable Industry (Asphalt Batching Plant) at 66-110 Cooney Road, Bli Bli, described as Lot 4 SP 193049, subject to the conditions of approval as outlined in Appendix A.

FINANCE AND RESOURCING

If approved, the development would result in infrastructure charges of \$73,600.

Infrastructure Charge	Offset/Rebate	Amount
Transport	\$0.00	\$1,669.00
Public Parks & Community Facilities	\$0.00	\$295.00
Stormwater	\$0.00	\$70,380.00

INTRODUCTION**Background/Site History**

On 5 September 1973, council issued a Development Permit for the establishment of an Extractive Industry on the subject site.

On 11 May 1982, council approved an upgrade to the office and workshop, including the installation of an onsite weighbridge.

On 13 July 1983, council granted an extension to the quarry such that the quarry operations were undertaken a further 130 metres northwards into the State Forest.

On 12 April 1985, council approved a mobile asphalt plant as part of the quarry operation.

On 20 February 1986, the existing asphalt plant commenced operation at Cooney Road in conjunction with the approved quarry. The plant operates under existing use rights (Heavy Industry) in association with the approved extractive industry (quarry) pursuant to the provisions of *the Local Government Act (1936-1985)*, the Maroochy Plan 2000, and Chapter 43 (town planning scheme for the balance of the shire) of the By-Laws.

On 23 December 1993, a Sales Agreement between CEMEX Australia Pty Ltd and the Queensland State Government was approved. This agreement has been amended on subsequent occasions to extend the life of the quarry until 2013, and then again to 2023. An option exists for further extensions.

On 30 October 1998, council issued the asphalt plant's ERA licences pursuant to *Environmental Protection Regulation 1994* with air, noise, water, waste, monitoring and reporting conditions.

On 6 August 2003, the Environmental Protection Agency issued a licence allowing the extraction of rock, sand, clay, gravel, loam or other material from a pit or quarry using plant or equipment having a design capacity of 100,000 tonnes or more per year.

In August, 2007, the Department of Environment and Resource Management issued an Itinerant License for a mobile asphalt plant operating from the Bli Bli roundabout.

On 2 June 2009, council renewed the asphalt plant's ERA licences pursuant to *Environmental Protection Regulation 2008*. On 6 October 2009, council granted Registration Certificate EMR09/0052 for the asphalt plant pursuant to the *Environmental Protection Act 1994*.

On 3 March 2010, council approved an application (MCU09/0025) for extensions to the existing extractive industry (quarry). A Negotiated Decision was issued on 2 July 2010. The approval allows for the continued use of the quarry for the next fifty (50) years.

On 28 July 2011, council renewed the asphalt plant's ERA licences under the provisions of the *Environmental Protection Act 1994* until 31 July 2012.

Proposal

The applicant seeks approval for Development Permit for Material Change of Use (Environmentally Assessable Industry) to establish a new asphalt batching plant within the Bli Bli Core Industry precinct at Cooney Road, Bli Bli to replace two (2) existing asphalt plants. The proposed upgraded asphalt plant would continue to be co-located with the existing Holcim quarry, which council recently approved for an additional fifty (50) years. The plant would be located approximately 70 metres southwest of its current location to allow the quarry to use the existing site for its water quality treatment regime, which includes construction of a vegetated wetland to treat water and provide additional habitat for fauna. The applicant has applied to the Department of Environment and Resource Management under the *Environmental Protection Act 1994* for two (2) associated Environmentally Relevant Activities (ERAs), being ERA 6(b) - *Asphalt Manufacturing* and ERA 8(3a) *Chemical Storage* (inclusive of ERA 15 - fuel burning). Assessment of the ERAs and associated environmental emissions is the department's jurisdiction, as a concurrence agency for the application. The Department has assessed the application under the *Environmental Protection Act 1994*, *Environmental Protection Regulation 2008* and the *State Environmental Protection (Air, Noise and Water) Policies* and provided its concurrence agency approval.

The existing Cooney Road plant, with a production capacity of 100 tonnes per hour, uses old technology. Its ERA approvals are silent on production capacity (no upper limit) and regulate particulate matter only. The applicant contends that its replacement with the proposed Uniglobe 240 (tonnes per hour) would provide environmental benefits in terms of reduced air and noise emissions. A second mobile plant mounted on semi-trailers has been operating from the adjacent Department of Transport and Main Roads Bli Bli roundabout road reserve since August 2007 under an itinerant License issued by the Department of Environment and Resource Management. The mobile plant, which is also owned by the applicant, has been temporarily relocated to Cooroy for the Curra Bruce Highway extension. The applicant advises that the mobile plant will return to Bli Bli to supplement production to meet demand to maintain the Bruce Highway in the event that the new plant is not approved. The mobile plant is not under council jurisdiction because it is temporary in nature and does not require planning approval.

The proposed new plant's maximum production capacity would be 240 tonnes per hour, but it is anticipated to operate at 50% of that volume, translating into an annual capacity of approximately 10,000 loads, which is sufficient to meet projected demand in the area. The plant is anticipated to operate at its maximum capacity for 6 hours per annum to meet anticipated demand associated with the Bruce Highway. The plant has the capability to include up to 25% recycled asphalt pavement, which the current plant cannot. The two (2) existing asphalt plants have a combined production capacity of approximately 14,000 loads per year. Of this, approximately 5,000 loads are generated by the Cooney Road plant, while

9,000 loads are generated by the mobile plant. If the current application is approved, the existing Cooney Road plant would be decommissioned and the mobile plant redeployed.

There is considerable confusion between United States and Australian terminology, available through the internet, relating to asphalt plants. US asphalt is bitumen binder or tar, which is often refined on site from coal/oil. Tar is not available in Australia and is not manufactured here. Unlike some American asphalt plants, the proposed Cooney Road plant would not refine asphalt (US terminology) or bitumen (Australian terminology) on-site. Bitumen is manufactured at major refineries elsewhere in Australia and delivered to site as a manufactured product. The asphalt batching plant simply mixes the bitumen with aggregate (rock) to create asphalt (AC or asphaltic concrete). Bitumen is stored in purpose built tanks at 160°C so that it will adhere to the heated aggregate in an enclosed mixing chamber once collection trucks arrive. The combustion process, associated with the plant's stack, heats and dries the aggregate in an enclosed rotating drum dryer to remove its moisture content. The stack associated with the burner has nothing to do with the bitumen refinement and its emissions are primarily a by-product of drying the aggregate.

The enclosed plant is designed to minimise emissions, heat loss and noise, with insulated components using the latest in filtration technology (bag house filters) to prevent dust and fumes escaping into the atmosphere. Exhaust from the heating process is ducted off the drier through the filtering system removing particulate, which is collected and recycled into the end product. The heated, dried aggregate is transferred to the mixing tower via a continuous vertical elevator. Bitumen, delivered to the site by tankers, is kept warm with electric heaters in special purpose enclosed storage silos. The plant incorporates warm asphalt mix technology, allowing asphalt to be produced both conventionally at 165°C and at temperatures as low as 115°C, reducing fuel consumption and odour. The aggregate and bitumen are combined in an enclosed mixing tower. The resulting asphalt is gravity feed into a transfer trolley, which delivers the asphaltic concrete into enclosed storage bins and then into waiting trucks below. Asphalt is covered in the trucks for delivery to the site. The remainder of the operation moves the aggregate and fillers (sand/lime) around the enclosed structure, which utilises bag house filters and water scrubbers to capture emissions and odours. The process is enclosed to reduce emissions from the time the aggregate enters the drier until the time the asphalt is loaded into the trucks.

The proposed 400m² asphalt plant consists of a number of structures and buildings, including the plant itself and associated office/control room and laboratory for in-house quality assurance testing. The maximum height of the plant would be 28 metres, similar to that of the existing plant which is located on higher ground. The plant comes in a range of standard colours, which can be selected to visually blend it into the environmental backdrop. The plant proposes to continue to operate 24 hours a day, seven (7) days a week to cater to demand from the Department of Transport and Main Roads and council to undertake night road works. Twenty four (24) on-site car parks are proposed to accommodate staff and visitors. Approximately 911m² of the site is proposed to be landscaped. A 4 metre wide landscaping buffer along the southern boundary would screen the development from the Bruce Highway. Existing vegetation within Parklands Reserve and highway road reserve also provide screening. Access would continue from Cooney Road.

Site Description

The development site at 66-110 Cooney Road, Bli Bli, is comprised of Lots 3 and 4 on SP193049. Lot 3 is a council owned waste management site which provides access to Lot 4 via the Cooney Road access easement. Lot 4 contains an approved quarry, the existing asphalt plant, settling ponds and vacant land. The subject land is located north of Nambour Bli Bli Road, east of the Bruce Highway and northwest of the council waste depot within an established industrial and extractive resources area (Core Industry). The site is accessed from Cooney Road and slopes from the northern end of the site down towards the south of

the property. The site is cleared of vegetation. The portion of Lot 4 on which the proposed replacement plant is to be located has been previously levelled and grassed. This is consistent with the current state of Lot 3 which is utilised for access to both the proposed replacement plant site and the existing extractive industry use.



Surrounding Uses

The land adjoining to the north and west is State Forest (Parklands Forest Reserve), while the land to the east contains a council operated waste disposal (landfill site) and transfer station. The 'Cow Candy' site and a new industrial estate are located further to the east. The extractive industry operation (Holcim quarry) is located to the immediate north. Vacant industrial land and Cooney Road are located to the south of the proposed asphalt plant, along with the Bruce Highway. The nearest residential property (Tallangatta Estate) is located on the other side of the four (4) lane Bruce Highway west of Rifle Range Road approximately 200 metres west of the Core Industry Precinct.

ASSESSMENT

Framework for Assessment

Council must consider the application for a Material Change of Use for an Environmentally Assessable Industry (Asphalt Plant) against the applicable planning instruments, including Maroochy Plan 2000. However, the Department of Environment and Resource Management, as the relevant concurrence agency, is the assessment manager for air, soil and water quality, as well as noise emissions, associated with ERA 6(b) - Asphalt Manufacturing and ERA 8(3a) Chemical Storage, including Fuel Burning. On 15 November 2011, the department issued an Information Request relating to the operation of the existing and proposed asphalt plants, the proposed stack parameters associated with the new plant, emissions (rates/values), pollution concentrations/hazards, air pollution control systems, backup systems, dispersion modelling results, ground level concentrations, stormwater management, dangerous goods storage, and noise levels. The department subsequently assessed the information response and granted approval in full for the relevant ERAs subject to conditions relating to air (including odour and hazardous contaminants), soil and water quality, stormwater management and noise emissions. The department is the responsible entity for monitoring compliance.

Instruments for Statutory Assessment

Under the *Sustainable Planning Act 2009*, the application must be assessed against each of the following planning instruments to the extent they are relevant to the development:

- State Planning Policies;
- the Southeast Queensland Regional Plan;
- State Planning Regulatory Provisions;
- any Structure Plan or Master Plan in place for declared areas;
- any Preliminary Approval Overriding the Planning Scheme for the land;
- the Planning Scheme for the local government area; and
- any Temporary Local Planning Instrument in place for the local government area.

The planning instruments relevant to this application are discussed in the following sections.

Statutory Instruments – State and Other

State Planning Policies

The following State Planning Policies are applicable to this application:

- State Planning Policy 1/03 - Mitigating the Adverse Impacts of Flood, Bushfire and Landslide;
- State Planning Policy 2/02 - Planning & Managing Development Involving Acid Sulfate Soils; and
- State Planning Policy 2/07 - Protection of Extractive Resources.

Of these, State Planning Policy 2/02, State Planning Policy 1/03 and State Planning Policy 2/07 have been deemed by the Minister for Local Government and Planning as being

appropriately reflected in council's planning scheme and, therefore, do not warrant a separate assessment.

State Planning Policy 5/10 Air, Noise and Hazardous Materials commenced on 2 May 2011. The State Planning Policy is applicable when lodging a development application for a sensitive use within an industrial area identified within Schedule 5 as a 'Management Area'. The State Planning Policy specifies separation distances between industrial and sensitive use, such as residential development. Unlike Kunda Park, Coolum Quanda Road, Yandina or Caloundra Business Park, the Cooney Road Core Industry Precinct is not identified in the State Planning Policy as a Schedule 5 'management area' and the application is not for a sensitive use. Therefore, the State Planning Policy is not applicable to the current application. Additionally, the State Planning Policy does not apply to development applications made before 2 May 2011. The current application was lodged on 10 November 2010.

Notwithstanding the above, as part of its concurrence agency assessment, the Department of Environment and Resource Management does not prescribe minimum setback distances, but rather assesses design ground concentrations (DGC) of air borne particles in relation to determining environmental hazard. DGC are concentrations of a particular pollutant at various sensitive receptor locations (i.e. residential areas) when AUSPLUME modelling is conducted. Air emissions and air quality modelling is discussed later in this report.

South East Queensland Regional Plan

The site is located within the Urban Footprint of the SEQ Regional Plan. The proposal is for an urban use within the Urban Footprint. The proposed development is consistent with the Desired Regional Outcomes of the SEQ Regional Plan for the Urban Footprint.

Statutory Instruments - Planning Scheme

The applicable planning scheme for the application is Maroochy Plan 2000 (5 Nov 2010). Under Maroochy Plan 2000, an Environmentally Assessable Industry (Asphalt Plant) is Impact Assessable pursuant to Table 4.6 (*Table of Development Assessment for Industrial Precincts*) because the proposal involves asphalt or bitumen works identified in column 3 of the Table. The following sections relate to the provisions of the Planning Scheme.

Strategic Provisions

The Strategic Plan identifies the site as Core Industrial land. The proposal for an Environmentally Assessable Industry (Heavy Industry - Asphalt Manufacturing Plant) is identified by the Planning Scheme as an Industrial Use consistent with the Strategic Plan.

The Strategic Plan also states that:

'In assessing development applications, the council will have regard to:

- *the allocation of activities on land towards the edge of nominated areas, adjoining major roads and in otherwise highly visible locations such that visually intrusive activities are, or are able to be, obscured;*
- *the allocation of landscaping and screening devices and significant existing vegetation is to be retained;*
- *the impact of signage; in most circumstances, no more than one sign per premises is likely to be supported;*
- *the proposed signage, such that the premises will exhibit a relatively low-key character to arterial roads; and*

- *the placement of lights, security measures, alarms and waste storage.'*

The proposed asphalt plant is located within a designated industrial area adjacent to Cooney Road and the Bruce Highway. The site is separated from the Bruce Highway by a heavily vegetated parcel containing state forest reserve, which provides some screening. The applicant proposes to supplement the screening buffer to the Bruce Highway by continuing planting along the southwest boundary of the site. The new plant would be located on land below that currently accommodating the existing asphalt plant. Signage, lighting, security and waste storage are proposed to be in accordance with planning scheme requirements.

Local Area Provisions

The subject site is located within Planning Area 22 (Petrie/Paynter Creek Plains), Precinct 2 - Nambour – (Bli Bli Road) and is designated for Core Industry. The site is also identified under Maroochy Plan 2000 as being located within a 500 metre hard rock quarry buffer zone, as the asphalt plant is cited adjacent to an existing quarry.

'The Precinct is intended to accommodate:

- *existing extractive industry and waste management uses,*
- *uses which have sub-regional and regional markets (covering the Sunshine Coast) rather than predominantly district or local markets,*
- *construction industry activities to complement the existing extractive industry operations, including concrete batching plants, bitumen plants and other building materials plants, such as re-cycling depots, raw materials depots and stone crushing or screening plants.'*

The proposed asphalt batching plant is both anticipated by, and consistent with, the Precinct Intent for Core Industry. The proposed new asphalt plant would replace an existing asphalt plant currently operating on the site under existing use rights.

Land Use and Works Provisions

The following codes which regulate land use and design are applicable to this application:

- Code for Industries in Urban Areas;
- Code for Nature Conservation and Biodiversity;
- Code for Waterways and Wetlands;
- Code for Assessment and Management of Acid Sulphate Soils;
- Code for Development on Steep or Unstable Land;
- Code for Development in Bushfire Prone Areas;
- Code for Protection of Extractive Resources;
- Code for Landscaping Design;
- Code for Transport, Traffic and Parking;
- Operational Works Code; and
- Code for Integrated Water Management.

The application has been assessed against each of the above applicable codes and found to be compliant with, or can be conditioned to comply with, each. The pertinent issues arising out of assessment against the codes are discussed below:

Code	Discussion
Code for Industries in Urban Areas	<p>Site suitability criteria, Acceptable Measure 1.1, require that <i>'premises are established on land in a Core Industry or Business and Industry Precinct with reticulated water supply, sewerage and electricity.'</i> The proposal is on Core Industry land connected to services and therefore, meets the Performance Criteria (E1, P1) by virtue of meeting the Acceptable Measure. The proposal complies with E1, P2 (sufficient land area) by complying the Acceptable Measure in respect of lot size exceeding 2000m² (11.6ha) and an average width exceeding 40m (300m). The proposal complies with E2, P1-P4 (Site Layout) by providing an acceptable site plan, orienting building openings away from sensitive uses, providing appropriate landscaping and allowing for the orderly development of the balance of the site. It complies with E3, P1 (waste storage), P2 (waste servicing) & P3 (waste management) by providing an adequate waste storage area in the southeast corner of the site beside the carpark, which can be accessed by a waste service vehicle. The area is proposed to be screened by a 4m wide landscape buffer to the south.</p> <p>The new asphalt plant would operate at a higher level of efficiency in terms of noise and air emissions than the two existing plants it would be replacing, significantly reducing emissions and noise. In respect to E4, P1-7, (Environmental Performance), environmental emissions are assessed and conditioned by the Department of Environment and Resource Management (DERM) under their concurrence agency jurisdiction under the <i>Environmental Protection Act</i>. DERM assessed the application against the relevant State Environmental Protection Policies and Criteria and issued conditions relating to air, water and soil quality, noise emissions, chemical storage, waste management and stormwater management.</p> <p>In terms of air quality, DERM assessed the proposal against the <i>Environmental Protection (Air) Policy 2008</i> (EPP (Air)), which provides the framework for achieving <i>Environmental Protection Act 1994</i> objectives for Environmentally Relevant Activities. Enforcement action related to emissions and complaints is dealt with by DERM under the ERA conditions. DERM advised <i>'In relation to it's assessment of the application, the air pollutant emission limits placed on the proposal to protect environmental values are based on the US and European Best Practice Emission Standards for an asphalt plant. The air pollution control system conditioned for this site is a fabric filter dust collector (or baghouse filter), which DERM considers best practice for controlling particulates and toxic air pollutants for the asphalt plant. The existing old plant needs to be upgraded to meet these best practice emission standards. The proposal has been assessed by DERM and appropriate conditions set, including air emission limits which the applicant must meet to protect environmental values. The applicant operates similar plant 24 hours a day, but with a larger production rate than proposed at Bli Bli, at a DERM approved and regulated site at Archerfield, south Brisbane. The site is located in a densely populated urban and industrial area with no compliance issues.'</i></p> <p>Under the provisions of the <i>Environmental Protection Act 1994</i>, it's not</p>

Code	Discussion
	<p>distance but Design Ground Concentrations (DGC) that constitutes the relevant criteria for assessing emissions as detailed in the DERM conditions. DGC are concentrations of a particular pollutant at sensitive receptors when <i>AUSPLUME</i> modelling is conducted. The DGC is generally measured in micrograms/m³ of air volume. As the proposed asphalt plant would be using a gas (LPG or natural gas) fired burner to dry the aggregate, the resultant combustion process is the same as in LPG cars or the gas stove tops. By products of such combustion processes include particulate matter, NO₂, TVOC (same as car running on LPG), SO₂ sulphur dioxide and odour. The DGC measured at Tallangatta Street (the nearest residential estate) resulting from the gas fired combustion burner is significantly less than criterion specified in the EPP Air for clean air and would represent an improvement on the existing situation. The secondary pollutants from the gas combustion process goes through the bag house filter system. The Ammann filter system is a 'state of the art' dust collection plant for the asphalt industry, which reduces dust emissions to a very low level. The separation of dust and gas is performed in the double-oval shaped filter bags in the bag house. Bag cleaning is achieved by a rotating reverse air valve mechanism, which allows atmospheric air through the bag thus inflating the bag. The dust coating on the outside of the bags breaks up, drops into the collecting hopper and becomes reclaimed filler, which is recycled in the asphalt process. Heat is also recycled back into the burner. The more recoverable hot air that can be fed back into the burner to dry the aggregate, the less gas is needed to be burnt within the dryer to heat the aggregate. The clean air is released through the stack. The stack emissions are monitored on a regular on-going basis, along with fugitive emission, and must meet the DERM air emission requirements. The bitumen holding tanks are completely sealed. The breath vents on the tanks are discharged into a water scrubber to remove odour. The only perceptible odour released from the plant occurs at the time that the asphalt drops from the loading hopper into the waiting trucks.</p> <p>Council environmental specialist advises that it is DERM's jurisdiction to assess and regulate air quality associated with the Environmentally Relevant Activity (ERA) for asphalt manufacturing. Council should not include any environmental conditions which would conflict with DERM conditions. Despite this advice, council's environmental specialist reviewed the applicant's Air Quality Assessment (AQA) against the Code requirements and advises that the AQA has been carried out using industry recognised air quality model <i>AUSPLUME</i>, utilising relevant air quality data, meteorological data and measured emissions data from an equivalent plant operated by the applicant in Archerfield (dispersion modelling based upon emissions estimated from a similar plant and assessment against ambient air quality objectives). The results comply with the requirements of the code. Council has also engaged a third party air quality consultant to review the applicant's Air Quality Assessment (AQA). The results of the review are discussed further in this report.</p> <p>Council's environmental specialist found that <i>'the results of the modelling and subsequent third party review have been compared against the Air Quality Objectives specified within the Environmental Protection (Air) Policy 2008 (EPP(Air)), the ambient air emissions and the resultant emission levels at the nearest sensitive receptors (residential dwellings in Tallangatta Street west of the Bruce Highway). The air quality modelling emissions</i></p>

