

Petition Glenfields Att 6 Summary of Issues

Glenfields and Waterbury Park Estates – access roads

Summary of Issues raised in the petition to Council 30 May 2012 and subsequent meetings with and correspondence received from community groups and response

	Issues	Response for Council consideration
1	Reconsider council decision to take no further action on the northern access road	Recommendation to council is to not progress the second access road at the location proposed in the petition for a range of reasons including cost, demand, need, funding availability and priority, as further outlined in the report
2	Expedite design and construction of the additional road access	As above
3	Complete the infrastructure by end 2017	As above.
4	Provide details of Council approval of Stage 10 of Waterbury Park Estate	The Decision Notice for Stage 10 of the Waterbury Park Estate development (REC02/0099) did not require construction of the second access road however included reference to Council attaching the following property record notation to all proposed lots. <i>“This rate card notation is to inform purchasers of lots within this development, that Council may at some future time construct Glenfields Boulevard to connect with Mountain Creek Road to the west of the Estate”</i> .
5	Provide record of the 1992 Court Ruling by the Environment and Planning Court regarding the western access land provision for the future second road construction by Council	There is reference in the report to Council’s Ordinary Meeting 8 December 2010 to a 1992 court order. Negotiations were undertaken as a consequence of a compensation claim being made against Council with signing of a negotiated Deed of Settlement between Moreton Sugar Ltd and Maroochy Shire Council occurring on 19 June 1998.
6	Address concerns regarding Council not complying with its Maroochy Town Planning Scheme 1985 regarding provision of more than one access road	All stages of the development were considered under the Maroochy Town Planning Scheme 1985. The scheme is not prescriptive in terms of the number of access streets that should be provided to a development.
7	Address concerns regarding safety in emergency situations including bush fires and flooding.	Council constructed an emergency access road from the development to the Sunshine Motorway in 2011. The emergency access point is now available for use during emergency situations and its operation is managed by Queensland Police in accordance with

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		<p>the Glenfields Evacuation procedure.</p> <p>The high rainfall event which occurred on 22 March 2012 was a severe event which was widespread impacting many areas of the Sunshine Coast and created significant flooding and consequential impacts on traffic. On that occasion the Local Disaster Coordination Centre determined that there was no need for evacuation and it was not deemed necessary to open the emergency access.</p>
8	Consider alternative to connect estate with a service road along Sunshine Motorway to the growth areas to the south	<p>Queensland Department of Transport and Main Roads (DTMR) have undertaken preplanning of possible future trunk road upgrades in the area. This has included the possible construction of a service road along the north of the Sunshine Motorway. If a second access was to be constructed it may be more appropriate to construct to the west of the estate to connect to Kawana Way to provide connection to the west and south as well as north and east.</p> <p>Recommendation to Council to request DTMR to provide consideration in their future planning for the motorway upgrade.</p>
10	Provide evidence of approval of emergency access to Sunshine Motorway by Department of Transport and Main Roads	<p>DTMR letter dated 18 April 2011 confirms that Drawing Numbers C001-A & C002-A for construction of Glenfields Emergency Access are acceptable to DTMR and the project may proceed subject to the works being constructed in accordance with Standard Conditions for Major Works within State Controlled Road Boundaries. A pre start meeting was arranged between Council and DTMR the department issued an Approval to Commence Work. All conditions were subsequently met.</p>
11	Consider maintaining environmental and recreational green belt along Mountain Creek	<p>If Council was to undertake construction of a second access road it would need to give serious consideration to the social, environmental and financial implications of this decision.</p>
12	Consider changed financial pressures in determination of outcome	<p>If Council was to undertake construction of a second access road it would need to give serious consideration to the social, environmental and financial implications of this decision.</p>
13	The Deed of Settlement between Maroochy Council and Moreton Sugar – June 1998 – Section 13.1 clearly indicates that “a road providing practical access to Mountain Creek Road” is a minimal requirement for subdivision of the development land.	<p>The Deed of Settlement states that the minimum that should occur is dedication of the Western Access Road to the Crown.</p>