Code	Discussion
	<p><i>results are significantly lower than the Air Quality Objectives required by the EPP (Air). Maroochy Plan 2000: Code for Industries in Urban Areas makes specific reference to achieving the air quality indicators and goals contained within the superseded Environmental Protection (Air) Policy 1997. The indicators and goals within the EPP (Air) 2008 are in most cases similar or more stringent than those in the EPP (Air) 1997. Therefore, compliance with the EPP (Air) 2008 would also result in compliance with MP2000.'</i></p> <p>In relation to odour, council's specialist found that <i>'it is noted that the EPP (Air) provides objectives for a variety of pollutants which cause odour. It does not specifically provide odour limits within the objectives and in this regard it refers to the DERM – Ecoaccess Guideline - Odour Impact Assessment from Developments. . The Guideline recommends a value of 2.5 odour units (2.5ou) measured as the 99.5th percentile 1hr average at the most exposed existing sensitive receptor. The modelling results from councils third party review indicate that the odour will not exceed 0.9ou at the most exposed sensitive receptor (i.e. imperceptible).'</i></p> <p>In relation to noise emissions, the <i>Environmental Protection (Noise) Policy 2008 (EPP - Noise)</i> provides the framework for acoustic emissions for Environmentally Relevant Activities. The EPP(Noise) states that <i>'the environmental values to be enhanced or protected under this policy are—</i> <i>(a) the qualities of the acoustic environment that are conducive to protecting the health and biodiversity of ecosystems; and</i> <i>(b) the qualities of the acoustic environment that are conducive to human health and wellbeing, including by ensuring a suitable acoustic environment for individuals to do any of the following—</i> <i>(i) sleep;</i> <i>(ii) study or learn;</i> <i>(iii) be involved in recreation, including relaxation and conversation;</i> <i>(c) the qualities of the acoustic environment that are conducive to protecting the amenity of the community.'</i></p> <p>The applicant provided an acoustic assessment, which was revised in response to the DERM's Information Request. The acoustic report provides an assessment of the noise emissions from the proposal based on measured noise emissions from an <i>equivalent plant</i> operated by the applicant in Archerfield. The noise emissions have been modelled for the proposal site and assessed against the relevant noise criteria and background noise levels at the nearest noise sensitive uses; the residential dwellings in Tallangatta Street west of the Bruce Highway. The report indicates that the plant would be able to operate without detrimentally affecting the environmental values of the receiving environment, particularly as the proposed asphalt plant is to replace existing asphalt plants with a contemporary enclosed plant. The report notes that the dominant noise source in this locality is road traffic noise from the Bruce Highway and that other significant noise sources include the quarry, the waste transfer station and the landfill site to the east of the site.</p> <p>It is noted that truck movements along Cooney Road would be increased in relation to the existing asphalt plant as a result of increased production capacity. This is of interest in relation to sleep disturbance. The submitted acoustic report predicts that maximum noise levels from trucks will be 9dB</p>

Code	Discussion
	<p>less than the World Health Organisation Sleep Disturbance criteria. It is therefore unlikely that an increase in the truck movements on Cooney Road will result in an increase in the likelihood of sleep disturbance impacts. Night-time vehicle movements on the Bruce Highway would be the predominant source of sleep disturbance noise events within the area.</p> <p>DERM imposed noise limits and noise monitoring requirements for the operation of the asphalt plant and would administer noise complaints received in regard to the operation of the plant. The proposal meets the Code requirements of P1 (Air), P2-3 (Noise) by meeting the State requirements, which exceed Code requirements.</p> <p>With relation to water quality, under the provisions of the Environmental Protection (Water) Policy 2009, DERM have conditioned spill containment bunding be provided around all chemical storage areas and tanker loading areas to ensure that contaminants are fully contained in the event of a spill. DERM have also conditioned that ongoing water quality discharge monitoring be carried out to ensure that contaminants are not released from the site into waterways. In addition, council's hydrologist has recommended reasonable and relevant conditions in accordance with the Integrated Water Management Plan (refer to Overlay Provisions).</p> <p>The proposed asphalt plant is a factory designed structure to be assembled on site. With respect to building height, the Acceptable Measure E7, A3 for building height in industrial precincts is 15m. The Acceptable Measure relates to buildings and not structures. While the associated buildings are within the height limit, the mixing tower/conveyor/silo (21m structure) and a storage silo (28m) exceed the Acceptable Measure. Structures associated with the mixing tower and conveyor system are not technically a building and, as such, the building height Acceptable Measure is not applicable. The new plant is sited on lower lying land below the level of the existing plant and would be no higher than the existing plant structures. The new enclosed plant would be more visually appealing than the existing open structures. The applicant is prepared to select the building colour to blend in with its backdrop. The plant would be screened from the Bruce Highway by a minimum 4m wide landscape buffer to supplement existing vegetation along the highway. Neither the existing asphalt plant nor the proposed plant is visible from surrounding residences. Therefore, the proposal would not be visually intrusive and meets the building scale and appearance Performance Criteria.</p>
Code for Transport, Traffic and Parking	<p>Access to the site is proposed from Cooney Road, which is an existing sealed road. Council's infrastructure specialist considers that the proposed access is acceptable with conditions to require an upgrade to the road along the site frontage to achieve its ongoing stability. The applicant proposes 24 on-site parking spaces to accommodate staff and visitors. This exceeds the Code requirements for 1 space per 50m² for Environmentally Assessable Industry and complies with the performance criteria of providing sufficient parking to meet demand. The proposal complies with the Code requirements.</p>
Code for Landscaping Design	<p>In response to the Information Request, the landscape area was increased to provide wider screen gardens. Additional landscape screening to the southern boundary more than doubled the buffer width to 4 metres to allow effective screening. The proposed landscape buffer incorporates canopy and dense screen planting to minimise the visual impact. A quantity take</p>

Code	Discussion
	<p>off was undertaken with the revised landscape plans revealing approximately 931m² would be dedicated to landscape area. The proposed landscaping for the site utilises 26 different species ranging from ground covers through to larger canopy trees and proposes for over 3,600 plants. Screen planting within the proposed development is detailed for the southeast and northern boundaries. The trees specified for planting along the southern boundary of the site are capable of providing vertical screening achieving up to 25 metres in height once matured and will provide a level of vertical influence over the proposed development when viewed from the Bruce Highway and surrounding areas. In addition, a condition requiring a minimum 1m wide landscape buffer along western edge of the site between the development and Cooney Road is recommended to supplement screening to the Bruce Highway west of the site. The planting schedule has been prepared in accordance with the code. There should be no issues with the species ability to be successfully established and maintained on site. The proposal complies with the Code requirements for Landscaping (P1).</p>
Code for Integrated Water Management	<p>The subject application is over both the quarry lot and the council owned lot to the south proposed for a new waste transfer station. There have been discussions between council's Waste Management Department and the applicant regarding coordinating the development of both lots; hence council agreeing to be party to this application. The flood study submitted with the application was prepared by SKM and shows that the applicant's lot is almost completely inundated by local catchment flooding, despite the fact the site is not identified as flood prone on Regulatory Map 1.5. The external catchment responsible for the flood flows is relatively small (approximately 44ha). As such, the applicant is proposing to fill the site to provide Q100 flood immunity and undertaken widening works to the drainage channel along their western boundary (Lot 4 SP193049) adjacent to Cooney Road and also within Lot 3 SP193049 (owned by council).</p> <p>The applicant lodged an Integrated Water Management Plan (IWMP) prepared by JT Environmental, which indicates a stormwater treatment train including a proprietary gross pollutant trap and bioretention system. The details of the IWMP have been reviewed by council's Hydraulics and Water Quality Team who have provided reasonable and relevant conditions. The asphalt plant lease area receives flows from the balance of Lot 4 (i.e. from the quarry sedimentation ponds). Currently the asphalt plant layout does not allow for this flow to continue and so mitigation works will be required either through the asphalt plant or on the adjacent council land (Lot 3) to accommodate these flows. A condition has been recommended to resolve this issue with the subsequent application for operational works.</p>

Third Party Peer Review of the Air Quality Assessment

On 29 November 2011, council staff referred the application to MWA Environmental to conduct an independent air quality assessment of emissions emanating from the proposed new plant and to advise council with regard to any health hazard or odour nuisance associated with it. The consultant had insufficient information to compare the impacts of the existing plants to the proposed plant, but verified that emissions from the new plant would be well within the limits required by the Department of Environment and Resource Management even though the department's emission concentration limits for some pollutants (sulphur

dioxide, nitrogen oxides) are more stringent than those represented by the applicant's consultant based upon a similar plant at Archerfield.

The review found that, while the proposed new asphalt plant is located nearer to the residential area to the west, it incorporates a higher standard of emission control than the current plant. The higher potential production capacity of the new plant may negate some emission reductions achieved through the higher standard of emission control, but this excludes emissions from the mobile plant, which were not considered in the modelling. The consultant's independent air quality verification modelling found that emissions from the new plant would be well within the Department of Environment and Resource Management's limits. The modelling is based on worst case scenario operation of the plant operating at 240 tonnes per hour, which is only likely to occur for very short durations based on demand from the Department of Transport and Main Roads (estimated at 6 hour per year). The majority of the time the plant would be operating at approximately half the maximum capacity.

With regard to **air quality**, council's consultant found that modelled changes to pollutant concentrations identified in the applicant's *Air Quality Assessment* report based on site-specific Total Air Pollution Model meteorological data resulted in predicted compliance with the Department of Environment and Resource Management's air quality guidelines and that emissions would be well within the relevant air quality guidelines at surrounding residences.

Specifically, PAH (**polycyclic aromatic hydrocarbon**) emission rates from the dryer stack were derived from the Department of Environment and Resource Management's emission limits and emission parameters contained in the *Air Quality Assessment* report. Compliance with the department's emission concentration limits means that concentrations at residences comply with the relevant *Queensland Environmental Protection (Air) Policy 2008* and *Victorian State Environment Protection Policy (Air Quality Management)* objectives. The Department of Environment and Resource Management advised that the PAH criteria are derived from the *World Health Organisation Environmental Health Criteria: 202 (WHO – EHC)*. In determining the health criteria, the World Health Organisation states '*the emissions of PAH from batch asphalt mixers are assumed to be low and to occur mainly in combustion gases*' (WHO - EHC No. 202, 1998).

With regard to **heavy metals**, council's consultant undertook screening air pollutant modelling for selected hazardous air pollutants (Benzene, PAHs, Arsenic, Cadmium, Mercury, Nickel, Chromium, Beryllium) and odour including fugitive emissions from the load-out facility. Benzene, Arsenic, Cadmium, Mercury, Nickel, Chromium, Beryllium emission rates have been taken from *Emission Testing Report Boral Asphalt Greenacre* (HLA Envirosciences, March 2007) based upon emissions monitoring at a New South Wales plant similar to that proposed at the subject site. Benzene and heavy metals based upon the emission rates from the *Kunda Park Air Quality Assessment* and the MWA Total Air Pollution Model meteorological data were considered to be negligible and well within the relevant air quality guidelines at surrounding residences.

Hazardous air pollutants (worst case)

Pollutant	KE Emission Rate	Averaging Period	Guideline	Max Predicted Concentration at Any of the 10 Receptors	Max % of guideline	Source
	(g/s)		Micro g/m3	Bli Bli Met		
Benzene	0.0028	3min	53	0.4844	1	VIC
		Annual	10	0.004368	0	QLD EPP (Air)
Arsenic	0.00013	3min	0.17	0.02249	13	VIC
		Annual	0.006	0.0002028	5	QLD EPP (Air)

Pollutant	KE Emission Rate	Averaging Period	Guideline	Max Predicted Concentration at Any of the 10 Receptors	Max % of guideline	Source
	(g/s)		Micro g/m3	Bli Bli Met		
Cadmium	0.000005	3min	0.033	0.000865	3	VIC
		Annual	0.005	0.0000078	0	QLD EPP (Air)
Mercury	0.0000003	3min	3.3	0.0000519	0	VIC
		Annual	1.1	0.000000468	0	QLD EPP (Air)
Nickel	0.000004	3min	0.33	0.000692	0	VIC
Chromium	0.000007	3min	170	0.001211	0	VIC
		3min	0.17	0.001211	1	VIC
Beryllium	0.000001	3min	0.007	0.000173	2	VIC

With regard to **odour**, emission rates from the dryer stack were derived from the Department of Environment and Resource Management's emission limits and parameters contained in the Air Quality Assessment report. Odour emission rates from the load-out facility were taken from the report Allens Asphalt Plant, Kunda Park Development Application *Air Quality Assessment* (Katestone Environmental, December 2007) based upon emissions monitoring at a New South Wales plant similar to that proposed at the subject site. While odour may be detectable at residences at times, the intensity and duration of impacts would comply with the relevant odour planning guideline. Council's consultant indicated that the prevailing wind varies throughout the year, but a southeast wind is common in southeast Queensland coastal locations in warmer months. The prevailing sea breeze tends to occur during the day and with higher speeds, which increases atmospheric turbulence and thus dilutes the plume more effectively. Low wind speed conditions (westerlies and south westerlies) often result in higher pollutant exposure (at downwind receptors) than winds that are considered to be prevailing or trade winds because the plume does not disperse as readily. Odour emissions were predicted to be well within the 2.5 Odour Unit 99.5th percentile 1 hour average Queensland odour guideline. Odour is only predicted to be detectable above threshold levels for very short (3 minutes) periods between 57 hours and 215 hours per year, if the plant is operating continuously at capacity (worst case scenario). Odour exposures (99.5th percentile 1 hour average) at sensitive receptors based on the MWA Total Air Pollution Model meteorological data is as per the following table:

Odour at sensitive receptors (worst case)

RECEPTOR	R1	R2	R3	R4	R5	R6	R7	R8	R9	R10
99.5th percentile 1hr average Odour Units	0.9	0.9	0.8	0.9	0.8	0.8	0.9	0.8	0.8	0.6

Comparison of the New to the Existing Asphalt Plants.

As previously discussed, the new enclosed asphalt plant would operate at a significantly higher level of efficiency than the old plant on the subject site it would be replacing. It represents the latest in technology available in the industry and would significantly reduce air and noise emissions emanating from the site. The existing asphalt plant is essentially unregulated except for dust/particulate emissions specified at 250mg/m³. The Department of Environment and Resource Management's conditions for the proposed plant specify release criteria for all likely air emissions, including the emissions which could have health impacts. The following table compares the new and old plant in terms of potential environmental benefits. The comparison excludes the mobile asphalt plant, which would add additional emissions if it was relocated back to Bli Bli.

Comparison of old and new asphalt plant technology.

Item	Old Technology	New Plant	Environmental Benefit
Recycled Pavement Capability	None	Up to 25% of production	recycling
Warm Asphalt Production	None – Produces asphalt at 175 degrees	Foamed bitumen capability. Able to produce asphalt as low as 115 degrees (depending on customer orders). Uses 35% less fuel for heating when making warm asphalt.	lower energy inputs and reduced emissions.
Current burner technology	None – old technology, heat loss not fully enclosed and noisy.	State of the art – uses 33% less fuel to produce 1 tonne of asphalt, for heating at conventional asphalt temperatures.	Less combustion and fuel = less emissions & noise
Bitumen addition	Added in the drier	Added separately to the drying process.	
Insulation	None	Plant is insulated to reduce energy use and noise emissions.	Reduction in noise emissions.
Noise Levels	Estimated 78 dBa 100m from the burner.	58 dBa 100m from the entire plant.	Significant reduction in noise emissions.
Yard	Unsealed	Sealed	Reduction in dust emissions.
Aggregate Hoppers	Open	Enclosed on 3 sides	Reduction in dust emissions
Exhaust System	Wet scrubbing system that creates waste	Dry filter bag system that recycles dust extracted by incorporating into the produced asphalt (filler).	Reduction in emissions and waste.
Dust and fume scavenging processes	None	Negative pressure ducting to scavenge dust and fume sources into the exhaust system for recycling (enclosed system).	Reduction in emissions and waste.
Production process	Generates start up and shut down by product.	None to negligible waste generated through production. All materials reprocessed through plant as filler.	Reduction in emissions and waste.
Bitumen heating	On-site combustion using burner fuels.	No on-site combustion, electrically heated. Highly insulated tanks (250mm) to reduce heating.	Reduction in energy input and emissions.
Long time asphalt storage	Nil	Storage to up to 48 hours. Closed and insulated product storage capability.	Reduction in emissions.
Plant efficiency	Nil	Uses gravity to move mechanism to reduce the demand on power.	Reduction in energy input and emissions.

Overlay Provisions

The following Overlays are applicable to this application:

- Nature Conservation Management Areas;
- Waterways, Wetlands and Fish Habitat Areas;
- Steep and Unstable Land;
- Acid Sulfate Soils;
- Bushfire Prone Areas; and
- Mineral and Extractive Resources and Buffer Areas.

The provisions relating to these Overlays are contained within the applicable codes. The application has been assessed against each of these applicable overlay codes and found to be compliant with, or can be conditioned to comply with, each. The pertinent issues arising out of assessment against the codes are discussed below:

Code	Discussion
Nature Conservation Management Areas	<p>The site is identified on Regulatory Map 1.1 as containing regional ecosystem. The mapped remnant vegetation is located in the north western corner of the subject site approximately 160m from the location of the proposed asphalt plant and therefore no clearing of remnant vegetation is required to accommodate the proposal.</p> <p>In respect of the flying foxes (FF), council's environmental specialist advises <i>'The colony has been traditionally located on the eastern side of the highway at several different roost sites within the area. The camp traditionally reduces over winter and re-establishes again around September/ October. Approximately two years ago, vegetation clearing works were undertaken along the highway. This corresponded with the colony relocating across to the western side of the highway to Tallangatta. The camp was estimated to have up to 18,000 FF at its peak. After various meetings with residents and DERM (QPWS), a Species Management Plan (SMP) was submitted to the Commonwealth and DERM for approval (vegetation management along the rear of properties, revegetation works in the southern section of the Tallangatta Street reserve). At the same time QPWS operational staff, Bat Rescue Inc, local residents and Greencorp team undertook weed control works in the previous areas used by the FF on the eastern side of the highway. The SMP vegetation control works were undertaken by SCC in July/ August of this year just after the FF camp moved (to location unknown). By late September the Flying Foxes returned in small numbers to Tallangatta but also to the eastern side of the highway, over the next 4 weeks the remaining FF relocated from Tallangatta to the eastern side of the highway where they are currently roosting.'</i></p> <p>Consultations with a local recognised authority on bats and flying-foxes determined that flying foxes are generally well adapted to light, air and noise pollution as evidenced by the fact that they have established colonies on both sides of the Bruce Highway and adjacent to core industrial uses. It is unlikely that the relocation of the asphalt plant will have a measurable impact upon the use of the area as a roosting site (refer to DERM advice).</p>
Waterways, Wetlands and Fish Habitat Areas	<p>A mapped level 1 tributary of Petrie Creek runs through the site within a constructed channel. This waterway starts north of the existing quarry and flows parallel to the Bruce Highway and Cooney Road. This waterway has been heavily modified through historical channelisation and provides limited ability to be returned to a functioning ecological corridor.</p> <p>DERM as an advice agency has provided advice that adjacent mapped wetlands should be protected by sufficient buffering (50m in urban areas) and by the development of a stormwater management plan. The proposal is located approximately 30m downstream of one mapped wetland, but has limited ability to impact on the wetland as stormwater from the site flows away from this wetland. Another wetland is located greater than 300m downstream from the site. Stormwater quality impacts are the most relevant concern in this situation and the applicant has demonstrated that stormwater quality and quantity will be managed to protect downstream environments within an Integrated Water Management Plan.</p>
Acid Sulphate Soils	<p>The site is identified on Regulatory Map 1.4 as being within an Acid Sulfate Soils Management Area. The natural ground level is 10m AHD. Excavation is not proposed and the site will be filled to achieve flood immunity. Therefore, acid sulfate soils are not likely to be disturbed.</p>

Code	Discussion
	Nevertheless, DERM has recommended that an acid sulphate soils investigation and management plan be developed for the site. A condition has been included to address this issue.
Steep and Unstable Land	The site is identified on Regulatory Map 1.3 as being within a Steep Land Management Area. However, the development site is a flat site located south of the existing quarry, which occupies steeper land. Therefore, the site complies with the requirements of the Special Management Area.
Bushfire Prone Areas	The site is identified on Regulatory Map 1.7 as being within a Bushfire Special Management Area, but being of low bushfire risk. As the development site is flat land and is devoid of vegetation, the bushfire risk is considered to be negligible.
Mineral and Extractive Resources and Buffer Areas	The site accommodates an approved rock quarry to the north of the proposed new asphalt plant. The quarry is surrounded by a 500m wide hard rock quarry buffer area, which incorporates most of the core industry precinct, the Bruce Highway and the Tallangatta residential estate. The proposed asphalt plant is a compatible use with the quarry and buffer zone and is co-located to maximise production efficiency.

Other Matters for Consideration

Traffic and Transport Considerations

The asphalt plant site has a distinct locational advantage given its access to the Bruce Highway, a Haulage Route identified in Maroochy Plan 2000. This allows for the larger vehicles to directly access the highway via Cooney Road without affecting heavily populated residential areas. The fact that the new plant will remain co-located with the quarry means that the impacts of vehicle trips on the surrounding road network would be reduced. The applicant has indicated that the traffic generation resulting from the proposal would reduce heavy vehicle movements within the area by consolidating the two (2) existing asphalt plants into one (1) combined operation. If the temporary mobile plant is redeployed elsewhere, the number of truck movements on Cooney Road would increase by approximately 2,600 trips per year. However, given that the site is designated for Core Industry, including an asphalt plant, and access is from Cooney Road onto the highway, this increase is considered to be acceptable. The proposed traffic generation complies with Maroochy Plan 2000. The subject site does not have direct or close access to public transport. Given the nature and operations of the existing and proposed development this is not a significant issue.

Economic Considerations

Bli Bli falls within the Maroochy – Paynter/Petrie Creek Statistical Local Area. According to the Small Area Labour Market Series produced by the federal Department of Education, Employment and Workplace Relations, the smoothed unemployment rate for the area for the June 2011 Quarter was 5.6%. This compares favourably to 6.1% for the Sunshine Coast region generally and is slightly higher than the unemployment rate of 5.5% for Queensland for the same period. The applicant has advised the development will generate (based on an estimated \$11 million construction cost) the following estimated employment impacts:

- construction - a minimum of 12 full time equivalent staff; and
- operation - retention of the existing 32 staff employed at current plants.

The Economic Development Branch has examined matters relevant to this application in the context of the Maroochy Plan 2000, council's Corporate Plan 2009-2014 and council's

Economic Development Strategy 2010-2014. In this context, the Economic Development Branch has no objection to the application and notes that, in the context of council's Corporate Plan and Economic Development Strategy, the development will:

- retain an existing, successful business in the region and facilitate its growth;
- retain - and potentially grow - local employment opportunities;
- support the continued local supply of asphalt and their export beyond the region; and
- enable transition to a lower emissions operation, consistent with council's aspirations.

CONSULTATION

IDAS Referral Agencies

The following Referral Agencies are applicable to this application.

Concurrence

Department of Environment and Resource Management

The department is a concurrence agency for Environmentally Relevant Activity 6(b) – Asphalt Manufacturing, Environmentally Relevant Activity 8(3a) – Chemical storage & Environmentally Relevant Activity 15 – Fuel Burning and Contaminated Lands. The department responded by letter dated 27 June 2011.

The department has reviewed and approved the proposed development with conditions to regulate air quality, water quality, chemicals, stormwater management, noise management in relation to the Environmentally Relevant Activities (ERAs). With regard to the ERAs, the department states that the fuel burning aspect of the proposal has been assessed and conditioned for as part of the asphalt manufacturing ERA. As the department is the lead agency on this matter, council should not impose conditions that would be inconsistent with the department's conditions. With regard to Contaminated Lands, the department has determined that the activity is exempt development pursuant to SPA Regulations, Schedule 3, Part 1, Table 2 Item 6(b) because '*there is currently a notifiable activity on the land and the activity is continuing.*'

Department of Transport and Main Roads

The department is a concurrence agency for State-Controlled Road matters. The department responded by letter dated 3 March 2011 stating that it has no requirements.

Advice

Department of Environment and Resource Management

The department is an advice agency for wetlands, conservation estate and acid sulphate soils. It responded by letter dated 27 June 2011 advising that acid sulphate conditions should be attached. Wetland and conservation recommendations were provided.

Third Party Advice

The application was submitted to the Department of Environment and Resource Management's **flying fox** expert for third party advice. On 12 December 2011, the department provided advice with regard to the likely impact of the refurbished asphalt

manufacturing plant on the Parkland’s flying fox roost site. The department’s monitoring of the Parklands roost indicates that, over time, the flying foxes have chosen to roost in the south-western corner of Parklands Conservation Park, next to the Bruce Highway and adjacent to the quarry and asphalt plant site, even though there are other areas of suitable roosting habitat further away from such perceived disturbances. The department concluded that *‘the flying foxes would be able to continue to co-exist with the new plant.’* The department recommended that council require the applicant to contact the department to discuss the location and status of any flying foxes that may be roosting in the Parklands roost site prior to undertaking any works on the site. It further recommended that the applicant be required to implement an ongoing monitoring program. Conditions have been included to meet these requirements.

Other Referrals

Unitywater

The application was forwarded to Unitywater and their assessment forms part of this report.

Internal

The application was forwarded to the following internal council specialists and their assessment forms part of this report:

- Development Engineer, Engineering and Environment Assessment Branch;
- Hydrology and Hydraulic Unit, Engineering and Environment Assessment Branch;
- Landscape Officer, Engineering and Environment Assessment Branch;
- Environment Officer, Engineering and Environment Assessment Branch;
- Traffic and Transport Officer, Engineering and Environment Assessment Branch.

Public Notification

The application was publicly notified in accordance with requirements of the *Sustainable Planning Act 2009*. 1 properly made submission and 19 not properly made submissions were received, although several submitters made multiple submissions.

Summary and assessment of the issue raised in the only ‘properly made’ submission.

Issue	Comments
Flying fox colony. Bat Rescue Inc. contends that the site is located next to a former flying fox colony. The additional air and noise pollution will prevent their	Refer to Nature Conservation Management Areas and Third Party Advice sections of this report. The core industry site currently accommodates a number of heavy industry uses, including the existing asphalt plant. The proposal would not destroy any of the adjacent vegetation and therefore the habitat of any bat colony. Additionally, the new replacement ‘state of the art’ asphalt plant would be quieter than the existing plant and would be unlikely to cause the bats to vacate the adjacent regional ecosystem. The council landfill, quarry and Bruce Highway are the biggest source of noise, dust and light pollution. However, to negate impacts on the future viability of the roosting site adjacent to the plant, it is recommended that a buffer of <i>Ficus microcarpa var. hillii</i> (Hill's Weeping Fig) be established adjacent to the asphalt plant on the western side of Cooney Road. The

Issue	Comments
return to the site.	Ficus buffer will reduce the penetration of light and dust into the Parklands Forest Reserve and will provide an additional food source for the flying foxes. It is also recommended that lighting impacts be minimised through installation of directional lighting and light shields to ensure that levels of illuminance do not exceed 1 lux within the adjacent Parklands Forest Reserve.

Summary/assessment of the issues raised in the 'not properly made' submissions.

Issues	Comments
Site Location - brings plant closer to residential area.	The site is located within a Core Industry Precinct, which anticipates and currently supports an asphalt plant. The new location, 70m south of the existing plant, is significantly lower than the current location, maintaining the low profile of the plant. The new asphalt plant will operate at a significantly higher level of efficiency in terms of noise and air emissions significantly reducing emissions and noise to the surrounding area.
Health Risks - asphalt plant emissions contain developmental toxins which will negatively impact health, in addition to many other toxins and carcinogens.	As discussed in this report, the Bli Bli asphalt plant would not manufacture bitumen on-site, which is the source of toxic emissions typically associated with American asphalt plants. Bitumen is trucked to the site and stored in specially designed closed silos for later mixing with aggregate to produce asphalt. The new German manufactured asphalt plant would operate at a significantly higher level of efficiency in terms of emissions than the old plant it would replace. DERM air quality conditions limits emissions from the site in accordance with the EPP (Air) Act. The modelled Design Ground Concentrations (DCL) of particulate matter measured at Tallangatta Street (the nearest residential estate) resulting from the gas fired combustion burner is well below the criterion detailed in the EPP Air for clean air. The data is confirmed by stack emissions from the comparable Archerfield plant in Brisbane
Wind carries emissions over residential.	The prevailing southeasterly wind blow emissions to the north of Tallangatta Street Estate. Both the applicant's and independent modelling found limited occurrence of such emissions, all within limits.
Noise – results in increase in noise, including blasting, trucks, tip, highway, and quarry.	The new asphalt plant would operate at a significantly higher level of efficiency in terms of noise emissions and would result in a reduction in noise to the surrounding area. Noise emanating from the Bruce Highway and other sources (quarry, waste management site, etc) would exceed noise coming from the asphalt plant, which would not be audible from the residential estate under DERM conditions. Noise emanating from the other approved industrial uses is not the subject of this application.
Flying foxes will move from conservation to residential.	Refer to 'properly made' submission table above, DERM Third Party Advice and Nature Conservation Management Areas sections of this report.
Will lower property values.	The proposal is appropriately located within a core industry precinct. Speculation regarding the impact of the proposal on property values is not a relevant planning issue under SPA.
Lack of Community Consultation	The application was publicly notified in accordance with the requirements of SPA 2009. It is understood that the applicant has since initiated a community consultation program with submitters.
council rejected the Kunda Park asphalt plant	The Cooney Road asphalt plant application has been assessed on its merits (refer to other sections of this report). The proposed new plant will replace 2 existing asphalt plants operating within the area.
Increased	The new plant would reduce odour and pollution (refer to previous

Issues	Comments
Odour & pollution	section). If the new plant was not approved, the existing asphalt plants would continue to operate under their existing approvals. The new plant represents a closed system with bag house filters and water scrubbers to control emissions and odour. The only time the asphalt odour is likely to become perceptible is during the loading of trucks from the loading hopper, before its doors close.
The proposal does not meet the separation distances identified in State Planning Policy 5/10	Refer to previous State Planning Policy section of this report. The primary purpose of the State Planning Policy is to protect industrial land from unreasonable encroachment by incompatible sensitive land uses. Buffer distances referred to in the State Planning Policy are only intended to provide guidance in drafting new planning schemes, structure plans and master plans. The development assessment provisions of the State Planning Policy only apply to applications for sensitive land uses located in proximity to mapped industrial zones ' <i>management areas</i> '.
Industry with potential for environmental harm/hazard should seek locations where impacts can be managed to acceptable levels.	The proposed new asphalt plant is located within a Core Industry precinct, which supports an asphalt plant. The proposed new plant would replace two existing plants which operate on site and within the area. Both the applicant's and independent review modeling demonstrate that emissions can be limited to acceptable levels based on ground concentrations measured at sensitive locations. The existing plant uses old technology and its replacement would result in a reduction in energy input and emission outputs. DERM's emission conditions are more stringent than the conditions controlling emissions from the existing plant. council's consultant has concluded that environmental impacts can be managed to an acceptable level.
Strategic Plan 5.5.6 regard for visual and amenity impacts of development.	The plant would be located on lower land limiting its height to that of the existing plant, which cannot be seen from residential dwellings on the other side of the Bruce Highway. A 4m wide landscape buffer would be established on the southern boundary of the site to buffer the Bruce Highway. In terms of reduced air and noise emissions, the new plant would improve the existing situation in terms of amenity impacts.
New planning scheme - change current zoning.	Rezoning under the new planning scheme is a Strategic Planning matter for consideration by council. Under the <i>Sustainable Planning Act 2009</i> , the current application must be assessed against the provisions of the existing planning scheme.
The proposal should be refused based on the precautionary principal.	The precautionary principle is applicable where there is insufficient scientific evidence to determine the impacts the proposal's emissions on the public or the environment. The applicant has provided technical reports based on recognised environmental modeling, which has been assessed/endorsed by DERM. The modeling indicates that environmental emissions are well within the relevant health and environmental criteria. The veracity of the modeling has been verified by an independent consultant retained by council to review the data.
Council should assess the combined impacts of the asphalt plant, the dump and the road traffic on the Tallangatta and surrounding houses.	DERM is the appropriate authority for air emissions, including the combined air emissions from other industrial uses within the area. When assessing an application under the EPP (Air), DERM must ensure that the environmental values for air (not just from a single source) are enhanced or protected including the qualities of the air environment that are conducive to human health and wellbeing. DERM provided their concurrence agency approval for the required Environmental Relevant Activity (asphalt manufacturing). Advice from council's consultant indicates that the air emissions from the proposed asphalt plant are very low and within the relevant air quality objectives. Council's consultant indicated that the proposed plant is proposing a higher standard of

Issues	Comments
	emission control than the existing plant. Therefore, cumulative air quality impacts should be reduced.

CONCLUSION

The asphalt plant is consistent with the Southeast Queensland Regional Plan, together with the Strategic Plan, the Precinct Intent and the relevant Codes of Maroochy Plan 2000. While officers have assessed the environmental information provided, the Department of Environment and Resource Management, as the concurrence agency, is the lead agency when considering the Environmentally Relevant Activities associated with air quality, water quality and noise. Council's environmental officer is satisfied that the department's conditions address the relevant requirements. The new plant would result in a net decrease in noise and emissions within the area. The application complies with the relevant statutory requirements and is recommended for approval subject to conditions. If the current application is not approved, the existing asphalt plant will continue to operate under existing use rights.

APPENDIX A - CONDITIONS OF APPROVAL**1. APPLICATION DETAILS**

Application No:	MCU10/2096
Street Address:	66 - 110 Cooney Rd BLI BLI QLD 4560
Real Property Description:	Lot 3 SP 193049, Lot 4 SP 193049
Planning Scheme:	Maroochy Plan 2000 (5 Nov 2010)

2. DECISION DETAILS

The following type of approval has been issued:

- Development Permit for Material Change of Use of Premises to establish an Environmentally Assessable Industry (Heavy Industry - Asphalt Manufacturing Plant)
- Development Permit for Material Change of Premises for an Environmentally Relevant Activity 6(b) - Asphalt Manufacturing,
- Development Permit for Material Change of Premises for an Environmentally Relevant Activity 8(3a) Chemical Storage, inclusive of ERA 15 - Fuel Burning

3. RELEVANT PERIOD OF APPROVAL

The relevant period for this development approval is 4 years starting the day that this development approval takes effect.

4. ASSESSMENT MANAGER CONDITIONS**PLANNING****General**

1. Unless otherwise stated, all development works required by the conditions of this Decision Notice must be completed prior to the use commencing.
2. Development must be carried out in accordance with the approved plans and documents.
3. At the time of application for a Development Permit for Operational Works required by this Permit, all aspects of the works must be included in one (1) application and be in accordance with the requirements of Section 2.1.2 of Planning Scheme Policy No. 5 – Operational Works.

Approved Use

4. The asphalt plant's maximum production capacity must not exceed 240 tonnes per hour.
5. The existing asphalt plant at the site must be fully decommissioned immediately upon commencement of use of the new plant. All existing buildings, structured associated with the existing asphalt plant must be removed, the site remediated and the area turfed.
6. The refinement of bitumen must not be undertaken onsite and the use must be limited to the mixing of bitumen and aggregate to produce asphalt.

Building Works

7. The applicant must ensure that buildings and structures are:
 - (a) Constructed with brick, masonry, glass, colorbond or similar materials; and
 - (b) Coloured with greens, blues, greys or similar earth tones; and
 - (c) Have external walls with a modern high quality appearance.

CIVIL ENGINEERING**Utilities**

8. Site development works including earthworks, roadworks, stormwater drainage, water supply and sewerage infrastructure, electrical reticulation, lighting, landscaping, revegetation and other relevant services must be designed and constructed in accordance with the Codes and Policies of the Maroochy Plan 2000 unless specifically directed otherwise in the conditions contained herein.
9. The applicant is responsible for the alteration, relocation or re-instatement of public utility services, stormwater drainage structures, driveways, landscaping and other features affected by the development works. Any alterations or repairs of existing infrastructure required as a result of the development are to be completed at no expense to council or the service provider.
10. An underground connection to reticulated electricity and telecommunication services must be provided to the development in accordance with the requirements of the relevant service provider.
11. Where public utility services traverse private property, a minimum three metre wide easement must be provided over the infrastructure in favour of the applicable service provider.

External Works

12. The applicant must remove and reinstate the surface of Cooney Road where there is excess rutting or the surface is inferior between the site entrance and the driveway to council's transfer station. The extent of the resurfacing works must be agreed with the council at the pre-start meeting. The re-instated asphalt that must be inline with Department of Transport and Main Roads standards.

Site Access

13. The applicant must ensure that site access is constructed in accordance with Section 5 of Planning Scheme Policy No. 6 – *Traffic, Transport and Parking*.
14. The applicant must protect the integrity of Cooney Road from erosion which may result from the adjacent drainage channel and modify the existing drainage channel as required to ensure erosion does not affect the long term stability of the road.

Carparking

15. On site car parking facilities must be design and constructed in accordance with Section 9 of Planning Scheme Policy No. 6 - *Transport Traffic and Parking*. The facilities must include the following:
 - (a) A minimum of 24 bays complying with AS2890.1 Class 3 restricted to staff and customers of the development un-allocated and un-gated and available at all times
 - (b) A disabled parking bay clearly designated and provided in accordance with AS 1428 and AS2890.1
 - (c) Directional signage to the ingress/egress points of the public car park
 - (d) Car parking spaces and access driveways that are sealed and line-marked
 - (e) All on site circulation, turning areas and driveways comply with AS 2890.1-2004 and AS 2890.2-2002
 - (a) Staff car parking clearly signed and line-marked.

16. Prior to the commencement of the use, all parking facilities and associated access and drainage works must be constructed, marked, signed, lit and maintained in accordance with the requirements of Australian Standard AS2890.1 and must be made available at all times for the use by the proprietors, staff and customers.
17. The applicant must ensure that car parking areas and access driveway are maintained in a tidy, proper and safe condition at all times.

Service Vehicles

18. Service vehicle parking and manoeuvring facilities must be provided and maintained on the site, complying with Section 10 of Planning Scheme Policy No. 6 - *Transport Traffic and Parking*. This must include adequate gradients of the driveway, which may require upgrading of the existing construction. The facilities must include provision for 1 AV (regular access). Vehicle definitions, space dimensions and swept paths must comply with AS 2890.2-2002.

Cyclist Facilities

19. Bicycle parking facilities must be provided and maintained on the site, in accordance with Schedule 1 of the Code for Transport, Traffic and Parking and Section 8 of Planning Scheme Policy No. 6 – *Transport Traffic and Parking* and must include 10 Class 2 spaces for staff use.

Excavation and Filling

20. All earthworks shall be undertaken in accordance with the provisions of AS 3798 '*Guidelines on Earthworks for Commercial and Residential Developments*', with geotechnical testing undertaken in accordance with Section 8 of the Standard, and to a minimum of 'Level 2' as defined in Appendix B. Test results as required by AS 3798, and a certificate of quality and uniformity of fill must be provided by a RPEQ and submitted to council prior to the commencement of use.
21. Where the development involves excavation or filling over of, or adjacent to, water supply or sewerage infrastructure, all access chamber surface levels must be adjusted to provide a freeboard of 100mm above the finished ground surface level.

Retaining Walls

22. Structural design certification must be provided for all retaining walls exceeding 1m in height by an experienced and qualified civil engineer.
23. All retaining walls must be designed and constructed in accordance with the requirements of Council's Planning Scheme Policy No. 5 – *Operational Works*.
24. Fencing/barriers must be installed in accordance with AS1926 and the Maroochy Plan 2000 for any change of grade greater than one metre.

Construction Management Plan

25. A Construction Management Plan must be submitted in accordance with Section 6 of Planning Scheme Policy No. 5 - *Operational Works*. The Construction Management Plan must be approved by council prior to the commencement of works, and must specifically address the requirements of Section 6.1.1 as well as well as traffic management during all aspects of the construct phase including:
 - (a) A Traffic Management Control Plan in accordance with the Manual of Uniform Traffic Control Devices (MUTCD) detailing all temporary signage and traffic control measures prior to construction.
 - (b) Maintenance of safe pedestrian access across the frontage of the site both during daily construction and after daily construction has ceased.
 - (c) Proposed fencing to the site during the construction phase of the development.
 - (d) Approval of the Traffic Management Control Plan by the Department of Main Roads (DMR) for any works on State controlled roads.

HYDRAULICS & WATER QUALITY**Stormwater Management**

26. A stormwater quality treatment system must be provided for the development without causing worsening to adjoining properties. The works must be undertaken in accordance with an Operational Works approval and the latest version of the *Water Sensitive Urban Design Technical Design Guidelines for South East Queensland*, and must include:
- (a) Stormwater quality treatment devices of a size and location generally in accordance with those shown on the Site Plan attached to the Stormwater Quality management plan (JT Environmental Pty Ltd, Stormwater Quality management plan - 110211, JT0901, Oct 2011) listed in this Decision Notice.
 - (b) The bioretention devices must:
 - (i) Be designed generally in accordance with IPWEQA Standard Drawing No. WSUD-001;
 - (ii) Incorporate a coarse sediment forebay (in addition to the required filter media surface area), which is sized in accordance with the latest version of the *Water Sensitive Urban Design Technical Design Guidelines for South East Queensland* and designed generally in accordance with IPWEQA Standard Drawing No. WSUD-005;
 - (iii) Have easements over all flowpaths and extension of the site stormwater system to accommodate stormwater external to the site, including registration of drainage easements;
 - (iv) Have safe, unobstructed and all weather access from the road frontage for maintenance purposes, particularly for the coarse sediment forebay;
 - (v) Be provided with a high flow bypass to ensure that flows which exceed the treatment capacity of the device are bypassed in order to avoid damaging of the filter media or subjecting the filter media to excessive sediment loads; and
 - (vi) Be provided with a free-draining outlet from the sub-soil drainage system.
27. All proprietary stormwater quality treatment devices (i.e. must be routinely checked, serviced and cleaned in accordance with the manufacturer's recommendations. Records of all maintenance activities undertaken must be kept and made available to council upon request.

Rainwater Harvesting

28. Operating rainwater collection tanks must be provided for the development. The tanks must be provided in accordance with an Operational Works approval and must include in particular:
- (a) A total tank capacity of 40,000 litres; and
 - (b) Re-use of harvested rainwater for internal non-potable uses and outdoor uses.
29. Certification must be submitted from a qualified person which certifies that the rainwater collection tank/s and associated reticulation has been installed in accordance with the requirements of this Decision Notice.

Bioretention Basin Vegetation

30. Landscape plans to be submitted with Operational Works (landscaping) must include a mixture of at least five (5) of the following species for planting in the bioretention basin surface at a minimum density of 8 plants/m² (higher density is preferred for faster establishment): *Carex appressa*, *Carex fascicularis*, *Ficinia nodosa*, *Juncus usitatis*, *Lomandra longifolia*, *Ghania sieberiana*.
31. Landscape plans to be submitted with Operational Works (landscaping) must include a mixture of following species for planting in the bioretention basin batters at a

suitable density and ensuring the species that are taller and/ or have longer denser leaf growth are planted towards the top of the batter (e.g. *Lomandra* and *Ghania*) to minimise shading of the treatment area. *Carex appressa*, *Carex fascicularis*, *Ficinia nodosa*, *Juncus usitatis*, *Lomandra longifolia*, *Ghania sieberiana*, *Banksia robur*, *Dianella brevipedunculata*, *Themada triandra*, *Cymbopogon refractus*, *Melaleuca thymifolia*.

32. Trees must not be planted in or on the batters of the bioretention basin/s to prevent loss of treatment area, damage to related components (e.g. subsurface drainage) and ongoing maintenance issues, unless otherwise directed by a representative of council's hydraulics and water quality unit.
33. Where landscaping/garden beds are proposed adjacent to the bioretention basin, a 900mm deep root barrier must be shown on plan, between the landscape/garden area and the bioretention basin/swale.