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14	<p>The 1998 Deed of Settlement clearly states that Maroochy Council agreed that the developer “Moreton will not construct the western access road” at the time that Maroochy Council were subject to a multimillion dollar compensation claim/</p>	<p>Clause 15.2 of the 1998 Deed of Settlement states that;</p> <p><i>15.2.1 in the event that practical and legal access to the Development Land is achieved from an extension to Glenfields Boulevard; and</i></p> <p><i>15.2.2 construction of the Western Access Road has not been substantially commenced,</i></p> <p><i>Moreton will not construct the Western Access Road and will dedicate the Western Access Road to the Crown at no cost save that the Council will indemnify Moreton for all costs reasonably incurred by Moreton in dedicating the Western Access Road.</i></p>
15	<p>The Council Survey of Glenfields Estate residents in May 2009 distributed by Cr Dickson stating that the extension of Glenfields Boulevard is in the Council’s Scope of Works for the next 3-5 years, with no environmental conflict from Council to proceed with extending Glenfields Boulevard. Also residents surveys of 2007 and 2011.</p>	<p>A letter was forwarded to each resident by Cr Dickson on 22 May 2009 providing the information as stated.</p>
16	<p>Council’s long term Planning Manager in September 2007 advising former Maroochy Councilor Hulett that “Glenfields Estate fails all planning standards and is effectively one large cul-de-sac and should be fixed by way of the missing link”.</p>	<p>Council’s Manager, Long Term Infrastructure Planning Branch’s memo dated 26 September 2007 to Cr Hulett provided that advice.</p>
17	<p>The Transport & Main Roads initial outright rejection of an emergency exit onto Sunshine Motorway on safety grounds October 2010</p>	<p>Department of Transport & Main Roads Regional Director (North Coast Region) letter to Council dated 13 October 2010 advised that the department does not agree with the proposal as “<i>it is not considered appropriate and will present an unacceptable safety risk to road users on the Sunshine Motorway</i>”.</p> <p>Subsequent discussions between Council and DTMR clarified that the request was for an emergency access road rather than fulltime access.</p>
18	<p>The Transport & Main Roads (TMR) subsequent approval of an emergency gate for short term access to the Sunshine Motorway, after Sunshine Coast Regional Council pleaded with TMR that “Council were unable to construct a second road at this time”.</p>	<p>Department of Transport & Main Roads Regional Director (North Coast) letter to the Glenfields/Waterbury Park Community Association dated 29 June 2011 advised that “<i>The Department of Transport & Main Roads has given the Sunshine Coast Regional Council in-principal approval for a short-term emergency access following representations from the council about potential</i></p>

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	When is the second road going to be built by Council?	<p><i>safety issues associated with only one access to Glenfields. The council advised that it is not able to construct a second access to Glenfields at this time”.</i></p> <p>There is currently no time frame for construction by council of a second access road to Glenfields/Waterbury Park Estate.</p>
19	Maroochy Plan 2000 Section 8. Code for Reconfiguring Lots (3) Integrated Movement Networks P2 ” The road network provides for convenient movement between local streets and higher order roads”. More than 100 dwellings are provided with more than one connection to a district collector street or higher order road: This especially relates to bush fire prone areas of high risk to residents and properties.	<p>The information provided regarding the Maroochy Plan 2000 is correct.</p> <p>All stages of the development were considered under the Maroochy Town Planning Scheme 1985. The scheme is not prescriptive in terms of the number of access streets that should be provided to a development.</p>
20	The court ruling in 1992, reported by Sunshine Coast Council (ECM 30/11/10) is a further document and the full details of this Court System ruling, must be produced by Council to clarify that the “Western Access Road” stated in Maroochy’s Deed of Settlement 1998, is a minimum requirement of any subdivision of the development land known as Glenfields Estate.	<p>There is reference in the report to Council’s Ordinary Meeting 8 December 2010 to a 1992 court order. Negotiations were undertaken as a consequence of a compensation claim being made against Council with signing of a negotiated Deed of Settlement between Moreton Sugar Ltd and Maroochy Shire Council occurring on 19 June 1998.</p>
21	Costing for Bridge and Road and landscaping – given to Cr Dickson - \$4.5 million (2012)	<p>The report to Council’s Ordinary Meeting of 8 December 2010 Page 56 provided the following comment regarding costs;</p> <p><i>Cost Estimates</i> <i>It is estimated that the minimum amount of funds required to construct the road and bridge is \$6,840,000. If Council were to strictly apply the current neighbourhood collector road standards for this road in accordance with the road hierarchy then the cost could be as high as \$25,500,000 subject to the amount of land acquisition and road widening. The higher figure includes a provision of \$10,750,000 for land in Mountain Creek Road.</i></p>

13 November 2012