Flooding

34. In conjunction with the development application for Operational Works, provide a revised Flooding Assessment based generally on the "*Lot 3 SP193049 Flooding Assessment*" by SKM dated 12 October 2011, which demonstrates no off-site flood impacts, reflects the final design of the site earthworks and channel upgrade works and which addresses the following issues:
 - (a) The channels must be represented as 1-Dimensional model elements;
 - (b) Assumed roughness values must be revised consistent with the final landscape finished proposed for the channels.
35. The proposed development area must be generally filled to be above the 1 in 100 year ARI flood level and the minimum floor level of all buildings must be at least 0.4m above the 1 in 100 year ARI flood level based on the required revised Flooding Assessment.
36. An easement for drainage purposes must be registered against the titles of the properties in favour of council over the land area identified as being below the 1 in 100 year ARI flood level on the subject site within the drainage channels.
37. In conjunction with the development application for Operational Works, provide a stormwater drainage design for the site that accommodates flows from the balance of Lot 4 SP193049, which currently flows through the site of the proposed asphalt plant works. The drainage design must ensure non-worsening on either the balance of Lot 4 SP193049 or downstream Lot 3 SP193049.

LANDSCAPE & ECOLOGY

General

38. The development must be landscaped in accordance with the planning scheme, conditions of this decision notice and the approved landscape plans.
39. The applicant must establish and maintain landscaping areas in accordance with horticultural best industry practice for the life of the approval.

Landscaping

40. Landscaping of the subject site must be in accordance with the Code for Landscaping Design and the approved Landscape Plans.
41. The applicant must remove all weeds species as listed in the following:
 - (a) Declared plants under the *Land Protection (Pest and Stock Route Management) Act 2002* and sub-ordinate Regulation 2003;
 - (b) *Maroochy Pest Management Plan 2006-2010* pest species of significance in Group 1, Group 2 and Group 6;
 - (c) Removal of all environmental weeds.

42. The applicant must establish a minimum 4m wide landscape buffer along the southern boundary of the site generally in accordance with the Landscape Plans, high and dense enough to achieve substantial screening of the development.
43. The applicant must establish a minimum 1m wide landscape buffer along western edge of the site between the development and Cooney Road.
44. The applicant must establish a screening buffer of *Ficus microcarpa* var. *hillii* (Hill's Weeping Fig). adjacent to the asphalt plant on the western side of Cooney Road to reduce the penetration of light and dust into the Parklands Forest Reserve and provide an additional food source for the flying foxes.

ENVIRONMENTAL HEALTH

Environmental Performance

45. If post-commissioning emissions testing required within 3 months of commissioning indicates non-compliance with emission limits identified in Table 1 of DERM Permit Number SPCE01520411, emissions must be mitigated or ceased within a timeframe specified by DERM to rectify the situation and demonstrate compliance.

Flying Foxes

46. Prior to undertaking any works on the site, the applicant must contact DERM to discuss the location and status of any flying foxes that may be roosting in the Parklands roost site.
47. Prior to undertaking any works on the site, the applicant must develop and implement a monitoring plan to monitor any disturbance to the flying foxes roosting in the adjacent Parklands Reserve. The plan must contain actions to address any negative impacts of development on the colony.

Acid Sulphate Soils

48. Prior to an application for operational works, the applicant must complete an ASS investigation in accordance with State Planning Policy 2/02 Guideline 3.
49. Based on the results of the ASS investigation, the applicant must formulate an ASS Environmental Management Plan (ASS EM Plan) for approval by council consistent with Appendix 4 of the State Planning Policy 2/02 Guideline and the Management Principles of the latest version of the *Queensland Acid Sulfate Soil Technical Manual, Soil Management Guidelines*.
50. Development must comply with the approved ASS Environmental Management Plan.

Waste Management

51. Waste storage must be undertaken entirely on the subject land.
 52. A screened, adequately sized hardstand area for the storage of waste containers must be provided, which will minimise the movement of containers for servicing and the impacts on adjoining neighbours.
 53. The waste container storage area must include a washdown area designed in accordance with council's standards and connected to sewer.
 54. A waste service point must be provided that:
 - (a) Does not impede the traffic flow during servicing;
 - (b) Is clearly separated from a car parking bay and other similar areas;
 - (c) Is of a sufficient height to allow for the servicing of a wheelie bin;
 - (d) Is clear of any overhanging branches, roofs or other similar structures at or below the height of the waste collection vehicle;
 - (e) Allows unobstructed access to and from the service point;
 - (f) Provides clear, unimpeded vision for the driver of the waste collection vehicle;
 - (g) Ensures that the noise associated with servicing is minimised for the living areas of an adjoining premises;
 - (h) Enables the collection vehicle to remain entirely on the site during servicing.
-

55. The waste storage area must be designed for the provision of two side by side 3m³ galvanised industrial waste bins (2040mm x 1450mm), allow access for waste disposal and servicing, and be in a screened refuse area. Full details of the bin location and servicing requirements including a demonstration of onsite manoeuvring must be provided in conjunction with the Operational Works application.

Outdoor Lighting

56. Lighting must be of the appropriate type, and positioned to ensure spill and obtrusive light does not exceed 1 lux at the boundary of the adjacent Parklands Conservation Land. For all other land the recommended maximum values of AS 4282-1997 '*Control of the obtrusive effects of outdoor lighting*' must not be exceeded.

UNITYWATER

57. Reticulated water supply must be provided to the development.
58. The fire-fighting demand on Unitywater's water supply system from the development must not exceed 30 litres per second.
59. A new 150mm diameter watermain must be constructed from the existing 100mm diameter watermain in Cooney Road to the access easement serving Lot 4 SP193049.
60. A single Unitywater installed primary water meter must be provided immediately inside the access easement boundary. Additional water meters must be installed for each title of a community title or sub-lease scheme. Meters must be Unitywater approved, installed in accordance with Unitywater requirements and remain accessible at all times for reading and maintenance purposes.
61. Reticulated sewerage must be provided to the development.
62. The 150mm diameter sewer located on the eastern boundary of the council waste transfer station must be extended to the development site and to the northern boundary of Lot 4.
63. A 3.0 metre wide easement must be provided over all Unitywater sewers located within the development site. Easements must be located centrally over the main.
64. Stormwater retention systems and gross pollutant traps must maintain a minimum clearance of 1.5 metres from Unitywater water supply and sewerage infrastructure.
65. Written approval to enter and construct must be provided from property owners through which external sewers will traverse. This must be submitted with lodgement of the associated development application for Operational Works.
66. Tree plantings must maintain a minimum horizontal clearance of 1.0 metre from Unitywater water mains and 1.5 metres from Unitywater sewerage mains. Landscaping plants within these clearances must be low growing when mature and suitable approved varieties.
67. Construction works undertaken in the vicinity of Unitywater water supply or sewerage infrastructure must not adversely affect the integrity of the infrastructure. All costs associated with repair, replacement or alteration of infrastructure must be met by the applicant.

5. REFERRAL AGENCIES

The referral agencies applicable to this application are:

Reason for Referral	Referral Type	Referral Agency	Agency Address
<i>State-Controlled Road Matters</i>	Concurrence	Department of Transport and Main Roads	PO Box 1600 Sunshine Plaza Postal Shop MAROOCHYDORE QLD 4558
<i>Environmentally Relevant Activity</i>	Concurrence	Dept of Environment & Resource Management	GPO Box 2454 BRISBANE QLD 4001
<i>Contaminated Land</i>	Concurrence	Dept of Environment & Resource Management	GPO Box 2454 BRISBANE QLD 4001
<i>Wetlands</i>	Advice	Dept of Environment & Resource Management	GPO Box 2454 BRISBANE QLD 4001
<i>Conservation Estate</i>	Advice	Dept of Environment & Resource Management	GPO Box 2454 BRISBANE QLD 4001
<i>Acid Sulphate Soils</i>	Advice	Dept of Environment & Resource Management	GPO Box 2454 BRISBANE QLD 4001

6. PLANS/DOCUMENTS

Approved Plans

Plan No.	Rev.	Plan Name	Date
DA-100	5	<i>Site Plan</i> prepared by WG Architects	September 2010
DA-300	5	<i>Elevations – Site</i> prepared by WG Architects	September 2010
DA-310	5	<i>Elevations – Office Building</i> prepared by WG Architects	September 2010
DA-320	4	<i>Elevations –Lab Building</i> prepared by WG Architects	September 2010
L_DD_100	02	<i>Coversheet</i> drawn by GG of Lat 27	14/03/2011
L_DD_101	02	<i>Landscape Planting Plan</i> drawn by GG of Lat 27	14/03/2011
L_DD_102	02	<i>Landscape Details 1</i> , drawn by GG of Lat 27	14/03/2011
L_DD_103	02	<i>Landscape Details 2</i> , drawn by GG of Lat 27	14/03/2011

Referenced Documents

Document No.	Rev.	Document Name	Date
Final	0	<i>Lot 3 SP193049 Flooding Assessment</i> prepared by SKM	12/10/11

8. ADVISORY NOTES**Unitywater**

1. As of 1 January 2008, sub-metering of new non-residential premises is a mandatory requirement under the Queensland Development Code (QDC). Refer to the following website for more information – <http://www.lgp.qld.gov.au/planning/?id=7035>.
2. Connection to Unitywater live water mains and the Unitywater live sewer system must be undertaken by Unitywater at the applicants cost.
3. A Trade Waste permit is required prior to any stormwater, groundwater or sump pump discharge into Unitywater's sewerage system.

Infrastructure Charges

4. This development permit may trigger an "Adopted Infrastructure Charge Notice" (if applicable) to be issued in accordance with councils "Adopted Infrastructure Charges Resolution (No.2) 2011" under the State Planning Regulatory Provision (Adopted Charges) and the "Sustainable Planning Act 2009".

Operational Works Applications

5. To assist council to undertake an integrated assessment of the operational works application, all aspects of the works must be included in one (1) application combined (Engineering & Landscaping) and be in accordance with Councils Planning Scheme Policy No.5.

Engineering

6. From 1 January 2000, the Building and Construction Industry (Portable Long Service Leave) Levy must be paid prior to the issue of a development permit where one is required for the 'Building and Construction Industry'. This applies to Building Works, Operational Works and Plumbing and Drainage Works applications, as defined under the SPA 2009, where the works are \$80,000 or more and matching the definition of 'Building and Construction Industry' under the *Building and Construction Industry (Portable Long Service Leave) Act 1991*. Council will not be able to issue a Decision Notice without receipt of details that the Levy has been paid. Should you require clarification in regard to the amendments to the *Building and Construction Industry (Portable Long Service Leave) Act 1991*, you should contact QLeave on 1800 803 481 (free call) or (07) 3212 6855

Hydraulics & Water Quality

7. For the purpose of certifying the design of rainwater collection tanks, a qualified person is considered to be a Registered Professional Engineer of Queensland (RPEQ).
8. Integrated Water Management Guidelines. The applicant is advised that when addressing the requirements of council's Integrated Water Management Code and Section 7 of Planning Scheme Policy No. 5 – *Operational Works*, reference should also be made to council's Integrated Water Management Guidelines for further guidance on stormwater management outcomes.

Landscaping

9. An application for a Development Permit for Operational Works Landscaping must be submitted for the subject site. This must include:
 - (a) 3 x A3 size hardcopies of a detailed Landscape Plan.
 - (b) The landscaping plan must be prepared by a suitably qualified consultant (in the field of Landscape Architecture, Landscape Design and/or Horticulture).
 - (c) Plans must be a minimum scale of 1:200 (details at 1:10 or 1:20).

- (d) All existing and proposed services including overhead power, drainage, water and sewerage must be shown in relation to the proposed development.
 - (e) Important spot levels and/or contours.
 - (f) Contextual information of the site including adjoining roads, land uses and photographs of site
 - (g) Extent and type of works including hard surfaces, landscape structures, signage, amenity lighting, fencing, edging, plantings and turf.
 - (h) A plant schedule with the following information: botanic names, common names, total plant numbers, and pot sizes at the time of planting.
 - (i) Landscape works for the full frontage of the development site including street trees, edging, footpath and turf.
 - (j) A north point, scale and legend as well as the name, contact details of the landscape consultant who prepared the plan.
10. Council reserves the right to instruct the applicant to remove any plantings that are not healthy, established or providing their desired function of strong visual screening to the development. Replacement planting and establishment will be at the applicant's cost.

Equitable Access and Facilities

11. The plans for the proposed building work have NOT been assessed for compliance with the requirements of the Building Code of Australia – Part D3 as they relate to people with disabilities. Your attention is also directed to the fact that in addition to the requirements of the Building Code of Australia – Part D3 as they relate to people with disabilities, one or both of the following may impact on the proposed building work:
- (a) the *Disability Discrimination Act 1992* (Commonwealth); and
 - (b) *Anti-Discrimination Act 1991* (Queensland).
12. Sunshine Coast Regional Council recommends that the following matters be considered to address equitable access and facilities in the building:
- (a) the building and environs should be designed to meet the requirements of the Human Rights and Equal Opportunity Commission "Advisory Notes on Access to Premises" and AS 1428.2;
 - (b) applicants should be aware that a "Disability Standard on Access to premises" is currently being developed and most likely will impose changes on the Building Code of Australia; and
 - (c) any services and facilities in the building complex should allow independent, dignified and equitable use of the services and facilities for all people.

Aboriginal Cultural Heritage Act 2003

13. There may be a requirement to establish a Cultural Heritage Management Plan and/or obtain approvals pursuant to the *Aboriginal Cultural Heritage Act 2003*. The *ACH Act* establishes a cultural heritage duty of care which provides that: "A person who carries out an activity must take all reasonable and practicable measures to ensure the activity does not harm Aboriginal cultural heritage." It is an offence to fail to comply with the duty of care. Substantial monetary penalties may apply to individuals or corporations breaching this duty of care. Injunctions may also be issued by the Land and Resources Tribunal, and the Minister administering the Act can also issue stop orders for an activity that is harming or is likely to harm Aboriginal cultural heritage or the cultural heritage value of Aboriginal cultural heritage. You should contact the Cultural Heritage Co-ordination Unit on 07 3239 3647 to discuss any obligations under the *ACH Act*.

9. PROPERTY NOTES

Not Applicable.

11. FURTHER DEVELOPMENT PERMITS REQUIRED

- Development Permit for Operational Work (Engineering Works & Landscaping)
- Development Permit for Building Work

12. SELF ASSESSABLE CODES

N/A

13. SUBMISSIONS

There was 1 properly made submission about the application. In accordance with *Sustainable Planning Act 2009*, the name and address of the principal submitter for each properly made submission is provided and attached.

14. REASONS / GROUNDS FOR APPROVAL DESPITE CONFLICT WITH SCHEME

Not Applicable.

15. RIGHTS OF APPEAL

You are entitled to appeal against this decision. A copy of the relevant appeal provisions from the *Sustainable Planning Act 2009* is attached. During the appeal period, you as the applicant may suspend your appeal period and make written representations to council about the conditions contained within the development approval. If council agrees or agrees in part with the representations, a “negotiated decision notice” will be issued. Only one “negotiated decision notice” may be given. Taking this step will defer your appeal period, which commences from the start the day after you receive a “negotiated decision notice”.

16. OTHER DETAILS

If you wish to obtain more information about council's decision, electronic copies are available on line at www.sunshinecoast.qld.gov.au, or at council offices.

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4.1.3 DEVELOPMENT APPLICATION FOR A PRELIMINARY APPROVAL FOR A MATERIAL CHANGE OF USE OF PREMISES – EXTENSIONS TO AN EDUCATIONAL ESTABLISHMENT AT 372 MONS RD, FOREST GLEN

File No: MCU07/0031

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

Appendices: App A – Conditions of Approval (SPC Pg 86)

Attachments: [Att 1 - Proposal Plan](#) (SPC Att Pg 61)
[Att 2 - Concurrence Response \(DERM\)](#) (SPC Att Pg 62)
[Att 3 - Amended Concurrence Response \(DTMR\)](#) (SPC Att Pg 78)
[Att 4 - Forest Glen Future Road Layout](#) (SPC Att Pg 85)

Link to PD Online:

<http://pdonline.sunshinecoast.qld.gov.au/MasterView/Modules/Applicationmaster/default.aspx?page=found&7=mcu07/0031>

SUMMARY SHEET	
APPLICATION DETAILS	
Applicant:	Sunshine Coast Grammar School
Proposal:	Preliminary Approval Overriding the Planning Scheme for a Material Change of Use of Premises (Extensions to an Educational Establishment)
Properly Made Date:	5 March 2007
Information Request Date:	4 May 2007
Information Response Received Date:	8 May 2009
Decision Stage Commenced Date:	19 October 2011
Decision Due Date:	31 January 2012
Number of Submissions:	42 Properly Made Submissions and 7 Not Properly Made Submissions
PROPERTY DETAILS	
Division:	7
Property Address:	372 Mons Road Forest Glen
RP Description:	Lot 16 SP 169831 and Lot 1 SP 169832
Land Area:	33.319ha
Existing Use of Land:	Educational Establishment
STATUTORY DETAILS	
SEQRP Designation:	Urban Footprint
Planning Scheme:	Maroochy Plan 2000 (1 December 2006 - superseded)
Strategic Plan Designation:	Agricultural Protection / Rural or Valued Habitat*
Planning Area / Locality:	21 - Eudlo Creek Valley*

Planning Precinct / Zone:	Split Zoning - 13 - Eudlo East Canelands (Sustainable Canelands) and 11 – Kiels Mountain East (General Rural Lands)*
Assessment Type:	Impact*

Note: As discussed in this report the statutory details of the site changed on 24 October 2011 with the taking effect of the Forest Glen Planning Scheme Amendments.

PURPOSE

The purpose of this report is to seek council's determination of an application for a Preliminary Approval Overriding the Planning Scheme for a Material Change of Use of Premises (Extensions to an Educational Establishment). The application is before council due to the number of objections received and because the application seeks to override the requirements of the applicable planning scheme.

EXECUTIVE SUMMARY

The application seeks a preliminary approval for master planned extensions to the Sunshine Coast Grammar School at Forest Glen to allow the school to grow from its current enrolment of approximately 1,200 students to a capacity of 1,500 enrolled students (Pre-Prep to Year 12), and to guide their planned building program over the next decade.

The application is made pursuant to Section 3.1.6 of the former *Integrated Planning Act 1997* and originally sought, by Preliminary Approval, to vary some of the regulatory provisions that applied to the land at the time the application was lodged.

The application offers the opportunity to formalise the existing development on the site (which to date has occurred on an ad-hoc basis) and to provide certainty for future development on the site. The application also offers the opportunity for clearer and stronger regulatory control of the environmental values and hazards on the site and the ability to regulate overall student numbers on the site.

The issues presented by the application relate primarily to site access, flooding, environmental protection and bushfire risk. In relation to the matters presented, the application has been assessed and found to be generally consistent with all statutory controls and in keeping with best practice planning principles, subject to conditions. School development on the site is encouraged by the current version of the Maroochy Plan 2000, which recognises the importance of this existing educational establishment to the local area.

The issue of most public interest is the proposal to alter the current arrangement for access to the school from Gardenia Place. The application seeks to address traffic and safety issues associated with the current Mons Road access to the school by allowing general access to the site from Gardenia Place temporarily until an alternative additional access becomes available. The previous master plan approval for the school limited the use of the Gardenia Place access to emergency vehicles only. It is the recommendation of this report that the existing arrangements for the Gardenia Place access point be maintained, for the reasons outlined in the traffic and transport section of this report.

The application is recommended for approval, subject to the imposition of reasonable and relevant conditions, and with the exception of opening up Gardenia Place to general access.

OFFICER RECOMMENDATION

That Council **APPROVE WITH CONDITIONS** Application MCU07/0031 by Sunshine Coast Grammar School, Forest Glen and grant a Preliminary Approval Overriding the Planning Scheme for a Material Change of Use of Premises – Extensions to Educational Establishment, described as Lot 16 SP 169831 and Lot 1 SP 169832, subject to the conditions of approval as outlined in Appendix A.

FINANCE AND RESOURCING

No infrastructure charges would be triggered by the approval of this application as, being a preliminary approval, it would not authorise any additional development to occur. Infrastructure charges will be levied against future development permits for material change of use for the proposed buildings shown on the master plan.

INTRODUCTION

Background/Site History

Original Grammar School Approval

The original town planning approval for the Sunshine Coast Grammar School was granted on **6 March 1996** (Town Planning Consent Permit C957167). The land which was the subject of this original approval did not include Lot 1 SP 169832 which adjoins Gardenia Place. This approval did not place a limit on the number of students that could be accommodated at the school, although the planning report presented to council at the time indicated that the projected capacity of the school was 1,100 students.

Previous Approved Master Plan

Following the 1996 approval, a later approval was issued on **27 March 1998**. This allowed extensions to the educational establishment, including the inclusion of the additional land that adjoined the original property to the north and fronting Gardenia Place (Town Planning Consent Permit C977068). This approval was for Extensions to an Educational Establishment (Sports Fields, Grandstand, Shelter Sheds, Car Park and Emergency Access).

Previously Approved "Generally in Accordance" Requests

There have been a number of formal requests over the years since 1998 for council to endorse variations to the location of buildings shown on the approved plans of the 1998 approval. Existing buildings on the site, which council agreed to endorse include:

- the resource centre (building 12 on the proposed master plan);
- extensions to preparatory year facilities (building 17 on the proposed master plan);
- tuckshop (building 25 on the proposed master plan);
- chapel (building 02 on the proposed master plan);
- sports clubhouse (building 33 on the proposed master plan); and
- mathematics building (building 30 on the proposed master plan).

The relocation of these buildings was generally based on the following provisos:

- there being no increase in student numbers;
- additional formalised car parking spaces were to be provided; and
- remaining demountable classrooms on the site were to be removed.

Other Existing Material Change of Use Approvals

On **8 November 2005**, council issued a development Permit for a Material Change of Use of Premises (Extension of Existing College – Child Care Centre) (MCU05/0030) for a child care centre in the south-western corner of the site, adjacent to Mons Road (Building 41 on the proposed master plan).

In 2009, the applicant established the Multi Purpose Hall (Building 27 on the proposed master plan) on the site under the Federal Government Building the Education Revolution Program. This building was exempt from assessment under the planning scheme. The criteria for meeting the requirements of the program included a building height limit of 15 metres.

On **10 March 2010**, council issued a Development Permit for a Material Change of Use of Premises (Educational Establishment - Industrial Technology Building) (MCU09/0051) located in the northern part of the site (Building 22 on the proposed master plan).

History of Current Application

The application was originally lodged on 5 March 2007.

The significant amount time taken between lodgement of the application and presentation to council is due to:

- the applicant being granted an additional 12 months to respond to the Information Request;
- the Department of Transport and Main Roads initially directing refusal of the application, and then later revising its position after representations from the applicant; and
- the Department of Environment and Resource Management also initially directing refusal of the application, and then later revising its position after lengthy negotiations with the applicant.

The amended Department of Transport and Main Roads response was received on 26 November 2009, and the amended Department of Environment and Resource Management response was received on 18 October 2011, both approving the application subject to conditions.

Council's decision making stage commenced on 19 October 2011.

Site Description

The subject site consists of two (2) parcels of land situated to the east of the Bruce Highway, to the north and east of Mons Road and to the west of Gardenia Place, Forest Glen. The site is 33.319 hectares in size and contains the existing Sunshine Coast Grammar School. The site gains access from a narrow access handle to Mons Road in the south western corner of the site, south of the BP service station. The site also has a second emergency service

vehicle access point to the western end of Gardenia Place. There are currently a total of 237 formalised car parking spaces on the site (excluding child care centre parking).

The site contains several notable environmental features, including Eudlo Creek (a sixth order stream) adjacent to the western boundary, and several smaller streams that flow through the site from the south and east towards Eudlo Creek. The site contains several parcels of remnant vegetation identified as “of concern dominant”, “of concern subdominant” and “of least concern” on regional ecosystem mapping. These are concentrated predominantly along the eastern, southern and western fringes of the site. Much of the site is identified as bushfire prone. The entire western portion of the site is identified as flood prone land and a small area along the eastern boundary is identified as having slopes of over 15% and 20%.

Figure 1 shows the subject site in the context of the locality.



Figure 1 - Locality Plan

Surrounding Uses

The subject site is located in Forest Glen, south of Maroochydore Road and east of the Bruce Highway.

To the north, the subject site adjoins a large rural-residential property that gains its access off Gardenia Place. To the east, the subject site adjoins several rural residential properties that gain their access off Gardenia Place and Parsons Road. To the south, the site adjoins a large horticultural property and an industrial premises, both gaining access from Mons Road. To the west the site adjoins a large tract of bushland, beyond which are located some light industrial uses fronting the Bruce Highway.

Proposal

The application seeks approval to set in place a new master plan to guide and regulate the future development of the school.

Specifically, the application seeks approval for a Preliminary Approval (Overriding the Planning Scheme) for Material Change of Use for Extensions to an Educational Establishment

The key components of the proposal are discussed below.

Expansion of Facilities and Enrolments

The Sunshine Coast Grammar School's preferred pattern and sequence for the 'roll-out' of the upgrades is continually evolving, and has changed even since lodgement of the current development application. Such is the nature of schools, as their priorities frequently change in response to enrolment demands, changing curriculums and external factors such as government grants. The current master plan concept for which approval is sought includes the following elements:

- an addition to the administration building;
- an aquatic centre;
- a gymnasium and amenities;
- a science and language centre;
- new sports fields in the northern part of the site;
- a sports equipment store; and
- sports changing rooms.

Approval of the master plan would also formalise the status of numerous existing buildings and facilities that have been constructed on the site in locations that differ from those depicted on the previous master plan approval for the site. It will provide a useful single point of reference showing all existing and proposed buildings on the site.

Approval of the application would enable the school to grow from its current 1,200 students and 182 staff, to 1,500 students and 192 staff. The school currently has a total GFA of 16,775m² (11,495m² – Teaching Area and 5,280m² Verandas/Walkways) and the proposal anticipates an additional 6,030m² GFA for the life of the master plan.

161 additional car parking spaces are proposed to be established over the life of the master plan, bringing the total number of on-site car parking spaces to 398 (excluding those for the child care centre).

Preliminary Approval and Supplementary Table of Assessment

Under previous versions of the Maroochy Plan 2000 (including the version in force at the time this application was lodged), each application for a material change of use for school related development on the subject site triggered Impact Assessment. The current application includes a component which seeks to override, or 'vary the effect of', the applicable planning scheme in force at the time the application was lodged, changing the level of assessment for certain school upgrades for future applications from Impact Assessment to Code Assessment. To this end, the application is made pursuant to the provisions of Section 3.1.6 of the former *Integrated Planning Act 1997*, which enables a Preliminary Approval to prevail over the planning scheme in setting land use controls for a particular land area.

Traditionally, applications involving the use of Section 3.1.6 of *Integrated Planning Act 1997* have sought to effectively 'rezone' land to allow its ongoing use for purposes not otherwise allowed in the planning scheme. However, in this case, the applicable Maroochy Plan 2000 precinct already acknowledges and supports the Grammar School on the subject site. Instead, the applicant seeks only to use Section 3.1.6 of the *Integrated Planning Act 1997* to change the level of assessment to allow future applications for development permits to be code assessable, rather than impact assessable. To this end, the applicant proposes a Supplementary Table of Assessment which would attach to any approval of this application and would operate in place of the current Table of Development Assessment in the Maroochy Plan 2000 for future development shown on the master plan.

Section 3.1.6 also enables the applicant to establish new development codes to vary or supplement the codes already contained within the planning scheme. In this case, the applicant **does not** propose any new code.

Notwithstanding the above, it should be noted that the current version of Maroochy Plan 2000 which commenced on 24 October 2011 (as opposed to the 'applicable' version to the application, i.e. the version that was current at the time the application was lodged in March 2007), rezoned the subject site from *General Rural Lands* to *Special Purpose – School*, and changed the level of assessment of school related development from Impact Assessable to Code Assessable. Therefore, in accordance with the current planning scheme, future school development will be code assessable regardless of whether or not this application is approved. It is, therefore, more appropriate to consider the application as a standard application for a preliminary approval (not overriding the planning scheme).

Community Use of School Facilities

The school proposes to allow some limited use of its facilities to external groups before and after school, during school holidays and on weekends. Existing and proposed school facilities are intended to be made available for use by the public (including community groups) as follows:

- chapel - minimal use – no more than a once or twice per school term for weddings and memorials and wider school and local community functions;
- lecture theatre (maximum capacity 154) - minimal use outside of the school community for local community, business and educational groups for seminars;
- seminar room - minimal use outside of the school community – generally used in conjunction with the lecture theatre, predominantly for provision of refreshments due to location next to lecture theatre;
- sports performance centre (3 classrooms and commercial kitchen) - used mainly by school community and associated sporting support groups – limited availability to external sporting groups/associations during term time for local community, business and education groups for seminars, workshops, etc.
- hall - available for community use outside of school requirements in line with federal government *Building the Education Revolution* funding criteria;
- sports ovals - limited use outside of school by various sporting groups in the community;
- swimming pool (proposed) - complex may be operated under a management agreement with emphasis on programs for the school community such as Learn to Swim, swim carnivals, sports, etc. – minimal availability for external groups. Frequency unknown until such time as complex is completed in future years; and

- tennis courts - complex operated under management agreement - limited use outside of school community for general sports, Tennis School of Excellence, private tutoring etc. Parent groups and community associations and clubs could access, subject to availability.

Second School Access

The applicant proposes that the existing Mons Road access will be maintained as the main vehicular access driveway. However, the applicant proposes that the current emergency access point on Gardenia Place be opened to operate as a “temporary” second access only for an hour and half in the morning and evening until a second school access to Mons Road becomes functional.

Ultimately, the applicant proposes that a permanent second access driveway to the southern boundary of that site would be established when a new road link to the south becomes available, linking to the northern approach of the existing Owen Creek Road/Mons Road intersection. The applicant does not propose the acquisition or construction of the anticipated road link. This future link would be located approximately centrally along the southern boundary (Item 30 on the proposed master plan).

ASSESSMENT

Framework for Assessment

Instruments for Statutory Assessment

Under the *Integrated Planning Act 1997*, the application must be assessed against each of the following statutory planning instruments to the extent they are relevant to the development:

- State Planning Policies;
- the South East Queensland Regional Plan;
- State Planning Regulatory Provisions;
- any Structure Plan or Master Plan in place for declared areas;
- any Preliminary Approval Overriding the Planning Scheme for the land;
- the Planning Scheme for the local government area; and
- any Temporary Local Planning Instrument in place for the local government area.

Of these, the statutory planning instruments relevant to this application are discussed in the sections that follow.

Statutory Instruments – State and Other

State Planning Policies

The following State Planning Policies are applicable to this application:

- State Planning Policy 1/92 Development and the Conservation of Agricultural Land;
- State Planning Policy 2/02 Planning and Managing Development Involving Acid Sulfate Soils;

- State Planning Policy 1/03 Mitigating the Adverse Impacts of Flood, Bushfire and Landslide; and
- State Planning policy 5/10 Air, Noise and Hazardous Materials.

Of these, all except State Planning Policy 5/10 have been deemed by the Minister for Local Government and Planning as being appropriately reflected in council's planning scheme and, therefore, do not warrant a separate assessment.

State Planning Policy 5/10: Air, Noise and Hazardous Materials 2010

This State Planning Policy was adopted on 15 December 2010 and came into effect on 2 May 2011. The guiding principle of the policy is to ensure that land use zones (and precincts of zones) are organised within the local planning instrument in a way that facilitates the location of compatible land uses. Industry zones and zones for sensitive land uses should be appropriately planned and located to manage the interface, and protect the health, wellbeing, amenity and safety of communities and provide for the long term viability of industrial development.

The primary objective of the policy is to ensure that sensitive land uses are not being exposed to industrial air, noise and odour emissions that impact on human health, amenity and wellbeing. Educational Establishment is identified as a sensitive land use within the policy. The policy nominates the following trigger distances for medium, high and noxious industries:

- 250m setback from medium impact industry (concrete batching, metal recovery, fuel depot, junk yard);
- 500m setback to heavy impact industry (asphalt manufacturing, timber mill, boiler making); and
- 1,500m setback to noxious and hazardous industry (manufacturing and storage of dangerous materials, abattoir, explosive manufacturing).

Where sensitive uses are proposed within these trigger distances, the policy requires further planning investigations to demonstrate that the expected impacts from these industry zones have been adequately considered in the local context. Where uses are likely to be exposed, it identifies possible design measures to assist in mitigating potential impacts, such as:

- landscaping;
- increasing setbacks of sensitive land uses from existing and future industrial noise sources;
- positioning buildings in the most appropriate geographic locations (e.g. placing bedrooms away from existing and future industrial noise sources);
- using barriers, mounds and fences; and
- screening sensitive land uses from industrial noise sources.

The State Planning Policy 5/10 only applies to a Material Change of Use for a defined sensitive use located within a nominated management area. Of particular relevance to this application, the neighbouring Business and Industry precinct is not identified as a management area within the policy. There are only two (2) identified management areas within the coverage of Maroochy Plan 2000 - Kunda Park and Coolum Industrial Park.

Although State Planning Policy 5/10 is not applicable, it should be noted that the subject site adjoins lots containing light industrial uses to the south and west. The adjoining precinct is a

Business and Industry precinct and is for low impact industry and business uses. The nearest proposed building to an adjoining industrial use is the administration building (building 01a on the proposed master plan), which is 200m from an adjoining industrial use. All other proposed buildings have a greater setback. In addition, existing buildings on the site are located considerably closer to adjoining industrial uses than any of the proposed buildings.

The ample separation distance of the proposed school buildings will ensure that they will meet all minimum noise criteria, without the need for any external acoustic buffers. In addition to the setback and design criteria, the existing industrial activities within the precinct already have restricted hours of operation due to the proximity of the existing residential dwellings and caravan park. Under the current planning scheme provisions, the Environmental Protection Policy standards are imposed, which require no noise nuisance beyond the site boundaries of the business and industry uses.

For these reasons, plus the Grammar School already exists and is not proposing residential uses on site, it is not considered that the proposed extensions to the Grammar School will impact on the future viability of the adjoining precinct to continue and grow as a freight and transport hub.

South East Queensland Regional Plan

The site is located within the Urban Footprint of the South East Queensland Regional Plan. The proposal is for an urban use within the urban designation. The proposed development is consistent with the Desired Regional Outcomes of the SEQ Regional Plan for the Urban Footprint designation.

State Planning Regulatory Provisions

For the purpose of the *Integrated Planning Act 1997*, the regulatory provisions contained within the South East Queensland Regional Plan are defined as State Planning Regulatory Provisions. The Regulatory Provision are not applicable in this case.

As the application is within the urban footprint of the regional plan, the application did not require referral to the Department of Local Government and Planning for assessment.

Statutory Instruments – Planning Scheme

The applicable planning scheme is the Maroochy Plan 2000 (1 December 2006). It should be noted this is now a superseded version of Maroochy Plan, and the latest version of the planning scheme includes substantial amendments to the provisions applicable to the Forest Glen area, including the subject site. These amendments are more supportive of further school development on the site than previous versions of the scheme. However, as the application was lodged under the 1 December 2006 version of the planning scheme, it must be assessed against that version. Nevertheless, a brief discussion about the new planning scheme provisions is provided later in this report.

Strategic Provisions

The proposal does not compromise the achievement of any of the shire-wide Desired Environmental Outcomes of the planning scheme.

The site is primarily subject to the Rural or Valued Habitat Strategic Plan designation, with south-western and northern portions of the site subject to the Agricultural Protection designation.

While it is intended that rural and non-urban uses and the retention of valued habitat should be the dominant activities occurring in Rural or Valued Habitat areas, the allocation does provide for a range of other uses suited to establishing in rural areas, including educational establishments. It was identified in the initial approval of the school that a unique natural setting was sought. An urban location was not seen as beneficial to the school's aim to encourage an environmental orientation. It is, therefore, reasonable that any expansion of the school be undertaken in a similar setting and preferably in close proximity to the existing establishment. The proposed buffer zones around the perimeter of the site will protect significant vegetation and waterbodies on the site and will also provide an effective buffer to mitigate any potential impacts on the rural amenity of the area.

With regard to the Agricultural Protection designation, it is noted the site already contains an established school, and the proposal represents only a small expansion of the school within its existing property boundaries. Assessment of the school's impact on the agricultural viability of the site and its surrounds was undertaken at the time of granting the 1996 and 1998 approvals.

The proposal is, therefore, considered to be generally consistent with the Strategic Plan's land use intent for the subject site.

It is also noted that, under the current version of the Maroochy Plan 2000 (which commenced on 24 October 2011), the strategic plan designations for the subject site have changed to reflect the existing developed areas of the site, by placing them into the Urban designation.

Local Area Provisions

The northern part of the site is located in Planning Area 21 - *Eudlo Creek Valley*, Precinct 13 - *Eudlo East Canelands* (Sustainable Canelands), and the majority of the site is located in Precinct 11 – *Kiels Mountain East* (General Rural Lands).

With regard to Precinct 11, the precinct description acknowledges the existence of the Grammar School as an important component of the precinct, stating:

"This Precinct includes the eastern part of the Kiels Mountain ridgeline and lower lying lands along the floodplain of Eudlo Creek on the eastern side of the Bruce Highway. It comprises a mixture of forested and cleared lands with some residual farming and extractive industry use. It also includes the large Sunshine Coast Grammar School site and is traversed by Maroochy Road."

The precinct intent states:

"Any new development should provide for the protection of the environmental values of Eudlo Creek. This is intended to include preservation of the quality of water in and entering the creek, preservation of the creek banks from erosion, and maintenance of a sustainable vegetation corridor along the creek."

The proposed development preserves a substantial buffer of riparian vegetation along the main channel of Eudlo Creek where it passes through the site, and further supplements this with additional offset planting in the north-western corner of the site adjacent to Eudlo Creek to compensate for previous unlawful clearing that has taken place. Further, existing riparian vegetation along tributaries of Eudlo Creek that flow through the site would be retained as much as possible, although it must be acknowledged that some of these streams flow through existing developed parts of the site and have already been altered from their natural state. The quality of water entering Eudlo Creek would be preserved through the provision of suitably sized water tanks for all new buildings, as well as Gross Pollutant Traps in car-park

areas, bio-retention and swale areas, and water quality treatment devices in the existing dam system.

The precinct intent also identifies that, where the precinct adjoins rural residential areas, there is the potential for land use conflicts to arise. It also envisages that any such conflicts would be addressed through the use of best land management practises and through buffering measures incorporated as part any new development on land within the precinct.

The acoustic report submitted in conjunction with this application found that, for the most part, sound emitted from the school falls within acceptable limits and that, where minor exceedances do occur, these can be managed through appropriate mitigation measures. Acoustic issues are discussed later in this report.

The Preferred and Acceptable Uses section of the precinct intent clarifies that further development of the Grammar School is consistent with the desired character of the precinct, stating:

“The school use is also considered to be consistent with the desired character of this Precinct where appropriately sited and designed on its existing site.”

The proposed additional buildings are appropriately sited within existing developed areas of the site.

Precinct 13, which covers the northern portion of the site, does not acknowledge the existence of part of the Grammar School within the precinct or explicitly support school expansion. It is likely this failure to address the expansion of the part of the school in this precinct is an error, as the majority of the school falls into the adjoining General Rural Lands precinct (discussed above), where further expansion is supported. This discrepancy has been removed in the current version of the planning scheme (discussed below), whereby the entire school is now within a new dedicated precinct, which does support further school expansion.

Overall, the proposed development is consistent with desired character and intent for both precincts in which it is located.

Forest Glen Planning Scheme Amendments (Commenced 24 October 2011)

Although the *Integrated Planning Act 1997* prevents council from giving formal weight to the latest version of the planning scheme (which came into effect shortly after the Decision Stage for this application had commenced), council can take into consideration the contents of the amendments using the “Coty Principle”. In essence, council must decide the application based on the laws and policies applying when the application was made, but it is permissible to consider and give weight to new laws or policies, if appropriate.

Under the current version of the planning scheme, the developed parts of the site have been rezoned to *Special Purpose – School*, to acknowledge the existence of the Grammar School and to support its further development.

The intent for this new precinct states:

Intent

It is intended that this precinct provides for the continued operation of the Sunshine Coast Grammar School in a manner which meets the educational needs of its students while:

- *protecting areas of significant biodiversity values by containing development within existing cleared areas;*
- *progressively restoring areas of significant biodiversity values;*
- *protecting the form and function of the floodplain and reducing potential risks to development from flooding by limiting development to those parts of the precinct that are above the Q100 flood;*
- *minimising impacts from natural hazards in areas constrained by landslip, flood constrains and bushfire hazard;*
- *ensuring development does not detract from the safe and efficient operation of the local road network;*
- *improving access for pedestrian, cyclists, public transport and vehicles through provision of a second access to the school, by way of a north-south road, connecting to Mons Road, forming a four-way intersection at Owen Creek Road, prior to any growth in student population (based on 2008 enrolments)*
- *connecting new development to the reticulated water supply and sewerage service system; and*
- *providing on site telecommunications infrastructure and services.*

It is not intended that vehicular or pedestrian access is provided to the school from Gardenia Place.

Preferred and Acceptable Uses

Preferred use within the Precinct is an educational establishment.

Other appropriately sited and designed community facilities may also be considered where they have a nexus with the school or whose co-location with the school is consistent with the intent and desired character of this Precinct.

The proposed development is entirely consistent with the new precinct intent for the site. In particular, the following points are noted:

- all new development on the site is located in areas that are not identified as having environmental significance, and removal of additional vegetation is minimised;
- the applicant has proposed a framework to meet the Department of Environment and Resource Management's requirements for the implementation of revegetation to offset previous unlawful clearing and proposed clearing for additional school infrastructure, including associated firebreaks at a rate of 1:3 resulting in 3.1ha of land being rehabilitated;
- no further development is proposed within the Q100 flood inundation area;
- conditions are recommended requiring the preparation and subsequent implementation of the recommendations of a bushfire management plan for the site;
- the proposed development makes allowance for future connection into the site from a new north-south road from Mons Road;
- all new buildings will be serviced by reticulated water and sewage and telecommunications infrastructure and services; and
- conditions are recommended restricting the Gardenia Place access to emergency service vehicle use only.

In addition, the proposal also satisfies the Key Character Elements for settlement pattern, which state "*Due to significant biodiversity values and flooding constraints, urban development is not intended in rural precincts that surround Forest Glen, despite their location within the urban footprint.*" The proposed development footprint is outside

biodiversity values and flooding constraints, and will protect the existing natural character of the locality.

Land Use and Works Provisions

The following codes which regulate land use and design are applicable to this application:

- Design Code for Community Safety and Security;
- Code for Landscaping Design;
- Code for Transport Traffic and Parking;
- Operational Works Code;
- Code for Integrated Water Management, and
- Code for Waste Management in Commercial and Community Uses.

The application has been assessed against each of the above applicable codes and found to be compliant with, or able to be conditioned to comply with, each. The pertinent issues arising out of assessment against the codes are discussed below.

Access from Gardenia Place

Due to concerns about increased traffic on Mons Road on the western side of the site, and its subsequent potential impacts on the safety and efficiency of the adjacent Bruce Highway and associated off-ramp, the Department of Transport and Main Roads has required that the proposed development does not result in any increase of the 2008 base student school population (1,333 students - 2008 census figure). As such, the department has not required further access improvement works at this time. An increase beyond the 2008 base student school population will only be accepted by the Department of Transport and Main Roads at a future time if additional site access, acceptable to the department, is provided to result in a *'significant reduction in traffic movement to the site at the existing access at Mons Road'*. The department also requires the school prepare a School Traffic Management Plan prior to any increase beyond the 2008 base student school population.

The Department of Transport and Main Roads' requirement would be satisfied by the opening of the Gardenia Place emergency access for regular school use. As such, it must be determined whether such an arrangement would be acceptable to council. This outcome would be in conflict with the current version of the Planning Scheme and the previous master plan approval for the school, which does not permit use of Gardenia Place by school traffic, except for emergency service vehicles. Gardenia Place is presently a narrow cul-de-sac serving a small rural residential area and is not appropriate for use by regular school traffic due to likely character and amenity impacts to residents of the street.

Gardenia Place, and the properties that it serves, are located in Planning Area 21 – *Eudlo Creek Valley*, Precinct 10 – *Mons North*, a Sustainable Rural Residential precinct. The general statement of intent for the Sustainable Rural Residential Precinct class states that these areas are intended to be characterised by a low population density, where people can enjoy a semi-rural lifestyle. Further, it is stated that the nature of these areas is intended to be residential, and non-residential uses are intended to be limited to those of a community or utility nature and only in locations where traffic and other environmental and amenity impacts can be avoided or minimised. Similarly, the precinct intent for Precinct 10 – *Mons North* states that it is intended to provide for semi rural living in a bushland setting and that rural residential amenity is to be maintained.

Gardenia Place is classed as a Rural Residential Street - Local Street (Access Place) under council's road hierarchy classification. This class of street is intended to accommodate a maximum of 300 vehicles per day. In relation to access places, Planning Scheme Policy No. 6 – *Transport Traffic and Parking* states:

The objective of local access streets and access places is to provide direct access to properties. In residential areas, these must be in a form to encourage a liveable and safe street environment where the motor vehicle is secondary to the pedestrian and cyclist. Through traffic must be discouraged on these streets.

Based on projected traffic figures provided by the applicant, if Gardenia Place were made available as a second general access point for the school, an increase of 410 vehicle movements in the morning peak and 361 vehicle movements in the afternoon peak can be expected when the school reaches its proposed student capacity of 1,500. It is estimated there are currently 10 vehicles movements on Gardenia Place during these periods.

The projected increase in the volume of traffic using Gardenia Place, if it were opened to general school traffic, would conflict with the desired character of the rural residential precinct in which it is situated, and exceed the intent for the class of the street. The projected volumes of traffic during peak periods would have a significant impact on the rural residential amenity of the area, and these amenity impacts could not be appropriately minimised or mitigated through conditions.

It must be noted that, with regard to traffic engineering factors such as carriageway width, pavement depth and intersection capacity, council's traffic and transport specialist advises that safety issues could be overcome if significant upgrades to the local road infrastructure were to be conditioned including:

- pavement widening and relocation of kerb and channel on Gardenia Place; and
- upgrading of the intersection with Parsons Road to incorporate turning lanes on Parsons Road.

However, the extent of required works would be so significant as to be a potentially unreasonable imposition on the development and, even if these upgrades were to be carried out, the unacceptable impacts on the amenity and character of the area would remain.

It should also be noted that Gardenia Place and Parsons Road are subject to localised flooding, and are not suitable access points during times of heavy rainfall.

The option of opening Gardenia Place to pedestrian access is also considered undesirable. If pedestrian access to the school were allowed from Gardenia Place, substantial increases in traffic could still be expected as the Gardenia Place entry point would inevitably become a drop off/pick up zone for the school, reducing the rural residential amenity of the street.

The applicant's proposal to open Gardenia Place "temporarily" each day for an hour and half in the morning and evening is not accepted for reason that it is primarily during those times the character and amenity issues explained above would be experienced. Such an arrangement would also discourage the school from seeking another more suitable access.

Overall, for the reasons outlined above, it is recommended that vehicular and pedestrian access to the school from Gardenia Place is not permitted, except for emergency service vehicles only. This would retain the existing approved access arrangements for the school.

It is recommended that a condition be included, similar to the Department of Transport and Main Roads condition, that no increase in student numbers above the 2007 level be allowed

until an alternative access point acceptable to council is available. Although the 2007 student population was reported to be 1,350, it is recommended that, for the sake of ease and clarity, the nominal figure of 1,333 students be used as the cap to accord with the department's condition (which was based on the 2008 population). Therefore, future development of the school which results in an increase above 1,333 students, would be dependent on the timing of provision of an alternative access point. It is further recommended that conditions be included such that on-site traffic be managed as necessary so queued vehicles do not extend beyond the site's boundary.

New Southern Road Link

The recently commenced Forest Glen amendments to the Maroochy Plan 2000 identify a future link road between the school and Mons Road to the south (refer to Attachment 4). The construction of this road link would relieve traffic congestion on Mons Road near the highway west of the site. Construction of this road link would likely occur as part of the development of the adjoining site to the south for urban purposes, but could also be advanced by the school itself should it wish to exceed the enrolment cap of 1,333 students.

Car Parking

There are currently 237 car parking spaces on the site, excluding car parking spaces for the child care centre. The applicant proposes to establish an additional 161 spaces over the life of the master plan, bringing the total to 398 spaces (excluding those for the child care centre).

The applicant advises that the current student enrolments at the school are approximately 1,200 and, when the application was lodged in March 2007, they were approximately 1,350 with 182 staff (that is, enrolments have dropped since lodgement of the application).

The Code for Transport Traffic and Parking does not provide a specific car parking rate for Educational Establishments, but requires that sufficient on site car parking is available to meet the demands of the development. For other schools on the Sunshine Coast, a nominal rate of 1 space per 5 students, and 1 space per 2 staff, has been applied to determine sufficient parking. Based on this ratio, there is currently a shortfall of approximately 94 car parking spaces on the site. However, as student numbers have fallen since the application was lodged, and because it is proposed to cap student numbers until an alternative access is available, it would not be reasonable or necessary to require the provision of additional car parking spaces immediately. The proposed provision of an additional 161 spaces over the life of the master plan would exceed the nominal rate and is considered sufficient for the use.

It is recommended that conditions be included requiring that, before student numbers exceed 1,400, a total of 373 car parking spaces are provided on site and that, before student numbers exceed 1,500, 396 are provided. This will ensure that, once student enrolments increase beyond 2007 levels, the number of on-site car parking spaces is also increased to keep pace with the student numbers.

Building Height

While most proposed buildings on the master plan have a height of less than 2 storeys and 8.5m, consistent with the maximum building height requirement in rural areas, the gymnasium building is proposed to have a height of up to 10 metres. The reason for the extra height proposed is that it directly adjoins (forming an extension of) the existing multi-purpose hall (Building 27 on the proposed master plan), which has a maximum height of 10 metres and was constructed in 2009 under the federally funded *Building the Education Revolution* program.

The applicant does not seek an approval for the additional height as part of this application but, rather, to allow a future code assessable material change of use application for the gymnasium building instead of an impact assessable one. However, as discussed above, the planning scheme has since been amended to make all material change of use applications for school purposes on the site code assessable, irrespective of height. Therefore, in effect, this element of the proposal does not seek to vary any current aspect of the planning scheme. Consideration of the additional height will be given during assessment of the future code assessable material change of use application for that building.

In the event that the future material change of use application for the gymnasium building is approved above a height of 8.5m, it is important that this does not conflict with the conditions of this master plan approval. Therefore, an additional condition is recommended requiring that the height of the gymnasium building does not exceed 10 metres.

Integrated Water Management

Rainwater tanks are proposed for all new buildings at a rate of 15 litres/m² roof area, which council's hydrology specialist advises is acceptable.

Proposed water quality treatment measures comprise Gross Pollutant Traps in car-park areas, bio-retention and swale areas, as well as treatment in the existing dam systems. Council's hydrology specialist advises that these are all generally appropriate. It is noted that reliance on water quality treatment within the on-site dam is not standard practise. However, these systems already exist and are within private ownership and, therefore, are considered by council's hydrology specialist to be acceptable.

The submitted plans illustrate the general locations and types of water quality treatment devices proposed. Council's hydrology specialist advises that the preliminary details provided are acceptable. The submitted plans show there is sufficient area on the site to enable revision of quality treatment systems, if required as part of future applications for development permits on the site.

Acoustic

The submitted acoustic assessment report has been evaluated by council's environment specialist who advises that, with the imposition of conditions, acoustic issues on the site can be appropriately managed.

The acoustic report considers noise issues at the site between the hours of 7am and 6pm only. Between these hours, it finds that the significant setback distance between site facilities and adjoining residences is sufficient to keep the noise emitted from the site to predominately within acceptable levels.

Notwithstanding, certain activities in the multi-purpose hall and aquatic centre could generate significant noise (e.g. swimming carnivals and use of PA system for concerts). Council's environment specialist advises that these impacts can be effectively managed and a complaint response plan or procedure should be in place to assist in their resolution. It is recommended that this be conditioned. If a complaint is received, the approved complaint response procedure can be utilised and, where necessary, corrective actions can be enacted and documented.

With regard to the proposed sportsfields in the northern part of the site, the submitted acoustic report finds that minor exceedances will occur from sports whistles, but these exceedances will barely be perceptible. The report recommends that acoustic issues associated with this sportsfield can be effectively mitigated by preventing crowds/spectators from gathering on the northern sidelines, which are located in close proximity to adjoining

residential properties. It is recommended that this be conditioned. Further, the complaints management procedure discussed above can be utilised to address other noise issues associated with the sports fields.

Given that the acoustic report only presents modelling between the hours of 7am and 6pm, and that acceptable noise standards become more stringent outside these hours, it is reasonable to limit the hours of operation of all outdoor facilities (e.g. sportsfields, tennis courts, etc.) on the site to those hours.

The acoustic report also recommends construction of a 2m high acoustic barrier along the northern part of the eastern boundary of the site. This acoustic barrier has already been established and no further works are required in this respect.

It should also be noted that conditions attached to the previous approval for the Industrial Technology Building in the north-eastern part of the site (Building 22 on the proposed master plan), limit the hours of operation of that building to 7am to 6pm weekdays to mitigate any potential noise nuisance issues.

Overlay Provisions

The following Special Management Areas are applicable to this application:

- Nature Conservation Management Areas;
- Waterways, Wetlands and Fish Habitat Areas;
- Flood Prone and Drainage Constraint Areas;
- Bushfire Prone Areas, and
- Acid Sulfate Soils.

The provisions relating to these Special Management Areas are contained within the following codes:

- Code for Nature Conservation and Biodiversity;
- Code for Waterways and Wetlands;
- Code for Integrated Water Management;
- Code for Development in Bushfire Prone Areas, and
- Code for the Assessment and Management of Acid Sulfate Soils.

The application has been assessed against each of these applicable Special Management Areas codes and found to be compliant with, or can be conditioned to comply with, each. The pertinent issues arising out of assessment against the codes are discussed below.

Vegetation Protection

Some historical unlawful clearing of remnant vegetation has occurred on the subject site as a consequence of school related development. As a result of this, the Department of Environment and Resource Management, as a concurrence agency, originally refused the application as the applicant had not adequately satisfied the performance requirements of the *Vegetation Management Act 1999*, in particular the vegetation offset requirements. The

applicant has since provided a framework for the implementation of offsets at a rate of 1:3, resulting in 3.1ha of land being rehabilitated to offset 1.08ha of cleared remnant vegetation.

The Maroochy Plan 2000 Code for Nature Conservation and Biodiversity requires that the nature conservation and biodiversity values of sensitive areas be protected. The applicant has demonstrated, through submission of an ecological assessment and subsequent vegetation clearing offsets documents, that, while some clearing is required for the establishment of the school infrastructure, there is a net ecological benefit to the area, which is to be established at a rate of 1:3. This means that 3.1ha of land will be rehabilitated to provide additional habitat in the area. This ratio exceeds what would be required under the Code for Nature Conservation and Biodiversity and it is considered that the purpose of the Code would be achieved by adherence to the Department of Environment and Resource Management requirements. Additionally, the proposed vegetation offset areas are located adjacent to existing remnant vegetation so as to improve ecological connectivity and reduce the impacts of historical fragmentation of ecological corridors particularly along Eudlo Creek.

In their revised concurrence agency response, the Department of Environment and Resource Management conditioned that the applicant must rehabilitate the required offset areas and establish a vegetation protection covenant over these areas to ensure the long-term protection of the offset vegetation.

The Department of Environment and Resource Management also conditioned that clearing of the remainder of the mapped remnant vegetation on the site is not permitted, with the exception of clearing for essential management as defined under the *Sustainable Planning Regulation 2009*. In this case, essential management would be limited to clearing of bushfire buffers to protect existing buildings. Clearing of bushfire buffers is currently exempt under the *Vegetation Management Act 1999* for existing buildings. To ensure that the intent of the Department of Environment and Resource Management's condition is achieved, and to provide a stronger level of protection for remnant vegetation on the site not included in the offset areas, it is recommended that a vegetation protection covenant be registered over the remnant vegetation on the site indicated as areas B1 and B2 on the Department of Environment and Resource Management's concurrence agency response plan. A condition is recommended accordingly.

This means that areas A1 and A2 shown on the plan attached to the Department of Environment and Resource Management's concurrence agency response will be protected under a Department of Environment and Resource Management covenant, while areas B1 and B2 will be protected under a council covenant.

Waterway Buffering

A number of mapped waterways, including Eudlo Creek, traverse the site and a mapped significant coastal wetland is located on the western boundary of the site. The applicant has demonstrated, through the submitted ecological assessment report, that the buffering requirements of the code have been achieved for waterways and wetlands, with the exception of a 3rd order waterway in proximity to existing buildings established under the previous Town Planning Consent Permit and subsequent material change of use approvals. Existing buffers to this waterway are approximately 20m either side as opposed to 25m as required under the Code. However it is not considered that this will impact substantially on the ecological function of this waterway. It is recommended that a vegetation protection covenant be established over the existing riparian vegetation to ensure protection in perpetuity. Existing vegetation along this waterway will be protected under the master plan.

Flooding

The site is subject to regional flooding associated with Eudlo Creek as well as local flooding from its smaller tributaries.

In relation to regional flooding, the submitted flood search certification has been utilised to map the regional Q100 flood line on the master plan. All proposed new buildings, infrastructure and sports fields are located outside the Q100 inundation area. It is noted that the south-western corner of the proposed sports field in the northern part of the site is located below the Q100 flood level. Allowing minor inundation of this sportsfield only is acceptable because filling in this location would result in a loss of floodplain storage that would be difficult to offset elsewhere.

In relation to local flooding, a flood assessment has also been undertaken for the system of tributary streams that traverse the site. It was found that the local Q100 flood level is higher than the regional level in certain areas. Where the local Q100 flood level exceeds the regional flood level, the inundation area has been mapped on the proposed master plan. There are no proposed buildings or infrastructure located within the local Q100 flood area.

Bushfire

The submitted Bushfire Hazard Assessment indicates that there are no major impediments to the approval of proposed development from a bushfire hazard perspective, subject to the following:

- preparation of a Bushfire Management Plan;
- adequate vehicular access for firefighting purposes;
- 20m bushfire hazard buffers around all buildings, and
- new buildings constructed adjacent to bushfire prone areas be constructed in accordance with *Australian Standard AS3959 – 2009 Construction of buildings in bushfire-prone areas*.

Conditions are recommended requiring the above actions to take place in relation to bushfire management for existing buildings. For proposed new buildings, the requirements will be applied at the time of making an application for a Material Change of Use of premises for those buildings.

Given the dual threats of flood and bushfire facing the site, and the fact that there is the potential for parts of the site to become isolated during either of these hazard events, it is recommended that a condition be imposed requiring the preparation of an evacuation plan for the site for both these eventualities to ensure that all students and staff are safely evacuated from the premises.

Other Matters for Consideration

Economic Implications

Council's Economic Development Branch has indicated support for the intended expansion of the school to the size and numbers proposed.

From an economic development perspective, the capital expenditure from the resulting building program would be well received in the economy at this time and, overall, the school

can continue to develop as an important asset in the development of the region's education industry, as part of the strategy and process for diversifying the regional economy over time.

CONSULTATION

IDAS Referral Agencies

The application was referred to the following IDAS referral agencies:

Department of Environment & Resource Management

The department is a concurrence agency for vegetation clearing. The department originally responded by letter dated 28 May 2010, directing the assessment manager to refuse the application as the applicant had not demonstrated compliance with the Department of Environment and Resource Management vegetation management requirements. The applicant subsequently suspended the decision making period to make representations to the department. After a period of negotiation between the applicant and the department, the applicant agreed to undertake rehabilitative offsetting for both vegetation previously cleared and vegetation proposed to be cleared. The department provided an amended concurrence agency response by letter dated 28 September 2011 approving the application subject to conditions. The department's conditions require areas A1 and A2 (shown on the plan attached to the department's response) to be revegetated in accordance with the vegetation offsetting plan submitted to the department, and for these areas to be included within a statutory vegetation protection covenant. The department has also conditioned that no further clearing of any remnant vegetation on the site may occur until the covenant has been registered. In addition, the department has conditioned that clearing of other remnant vegetation on the site (areas shown as B1 and B2) is prohibited except for essential maintenance, which is defined in the *Sustainable Planning Act Regulation 2009* and includes, for example, clearing for bushfire safety buffers.

Department of Transport and Main Roads

The department is a concurrence agency for proximity to the state controlled road network and for public passenger transport and railways. The department originally responded by letter dated 10 August 2009 directing the assessment manager to refuse the application on the grounds that the safety levels of the Bruce Highway would be compromised as a direct result of the proposed development. The department's response stated: '*Queuing on Mons Road during peak times backs up sufficiently to impact on the safety of the Bruce Highway southbound off-ramp. DTMR considers that any further increase in intensification of the use of the site without alternative access in place will exacerbate an existing problem to the further detriment of road safety on the high speed Bruce Highway*'.

However, following assessment of representations made to the department by the applicant, the department provided an amended concurrence agency response by letter dated 28 November 2009 approving the application subject to conditions, the most important of which is to cap student numbers to the '2008 base student' population (i.e. 1,333) until a second site access is provided that is acceptable to the department.

The department has also conditioned that the existing main access from Mons Road to the turnaround in front of the administration building be upgraded, if necessary, to bus capable standards, and that the pedestrian and cycle network shown on the master plan be constructed.

The implications of this condition are discussed above in the traffic and transport section of this report, and a condition to reflect council's similar concerns regarding traffic safety is also recommended for inclusion on the Decision Notice.

Other Referrals

Unitywater

The application was forwarded to Unitywater and their assessment forms part of this report.

Internal

The application was forwarded to the following internal council specialists and their assessment forms part of this report:

- Development Engineer, Engineering and Environment Branch;
- Hydraulic Engineer, Engineering and Environment Branch;
- Environment Officer, Engineering and Environment Branch;
- Traffic Engineer, Engineering and Environment Branch;
- Infrastructure Charges Officer, Infrastructure Policy Branch; and
- Economic Development Branch.

Public Notification

The application was publicly notified in accordance with requirements of the *Integrated Planning Act 1997*. 42 Properly Made Submissions and 7 Not Properly Made submissions were received. Of these, the majority are objections although there are also some submissions supporting the proposal. Of those objecting to the proposed development, the grounds of objection primarily relate to the use of Gardenia Place as a second access point for the school.

The following table provides a summary of the grounds for submissions received.

Issues	Comments
Objections	
Parsons Road is already dangerous and is not designed for the volume of traffic that would be generated by opening Gardenia Place to school traffic.	Council's traffic and transport specialist advises that safety issues could be overcome if significant upgrades to the local road infrastructure were to be conditioned. However, the extent of required works would be so significant as to be a potentially unreasonable imposition on the development.
Gardenia place is too narrow and is unsuitable for large volumes of traffic.	Gardenia Place would require pavement widening and kerb relocation works if it were to be opened to general school traffic.
Ten years is not considered a temporary timeframe for allowing school traffic to use Gardenia Place.	It is agreed that the adverse impacts on the amenity and character of the area would be unacceptable over a period of ten years.
Impact on amenity of neighbouring properties, particularly from traffic if Gardenia Place is opened to school traffic.	It is agreed that opening Gardenia Place to general school traffic would have an unacceptable impact on the amenity of neighbouring properties; even if the above discussed roadworks were implemented.

Issues	Comments
Gardenia Place and Parsons road both flood regularly, rendering these accesses unsuitable for school traffic.	While this is a relevant consideration, it is noted that many on-site and external roads are flood prone and access throughout the whole area would be affected during major flooding events.
Council should intervene to improve the safety of Parsons Road, irrespective of the outcome of the application.	This is not a relevant consideration.
Lack of a fleet of buses for the school or use translink school bus services to alleviate traffic concerns.	The Department of Transport and Main Roads in their concurrence agency response have conditioned that the main school access road and turnaround area be capable of accommodating buses in accordance with relevant standards.
A better alternative second access point would be the southern access road starting from a new roundabout at the end of Owen Creek Road.	The recently commenced Forest Glen amendments to Maroochy Plan 2000 identify a future link road between the school and Mons Road to the south. The construction of this road link would relieve traffic congestion on Mons Road near the highway west of the site. Construction of this road link will likely occur as part of the development of the adjoining site to the south for urban purposes, but could also be developed by the School.
Acoustic report data is inaccurate / misleading.	Council's environment specialist has accepted the findings of the submitted acoustic report for the application.
Acoustic report failed to take into account the industrial technology building.	The Industrial Technology Building was approved in 2010 under a separate Material Change of Use application (MCU09/0051). Acoustic issues associated with that particular building were assessed at the time of that application, and certain conditions to mitigate acoustic issues are applicable to the development permit for that building.
Flooding impacts on neighbouring properties of fill for new sports-fields.	The hydraulic impacts of fill associated with proposed sports-fields will be assessed and dealt with as part of the required operational works application for excavating and filling. However, a condition is recommended requiring that there is no net loss of floodplain storage capacity as a result of the development.
The school should not be allowed to expand any more until appropriate infrastructure, including on site car parking, is available.	The number of on site car parking spaces on the premises has increased considerably in recent years. The proposal includes sufficient car parking for the projected increase in student and staff numbers and it is recommended that provision of the proposed additional spaces be conditioned.
Concern that a patch of remaining remnant vegetation in the centre of the site will be cleared to accommodate the proposed sports hall and swimming pool.	Some trees within the existing developed areas of the site would be removed to enable the establishment of some of the proposed buildings. These trees are not identified as remnant vegetation on regional ecosystem mapping and are not afforded any statutory protection. Their removal is acceptable on the basis of required rehabilitative works and that all the environmentally significant vegetation on the site will be protected through statutory vegetation covenants.
Concern with the volume, velocity, likely pollutants and sediment flowing into Eudlo Creek.	Water quality treatment devices including, gross pollutant traps, swales, and water quality treatment within the existing on-site dams are proposed to ensure that run-off into Eudlo Creek is of a satisfactory standard.
Support	

Issues	Comments
Gardenia Place should be opened to pedestrian access for residents of Forest Glen.	Given the lack of suitable pedestrian infrastructure on Gardenia Place and Parsons Road, this could cause further safety problems. In addition, it would be impossible to enforce a local resident only restriction on this access and Gardenia Place would become a second drop off zone. For these reasons, the opening of the Gardenia Place access to local residents is not supported.
A second access point would reduce congestion and safety concerns on Mons Road and the highway off ramp.	As discussed above, Gardenia Place is not considered a suitable alternative access point. Conditions are recommended capping student numbers at the level they were at when the application was lodged until an alternative second access point is available. This is most likely to take the form of a new southern access road from Mons Road.
Reduce Parsons Road speed limit from 80kph to 60kph and speed reduction devices installed on Parsons Road and Gardenia Place.	This is not relevant a relevant consideration.
Ban B doubles from using Parsons Road.	This is not relevant a relevant consideration.
Footpaths for full length of Parsons Road and Gardenia Place.	With the imposition of conditions, the proposed development would not have any impact on Gardenia Place or Parsons Road and it would therefore be unreasonable to require the applicant to provide footpaths along these roads.
Accelerating / Decelerating lanes at Parsons Road/Gardenia Place intersection.	As above
Parsons Road be upgraded to 4 lanes with traffic lights at each end and roundabouts at each intersection along the road.	As above.

CONCLUSION

The application seeks a preliminary approval for master planned extensions to the Sunshine Coast Grammar School at Forest Glen to allow the school to grow from 1,200 students to a capacity of 1,500 enrolled students (Pre-Prep to Year 12), and to guide their planned building program over the next decade.

The application has been assessed against the applicable statutory instruments and has been found to comply, or can be conditioned to comply, with each. The pertinent issues arising out of the assessment of the application relate to precinct character, site access, amenity of neighbouring premises, traffic, and flooding and bushfire hazard.

The application is recommended for approval, subject to the imposition of reasonable and relevant conditions, but it should be noted these conditions continue to prohibit use of Gardenia Place for school access purposes and restrict this to emergency access only.

APPENDIX A - CONDITIONS OF APPROVAL**1. APPLICATION DETAILS**

Application No: MCU07/0031
Street Address: 372 Mons Road FOREST GLEN
Real Property Description: Lot 16 SP 169831 & Lot 1 SP 169832
Planning Scheme: Maroochy Plan 2000 (2 December 2006)

2. DECISION DETAILS

The following type of approval has been issued:

- Preliminary Approval Overriding the Planning Scheme for Material Change of Use of Premises (Extensions to an Educational Establishment).

3. RELEVANT PERIOD OF APPROVAL

The relevant period for this development approval is 4 years starting the day that this development approval takes effect.

4. ASSESSMENT MANAGER CONDITIONS**PLANNING****Approved Use**

- 1 Preliminary Approval (Overriding the Planning Scheme) is granted for a Material Change of Use for Extensions to an Educational Establishment (being the future buildings, facilities and works shown on the approved master plan drawing – as amended) up to a limit of 1,500 students.
- 2 This approval overrides the applicable planning scheme pursuant to Section 3.1.6 of the *Integrated Planning Act 1997* for the life of the approval to the extent that:
 - (a) The Referenced Document: *Supplementary Table of Assessment for Sunshine Coast Grammar School Master Plan* replaces the planning scheme in declaring the level of assessment for development to the extent stated within that document.
- 3 This approval does not authorise, indicate support, nor alter the level of assessment declared by the planning scheme for any future development not identified on the approved master plan (as amended).
- 4 Unless otherwise stated, the applicant must comply with all conditions of this approval prior to the sooner of the following occurring:
 - (a) Student enrolments exceeding 1,350, or
 - (b) The submission of the first application for a Development Permit for a Material Change of Use of Premises for any building or facility shown on the approved master plan (as amended).
- 5 Development must be sited and constructed generally in accordance with the approved master plan (as amended).

Maximum Number of Students

- 6 Subject to Condition 7, the total number of enrolled students for the school (excluding the child care centre) must not exceed 1,500.
- 7 Student numbers must not exceed 1,333 until an alternative vehicular and pedestrian access point that is acceptable to council is available and operational to the site, provided that such an access is not from Gardenia Place. Council's acceptance of any such alternative access point must be obtained in writing prior to any increase in enrolments above 1,333.
- 8 From the date the approval takes effect, access to the site via Gardenia Place is restricted to emergency service vehicles only. This access must not be used on a daily basis for regular student/staff vehicular or pedestrian access to the school grounds.
- 9 The existing security fence across the Gardenia Place frontage of the site must be maintained and must be fitted with the standard equipment required to comply with evacuation and emergency procedures as per Australian Standards. The gate must be locked and the key kept with an appropriate representative of the school.

Annual Enrolment Advice

- 10 From the date this approval takes effect, the applicant must, on or around 31 January each year, provide to council an accurate statement of student enrolment numbers for the forthcoming year. The statement must be certified in writing by the school principal.

Amendments to Approved Plans

- 11 The applicant must provide to council amended plans which incorporate the amendments listed within this Decision Notice.

Building Height

- 12 Subject to the following condition, the maximum building height of any building on the subject site must not exceed 2 storeys and 8.5 metres.
- 13 Building 26 on the proposed master plan, the Gymnasium and Amenities Building, may extend to a height of not more than 10 metres, provided it is integrated with, and directly joined to, the existing Multipurpose Hall.

Sunset Clause for Completion of Approved Development

- 14 Pursuant to Section 3.5.21A of the *Integrated Planning Act 1997*, this development approval lapses if the whole of the approved use has not happened within 10 years of the date that the approval takes effect.

TRAFFIC AND TRANSPORT

- 15 From the date the approval takes effect, the applicant must manage traffic access, egress, and on-site vehicle parking and circulation as necessary such that queued vehicles do not extend beyond the western site boundary onto Mons Road.

Green Travel Plan

- 16 The applicant must submit to council, within 3 months of the taking effect of this approval, a "Green Travel Plan" which identifies methods for reducing car dependency by staff and students travelling to the site through encouraging alternative modes of travel (such as school buses and public transport, walking/cycling and car pooling). The Green Travel Plan must nominate ongoing strategies, actions and practical initiatives for reducing car dependency and detail methods of implementation, progress made to date, and timeframes and targets for future progress

ENVIRONMENTAL HEALTH**Noise**

- 17 From the date this approval takes effect, activities associated with all outdoor sports facilities must not operate outside the hours of 7.00am to 6.00pm Monday to Saturday. No activity is to be conducted on Sunday or any public holiday.
- 18 Within 3 months of the taking effect of this approval, a complaints management procedure addressing all noise complaints during the operational phase must be submitted to council. It must include the following:
- (a) A contact person with whom complaints can be lodged;
 - (b) A clearly defined procedure for responding to and investigating complaints;
 - (c) notification to all complainants of the outcome of complaint investigations;
 - (d) A record of complaints and investigation results including corrective actions is to be maintained at all times and available for inspection; and
 - (e) A method of preventing crowds congregating on the northern sidelines of the northernmost playing fields on the site.

Lighting

- 19 Lighting, including outdoor lighting of sports fields and tennis courts, must be of the appropriate type, and positioned to ensure spill and obtrusive light does not exceed the recommended maximum values of AS 4282-1997 '*Control of the obtrusive effects of outdoor lighting*' Table 2.1 & 2.2 (level 1 control) in regard to internal and surrounding residential uses.
- 20 Within 3 months of the taking effect of this approval, certification by an appropriately qualified expert must be submitted, which certifies that any existing outdoor lights associated with sports facilities, internal roads and car parks are of the appropriate type, and positioned to ensure spill and obtrusive light does not exceed the recommended maximum values of AS 4282-1997 *Control of the obtrusive effects of outdoor lighting* Table 2.1 & 2.2 (Level 1 control) in regard to internal and surrounding residential uses.

Waste Management

- 21 Refuse storage, removal and collection facilities must be provided as follows:
- (a) Provision of separate bins for general and recyclable waste for the site, with an equal number of each being provided;
 - (b) Collection by service vehicles from within the site only, and not from the kerbside;
 - (c) Provision of a hardstand impervious area within for the permanent storage location and service collection of all bulk bins, having minimum dimensions of 1.5 m² (1100mm x 1300mm) per bin and located no closer than 3m to the site frontage and 1.5m to any other boundary; and
 - (d) Provision of a wash-down area in the vicinity of the permanent storage location fitted with a hosecock and a drain connected to the sewer that has a stormwater catchment area of no more than 1m².

CIVIL ENGINEERING**Car Parking**

- 22 On site car parking must be provided in accordance with the following and an Operational Works approval:
- (a) Prior to student enrolments exceeding 1,400, a total of 373 car parking spaces must be provided and marked on site, excluding those for the child care centre.

- (b) Prior to student enrolments exceeding 1,500, a total of 396 car parking spaces must be provided and marked on site, excluding those for the child care centre.

Pedestrian and Bicycle Facilities

- 23 Pedestrian and bicycle facilities must be provided for the development. The works must be undertaken in accordance with an Operational Works approval and must include in particular:
- (a) Adequate separation of all specific pedestrian routes from vehicle access and manoeuvring areas, and clear demarcation by pavement marking, signposts or changes in surface materials or levels;
 - (b) Signage and lighting at strategic locations to direct people to building entries and public toilet facilities; and
 - (c) A total of 200 class 3 bicycle parking spaces for student use.

Stormwater Drainage

- 24 The site must be provided with a stormwater drainage system connecting to a lawful point of discharge. The works must be undertaken in accordance with an Operational Works approval and the Queensland Urban Drainage Manual.

Electricity and Telecommunication Services

- 25 A connection to reticulated electricity and telecommunication services must be provided to the development in accordance with an approval for Operational Works and the standards and requirements of the relevant service provider.
- 26 Unless otherwise stipulated by telecommunications legislation at the time of construction, the development must be provided with all necessary conduits, pits and pipes to accommodate the future connection of optic fibre technology telecommunications.
- 27 Certification must be submitted from all relevant service providers which certify that the development has met the requirements of this Decision Notice and all applicable legislation at the time of construction.

Easements

- 28 Unless otherwise agreed in writing by the relevant service provider, any public or third party infrastructure located on the subject site including all land area identified as being below the 1 in 100 year ARI flood level on the subject site must be placed within an easement, registered against the title of the property. All easements must be designed in accordance with the planning scheme and granted at no cost to the Grantee. Where the Grantee is council or a service authority, the easement documentation must be in accordance with the Grantee's standard easement terms.
- 29 Draft easement documentation must be submitted to council for endorsement.
- 30 All works must be kept clear of any existing or proposed easements on the subject land, unless agreed otherwise in writing by the Grantee.

Earthworks and Retaining Walls

- 31 All fill and associated batters must be undertaken in accordance with an Operational Works approval and contained entirely within the subject site unless written permission from the respective landowner(s) is provided to council.

Damage to Services and Assets

- 32 Any damage caused to existing services and assets above or below the ground must be repaired:
- (a) Where the damage would cause a hazard to pedestrian or vehicle safety, immediately; or

- (b) Where otherwise, upon completion of the works associated with the development, and
- (c) Any repair work which proposes to alter the alignment or level of existing services and assets must first be referred to the relevant service authority for approval.

HYDRAULICS & WATER QUALITY

Stormwater Quality Management

- 33 A stormwater quality treatment system must be provided for the development. The works must be undertaken in accordance with an Operational Works approval and the latest version of the *Water Sensitive Urban Design Technical Design Guidelines for South East Queensland*, and must include in particular:
- (c) bioretention devices which:
 - (i) are designed generally in accordance with IPWEQA Standard Drawing No. WSUD-001;
 - (ii) incorporate a coarse sediment forebay (in addition to the required filter media surface area), which is sized in accordance with the latest version of the *Water Sensitive Urban Design Technical Design Guidelines for South East Queensland* and designed generally in accordance with IPWEQA Standard Drawing No. WSUD-005;
 - (iii) have safe, unobstructed and all weather access from the road frontage for maintenance purposes, particularly for the coarse sediment forebay;
 - (iv) are provided with a high flow bypass to ensure that flows which exceed the treatment capacity of the device are bypassed in order to avoid damaging of the filter media or subjecting the filter media to excessive sediment loads; and
 - (v) are provided with a free-draining outlet from the sub-soil drainage system.
- 34 All stormwater quality treatment devices must be maintained in accordance with a Maintenance Manual prepared for the development by a qualified person and referenced in a Development Permit for Operational Works. The Maintenance Manual must include:
- (a) a plan showing the location of the individual components of the system;
 - (b) manufacturer's data and product information sheets for any proprietary products;
 - (c) location of inspection and monitoring points shown clearly on the plan; and
 - (d) a schedule or timetable for the proposed regular inspection, maintenance and monitoring of the devices.
- Records of all maintenance activities undertaken must be kept and made available to council upon request.
- 35 All proprietary stormwater quality treatment devices must be routinely checked, serviced and cleaned in accordance with the manufacturer's recommendations. Records of all maintenance activities undertaken must be kept and made available to council upon request.
- 36 Permanent educational signage must be erected to educate the visitors to the development about the function of the bioretention devices. The dimensions, standard, presentation and location of the educational signage must be in accordance with an Operational Works approval.
- ### Flood Immunity
- 37 Minimum building floor levels and public car parking levels must be above both the local and regional 1 in 100 year ARI flood level (whichever higher) including freeboard

to QUDM and the requirements of the relevant instrument applicable at the time of the development works taking place.

Filling in floodplain

- 38 Concurrent with any application for Operational Works, the applicant must submit detailed calculations and supporting plans and documentation prepared by a suitably experienced Registered Professional Engineer of Queensland (RPEQ) to demonstrate that the development site is provided with compensatory earthworks to the extent required so as to achieve no net loss in floodplain storage at the site. The following must be provided:
- (a) Detailed earthworks plans and sections identifying all cut and fill earthworks proposed at the site;
 - (b) Earthworks summaries of cut and fill quantities. The summaries shall include overall summaries in addition with itemised cut and fill quantities against reduced level to demonstrate that the overall floodplain storage profile in terms of cut and fill balances has been maintained; and
 - (c) Final earthworks levels that consider overall finished levels and not simply bulk earthworks design levels (i.e. Include full allowances for filling associated with topsoil and finishing earthworks, etc).

LANDSCAPE & ECOLOGY

Bushfire Management

- 39 All works must be carried out in accordance with a Bushfire Management Plan for the development prepared by a qualified person and submitted to council for approval within 3 months of the taking effect of this approval.
- 40 The Bushfire Management Plan must incorporate the recommendations of the Bushfire Hazard Assessment listed within this Decision Notice and must include the following:
- (a) Vehicular access for fire-fighting purposes;
 - (b) Bushfire hazard buffers around all buildings; and
 - (c) New buildings constructed adjacent to bushfire prone areas be constructed in accordance with *Australian Standard AS3959 – 2009 Construction of buildings in bushfire-prone areas*.
- 41 A copy of the Bushfire Management Plan for the development must be provided to the nearest fire authority immediately upon conformation of endorsement by council.
- 42 Certification must be submitted to council from a qualified person which certifies that the requirements of the Bushfire Management Plan and bushfire management conditions of this approval have been implemented.

Vegetation Protection Covenant

- 43 Within 3 months of the taking effect of this approval, a vegetation protection covenant must be registered against the titles of the properties over the land area defined as B1 and B2 on DERM's Concurrence Agency Response (Vegetation) Plan RARP 2010/004266 and existing vegetation located along the waterway to the north of the Middle School Classrooms and Science Centre pursuant to Section 97A of the *Land Title Act 1994*. The covenant document and a survey plan must be submitted to council for endorsement prior to lodgement with the relevant titles authority for registration of title. The covenant document must:
- (a) Incorporate the requirements of this Decision Notice;
 - (b) Include Sunshine Coast Regional Council as Covenantee; and
 - (c) Reference Queensland Land Title Registry Standard Terms Document No. 713966030.
- 44 The vegetation protection covenant does not preclude clearing of vegetation for essential management as defined under the Sustainable *Planning Regulation 2009*.

- 45 If a provision included in the covenant document is requisitioned or refused registration by the relevant titles authority, a substitute provision must be included in the document which as nearly as practicable addresses the objective sought by the requisitioned or refused provision. The wording of the substitute provision must be agreed by council.
- 46 The obligations of the registered covenant must be complied with by the applicant and all successors in title.

Natural Hazard Evacuation Strategy

- 47 A bushfire/flood evacuation plan for the site must be prepared by a qualified person and submitted to council within 3 months of the taking effect of this approval.
- 48 A copy of the evacuation plan for the development must be provided to the nearest local fire authority immediately upon conformation of endorsement by council.

UNITYWATER

- 49 Construction activities must not impede the access of Unitywater or Fire Brigade personnel to vital infrastructure (e.g. valves, fire hydrants and sewer access chambers).
- 50 The fire-fighting demand on Unitywater's water supply system from the development must not exceed 30 litres per second.
- 51 A single Unitywater installed primary water meter must be provided immediately inside the property boundary. Additional water meters must be installed for each title of a community title or sub-lease scheme. Meters must be Unitywater approved, installed in accordance with Unitywater requirements and remain accessible at all times for reading and maintenance purposes.
- 52 Buildings and other structures must maintain a minimum clearance of 1.5 metres from Unitywater sewer mains, and 1.0 metre from sewer manhole chambers and inspection openings .
- 53 Storm water retention systems and gross pollutant traps must maintain a minimum clearance of 1.5 metres from Unitywater water supply and sewerage infrastructure.
- 54 Tree plantings must maintain a minimum horizontal clearance of 1.0 metre from Unitywater water mains and 1.5 metres from Unitywater sewerage mains. Landscaping plants within these clearances must be low growing when mature and suitable approved varieties.
- 55 Construction works undertaken in the vicinity of Unitywater water supply or sewerage infrastructure must not adversely affect the integrity of the infrastructure. All costs associated with repair, replacement or alteration of infrastructure must be met by the applicant.

5. REFERRAL AGENCIES

The referral agencies applicable to this application are:

Referral Trigger	Referral Status	Referral Agency and Address
Proximity to State Controlled Road Network, Public Passenger Transit and Railways	Concurrence	Department of Transport & Main Roads PO Box 1600 Sunshine Plaza Postal Shop MAROOCHYDORE QLD 4558
Vegetation Clearing	Concurrence	Dept of Environment & Resource Management GPO Box 2454 BRISBANE QLD 4001

A copy of any referral agency conditions is attached.

6. APPROVED PLANS

Approved Plans

Plan	Rev.	Plan Name	Date
051056_A	A	<i>Sunshine Coast Grammar School – Master Plan</i> , prepared by BVG of Core Architecture	09/01/2012

7. REFERENCED DOCUMENTS

Document No.	Rev.	Document Name	Date
MCU07/0031 TODA	– 1	<i>Supplementary Table of Assessment for Sunshine Coast Grammar School Master Plan</i>	January 2012
0198SMP	A	<i>Integrated Water Management Plan – Proposed Building Extensions</i> , prepared by Contour Consulting Engineers	30 July 2010
25499	2	<i>Grammar School Master Plan Sunshine Coast Grammar School Forest Glen - Addendum Traffic Engineering Report</i> , prepared by TTM	June 2010
51325	RO1	<i>Sunshine Coast Grammar School Proposed Expansion Mons Road, Forest Glen - Acoustic Report</i> , prepared by TTM	8 May 2009
2006-21 SCGS	1.0	<i>Bushfire Hazard Assessment – Sunshine Coast Grammar School</i> , prepared by Lioria Consulting	7 May 2009

8. ADVISORY NOTES

PLANNING

Equitable Access and Facilities

1. The plans for the proposed building work have NOT been assessed for compliance with the requirements of the Building Code of Australia – Part D3 as they relate to people with disabilities. Your attention is also directed to the fact that in addition to the requirements of the Building Code of Australia – Part D3 as they relate to people with disabilities, one or both of the following may impact on the proposed building work:
 - (a) the *Disability Discrimination Act 1992* (Commonwealth); and
 - (b) *Anti-Discrimination Act 1991* (Queensland).

Sunshine Coast Regional Council recommends that the following matters be considered to address equitable access and facilities in the building:

- (a) the building and environs should be designed to meet the requirements of the Human Rights and Equal Opportunity Commission “Advisory Notes on Access to Premises” and AS 1428.2;

- (b) applicants should be aware that a “Disability Standard on Access to premises” is currently being developed and most likely will impose changes on the Building Code of Australia; and
- (c) any services and facilities in the building complex should allow independent, dignified and equitable use of the services and facilities for all people.

Aboriginal Cultural Heritage Act 2003

2. There may be a requirement to establish a Cultural Heritage Management Plan and/or obtain approvals pursuant to the *Aboriginal Cultural Heritage Act 2003*. The *ACH Act* establishes a cultural heritage duty of care which provides that: “A person who carries out an activity must take all reasonable and practicable measures to ensure the activity does not harm Aboriginal cultural heritage.” It is an offence to fail to comply with the duty of care. Substantial monetary penalties may apply to individuals or corporations breaching this duty of care. Injunctions may also be issued by the Land and Resources Tribunal, and the Minister administering the Act can also issue stop orders for an activity that is harming or is likely to harm Aboriginal cultural heritage or the cultural heritage value of Aboriginal cultural heritage.

You should contact the Cultural Heritage Co-ordination Unit on 07 3239 3647 to discuss any obligations under the *ACH Act*.

INFRASTRUCTURE POLICY

Infrastructure Charges

3. Infrastructure charges associated with future applications for development permits arising from this Preliminary Approval must be paid in accordance with the relevant instrument applicable at the time of subsequent approval/s and indexed until the time payment.

CIVIL ENGINEERING

Building and Construction Industry (Portable Long Service Leave) Levy

4. From 1 January 2000, the Building and Construction Industry (Portable Long Service Leave) Levy must be paid prior to the issue of a development permit where one is required for the 'Building and Construction Industry'. This applies to Building Works, Operational Works and Plumbing and Drainage Works applications, as defined under the *Sustainable Planning Act 2009*, where the works are \$80,000 or more and matching the definition of 'Building and Construction Industry' under the *Building and Construction Industry (Portable Long Service Leave) Act 1991*. Council will not be able to issue a Decision Notice without receipt of details that the Levy has been paid. Should you require clarification in regard to the amendments to the *Building and Construction Industry (Portable Long Service Leave) Act 1991*, you should contact QLeave on 1800 803 481 (free call) or (07) 3212 6855.

Co-ordination of Operational Works Assessment

5. To assist council to undertake an integrated assessment of the operational works application, all aspects of the works must be included in one (1) application and be in accordance with council's planning scheme. Additional application fees apply to applications where the different aspects of the works are lodged separately. Significant savings in application fees will result if all works are lodged in a single application.

Preparation of a Preliminary Construction Management Plan

6. The works identified in this Decision Notice will be required to be carried out in accordance with a Construction Management Plan endorsed by council through an approval for Operational Works. To ensure expedient assessment of any Operational Works application, the applicant is advised to submit a preliminary Construction Management Plan that addresses the requirements of the planning scheme. In particular, the preliminary Construction Management Plan should address the following:
- (a) Traffic management during all aspects of the construction phase including:
 - (i) a Traffic Management Control Plan in accordance with the Manual of Uniform Traffic Control Devices (MUTCD) detailing all temporary signage and traffic control measures prior to construction;
 - (ii) maintenance of safe pedestrian access across the frontage of the site both during daily construction and after daily construction has ceased;
 - (iii) proposed fencing to the site during the construction phase of the development; and
 - (iv) approval of the Traffic Management Control Plan by the Department of Main Roads (DMR) for any works on State controlled roads.
 - (b) Maintenance and protection of water quality and existing drainage lines through the construction site, through the implementation of appropriate erosion and sediment control measures;
 - (c) Works programme identifying key components of the works and their respective durations;
 - (d) Establishment of a communication protocol with the general public, adjoining owners, emergency services and local businesses to advise of agreed construction times, impacts on traffic and services and other relevant issues;
 - (e) Identification of complaint management procedures including:
 - (i) contact details for the on-site manager; and
 - (ii) dispute resolution procedures.
 - (f) Details on the location of external fill sites/sources, the haulage route, type of vehicle to be utilised during filling operations and frequency of usage. NB any damage to the existing road system as a result of haulage operations shall be fully repaired at the applicant's expense; and
 - (g) It is acknowledged that the Construction Management Plan will be a draft document requiring finalisation upon appointment of the Principal Contractor employed to construct the works and a final document will be required to be submitted at the Pre-Start Meeting for the project.

HYDRAULICS & WATER QUALITY**Co-ordination of Operational Works Assessment**

7. To assist council to undertake an integrated assessment of the operational works application, it is our preference that all aspects of the works be included in one (1) application and be in accordance with council's planning scheme. Additional application fees apply to applications where the different aspects of the works are lodged separately. Significant savings in application fees will result if all works are lodged in a single application.

Qualified Person

8. For the purpose of preparing a Maintenance Manual for stormwater quality treatment devices, a qualified person is considered to be a Registered Professional Engineer of Queensland (RPEQ).

Integrated Water Management Guidelines

9. The applicant is advised that when addressing the requirements of council's Integrated Water Management Code and Section 7 of Planning Scheme Policy No. 5 – *Operational Works*, reference should also be made to council's Integrated Water Management Guidelines for further guidance on stormwater management outcomes.

Lawful Point of Discharge

10. The applicant is advised that a lawful point of discharge for the development will need to be determined and demonstrated as part of a detailed design solution included with the Operational Works application.

LANDSCAPE AND ECOLOGY**Water Feature**

11. Queensland pool safety standards apply to indoor and outdoor pools that are deeper than 300mm (30cm) when filled with water. To promote safety, council strongly recommends that the water feature depth is reduced or measures taken to ensure that children are not exposed to drowning or injury risk as a result of this water feature being located within the communal open space area.

Existing trees on adjoining properties

12. council notes that the neighbouring property to the south has vegetation planted along the boundary. Should excavation or construction works within this development unearth roots from the vegetation it is recommended that a qualified arborist be consulted and retained by the applicant to implement measures to ensure the health and longevity of the neighbouring vegetation.

Prestart, On and Off Maintenance Meetings and Inspections Request

13. Contact council's delegate via 5475 9866 to arrange a prestart meeting or for On or Off Maintenance inspections. Please note that the landscape works are not subject to an On Maintenance period, however are expected to be maintained in good order for the life of the development.

UNITYWATER

14. Connection to Unitywater live water mains and the Unitywater live sewer system must be undertaken by Unitywater at the applicants cost.
15. A Trade Waste permit is required prior to any stormwater, groundwater or sump pump discharge into Unitywater's sewerage system.
16. Connection of the proposed works to existing water supply and sewerage reticulation can only be performed by Unitywater. A quotation for such works will be prepared upon request.
17. Unitywater currently requires the installation of Elster PSM 50100/39 dual check meters. Water meters may be purchased direct from "Elster" and installed by the developer, or Unitywater can provide the meters and undertake the works.
18. Where connection to the existing reticulation system is required, the depth of the existing pipework must be determined prior to initiation of works to ensure that the connection can be made without the use of vertical bends. Approval from Unitywater must be obtained where minimum pipe cover cannot be maintained.
19. Unitywater is not responsible for alterations to existing services that may be required when Unitywater is connecting new water mains to the live water network. This may involve negotiations with other service authorities.

9. PROPERTY NOTES

The following property notes will be placed against the subject property in council's property record system:

“Stormwater Quality Treatment Devices

This site is provided with stormwater quality treatment devices which capture and store pollutants from stormwater runoff generated on the site. These devices are required to be routinely checked and serviced/cleaned out as per the endorsed maintenance manual. Records of maintenance activities undertaken are to be kept and made available to council Officers upon request (council reference: MCU07/0031”.

10. PRELIMINARY APPROVAL OVERRIDING PLANNING SCHEME

Not Applicable.

11. FURTHER DEVELOPMENT PERMITS REQUIRED

- Development Permit for Material Change of Use of Premises (Extension to Educational Establishment – including new sportsfields and outdoor lighting of existing sports facilities)
- Development Permit for Operational Works (Bulk Earthworks and Retaining Walls, Carparking, Driveways and Stormwater Drainage Works, Landscaping)
- Development Permit for Building Work
- Development Permit for Plumbing and Drainage Work

12. SELF ASSESSABLE CODES

Not Applicable.

13. SUBMISSIONS

There were 42 properly made submissions about the application. In accordance with *Sustainable Planning Act 2009*, the name and address of the principal submitter for each properly made submission is provided and attached.

14. REASONS / GROUNDS FOR APPROVAL DESPITE CONFLICT WITH SCHEME

Not Applicable.

15. RIGHTS OF APPEAL

You are entitled to appeal against this decision. A copy of the relevant appeal provisions from the *Sustainable Planning Act 2009* is attached.

During the appeal period, you as the applicant may suspend your appeal period and make written representations to council about the conditions contained within the development approval. If council agrees or agrees in part with the representations, a “negotiated decision notice” will be issued. Only one “negotiated decision notice” may be given. Taking this step

will defer your appeal period, which will commence again from the start the day after you receive a “negotiated decision notice”.

16. OTHER DETAILS

If you wish to obtain more information about council’s decision, electronic copies are available on line at www.sunshinecoast.qld.gov.au, or at council Offices.

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4.2 STRATEGIC ISSUES

4.2.1 SUNSHINE COAST RECREATION TRAIL PLAN 2012

File No:	Recreation Trail Plan
Author:	Senior Strategic Planner Regional Strategy and Planning
Appendices:	App A Recreation Trail Plan 2012 (SPC Att Pg 87)
Attachments:	Att 1 - Summary Community Feedback on the draft Recreation Trail Plan 2011 (SPC Att Pg 199) Att 2 - Network Blueprint - Summary of Broad Cost Estimates (SPC Att Pg 206)

PURPOSE

The purpose of this report is to present to Council the Sunshine Coast Recreation Trail Plan 2012 for endorsement. The Plan is based on the Draft Sunshine Coast Recreation Trail Plan 2011 endorsed by Council for community consultation purposes in October 2011. The final Plan responds to public submissions received and an internal review process undertaken.

EXECUTIVE SUMMARY

The Sunshine Coast is well known for its network of regionally significant trails such as the Great Walks, the Coastal Pathway, the Noosa Trail, the Cooloola Way and mountain bike trails at Tewantin and Parklands.

The importance of recreation trails to both residents and visitors alike was identified during the preparation of the Open Space Strategy and the Sport and Active Recreation Plan in 2011.

The Sunshine Coast Recreation Trail Plan 2012 proposes to build on the strengths of the existing trail network that is highly valued by locals and visitors for bushwalking, horse riding and mountain bike riding and improve the distribution of trails across the Sunshine Coast.

The Plan has been prepared to fulfil an action of the endorsed *Sunshine Coast Open Space Strategy 2011* to:

Ensure recreation trail planning provides for walking, mountain bike riding and horse riding in different trail settings (urban and non urban).

The Draft Recreation Trail Plan 2011 was presented to Council in November 2011 for public consultation purposes. Forty five (45) submissions were received during the public display period. (Refer to Attachment 1 – Community Feedback on Draft Recreation Trail Plan 2011).

The Sunshine Coast Recreation Trail Plan 2012:

- seeks to improve the existing network through linkages and upgrades and provide a more equitable distribution of local trails;
 - includes a network blueprint that prioritises upgrades of existing trails, proposes new trails and infrastructure, and identifies trail proposals requiring additional investigation;
 - informs the current capital and operation funding allocated to recreation trail development; and
-

- promotes a more consolidated approach to trails planning, delivery and promotion on the Sunshine Coast within Council and with external partners.

The Recreation Trail Reference Group, involving both internal and external stakeholders, was established in early 2010 to guide the development of the Plan. Key stakeholder meetings and comprehensive consultation has informed the final plan being presented for endorsement.

OFFICER RECOMMENDATION

That Council:

- receive and note the report titled 'Sunshine Coast Recreation Trail Plan 2012'; and
- endorse the Sunshine Coast Recreation Trail Plan 2012 (Appendix A) to guide Council and the community in trail planning, management and decision making, subject to consideration in annual budget processes.

FINANCE AND RESOURCING

The Plan contains a detailed Network Blueprint that identifies the existing recreation trail network and the recommendations for future trail planning, upgrades and new trail development. The recommendations in the Network Blueprint have been prepared based on the following four categories: **partnerships/advocacy, planning, upgrade and new trails**. Two sub categories have been included, one for the Coastal Pathway due to the level of investment on this specific recreational trail and one for those components of the strategic pathway network that have been identified as having both a transport and recreation function. The indicative allocations shown for these sub categories include both pathway upgrades and new sections of pathway.

A summary of the cost estimates for the next five years are provided below. A more detailed summary of recommendations and estimated costs are contained in Attachment 2 – Network Blueprint – Summary of broad cost estimates.

Estimated Costs for Recreation Trails Plan – Blueprint (next 5 years)

CATEGORIES	INDICATIVE ALLOCATIONS	ESTIMATED COST	ADDITIONAL FUNDS REQUIRED (GRANTS, SUBSIDISES)
PARTNERSHIP	25,000	400,000	375,000
PLANNING	25,000	30,000	5,000
UPGRADE	770,320	1,129,820	359,500
NEW	*567,180	2,125,000	1,625,500
Coastal Pathway	4,200,000	4,200,000	0
Shared Strategic Transport Pathway/Recreation Paths	1,800,000	1,800,000	0
TOTAL	7,387,500	9,684,820	2,297,320

(* \$30,000 for Cultural Heritage Trails signage funded by Levy included.)

Note: The above are indicative allocations as outlined within the current ten year capital works program and subject to the annual budget process.

Recreation trail development is an eligible item in the Priority Infrastructure Plan (PIP), Infrastructure Contribution Funds are contained in the Capital Works allocations identified in Allocated Funds.

It is estimated that to implement the Plan recommendations for the next five (5) years an additional Capital allocation (funds required) of approximately \$2.3 million is required. The additional funding would be subject to annual budget considerations and could also be potentially sourced through grant programs and subsidies from State and Federal Government Programs.

Council has been relatively successful attracting grants and subsidies for the development of the trail network in the past, which could significantly contribute to the funds required. Possible funding programs include:

- Department of Communities, Sport and Recreation Infrastructure Program which provide Council with up to 50% funding for new trail construction.
- Department of Employment, Economic Development and Innovation skill development programs for the long term unemployed, for example the 'Green Army'.
- State Cycle Network Program (CNP). Under this program pathways are eligible for up to 50% subsidy for approved projects.
- State Government via partnership arrangements.

Current budget allocations for the operational maintenance and management of the existing trails are funded through the Parks and Gardens and Environmental Operations operational budgets. The Plan proposes a consolidated investment be made into the upgrade of the existing trails, this will improve operational efficiency and improve management outcomes.

Within the Plan there are a number of strategic actions that require implementation and it is proposed that these actions will be undertaken as operational funded activities through the annual budget process.

CORPORATE PLAN

Corporate Plan Theme: *Managing Growth*

Emerging Priority: 7.4 Timely and appropriate infrastructure and service provision

Strategy: 7.4.3 Ensure the provision of parks, open space and community infrastructure consistent with identified local and regional needs

Corporate Plan Theme: *Managing Growth*

Emerging Priority: 7.5 Council's services and assets meet the needs of our growing community

Strategy: 7.5.1 Determine the types and levels of services provided by council

Corporate Plan Theme: *Health & Wellbeing*

Emerging Priority: 4.2 Active lifestyles

Strategy: 4.2.3 Promote physical activity and recreation

CONSULTATION

Internal Consultation

The Plan has been developed by Regional Strategy and Planning with input from Councillors and key internal stakeholders including:

- Infrastructure Services (Parks and Gardens, Environmental Operations and Engineering Services);
- Community Services (Creative Planning and Programs, Active and Healthy Communities);
- Regional Strategy and Planning (Environment Policy, Integrated Transport Policy, Strategic Land Use Planning and Social Policy); and
- Finance and Business (Property and Business, and Economic Development).

The directions contained in the Plan are supported by these stakeholders.

External Consultation

A Recreation Trail Reference Group was established by Council to create a partnership between land managers, user groups and Council representatives, and to enable trail planning and operations to be discussed in an open and collaborative forum. Councillor Blumel chaired the Reference Group.

The reference group consisted of the following internal and external stakeholders:

1. Sunshine Coast Council Councillor (Cr Debbie Blumel)
2. Regional Development Australia
3. Qld Conference and Camping Centre
4. Department Employment, Economic Development & Innovations
5. Sunshine Coast Area Trail Endurance Riders
6. Department Communities
7. Forestry Plantation Queensland (FPQ)
8. Department of Transport and Main Roads
9. Department of Environment and Resource Management (DERM)
10. Tourism Queensland
11. Noosa Biosphere Environment Board
12. Sunshine Coast Bushwalking Club
13. Bushrangers Mountain Bike Club
14. Sunshine Coast Council Staff

Some of these stakeholders have suggested the group be continued as the forum has been advantageous in building relationships across land manager boundaries. Consequently the Plan recommends a working group of key stakeholders (including land managers and trail users) be established to coordinate recreation trail planning and development across the region.

Community Engagement

A comprehensive consultation process has been undertaken during preparation of the Plan. In April and May 2010 a series of thirteen community workshops were conducted, followed by a survey of workshop attendees.

During November 2011 the Draft Recreation Trail Plan 2011 (draft Plan) was placed on public display during which time a total of 45 public submissions were received. Of these 28 responded using the feedback sheets provided with 17 being in a written format responding to specific issues.

Workshop sessions were also held with Department of Environment and Resource Management (DERM) and Forestry Plantation Queensland (FPQ) to ensure the Plan reflects the planning and delivery of these key stakeholders on Forestry Plantation, State Forests and National Parks. The Plan does not propose new trails on land not managed by Council, however, it may indicate areas for further investigation.

In summary there was overall support for the vision and strategic direction outlined in the draft Plan. The following two outcome areas were considered the most important by respondents:

- A diversity of walking, mountain bike and horse riding trails; and
- Good access to a variety of well located trails.

All submissions have been reviewed and considered in the development of the Plan (Refer **Attachment 1** – Summary Community Feedback on the Draft Recreation Trail Plan 2011).

PROPOSAL

The Sunshine Coast on-line questionnaire, undertaken during the development of the Sunshine Coast Sport and Recreation Plan 2011-2026, revealed that multi-use trails (trails that cater for bushwalking, mountain bike riding and horse riding) in natural areas are very important to the community of the Sunshine Coast. The questionnaire results also indicated that:

- walk/cycle paths are considered to be the most important element of all sport and recreation infrastructure; and
- the provision of multi-use trails in natural areas is currently below community expectations.

The purpose of the Plan is to fulfil action 5.1.2 of the Open Space Strategy:

Ensure recreation trail planning provides for walking, mountain bike riding and horse riding in different trail settings (urban and non urban).

The Plan seeks to:-

1. Provide a guide for the future provision, embellishment and management of a recreation trail network on the Sunshine Coast catering to non-motorised recreational pursuits including walking, mountain bike riding and horse riding;
2. Inform Council's planning, including the planning scheme, strategic documents, funding allocations and operational activities;
3. Guide Council and community decision making with respect to trail development for the next 10 years; and

4. Ensure a consistent and co-ordinated approach to the planning and allocation of resources for trail development.

The overarching vision of the Plan developed by the Recreation Trail Reference group is:

“To ensure a variety of trails are available for residents and visitors so they may safely enjoy the Sunshine Coast landscape on mountain bike, horse back or by walking.”

The Plan outlines strategic outcomes and actions to fulfil the vision for Council and provides a detailed network blueprint that articulates specific actions based on four categories namely partnering/advocacy, planning, upgrades and new.

A critical component of the Plan is the network blueprint that guides the future planning and development of trails under Council control for the next 10 – 20 years. The blueprint is based on an assessment of recreation trail performance across the region. The assessment considered three key elements: trail supply, range and diversity, and quality. The assessment identified the current performance on the Sunshine Coast as:

1. a good network of regional significant trails;
2. an average distribution of approximately 1.8km of signed trails per 1000 people;
3. an inequitable distribution of trails with residents of 9 localities of interest having no access to trails and a further 14 localities having a trail supply of substantially less than 1km of signed trail per 1,000 people;
4. a poor range and diversity of trails for mountain bike riders and horse riders;
5. a limited number of local trails for all user groups in all localities; and
6. a reasonable quality of existing trails although directional signage is generally poor.

Legal

There are no legal implications to this report.

Policy

The Plan is a key policy document within the Council endorsed policy framework within the Open Space Strategic Direction and forms Council's policy on recreation trail provision for the future.

A Desired Standard of Service (DSS) for trail development is contained in the plan. An action recommends a minor amendment to the DSS endorsed in the Open Space Strategy 2011.

Risk

There is a risk that without an endorsed recreation trail plan ad hoc decision making and uncoordinated financial and capital planning may occur.

The Plan brings together the planning for recreation trails across Parks and Gardens, Environmental Operations, Civil Works, Cultural Heritage Collections and Community Planning to ensure a more co-ordinated approach to the planning and delivery of recreation trails.

The Plan enables Council to efficiently coordinate financial planning and asset development and management, resulting in more cost efficient decision making and expenditure.

Failure to endorse or implement the Plan could result in high cost low priority trails being developed and an inequitable distribution of local urban recreation trails across the Sunshine Coast.

Previous Council Resolution

Council resolution (OM 11/261) (19 October 2011)

That Council:

- (a) receive and note the report titled "Sunshine Coast Draft Recreation Trail Plan 2011"; and*
- (b) endorse the Sunshine Coast Draft Recreation Trail Plan 2011 (Appendix A) for the purposes of community consultation during October and November 2011.*

Related Documentation

1. South East Queensland Active Trails Strategy 2007
2. South East Queensland Outdoor Recreation Strategy 2010
3. The Sunshine Coast Tourism Opportunity Plan 2009 – 2017
4. The Sunshine Coast Hinterland Nature Based Tourism Plan 2009
5. Recreational Trails Strategy for Maroochy Shire Oct 2003
6. Caloundra City Recreational Links and Trails Strategy Oct 2002
7. Caloundra Recreation Trails Master Plan April 2006
8. Queensland Outdoor Recreation Strategic Framework 2010 – 2015 (July 2011)

Critical Dates

The endorsement of the Plan is important to finalise to provide direction to the future capital works program and allocation of resources for implementation of the Plan.

Implementation

Monitoring of the Plan's implementation is important to its success. An internal recreation trail working group is proposed to oversee implementation of the Plan. A stakeholder working group is proposed to provide opportunity for ongoing input and communication relating to specific trail proposals by all interested stakeholders including land managers, user groups and community representatives.

An internal implementation plan based upon the strategic actions and recreation trail network blueprint is to be prepared and shall:

1. Include estimated time frames and costs for completion of actions
2. Identify and coordinate relevant grant and funding applications and initiatives

3. Provide detailed contact lists of all relevant land managers, community groups and user groups
4. Assign responsibility of each action to branches within Council
5. Provide sufficient detail to enable handover of each action to the relevant branch
6. Inform the recreation trail development component of the Council capital works program.

The Plan is a long term planning document with a 10 – 20 year horizon. It is recommended that a full review of the strategic directions and actions, desired standards of service and network blueprint be undertaken in conjunction with the Open Space Strategy review in five years.

It is recommended Council be informed of the progress of the Plan's implementation, achievements and challenges once every 12 months.

5 CONFIDENTIAL REPORTS

5.1 REGIONAL STRATEGY AND PLANNING

5.1.1 CONFIDENTIAL – NOT FOR PUBLIC RELEASE - TEMPORARY LOCAL PLANNING INSTRUMENT FOR VEGETATION PROTECTION

File No: ECM 25 January 2012

Author: Executive Director Regional Strategy and Planning
Regional Strategy and Planning

PURPOSE

In accordance with Section 72 (1) (h) of the *Local Government (Operations) Regulation 2010* this report is considered confidential as it deals with matters for which a public discussion would be likely to prejudice the interests of the local government or someone else, or enable a person to gain a financial advantage.

5.1.2 CONFIDENTIAL – NOT FOR PUBLIC RELEASE – PALMVIEW STRUCTURE PLAN AND ASSOCIATED MATTERS

File No: ECM 25 January 2012

Author: Planning Coordinator, Centres and Master Planned Projects
Regional Strategy and Planning

PURPOSE

In accordance with Section 72(1) (g) of the *Local Government (Operations) Regulation 2010*, this report is considered confidential as it deals with matters for which public discussion would be likely to prejudice the interests of the local government or someone else, or enable a person to gain a financial advantage.

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

File No: ECM 25 January 2012

Author: Executive Director Regional Strategy and Planning
Regional Strategy and Planning

PURPOSE

In accordance with Section 72 (1) (h) of the *Local Government (Operations) Regulation 2010* this item is considered confidential as it deals with matters for which a public discussion would be likely to prejudice the interests of the local government or someone else, or enable a person to gain a financial advantage.

6 NEXT MEETING

The next meeting of the Strategy and Planning Committee will be held on 15 February 2012 in the Tewanin Council Chambers, 9 Pelican Street, Tewanin.

7 MEETING CLOSURE